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OF THE

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PROCEEDINGS AND DEBATES OF THE SIXTY-FIFTH CONGRESS
SECOND SESSION.

SENATE.

SATURDAY, *June 29, 1918.*

(Legislative day of Thursday, June 27, 1918.)

The Senate met at 11 o'clock a. m.

Mr. CHAMBERLAIN. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Calder	Hollis	Nugent	Sterling
Chamberlain	Johnson, Cal.	Overman	Thomas
Colt	Johnson, S. Dak.	Penrose	Thompson
Cummins	Jones, Wash.	Pittman	Trammell
Curtis	Kellogg	Poindexter	Underwood
Dillingham	Kenyon	Pomerene	Vardaman
Fernald	King	Shafroth	Wadsworth
France	Lodge	Sheppard	Walsh
Frelinghuysen	McCumber	Sherman	Warren
Gallinger	McKellar	Shields	Watson
Gore	McNary	Simmons	Wilfley
Gronna	Martin	Smith, Ariz.	Williams
Hardwick	Myers	Smith, Md.	
Henderson	New	Smith, S. C.	
Hitchcock	Norris	Smoot	

Mr. CURTIS. I desire to announce the unavoidable absence of the Senator from Ohio [Mr. HARDING]. I will let this announcement stand for the day.

Mr. JONES of Washington. I wish to state that the junior Senator from Michigan [Mr. TOWNSEND] is necessarily absent on account of illness in his family. I will allow this announcement to stand for the day.

Mr. JOHNSON of South Dakota. I desire to announce that the Senator from Arkansas [Mr. ROBINSON] is detained by illness.

Mr. McKELLAR. The senior Senator from Kentucky [Mr. JAMES] is detained by illness.

Mr. KING. I wish to announce that the Senator from Arkansas [Mr. KIRBY], the Senator from Illinois [Mr. LEWIS], the Senator from California [Mr. PHELAN], the Senator from Arizona [Mr. ASHURST], and the Senator from Kentucky [Mr. BECKHAM] are detained on official business.

The VICE PRESIDENT. Fifty-seven Senators have answered to the roll call. There is a quorum present.

SUNDRY CIVIL APPROPRIATIONS—CONFERENCE REPORT.

Mr. MARTIN. The chairman of the Committee on Military Affairs kindly yields to me for a moment to present a conference report on House bill 12441, the sundry civil appropriation bill, which I present and ask may be adopted.

The report was read and agreed to, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12441) making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 4, 5, 6, 8, 10, 11, 12, 13, 18, 20, 28, 29, 34, 35, 39, 40, 41, 45, 50, 53, 54, 59, 60, 69, 70, 71, and 72.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, 7, 9, 17, 19, 21, 22, 23, 24, 25, 26, 27, 30, 31, 32, 36, 43, 44, 46, 47, 48, 49, 51, 52, 55, 56, 57, 58, 61, 66, 67, and 68, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,800,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,000,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$10,500,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: Transpose the matter inserted by said amendment to follow the sum "$300,000," in line 9, on page 96 of the bill, amended to read as follows: ": *Provided*, That any license issued under the act of October 6, 1917, may be canceled by the Director of the Bureau of Mines if the person to whom such license was issued shall, after notice and an opportunity to be heard, be found to have violated any of the provisions of the act: *Provided further*, That platinum, iridium and palladium and compounds thereof are hereby made subject to the terms, conditions, and limitations of said act of October 6, 1917, and the Director of the Bureau of Mines is hereby authorized, under rules and regulations approved by the Secretary of the Interior, to limit the sale, possession, and the use of said material"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: Restore the language stricken out by said amendment, amended to read as follows: "Four-fifths of the two preceding sums shall be paid out of the Treasury of the United States and the other one-fifth out of the revenues of the District of Columbia"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,995,285"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following:

"For an investigation to be made by the Director of the Reclamation Service of the reclamation by drainage of lands outside existing reclamation projects and of the reclamation and preparation for cultivation of cut-over timberlands in any of the States of the United States, including personal services in the District of Columbia and elsewhere, purchase, maintenance, repair, hire, and operation of motor-propelled or horse-drawn passenger vehicles, and for all other expenses, there is appropriated, out of any money in the Treasury not otherwise appropriated, $100,000."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert the sum "$5,500,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Protection of the Capitol during the period of the war: For an additional uniformed police force during the period of the war for the protection of the Capitol Building and Grounds, the Senate and House Office Buildings, and the Capitol power plant, and for emergencies, and each and every item incident thereto, $30,000, one-half to be disbursed by the Secretary of the Senate and one-half by the Clerk of the House of Representatives: *Provided*, That the appointment to the positions herein provided shall be made by the Sergeants at Arms of the two Houses and the Superintendent of the Capitol Building and Grounds, and shall be made solely on account of efficiency and special qualifications."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment as follows: In line 8 of the matter inserted by said

amendment strike out the words "until expended" and insert in lieu thereof the following: "during the fiscal year 1919"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "purchase, exchange, care, and maintenance of a motor-propelled vehicle"; and the Senate agree to the same.

THOMAS S. MARTIN,
LEE S. OVERMAN,
OSCAR W. UNDERWOOD,
FRANCIS E. WARREN,
JACOB H. GALLINGER,
Managers on the part of the Senate.

SWAGAR SHERLEY,
JAMES F. BYRNES,
F. W. MONDELL,
Managers on the part of the House.

DATA RELATIVE TO PROFITEERING AND THE REVENUE (S. DOC. NO. 248).

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Federal Trade Commission, transmitting, pursuant to a resolution of the Senate of the 10th instant, the report of the Federal Trade Commission relative to profiteering, which will be printed, and also printed in the RECORD.

The communication is as follows:

FEDERAL TRADE COMMISSION,
Washington, June 29, 1918.

The PRESIDENT OF THE SENATE OF THE UNITED STATES,
Washington, D. C.

SIR: By direction of the commission I am transmitting herewith, pursuant to Senate resolution No. 255, dated June 10, 1918, Sixty-fifth Congress, second session (Senator BORAH), report of the Federal Trade Commission relative to profiteering.

Very respectfully, yours.

WILLIAM B. COLVER, *Chairman.*

REPORT OF FEDERAL TRADE COMMISSION REGARDING PROFITEERING.

FEDERAL TRADE COMMISSION,
Washington, June 29, 1918.

To the PRESIDENT OF THE UNITED STATES SENATE:

SIR: The Federal Trade Commission submits the following report in response to the direction under Senate resolution 255 that it furnish the Senate with any and all facts, figures, data, or information now in possession of the Federal Trade Commission relative to profiteering which would in any way enable Congress to deal with the matter either through the present proposed resolution or through enactment of more effective criminal statutes.

Information upon the present range of profits in various industries in the Federal Trade Commission arises from three activities:

First. Cost finding by the commission for the War Industries Board, the Food Administration, the Fuel Administration, and other executive departments which have called upon the commission for this work.

Second. Industrial surveys undertaken by the commission at the direction of the President or upon its own initiative.

Third. Enforcement of the law against unfair methods of competition.

Under the first activity the commission has had recent view of many industries handling basic materials, including steel, copper, zinc, nickel, sulphur, lumber, coal, and petroleum and its products.

Under the second activity the commission has recently dealt with meats, leather, flour, and canned goods.

Under the third activity the commission has daily contact with the tendencies of trade as they are revealed through the numerous complaints filed with it for the application of remedies which are statutorily invested in the commission.

The outstanding revelation which accompanies the work of cost finding is the heavy profit made by the low-cost concern under a governmental fixed price for the whole country.

The outstanding fact in the industrial surveys which the commission has recently made is the heavy profit made by the meat packers and by those allied with them, and by the flour millers.

The outstanding feature on the score of profit revealed in the regular work of the commission under the statute creating it and the Clayton Act is the trade tendency to increase and to maintain prices against the forces of competition.

The various items of industry herein are treated separately below.

The commission has reason to know that profiteering exists. Much of it is due to advantages taken of the necessities of the times, as evidenced in the war pressure for heavy production. Some of it is attributable to inordinate greed and bare-faced fraud.

In summarizing the information at hand, certain features appear which it is well to note.

In the case of basic metals, as in steel, when the Government announced a fixed price, it was made so high that it would insure and stimulate production. This has resulted in giving a wide range of profits. Under the device of cost plus a margin of profit, these profits are necessarily great in the case of the low-cost mills. Thus, while the market was prevented from running away, as it would have done, undoubtedly, if it had not been regulated by a fixed price, the stronger factors in the industry are further strengthened in their position and enriched by profits which are without precedent.

Again, in the case of flour milling, it is apparent that while a Government-fixed price for wheat and an allowance of maximum margin of profit over cost on flour have had the virtue of stabilization, nevertheless the profits resulting are heavy. Before the Government interfered, flour sold in 1917 with an average profit as high as 52 cents a barrel. After the fixation of the price of wheat and the determination of a maximum profit of 25 cents per barrel of flour, the very high average profit per barrel dropped toward the maximum. Where this decline in price did not bring the price down to the maximum—that is, where the millers continued to exceed the Government maximum, as they did in many instances—many of the millers were actuated by the hope that they would be allowed to include income and excess-profits taxes in their costs and pass these taxes on to the consumer. However, if there had been a fairly general compliance with the maximum of 25 cents, the profits of the least efficient mills would have been considerable and those of the most efficient mills proportionally heavier. To the extent that the maximum price was exceeded, the profits were larger and, in general, were in fact very great.

The situation in coal gives still another angle of view to the same problem. Maximum prices were fixed by territorial divisions. Many of the coal producers have not taken the maximum; but, due to the fact that in a given field there is a very wide range in the cost of the coal produced in that field, it follows that certain low-cost producers have made very large margins under the system of governmental fixed prices for the field. Many high-cost producers have made small margins. The bulk of the production, of course, enjoys the large margin. Information on the return on the investment now being collated will reveal the exact amount of profit. Percentages of profit worked upon investment will obviously be very large in the case of low-cost companies.

The experience with steel, flour, and coal shows that a high stimulating fixed price, while stabilizing an ascending market, produces an economic situation which is fraught with hardship to the consuming public and with ultimate peril to the high-cost companies through increasing the power of their low-cost competitors.

In this connection a survey of the petroleum field shows that the market, when under the control of dominating factors, such as Standard Oil, can be one of huge profits without the device of the high fixed price. No price for the public has been fixed upon petroleum and its products by the Government. Unlike the situation in steel, flour, and coal, there has been as yet no Government interference with the law of supply and demand, except in the instances of Government purchases. Under that law large profits may eventuate through the bidding up of prices by anxious buyers. And, moreover, even in the absence of this element, prices may be forced up by spreading false and misleading information concerning the condition of supply and demand. Reports, for instance, have been circulated that the supply of gasoline was endangered for the purpose of maintaining the high price of that product and the heavy profits from it. At different stages of the oil industry different products of petroleum have yielded the heavy profits. Kerosene was once the chief profit producer. Gasoline followed and superseded it as the chief producer of profits. Enormous profits are now being made in fuel oil, with the advantage to the refiner that the high price of that product meets no popular challenge. Gasoline is maintained at its present high price and produces heavy profits for the low-cost refiners.

Similarly the power of dominant factors in a given industry in maintaining high prices and harvesting unprecedented profits is shown in a survey of the meat-packing situation. Five meat packers—Armour, Swift, Morris, Wilson, and Cudahy and their subsidiary and affiliated companies—have monopolistic control of the meat industry and are reaching for like domination in other products. Their manipulations of the market embrace every device that is useful to them, without regard to law. Their reward, expressed in terms of profit, reveals that four of these concerns have pocketed in 1915, 1916, 1917, $140,000,000. Comparisons between their present profits and those of the prewar period are given below. However delicate a definition is framed for "profiteering," these packers have preyed upon the people unconscionably. They are soon to come under further governmental regulation, approved by Executive order.

In cases where the Government fixes a definite margin of profit above costs, as in the case of flour, there is a considerable incentive to a fictitious enhancement of costs through account juggling. This has added to the volume of unusual profits. Increase of cost showing on the producers' books can be accomplished in various ways. The item of depreciation can be padded. Officers' salaries can be increased. Interest on investment can be included in cost. New construction can be recorded as repairs. Fictitious valuations on raw material can be added and inventories can be manipulated.

The Federal Trade Commission has been vigilant and untiring in its exclusion of these practices. An instance of this practice was afforded by the Ismert-Hincke Milling Co., of Kansas City, Mo. This company padded its costs by heavily increasing all its officers' salaries and by manipulating the inventory value of flour bags on hand. As evidence of the length to which padding can be carried it may be added that this company even included in its costs the gift of an automobile, which it charged to advertising expense. This case was heard by the commission for the Food Administration. The commission recommended revocation of license, and the recommendation was followed.

Payment of extraordinary salaries and in some instances bonuses to executives of corporations have been found by the commission during its investigations. An illuminating example of high remuneration charged to the expense account is that given by the American Metal Co. (Ltd.), of New York, the chief dealings of which are in zinc. Appended are the salaries and tantieme (French: an interest, commission, or proportional amount) of some of the chief officials:

B. Hochschild, chairman of board of directors	$179,663.36
C. M. Loeb, president	364,326.73
Otto Sussman, vice president	221,596.04
J. Loeb, vice president	147,930.69
Sol Roos, manager St. Louis office	148,530.69
M. Schott, manager Denver office	136,553.12

The complete list of salaries and bonuses to officers and employees of this company is given later in this report.

In addition to the information above given, the Federal Trade Commission occupies an advantageous position where it is possible to view certain tendencies in trade which bear upon the problem of profiteering. Under the law the commission has power to prevent unfair methods of competition, and it is daily in receipt of complaints, which it investigates, and, if it has reason to believe that an unfair method has been used, arraigns the party complained against for a hearing of the issue. It has developed that, outside legitimate increases in price due to higher costs and other economic elements, certain members of trade have preyed with shameless avarice upon the consumers. Two classes of cases handled by the commission will be cited.

Concerns bottling or canning vegetables which made contracts for future deliveries during the year 1917, in some instances, meeting a condition of inadequate crops and seduced by rising prices, withheld portions of their contract deliveries and sold spot on the market at the higher price. There were varying degrees in this practice. Some of the instances were flagrant and in those cases the commission recommended

the revocation of license of the offender to the Food Administration, and these recommendations were acted upon. A great number of complaints of failure to deliver futures were made wherein action was not taken, as the evidence showed that the canner was unable to secure supplies by reason of crop failures. The Food Administration has endeavored to meet this situation the present year by a delivery limitation on the amount named in the contracts for future delivery.

Another trade practice has developed in which the consignee refuses goods after shipment, because the market has fallen, and vice versa the consignor refuses to ship on a rising market. These instances, which in the knowledge of the commission have not been numerous, have been handled by the commission in connection with the Food Administration and its power of revocation of license.

Still another trade practice which has increased the price of supplies to the consumer has been that of commercial bribery, upon which subject this body recently addressed the Congress, suggesting remedial legislation.

Again, the trade tendency of manufacturers maintaining the resale price of wares has contributed to holding high the general price level and in instances has increased profits without question. The action of the courts and the Federal Trade Commission in prohibition of this policy is becoming generally known to the trades and will, in our opinion, work a correction by opening up some of the closed channels of competition.

In submitting the subjoined memoranda on the industries under consideration, the commission expresses the opinion that general trade, as the commission has opportunity to view it, is in a high state of prosperity. With some exceptions that condition has continued for several years past. Many of the industries are making unusual profits, some are showing outrageous ones. In an hour of national service and self-sacrifice, profiteering may be defined not only as the taking of an exorbitant profit but should include a refusal to snare in bearing the burdens of war in the form of a reduction in profits when the profits have been large in prewar times.

STEEL.

In 1917 the steel companies made abnormal profits in the period prior to the Government price-fixing policy, and a number have continued to make unusually heavy profits since that policy was inaugurated. In finding costs in this industry for the War Industries Board the commission divided the steel makers into four groups: (1) The fully integrated mills; (2) the mills which start with the manufacture of pig iron; (3) the mills that start with steel furnaces; and (4) the mills that make rolled products from purchased semifinished steel. The United States Steel Corporation is included in class 1. Its profits expressed in terms of the total amount invested in the business show net earnings as follows:

	Per cent.
1912	4.7
1913	5.7
1914	2.8
1915	5.2
1916	15.6
1917	24.9

The figures as to the net income of the Steel Corporation, as shown by the company for the years 1912, 1913, 1914, 1915, 1916, and 1917, before deducting Federal income and excess-profits tax in 1917, follow:

1912	$77,075,217
1913	105,320,691
1914	46,520,407
1915	97,967,962
1916	294,026,564
1917	478,204,343

The Federal income and excess-profits taxes of the Steel Corporation for 1917 were $233,465,435, which leaves from net income $244,738,908, of which about one-tenth was applicable to interest on bonds of the corporation and the rest available for dividends and surplus.

From information in possession of the commission, mills in class 2 appear to have made heavy profits in 1917. Recently mills in class 3 made objection that the Government prices were too low for them. A special examination of their profits by the Federal Trade Commission showed that in almost every case these objecting mills were enjoying unusual returns. The following table of percentage of return on investment in 10 mills in class 3 will show the profits in 1917:

	Per cent.
Alan Wood, Iron & Steel Co	52.63
Allegheny Steel Co	78.92
American Tube & Stamping Co	40.03
Central Iron & Steel Co	71.35
Eastern Steel Co	30.24
Forged Steel Wheel Co	105.40
Follansbee Bros. Co	112.48
Nagle Steel Co	319.67
West Penn Steel Co	159.01
West Leechburg Steel Co	109.05

Mills in class 4, which buy the semifinished steel and convert it into the more highly developed steel products, have enjoyed substantial profits.

COPPER.

Very large earnings have been made in the copper industry on the whole, although it should be noted that they have been due in part to an unusually heavy demand for this metal, which is used almost exclusively for war purposes, directly and indirectly. The commission's figures show that 21 companies, including a large proportion of high-cost companies, made profits in 1917 which ranged from 1 per cent to 107 per cent on their investments. The average profit was 24.4 per cent. Probably over 70 per cent of the production is marketed at profits over 20 per cent on investment. These same companies show an average profit of only 11.7 per cent in 1913, which may be considered to be a normal year. Thus the average profit in the industry has more than doubled. The range of profits in 1913 was from 1 to 56 per cent.

The profits used in these computations do not include Federal income or excess-profits taxes, and therefore represent sums actually retained by the companies for addition to surplus or dividends.

There does not appear, on the whole, to have been any concerted action in this industry in putting prices up in the first instance. The war scramble among the allies shot the prices of copper and other metals to almost unheard of levels. But there are certain strong interests among the producers and marketers which predominate in certain stages of production, and these appear to have taken steps to maintain prices at unnecessarily high levels. In the first place, the smelters, and notably the American Smelting & Refining Co., have continued to hold in force certain deductions for risk of carrying copper bought from mines, which risks have ceased to exist. These deductions were put in force during the early period of the war, before price was fixed by agreement with the War Industries Board. Their present maintenance amounts to profiteering at the expense of the miners, especially the small producers. On the other hand, some of the larger and richer mines have contracts entered into before the war running for periods as long as 20 years, which are extremely advantageous to them and which are now causing some refineries to operate at a loss.

ZINC.

Most of the evidence in the commission's possession indicates no unusual profits in the zinc industry, with the exception of the operations of the New Jersey Zinc Co.

Basing percentage on the capital-stock issue of $35,000,000, the following net earnings and dividends are shown for the New Jersey Zinc Co., according to published statistics: Profits, 1916, 72.5 per cent; dividends, 76 per cent; 1917, profits, 56 per cent; dividends, 46 per cent. The Federal Trade Commission's figures as to these same net earnings and dividends are available only for 1916, and indicate profits of 95.9 per cent, with dividends of 76 per cent.

These large earnings do not indicate excessive profits on metallic zinc. The company's profits on common spelter are very low, and on grade A spelter, while high, are due to the fact that it possesses a natural monopoly of a certain high-grade ore, the product of which can not sell for less than the zinc produced by competitors. In fact, the whole explanation of the New Jersey Zinc Co.'s large profits lies in its possession of an ore body of unusual richness and purity.

NICKEL.

The dominating factor in the nickel industry is the International Nickel Co., which produces practically the entire output of that metal in this country. The profits of the International Nickel Co. in 1916 were $13,557,000 and the dividends were $10,575,000, which sums amounted to 40 per cent and 31 per cent, respectively, based upon the investment, as computed by the commission. Taking the total capitalization and surplus of the company as a basis, the net earnings would be 20 per cent and the dividends 15.6 per cent. In 1917 the profits, on the commission's basis, were 30 per cent and the dividends 24 per cent, and on the basis claimed by the company the profits were 15 per cent and the dividends 12 per cent.

This company has a natural monopoly based on the ownership of the Canadian mines from which the nickel ore is derived. It has, however, maintained prices on a prewar basis. Consequently, while prices are high and the profits very large, the increase in profits has been due to the increased war output rather than to advances in price. Therefore it does not seem that any profiteering can be charged, unless in a negative sense, i. e., the company might have been satisfied with smaller profits in war times. This is especially worthy of consideration, inasmuch as practically the entire output of the company is taken for war uses.

SULPHUR.

Two companies produce all the sulphur in this country—the Freeport Sulphur Co. and the Union Sulphur Co.

The cost of the Freeport Co. in 1917 was $6.15 per ton; in 1918 it is estimated that increases will bring the cost up to not over $9.50 per ton. In the first half of 1917 the Union Co.'s costs were $5.73 per ton. The average realization of the Union Co. in the first half of 1917 was $18.11 per ton, making a margin of $12.38 per ton. The manufacturers of sulphuric acid are paying in the neighborhood of $25 per ton, and some as high as $35 per ton, making margins of over $15 per ton for sulphur companies. The Freeport Co.'s balance sheets show an operating profit for the 11 months ending October 31, 1917 of $4,301,310, or 236 per cent on investment. On November 30, 1916, the company's balance sheet shows dividends declared of $925,000; on July 31, 1917, $1,850,000; and October 31, 1917, $2,600,000. Its surplus increased from $1,254,000 in November, 1916, to $2,543,000 in October, 1917.

These companies may be said to have a natural monopoly of sulphur. Since they have placed their operations upon an established basis they have always made large earnings. They have taken advantage of the existing situation to raise their prices.

LUMBER.

Information in the commission's possession does not indicate any excessive profits in the lumber industry on the west coast, although it is understood that producers of aeroplane spruce in that region have in the past taken advantage of allied Governments. Information in the commission's possession does indicate unusually and unnecessarily large profits on the part of the southern pine producers. Forty-eight southern pine companies, producing 2,615,000,000 feet of lumber in 1917, made an average profit on the net investment of 17 per cent. This is unusually large for the industry, as is indicated by the fact that the average profit in 1916 was only 5.2 per cent. In 1917, 47 per cent of the footage of the companies covered was produced at a profit of over 20 per cent. The range of profits was from a small loss to over 121 per cent on the net investment.

The margin of profit per thousand board-feet in 1917 was nearly double that in previous years, the figure being $4.83 as compared with $2.11 in 1916. A fair margin per thousand feet in the past has been recognized as being $3.

These figures for 1917 are the more notable, for the reason that the profits shown do not include any payments of Federal income and excess-profits taxes, but are the sums actually available for additions to surplus or dividends. Information secured from the companies concerning their dividends and income taxes supports the preceding statements.

COAL.

Generally speaking the bituminous coal operators in 1917 had very much larger margins than in previous years. While in 1916 the margins (what operators actually received for coal sold over f. o. b. mine cost) may be regarded in some cases as lower than normal, yet the margins of 1917 were often two or three times the normal return. In the figures for 1916 and 1917 mentioned below return on investment must be covered in margins shown. The increase of margins is illustrated by an examination of the returns for 1916 and 1917 of 23 typical bituminous coal companies in the central Pennsylvania field. The average margin of these companies in 1916 was 20 cents per ton, and in 1917 was 90 cents. The highest margin for any company of the 23 in 1917 was $1.85. The corresponding margin for this company in 1916 was 41 cents. Similarly the lowest margin for any of these

companies in 1917 was 27 cents, the corresponding margin for the same company in 1916 being 13 cents.

Maximum coal prices f. o. b. mines were authoritatively fixed August 21-23, 1917, by Executive order, and subsequently modified by the Fuel Administration. Contracts made before that time were not invalidated. In some fields as high as 90 per cent of possible production was sold under contract prices. While some contracts were below legal maximum price, probably much the greater part of the coal sold under contract went at prices substantially in excess of legal maximum prices fixed for current sales.

April realizations contain relatively little coal sold on contracts made prior to August 21, since most such contracts expired April 1, 1918. Sample reports for April operations, covering 12,619,274 tons actually mined in West Virginia, Pennsylvania, Ohio, Indiana, Illinois, and Kentucky, show an average margin between claimed f. o. b. mine cost and actual realization from sales of about 54 cents, as against a prewar margin of an average of 10 to 15 cents.

In anthracite the average receipts per ton, including all sizes, during the year 1914 (13 companies producing 79 per cent of the total tonnage in 1916) were $2.86 per ton. The average receipts per ton of anthracite, including all sizes, allowing for later obligatory summer discounts on prepared sizes, during the period January-March, 1918 (six companies producing 50 per cent of the tonnage in 1916), were $4.26 per ton. The average labor cost increase per ton since 1914 was $0.76; and if this is deducted from the 1918 average receipts per ton, an increase of $0.64 per ton, or 22 per cent, in average receipts is indicated, without allowance for increased cost of supplies and general expense.

In connection with the distribution of coal it may be pointed out that prior to the official regulation of jobbers' and of retailers' margins in August, 1917, there was evidence that many of the margins were unduly high when compared to the prewar margins. Details can be found in the report of the Federal Trade Commission on anthracite and bituminous coal, June 20, 1917. Since the regulations were established most of the jobbers' transactions have been carried on within the fixed margin, and whenever violations have been detected the jobbers have been forced to refund the overcharges. It should be understood that jobbers' and retailers' margins do not represent net profits alone, but also include all expenses incurred by them from the time coal is purchased until it is sold.

PETROLEUM AND ITS PRODUCTS.

The data secured by the Federal Trade Commission for 106 refining companies for the first quarter of 1918, supplemented in certain cases by returns for the second six months of 1917, indicate that the average profit in the oil industry is about 21 per cent on the investment. This is a considerable increase over the rate of profits indicated for prewar years, as the commission's gasoline report indicates an average profit for the years 1913, 1914, and 1915 of 15 per cent on the investment. In 1917 over 50 per cent of the estimated production was produced by companies having a profit of over 20 per cent on the investment. Rates of profit ranged from losses up to 122 per cent.

The profits of the eastern refiners have been relatively larger than those on the Pacific coast. The situation in the East is due to the fact that while gasoline prices have been but slightly advanced, the prices of other products have been increased greatly, especially the price of fuel oil. The public knows little about prices except the price of gasoline and to a less extent kerosene. Formerly refineries operated for the sake of the gasoline almost exclusively, and fuel oil was commonly sold at a loss, but now fuel oil is a very profitable product.

The following table will show the per cent of net earnings on investment for a series of years. The earnings for 1918 are estimated on the basis of the second six months of 1917 or the first quarter of 1918.

	1913[1]	1914[1]	1915[1]	First quarter, 1918.	1918[2] (estimated).
Atlantic Refining Co	16.4	—3.7	21.7	[3] 15.0	30.0+
Standard of Indiana	36.5	14.5	36.0	[3] 21.7	43.3+
Standard of New Jersey	9.7	7.8	20.6	[3] 9.1	18.2+
Standard of New York	21.2	8.1	16.0	[3] 6.6	13.3
Standard of Ohio	23.4	13.8	23.9	[3] 14.3	28.6+
Standard of Kansas	91.6	1.0	17.9	[4] 25.6	51.3+
Magnolia Petroleum Co	19.2	16.5	14.2	4.4	17.6
Standard of California	16.8	12.5	10.6	6.5	25.9+
Continental Refining Co	1.6	—7.8	3.3	1.2	4.7+
Empire Oil Works	4.4	—3.1	5.6	7.3	29.2+
Penn American Refining Co	35.3	13.3	12.3	15.8	63.1+
Cosden & Co		30.6	—50.7	5.9	23.5
Muskogee Refining Co	8.7	6.9	18.8	6.2	24.8+
National Refining Co	24.9	8.0	20.4	2.3	9.2
The Texas Co	17.1	13.3	12.7	[3] 13.3	26.7

[1] See pp. 108-109 of Report on the Price of Gasoline in 1915.
[2] Estimates based on figures for last six months of 1917 or first quarter of 1918.
[3] Six months period, July-December, 1917.
[4] Last six months of 1917.

MEAT PACKING.

An exposition of the excess profits of four of the big meat packers—Armour, Swift, Morris, Cudahy, omitting Wilson as not comparable—is given in the fact that their aggregate average prewar profit—1912, 1913, 1914—was $19,000,000; that in 1915 they earned $17,000,000 excess profits over the prewar period; in 1916, $36,000,000 more profit than in the prewar period; and in 1917, $68,000,000 more profit than in the prewar period. In the three war years from 1915 to 1917 their total profits have reached the astounding figure of $140,000,000, of which $121,000,000 represents excess over their prewar profits.

These great increases in profits are not due solely to increased volume of business. The sales of these companies in this period increased 150 per cent, much of this increase being due to higher prices rather than to increased volume by weight, but the return of profit increased 400 per cent, or two and one-half times as much as the sales.

The profit taken by Morris & Co. for the fiscal year ended November 1, 1917, is equal to a rate of 18.6 per cent on the net worth of the company, capital and surplus, and 263.7 per cent on the $3,000,000 of capital stock outstanding. In the case of the other four companies the earned rate on common capital stock is much lower—from 27 per cent to 47 per cent—but the reason for this is that these companies have from time to time declared stock dividends and in other ways capitalized their growing surpluses. Thus Armour in 1916 raised its capital stock from $20,000,000 to $100,000,000 without receiving a dollar more of cash. If Swift, Wilson, Cudahy, and Armour had followed the practice of Morris in not capitalizing their surpluses—accumulated from excessive profits—they, too, would now show an enormous rate of profit on their original capital.

Rates of profit earned by these five companies in war years compared with the prewar average, based on net worth—capital and surplus—and on common stock, are as follows:

Actual profit on net worth.	Armour.	Swift.	Morris.	Wilson.	Cudahy.
	Per cent.	Per cent.	Per cent.	Per cent.	Per cent.
Prewar average, 1912-1914	6.2	8.3	6.8	[1]	7.3
War average, 1915-1917	14.6	21.0	13.5	[1]	14.1
Year 1917	[2] 16.8	26.7	18.6	23.8	18.7
Rate on common stock, 1917	[2] 27.1	47.2	263.7	42.5	47.0

[1] Figures not available.
[2] Foreign business not included would undoubtedly raise percentages.

The independent packers, as measured by results compiled for 65 of the largest of them, earned during 1914, 1915, and 1916 a rate of profit as high or slightly higher than that earned by the big packers in those years. The profits of these independent companies for 1917 are not as yet available.

LEATHER AND LEATHER GOODS.

During the year 1917 a large proportion of the tanners in the United States made unusual profits. As the commission reported in January last, reports of a number of the larger companies show that net profits in 1916 were in several instances two, three, four, or even five times as large as in 1915, and the 1915 net profits in turn showed increases of from 30 per cent to more than 100 per cent over those of 1914. One striking instance is a company whose net profits were reported as follows:

1914	$644,390.90
1915	945,051.37
1916	3,576,544.27

The tanners took advantage of the enormous demand for leather and took very high prices. During 1917 the prices of hides, particularly packer hides, were advanced very rapidly, notwithstanding that during the period of advance great supplies of hides were withheld from the public.

Many shoe manufacturers in 1917 made larger profits than usual. Wholesale shoe dealers secured wider margins of profit in 1917 than they had been accustomed to receive. The margins of retail shoe dealers widened greatly during 1917, especially upon fancy shoes. This was true to a less extent on staple shoes. It appears that the retailer has profited more in proportion than the wholesaler.

As an indication of earnings of the big packers in the selling branch of their leather business the following is quoted from a letter of January 17, 1917, by the Eastern Leather Co., an Armour selling subsidiary, to Mr. F. W. Croll, of Armour & Co.:

"We are inclosing our check on the National City Bank, New York City, payable to Mr. J. Ogden Armour, for $915,787, same being a dividend of 53 per cent on the 17,279 shares of common stock standing in his name. In addition to this, and in accordance with our conversation when in Chicago, we have set aside as a surplus $250,000, which represents 10 per cent on the common stock.

"We are also inclosing a check on the National City Bank for $202,145.62, payable to Mr. Armour, this being the balance due on 6,020 shares of common stock held for employees."

Here is a memorandum of May 15, 1917, from J. D. Murphy to Mr. H. W. Boyd, president of the Armour Leather Co.:

MAY 15, 1917.

Mr. H. W. BOYD:

Herewith comparative statement of results in the leather business for the three months ending April 28, showing earnings of $1,964,945.18. This does not include Woodstock, as we have not finished enough of our own leather up there to make a loss-and-gain result of any value as indicating the possibilities of the plant.

As per Mr. Armour's instructions, given through Mr. Stull, we are charging off in reduction of the above the following reserves:

Earnings as above		$1,964,945.18
Reserve for income tax, 3 months ending Apr. 29, 1917	$36,915.61	
Reserve for estimated excess-profit tax, 6 months ending Apr. 28, 1917	423,620.84	
		460,536.45
Net earnings		1,504,408.73

J. D. MURPHY.

Here is another letter, in which Mr. H. W. Boyd writes Mr. Armour comparing the results for the Armour Leather Co. with the Central Leather Co.'s statement:

OCTOBER 31, 1917.

DEAR MR. ARMOUR: In reference to the Central Leather Co.'s statement, would say that it does not compare favorably with ours. You will notice that after deducting interest and dividends they only have $40,000 to add to the surplus. We made $600,000, and they are doing four times the amount of business and only made $1,900,000, and, as stated above, after deducting interest on the bonds and paying dividends, they only had $40,000 left to add to their surplus.

I think, considering their lumber business, which is wonderful—the manager of the Pennsylvania Lumber Co. told me that they never expected to realize the profits they were making on hemlock lumber and that they were doing an enormous business—that our statement is a great deal better than theirs.

Yours, truly,

H. W. BOYD.

The way in which Swift & Co. proceeds when a Government limitation of profits is expected is shown by the following letter, in which Louis F. Swift writes to his brother, Ed. F. Swift, stating that he has learned that the Government expects to establish profit control in the leather industry and suggesting the advisability of reappraising their properties in certain companies. Edward F. replies:

"I approve, if done quietly and promptly.

"E. F. S."

The letter, with marginal direction, is as follows:

CHICAGO, *November 26, 1917.*

Government control—Leather companies.

Mr. EDWARD F. SWIFT,
Second Floor:

We have had a virtual statement from Mr. Cotton that the Government expects to establish profit control in the leather industry. With this notice, I think we should at least consider the advisability of reappraising the properties of the following companies: A. C. Lawrence Leather Co., National Calfskin Co., Winchester Tannery Co., St. Paul Tannery Co., Ashland Leather Co., St. Joseph Tanning Co. (in which we have only 50 per cent ownership).

If it is agreeable to you, will arrange with Mr. Moon to go into the matter and submit figures.

Awaiting your reply, LOUIS F. SWIFT.

I approve, if done quietly and promptly.

E. F. S.

FLOUR.

The flour millers have had unusual profits for considerably more than a year. Information collected and verified by the commission shows for the four years ending June 30, 1916, a profit of 13½ cents on each barrel of flour and 12 per cent on the capital investment. These figures came from accounts covering nearly 40,000,000 barrels output annually. This is somewhat less than 40 per cent of the annual output of the whole country, but a very much larger part of the flour sold in the regular commercial market.

In other words, these figures apply to mills that in large part supply the demand for flour in interstate commerce and for export. The years covered, 1913, 1914, 1915, and 1916, should probably be accepted as fairly representative in spite of the fact that the war demand in 1915 and 1916 would lead one to expect them to show an abnormally high profit.

In the year ending June 30, 1917, these same mills made an average of 52 cents on each barrel of flour sold and nearly 38 per cent on their investment—profits that are indefensible, considering that an average of the profit of one mill for six months of the year shows as high as $2 per barrel.

The commission has tabulated returns covering the sale of something over 4,000,000 barrels of flour made and sold under the Food Administration's regulations from September, 1917, to March, 1918, inclusive. In face of the regulation of 25 cents per barrel maximum, the average profit per barrel on this flour was about 45 cents, or over three times the normal profit per barrel referred to above. The return on investment was apparently between 25 and 30 per cent. However, with prices maintained at the same level, cost would probably have increased and profit would have been somewhat reduced in April, May, and June, 1918, because of the smaller output in those months. The average net profit of jobbers reporting to the commission was about 15 cents per barrel for 1913 and 1914 but increased to nearly 50 cents in the first half of 1917. These profits include all the pay received by the proprietors of the business for their services. It is clear that if the profit above such pay was reasonably high in 1913 and 1914, it was exorbitant in the first half of 1917. The Food Administration has succeeded in reducing the profit of these concerns, but for the year 1917 it was still over twice as high as in the earlier years.

CANNED MILK.

About three-quarters of the total canned milk (evaporated and condensed) is produced by 10 companies. Nearly one-half of the total pack is produced by three companies—Borden's Condensed Milk Co., Helvetia Milk Condensing Co., and Carnation Milk Products Co. These three companies occupy a strong position in the trade. The price statistics between 1907 and 1917 show that practically every rise and every decline was inaugurated by either Borden or Helvetia, and the small manufacturers followed. In 1916 and 1917 the war demand caused prices to ascend so rapidly that the problem of declines was obviated until the beginning of 1918.

In 1917, according to the statement of the company, Helvetia made over 20 per cent on cost and over 65 per cent on investment. The Borden Co. made approximately 18 per cent on cost. The Borden Co.'s costs are relatively high.

The Helvetia Co., in a letter to the commission, under date of March 19, 1918, says:

"We desire to say, however, in connection with the total earnings of the company and the margin of profit shown during the year, that it was our judgment at all times during the year that we were making a larger profit on our goods than we were entitled to make. * * *

"We desire to say in explanation of the year's profit—but not in defense of it—that the profit which the company made during the year was regulated by conditions entirely beyond the control of the directors and officers of the company.

"During a large part of the year the demand on the market was so strong that it was with great difficulty that the price was kept from going much higher than any point reached during 1917. * * * Most of the price advances during the year were made by us in self-protection and in an effort to keep orders from piling up on us beyond our capacity to fill. We were compelled on one or two occasions to withdraw prices and refuse to take orders except at prices to be determined at the date of shipment, which, in a rising market, would naturally be higher—this plan being adopted on account of the necessity for protecting ourselves against the unusual and abnormal buying."

In extenuation, this letter goes on to say that in estimating costs for the purpose of announcing its prices, the company had overestimated its increase in cost. During 1917 the cost of producing evaporated milk (talls) was, in some months, but a little more than $4, and even in the high-cost months not much more than $4.50. These figures represent the costs of most of the manufacturers. The price of evaporated (talls) prevailing in the market during most of the year ranged from about $5 to $5.50. The unprecedented increase in the canned-milk business, due to the war demand, enabled the milk manufacturers—with such margins between costs and prices—to make unusual profits.

SALMON CANNERS.

Approximately 90 per cent of the salmon packed in 1917 was produced at a cost under $7.25 per case. To this should be added selling expense. This item, as reported by 24 companies, packing practically 50 per cent of the year's production, was 28 cents per case. However, the 28 cents does not include brokerage and cash discounts in all cases, and it is estimated that 50 cents per case would be a fairer allowance. This would bring the representative high cost up to $7.75.

The weighted average of the 1917 opening prices for different grades of salmon was $8.29 per full case, but more salmon was sold above than below this price during the year. This indicates a margin for a high-cost canner of 54 cents per case, and larger margins on the bulk of the production.

The average investment per case in 1917 was $4.32.

It follows that the marginal percentage earned upon a reasonable investment by the high-cost canners was approximately 12½ per cent. Several canners having costs in the vicinity of $7.25, which might be taken as concrete illustrations, made profits as follows:

	Profit.
Alaska Salmon Co. (cost, $7.12)—per cent	19
Everett Packing Co. (cost, $7.43)—do	5
San Juan Packing Co. (cost, $7.02)—do	24
Cascade Packing Co. (cost, $7.13)—do	62
Ocean Food Packing Co. (cost, $7.58)—do	14
Salina Packing Co. (cost, $7.71)—do	31

The foregoing statements are based upon the representative high-cost company, one whose cost would cover 90 per cent of the total pack. The following figures concern the average.

In 1917 the average net profit on investment of 90 companies, packing 7,426,678 full cases (87 per cent of the total year's pack) was $2.28 per case, or 52.8 per cent on the net investment in the salmon-canning business proper. This average of 52.8 per cent does not reveal the fact that some of the low-cost companies, included in the average, made over 200 per cent. It is significant that some of these low-cost companies are those allied with the big meat packers.

SALARIES AND BONUSES.

Below are given the payments in salaries and commission which were made in 1917 for services rendered by the American Metal Co. (Ltd.), New York. These payments are reported as being made exclusively for services in their capacity as described below and charged in all cases to expense account:

Officers and managers—Salaries and commission.

Name of payee.	Address.	Position.	Total payment.
B. Hochschild	61 Broadway, New York, N. Y.	Chairman of board of directors.	$179,663.35
C. M. Loeb	do	President	364,326.73
Otto Sussman	do	Vice president; chief mining department.	221,596.04
J. Loeb	do	Vice president; chief sales department.	147,930.69
T. Sternfeld	126 West Seventy-fourth St., New York, N. Y.	Director (and treasurer to June 30, 1917).	86,312.90
Henry Bruere	61 Broadway, New York, N. Y.	Vice President	82,810.23
Julian B. Beaty	do	Director and treasurer since Jun 30, 1917.	77,710.23
H. K. Hochschild	do	Vice president; chief South American department.	51,810.23
H. V. Putzel	do	Director and chief of zinc ore department.	52,710.23
M. Roos	do	Cashier and custodian of securities.	79,065.35
S. Adler	do	Chief auditor and accountant.	79,065.35
H. Bernstorff	do	Chief ore department	52,410.23
Sol Roos	1625 Boatmens Bank Building, St. Louis, Mo.	Manager St. Louis office	148,530.69
M. Schott	825 A. C. Foster Building, Denver, Colo.	Manager Denver office	136,553.12
Wm. Simon	1625 Boatmens Bank Building, St. Louis, Mo.	Assistant manager St. Louis office.	38,155.11

Managers and employees—Salaries and bonus.

Name of payee.	Address.	Position.	Total payment.
W. E. Brady	61 Broadway, N. Y.	Manager of transportation department (now American Metal Transportation Co.).	$11,800.00
W. H. Brady	do	Assistant cashier	9,300.00
H. M. Burkey	do	Metallurgical department	5,200.00
M. Fauquembergue.	do	Chief clerk sales department.	9,300.00
John Fornfinne	do	Assistant traffic manager	7,400.00
Gustav Leers	do	Traffic manager	9,150.00
B. F. Phillipson	do	Assistant manager ore department.	9,600.00
E. T. Villareal	do	Manager foreign metals department.	12,205.00
Hans Schild	do	Bookkeeper	6,190.00
Wm. Weidowke	do	Clerk zinc ore department	5,850.00
John MacLetchie	do	Auditor for subsidiary corporations.	12,800.00
B. N. Zimmer	2287 Henry Oliver Building, Pittsburgh, Pa.	Manager Pittsburgh office and Langeloth Works.	10,800.00
H. L. Brown	825 A. C. Foster Building, Denver, Colo.	Mining engineer, Denver office.	6,350.00
F. D. Weeks	Canandaigua, N. Y.	Chief managing engineer (resigned).	23,500.00
C. E. Kayser	406 First National Bank Building, Bartlesville, Okla.	Manager gas operations	7,000.00

The foregoing is as complete a reply to the Senate's question as the commission has been able to prepare during the time at its disposal. It must be stated that the instances cited are by no means a complete catalogue.

All of which is in support of the statement of the President when, in his address to a joint session of Congress on May 27, 1918, he said:

"The profiteering that can not be got at by the restraints of conscience and love of country can be got at by taxation. There is such profiteering now, and the information with regard to it is available and indisputable."

THE FEDERAL TRADE COMMISSION,
WILLIAM B. COLVER,
Chairman.
JOHN FRANKLIN FORT,
Vice Chairman.
VICTOR MURDOCK.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11692) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1919, and for other purposes.

The message also announced that the House further insists upon its disagreement to the amendments of the Senate Nos. 1, 61, and 63 to the bill (H. R. 11692) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1919, and for other purposes, asks a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SISSON, Mr. MCANDREWS, and Mr. DAVIS managers at the further conference on the part of the House.

The message further announced that the House had passed a bill (H. R. 12580) to authorize an additional issue of bonds to meet expenditures for the national security and defense, and, for the purpose of assisting in the prosecution of the war, to extend additional credit to foreign governments, and for other purposes, in which it requested the concurrence of the Senate.

PETITIONS.

Mr. THOMPSON presented a petition of the Rotary Club of Arkansas City, Kans., and a petition of the Chamber of Commerce of Arkansas City, Kans., praying for a centralized Federal authority to determine and administer the highway policy of the Nation, which were referred to the Committee on Agriculture and Forestry.

REPORTS OF COMMITTEE ON FINANCE.

Mr. SIMMONS, from the Committee on Finance, to which were referred the following bills, reported them each without amendment, and submitted reports thereon:

A bill (S. 4739) to fix the annual salary of the collector of customs for the district of North Carolina (Rept. No. 533); and

A bill (H. R. 12580) to authorize an additional issue of bonds to meet expenditures for the national security and defense, and, for the purpose of assisting in the prosecution of the war, to extend additional credit to foreign Governments, and for other purposes (Rept. No. 534).

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CALDER:

A bill (S. 4774) to amend section 335 of the Penal Code; to the Committee on the Judiciary.

By Mr. MCNARY:

A bill (S. 4775) granting an increase of pension to Clifford T. Cheek (with accompanying papers); to the Committee on Pensions.

By Mr. LEWIS:

A bill (S. 4776) to amend the war-risk insurance act so as to extend its provisions to all war work and work imperiling life and death; to the Committee on Finance.

By Mr. SUTHERLAND:

A bill (S. 4777) granting an increase of pension to Emma L. Porter; to the Committee on Pensions.

By Mr. PENROSE:

A bill (S. 4778) granting an increase of pension to Lemuel Lunger; to the Committee on Pensions.

DISTRICT OF COLUMBIA APPROPRIATIONS—CONFERENCE REPORT.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives further insisting upon its disagreement to the amendments of the Senate numbered 1, 61, and 63 to the bill (H. R. 11692) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1919, and for other purposes, and requesting a further conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. SMITH of Maryland. I move that the Senate further insist upon its amendments still in disagreement, and agree to the further conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. SMITH of Maryland, Mr. ROBINSON, and Mr. GALLINGER conferees at the further conference on the part of the Senate.

HOUSE BILL REFERRED.

H. R. 12580. An act to authorize an additional issue of bonds to meet expenditures for the national security and defense, and, for the purpose of assisting in the prosecution of the war, to extend additional credit to foreign Governments, and for other purposes, was read twice by its title and referred to the Committee on Finance.

PROTECTION OF MIGRATORY BIRDS—CONFERENCE REPORT.

Mr. SMITH of Arizona submitted the following report:

The committee of conference on the disagreeing votes of the two houses on the amendments of the House to the bill (S. 1553) to give effect to the convention between the United States and Great Britain for the protection of migratory birds concluded at Washington, August 16, 1916, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House numbered 1, 2, and 5, and agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 3, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "*Provided*, That no person who is subject to the draft for service in the Army or Navy shall be exempted or excused from such service by reason of his employment under this act"; and the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 4, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"SEC. 12. Nothing in this act shall be construed to prevent the breeding of migratory game birds on farms and preserves and the sale of birds so bred under proper regulation for the purpose of increasing the food supply."

And the House agree to the same.

M. A. SMITH,
JOHN K. SHIELDS,
H. C. LODGE,
Managers on the part of the Senate.
H. D. FLOOD,
CHAS. M. STEDMAN,
HENRY ALLEN COOPER,
Managers on the part of the House.

The report was agreed to.

ARMY APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12281) making appropriations for the support of the Army for the fiscal year ending June 30, 1919.

Mr. CHAMBERLAIN. Mr. President, I desire to offer another amendment to the bill as a committee amendment. It is known as Senate joint resolution 136. It has been on the calendar for a good while and action has been postponed awaiting the ratification of the treaties between Great Britain and Canada and the United States. I offer it as an amendment to this bill.

The VICE PRESIDENT. It will be read.

The SECRETARY. Add at the proper place in the bill the following:

That the President may by proclamation set a day or days and place or places for the registration for military service of male aliens within designated ages residing within the United States who are citizens or subjects of a foreign country with whose Government the United States has concluded or hereafter concludes a convention or agreement in accordance with the terms of which its citizens or subjects within designated ages, residing within the United States, become under certain conditions liable to be drafted into the military service of the United States; that upon proclamation by the President stating the time and place of such registration it shall be the duty of any such alien, unless exempted from registration by the terms of the President's proclamation, to present himself for and submit to registration under the provisions of the act approved May 18, 1917, entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," and all amendments thereto, and he shall thereupon be registered in the same manner as those previously registered under the terms of said act; and every such alien shall be deemed to have notice of the requirements of said act and this joint resolution upon the publication by the President of any such proclamation, and any such alien who shall willfully fail or refuse to present himself for registration or to submit thereto shall be subject to all the provisions and liable to all the penalties provided in said act or any amendment thereto.

SEC. 2. That any such alien, when registered, shall be and remain liable to military service in the forces of the United States and subject to draft under the provisions of said convention or agreement and of said act and all amendments thereto, and subject to such regulations as the President may have prescribed or may prescribe under the terms thereof, unless during the period specified in the convention or agreement concluded with the country whereof he is a citizen or subject and designated in the President's proclamation, he shall have enlisted or enrolled in the military forces of his own country or returned to his own country for the purpose of enlisting or enrolling in its military forces, or unless the country whereof he is a citizen or subject, through its diplomatic representatives, in accordance with the terms of the convention or agreement concluded between the United States and such foreign country, shall issue to such alien a certificate of exemption from military service.

SEC. 3. That any such alien, after the expiration of the time fixed by the President's proclamation within which he may enlist or enroll in the military forces of his own country, return to his own country for the purpose of military service, or be exempted through the diplomatic representative of the country whereof he is a citizen or subject, shall be and remain subject in all respects to the terms, provisions, liabilities, and penalties of said act and all amendments thereto, except as modified by the terms of the convention or agreement concluded between the United States and the country whereof such alien is a citizen or subject, and shall be subject to such regulations as the President may have prescribed or may prescribe under the terms of said act.

Mr. HARDWICK. Mr. President, I am in favor of the amendment proposed by the Senator from Oregon. Indeed, the adoption of legislation of this character is indispensable if we are to carry out the provisions of the treaties on this subject which we have recently ratified with Great Britain and with Canada. Yet I think it is my duty to point out to the Senate and to the Senator from Oregon, the chairman of the committee, in charge of this bill, what may be a necessary field for some further legislation of this character.

As far back as February 28, 1918, the House of Representatives enacted and sent to this body what is known as House bill 5667, generally called the alien slacker bill. The bill provided in substance that where either the citizens or subjects of a foreign power at war with Germany or our allies should claim exemption from military service when military service was sought from them in this country, we should, in substance—I do not undertake to quote the exact language or the exact provisions—deport those people for that reason from this country.

This bill passed the House of Representatives by a very large vote—three hundred and some odd to 15 or 16—showing a practical unanimity of sentiment in this country, so far we are able to judge it by the votes in either House of Congress on this question. It was referred to the Committee on Immigration, properly so, because it dealt with the immigration question, and sought to remedy the situation by the application of a remedy which comes within the jurisdiction of that committee.

I made repeated efforts at first to get the bill considered by the committee, but was unable to do so; first, because it was difficult to secure a quorum at the time when the bill came over, and next, because the chairman of the Foreign Relations Committee of the Senate and the State Department, if my memory is accurate, both objected to the consideration of this measure by the Senate pending the negotiation of these treaties. For that reason the Committee on Immigration has taken no action with respect to this matter, deeming it wiser to take a more direct method of securing the military service of these people who certainly ought to render it, either to this country or to their own countries, rather than that of deporting them, and thus giving them an opportunity to go somewhere else, where they might still further evade such service.

There are three of the larger countries at war with Germany who have a considerable number of citizens or subjects in this country who might be subject to this law. So far as England and Canada are concerned, the situation is relieved by the treaty which the Senate ratified just a day or so ago. That treaty will be carried into effect by the legislation now proposed by the Senator from Oregon [Mr. CHAMBERLAIN]. But so far as France and Italy are concerned, a complete hiatus is left, with nothing done, unless the Senate shall adopt some plan of dealing with that question. First-paper men or declarants who are citizens of France or subjects of the Kingdom of Great Britain of course can be held to service, but aliens from those countries residing in this country who have not declared their intention to become citizens of it and who are subjects or citizens of either one of the other countries can not be held.

I have been informed that negotiations on this subject are pending with the Governments of both France and Italy, and possibly with Roumania and with Greece, and I do not know with what other governments, but certainly with the first two I have mentioned.

I think—and it has always been my judgment—that this question ought not to be dealt with from the standpoint of merely running these people out of this country, if it is possible to deal with it from the more beneficial standpoint of securing military service from people who are due to render it, and I have been inclined to believe that the legislation suggested by the Senator from Oregon ought to have some provision in it, if it is possible under existing treaties, covering the situation in respect to France and Italy as well as that of England and Canada. I know that the provision is made by the Senator's amendment in general language, that whenever these Governments or these countries do enter into treaty engagements with this Government on the subject, then those engagements shall be carried out, but I know months, more than a year indeed, has passed, and still we have no treaties. Unless we have a treaty I think the question ought to be dealt with, and dealt with effectually. I am willing, if I must do it, that the Committee on Immigration shall go just as far as its power and jurisdiction extend in dealing with this subject in the same manner that the House of Representatives has already dealt with it; but I think it is infinitely preferable, if it can be done, that it be worked out from the other standpoint. If that can be done, and if the Senator from Oregon wants to do it, I am perfectly willing to have this bill withdrawn from the Committee on Immigration and referred to his committee.

Mr. CHAMBERLAIN. Mr. President——

Mr. HARDWICK. I yield to the Senator from Oregon.

Mr. CHAMBERLAIN. In reply to the Senator, let me suggest to him that the amendment which was adopted on yesterday, which is known as the Hitchcock amendment, is not so drastic as is the bill which passed the House of Representatives, but it does take care of the situation, I think, and I am advised by the Senator from Massachusetts [Mr. LODGE] that he has a further amendment to offer which will still further protect the situation.

Mr. HARDWICK. Let me say, in reply to the Senator from Oregon, that it does not; and I will tell the Senator why it does not. I say that, of course, with the utmost deference to the Senator's opinion, if he shall still adhere to it after I state why I do not think it does take care of the situation. It is true it cancels temporarily, and it may be for the length of the war, any right that may have accrued to an applicant under his declaration of intention in his first papers, and yet he can stay here and not occupy the position of the first-paper man or of the declarant, and can avoid all service unless something further is done. That is the reason.

Mr. CHAMBERLAIN. I remember that after a good deal of consideration I introduced in the Senate at one time a bill very much like the House bill, and at the same time the Senator from North Dakota introduced a resolution leaving the matter to be negotiated as a treaty proposition. The bill that I had prepared was so drastic in its terms that it led, I think, in connection with the resolution introduced by the Senator from North Dakota, to the formulation of Senate resolution 136 by both the Department of State and the War Department.

Mr. HARDWICK. That is the one the Senator has just offered as an amendment?

Mr. CHAMBERLAIN. Yes. Considered in connection with the treaties with those countries, it may be that the House bill, to which the Senator has referred, is too drastic in its provisions and would violate some of the terms of the treaties we have with other countries with reference to immigration. For instance, the only countries I know of where there is a limitation upon immigration are China and Japan. We have a favored-nation clause with many of the countries of the world which allows their people to come here. Whether we can practically violate those treaty agreements or not and say we must get out of them and not admit others to our country is a serious question, in my mind; and yet I think the Hitchcock amendment, taken in connection with the draft law, fully protects those people.

Mr. LODGE. Mr. President——

Mr. HARDWICK. I yield to the Senator from Massachusetts.

Mr. LODGE. If the Senator from Georgia will allow me, I desire to say that we have three classes of aliens to deal with—alien enemies, whom, of course, we can not take into the Army; neutral aliens, who are covered by the Hitchcock amendment, though not so thoroughly as I should like to see them covered, and I propose to offer an amendment to that amendment when we get into the Senate; and, lastly, friendly aliens.

Mr. HARDWICK. If the Senator will allow me, I wish to suggest to him that he neglected to state that the Hitchcock amendment does not apply to those people at all.

Mr. LODGE. It does not. It applies only to neutral aliens, because we expect to cover all of the friendly aliens by treaty. We have covered the British and the Canadians.

Now, I think I can say to the Senator from Georgia—though the chairman of the committee can say it with more authority,

for he is better informed than am I—that the treaties with France and Italy, and I am not sure but I believe also Greece, have been held up by the British and the Canadian treaties. We could not deal with those until the British and Canadian treaties were out of the way.

Mr. HARDWICK. Will the Senator tell me whether those treaties have yet been negotiated?

Mr. LODGE. The French treaty, I understand, is complete.

Mr. HARDWICK. And the others are in process of completion?

Mr. LODGE. I do not know. There is one point of difference about the Italian treaty which, it seems to me, could be easily arranged. I have no right to say what it is, for I do not know; but I understand that the Italian Government wish to claim for their men who have gone from here to fight in the Italian Army the right to freely return without interference from our immigration laws. I do not say that is the question, but I think that is the question. It seems to me there is no objection to granting that privilege; but those treaties will follow very rapidly, and I do not think we ought to take any steps by law at this time affecting friendly aliens. I think we shall reach that by treaty in the proper way, in the way we have reached it with the British and Canadians, and reach it very soon, because it is the British and Canadian treaties that have delayed the others.

Mr. HARDWICK. Mr. President, I wish to say a word more, and I shall be very brief, because I desire, as much as any other Senator can, the Senate to get through with this bill expeditiously. I thought it was incumbent upon me, as the Committee on Immigration has not acted on this matter and may not do so if it is the sense of the Senate that all legislation on this question shall await the treaties, to suggest that the bill be withdrawn from the Senate Committee on Immigration and referred either to the Committee on Military Affairs or to the Committee on Foreign Relations, if it is to be handled from either standpoint. On the other hand, if I felt it was the sense of the Senate, without waiting for these treaties or regardless of them—and I rather think that the House of Representatives is right, and that we have the power, if it were good policy to exercise it, because there is nothing in the treaties that would require us to let people who are not citizens, except temporarily, stay in this country that we did not want to stay—if the Senate does not want to deal with it from that standpoint, then I think that the measure ought to be referred to the Committee on Military Affairs, and I shall ask the Senate to give it that direction at a later period. I feel, however, that something ought to be done, and unless some Senator—the Senator from Nebraska [Mr. HITCHCOCK] or some other Senator—can give us some assurance that Italy and France are about to conclude similar treaties with us, or can give us some hope that they may conclude similar treaties with us along the line of those already concluded with Great Britain and Canada, I feel that something ought to be done to require of the citizens and subjects of France and Italy in this country exactly the same measure of duty we have now required by treaty and by law of the citizens and subjects of Great Britain and of Canada.

Mr. HITCHCOCK. Mr. President, I sympathize entirely with what the Senator from Georgia says. I feel justified in saying that the treaties referred to in all probability will be laid before the Senate at an early date. There are some stumbling blocks in the way, but I believe they will be overcome. I wish to call the attention of the Senator to the fact that neither Italy nor Great Britain nor any other cobelligerent country has asked to have excused from military duties those of its nationals in this country who have taken out their first papers.

Mr. HARDWICK. I knew that; but, of course, you do not reach the people who have not taken out their first papers.

Mr. HITCHCOCK. No; but I feel justified in saying that it is desired to reach those people.

Mr. HARDWICK. I want to be relieved, so far as I can properly be relieved, of further responsibility for this matter. Is it the Senator's idea that this legislation ought to be acted upon entirely as a military matter?

Mr. HITCHCOCK. No; my judgment is that the bill should remain with the Committee on Immigration, and it may be that a little later on there will be occasion to bring it out; and, if the occasion arises, I think it ought to be brought out.

Mr. HARDWICK. Of course, if we get the treaties with the other countries, then the proposed law which the Senator from Oregon has offered will apply, will it not?

Mr. HITCHCOCK. It will.

Mr. HARDWICK. And then we can require military service of these aliens?

Mr. HITCHCOCK. Absolutely.

Mr. HARDWICK. Therefore, there will never be any reason to pass the House bill if the treaties should be entered into?

Mr. HITCHCOCK. No; but if the treaties should fail, then we could take up that bill.

Mr. HARDWICK. Very well.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. CHAMBERLAIN. I offer the amendment which I send to the desk. I will state in reference to the amendment that it passed the Senate at one time in its entirety and was referred to the Committee on Military Affairs of the House, but was not acted upon there. However, we discussed it a few days ago with the chairman of the Committee on Military Affairs of the House and with the ranking Republican member of that committee, and they practically assented to having the amendment go into this bill as an important piece of Army legislation. There is not a provision in it that has not been recommended by the War Department. While it would have been more proper to have introduced it as a separate measure, it is so important and it seems so impossible to get it through the House in that form, that it is suggested as an amendment by the committee at this time.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. Add a new chapter to the bill, after Chapter XVI, as follows:

That sections 10, 13, 22, 24, 28, 31, 42, 51, 55, 69, 111, and 125 of the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, be, and the same hereby are, amended as hereinafter indicated in section 1 of this chapter:

Section 10, by striking out the word "farrier" wherever it occurs in said section and substituting therefor the words "stable sergeant"; changing the period at the end of the second paragraph of said section to a colon and adding the following: *"And provided further* That any person who at the time of the approval of this act shall be and has been an officer of the Medical Reserve Corps, or contract surgeon, on active duty for 12 years subsequent to 1898 shall be eligible for appointment as first lieutenant in the Medical Corps, subject to examination: *And provided further,* That any officer so eligible who fails to pass the physical examination by reason of disability incurred in line of duty shall be retired with the pay and allowances of a first lieutenant of the Medical Corps"; and by striking out the eighth proviso of the third paragraph of said section.

Section 22 by striking out the period at the end thereof, substituting therefor a colon, and adding thereto the following: "*Provided,* That one of the enlisted men at each main recruiting station who has been detached for duty at such station under the provisions of the act of Congress approved February 2, 1901, may, in the discretion of the Secretary of War, have the rank, pay, and allowances of a first sergeant of Infantry."

Section 24 by amending all that part of the second paragraph thereof down to the third proviso in said paragraph to read as follows:

"Vacancies in the grade of second lieutenant, however arising, in any fiscal year shall be filled by appointment in the following order: (1) Of cadets graduated from the United States Military Academy during the preceding fiscal year for whom vacancies did not become available during the fiscal year in which they were graduated; (2) under the provisions of existing law of enlisted men, including officers of Philippine Scouts, between the ages of 21 and 34 years, whose fitness for promotion shall have been determined by competitive examination; and of members, including officers, of the Organized Militia, the National Guard, or Naval Militia, between the ages of 21 and 34 years who have had at least 90 days' actual Federal military service during the calendar year 1916, or subsequent thereto, and whose fitness for promotion shall have been determined by examination; (3) of commissioned officers of the National Guard, between the ages of 21 and 27 years, not otherwise provided for herein; (4) of members of the Officers' Reserve Corps, between the ages of 21 and 27 years; (5) of such honor graduates, between the ages of 21 and 27 years, of distinguished colleges as are now or may hereafter be entitled to preference by general orders of the War Department; and (6) of candidates from civil life, between the ages of 21 and 27 years; and the President is authorized to make the necessary rules and regulations to carry these provisions into effect: '*Provided* That the President is hereby authorized to waive the maximum age limit prescribed by law for appointment as second lieutenant in the Regular Army in the case of any candidate for such appointment who has successfully completed or who may hereafter successfully complete the required examination for such appointment before arriving at the prescribed maximum age limit; but no appointment of any such candidate shall be made to any vacancy which did not exist upon the date he successfully completed the required examination for appointment; and persons appointed under the provisions of this proviso shall be appointed with the rank and date of rank with which they would have been appointed if their appointment had not been prevented by reason of the maximum age limit prescribed by law'; and by amending the last proviso of said section by substituting the word 'colonel' for the word 'major' therein."

Section 28 to read as follows:

"SEC. 38. Pay of certain enlisted men: Hereafter the monthly pay of enlisted men of certain grades of the Army created in this act shall be as follows, namely: Quartermaster sergeant, senior grade, Quartermaster Corps; master hospital sergeant, Medical Department; master engineer, senior grade, Corps of Engineers; and band leader, Infantry, Cavalry, Artillery, and Corps of Engineers, $75; hospital sergeant, Medical Department; and master engineer, junior grade, Corps of Engineers, $65; sergeant, first class, Medical Department, $50; ordnance sergeant, Ordnance Department; quartermaster sergeant, Quartermaster Corps; sergeant, first class, Corps of Engineers; regimental supply sergeant, Infantry, Cavalry, Field Artillery, and Corps of Engineers; battalion supply sergeant, Corps of Engineers and separate battalion of any arm or branch; and assistant engineer, Coast Artillery Corps, $45; assistant band leader, Infantry, Cavalry, Artillery, and Corps of Engineers, and sergeant bugler, Infantry, Cavalry, Artillery, and Corps

of Engineers, $40; stable sergeant, Medical Department; musician, first class, Infantry, Cavalry, Artillery, and Corps of Engineers; supply sergeant, mess sergeant, and stable sergeant, Corps of Engineers; sergeant, Medical Department, $36; supply sergeant, Infantry, Cavalry, and Artillery; mess sergeant, Infantry, Cavalry, and Artillery; cook, Medical Department and Ordnance Department; horseshoer, Infantry, Cavalry, Artillery, Corps of Engineers, Signal Corps, and Medical Department; stable sergeant, Infantry and Cavalry; radio sergeant, Coast Artillery Corps; motor sergeant of any arm or branch; and musician, second class, Infantry, Cavalry, Artillery, and Corps of Engineers, $30; chief mechanic, Infantry and Cavalry; chauffeur, first class, of any arm or branch; musician, third class, Infantry, Cavalry, Artillery, and Corps of Engineers; corporal bugler, Infantry, Cavalry, Artillery, and Corps of Engineers; corporal, Medical Department, $24; saddler, Infantry, Cavalry, Field Artillery, Corps of Engineers, and Medical Department; bugler, first class, Infantry, Cavalry, Artillery, and Corps of Engineers; mechanic, Infantry, Cavalry, Field Artillery, Corps of Engineers, and Medical Department; chauffeur of any arm or branch; and wagoner, Infantry, Field Artillery, and Corps of Engineers, $21; assistant chauffeur of any arm or branch; bugler, Infantry, Cavalry, Artillery, and Corps of Engineers; and private, first class, Infantry, Cavalry, Artillery, Medical Department, and Ordnance Department, $18; private, Medical Department and Ordnance Department, $15.

"Enlisted men who are now qualified, or who may hereafter qualify, as expert military telegraphers, shall receive $5 a month; as first-class military telegraphers, $3 a month; as military telegraphers, $2 a month; all in addition to their pay, under such regulations as the Secretary of War may prescribe, but no enlisted man shall receive at the same time additional pay for more than one of the classifications named.

"So much of the act approved July 24, 1917, as authorizes the grade of chauffeur, first class, with pay and allowances of a sergeant, first class, in the Signal Corps, and the grade of chauffeur, with the pay and allowances of a sergeant in the Signal Corps, is hereby repealed, but nothing herein contained shall operate to reduce the pay or allowances of any soldier appointed to either of those grades prior to the date of the approval of this act, or to reduce the pay or allowances now authorized by law for any grade of enlisted men of the Army."

Section 31, by striking out the words "travel expenses and pay at the rate of their respective grades in the Regular Army during such periods of training," occurring in lines 9, 10, and 11, and substituting therefor the following: "From the date of their departure to place where ordered pay and allowances at the rate of their respective grades in the Regular Army, transportation, and reimbursement of cost of subsistence at such rate as may be fixed by the Secretary of War during travel from home to place where ordered and return to home, and subsistence in kind during period not in transit and while in service."

Section 42, by striking out the period at the end thereof, substituting therefor a colon, and adding the following: "*Provided further*, That upon the recommendation of the professor of military science and tactics of any such institution, the authorities thereof may discharge a member of the Reserve Officers' Training Corps from such corps and from the necessity of completing the course of military training as a prerequisite to graduation."

Section 51, by striking out the words "prior to the date of this act," in line 3 thereof, and substituting therefor the words "prior to July 1, 1919."

Section 55, by amending the fifth paragraph thereof to read as follows:

"Enlisted men of the Enlisted Reserve Corps shall receive the pay and allowances of their respective grades, but only when ordered into active service, and from the date of their departure to place where ordered, transportation and reimbursement of cost of subsistence at such rate as may be fixed by the Secretary of War during travel from home to place where ordered and return home and subsistence in kind during period not in transit and while in service: *Provided*, That said enlisted men shall not be entitled to retirement or retirement pay: *Provided further*, That when any enlisted man of the Enlisted Reserve Corps shall be ordered to active service for purposes of instruction or training he may be paid at any time after the date such order shall become effective for the period from the date of leaving home to date of return thereto as determined in advance, both dates inclusive, and such payment, if otherwise correct, shall pass to the credit of the disbursing officer making the same."

Section 69, by striking out the period at the end thereof, substituting therefor a colon, and adding thereafter the following: "*Provided further*, That in the Territory of Hawaii the National Guard may include citizens of the Philippine Islands."

Section 111, by inserting after the comma following the word "thereof," in the seventeenth line of said section, the following: "or, in grades above the rank of captain, from officers of the Regular Army."

Section 125, by striking out the period at the end thereof, substituting therefor a colon, and adding thereafter the following: "*Provided*, That hereafter, upon the discharge or furlough to the reserve of an enlisted man, all uniform outer clothing then in his possession, except such articles as he may be permitted to wear from the place of termination of his active service to his home, as authorized by this section, will be retained for military use; and within four months after such termination of his active service he shall return all uniform clothing, which he was so permitted to retain for wear to his home, by mail, under a franked label which shall be furnished him for the purpose, and in conformity with the instructions given him at the time of such termination of his active service; and in case he shall fail to return the same within such period, and in accordance with such instructions, he shall be deemed guilty of a misdemeanor, and, upon conviction, suffer the punishment prescribed by this section: *Provided further*, That, upon the release from Federal service of an enlisted man of the National Guard called as such into the service of the United States, all uniform outer clothing then in his possession shall be taken up and accounted for as property issued to the National Guard of the State to which the enlisted man belongs, in the manner prescribed by section 67 of this act: *And provided further*, That when an enlisted man is discharged otherwise than honorably, all uniform outer clothing in his possession shall be retained for military use, and, when authorized by regulations prescribed by the Secretary of War, a suit of citizens' outer clothing to cost not exceeding $15 may be issued to such enlisted man: *And provided further*, That officers and members of the National Home for Disabled Volunteer Soldiers may, regardless of the preceding provisions of this act, wear such uniform as the Secretary of War may authorize."

SEC. 3. That hereafter the number of privates, first class, in each arm of the line of the Army shall be, as nearly as practicable, 33⅓ per cent of the total number of privates, first class, and privates in such arm

SEC. 4. That the service of graduates of the Military Academy may be utilized during the months of June, July, August, and September of the year in which they graduate as instructors at the citizens' training camps, and their graduation leave may be taken at the termination of their services as instructors at these camps.

SEC. 5. That hereafter, under such regulations as the Secretary of War may prescribe, authorized mounts of officers who die in the service may be transported at public expense from their last duty station to such places within the limits of the United States as may be the home of their families, or as may be designated by their legal representatives or executors, or such mount may be disposed of as directed by such representatives or executors.

SEC. 6. That hereafter, under such regulations as the Secretary of War may prescribe, transportation at public expense may be provided for the baggage of civilian employees who die in the service from their last duty station to such places within the limits of the United States as may be the home of their families, or as may be designated by their legal representatives or executors.

SEC. 7. That hereafter mileage to officers of the Corps of Engineers, Signal Corps (including the Bureau of Military Aeronautics and the Bureau of Aircraft Production), Ordnance Department, and Quartermaster Corps, traveling on duty in connection with work under the appropriations pertaining to their respective departments, shall be paid from the appropriations for the work in connection with which the travel is performed.

SEC. 8. That the Secretary of the Treasury is hereby authorized in time of war, upon request to the Secretary of War, to extend the period during which money accounts covering expenditures from appropriations for the Army may be transmitted to the Auditor for the War Department after their receipt in the War Department from 60 to 90 days.

SEC. 9. That in the interest of the national defense, and for the better protection of life and property on said waters, the Secretary of War is hereby authorized and empowered to prescribe such regulations as he may deem best for the use and navigation of any portion or area of the navigable waters of the United States or waters under the jurisdiction of the United States endangered or likely to be endangered by Coast Artillery fire in target practice or otherwise, or by the proving operations of the Government ordnance proving ground at Sandy Hook, N. J., or at any Government ordnance proving ground that may be established elsewhere on or near such waters, and of any portion or area of said waters occupied by submarine mines, mine fields, submarine cables, or other material and accessories pertaining to seacoast fortifications, or by any plant or facility engaged in the execution of any public project of river and harbor improvement; and the said Secretary shall have like power to regulate the transportation of explosives upon any of said waters: *Provided*, That the authority hereby conferred shall be so exercised as not unreasonably to interfere with or restrict the food fishing industry, and the regulations prescribed in pursuance hereof shall provide for the use of such waters by food fishermen operating under permits granted by the War Department.

To enforce the regulations prescribed pursuant to this section, the Secretary of War may detail any public vessel in the service of the War Department, or, upon the request of the Secretary of War, the head of any other department may enforce, and the head of any such department is hereby authorized to enforce, such regulations by means of any public vessel of such department.

The regulations made by the Secretary of War pursuant to this section shall be posted in conspicuous and appropriate places, designated by him, for the information of the public; and every person who and every corporation which shall willfully violate any regulation made by the said Secretary pursuant to this section shall be deemed guilty of a misdemeanor, and upon conviction thereof in any court of competent jurisdiction shall be punished by a fine not exceeding $500, or by imprisonment (in the case of a natural person) not exceeding six months, in the discretion of the court.

Offenses against the provisions of this section, or any regulation made pursuant thereto, committed in any Territory or other place subject to the jurisdiction of the United States where there is no court having general jurisdiction of crimes against the United States, shall be cognizable in any court of such place or Territory having original jurisdiction of criminal cases in the place or Territory in which the offense has been committed, with the same right of appeal in all cases as is given in other criminal cases where imprisonment not exceeding six months forms a part of the penalty, and jurisdiction is hereby conferred upon such courts and such courts shall exercise the same for such purposes; and in case any such offense be committed beyond the territorial jurisdiction of any court having jurisdiction thereof, the offense shall be deemed and held to have been committed within the jurisdiction in which the offender may be found or into which he is first brought, and shall be tried by the court having jurisdiction thereof.

SEC. 10. That, in case of actual or threatened hostilities, any proceeds received from the operation of a public utility in connection with engineer operations in the field overseas shall be available for the purpose of such utility until the close of the fiscal year following that in which the proceeds are received, and a detailed report of such proceeds and application thereof shall be rendered to Congress on forms conforming as far as practicable to those used by American companies in reports to the Interstate Commerce Commission: *Provided*, That the provision of the act of March 23, 1910, making moneys arising from the disposition of serviceable quartermaster material available for the purposes of the appropriation throughout the fiscal year following that in which the disposition was effected, is hereby extended to apply to material supplied to the Army by the Engineer Department.

SEC. 11. That when any retired officer of the Army is, in the discretion of the President, employed on active duty and assigned to duty in an arm, corps, department, or organization, he shall, for all purposes except promotion, be considered an officer of such arm, corps, department, or organization while so serving, and shall be an extra number therein.

SEC. 12. That hereafter separate battalions, squadrons, or like units of any arm, corps, or department shall consist of such numbers and grades of commissioned officers and enlisted men as the President may prescribe.

SEC. 13. That there are hereby created in the Army the grades of corporal bugler and bugler, first class; and hereafter for each battalion and squadron headquarters of units in which the grade of bugler is now authorized there shall be one corporal bugler, and for each company, battery, troop, or organization in which the grade of bugler is now authorized there shall be one bugler, first class.

SEC. 14. That there are hereby created in the Army the grades of motor sergeant, chauffeur first class, chauffeur, and assistant chauffeur in each arm or branch thereof, and appointments made therein shall be in such numbers and for such organizations as the President may in orders from time to time direct and designate; and there are also

hereby created the grades of battalion supply sergeant, separate battalion of any arm or branch; chief mechanic, Infantry and Cavalry; and mechanic, Corps of Engineers.

SEC. 15. That during the present war the President be, and he hereby is, authorized to enlist for service in the offices of the War Department or under its control or on detached service under its jurisdiction men outside the draft ages, and for the same purpose to draft men within such ages who have been disqualified by minor physical defects for active service in the Army; to establish regulations under which such enlistments may be made, and to fix the pay and allowances of men so enlisted or drafted, which said pay and allowances shall not exceed those of enlisted men of the Regular Army.

SEC. 16. That the President is authorized to appoint and, by and with the advice and consent of the Senate, to commission to the grade of captain in the Quartermaster Corps, United States Army, John Q. A. Brett, who was appointed to the grade of first lieutenant in the Quartermaster Corps pursuant to the act of August 29, 1916, and who had over 31 years' service as pay clerk, United States Army.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Oregon.

The amendment was agreed to.

Mr. CHAMBERLAIN. In that connection I ask to have printed in the RECORD the specific reasons why each piece of this legislation is asked, and then any Member of the Senate can refer to it and ascertain the reasons upon which the legislation is based.

The VICE PRESIDENT. Without objection, the matter will be printed in the RECORD.

The matter referred to is as follows:

SECTION 10, NATIONAL-DEFENSE ACT.

The object of the amendment herein proposed is to place the enlisted personnel of ambulance companies and field hospitals on a parity with those of other organizations having animal-drawn transportation. The farrier's pay is $21; the stable sergeant's pay is $36. As a consequence there is a constant tendency on the part of the men concerned to seek transfer to other branches of the service at a higher rate of pay. The stable sergeant will perform practically the same work as that performed by a farrier. It is, of course, understood that a farrier performs, in a limited way at least, the duties of a veterinary. The duties of the farrier in this respect will be performed by the stable sergeant.

The purpose of the amendment with respect to officers of the Medical Reserve Corps is as follows: There are in the Medical Corps of the Army at the present time 25 officers of the Medical Reserve Corps who have served from 13 years and 3 months to 28 years and 4 months as contract surgeons and first lieutenants of the Medical Reserve Corps. They are above the statutory age limit to enter the regular service and are without hope for the future. It is, therefore, deemed appropriate that these 25 officers be given an opportunity to enter the Medical Corps as first lieutenants and take their chances for promotion in the future. It is proposed to give them a limited opportunity for retirement, service as contract surgeons being considered. It is proposed striking out the eighth proviso of the third paragraph of section 10, because this has already been done in fact, and this proviso is, therefore, unnecessary.

SECTION 22, NATIONAL-DEFENSE ACT.

This amendment is requested in order to provide pay for certain enlisted men to make their pay commensurate with the duties actually performed. At each of the recruiting stations of the Army one sergeant belonging to the detachment is detailed as acting first sergeant and post quartermaster sergeant for the detachment. It is evident that the pay of these deserving men should be made to correspond to the importance of the duties performed by them.

SECTION 24, NATIONAL-DEFENSE ACT.

It is proposed to amend the second paragraph of section 24 of the national-defense act down to the third proviso. There are two reasons for this amendment: (1) By the Army appropriation act approved May 12, 1917, two amendments were made to this section. The first of these amendments purported to set forth six different classifications from which cadets might be appointed to the United States Military Academy. As appearing in the statutes, however, two of these classifications are missing. It is the purpose of the first part of the present proposed amendment to correct that error. (2) The original section provided for the filling of vacancies "created or caused by the increases due to this act." As all such increases have now been filled, the section has been correspondingly changed in the present proposed amendment so as to cover "all vacancies however arising." Because of this fact, also, the first and the second provisos of the original section can no longer have force or effect. Therefore, in making the redraft, these two provisos have been omitted. While making these changes it seemed advisable to bring into the section the second amendment made in the Army appropriation act approved May 12, 1917. This has accordingly been done with slight changes in the way of a more specific statement, but without changing the effect of the former amendment.

SECTION 28, NATIONAL-DEFENSE ACT.

The national-defense act is the act which provides for permanent organization in time of peace. The act of May 18, 1917, gives the President the power to expand the military force during the present emergency. The military force has been so expanded by direction of the President, and in the expanded force certain grades have been created. The grades having been created, it is manifest that corresponding pay should be established by law. Section 28 of the national-defense act makes provision for appropriate pay for each grade created by the national defense act. In short, section 28 provides pay. If new grades are created, it is manifest that pay pertaining to those grades should be established by law. Section 28 of the national-defense act is the appropriate place in which to make such provision.

SECTION 31, NATIONAL-DEFENSE ACT.

Section 31 provides for the Regular Army Reserve. Among its provisions is one to the effect that when this reserve, or any part thereof, is summoned for field training the reservist shall receive "travel allowances and pay at the rate of their respective grades in the Regular Army during such periods of training." It is manifest that under this provision full reimbursement for expenses is not made to the reservist. The proposed amendment strikes out the words quoted above and in lieu thereof inserts provisions which will give full reimbursement for all expenses incurred by the reservist during such period of training.

SECTION 42, NATIONAL-DEFENSE ACT.

Section 42 authorizes the President to establish units of the Reserve Officers' Training Corps at educational institutions where the authorities agree to establish and maintain a two years' elective or compulsory course of military training, which course, when entered upon by any student, must be completed by him as a prerequisite to graduation. There is no way in which the student may be relieved of the necessity of completing the military training as a prerequisite to graduation even though from a physical standpoint it should become impossible for him to undergo the training. The proposed amendment is to take care of cases where the professor of military science and tactics is convinced that the student ought not to be obliged to complete his course in military training.

SECTION 51, NATIONAL-DEFENSE ACT.

Section 51 makes eligible for appointment to the Officers' Reserve Corps, and as a temporary additional second lieutenant, any physically fit male citizens between the ages of 21 and 27 years who shall have graduated prior to July 3, 1916, from certain classes of educational institutions. The object of the present amendment is to extend the time within which this privilege may be availed of from June 3, 1916, to July 1, 1919. The law, if thus changed, should give some stimulus to the military courses in the educational institutions mentioned, and should produce additional material available for Army service.

SECTION 55, NATIONAL-DEFENSE ACT.

Section 55 provides for an Enlisted Reserve Corps. While it also provides for ordering members of the reserve into training, it fails to adequately provide for their pay, transportation, and subsistence from the time they leave their homes until they return thereto. The proposed amendment is to correct this deficiency.

SECTION 69, NATIONAL-DEFENSE ACT.

The proposed amendment provides merely that in the Territory of Hawaii citizens of the Philippine Islands shall be eligible to enlistment in the National Guard.

SECTION 111, NATIONAL-DEFENSE ACT.

Under the provisions of this section commissioned officers of National Guard organizations drafted into the service of the United States are to be appointed from among the members of said organization. The proposed amendment is designed to authorize the President to fill offices in said organization above the grade of captain by appointment of officers of the Regular Army.

SECTION 125, NATIONAL-DEFENSE ACT.

Section 125 provides for the protection of the uniform of the United States Army. The Army Regulations heretofore attempted to guard against the wearing of the uniform by men discharged from the service whether honorably or dishonorably. The proposed amendment is intended to give these regulations the force of law by incorporating them in said section 125. In addition, it purposes to provide for furnishing a dishonorably discharged soldier with a suit of citizen's outer clothing not exceeding $15 in cost. This is necessary because an enlisted man is not allowed to have citizen's clothes with him at his stations and so, upon discharge, would have nothing to wear unless this provision be made. The proposed amendment further permits members of the National Home for Disabled Volunteer Soldiers to wear such uniforms as the Secretary of War may authorize.

SECTION 2 OF PENDING BILL.

The organizations of the line of the Army, as now organized under the authority granted by the act of May 18, 1917, to expand the military force of the United States during the present emergency are made up so that the number of privates, first class, in each branch of the line of the Army bears the ratio of 33⅓ per cent to the total number of privates first class and privates in such arm. It is believed that this ratio should exist in the permanent organization, and this amendment is therefore proposed. For example, in the present national-defense act the law provides for 19 privates, first class, and 56 privates in an Infantry company in the permanent peace organization. It is now proposed to make 25 private first class and 50 privates, an increase of 6 privates first class; increase in pay $3 per man per month; total increase of pay, therefore, for an Infantry company $18 per month.

SECTION 3 OF PENDING BILL.

Section 3 is designed to permit the utilization of graduates of the Military Academy as instructors at citizens' training camps immediately after their graduation.

SECTION 4 OF PENDING BILL.

Section 4 is designed to permit the transportation at public expense of the authorized mounts of officers who die in the service to such places within the limits of the United States as may be the homes of their families, or as may be designated by their legal representatives, or to permit the disposal of said mounts in the manner directed by such representatives.

SECTION 5 OF PENDING BILL.

Section 5 is designed to permit the transportation at public expense of the baggage of civilian employees who die in the service from their last duty station to such places within the limits of the United States as may be the homes of their families or as may be designated by their legal representatives.

SECTION 6 OF PENDING BILL.

Section 6 is designed to require the payment of mileage to officers of the Corps of Engineers, Signal Corps (including the three branches into which it has been divided by Executive order), Ordnance Department, and Quartermaster Corps from the appropriations pertaining to the respective departments in connection with which the travel is performed. This provision has already been made with reference to the Signal Corps, and the present section is designed to apply the principle uniformly to the various bureaus named, it being thought that such mileage should properly come from the appropriations named rather than from the general appropriation for transportation of the Army.

SECTION 7 OF THE PENDING BILL.

Section 7 provides that the Secretary of the Treasury is authorized, in time of war, upon request to the Secretary of War, to extend the period during which money accounts covering expenditures from appropriations for the Army may be transmitted to the Auditor for the War Department after their receipt in the War Department from 60 to 90 days. The large increase of business in time of war makes such extension necessary.

SECTION 8 OF PENDING BILL.

Section 8 provides for protection to life and property upon the navigable waters of the United States from dangers incident to Coast Artillery target practice or the proving operations of the Ordnance Department through authorizing the Secretary of War to prescribe needed regulations with respect to the use and navigation of such waters.

SECTION 9 OF PENDING BILL.

The engineering department constructs and operates railway lines in the field of operations in France. Cost of both construction and operation comes out of the appropriations made for such purpose. The income received from the operation of these utilities ought, therefore, it is thought, to be available for the further use of the engineering department for the purposes for which the original appropriation was made. Section 9 is intended to accomplish this result. It contains a provision that such proceeds shall be available until the close of the fiscal year following that in which the proceeds are received. This clause is inserted because of the fact that proceeds received during the months of May and June would not be available for the purposes of the utility if the section provided only that they should be available until the close of the fiscal year in which they were received. The proviso making the provisions of the act of March 23, 1910, making moneys arising from the disposition of serviceable quartermaster material available for the purposes of the appropriation throughout the fiscal year following that in which the disposition was effected, is merely applying to the Engineer Corps a method of administration heretofore approved by Congress when it passed said act of March 23, 1910.

SECTION 10 OF PENDING BILL.

Section 10 provides that when a retired officer of the Army is, in the discretion of the President, employed on active duty and assigned to duty in an arm, corps, department, or organization, he shall, for all purposes except promotion, be considered an officer of such arm, corps, department, or organization while so serving and shall be an extra member therein. This provision is necessary at the present time for the reason that the services of a great number of retired Army officers are being availed of. When an officer is retired from active service he is no longer an officer of the arm or branch from which he is retired but is simply an Army officer. In many cases the statutes expressly require that certain duties may be performed only by an officer of a certain arm, corps, or department. Manifestly, therefore, such duties may not be performed by a retired officer employed on active duty. For example, an inspection required by statute of soldiers' homes can be performed only by an officer of the Inspector General's Department, and this is a service that can well be rendered by a retired officer; but unless Congress enacts a law of the kind here proposed a retired officer can not perform such service. A like situation arises in matters for the condemnation of properties. The act of June 15, 1917, makes provision of this kind with respect to retired Engineer officers. This was found to be necessary in order that retired officers of the Engineer Corps might be detailed on the commission of the District of Columbia or on the Mississippi River Commission. In the existing war situation it is thought that a general act, such as is now proposed, should be passed in order to give freedom in the use of retired officers.

SECTION 11 OF PENDING BILL.

This section is proposed for the reason that the exigencies of war have indicated the necessity for creating organizations heretofore unknown. Future military developments may indicate the importance of creating, in time of peace, organizations not theretofore recognized in our service. Such being the case, it is believed that there should be written in the law provision authorizing the President to prescribe the necessary personnel for such organization.

SECTION 12 OF PENDING BILL.

This provision of law is suggested because of the fact that, in the national defense act, due undoubtedly to oversight on the part of the lawmaking body, buglers receive the pay of privates. The injustice of this oversight became at once apparent to organization commanders when they realized that the organization buglers received $3 less pay per month than privates, first class. Frequently buglers are excellent men, and because of the fact that they are efficient buglers, they are often held in that grade and not promoted to noncommissioned officers, because of difficulty in replacing them as buglers. This provision of law provides slightly increased pay for most deserving men whose duties are oftentimes more hazardous than those of the average private; this arises from the fact that they are often out as messengers and signal men, and hence are required, on occasion, to expose themselves to a greater degree than is the case with men on the line. This section also makes provision for assignment of buglers with proper grade, which shall exist in time of peace as well as in time of war.

SECTION 13 OF PENDING BILL.

This section seeks to create certain grades in motorized organizations; also to create the grade of battalion supply sergeants of separate battalions of any arm or branch; this because of the fact that there is no provision of law for the permanent detail of such supply sergeants nor for the pay which is considered appropriate for an enlisted man actually performing the duties of battalion supply sergeant of a separate battalion. It is proposed further to create the grade of chief mechanic of Infantry and Cavalry in order to place a man of suitable rank in charge of the regimental wagons. This man has under him four mechanics; they have charge of some eighty-odd wagons in the regiment. This is an important noncommissioned office. In case a wagon is broken, there is one of two things to be done; either the wagon master or driver must do the work, usually an unsatisfactory job, or take it to a quartermaster repair shop; frequently it is not possible to find one in the vicinity. It is, therefore, considered important that there be a noncommissioned officer under whose charge this work may be properly placed. In motorized organizations, heretofore, the personnel had been made up principally of noncommissioned officers. It was at once apparent that such organization was faulty, because of the fact that, in any organization, there is work that must be done which is not compatible with the office of sergeant or corporal. In the motorized organizations organized under the President's power to expand—the act of May 18, 1917—as now shown in the "Tables of Organization," the grades indicated therein are motor sergeant, chauffeur first class, chauffeur, and assistant chauffeur. It is considered important and desirable that these same grades be adapted for the permanent peace organization. As indicated above, these grades have been established during the present emergency. It is further noted that pay for these grades, as indicated in section 28 of the national defense act, as amended herein, is provided for in this act. These grades having been created under the act of May 18, 1917, and pay provided as indicated herein, it is believed wise to permanently create these grades by law and such is the purpose of this section.

SECTION 14 OF PENDING BILL.

Section 14 would authorize the President to enlist for service in the offices of the War Department, or under its control, or on detached service under its jurisdiction, men outside of the draft ages, and men within the draft ages who have been disqualified by minor physical defects for active service in the Army. It further provides that their pay and allowances "shall be fixed by the President in any amounts not to exceed those of the enlisted men in the Regular Army." The purpose of this section is manifest—to procure more man power in the War Department and its detached services without encroaching upon the class of men that is available for active service in the Army.

SECTION 15 OF PENDING BILL.

Section 15 is designed to provide for placing on the retired list, with the grade of captain, John Q. A. Brett, who was appointed to the grade of first lieutenant in the Quartermaster Corps purusant to the act of August 29, 1916, after more than 31 years' service as pay clerk in the United States Army. (Note: This provision was inserted in the original omnibus bill by the Senate committee. Whereas I am personally advised that Col. Brett is a most efficient officer and has served the Government long and faithfully, I am advised that the various members of the Senate Military Committee are fully informed as to the merits of this proposed legislation.)

Mr. CHAMBERLAIN. I offer an amendment, to come in on page 120, line 22.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 120, line 22, which reads:

That any act inconsistent with the provisions of this act are hereby repealed.

It is proposed to strike out the word "act" and insert in lieu thereof the words "acts or parts of acts."

The VICE PRESIDENT. The committee amendment has already been agreed to. It will be necessary, therefore, to reconsider that action. Without objection, the vote whereby the amendment of the committee was agreed to is reconsidered. The question now is on the amendment offered by the Senator from Oregon to the amendment originally reported by the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. CHAMBERLAIN. I offer another amendment.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. After the paragraph or section regarding quartermaster's clerks, it is proposed to insert:

The rights and privileges of war-risk insurance and of making allotments of pay shall be extended to all women serving by official designation with the Army as telephone and telegraph operators.

Mr. NEW. Mr. President, that is an amendment which I offered in committee and which was adopted by the committee. I think it ought to be perfected by adding words to make it apply only to those who are serving with the Expeditionary Forces in France. By inadvertence it does not clearly set that forth.

Mr. CHAMBERLAIN. I have no objection to such an amendment.

Mr. NEW. I suggest that the words "with the American Army overseas," or the words "with the American over-sea forces" be inserted.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. After the word "Army" it is proposed to insert the words "and serving with the American over-sea forces."

Mr. NEW. That will do.

The SECRETARY. So that it will read:

The rights and privileges of war-risk insurance and of making allotments of pay shall be extended to all women serving by official designation with the Army in the American over-sea forces as telephone and telegraph operators.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. McKELLAR. Has the chairman of the committee any other amendments he desires to present?

Mr. CHAMBERLAIN. Yes.

Mr. McKELLAR. Very well.

Mr. CHAMBERLAIN. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 22, between lines 9 and 10, it is proposed to insert a new paragraph, as follows:

That during the present emergency Army field clerks shall have the same allowances and benefits as heretofore allowed by law to pay clerks, Quartermaster Corps, not including retirement: *Provided, however,* That the minimum or entrance pay, exclusive of said allowances, of said Army field clerks shall be $1,200 per annum: *Provided further,* That Army field clerks shall receive the same increase of pay for service beyond the continental limits of the United States as is now allowed by law to commissioned officers of the Army.

Mr. KING. Mr. President, I should like to ask the Senator what is meant by the last proviso; and before the Senator answers the question I should like to ask him why it was deemed necessary to offer this amendment? I am making this inquiry

because I know that many young men earnestly sought this service, some of whom thought that by so doing they might escape the draft. There were others who, because of physical disabilities, had been rejected, or anticipated that they might be rejected, were anxious to enter this department of the service. It occurs to me that those who wanted to escape fighting by becoming clerks would receive, under this amendment, rewards and compensations to which they are not entitled. The drafted boy fighting for his country gets $30 per month. These field clerks, many of whom should be fighting and who have tried to escape military service, are receiving more than they ever earned before.

The proposition now is to increase their emoluments. Why not draft them, and then, if they are needed as clerks, detail them for service as such? At any rate, they clamored for the positions knowing the compensation provided, and we should be careful in granting all their demands for increased compensation and additional gratuities.

Mr. FRELINGHUYSEN. Mr. President, this amendment moved by the Military Affairs Committee was in furtherance of a bill which has passed the Senate and is in the Military Affairs Committee of the House at the present time. I understand they have approved the bill and are going to report it favorably. The Army field clerks were anxious to have a designation or increased rank of some character, and a bill was introduced by the Senator from Minnesota [Mr. NELSON] providing for a designation and also increased pay and allowances and commutation of quarters.

As chairman of the subcommittee I forwarded that bill to the War Department. The bill came back with a recommendation that the allowance of $200 additional in their pay be granted, and additional allowances and benefits, but they refused to allow any designation or any increased rank. The bill passed the Senate in that way. Now, this amendment provides for the increased pay of the Army field clerks and allowances, but not the commutation of quarters. The original bill provided for benefits which would naturally carry retirement. That is cut out in this amendment. It does not provide for retirement. It simply gives them an increased pay of $200 while in foreign service, similar to that now paid to quartermaster's clerks. Many of these men are married men with families in this country. They are compelled to buy uniforms that cost them at least $300; they are compelled to pay for their own subsistence over there; and it would seem as if they should have the same pay as Quartermaster Corps clerks. Therefore, the amendment was introduced in the Military Affairs Committee and approved by that committee.

Mr. KING. Mr. President, the Senator spoke of allowances. This provision, then, does not carry allowances other than the compensation to which the Senator has just referred?

Mr. FRELINGHUYSEN. It does not, except subsistence. It carries subsistence, but not commutation of quarters.

Mr. KING. By the word "subsistence," the Senator means that they will be rationed by the Government?

Mr. FRELINGHUYSEN. Yes.

Mr. KING. Well, Mr. President, with the approval given this proposition I shall not further oppose it, although I am not converted to the justice or fairness of the proposed legislation. This is only another evidence of the powerlessness of Congress to resist the demands for additional rewards and benefits and compensations. I repeat, there was the keenest rivalry for positions as field clerk. I was told by officials in the War Department that there were thousands of applications; indeed, far more than the service required. Men were not called or forced into the service. They eagerly sought it; some for selfish reasons, some to escape the draft, others because they were offered more than they were receiving in their usual pursuits.

Mr. FRELINGHUYSEN. It is approved in a communication from the Secretary of War and The Adjutant General.

Mr. KING. I want to emphasize, however, what I said a moment ago. I think this legislation is unwise and unfair. To my own knowledge a large number of young men sought these positions, some of them to escape the draft and some of them because they did not receive the same compensation at home that they were promised at that time by the Government; and having not only voluntarily entered the service but solicited it, it seems to me it is unfair now to give them this additional compensation.

Mr. CHAMBERLAIN. Mr. President, if I may interrupt the Senator. I hardly think that is a fair position to take with reference to these young men. Many of them have families in this country, and the increase of pay is not any more than is paid to men who are stationed right here in the departments—and young women, too, so far as that is concerned—and yet these young fellows go abroad. They have to keep up their establishments there practically as a commissioned officer does; and it is a mistaken idea the Senator has that these young fellows are not exposed to danger. They are. They are with the Army in the field, and, if need be, in the trenches. It does not seem to me unfair to allow them this additional compensation.

Mr. KING. If the Senator will yield, does not the Senator know that a great number of the young men who have entered this branch of the service—if it may be called a branch of the service—did so for the purpose of escaping the draft?

Mr. CHAMBERLAIN. No; I think not. Take the young man who was in the Military Affairs Committee with me for a while, young Daniel, from Mississippi—a splendid young man. He was anxious to go in the service, but it was suggested to him by some of the officers who knew his capability as a stenographer and as a clerk that he should undertake to go into the Army field service, because he could render more efficient service there. He went there reluctantly; but he is an excellent stenographer and an excellent clerk. It is that character of young men, many of whom have gone in because the department, realizing their capability, wanted that kind of men, instead of taking the enlisted men or men who were not so well qualified. The young man I am speaking of gave up a greater salary than he now receives to go into the service, so that it was a question of serving his country. He thought first of the Marine Corps, then of Infantry service, and while he was going around undertaking to get into the service where he would render the best service to his country it was suggested by officers that he go into the Army field service, and so it is with many of them.

Mr. KING. I know that I have received, and I have no doubt that many Senators have received, scores if not hundreds of letters from young men who did not want to fight, who wanted to escape the danger zone, and therefore sought positions as field clerks. They knew that if they went as field clerks they would escape the draft; moreover there was the desire to cross the ocean and learn something of the lands beyond the sea.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Oregon.

The amendment was agreed to.

Mr. CHAMBERLAIN. Mr. President, I offer the amendments which I send to the desk. I will say that they are not committee amendments, but they came to me on the 26th instant from the Secreary of War. I will ask the Secretary to read his letter giving the reasons for asking for these amendments, and then I will offer them.

The VICE PRESIDENT. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

WAR DEPARTMENT,
Washington, June 26, 1918.

To the CHAIRMAN COMMITTEE ON MILITARY AFFAIRS,
United States Senate.

SIR: I have the honor to request that the changes as indicated herein be made in the Army appropriation bill for 1919 (H. R. 12281).

On page 7, line 5, after the word "motorcycle," omit the word "and" and substitute a comma; after the words "motor-driven" insert the words "and other."

On page 7, line 16, between the words "excepting" and "telephone" insert the word "local."

On page 7, line 18, after the word "Columbia," insert "and toll messages pertaining to the office of the Secretary of War."

These changes are considered necessary, because, as the bill reads, there is some doubt as to the authority for the purchase of vehicles other than motor driven. The Signal Corps has used for years such special vehicles as wire carts, lance trucks, and instrument wagons, which are not motor driven. These are still a part of the prescribed equipment.

The second change is important and necessary in view of recent opinions of the Judge Advocate General of April 23 and May 18, 1918, approved by the Secretary of War on April 28 and May 21, 1918, respectively. These opinions state that the local calls of bureaus of the War Department and toll messages pertaining to the office of the Secretary of War shall be paid for by the Supply Division of the War Department. These changes will relieve the Signal Corps of the local service pertaining to the various bureaus of the War Department and toll messages pertaining to the office of the Secretary of War only. This service can then be handled by the Supply Division of the War Department.

Respectfully,

NEWTON D. BAKER,
Secretary of War.

Mr. CHAMBERLAIN. I offer the amendments that I send to the desk.

The VICE PRESIDENT. The amendments will be stated.

The SECRETARY. On page 7, line 5, after the word "motorcycle," it is proposed to omit the word "and" and substitute a comma, and after the words "motor-driven" to insert the words "and other."

The amendment was agreed to.

The SECRETARY. On page 7, line 16, between the words "excepting" and "telephone," it is proposed to insert the word "local."

The amendment was agreed to.

The SECRETARY. On the same page, line 18, after the word "Columbia," it is proposed to insert "and toll messages pertaining to the office of the Secretary of War."

The amendment was agreed to.

Mr. CHAMBERLAIN. Mr. President, I have here an amendment suggested in a letter from the Ordnance Department on the 26th instant. The committee has not had an opportunity to confer with reference to it. I offer it, however, for the Senate to consider, with the letter accompanying it, which gives the reasons for offering the amendment at this time.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 16, line 15, it is proposed to add the following:

Provided further, That any moneys received by the United States as the proceeds of any such sale shall be deposited to the credit of that appropriation out of which was paid the cost to the Government of the property thus sold, and the same shall immediately become available for the purposes named in the original appropriation.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. LODGE. I ask that the letter may be read.

The VICE PRESIDENT. The Secretary will read the letter.

The Secretary read as follows:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ORDNANCE,
Washington, June 26, 1918.

Hon. GEORGE E. CHAMBERLAIN,
Chairman Committee on Military Affairs,
United States Senate.

DEAR SENATOR CHAMBERLAIN: Secretary Baker this morning verbally authorized Lieut. Col. Griggs to invite your attention to that portion of the Army bill providing for the sale of war supplies and to propose an amendment providing for the disposition of the proceeds of such sales in the form attached hereto.

This amendment becomes especially desirable in view of the large sums involved in sales to allied Governments. If such sales of raw materials and equipment should aggregate fifty or more millions of dollars and the available appropriations of the bureau making such sales are reduced by that large amount, then that bureau will be to that extent crippled in its future activities. It is felt that the bureau's efficiency should in no way be impaired owing to aid rendered to an ally. The fear of a temporary shortage of funds available for the production program for our own armies might result in a tendency to retard sales otherwise advisable.

It is undoubtedly fallacious to consider that an appropriation has served its purpose when in the process of economical administration a part of it has been converted back into available Treasury cash.

It is believed that the amendment as proposed accomplishes the intent of Congress that funds appropriated shall only be used for the purposes for which originally appropriated, in that the wording of the proposed amendment provides that the funds shall be only available to substitute property of the kind and character originally procured.

W. W. GIBSON,
Colonel, Ordnance, National Army,
Acting Chief of Ordnance.

Mr. CHAMBERLAIN. Mr. President, I believe that finishes the committee amendments.

Mr. REED. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to add, as a separate paragraph, after line 7 on page 92, the following:

That section 67 of an act entitled "An act for making further and more effectual provisions for the national defense, and for other purposes," approved June 3, 1916, be and the same is hereby amended by inserting the words "the adjutant general or" between the words "War" and "an," so that this paragraph shall read as follows:

"The governor of each State and Territory and the commanding general of the National Guard of the District of Columbia shall appoint, designate, or detail, subject to the approval of the Secretary of War, the adjutant general, or an officer of the National Guard of the State, Territory, or District of Columbia, who shall be regarded as property and disbursing officer of the United States."

Mr. CHAMBERLAIN. I have no objection to that amendment. It simply authorizes the Secretary of War to name an adjutant general as one of the officers.

The PRESIDING OFFICER (Mr. PITTMAN in the chair). The question is on agreeing to the amendment offered by the Senator from Missouri.

The amendment was agreed to.

Mr. McKELLAR. I ask that the amendment which I sent to the desk may be read.

The PRESIDING OFFICER. It will be read.

The SECRETARY. On page 24, amend an amendment already agreed to at that place——

The PRESIDING OFFICER. Without objection, the vote by which the amendment was agreed to will be reconsidered, and the amendment to the amendment will be read.

The SECRETARY. On page 24, after the word "line," line 13, insert:

Provided, That section 8 of the act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, shall be held and construed to authorize the President, in accordance with the provisions of said act and for the period of the existing emergency only, to appoint as lieutenant general the officer detailed by the direction of the President to perform the duties of provost marshal general in the execution of so much of the aforesaid act as relates to the registration and the selective draft.

Mr. McKELLAR. Mr. President, the purpose of this amendment is to reward genuine merit. It is to reward an officer of the Army who, without disparaging any others, I think has done as distinguished service as any officer in the Army to-day, if indeed he has not done the most distinguished service of all.

In May, 1917, Congress passed the selective-draft act. The execution of the act was put in the hands of Gen. Crowder, who was made Provost Marshal General. No man in the country could have performed the service any better than Gen. Crowder has performed it. It makes no difference whether it was considered the best kind of an act at the time or not, I think the friends of the system have been agreeably surprised in his splendid success with the draft act, and those who had doubts about the system have had those doubts removed. The fact is that this splendid success of the draft system was brought about by Gen. Crowder. He was the father of the act. He is a part of the act. He has executed it with the greatest skill and ability.

No man, as I said before, in the Army or out of it, in my judgment, has performed his duties any better or more successfully. He has produced men as fast as they could be trained in this country. Gen. Crowder is a West Pointer. He has had a distinguished military career. After he graduated at West Point he went into the Cavalry. He took part in the Indian wars in the West, where he served with distinguished ability. He was appointed as a military instructor at the University of Missouri. While there he took a course of law and graduated at the University of Missouri, and went into the Judge Advocate's Department as major in 1895. After the Spanish War he went to the Philippines as colonel judge advocate. He took an active and important part in the reorganization of the Philippine Islands under the military régime there. In 1904 he was made colonel; in 1911 he was made a brigadier general; in 1917, a major general. He was a military observer in the Russo-Japanese War. In all these places he has acquitted himself with great fidelity and great honor and with very marked distinction.

Mr. President, I have always believed in promotion according to merit. The question raised by this amendment is not a personal one. It is primarily a question as to the proper system of promotion. Are we going to reward our officers who perform great and meritorious service, or are we going to give promotion in the order of seniority, without regard to merit. I am for the merit system. I want all our military officers to know that when they make good we are going to promote them, and when they do not make good we are not going to promote them. This will put every officer and every man on his mettle and bring out the best that is in him. Here we have the case of a man who has filled his position with the greatest efficiency. We all recognize that the draft act under Gen. Crowder has been a conspicuous success. It is just a question whether we are going to reward him for his faithful services, for his intelligent services, for his splendid services to the people of this country. He has already performed the act. He has already made good. He has already produced a great Army. He has made few mistakes about it. He has disorganized business in the least possible degree in the selective-draft system. The

American people have confidence in him and they are confident that under his guidance and control there will be no dearth of man power in this war. There has been less criticism of his work than the work of any other department of the Government, when we might have reasonably expected more criticism. Those of us who have been associated with him know of his untiring energy, of his great vigilance, of his masterly legal accomplishments, of his just views, and of his courteous but firm treatment of all who come in contact with him.

In simple justice, Mr. President, I hope that the Senate will pass this amendment unanimously.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Tennessee to the amendment.

Mr. KING. Mr. President, until I can understand the matter a little further I shall reserve the right to make a point of order against the amendment.

The PRESIDING OFFICER. The Senator from Utah makes a point of order against the amendment.

Mr. McKELLAR. I hope the Senator from Utah will not make a point of order against this amendment.

Mr. KING. I would like to ask the Senator from Tennessee how many lieutenant generals our country has.

Mr. McKELLAR. I will refer the Senator to the chairman of the committee. I do not recall just what appointments, if any, the President has made under a recent act of Congress.

Mr. CHAMBERLAIN. I was just looking for an amendment that was added to the last clause of a bill to make lieutenant generals of certain officers of the Army. It was not done on the report of the Military Committee either. It was done on the floor of the Senate.

Mr. President, while as a general proposition I oppose this sort of legislation, I can not help but feel that there ought to be some recognition of the magnificent services rendered by Gen. Crowder. I know of my own knowledge that from early morn till dewey eve—and, in fact, throughout the night—Gen. Crowder, ever since the draft act was drawn and until it was finally enacted, was giving all his time and attention to it. It was his sole consideration. And after it was passed, and it became necessary to properly administer it, Gen. Crowder has been most diligent in doing it. I do not believe that there was ever a law passed by Congress as complicated as that which has been so faithfully and so efficiently administered as the draft act. I feel that some recognition is due him; and, so far as I personally am concerned, I will let the amendment to the amendment go through.

Mr. KING. Let me ask the Senator how many lieutenant generals there were during the Civil War? My recollection is that only a very limited number received this great recognition, and they were men who rendered most distinguished service upon the battle field. I join with the Senator in expressions of high approval of the work performed by Gen. Crowder. While I do not care to institute comparisons, I want to say that in my opinion no more able and efficient officer can be found in the Army. He has discharged with signal ability the heavy responsibilities which were placed upon him. So well has he done his work that I wish that other positions of trust and responsibility could be given him. He is, in my opinion, not only a great military leader, but his knowledge of the important and complex legal questions relating to the Army is superior to that of any other man in public or in private life. I know the desire of Gen. Crowder to engage in distinctively military work. Personally, I should be glad to see him in France, where his splendid abilities would bring to him increased honor and fame. It would be difficult and, indeed, impossible to find another who could so efficiently discharge the work which is now being performed by Gen. Crowder. However, in my opinion it is not wise or proper at this time to grant this promotion. It will lead to requests almost in the nature of demands for legislative promotions and distinctions in behalf of other faithful officers, both in the Army and in the Navy. There should be some system in dealing with the question of promotions and rewards for distinguished service. Special legislation dealing with each particular case is not desirable, and, as stated, will lead to constant demands, accompanied by persistent effort, and the bringing to bear of every possible influence to secure promotions by legislation and by special act for many other men who may be brought into great prominence during the present war.

Mr. CHAMBERLAIN. The Senator asks me how many promotions there were during the Civil War. I do not remember how many there were. I believe, as far as I recollect now, there are only two surviving lieutenant generals—Gen. F. B. M. Young and Gen. Nelson A. Miles.

Mr. KING. I have had no occasion to investigate the question of military promotions granted in the past nor am I a member of the Military Affairs Committee. I can only speak from an indistinct recollection arising from my somewhat limited historical knowledge of military matters; but as I recall, there have been but very few men raised to this exalted position by our Nation. Washington, as I remember, received a commission as lieutenant general. I may be in error, but I think Gen. Grant was the first lieutenant general of the Civil War period, and he did not receive this promotion until near the close of or immediately after the termination of the Civil War. It seems to me that it would be imprudent to begin now to create lieutenant generals. What the future of the war will develop we do not know. There is no occasion for haste. We can afford to wait the results that will flow from this great conflict. The Commander in Chief, so far as I know, has not advised this legislation. The military channels of the Government have offered no suggestions or recommendation that would warrant the assumption that such a course is wise or prudent. Of course, Congress has the power to act in this matter, but I think the question should be considered upon some other occasion, when the entire question of military promotions and the bestowal of marks of approval and high rewards upon those who may distinguish themselves in this war, may be considered in all of its aspects. This is a military appropriation bill; it carries billions of dollars imperatively needed in this titanic conflict. Let the legislation be germane to the main purpose of the bill. I repeat that we may find ourselves embarrassed later on in this war if we proceed in a piecemeal fashion to deal with the question of promotions and if we accept the amendment now tendered by the Senator from Tennessee.

Mr. McKELLAR. Mr. President, as I recall, the office of lieutenant general was given to Gen. Grant because of the great services that he had performed for his country, and those are the kind of cases when we ought to give these promotions to officers of the Army. That is precisely what I propose to do by this amendment here in the case of Gen. Crowder. He has already performed as great a service as could possibly be performed in any war in his organization of the man power of this country.

It is not a case of rewarding a man who may or may not succeed; it is a case of rewarding a man who has already succeeded. He has produced the man power of this country and has done it well. He has done it without any undue disturbance of our country's industrial, agricultural, or commercial systems. I do not think anyone will say that he has not done it well, and I think we ought to reward those who have done well. It will be a lesson to those officers who are in places of importance and opportunity now. They will know that Congress intends to reward those who have done their duty and have done it well and have done it faithfully and have done it so successfully.

Mr. WARREN. Mr. President——

Mr. McKELLAR. If the Senator will pardon me. Gen. Crowder has done as distinguished service, if not the most distinguished service, of any military man in this war up to date.

Mr. WARREN. Mr. President, I wish to say that, in my judgment, to deny Gen. Crowder some reward of this kind would be to penalize him because of his great ability that keeps him on duty in this country. He is a major general and has been anxious to go abroad. He is a fighting man and wants to be at the battle line "over there." I know that at the bottom of his heart from the very commencement of this war he has been anxious to go abroad, and nothing has kept him here but patriotic duty on his part and great appreciation of his ability by his superior officers in his executing the draft law and forming an army therefrom.

Therefore, while I agree with the chairman, and I do not like this kind of legislation, generally speaking, this case certainly deserves attention and the bestowal of this distinction upon him. It is to exist only during the present war emergency, at the pleasure of the President. I earnestly hope and fully believe this amendment will be adopted.

Mr. CHAMBERLAIN. May I give the Senator from Utah the law I had reference to which I have been trying to find?

Mr. KING. I yield to the Senator for that purpose.

Mr. CHAMBERLAIN. It was tacked on to the war-risk insurance act, and the clause is as follows—it is the last provision in the act:

That section 8 of the act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, shall be held and construed to authorize the President, in accordance with the provisions of said act and for the period of the existing emergency only, to appoint as generals the Chief of Staff and the commander of the United States forces in France; and as lieutenant general each commander of an army or army corps organized as authorized by existing law.

Then it goes on making provision for the payment. So, as the Senator will see, there is a precedent for it. Besides that, as I recall it, the Senate passed a bill creating the same office

for the commandant of the Marine Corps. What has become of that I know not; it may have been defeated in conference, but the Senate passed it.

Mr. KING. The Senator from Wyoming has had great experience in legislation relating to military affairs. His long service upon the Military Affairs Committee has enabled him to speak with an authority that I do not possess; but he admits that he does not like "this kind of legislation, generally speaking," but he justifies it because it exists only during what he denominates "this emergency" and at the "pleasure of the President." The Senator concedes the point for which I am contending, namely, that it is unwise to deal with questions of promotion, particularly at this early stage of the war, in this piecemeal and special manner. Of course I appreciate the power of Congress to grant promotions and to bestow marks of approval for distinguished services, and yet I believe that it is too early in the war to begin legislation such as this. In taking this position I am not speaking in any way derogatory to the great ability of Gen. Crowder and the splendid service rendered by him to the country. But, Mr. President, I am afraid that this legislation will create jealousies and controversies and will be followed by many assaults directed upon Congress in behalf of other worthy officers. In my opinion it would be a wise and proper course to pursue to deal with questions of promotion for distinguished services under general laws rather than by special statutes.

In the view of many we are just entering the war. At so early a period, then, in this great undertaking it seems to me it is unwise to undertake legislation of this character. If the Senator will permit, I should like to inquire of him whether we have by special legislation since this war began raised any officer to the position of lieutenant general. In other words, has any officer, because of distinguished services, received recognition of this character by legislative enactment?

Mr. CHAMBERLAIN. I think not unless the provision which I have just read to the Senator covers it.

Mr. KING. Then Gen. Crowder is to be made the first lieutenant general during this war. He is selected by Congress from the list of worthy and able officers and preferred by this legislation above them all. As I have stated, Gen. Crowder deserves the thanks of the American people for his great services, but I am not willing at this time to support this bill.

Mr. CHAMBERLAIN. I do not know of any other who has been created a lieutenant general.

Mr. McKELLAR. Has not Gen. Bliss been appointed a lieutenant general? That is my recollection. Of course, Gen. Pershing is over there, but he is a general.

Mr. CHAMBERLAIN. I do not recall just what has been done.

Mr. McKELLAR. I am not positive about it. It may be that the Senator from Wyoming [Mr. WARREN] can state whether Gen. Bliss has been appointed a lieutenant general.

Mr. WARREN. Gen. Bliss was made a general when he was Chief of Staff and the commander of the American expedition in France was made a general. When the change was effected in the staff Gen. March was made a general. Gen. Bliss, by special legislation, was retained after his retirement, as I remember it, and was put back in the service with the same rank, or as a lieutenant general, because of his service over there with the high commission.

Speaking of lieutenant generals, we have had a great many in the Army. After the Spanish War in 1898 we passed a law that the Chief of Staff should be a lieutenant general, and it so happened that one after another of the generals of the Army as they were retired were able to retire as lieutenant general. For instance, the general who is now at the Soldiers' Home, Gen. Young, retired as a lieutenant general, Gen. Chaffee, Gen. Bates, Gen. Corbin, and a number of others. After those who had participated in the Civil War had nearly all passed over or had been retired the law was repealed, so that the highest place one could occupy in the National Army was for years major general. Then came the legislation in the war-risk insurance act to make temporary generals and lieutenant generals.

Mr. WILLIAMS. Mr. President, it just so happens that I had charge of the war-risk insurance bill when it was before the Senate, and I remember why the action was taken at that time. It was taken upon the ground that our members of the staff in France and Gen. Pershing in command there could not very well sit around the council board with inferior rank, when amongst others who were sitting there were marshals of France and lieutenant generals of the British Army. It was therefore suggested that an amendment be put on so as to cure that difficulty which existed with our staff officers, I believe at that time Gen. March—though I have forgotten now, whoever was in France—and also Gen. Pershing. That, of course, was the reason of that law and was peculiar to that law. I moved it at the suggestion of the War Department and gave those reasons for it. It is not at all applicable in a case like this.

Mr. THOMAS. Mr. President, something was said some time ago about the action of the Senate in attempting to bestow this rank upon Gen. Barnett, commanding the Marine Corps. I think if we are going to enter upon this policy of creating rank and making promotions the act of the Senate in recognizing the ability and the services of Gen. Barnett should be commended and not condemned. I do not know a better fighting force in the world than the force which we call the American Marines. They have distinguished themselves wherever they have been called upon to take part in active conflict. They have a high morale and recently they have written their names in letters of blood upon the French front and performed acts of valor which only emphasized the great reputation which they have always enjoyed. The creation of this force is largely due to the efforts and the enterprise and the ability of Gen. Barnett.

I quite agree, too, Mr. President, that if we are to promote men by legislation the services which Gen. Crowder has performed and given to his country in the work of Army organization entitle him to first consideration. But I question, Mr. President, whether it is a policy upon which we should enter, because it will be extremely difficult to draw a limitation anywhere once the practice has been established. For example, I know a man who occupies a very modest position at present in the United States Army, a colonel, a rank which he has held for many years, who is entitled almost exclusively to the credit of inaugurating a rifle program and producing rifles in accordance with that program.

Our ordnance program, Mr. President, has been disappointing; it will continue to be so for some time. There is here and there a bright spot in that program, a brilliant record of achievement, that relieves very largely the somberness of the program as an entirety. Col. John T. Thompson, of the United States Army, had charge of the small-arms program from the inception of the war. He had had the experiences of the previous two or three years as one of the managers in charge of the great Remington Works, and he brought at once to the problem the value of those experiences. After a process of selection, whereby the best gun was selected, as I think the experiences of the war will determine, he began almost immediately the production in great quantities of that gun. Whatever may be said of light artillery, of heavy artillery, and other ordnance, it is fortunate that we have plenty of small arms, not only for our organizing purposes in America but to supply the men at the front and to keep them supplied.

This man is entitled, Mr. President, if a soldier ever was, to some recognition, which, up to this time, however, he has not received. On the contrary, his services seem to have been disregarded, since for some time he has occupied a practically nominal position in the Ordnance Bureau of the Army. If we are by legislation to promote soldiers who have performed unusual service to their country, I shall insist that Col. Thompson be made a brigadier general. He is entitled to it from every standard from which his right to it may be considered. I think such a promotion should come in the usual way, through military channels, by appointment from the President. This is perhaps one of the many instances which will present themselves here; and we all know from our own experience, whether long or short, that some legislative precedents once established not only become difficult of control but become so potent that their mere existence is all that is essential to secure the enactment of similar legislation.

Mr. KING. Mr. President, will the Senator from Colorado yield to me?

The PRESIDING OFFICER. Does the Senator from Colorado yield to Senator from Utah?

Mr. THOMAS. Yes.

Mr. KING. This is really a paraphrasing of the sentence just uttered by the Senator from Colorado, and not nearly so well stated. If this legislation is passed, does not the Senator think that it will be an invitation for officers who have rendered, and who will render, distinguished services, to knock at the doors of Congress and set in motion—of course in a proper way—whatever influences they may command, to secure legislation giving them promotions and marks of approval?

Will it not result in Congress being besieged by those who seek special legislation for military honors and promotions? If not by those who would receive the promotions, by those who are friendly to their claims, and whose influence might be potential?

Mr. THOMAS. If the precedent would stop there it might not, perhaps, be so bad, but it will prompt those who are not deserving of consideration, and who can not get it through the channels of the War Department, but who have Representa-

tives and Senators to speak for them, to insist that we bestow upon them the promotion and the position which they have been unable to win through merit in the usual channels; in other words, the matter of promotions will be gradually, then more generally, then perhaps universally transferred from the War Department to Congress. I very much question the beneficial efficacy of such a system of procedure upon the personnel, the morale, and the discipline of the United States Army.

Mr. KING. If we adopt this amendment would there be anything to prevent the Senator from Colorado from offering an amendment to give promotion to Col. Thompson and to others who have already rendered signal service during the war?

Mr. THOMAS. If this amendment be adopted, I should feel it my duty to ask for a similar promotion for Col. Thompson—no, not a similar promotion, but for a promotion—for he is entitled to it at the hands of Congress quite as fully as is any other man who has distinguished himself by military service since the war began.

Mr. KING. Mr. President, while the Senator from New York [Mr. WADSWORTH], who is a valuable member of the Military Affairs Committee, has not addressed himself to this subject, I have such confidence in his ability and his knowledge of questions coming before the committee that it would gratify me very much if he would express his opinion to the Senate as to the wisdom of special legislation of this character, not having in mind Gen. Crowder or any particular individual. I hope that my request will not be regarded as impertinent, although it may be rather an unusual one. The Senator's views might influence me in determining whether or not I shall press the point of order raised or whether I shall withdraw the point of order, and submit the question to the judgment of the Senate.

Mr. WADSWORTH. Mr. President, I can not consent to being characterized so highly as the Senator from Utah has seen fit to do. I certainly am not an expert on the question.

The only thing I can say, however, is that the Senate should, in my humble judgment, legislate for situations as they arise. If it is not within the power of the President to promote an officer who is assigned to a special kind of duty, and if it is the proper thing for the President to have that power in order to make the rank fit the responsibility, then it is the duty of the Senate, in its wisdom, of course, to empower the President to do it. That, I understand, is what the amendment of the Senator from Tennessee [Mr. MCKELLAR] seeks to do. However, I beg the Senator from Utah not to take that opinion of mine as conclusive.

Mr. KING. I desire to ask the Senator whether, in his opinion, the President has authority under existing law to give this promotion to Gen. Crowder?

Mr. WADSWORTH. May I ask the Senator from Tennessee if his amendment in every respect refers to the present incumbent of the office of Provost Marshal General?

Mr. MCKELLAR It speaks of the head of that department. I desire to have the Secretary read the amendment, so that we may have no doubt about it. The amendment does refer to the Provost Marshal General.

The PRESIDING OFFICER. The Secretary will read as requested.

The SECRETARY. The amendment proposed by Mr. MCKELLAR reads as follows:

Provided, That section 8 of the act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, shall be held and construed to authorize the President, in accordance with the provisions of said act, and for the period of the existing emergency only, to appoint as lieutenant general the officer detailed by the direction of the President to perform the duties of Provost Marshal General and the execution of so much of the aforesaid act as relates to the registration and the selective draft.

Mr. WADSWORTH. My understanding is that the rank of lieutenant general, which the Senator from Tennessee suggests is to go with the detail or appointment, is not necessarily to the present incumbent, but it is to any incumbent who might find himself in the position. I think without that legislation—at least I doubt it—the President has the power to give that rank to the officer.

Mr. KING. Mr. President, as I have stated, I regard this proposed legislation as unwise. In my opinion, it would be an unfortunate precedent to establish at this time. It may prove not only embarrassing to Congress, but it may constitute such a precedent as to be embarrassing to the military authorities as well as to the Commander in Chief of all of our forces. I feel that we should wait and have some regard for the modus operandi of the military department of the Government. As I have stated, my opposition to this legislation must not be construed as any unfriendliness to Gen. Crowder. I know him; in fact, I know him better than I do any other important officer in the Army. I have a greater friendship and regard for him than for any officer in the United States Army. His great legal ability would prejudice me in his favor, to say nothing of his long and splendid career. Personally I would prefer to vote for the promotion of Gen. Crowder than for any officer in the Army, but I believe that this is not the time nor the manner to deal with this question.

I feel, however, that the Senate should have a chance to express itself upon the matter, and I shall withdraw the point of order. Of course, the proposed amendment offered by the Senator from Tennessee is subject to a point of order. It is not legislation which under the rule is permitted to be offered as an amendment to the pending military appropriation bill. If we adhered to our rules and applied them as we should in legislative matters, this proposed amendment would not receive a moment's consideration and would be subject to a point of order. However, as stated, I shall withdraw the point of order which I have made, and Senators may thus have an opportunity of voting upon the amendment. I express the opinion, however, that we should adhere to the rule and that at this time we should not support the amendment.

Mr. LEWIS. Mr. President, it was my purpose yesterday to address myself to many of the features of this bill, but because of the desire to secure a speedy vote I did not avail myself of that privilege. At this moment I express myself merely as to the amendment tendered by the Senator from Tennessee [Mr. MCKELLAR].

Mr. President, I should like to see this amendment adopted. My reasons are that the peculiar duties put upon the present incumbent of this office, Gen. Crowder, ought to empower him to as great an extent as possible, that the public at large may have confidence in him and have respect for his authority. The peculiar duties he is called upon to exercise are of a nature which are weakened unless he appears to have the fullest confidence of his country, and that is certified to the popular mind by the rank which the officer bears.

Now, sir, let Senators hear me. I am probably the only Senator on this floor who has a personal grievance sufficient to object to this measure, and which grievance under ordinary circumstances would be accepted as sufficient to justify objections against this promotion, if any person's personal grievances were to be justified as an excuse for personal opposition.

Mr. President, it is known in my State that I am an officer of the Guard—I beg pardon for referring to it in the Senate—I am unofficially of the Guard; I am at present unofficially connected with it; and I have remained so and been so since the Spanish-American War up to the present time. No one knew that better than certain officers here in the War Department, and that my knowledge of fellow officers could be of information in making appointments from them. From my State I am morn, noon, and night being castigated by letters from members of the Illinois Guard because of the fact of an apparent political discrimination that happens from the Judge Advocate's office. Every man made a major or colonel in this department who has been named from my State has been a gentleman of the Republican Party—three of them, or five of them—high-class, capable gentleman, and, in my opinion, capable of filling their duties. Of all the Democratic officers applying, not a single Democrat has been appointed to the office, with the single exception I will name, under any circumstances, and this at a time when there should have been no partisanship, neither Democratic nor Republican. Under all circumstances surrounding us, there should have been some of each, representations from all parties, equal competency conceded. No protest of mine has been of any avail. One, who was a lieutenant governor of my State, long an officer of the Guard, who held an insignificant lieutenancy, having gone through all the training in the camps, having gone through all of the mutations necessary for perfection of form and ceremony, and having himself previous to that having been an officer of the Guard, has been nominated to be promoted from a lieutenant to a captaincy in the Judge Advocate General's Department—I owe this to Gen. Crowder—but as to every majority, not one has been given to a Democrat. This has hurt the Democratic officers of the Guard.

In the State of Indiana, in the State of Ohio, in the State of Wisconsin, in other States, this unfortunate form of discrimination is charged to have followed through some accident. But it is very difficult to make those who have been the victims of such discrimination, and whose letters of protest I have presented, believe these things could have happened by accident every day in every week of every month in a whole year. Yet I am powerless to offer a satisfactory excuse to those who protest except to acquit Gen. Crowder of intent to do such things.

Mr. SUTHERLAND. Mr. President——

Mr. LEWIS. But those things, Mr. President, can occur in a busy condition, such as we are in now, without the slightest intention and without the slightest motive.

Mr. President, even these grievances, which I have been known to express as sent me by all these whose protests I have presented, can not stand against the merit of the officer, Provost Marshal General Crowder. They shall not stand against his capacity, they can not weigh against the deserts of promotion, and I rise to give approval to his promotion and ask that even as against any grievance of any Senator, and Senators know I understand their expressed grievances.

Mr. SUTHERLAND. Mr. President——

Mr. LEWIS. I assure the Senator I will yield if he will allow me to reach the period of my paragraph—I ask that the promotion be given to the officer and that it may apply to the present incumbent, Gen. Crowder, because of his work and his labor. He deserves it. I approve it because the position he occupies should have as much authority conferred upon it as possible in order to aid him in its execution before the public and obtain credit for his distinguished service in the popular mind. I now yield to the Senator from West Virginia.

Mr. SUTHERLAND. Mr. President, I wish to call the Senator's attention to the fact that the situation which he has described as obtaining in Illinois and other States has not obtained in West Virginia. There have been to my knowledge four officers appointed to the Judge Advocate General's Department from the State of West Virginia, and I think three of them have been Democrats, and very competent, able men. Two of them have gone abroad, and there are no better officers there than those two officers of the Judge Advocate General's department, who are Democrats from my State.

Mr. LEWIS. Mr. President, I will say to the Senator that of those gentlemen who have been named from my State, for instance, Col. Chipperfield, who served with me as a brother officer in the Guard and was lately a Member of Congress, is a high-class, able, competent man, now a candidate for the Senate, and Col. McChesney is a capable and able gentleman, a high-class man, presented by his people as a prospective candidate for governor, a very able lawyer, and, of two others I might say, professors in a college, are in every way personally commendable. So I might speak of them all.

I agree with the Senator from West Virginia that there may be instances where the discrimination may appear to have been on the other side. I hope it is never intended anywhere, but I am sure, Mr. President, Senators will catch my viewpoint that there ought to be some effort made so that neither political party should monopolize these places and create in the minds of those of the opposite political party the notion that merely because of their politics these discriminations prevail.

I merely rose to support this amendment. I know the duties of the officer; I know the burden he bears. He ought to be aided, and I do not feel that even the discriminations to which I have alluded or other grievances felt by other Senators have been intentionally inflicted. I regret that they have been effective in my State to discourage men who have been long in the Guard, and, to make them feel that merely because they are of the minority party in the State of Illinois, they can not even be honored in a place where they may serve their country.

I ask that the amendment proposed, so far as I may be so privileged, be adopted. I give it my support because of the deserts of Gen. Crowder, his work and his merit, and I know the influence it will have upon the popular mind.

Mr. VARDAMAN and Mr. KNOX rose.

Mr. LEWIS. Did the Senator from Pennsylvania rise to interrogate me?

Mr. KNOX. No; I thought the Senator had concluded.

Mr. LEWIS. I gladly yield the floor to the Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Mississippi [Mr. VARDAMAN] had risen to his feet prior to the Senator from Pennsylvania and is recognized.

Mr. VARDAMAN. Mr. President, I shall detain the Senate only long enough to say that I am going to vote for this amendment. In doing so I will pay to a worthy officer the tribute of my respect, confidence, and gratitude for the splendid services he has rendered his country since the declaration of war.

Mr. KNOX. Mr. President, if this matter were to be determined solely upon the merits of Gen. Crowder as an individual, I would very gladly support it as a due recognition of the great services he has rendered, not only in the forming of the present Army that is engaged in the conflict abroad but because of a personal knowledge of the invaluable services he has rendered in the past. It was my good fortune while Secretary of State to be thrown very frequently with Gen. Crowder for four years in conferences with respect to many international matters, where diplomacy and the military authority cooperated to some extent, and a more capable and wise adviser and counselor it has never been my good fortune to know. It seems to me it is important, in order to maintain the proper spirit not only among those who are recipients of honors but to inspire in others who may desire to attain honors, particularly in as grave a situation as this country is now in, freely and frequently to recognize great ability and meritorious service. I think, however, that this amendment stands on broader ground. I think it rests upon the proposition that the branch of the service headed by Gen. Crowder is entitled to this recognition. War does not consist solely in battles. Indeed, it more depends upon preparation sometimes than in actual execution upon the field, because there can be no efficient execution without wise, careful preparation.

Gen. Crowder stands not only as the man charged with the responsibility of assembling an army, but he is, as well, the legal head of the Military Establishment; and Senators know that in all branches of the Government the law, the rules by which we are to proceed in the formation of armies, the rules that are to govern our relations if we are, as we are to-day, cooperating with other nations, all of the grave and intricate questions that are involved in a seemly and proper conduct of the Military Establishment, must be determined by the Judge Advocate General. In our civil establishment the law head of the Government sits in the Cabinet with the same rank as the Secretary of State, the Secretary of the Treasury, and other members of the Cabinet. I can not see any reason why in the Military Establishment the head of the law department of the Military Establishment should not receive the same recognition as those who execute the military orders.

Therefore, so far as I am concerned, I could not allow this opportunity to pass without saying that in order to be true to the sentiment that I entertain for Gen. Crowder, predicated upon a long and intimate acquaintance with him, if it stood solely upon the merit of the man, I would support this amendment; but if he were to me an absolute stranger—aye, if he were to me a man who stood in practically the position that the Senator from Illinois has described, in rather an unfriendly attitude, so far as his actions were concerned—I think, based upon the wisdom of recognizing the branch of the Government with which Gen. Crowder is connected and his relations to it, that this amendment should be adopted.

The PRESIDING OFFICER. The question is upon the amendment of the Senator from Tennessee [Mr. MCKELLAR] to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. FRANCE obtained the floor.

Mr. GORE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Oklahoma?

Mr. GORE. I desire to ask the chairman of the committee if he has further amendments to suggest?

Mr. CHAMBERLAIN. I have no further committee amendments. I have one amendment of my own, but I thought I would offer that after other Senators had had an opportunity to present theirs.

The PRESIDING OFFICER. The Senator from Maryland has the floor. Does the Senator from Maryland yield to the Senator from Oklahoma?

Mr. GORE. I was not aware that the Senator from Maryland had the floor; but if he desires to offer an amendment that will probably take any time, I should be glad if he would yield to me to offer an amendment which I think will not take any time. I say that because I shall probably be in conference most of the afternoon.

Mr. FRANCE. I will yield with pleasure, with the understanding that I do not lose the floor.

Mr. GORE. I will say that if this amendment provokes any discussion I shall, of course, withdraw it.

The PRESIDING OFFICER. The Senator from Maryland yields to the Senator from Oklahoma for that purpose.

Mr. GORE. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. It is proposed to insert, at the proper place in the bill, the following:

To enable the Secretary of War, in his discretion, to construct and install a filtration plant or other suitable device for such purpose in connection with the water plant from which Fort Sill and Camp Doniphan, Okla., are supplied with water, $100,000.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. FRANCE. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 120, the last page in the bill, at the end of line 6, it is proposed to add the following:

Provided further, That in view of the grave existing emergency, which demands the more effective mobilization of the man power of the Nation for the industries related to the war and the raising of troops in addition to those now available, the President be, and he is hereby, authorized to make a military census or enrollment according to residence, age, physical ability, nationality, training, status, occupation, profession, and condition of employment of all male citizens of the United States or male persons not alien enemies who have declared their intention to become citizens.

Mr. FRANCE. Mr. President, if there is no opposition to this amendment, I do not care to discuss it.

Mr. CHAMBERLAIN. Mr. President, so far as I may consent to the amendment going into the bill, I am willing to let it go in, and we can discuss it in conference when the bill is referred to the conference committee. I think there is merit in the proposition of the Senator, but whether or not it is broad enough to cover the proposition I do not know.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Maryland.

The amendment was agreed to.

Mr. McCUMBER. Mr. President, I offer the amendment which I send to the desk, to come in after line 6 on page 120.

The PRESIDING OFFICER. Following the amendment just agreed to?

Mr. McCUMBER. No; I think this amendment would follow line 6, and I understood that was at the end of the bill. If not, it will follow the amendment just agreed to.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 120, as a separate paragraph, it is proposed to insert:

That the President is hereby authorized and directed to proceed, as rapidly as equipment and ocean transportation can be provided, to increase the National Army to not less than 5,000,000 enlisted men and such additional officers as may be necessary for such force; and the President is further hereby requested to report to Congress what additional legislation and what additional appropriations will be necessary to carry this provision into effect in the shortest possible time.

Mr. McCUMBER. Mr. President, I want to call the attention of the Senate to the fact that this provision asking that the Army be increased as rapidly as possible considers every argument that was made in reference to our possibly not being prepared at the present time in equipment and in shipping, because it authorizes and directs the President to proceed, as rapidly as equipment and ocean transportation can be provided, to increase the National Army to this size.

Much of the argument yesterday on this proposition which evidenced a doubt as to its propriety admitted that we ought to have that much of an army, but was based upon the belief that possibly we would not have the shipping to transport that army. I think we can get the shipping as quickly as we can get the army; and I want to call the attention of the Senate to a speech made by Mr. Hurley and reported in the papers this morning. It is under the headline, "Promises ample ships—Enough for an army 'without limit,' says Hurley," and it quotes him as saying that the needs of the armies are the only measure of the shipbuilding program, and that they can meet all the requirements. If that be true, Mr. President, there is no reason in the world why we should not signify the legislative judgment that that army should be secured as rapidly as equipment and shipping can be provided.

I shall say nothing more on the matter, Mr. President; but I should like to have a yea-and-nay vote on it.

Mr. GALLINGER. Mr. President, I will suggest to the Senator from North Dakota that I think it is very unusual to direct the President to do anything like this, and I hope the Senator will change the word "directed" to "requested."

Mr. McCUMBER. Mr. President, I assume that in creating an army—that is, the executive part of it—we should use those words; but I will change the amendment so as to strike out the words "and directed," so that it will read "That the President is hereby authorized to proceed," and so forth.

Mr. GALLINGER. That is better.

Mr. WADSWORTH. Mr. President, does the Senator use the words "National Army" in his amendment?

Mr. McCUMBER. I do.

Mr. WADSWORTH. That is confined in its use now to men summoned only under the draft. Would it not be better for the Senator to use the term "Army of the United States"?

Mr. McCUMBER. I will so amend it, Mr. President. I am not a member of the Military Affairs Committee.

Mr. WADSWORTH. As I understand, that will include the Regular Army, the National Army, and the National Guard. I ask to have the amendment stated as modified.

Mr. McCUMBER. I accept the suggestion that it be changed to "Army of the United States" instead of "National Army."

The PRESIDING OFFICER. The Secretary will state the amendment as modified.

The SECRETARY. It is proposed to add to the bill, on page 120, the following paragraph:

That the President is hereby authorized to proceed, as rapidly as equipment and ocean transportation can be provided, to increase the Army of the United States to not less than 5,000,000 enlisted men, and such additional officers as may be necessary for such force; and the President is further hereby requested to report to Congress what additional legislation and what additional appropriations will be necessary to carry this provision into effect in the shortest possible time.

The PRESIDING OFFICER. The Senator from North Dakota requests the yeas and nays on the amendment. Is the request seconded?

The yeas and nays were not ordered.

Mr. JOHNSON of California. Mr. President, as I read the bill that has been presented here and the amendments that have already been adopted, this particular amendment would be in conflict with the provisions found on page 119, would it not? I have understood that the size of the Army was left by the committee to the discretion of the President as necessity might arise. That being my understanding, I am not ready to place in a straitjacket, as to numbers, either the President or the Secretary of War; and I am ready to leave to their discretion the creation of an army of five millions, if they deem it to be necessary, during recess or otherwise, or an army of more than that number if it shall be by them determined to be necessary. For that reason, I can not support this particular amendment.

Mr. McCUMBER. Mr. President, there is no conflict whatever. This bill, of course, provides for raising an army of 3,000,000. The appropriations are for 3,000,000; the report states that it is for 3,000,000; and while the bill does not state as a matter of suggestion that the President should proceed year by year to raise such army as we will appropriate for, the amendment which I propose is merely a suggestion that this army should be increased to 5,000,000 as rapidly as the equipment and shipping will allow. It does not prevent going higher to any extent that may be deemed desirable.

Mr. LENROOT and Mr. JOHNSON of California addressed the Chair.

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Wisconsin?

Mr. McCUMBER. I do.

Mr. LENROOT. Is it the Senator's intention by this amendment, in view of the action of the Senate yesterday, to instruct the President to raise an army of 5,000,000 men without changing the draft age?

Mr. McCUMBER. I think we will change the draft age in a very short time.

Mr. LENROOT. It does amount, then, to an instruction to raise an army of not less than 5,000,000 men within the present draft age?

Mr. McCUMBER. Yes; certainly, unless that is changed, as rapidly as equipment and shipping will allow.

Mr. JOHNSON of California. Mr. President, I wanted to add what the Senator from Wisconsin has suggested. If this amendment be adopted, unless affirmative action be taken by Congress respecting the draft age, of necessity the army will be raised out of the present draft, and the ages therein limited between 21 and 31, and for that reason, if for no other, this particular amendment ought not to be adopted. As the discussion of the last few days has demonstrated, in order to have an army of 5,000,000 men it will be essential for us to increase the draft ages, or to lower them, as the case may be. If this particular amendment were adopted, and if it were executed and consummated, the army could only be obtained by doing that which with unanimity we have agreed ought not to be done—an invasion of the deferred classes of the present draft.

Mr. McCUMBER. Mr. President, if within the present draft age we can secure 5,000,000 men, and if we can equip 5,000,000 men and secure the transportation of 5,000,000 men, then the necessitous conditions on the western front demand it, without reference to the ages; but I do not think we can do it within the next 2 or 3 or 4 or 5 months and probably not within the next 10 months. But before we shall reach the 1st day of next January we will undoubtedly reduce the age down to 18, and make the age limits between 18 and 40; and I wish to call attention again to the fact that this does not limit the number to 5,000,000, as suggested by the Senator. It simply says that as soon as the production of equipment and shipping can be secured the Army shall be raised to not less than 5,000,000.

Mr. FALL. Mr. President, the line of division is so very marked in the judgment of Senators here as to what Congress should do and what it should delegate to be done that I am com-

pelled to offer as a substitute for the amendment of the Senator from North Dakota an amendment which I had proposed to offer directly to the bill.

The PRESIDING OFFICER. It will be read.

The SECRETARY. In lieu of the words proposed to be inserted by the Senator from North Dakota, on page 120, after line 6, strike out the period with the word "conclusion," at the end of the line, and insert:

And the Secretary of War is hereby directed to raise by draft during the fiscal year ending June 30, 1919, as provided in said act and acts amendatory thereof, including those to be so drafted subsequent to June 28, 1918, not less than 3,000,000 men, and is further directed to cause said minimum number of 3,000,000 men to be organized, equipped, trained, and used during said fiscal year for the prosecution of the present war.

Mr. FALL. Mr. President, I shall not discuss this amendment at length at all. I have never heard it questioned before in the history of this country that the duty of raising an army was not a duty devolved upon the Congress of the United States and not upon the President of the United States except as I have heard it questioned upon the floor of the Senate since and during the discussion of the original draft act. I think it is the duty of the Congress of the United States to direct the raising of armies, and I offer this as a substitute for the amendment of the Senator from North Dakota.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Mexico to the amendment of the Senator from North Dakota.

The amendment to the amendment was rejected.

The PRESIDING OFFICER. The question reverts on the amendment of the Senator from North Dakota.

Mr. McCUMBER. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. FRANCE. Let the amendment be read, please.

The PRESIDING OFFICER. The Secretary will read the amendment.

The SECRETARY. On page 120, after line 6, insert the following paragraph:

That the President is hereby authorized to proceed, as rapidly as equipment and ocean transportation can be provided, to increase the Army of the United States to not less than 5,000,000 enlisted men, and such additional officers as may be necessary for such force; and the President is further hereby requested to report to Congress what additional legislation and what additional appropriations will be necessary to carry this provision into effect in the shortest possible time.

Mr. FALL. This is the amendment which we are now to vote on?

The PRESIDING OFFICER. It is.

Mr. FALL. I shall not vote for it, because it does nothing whatsoever.

Mr. BRANDEGEE. Mr. President, I was not on the floor when the amendment was offered. I am thoroughly in accord with it, except it seems to me that if Congress is to raise the Army and fix the size of it, it ought to direct it and not authorize it. I want an army over there, and a large one—big enough to do its business. I do not believe in simply authorizing the President to do this thing; I believe in directing him to do it. When the question came up of arming our merchant ships to defend themselves against the German submarines the resolution submitted to the Committee on Foreign Relations was that the President was authorized, if at any time in his opinion it might become necessary, to place guns on our merchant ships to defend our lives. I was in favor of directing him to do it, and I am in favor of directing him to raise this army of 5,000,000 men. I regret exceedingly that the mover of the amendment has seen fit to eliminate the word "directed."

Mr. McCUMBER. I will state that, in answer to the Senator from New Hampshire [Mr. GALLINGER], while I felt it ought to be "directed," because it was from Congress itself, I was willing to defer to his suggestion, inasmuch as it is simply an expression of a desire of Congress that we have an army of 5,000,000 men as soon as possible, and it mattered very little what particular form it was in. But, with the permission of the Senate, I would ask leave to reinsert the word "directed."

The PRESIDING OFFICER. Without objection, the amendment will be so modified.

Mr. GALLINGER. Mr. President, my suggestion was that I thought it would be better to use the word "requested"; that it was not usual to direct the President in resolutions of any kind. But if other Senators think differently, I certainly shall not contest the matter. If it is thought right to direct the President, let that word go in.

The PRESIDING OFFICER. The Chair hears no objection, and the modification will be made.

Mr. THOMAS. Do I understand the Senator from North Dakota to say that he has reinserted the word "directed"?

Mr. McCUMBER. Yes.

Mr. THOMAS. If that is the case, I shall vote against the amendment.

Mr. KIRBY. Mr. President, it seems to me that we are wasting a great deal of time here about unnecessary matters. Not long since, when I said that we would see from three to five million men in the Army, the Senator from North Dakota [Mr. McCUMBER] said that the Indians in his country would call that "big talk." He said then that there was no possibility of carrying 500,000 men across the water by July 1. You know what the condition is relative to that now. We have authorized the President here to raise and equip all the men who can be raised and equipped under this law and under the capacity of the Government to do it. Now, what is the use of saying 5,000,000 men or any other number? What is the use of disturbing the program as it is proceeding when we have already sent 900,000 or probably 1,000,000 by the 4th of July or the 1st of July across the sea. This is the program. It is in hand. We are expecting to raise all the army that is necessary, if it takes all the men who are within draft age or who are within reach of any sort of a draft age, and to increase it, if necessary.

Let us have this program laid before us as it ought to be and as it will be by the military department after the recess, when it is thoroughly studied out, and let us proceed along one line and without any diversion or division of opinion among Senators. All of us favor raising an army, and the largest we can raise and equip, and the War Department is in touch with this, and this is the way it ought to be done. Let us do it in this way, and let us save the time and the talk.

There has been a whole lot of talk here that was not necessary. The other day I did not like it. I did not say much about it then. Those who were opposed to woman suffrage got up on the floor of the Senate and made an excuse for a filibuster. They said it was done because no one would pair with a particular Senator. That was to divert attention from what they desired to do and what they did do. It seems to me that that was a poor excuse. There is no obligation upon the part of any Senator, as I understand it, and certainly there is no favor done, to pair with a Senator who is sick and disabled and can not attend the session of the United States Senate. He did not make himself sick; he can not come; and the constituency of his home State or the Nation do not expect that he shall attend and perform the duties of a Senator when he is physically disabled and it is impossible for him to be here. There is no favor in a thing of that kind. Then why should they have expected some other man to do that. It seems to me that that was the poorest and flimsiest excuse that has ever been urged for a filibuster such as was instituted the other day and succeeded.

Now, this other matter here is important. Let us proceed with the program laid down by the people to whom we have committed this program. Let us do it in that way, and do not let us clutter it up.

Mr. FALL. Mr. President——

Mr. KIRBY. I yield to the Senator.

Mr. FALL. I understand that we are five months ahead of the program laid down.

Mr. KIRBY. I do not know whether we are five months ahead of the program laid down or not, but I know they are 100 per cent ahead of what a great many Senators said was not possible to be done by the 1st of July.

I believe this amendment ought to be defeated and that the bill ought to be passed, and passed to-day; and I hope it will be.

Mr. POINDEXTER. Mr. President, I merely wish to remark before the bill is passed, what is obvious to every Senator, that this work of raising an army is not dependent in any way at all upon the amount of shipping that is built. We could raise a million or two million men in addition to those already in the Army and organize and equip them and train them in this country. It will take possibly a year to fit a man for the battle front, and the work can be going on in this country while the shipbuilding program at the same time is being carried out in the shipyards.

Mr. KING. Mr. President, I am in entire sympathy with the amendment offered by the distinguished Senator from North Dakota, but I shall feel constrained, for the reason stated by the Senator from California [Mr. JOHNSON] and some others, to vote against it. If the Senate were not to be in session soon, I should vote for this amendment. Personally I think that we should address ourselves at the earliest possible moment to arming and equipping 5,000,000 men; and we are failing in the discharge of our duties if we shall fail to undertake that work. I believe it is the duty of Congress to indicate the size and character of the Army, and that it is not the function of the Commander in Chief to determine those questions. Those are legislative matters; but I realize that the Committee on Military Affairs, the Secretary of War, the Chief of Staff, and Gen.

Crowder have been giving considerable attention to these questions. It is their opinion—at least the opinion of most of the Committee on Military Affairs, I am advised—that we should pretermit legislation of this character for the present.

It is obvious, though, that we can not postpone legislation looking to the augmentation of the Army very long, and I hope that the Military Affairs Committee will examine into this question fully and report at an early date such additional legislation as may be required that we may raise and equip an army of at least 5,000,000 men.

Mr. LODGE. Mr. President, there is so much sensitiveness about the word "directed" it shows how rapidly we change. In 1898 the Republican Congress passed a resolution in regard to Cuba. These are the words they used to a Republican President:

That the President of the United States be, and hereby is, directed and empowered—

Congress thought they were performing their usual function and the President took no possible offense. I think we used the word "directed" at a much later period. My impression is that it was in the Mexican resolution. I may be wrong.

Mr. LEWIS. May I ask the Senator what was the subject matter under consideration?

Mr. LODGE. The resolution on which we went to war with Spain.

It simply said he shall have power to use the entire land and naval forces of the United States and call into the active service of the United States the militia of the several States to such an extent as may be necessary to carry this resolution into effect, but he was directed to do it. But of course in those days Congress took a different view of its own power.

Mr. SMITH of Michigan. Mr. President, I am not at all afraid of the word "directed." In fact, I think it is the appropriate word to use. If we direct the President to do anything, it is a customary phrase when the function is a legislative function; but the amendment of the Senator from North Dakota, after all, simply expresses an opinion, and should go further, if that is the legislative intention.

For one, I dislike very much to see the constant record vote against increasing the Army. Yesterday we voted "no" all day against changing the ages of the draft law.

Mr. CHAMBERLAIN. May I interrupt the Senator just there?

Mr. SMITH of Michigan. Certainly.

Mr. CHAMBERLAIN. I concede that that is true; but many of the Senators who really favored that increased Army gave the reason for it, that within the next 90 days there would be a survey made and a report made which would enable them to vote more intelligently.

Mr. SMITH of Michigan. The Senator from Oregon is correct; yet I venture the assertion that, by way of Holland and Spain, the information will go to Germany that we did not authorize the raising of an army; that our votes were negative votes. I do not like that aspect of it. We have just voted down the amendment of the Senator from New Mexico, a really practical and substantial amendment that might have appropriately been adopted, and I think the chances are good that the amendment of the Senator from North Dakota will be voted down. I do not know what the vote may be. I really do not like to see the constant negative vote which is recorded here against increasing the Army.

Mr. SMOOT. Mr. President, does not the Senator know that if the vote had been taken last Monday on increasing the age limit from 20 to 40, it would have been overwhelmingly carried in the Senate?

Mr. SMITH of Michigan. I think it would.

Mr. SMOOT. I may say to the Senator from statements made to me by Senators on both sides of the Chamber, I know it.

Mr. CHAMBERLAIN. May I interrupt the Senator a moment?

Mr. BRANDEGEE. Will the Senator state what served to change the opinion of the Senate in that respect since Monday?

Mr. SMOOT. Does the Senator from Michigan yield?

Mr. SMITH of Michigan. Certainly.

Mr. SMOOT. I am perfectly willing to state it. I think it has already been stated by the Senator from Oregon having this bill in charge. There was word brought to the Military Committee and to Senators direct that it would be better not to pass it until this fall, and therefore the opinion of Senators was changed, based upon the statement made by the Senator from Oregon.

Mr. CHAMBERLAIN. Mr. President, may I interrupt the Senator from Michigan?

Mr. SMITH of Michigan. Certainly.

Mr. CHAMBERLAIN. I am frank to say to the Senator that if we had voted last Monday on this question I would have voted for it, because Senators who are insisting upon increasing the Army are voicing my sentiments. I have only yielded my judgment, as I said before, not because of any instruction which came to us from the Secretary of War or from any other source but from the fact stated, what was claimed to be the fact. I was honestly of the opinion, and so were the Committee on Military Affairs, that if you raise more than the number of men provided for at this time it will send men into cantonments and camps with unsanitary conditions we will not be able to cure before the month of September, and I was not willing to send these boys into those camps to be so treated.

Mr. SMITH of Michigan. I am not questioning the wisdom of the Senator from Oregon. Our boys have been at Camp Custer for a year. A large percentage of them have had some military training, but for one reason and another they have not been utilized yet on the other side. But the point I want to make is that the constant voting in the negative on propositions to increase the size of the Army is not a good thing for us to do. It has a bad effect. We are going to take a recess and may not take up this matter until fall. In the meantime our negative vote stands here as a record made against increasing the size of the Army.

Of course, every Senator must use his own judgment. I do not find any fault with the desire of Senators to get some workable basis where the size of the Army may be increased. That is a very laudable desire upon the part of Senators; but with the Military Affairs Committee opposed to this thing now it seems to be the height of wisdom for Senators to give that committee, which is thoroughly representative not only of the Senate but of the country, an opportunity to formulate some legislation for the increase of the Army that we can all unite upon.

Mr. FALL. Mr. President——

The PRESIDING OFFICER. Will the Senator from Michigan yield to the Senator from New Mexico?

Mr. SMITH of Michigan. Certainly.

Mr. FALL. I should like to ask the chairman of the committee if it is not a fact that the position of the committee was based upon the following statement from the Secretary of War:

The War Department has from the beginning been expanding its military program. We are many months ahead of what was our original hope in regard to the transportation of men. We are constantly seeking ways to expand that, and we are in the midst of a plan now to expand it again. Should we so expand the program it may turn out that we will need an increased number of men, and it may turn out that the best we can do won't require it. When we have determined upon what is best we will then ask Congress to provide additional money and men.

Mr. CHAMBERLAIN. In reply to the Senator from New Mexico, permit me to say I do not remember any such statement as that last part having been made. What is the Senator reading from?

Mr. FALL. It is a quotation purporting to be in the words of the Secretary of War, contained in an editorial in the New York Tribune of yesterday.

Mr. CHAMBERLAIN. A number of Senators attended that meeting. I do not remember the last part of that statement being made at all. There was nothing said to the effect that we may not need to expand the Army. The proposition was simply and plainly that they were working out an enlarged program.

Mr. FALL. And were going to expand it?

Mr. CHAMBERLAIN. Yes, sir.

Mr. FALL. But as to shipping, now I understand——

Mr. CHAMBERLAIN. The proposition was, as I recollect it now, that we have speeded up the transportation of troops; that we have been enabled to do that, not because we have increased our shipping but because we have a contract with Great Britain and France for the use of their troop-carrying ships; that that program is likely to be changed or modified toward the last of July, because the arrangement will then end, but we may be able to renew it and we may be able to have ships of our own and continue to expand the program in that way.

Mr. FALL. May I ask the Senator right there, as that has been a very interesting proposition to me, if Great Britain and France did not offer these ships prior to January 1?

Mr. CHAMBERLAIN. I do not know anything about that, but it would not surprise me if it had been made and turned down.

Mr. FALL. On the 1st of March of this year I made that statement and asked if it would be challenged, that we had been offered for months exactly the ships which we used later while the Secretary of War was in France.

Mr. SMITH of Michigan. The point I make is this: There is not a Senator on either side of the Chamber who will vote

against increasing the Army to whatever extent is necessary. But we are put in the anomalous situation and contradictory position of voting down every proposition to increase the size of the Army. Now, why should this be? Have we no confidence in the purpose and plan of the Committee on Military Affairs to bring in an appropriate bill that will meet this question? If we have confidence, why should we not leave it there and not pile up one vote on top of another against increasing the size of the Army when we all favor it?

I do not like to vote against these measures. I disliked very much to vote against the amendment of the Senator from New Mexico. Indeed, I did not vote against it, but it was voted down. I do not desire to anticipate the fate of the amendment proposed by my friend from North Dakota, but if it survives the combined or nearly combined opposition of the Military Affairs Committee it will be very extraordinary. Now, I am not criticizing——

Mr. FALL. Will the Senator object to another interruption?

Mr. SMITH of Michigan. Certainly not.

Mr. FALL. I shall not take the time now to read into the RECORD the editorial of the New York Tribune from which I quoted, but may I say to the Senator the editorial is headed "More procrastination," referring to the action of the Senate in refusing to raise the age limit, and that the last words of the last line are "Ludendorff doesn't procrastinate."

Mr. SMITH of Michigan. The Senator gives emphasis to what we all recognize as a fault, but yesterday we were confronted with amendments upon a House bill, and the House of Representatives, if I understand it correctly, has determined not to change the draft rules in this bill. If they have so determined, how fruitless it is for us to undertake to raise that issue when its ultimate defeat would give to the world the impression that we were not willing to rise to that situation?

Mr. SHAFROTH. Is not the answer to a large extent contained in the bill itself, found on page 119?

Power of the President to increase the drafted Army: That the authority conferred upon the President by the act approved May 18, 1917, entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," is hereby extended so as to authorize him during each fiscal year to raise by draft as provided in said act and acts amendatory thereof the maximum number of men which may be organized, equipped, trained, and used during such year for the prosecution of the present war until the same shall have been brought to a successful conclusion.

Is not that all the authority necessary to get an Army even of 10,000,000 men?

Mr. SMITH of Michigan. I will say to the Senator from Colorado that since we have been debating this bill we have added three-quarters of a million men to the Army under that power, and we will add all the men which the necessity requires. I am not going to criticize the wisdom or the course of the Secretary of War. I am one of the men in this Chamber who freely admits that the Secretary of War has done well in a trying situation. I have no criticism to make of him; I am not going to criticize anybody connected with the raising of our armies or their proper equipment and mobilization; but I feel reluctant to continue to vote "nay" against increasing the Army and having the impression go out to the world that the Senate has at last gone to about its limit on the question of raising an army. That will afford ground for a misinterpretation of our action and give color to the claim that we are only half-heartedly in this war, when such is not the truth. Why we should furnish that kind of a basis for criticism abroad is beyond my comprehension.

I did not intend to say even that much; perhaps I ought not to have said it; but I know that we have the power and that we must initiate this proceeding. I am not at all afraid of using the language contained in the amendment of the Senator from North Dakota [Mr. MCCUMBER]. The word "directed" has no terror for me at all, but if, when the vote is taken there is a negative vote upon it, I say it is not calculated to accomplish what we desire, but that the effect of it will be bad, and it will be months perhaps before we can rectify it.

Mr. BRANDEGEE. Mr. President, will the Senator from Michigan yield at that point?

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Connecticut?

Mr. SMITH of Michigan. Certainly.

Mr. BRANDEGEE. If the Senator from Michigan thinks that the effect of defeating this amendment would be bad, why will he not vote for the amendment?

Mr. SMITH of Michigan. Because I dislike very much to seem to be in direct conflict with the purpose of the Military Affairs Committee to effectuate the same purpose a little later.

Mr. BRANDEGEE. But even irrespective of the opinion of the members of the Military Affairs Committee—for whom I have the highest respect, though I think they may be fallible and mistaken sometimes—does the Senator think that any possible damage can be done by showing this country and showing our allies abroad that the Congress of the United States is determined to raise and to maintain a large army?

Mr. SMITH of Michigan. No.

Mr. BRANDEGEE. Can there be any ill effect? If we have not ships enough to carry the soldiers now, they will say, "They are going to have the army anyway, and they will bring them over here when they get the ships."

Mr. SMITH of Michigan. Mr. President, the Senator from Connecticut is absolutely right; and, entertaining the view that I do, I find it difficult to vote against the amendment of the Senator from North Dakota; and yet I am very fearful it will not pass. If it does not pass, then the same criticism which I now make would appertain, whether I voted for it or whether the Senator from Connecticut voted for it; it would make no difference. It would be the action of the Senate.

Mr. BRANDEGEE. But it would make a difference to me whether I voted for it or not, because I want to show the country that I am thoroughly determined to do everything possible to have a sufficient military power in this Government both on land and on sea to win this war. I do not want to wait a minute in doing everything I can to help to raise such an army.

Mr. SMITH of Michigan. Mr. President, the Senator from Connecticut has a record here that is absolutely unimpeachable upon that point. From the very beginning of the war he has stood like a stone wall against half-heartedness and compromise and hesitation and delay; and I commend him for it. The Senator from Connecticut, by his example and influence with his associates, furnished much of the patriotism, vigor, and strength upon which we have builded our military strength. His voice in this Chamber has never sounded a false note; and I commend him for it. Unfortunately, however, I do not believe that the German Government will understand our attitude unless the Senate ratifies it. No matter what the Senator from Connecticut or any other Senator has said or how he voted, the Senate is on record against it. I do not propose to go on record myself any further in voting "nay." I did it yesterday under protest, but I do not propose to keep on doing it. I do not, however, believe that we are going to get anywhere until the Committee on Military Affairs has brought in something upon which we can all agree. When that time comes, I do not think there will be a negative vote on it.

Mr. McCUMBER. Mr. President, if every Senator voted his convictions to-day, there would be very few negative votes against the proposition. The Senator from Colorado says that the bill already provides that we may raise an army as rapidly as we can equip it. What does the bill provide? We say, in effect, in the bill, "Here are $12,000,000,000; that $12,000,000,000 will pay the expense of raising an army of 3,000,000 men. When you have used the $12,000,000,000 and raised the army of 3,000,000 men you can not go any further than to spend the money that we provide for those 3,000,000 men." This amendment does not conflict with that. It says, "Yes; raise your 3,000,000 men with the $12,000,000,000, but go a little further and provide for raising the 3,000,000 up to 5,000,000 men, report to us what it is going to cost, and we will proceed to give you the money to raise those 5,000,000 men." That is what the amendment says; that is what it says to the country; that is what it says to the Kaiser; and that is what I desire that the Senate of the United States shall say.

Now, all I ask is for Senators to vote their convictions as to whether we ought to raise an army of 5,000,000 men as rapidly as we can possible do it. The bill limits the number to 3,000,000 men, because it only provides for the payment of 3,000,000 men. We want to go further. The heart of the American people is with us, and they say "Put 5,000,000 or put 10,000,000 men in the field, and we will back you." I want to answer that demand, and say we are going to back our soldiers upon the front with whatever force we can possibly raise and ship overseas.

Mr. SMITH of Michigan. Mr. President, the Senator from North Dakota is absolutely right. I wish his views might be as potential as they should be. He has uttered an absolute truth; he has stated the correct American position; he can not be assailed for it. I think the Senators on the Committee on Military Affairs can, with perfectly good conscience, vote for the amendment and still reserve the right to formulate their legislation in their own way; but with all the force and all the wisdom that is contained in the amendment I nevertheless do not believe it is going to be adopted.

Mr. McCUMBER. Well, let us have a vote.

Mr. SMITH of Michigan. But I am going to vote for it, because I do not want to be put in the attitude of voting on the other side.

The PRESIDING OFFICER. The question is on the amendment of the Senator from North Dakota, on which the yeas and nays have been ordered. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. JONES of Washington (when his name was called). The junior Senator from Virginia [Mr. SWANSON] is necessarily absent to-day. I am paired with him, and I therefore withhold my vote.

Mr. LODGE (when his name was called). I have a general pair with the Senator from Georgia [Mr. SMITH]. I transfer that pair to the Senator from Michigan [Mr. TOWNSEND] and vote "yea."

Mr. SIMMONS (when his name was called). I have a general pair with the junior Senator from Minnesota [Mr. KELLOGG]. In his absence I transfer that pair to the senior Senator from Arkansas [Mr. ROBINSON] and vote "nay."

Mr. SMITH of Michigan (when Mr. TOWNSEND's name was called). I desire again to make the announcement that my colleague [Mr. TOWNSEND] is unavoidably detained on account of illness in his family.

Mr. UNDERWOOD (when his name was called). I have a general pair with the junior Senator from Ohio [Mr. HARDING]. I transfer that pair to the Senator from Oklahoma [Mr. OWEN] and vote "nay."

Mr. WATSON (when his name was called). I have a general pair with the Senator from Delaware [Mr. WOLCOTT]. In his absence I withhold my vote.

The roll call was concluded.

Mr. KIRBY. I desire to announce the unavoidable absence of my colleague [Mr. ROBINSON] on account of sickness.

Mr. MYERS. I transfer my pair with the Senator from Connecticut [Mr. MCLEAN], who is absent, to the Senator from Oklahoma [Mr. GORE], and vote "nay."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from New York [Mr. CALDER] with the Senator from Rhode Island [Mr. GERRY];

The Senator from Rhode Island [Mr. COLT] with the Senator from Delaware [Mr. SAULSBURY];

The Senator from West Virginia [Mr. GOFF] with the Senator from South Carolina [Mr. TILLMAN]; and

The Senator from Massachusetts [Mr. WEEKS] with the Senator from Kentucky [Mr. JAMES].

The result was announced—yeas 19, nays 45, as follows:

YEAS—19.

Brandegee	Gronna	New	Sterling
Dillingham	Hale	Norris	Sutherland
Fall	Lodge	Penrose	Wadsworth
Fernald	McCumber	Poindexter	Williams
France	Nelson	Smith, Mich.	

NAYS—45.

Ashurst	Johnson, Cal.	Martin	Smith, Md.
Bankhead	Johnson, S. Dak.	Myers	Smith, S. C.
Beckham	Jones, N. Mex.	Nugent	Thomas
Chamberlain	Kendrick	Overman	Thompson
Curtis	Kenyon	Pittman	Trammell
Fletcher	King	Ransdell	Underwood
Frelinghuysen	Kirby	Reed	Vardaman
Gulon	Knox	Shafroth	Walsh
Hardwick	Lenroot	Sheppard	Wilfley
Henderson	Lewis	Shields	
Hitchcock	McKellar	Simmons	
Hollis	McNary	Smith, Ariz.	

NOT VOTING—32.

Baird	Goff	Owen	Smoot
Borah	Gore	Page	Swanson
Calder	Harding	Phelan	Tillman
Colt	James	Pomerene	Townsend
Culberson	Jones, Wash.	Robinson	Warren
Cummins	Kellogg	Saulsbury	Watson
Gallinger	La Follette	Sherman	Weeks
Gerry	McLean	Smith, Ga.	Wolcott

So Mr. MCCUMBER's amendment was rejected.

Mr. REED. Mr. President, in explanation of my vote just cast, I desire to say that I voted against the amendment because I believe that in the very near future there will be submitted a complete program for an increase in the Army, which will probably go even beyond the 5,000,000 mark. It is because I am content to await the development of a complete program that I have cast this vote. I am heartily in favor of increasing the Army, and I wish to say that now with all emphasis.

Mr. THOMAS. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 45, line 22, it is proposed to strike out "$175,022,190," and insert "$175,111,790" in lieu thereof.

Mr. THOMAS. Mr. President, that amendment is designed to secure the additional sum of $89,000 for very much needed repairs to the buildings at Fort Logan. The chairman of the committee is somewhat familiar with the situation; and, if the amendment is not agreeable to him, I will make a short explanation; otherwise, I will not take up the time of the Senate to do so.

Mr. CHAMBERLAIN. I am willing to accept the amendment, so far as I am concerned, and we can discuss the amendment in conference if it is required.

Mr. THOMAS. Very well.

Mr. WADSWORTH. Mr. President, is the item to increase the appropriation for Fort Logan?

Mr. THOMAS. Yes.

Mr. WADSWORTH. May I ask if that is the matter which was brought to the attention of members of the Committee on Military Affairs by circulars and booklets from that neighborhood?

Mr. CHAMBERLAIN. This is the amendment.

Mr. THOMAS. It is the amendment; but it is not that sort of an amendment. It is to provide money to make repairs to buildings now on the ground. The fort is being used as a recruiting station. It has a capacity of about 1,300, but sometimes it has to accommodate over 5,000. The sanitary conditions are such, in consequence of that situation, as to make this added sum necessary for actually needed repairs.

Mr. WADSWORTH. Does the War Department say that they need this money?

Mr. THOMAS. The War Department does not state that it does not need the money; but it has recommended $41,000 of the needed $130,000, because its policy is, as stated in a letter here, to do nothing in the way of improvements at existing posts that are not absolutely necessary. I personally know this to be necessary, for I went all over the premises in December last and was then assured by the commanding officer that $130,000 was as little as he could get along with for making absolutely needed repairs.

Mr. WADSWORTH. Does this amendment contemplate any new buildings?

Mr. THOMAS. None whatever.

Mr. WADSWORTH. It is for the repair of existing buildings?

Mr. THOMAS. Nothing more; except that it may require directly some outhouses for the necessary requirements of the soldiers.

Mr. WADSWORTH. Of a permanent or of a temporary character?

Mr. THOMAS. Oh, temporary. The toilet facilities there, for example, at present are inadequate, and there may be required some additional outhouses for absolutely unavoidable requirements.

Mr. WADSWORTH. Understanding, Mr. President, as the Senator has assured me, that it does not involve a permanent increase of the facilities of the Army post, I will not object to the item; but I simply wish to say, in passing, that, as a general rule, I am opposed to the permanent increase of what may be termed remote Army posts, for I believe that before we shall finish the establishing of a sensible military policy in this country we will come to the conclusion that we will abandon a great many Army posts which can not maintain any large number of men and are not strategically located.

Mr. THOMAS. There may be something in that, but that is something to be determined hereafter. I am concerned now only in this particular appropriaton, so badly needed for the recruiting service of the United States Army.

The PRESIDING OFFICER. The amendment of the Senator from Colorado, being to an amendment of the committee heretofore agreed to, it will be necessary to reconsider the action by which the committee amendment was agreed to. Without objection, the vote whereby the amendment was agreed to is reconsidered. The question now is on the amendment offered by the Senator from Colorado to the amendment reported by the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. CHAMBERLAIN. I offer an amendment, the purpose of which is simply to authorize the Vice President to name two cadets at West Point from the honor graduates of schools where military training is in vogue.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. At the proper place in the bill it is proposed to insert the following:

That the corps of cadets of the United States Military Academy shall hereafter consist of 2 from each congressional district, 2 from each Territory, 4 from the District of Columbia, 2 from natives of Porto Rico, 4 from each State at large, 82 from the United States at large, 20 of whom shall be selected from among the honor graduates of educational institutions having officers of the Regular Army detailed as professors of military science and tactics under existing law or any law hereafter enacted for the detail of officers of the Regular Army to such institutions, and which institutions are designated as honor

schools, upon the determination of their relative standing at the last preceding annual inspection regularly made by the War Department, 2 of whom shall be selected from persons recommended by the Vice President. They shall be appointed by the President and shall, with the exception of the 82 appointed from the United States at large, be actual residents of the congressional or territorial districts or of the District of Columbia or of the island of Porto Rico or of the States, respectively, from which they purport to be appointed.

Mr. NELSON. Mr. President, I make the point of order against that amendment that it is general legislation. We do not want any of those shoddy officers. Let officers come up from the enlisted ranks of the Army.

Mr. CHAMBERLAIN. Let me say to the Senator that the amendment does not change existing law at all, except that as to the 20 honor graduates from institutions where military training is had under Army officers, 2 of the 20 may be appointed by the Vice President. It does not change the law in any other respect; it does not increase the number of cadets, but simply gives the Vice President the power to appoint 2 of the 20.

Mr. NELSON. Is that all?

Mr. CHAMBERLAIN. That is the only change made.

Mr. NELSON. Then I withdraw my point of order.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oregon.

The amendment was agreed to.

Mr. FALL. I offer an amendment, to be incorporated at the proper place in the bill, temporarily between lines 5 and 6, on page 55.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 55, between lines 5 and 6, it is proposed to insert the following:

Two hundred and fifty thousand dollars, or so much thereof as may be necessary, to be expended as follows: Seventy-one thousand dollars to be paid by the Secretary of War, or under his direction, for death claims for citizens of the United States killed on the American side of the line at El Paso, Tex., Douglas, Ariz., and other points, as found and ascertained by commissioners appointed pursuant to joint resolution of Congress approved August 9, 1912, directing the Secretary of War to investigate claims of American citizens for damages suffered within American territory, etc., and $5,000 each to be paid by the Secretary of War to the heirs or legal representatives of other American citizens killed on the American side of the line, first for the American civilians killed at Columbus during what is known as the Villa raid, and the same amount each for such other American citizens killed upon this side of the line in raids by Mexicans or by bullets fired from the Mexican side, the names of such citizens to be ascertained by the Secretary of War.

Mr. FALL. Mr. President, $71,000 of this amount desired to be appropriated has been twice appropriated for by the Senate of the United States in different bills, but neither bill has finally passed the House and become a law. Since the damages were ascertained by the office of the Secretary of War to be some $71,000, various other deaths of similar character have been caused under exactly similar circumstances or under more aggravated circumstances, particularly those caused at Columbus.

Mr. President, these, of course, are not legal claims against the United States. It is simply a question as to whether the United States will provide for its citizens, or the families of its citizens, who have been killed on this side of the line, as, for instance, those at Columbus, by raids which this Government appeared to be unable to prevent. Of course, if I were to remain on this floor I would do everything possible to see that sooner or later such amounts were recovered from those responsible in Mexico, but at this time, possibly, it is not practicable to insist upon any claims against that country; and as little as the United States can do, I think, is to provide for its own citizens or their heirs who have met their death. As I have said, a number of these claims have been investigated and the damage ascertained by a commission appointed by a former Secretary of War under direction of the Congress. The appropriation should be made to carry out the findings of that commission and to relieve American citizens.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Mexico.

The amendment was agreed to.

Mr. SUTHERLAND. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 120, line 4, after the word "used," it is proposed to strike out the words "during such year."

Mr. SUTHERLAND. Mr. President, the employment of those words at that particular place in the bill seems to limit the use of the trained soldiers to the fiscal year in which they were trained. It is apparent, therefore, that the words should come out. The words "each fiscal year" in lines 1 and 2 on page 120 apply, of course, to the practice of legislating for the current year. These troops would be trained and equipped during one year, but might be used during the succeeding year. I therefore offer this amendment to correct that, and I think the chairman of the committee is willing to accept it.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from West Virginia.

The amendment was agreed to.

Mr. KING and Mr. PENROSE addressed the Chair.

The PRESIDING OFFICER. The Senator from Utah.

Mr. PENROSE. I was going to offer an amendment, but I will wait.

Mr. KING. Mr. President, I offer the amendment which I send to the desk. Let me state to the Senators that this amendment was read the other day. I offered it, and the Senator from Wisconsin [Mr. LENROOT] suggested a point of order. It is the same bill which passed the Senate a number of days ago, after it had been unanimously reported by the Committee on the Judiciary. A consultation has been had with the chairman of the Judiciary Committee in the House and with members of the Military Affairs Committee, and it is their view that it would be wise to have it attached to the military bill. It is a bill the passage of which is greatly desired by the War Department and by the war activities of the Government. There certainly can be no objection to this amendment, and the chairman of the committee is willing to accept it.

Mr. BRANDEGEE. Mr. President, has the amendment been read?

Mr. KING. It has been read. It is the bill that we passed the other day in regard to the right of eminent domain for power purposes. The Senator is familiar with it.

Mr. BRANDEGEE. Oh, yes. I have no objection to its adoption.

Mr. KING. The Senator was a member of the subcommittee that reported the bill.

Mr. BRANDEGEE. I think it is a very important measure.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Utah.

The amendment was agreed to, as follows:

That during the pendency of the present war, any person, association, or corporation, for the purpose of furnishing electric power to the United States or to persons, associations, or corporations engaged in the manufacture of ships, explosives, or munitions of war, or other articles and things for the use of the United States or its allies, upon compliance with the conditions hereinafter set forth, may institute proceedings in any district court of the United States or in any court of any State having jurisdiction of the property to be condemned, for the acquirement by condemnation of any land, the temporary use thereof, or other interest therein, or right pertaining thereto, required for the location or construction of any power plant, or for the transmission of electric power for the operation of any plants which are or may be employed in the production of the articles and things hereinbefore mentioned: *Provided*, That the right acquired by the condemnation herein authorized shall terminate when the power furnished ceases to be used in production for the United States or for the allies of this country in the present war. That proceedings for the condemnation of property required for the generation and transmission of such electric power shall be prosecuted in accordance with the procedure prescribed for the condemnation of property in the State wherein the proceedings may be instituted.

That before any person, association, or corporation furnishing or to furnish electric power for the purposes mentioned in section 1 of this act shall have the right to institute proceedings for condemnation, they shall submit to the Secretary of War a full and complete statement of the plan for furnishing power and the nature and extent of the easements or property which they desire to acquire under condemnation proceedings, for the purposes stated in the preceding section. If the Secretary of War approves such plan and finds that the construction or extension of such facilities for the generation or transmission of power and that the condemnation herein authorized is necessary to increase the supply of power for the objects and purposes stated in section 1 of this act, then such person, association, or corporation shall, upon the approval of such plan by the Secretary of War, have the right to construct, maintain, and operate the facilities described in such plan, and may cause proceedings to be instituted in any court having jurisdiction thereof for the acquirement by condemnation of any lands, the temporary use thereof, or other interest therein, or right pertaining thereto, as may be needed for the construction, maintenance, and operation of such facilities: *Provided*, That nothing in this section shall be construed as authorizing any rights in any public lands of the United States, or in any waters of the United States, except such as may be necessary to build such transmission lines along or across said waters as may be approved by the Secretary of War: *Provided further*, That the Secretary of War may, prior to granting his approval as above set forth, require such person, association, or corporation to file with him a bond, in an amount and with a surety or sureties satisfactory to him, conditioned upon the prompt construction of the proposed facilities and the diligent maintenance and operation of the same to the satisfaction of the Secretary of War during the present war.

That any person, association, or corporation having secured the approval of the Secretary of War and filed a petition for condemnation as herein provided may, upon filing with the court in which such petition is filed a bond to secure payment of just compensation to the owners of property taken, in a form and an amount and with a surety or sureties approved by said court after such notice and such hearings as the court may prescribe, have the right of immediate possession and use of such property or rights.

That no plan for the construction or extension of any facilities shall be submitted to or approved by the Secretary of War hereunder after the existing state of war between the United States and its enemies shall have terminated, and the fact of such termination shall be ascertained and proclaimed by the President, but such termination of the existing state of war so ascertained and proclaimed shall not interfere with the condemnation of any land or other property or rights needed

for the construction, maintenance, and operation of any facilities approved hereunder by the Secretary of War before such proclamation: *Provided, however,* That the Secretary of War may upon such termination of the existing state of war and prior to the entry of judgment in any condemnation proceeding hereunder and the commencement of construction or extension of the proposed facilities revoke any approval given hereunder to the plan for such proposed facilities: *Provided, further,* That nothing in this act shall be construed as granting the right to operate such facilities after the termination of the existing state of war.

Mr. PENROSE. Mr. President, in the act of Congress of August 29, 1916, the following provision occurs:

That all officers and enlisted men of the National Guard and of the Medical Reserve Corps of the Army who are Government employees, and who respond to the call of the President for service, shall, at the expiration of the military service to which they are called, be restored to the position occupied by them at the time of the call.

I have here an amendment to change that paragraph in existing law so as to include the soldiers of the United States National Army, which seems to be an act of justice, and to place them on an equality with the other branches of the service. I understand that the chairman of the committee is willing to permit the amendment to be added to the bill and go to conference anyhow, and I will ask the Secretary to read it.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. It is proposed to insert in the bill on page 59, after line 22, the following:

That all officers and enlisted men of the National Guard, of the Medical Reserve Corps of the Army, and of the United States National Army who are Government employees, and who respond to the call of the President, or who voluntarily enlisted, or who resigned to accept a commission, or were drafted for service, shall, at the expiration of the military service to which they were called, be restored to the position occupied by them at the time of the call.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Pennsylvania.

The amendment was agreed to.

Mr. WEEKS. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 120, following the amendments heretofore agreed to at that point, it is proposed to insert:

That the Secretary of War be, and he hereby is, authorized and directed to provide and issue to all men who, since April 6, 1917, have been honorably discharged from the armed forces of the United States a distinctive button or badge of such design, size, and composition as he shall determine and adopt, and to cause a new button or badge to be issued to such persons, without charge therefor, whenever during the present emergency the button or badge originally issued shall have been lost, destroyed, or rendered unfit for use without fault upon the part of the person to whom it was issued, and to meet the cost of procuring, providing, and distributing the same out of any appropriations heretofore or hereafter made for "Transportation, supplies, and services, Quartermaster Corps."

SEC. 2. That it shall be unlawful for any person other than the rightful owner to wear said button or badge, or other button or badge approximating the design thereof, or for any person by misrepresentation to procure the issuance of either an original or substitute button or badge, or for any person, partnership, association, or corporation, without the authority of the Secretary of War therefor, to manufacture said button or badge, or other button or badge approximating the design thereof; and any person, partnership, association, or corporation who shall violate the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than $500 or by imprisonment for not more than six months, or by both such fine and imprisonment.

Mr. PENROSE. Mr. President, I do not object to the amendment offered by the Senator from Massachusetts. I only want to ask whether, in his opinion, the door is not perhaps opened pretty wide for fraud in using these badges that may be lost?

Mr. WEEKS. I think the door is closed by the provisions of the amendment which has just been read. I think it is carefully guarded in that respect.

Mr. PENROSE. I wanted to ask whether the Senator was satisfied about that. It would seem to me that thousands of these badges would be lost in the course of nature.

Mr. WEEKS. The amendment provides that it is a misdemeanor to manufacture these badges.

Mr. PENROSE. Yes; but several million men will be returning from the other side, and several thousand of them are going to lose these badges, and other persons will wear them for fraudulent purposes. I only made the inquiry on that point.

Mr. WEEKS. I think it is very well protected in the amendment—as well as it can be.

Mr. BRANDEGEE. Mr. President, I want to make a suggestion to the Senator from Massachusetts in connection with this amendment. I have had letters from many people who have been subject to the draft, and who have been examined, and found, for some physical reason, deficient. They are of draft age, and they are walking about the streets here at home, and they are subject to a good deal of criticism and inquiry by people who do not understand why they are not in the service.

I wonder whether there is anything in this bill, and, if not, I wanted to suggest to the Senator whether he could not submit to an amendment to this amendment simply for the purpose of getting the subject before the conference committee, by which the Secretary of War would be authorized to designate some badge which could be worn by those who have been found physically unfit to serve? It would relieve them of great embarrassment, and I do not see how any harm could come from it.

Mr. WEEKS. Mr. President, I think the suggestion made by the Senator from Connecticut is well timed. What he has said is undoubtedly the experience of every Senator. It is a serious matter for a young man of draft age to be about home without knowledge on the part of others of the reasons for his being at home. There is a prejudice against him which he does not like to face; and I am willing to accept an amendment along that line, if the Senator will prepare it.

Mr. BRANDEGEE. I know of instances where perfectly loyal and enthusiastic young men of draft age, walking about the streets, have been accosted by passers-by and asked, "Are you a slacker? Why are you not in the war?" And wherever they go they are open to that imputation. A man may have valvular disease of the heart, which does not show at all to the ordinary person as he walks along the street, and he may have tried to volunteer and enlist. Where there are some physical reasons of that kind, there ought to be some way of relieving him of these opprobrious remarks.

I have hastily drafted, for submission to the Senate, this amendment to the amendment of the Senator from Massachusetts, simply to get the subject before the conference committee. I propose to add to that amendment the following:

That the Secretary of War is further authorized to select and prescribe some appropriate badge which may be worn by those of draft age who have been rejected on account of physical disability—

Or some such language as that. I do not care about the language. It might be—

who have been found physically deficient for military service.

Mr. FALL. Mr. President, if these men are rejected for other good and valid reasons, the same thing ought to apply to them.

Mr. BRANDEGEE. "Or who have been rejected."

Mr. FALL. I think "rejected" is the proper word.

The PRESIDING OFFICER. Does the Senator from Massachusetts accept the amendment?

Mr. WEEKS. I accept that amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Massachusetts as modified.

The amendment as modified was agreed to.

Mr. KING. Mr. President, I offer the amendment which I send to the desk. I want to state before it is tendered that the other day, when the Senator from Nebraska [Mr. HITCHCOCK] offered an amendment with regard to the Slavic Legion, this amendment had been prepared, and I intended to offer it at the time, but was called from the Chamber. I have presented it to the members of the Military Affairs Committee, and, so far as I know, it has met with their approval.

The PRESIDING OFFICER. The Senator from Utah offers an amendment, which will be stated.

The SECRETARY. On page 66, after the word "same," in line 20, it is proposed to insert:

RUSSIAN LEGION.

That, under such regulations as the President may prescribe, a force of volunteer unit or units, as he may direct, may be raised to be composed of Russians resident in the United States, but not citizens thereof. Such force shall be known as the Russian Legion or by such other description as the President may prescribe. No man shall be enlisted in it until he has furnished satisfactory evidence that he will faithfully and loyally serve the cause of the United States and the cause of a united and independent Russia and that he desires to fight the Imperial Government of Germany and the Imperial Government of Austria and any other nations with which the United States and its allies are now at war. The force so raised and duly sworn into the service may be equipped, maintained, and trained with our own troops or separately, as the President may direct, and thereafter may be transported to Russia to be used against the common enemy either with our own troops or with those of Russia or any nation associated with the United States in the present war; and the several items of expense involved in the equipment, maintenance, training, and transportation of such force may be paid from the respective appropriations herein made or from any subsequent appropriations for the same.

Mr. WADSWORTH. Mr. President, I am in hearty sympathy with the spirit of this amendment and shall not attempt to oppose it. There are some rather complex aspects to the situation, however. I was wondering what would be meant by the oath which these men would have to take to support a united Russia.

Mr. KING. Mr. President, in the preparation of that amendment I followed in the main the language that was found in the amendment tendered by the Senator from Nebraska [Mr. HITCHCOCK].

Mr. WADSWORTH. Does the Senator mean a Russia reunited for the purpose of being our ally in this war?

Mr. KING. I have in mind an independent Russian Government, such a Government as we would recognize and could deal

with, and, of course, one that would be our ally, at least potentially and morally, if not in a strictly military sense.

Mr. WADSWORTH. For example, a Government that we had recognized?

Mr. KING. That we shall recognize.

Mr. WADSWORTH. It must be remembered—I think my recollection is correct—that we have not recognized any Government in Russia.

Mr. KING. That is true.

Mr. WADSWORTH. And there is one doubt in this situation respecting this amendment—whether these men, who I sincerely hope will join the fighting line, will be required to take an oath to support the Russian Government that we eventually recognize, regardless of whether that Government is a belligerent ally of ours or not.

Mr. KING. I have no objection to an amendment of that character.

Mr. LODGE. Mr. President, if the Senator will yield to me——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Massachusetts?

Mr. KING. I do.

Mr. LODGE. I have just come into the Senate Chamber, and I have not had time to read the amendment; but we ought to be extremely careful, because of the Poles. I hope to live to see the day when there is an independent Republic of Poland. There are three Polands—the German Poland, the Austrian Poland, and the Russian Poland—but they are all Poles, all one nationality, one religion, and one speech. The Russian Poles have been turned loose by the bolshevik government. They are derelicts at the present moment, and we must find some way of giving some recognition to the Polish people. I hope the chairman of the Foreign Relations Committee will be able to prepare a bill which will cover that point; but we should be very careful, in drawing up an amendment of this kind, not to involve the Poles. They have been left out of the clause for the Slavic Legion. We have not attempted to establish any Polish Legion, which I understand is satisfactory to them, because a Polish Legion for France is being formed in this country. They are not Russians at this moment.

Mr. FALL. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from New Mexico?

Mr. LODGE. I am taking the time of the Senator from Utah.

Mr. KING. I yield; certainly.

Mr. FALL. If we desire to enroll this Russian Legion, would it not be perfectly satisfactory simply to say, with reference to their oath or their allegiance, "who shall swear allegiance to the cause of the United States during this war," and stop there?

Mr. LODGE. The amendment as offered reads:

> No man shall be enlisted in it until he has furnished satisfactory evidence that he will faithfully and loyally serve the cause of the United States—

I should leave out "and the cause of a united and independent Russia," because we do not know anything about it. Russia before included a large part of Poland; and I do not want to do anything that would look like handing back part of Poland to Russia and part to Germany or part to Austria. Then it will read:

> No man shall be enlisted in it until he has furnished satisfactory evidence that he will faithfully and loyally serve the cause of the United States, and that he desires to fight the Imperial Government of Germany and the Imperial Government of Austria—

And so forth. We do not know what "a united and independent Russia" is.

Mr. KING. I am willing to accept the amendment, but believe that it may somewhat weaken the amendment. Senators will perceive that this amendment, if enacted into law, may be regarded by the Russian people who desire to be emancipated from the tyranny of bolshevikism and the merciless oppression of Germany as a message speaking sympathy and a promise of genuine help to them. There are those in Russia who long for an independent, united Russia, a Russia of substantially the same territory as that embraced within the Empire before the war came. There are Russians temporarily within our borders to whom the words "a united and independent Russia" carry a meaning and a message which will inspire them to patriotic service for Russia and a determination to drive Germany from their fatherland.

Mr. McCUMBER. Mr. President, I should like to ask the Senator a question or two, because I came in while this amendment was being read. I want to see if I understand the amendment in all of its aspects.

These are Russians who are to be recruited. Am I right in that?

Mr. KING. Russians in the United States, and who are not citizens of the United States.

Mr. McCUMBER. And when they are so recruited they will be under American officers, and a part of the American Army to as full an extent as though they were American citizens drafted into the Army. Is that correct?

Mr. KING. The amendment provides that they shall be used in Russia, either independently or in connection with the allies or our own troops.

Mr. McCUMBER. Does the Senator mean to say that they can not be used upon the French front?

Mr. KING. This amendment does not contemplate that.

Mr. McCUMBER. Well, Mr. President, suppose they were sent over to Russia as a separate American army, under their own officers, and they should become imbued with the bolshevik sentiment of Russia, and conclude that under their peculiar democracy they should submit to a referendum the war program, whether they should advance or retreat, whether they should charge or whether they should not—what control would we have over them?

Mr. KING. Of course, Mr. President, we can conceive of Russians proving false to the aspirations of their people and dead to any national aspirations. It is possible to conceive of betrayals of Russia by some of her people. Indeed, there has been a betrayal by the group supporting Lenine and Trotsky of Russia and the liberties of the Russian people. It is possible that the cause of liberty may be assailed by others than Russians, but because we can conceive of a base betrayal of a righteous cause by those who should support it would not justify a mere negative course when affirmative action might bring results greatly to be desired. If I may be pardoned for a moment, I would like to submit a few observations, general in character, in support of this amendment. I do not purpose taking the time to sketch the matter even in broad lines, but a few words will present to Senators some of the reasons justifying, in my opinion, the legislation proposed.

This proposed legislation does not commit our Nation to the plan of recruiting from Russians who are in the United States troops for over-sea military service; that is, the Commander in Chief of the Army and the military authorities are not compelled to recruit a legion or any troops from Russian nationals in our midst. The President is merely authorized to raise a force of volunteer unit or units to be composed of Russians, resident in the United States, but not citizens thereof. This amendment is in harmony with the spirit of the amendment tendered a day or two ago by the Senator from Nebraska. It will be recalled that under his amendment the President was authorized to raise a force of volunteer troops to be composed of certain races of the Austro-Hungarian Empire resident in the United States, but not citizens thereof, for military service against the common enemy.

I have had a number of conferences with Russians, who are now in the United States, in respect to this matter. Some of those with whom I have conferred are strong adherents of Kerensky and came from Russia since the rise of Bolshevikism. Others came to this country before the overthrow of the Czar, but all with whom I have had conferences appear to be well informed as to conditions in Russia. Of course, I appreciate the fact that it is well-nigh impossible to obtain accurate and definite information concerning conditions in Russia. The situation there changes from day to day. However, they, and I am sure the Senate, are in possession of sufficient facts to enable us to reach conclusions, more or less well founded, concerning the situation in Russia, and the steps required to bring about conditions more favorable to Russian liberty and independence, and conducive to the welfare of this Government and our allies. As stated, we do not pledge this Nation to the raising of a military force under the terms of this amendment. However, the enactment of it into law will, in my opinion, have an effect upon the Russian people that will be of advantage to the allies and make for improved conditions in Russia. If I may be permitted to use the hackneyed expression, "the psychology of the situation" will be improved. Germany has industriously sought to poison the Russian people not only against the allies but against this Nation. She has sown the seeds of suspicion and distrust in all part of Russia and has endeavored to convince the Russian people that the nations opposing the central powers sought territorial acquisitions in Russia.

We are all familiar with the subtle, sinister, and dangerous propaganda carried on by Germany in all nations of the world. She has her agents in every land and under every flag. There is no perfidy, no treachery, that Germany would not practice

and no lie that she would not declare that she regarded as making for her advantage; and so she has by treachery and hypocrisy and a most wicked and criminal propaganda destroyed government in Russia, loosened the bonds which should unite the Russian people, created suspicions and enmities among the Slav races within the Russian Nation, and brought economic and industrial destruction to the Russian people and almost succeeded in reducing the great empire of Russia to a condition of abject vassalage. The situation calls for action, vigorous and immediate, upon the part of this Nation and the allied powers. Economic and industrial relief must be given to the Russian people and given quickly. The groping, almost helpless peoples must be rescued from Germany's grasp and defended against her wicked and perfidious designs. In saving Russia our Nation and the allies would not only be rendering services of the highest character to the cause of democracy and civilization, but they would also be weakening Germany and contributing to the ultimate military triumph of the allied powers over their common foe. Of course, this policy could not be supported if the Russian people opposed it and were satisfied to be vassals of Germany. This resolution will be regarded as another declaration on the part of this Nation that we are solicitious for the welfare of the Russian people, and it will corroborate the statement so often made that we have no designs upon Russia; that we desire her independence, and that the great Russian people shall have the opportunity of ordering their own lives, establishing and maintaining their own government, and being freed from the control and domination of the Teutonic or any other power. The willingness of this Nation to recruit Russians who are in our midst and to equip them for military service against the common foe, transport them across the seas to there fight for Russia against the cruel and perfidious foe which is now seeking to reduce the Russian people to servitude, will be a further mark of the disinterested friendship of the people of the United States in behalf of Russia and a powerful weapon to meet the poisonous and destructive propaganda now carried on by Germany in Russia. Certainly this amendment under no view can be harmful, but on the contrary it can not do other than serve a highly useful purpose and be regarded as a message of succor and support emanating from this great Nation to a people with whom our relations have always been most cordial and for whose sorrows this Nation feels the profoundest sympathy.

Mr. McCUMBER. Mr. President, the Senator certainly undertands, as we all understand, that we can save Russia for Russia only by first defeating Germany. Therefore, if there are any patriotic Russians who want to serve the fatherland they ought to be sufficiently patriotic to be willing to join with those of the allies who wish to accomplish the same result by fighting anywhere along the line where that result may be best accomplished.

I for one am opposed to taking into the American Army any division or any unit to whom we may not say, "You shall battle where the President directs." I am opposed, so far as my voice can go, to saying to any unit, "You are foreigners. We will arm you. We will supply you. You can go to your fatherland, but if we want you to advance beyond the border of that fatherland—if we want to ask you to invade Bulgaria, for instance—you can say, 'No; we did not agree to do that. We simply agreed to go back to Russia and fight for Russia upon Russian soil.'"

We may be able to accomplish far more by sending a real patriotic army to help the Serbians, to assist the Roumanians, to battle against the Bulgarians; and yet, if I understand the Senator's amendment, it does not provide for any of these things. But the vital objection is that under this amendment you say to the world that we have a unit in the American Army that we can not control absolutely. That idea is what destroyed Russia, and we do not want to introduce that in the slightest degree into our American military program.

Mr. KING. Mr. President, will the Senator yield?

Mr. McCUMBER. I yield.

Mr. KING. Would the Senator's objections to the amendment be met if the words "be transported to Russia to be used in Russia" were eliminated, and if the amendment were to provide, the same as the amendment which we have already adopted as to the Slavic Legion, that they may be used against the common enemy? That would leave it to the President to use them wherever they could be of service in the cause of Russia and the allies.

Mr. McCUMBER. Mr. President, I think the Senator can accomplish that by striking out the words "to Russia," in line 5 of page 2.

Mr. KING. Yes; I had that in mind.

Mr. McCUMBER. Then it would read:

The force so raised and duly sworn into the service may be equipped, maintained, and trained with our own troops or separately, as the President may direct, and thereafter may be transported to be used against the common enemy—

And so forth.

Mr. KING. I will perfect the amendment by striking out the words "to Russia" in line 5, page 2.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Utah, as modified.

Mr. BRANDEGEE. Mr. President, I desire to ask the Senator from Utah if the words in line 10 of page 1, to wit, "and the cause of a united and independent Russia," have been stricken out?

Mr. KING. Those words have been stricken out.

Mr. BRANDEGEE. Very well.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Utah, as modified.

The amendment was agreed to.

Mr. PENROSE. Mr. President, I have here two amendments that I should like to have agreed to for the purpose of permitting them to be considered in conference. The first amendment, I know, raises a vexed question, but it has to come up sooner or later, and I should like to have it at least on record.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 25, after line 8, it is proposed to insert:

Provided, That the pay clerks of the Quartermaster Corps, United States Army, now on the retired list shall hereafter have the rank, pay, and allowance of a second lieutenant, and the President is hereby authorized to appoint and commission them, by and with the advice and consent of the Senate, second lieutenants in the Quartermaster Corps, United States Army, and place them on the retired list as such: *Provided further*, That nothing herein contained shall operate to reduce the pay or allowance now authorized by law for pay clerks of the Quartermaster Corps.

Mr. KING. Mr. President, I raise the point of order against the amendment offered by the Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Utah raises the point of order.

Mr. PENROSE. The Senator just had an amendment go through against which a point of order could have been raised.

Mr. KING. The amendment which the Senator from Utah offered was a very meritorious and beneficial one.

Mr. PENROSE. I think this is meritorious enough for consideration. I shall be glad if the Senator will permit it to go to conference. I do not expect that it will have a long life there, but I should like to have it have a little breathing spell.

Mr. KING. Will the Senator from Pennsylvania state to the Senator from Utah whether his amendment has the approval of the full Military Affairs Committee?

Mr. PENROSE. No, I can not; and I do not know that the amendment of the Senator from Utah has the approval of the full Military Affairs Committee.

Mr. KING. I hope the Senator will not try to institute a comparison between the amendment which he has offered and the one which I had the honor to tender a moment ago.

Mr. PENROSE. I thought the Senator's amendment had been introduced with very little consideration and without much authority from anybody except himself. I am not prepared to say that it was not wise; but if points of order are going to be started on these amendments, a lot of them have been permitted to go through in a very haphazard way.

Mr. KING. I will say to the Senator that I will withdraw the point of order, but will vote against his amendment, and hope that the Senate will vote it down.

Mr. PENROSE. That is all right.

Mr. WADSWORTH. Mr. President, I think I ought to say that my recollection is that the Committee on Military Affairs had this matter under consideration and rejected it.

Mr. McKELLAR. I think I ought to say the same thing. I am quite sure it does not meet with the approval of the committee.

Mr. PENROSE. I had not that information before. In view of that information, I shall not press the amendment. I will ask to have it lie on the table or be postponed indefinitely. I had not been so informed.

Mr. JONES of Washington. I desire to offer an amendment which I think should properly come in after line 7, page 43.

The SECRETARY. On page 43, after line 7, insert:

That all uniforms, accouterments, and equipment required for any officer of the military or naval forces of the United States, including cadets at the Military and Naval Academies, shall be furnished and issued to such officers by the Government at cost price, under regulations to be prescribed by the Secretary of War and the Secretary of the Navy, and the same shall be similar in quality and price for all officers of the same rank.

Mr. CHAMBERLAIN. If the Senator will permit me, that provision was inserted on the floor of the Senate in the Military Academy appropriation bill, and we were unable to get the House members to accept it and it went out in conference. I have no objection to its going on the bill, but I wish to say to the Senator now it is very doubtful if the conferees on the part of the House will agree to it because the House has declined to act favorably on the proposition.

The amendment was agreed to.

Mr. JONES of Washington. I have a letter here, or, rather, a memorandum, prepared by The Adjutant General of the Army, with reference to the matter which I desire to have inserted in the RECORD. This memorandum shows that the Secretary of War is making provision now for furnishing to officers their uniforms upon a different basis from that heretofore. Under this the cloth is taken by the Government and furnished to the officers at cost. The War Department makes a contract for the conversion of the cloth into uniforms and endeavors to see that the price paid, of course, is not exorbitant.

The statement the Senator has made with reference to this matter is correct, but the provision passed the Senate as a separate bill. I have been unable to learn any reason why the House members do not accept this provision. I hope the conferees on the part of the Senate will insist upon it or insist upon mighty good reasons for putting it out. In my judgment it is really a shame that the Government permits men whom it is making officers to command our Army to be the prey of the uniform makers throughout the country.

I received a letter a day or two ago with reference to a major in the Army, in which it is stated that it will soon be necessary for him to get a new uniform, and he is waiting till legislation of this kind can be passed, because it is impossible for him to secure the uniform a major really requires for less than a thousand or more dollars. The same writer of that letter states the case of another major who paid $1,250 for a uniform. I hope the chairman of the committee will get these facts and remember them in the consideration of the measure in conference.

These persons have had to pay for their uniforms almost, if not entirely, a hundred per cent more than the Government could furnish the uniforms to these men for. I was told by one of the officers of the War Department, in talking with him in reference to this matter, that the officers are paying now $35 for a pair of boots that ought to be gotten for $18. Mr. President, that is simply indefensible, and it is an outrage upon these men that we leave it so that they are compelled to make payments of that character.

A Member of the House told me the other day that the War Department had prescribed a certain kind of watches that the officers must have and made certain specifications that they must come up to, and then they named watches of a certain make that would comply with these specifications. After that was done a contract was let under which a certain class of watch is furnished, and the officers must pay $21 per watch, and that this watch is sold regularly in job lots for railroad purposes at $10 apiece; in other words, every officer who gets one of these watches is really robbed of $11. The Government requires the officers to have the watches.

The Government ought either to see to it that they get them at a reasonable rate, or the Government ought to furnish them, and it ought to furnish the equipment and all the accoutrements and uniforms that the officers are required to have.

Mr. President, I ask that this letter may be printed in the RECORD, so that the officers may know what steps are being taken. If this legislation does not pass, it may be possible for them to save something in the uniforms that they may get, but I do hope that the conferees on the part of the Senate will insist upon this amendment.

I wish to call attention to the fact that the War Department in a letter sent down some time ago said they could comply with this proposed legislation; they made no objection to it; so that there can be no excuse on that account for not including this provision in the bill. I ask that the memorandum may be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it will be printed in the RECORD.

The memorandum is as follows:

JUNE 6, 1918.

MEMORANDUM FOR THE ADJUTANT GENERAL OF THE ARMY.

Subject: Officers' uniforms.

1. The Secretary of War directs that the following instructions be published for the information and guidance of the Army:

(1) The following cloths are adopted as standard materials for officers' uniforms, and all uniforms for officers made in the future in the United States will be of one of these prescribed standards:

For coat and breeches—summer wear:
(a) An O. D. cotton.
(b) A 13-ounce all-wool worsted gabardine.

For coats and breeches and overcoats:
(a) A 12-ounce worsted serge.
(b) A 17-ounce whipcord.
(c) A 21-ounce whipcord or elastique.

For riding breeches:
(a) A 24-ounce bedford cord.

For overcoats:
(a) A 30-ounce melton or kersey.

Samples, according to standards adopted and on file in the office of the Quartermaster General, will be supplied to all local quartermasters and kept available for inspection by officers. All cloth will be supplied at cost by the Quartermaster Corps, and a sufficient quantity will be kept on hand by the various depot, camp, post, and station quartermasters to meet the contemplated requirements.

(2) The Quartermaster Corps will invite bids for making uniforms; the contracts will be let at a specified cost per uniform, one contract (or more, if necessary) to be let for each general supply depot; all uniforms or material purchased within the zone of jurisdiction of any depot to be supplied under the provisions of the contract of such depot. Contracts will be let in the usual manner to the lowest responsible bidder, care being taken that only firms experienced in making uniforms to measure should be considered responsible in this connection.

(3) Contractors must have representatives at all camps, posts, and stations in the territory covered by their contracts, not necessarily living there but to go there upon call of the local quartermaster, to measure, fit, and make delivery of uniforms and such alterations as may be required, the Government to furnish a suitable room or building for this purpose. Other tailoring in the nature of repairs, pressing, etc., is authorized at rates to be determined by local commanding officers. Every garment must be guaranteed by the contractor to fit and be made to fit, the officer's acceptance being proof thereof. All changes or alterations will be made at the expense of the contractor.

(4) All properly fitted garments not delivered through no fault of the contractor will be taken by the local quartermaster at contract price for delivery to officers if practicable. If this is impracticable, the garments will be placed in stock for sale or issue.

(5) All orders for uniforms will be made through the office of the local quartermaster, who will have supervision over the contractor's agent. The cost of the uniform will be the contract price plus the cost of the cloth. Officers purchasing uniforms will pay the local quartermaster the same, who, in turn, will settle with the contractor.

(6) In addition to furnishing cloth to contractors as above noted, the Quartermaster Corps will furnish cloth at cost direct to officers who desire to have tailoring done by firms with which the Government does not have a contract.

(7) Upon notice from the Quartermaster General that firms with which contracts have been made are prepared to make uniforms, all other contracts or agreements made by any branch or department of the Army for making officers' uniforms which interfere with the operation of this order, or contract executed in compliance therewith, will be terminated at once.

2. The Secretary of War further directs that the attached papers be returned to the Quartermaster General, by indorsement, with information of the above action.

HENRY JERVEY,
Brigadier General, National Army,
Acting Assistant Chief of Staff, Director of Operations.

Mr. CUMMINS. I offer the following amendment to be added to the bill at the proper place.

The SECRETARY. At the proper place in the bill insert the following:

That captains and lieutenants of Philippine Scouts who are citizens of the United States shall hereafter be retired in the grade held by them at the date of retirement and shall be retired for disability under the same conditions, including pay, as officers of the Regular Army, and that they shall receive as retired pay 2½ per cent a year for each year of service, to a maximum of 75 per cent of the active pay of their grades at date of retirement and retired pay being increased for the additional years of service up to the maximum of 75 per cent of the active pay: *Provided*, That hereafter when an officer of Philippine Scouts has served 20 years he shall be eligible for retirement under the provisions of this act: *Provided further*, That all officers of Philippine Scouts on the date of the passage of this act be commissioned, by and with the advice and consent of the Senate, and not examined after entrance except upon promotion to the next higher grade: *And provided further*, That all officers of Philippine Scouts now borne on the retired list as such shall be transferred to the retired list created by this section and shall thereafter receive the retired pay and allowances provided by this section for other officers of Philippine Scouts: *And provided further*, That any former officer of Philippine Scouts who vacated his office in the Philippine Scouts by discharge or resignation on account of disability contracted in line of duty shall be placed on the retired list created by this section and shall thereafter receive the retired pay and allowances authorized by this section: *And provided further*, That officers of Philippine Scouts retired under the provisions of this act shall not form part of the limited retired list now authorized by law.

Mr. CUMMINS. Mr. President, I hope there will be no objection to this addition to the Army bill. It was introduced as an independent bill. It was carefully considered by the Committee on Military Affairs. It was reported favorably by a unanimous committee, and is now on the calendar for consideration by the Senate.

I recognize that the amendment is subject to a point of order, but in view of the fact that the Committee on Military Affairs, after the most careful consideration, has given its approval to the measure, I hope the Senator from Utah [Mr. KING], whom I see watching me, will not object. It is a very worthy proposal. I could very easily convince the Senator from Utah of the truth of that fact if I dared to take the time to do it. I do not want to postpone the conclusion of the Army bill, but I hope the Senator from Utah, remembering that it has received the unanimouse support of the Military Affairs Committee, that it is accompanied by a written report which states fully and particularly the reasons which moved the committee to give it a favorable recommendation, will not object to the amendment.

Mr. KING. Mr. President, it is very hard for one to deny to the Senator from Iowa any request which he makes, because there is no man in this Chamber who is fairer in the consideration of legislation than the distinguished Senator. I am opposed to the amendment. I think it is improper legislation. It is in line, however, I know with some legislation of this Congress in the determination to put everybody upon the retired list. I would have some amendments to offer to it and some observations to submit. I feel constrained, unpleasant as it is, to raise the point of order against the amendment.

The VICE PRESIDENT. The point of order is sustained.

Mr. CUMMINS. I could make another proposal but it must bear the same fate.

Mr. WADSWORTH. Mr. President, my colleague [Mr. CALDER] is compelled to be absent this afternoon on important business. Before leaving he asked me to present for him an amendment to the bill. May I say to the chairman of the committee and to other Senators who take an interest in the bill that this amendment of my colleague's is really but a bill which has already passed the Senate, I remember, upon two occasions, authorizing the President to place upon the retired list with the rank of brigadier general Col. Brainard.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 91, after line 4, insert:

That, in view of the conspicuous service in the Arctic of Col. David L. Brainard, Quartermaster Corps, United States Army, he being one of the 7 survivors of the original 25 members of the Greely Expedition, and of the injury to his eyesight resulting from exposure while in said service, which injury will necessitate his early retirement from active service, the President is hereby authorized to place that officer on the retired list of the Army, after over 40 years' active service, as a brigadier general, with the pay and emoluments of a retired officer of that grade, and to grant him a commission in accordance with such advanced rank.

The VICE PRESIDENT. The amendment will be agreed to, without objection.

Mr. KING. Before it is passed upon I desire to ask the Senator from New York whether there is any other reason for taking this case out of the general law than the fact that Col. Brainard is one of the survivors of the Greely expedition? Because if that is all, I shall feel constrained to raise a point of order against the amendment.

Mr. WADSWORTH. Col. Brainard upon that expedition suffered very grave misfortune in a particularly severe injury to his eyesight, which compelled his retirement. He had been until that time—and I may say he has been since, although upon the retired list—regarded as one of the most brilliant officers in the Army. The Secretary of War himself recommends the passage of this legislation. I may say to the Senator that since our entrance into the European war Col. Brainard, although suffering to some extent from impaired vision, has been summoned back from the retired list and placed upon active duty for this emergency, showing that his talents are thoroughly appreciated by the officials of the War Department.

Mr. KING. I should like to ask the Senator whether he has rendered such military service as would entitle him to the distinction of being a brigadier general?

Mr. WADSWORTH. The War Department itself is of that opinion, not only because of his services upon that particular expedition, but he has taken part in several Indian campaigns, in which he has done excellent service.

Mr. WARREN. I trust the point of order will not be made against this amendment.

Mr. WADSWORTH. It has twice passed the Senate.

Mr. WARREN. Col. Brainard is a gallant officer, as has been stated. He underwent tremendous suffering and privations during his service in the Arctic region. He has been able and industrious at the front or at his desk or field, wherever sent; is in the service now, although entitled to retirement, and I think he ought to have the privilege of retirement as a brigadier general.

Mr. KING. I have had occasion heretofore to call the attention of the Senate to the lavish manner in which it was dealing with the Public Treasury and to the gratuities and benefits and pensions which were being bestowed in so many directions. I have insisted that Congress was not conserving the Public Treasury or protecting it from demands made with persistence and power, and many of which lack merit and should be ignored. There is too much sentiment back of many measures receiving our attention. Senators respond more or less to the emotional and hysterical situation presented in great crises. There is so much that can be said in favor even of unworthy and improper legislation, particularly if it relates to services rendered by individuals in behalf of the Nation, that we are often swept from the path of safety and rational conduct, and legislate under the spell of emotionalism. I have urged that the strictest economy be observed in dealing with the Public Treasury; that appropriations for the prosecution of the war should be more than liberal, but that in dealing with other questions not pressing, not imperative, we should practice the most rigid economy. There should be billions for the war—there should be little for demands that can wait until the war is over; and, as I have had occasion heretofore to say, under the war fever there is much unwise and, indeed, dangerous legislation enacted. We forget ancient and guiding landmarks and rush into all sorts of special and ephemeral legislation. Advantage is taken of the emotional, unstable, and, if I may be pardoned for stating it, hysterical feeling that finds expression everywhere. The whole Nation is charged with it, and it is reflected in the conduct of high officials. So far as it is possible, we should resist these influences and deal with questions presented in a deliberate, dispassionate, and rational way. This is a time for coolness, not frenzy—for wise legislation, not neurotic and hysterical legislative expression. It is hard to resist dangerous precedents at this hour. It is so easy to find pretexts, and, indeed, most sophistical arguments in support of almost every demand. The amendment just offered does not commend itself to me. It is in line with the sentiment which I have just condemned and it will prove an embarrassing precedent which we will have to meet in the future. I shall not press the point of order, but shall vote against the amendment.

The amendment was agreed to.

Mr. FALL. I offer the following amendment.

The VICE PRESIDENT. It will be stated.

The SECRETARY. On page 120, before line 8, insert the following:

The President is also hereby authorized, and the Secretary of War directed, to call into the service of the United States, by enlistment for the term of the present war, three or more regiments of mounted volunteers, in addition to any other forces herein or otherwise provided, such mounted volunteers to be selected from men between the ages of 18 and 21 years, and from those between 31 and 45 years, and under the provisions of section 3 of the act of May 18, 1917, and to be used in protecting property and citizens in any portion of the United States and upon the borders thereof and in any State, and also to be used in any foreign country, as the President may direct: *Provided*, That the President is hereby authorized to appoint officers for such volunteer force as in said act provided for other forces, and also from any civilians as he may think best.

Mr. FALL. Mr. President, a similar amendment passed the Senate on a yea-and-nay vote by 43, I think, to 17—a record vote. I shall have nothing further to say about it.

The VICE PRESIDENT. The amendment will be agreed to, without objection.

Mr. CHAMBERLAIN. I hope the amendment will not be agreed to.

Mr. FALL. I shall have to ask for a yea-and-nay vote on it.

Mr. CHAMBERLAIN. I can not help that, of course; but I hope the Senator will not insist on the amendment. Let me state to the Senate that when the same proposition involved in this amendment passed the Senate once before, the House would not stand for it, although they had previously passed the same bill.

Mr. FALL. This is not a general proposition at all with reference to volunteers, but simply leaving it in the discretion of the President as to whether he wants to raise more than three regiments of volunteers without the age limit—that is, from 18 to 21 and from 31 to 45 for special purposes—on the border particularly or wherever he may desire to use them. It is the same proposition which passed the Senate before on a yea-and-nay vote.

Mr. CHAMBERLAIN. Under those circumstances, and because of my anxiety to get the bill through I shall not object to it, but I do not believe the House will stand for it.

Mr. FALL. Of course I shall have very little hope of its being finally enacted as legislation if it will go into conference with that feeling on the part of the Senator. I hope, however, that he will insist upon the amendment in the conference.

The amendment was agreed to.

Mr. WADSWORTH. May I ask the chairman of the committee a question to get some information? Has the committee amendment, on page 79, relating to the importation of certain war materials free of duty been stricken out?

Mr. WARREN. Yes.

Mr. WADSWORTH. Was a roll call had upon it?

Mr. CHAMBERLAIN. I think not, but objection was made to it by the Senator from Utah, and finally it was eliminated from the bill?

Mr. WADSWORTH. I was not present when that objection was made.

The VICE PRESIDENT. If there be no further amendment as in Committee of the Whole, the bill will be reported to the

Senate. One amendment has been reserved. Are there further reservations?

Mr. CUMMINS. A parliamentary inquiry. Is the amendment I just offered in order in the Senate without a reservation?

Mr. LODGE. It was not adopted, and the Senator can offer it again.

The VICE PRESIDENT. It was rejected as in Committee of the Whole.

Mr. CUMMINS. A point of order was made against it.

The VICE PRESIDENT. It can be reoffered in the Senate.

Mr. CUMMINS. It was offered in Committee of the Whole, and a point of order was made against it and sustained. I have some reason to think it will not be made again.

The VICE PRESIDENT. It can be reoffered in the Senate and the point of order remade against it.

Mr. CUMMINS. I can not help that.

The bill was reported to the Senate as amended.

The VICE PRESIDENT. Certain amendments were made as in Committee of the Whole, and the question is on concurring in those amendments save as to the one reserved.

The amendments were concurred in.

The VICE PRESIDENT. The question is on the one reserved amendment. It will be stated.

The SECRETARY. Page 106——

Mr. LODGE. Mr. President, we adopted yesterday an amendment offered by the Senator from Nebraska [Mr. HITCHCOCK]. It was presented as a substitute for the amendment offered by the committee. I supposed it was presented as an amendment to the amendment offered by the committee. That would leave it simply as an amendment to the existing law, and in that form as it passed yesterday it contained an open contradiction. It was necessary to reenact the words of the existing law, leaving out a line which conflicts with the proviso. Therefore I offer it in that form. The proviso is verbatim what was adopted by the Senate yesterday. The first part is the existing law made to conform to the proviso.

I also promised yesterday Senators who were interested in it to offer an amendment to the Hitchcock amendment as adopted, and I suppose I can offer it to this amendment which I present, because this was not adopted by the Senate yesterday. I will ask that the amendment be read.

The VICE PRESIDENT. The Secretary will state it.

The Secretary read as follows:

Such draft as herein provided shall be based upon liability to military service of all male citizens or male persons not alien enemies, or aliens not enemies who are covered by treaties or conventions as provided in Chapter — of this act who have declared their intention to become citizens between the ages of 21 and 30 years, both inclusive, and shall take place and be maintained under such regulations as the President may prescribe not inconsistent with the terms of this act: *Provided*, That a citizen or subject of a country neutral in the present war who has declared his intention to become a citizen of the United States shall be relieved from liability to military service upon his making a declaration, in accordance with such regulations as the President may prescribe, withdrawing his intention to become a citizen of the United States, which shall operate and be held to cancel his declaration of intention to become an American citizen, and he shall not be entitled to make a new declaration during the existence of the war in which the United States is now engaged.

Mr. LODGE. Mr. President, the first part of that amendment, as I said, is the existing law modified to meet the proviso. The first part covers two classes of aliens, alien enemies and aliens of the country with which we are allied or associated in the war. The former we can not and would not take in any event. The latter, friendly aliens, we are providing for by treaty.

The proviso which was adopted in these very words yesterday by the Senate deals with the neutral aliens. I move to amend the amendment by adding at the end the following words, which are those employed by the Senator from Nebraska when he first introduced the amendment.

The SECRETARY. Add at the end of the proposed amendment the words:

And shall forever be debarred from becoming a citizen of the United States.

Mr. CHAMBERLAIN. May I interrupt the Senator? Was the last amendment suggested a part of the Senator's amendment?

Mr. LODGE. I offer it as an amendment to the amendment because I told the Senate yesterday I would offer it and there were a number of Senators who desire to have it go in.

Mr. LENROOT. If the Senator will yield I want to ask him whether it ought not to be a substitute for the last phrase in the amendment that was adopted with reference to making a new declaration?

Mr. LODGE. No; the amendment as originally proposed by the Senator from Nebraska covered both points, and I think both must be covered, first, the withdrawal of cancellation of the declaration and then the barring from American citizenship.

Mr. LENROOT. But the amendment in the latter part as it was finally adopted provided that he should not make a new declaration during the existence of the war. That ought to be stricken out.

Mr. LODGE. That is not necessary. I will ask the Secretary to strike out the words "and he shall not be entitled to make a new declaration during the existence of the war in which the United States is now engaged," and substitute "be held to cancel his declaration of intention to become an American citizen and he shall forever be debarred," because the second one includes the first.

Mr. CHAMBERLAIN. May I interrupt the Senator to ask if he thinks that last clause is violative of our conventions and treaties with reference to the admission of aliens to this country?

Mr. LODGE. It does not interfere and can not interfere with any treaty we have ever made. No country would submit for one moment to an agreement with another affecting the conditions on which a foreigner could become a citizen. All we have ever done in the treaties that were read here is to recognize the right of expatriation. There was a long contest, we being the first to champion it, against the doctrine of indefeasible allegiance. We gradually have got all the world except Russia and Turkey to agree with our position on the right of expatriation. Some of our treaties with Norway, with Costa Rica, with Great Britain, and other countries, recognize formally the right of expatriation by providing that if a citizen of either country becomes a citizen of the other country in conformity with their laws he is recognized as a citizen of that country. That is a mere recognition, but, of course, if anybody will reflect upon it there can not possibly be any restriction upon the conditions any country chooses to impose upon naturalization.

Mr. SMITH of Michigan. Will the Senator yield for a question?

Mr. LODGE. Certainly.

Mr. SMITH of Michigan. Under the draft law certain classes of people are exempt from military duty. I believe certain religious sects or students of divinity are exempt. I desire to ask the Senator whether a student of divinity residing in this country having declared his intention to become a citizen would be interfered with in any way by this amendment?

Mr. LODGE. Not in the least. It only makes them subject to the draft law. It only applies when they plead their foreign citizenship.

Mr. SMITH of Michigan. In exemption?

Mr. LODGE. That is all. It touches nothing else. It reaches only those neutrals who live in this country, who have made their declarations of intention, and yet claim citizenship in the country of origin in order to protect themselves from military service. They will not go home to their own country and serve in the armies there, the armies of the neutral countries being all mobilized, but they remain here and will not serve in our country. I think that sort of dual citizenship should not be permitted. At all events, they should not be given the privileges, as they are in many States, of American citizens. They have in some States the privilege of voting, and every other privilege. The naturalized American and the native-born American are taken into the draft and sent to the war while these men stay here, protected from their own country by residence here and protected from our draft by their claim of foreign citizenship. Under those circumstances those people ought not to be given the privileges of citizenship which they now have in many States.

The VICE PRESIDENT. The question is on the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. CUMMINS. Mr. President, I have very slightly changed the amendment which I heretofore offered, and I do not think it will now meet with the point of order, nor do I suppose it is necessary to have it reread.

The amendment referred to is to insert the following:

That captains and lieutenants of Philippine Scouts who are citizens of the United States shall hereafter be retired in the grade held by them at the date of retirement and shall be retired for disability under the same conditions, including pay, as officers of the Regular Army, and that they shall receive as retired pay 2½ per cent a year for each year of service, to a maximum of 75 per cent of the active pay of their grades at date of retirement and retired pay being increased for the additional years of service up to the maximum of 75 per cent of the active pay: *Provided*, That hereafter when an officer of Philippine Scouts has served 20 years he shall be eligible for retirement under the provisions of this act: *Provided further*, That all officers of Philippine Scouts on the date of the passage of this act be commis-

sioned, by and with the advice and consent of the Senate, and not examined after entrance except upon promotion to the next higher grade: *And provided further,* That all officers of Philippine Scouts now borne on the retired list as such shall be transferred to the retired list created by this section and shall thereafter receive the retired pay and allowances provided by this section for other officers of Philippine Scouts: *And provided further,* That any former officer of Philippine Scouts who vacated his office in the Philippine Scouts by discharge or resignation on account of disability contracted in line of duty shall be placed on the retired list created by this section and shall thereafter receive the retired pay and allowances authorized by this section: *And provided further,* That officers of Philippine Scouts retired under the provisions of this act shall not form part of the limited retired list now authorized by law.

The VICE PRESIDENT. Is a point of order raised against the amendment offered by the Senator from Iowa? The Chair hears none; and without objection the amendment is agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The VICE PRESIDENT. The question is, Shall the bill pass?

The bill was passed.

Mr. CHAMBERLAIN. Mr. President, I ask the consent of the Senate that the Secretary in the enrollment of the bill may correct the numbers of the sections and chapters.

The VICE PRESIDENT. That order will be made in the absence of objection.

Mr. CHAMBERLAIN. Mr. President, I move that the Senate request a conference with the House on the bill and amendments, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. CHAMBERLAIN, Mr. HITCHCOCK, and Mr. WARREN managers at the conference on the part of the Senate.

DISTRICT APPROPRIATIONS—CONFERENCE REPORT.

Mr. SMITH of Maryland. I submit the conference report on House bill 11692, being the District appropriation bill, which I ask to have read.

The VICE PRESIDENT. The conference report will be read.

The Secretary read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate numbered 1, 61, and 83 to the bill (H. R. 11692) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1919, and for other purposes, having met, after full and free conference, have not been able to agree.

JOHN WALTER SMITH,
JOE T. ROBINSON,
J. H. GALLINGER,
Managers on the part of the Senate.
T. U. SISSON,
JAMES MCANDREWS,
C. R. DAVIS,
Managers on the part of the House.

Mr. SMITH of Maryland. I move that the Senate further insist upon its amendments still in disagreement, request a further conference with the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. SMITH of Maryland, Mr. ROBINSON, and Mr. GALLINGER managers at the further conference on the part of the Senate.

AGRICULTURAL APPROPRIATIONS—CONFERENCE REPORT.

Mr. MARTIN. Mr. President, I ask unanimous consent that the resolution which I offered some days ago instructing the Senate conferees on the Agricultural appropriation bill in respect to the fixing of the price of wheat may be now taken up for consideration by the Senate.

The VICE PRESIDENT. In the absence of objection, the Chair lays the resolution referred to by the Senator from Virginia before the Senate. It will be read.

The Secretary read the resolution (S. Res. 268), as follows:

Resolved, That the managers on the part of the Senate at the conference on the bill (H. R. 9054) entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1919," be, and they are hereby, instructed to recede from the amendment of the Senate No. 44.

Mr. CURTIS. Mr. President, I desire to ask the Senator from Virginia to what does amendment numbered 44 of the resolution apply?

Mr. MARTIN. It is the amendment proposing to fix the minimum price for wheat of $2.50 a bushel.

Mr. CURTIS. Then, Mr. President, I hope the resolution may be defeated.

Mr. MARTIN. The question is to get the resolution before the Senate.

The VICE PRESIDENT. The resolution is before the Senate.

Mr. MARTIN. Mr. President, I am not going to enter into any discussion of the resolution. I want simply to say that the Agricultural appropriation bill went into conference on the 5th day of April and has been in conference since that time. The conferees on the part of the Senate, who will, of course, speak for themselves, assure me that it has got to a point where the Agricultural appropriation bill must be abandoned or the amendment proposing to fix the price of wheat must be abandoned; that the conferees have been in a deadlock since the 5th day of April; and that they have no sort of hope of reaching an agreement. Under those circumstances, it seems to me that public interests require that the Senate should recede from the amendment fixing the price of wheat. The parliamentary situation is such that I can not make a motion that the Senate recede because the House conferees would not unite in a report. The bill, therefore, is not before the Senate; and, while the Senate can not recede from its amendment, it can instruct its conferees in reference to it.

I offered this resolution in order to try to relieve the deadlock, so that the appropriations, which are urgently needed on the 1st day of July, may be permitted to be made.

Mr. GRONNA. Mr. President, the Senator from Virginia has correctly stated the situation as it exists so far as I understand it. It is true that this bill has been in conference since the 5th or 6th day of April and that it has been impossible for the conferees to agree. Without violating any confidence, I think I may state that the Senate conferees have made several propositions to the House conferees, but they have not felt that they could agree to any change whatever.

Mr. President, I regret exceedingly that it has been deemed necessary to take this action. Of course, I find no fault with the distinguished Senator from Virginia; he is doing the only thing that can be done in order that the bill may be passed. I personally think it ought to be passed.

However, I want to say that it is a mistake, and not only the Senate of the United States but the people of the United States will find that it is a mistake, to limit the price of wheat as proposed in the order which has been promulgated by the President of the United States. While it has been stated that the price of wheat would not be changed, we all know that it has been changed in a slight degree; that instructions have been given to the Food Administration that an increase of the price of wheat may be made to offset the increase in freight rates.

Mr. President, I ask, was that not a violation of the agreement? I may say, for the benefit of the Senate, that those who are opposed to the increase in the price of wheat predicate their opposition to it upon the fact that agreements have been made with foreign countries that the price shall remain as at present. I am not going to take the time of the Senate to reiterate what I have before said, that it is an injustice to the farmer. I believe, however, it goes deeper than that. I believe, sir, that it is an injustice to the people of the United States. I want to say to this body that right now, at a time when the American dollar is worth but a little more than 50 cents, it is hardly fair to say to people engaged in an industry which has never had the opportunity of getting prices for its product which have been unusually high, an industry which is pursued by people who can not by the very condition of things control prices, that no increase shall be allowed on their product.

That, however, does not concern me so much, Mr. President, as the fact that it is not only a possibility, but it is a probability that we shall be short of food. That is the most important consideration. Instead of enacting laws which will create conditions such as to make the balance of trade against us, at a time when—and I betray no confidence when I say this, for everybody who is acquainted with financial affairs must know it—at a time when the pound sterling is at a discount of 46 per cent, when it takes only 18 pesetas in Spain to buy a pound sterling, while in ordinary times it takes 26½ pesetas, we should adopt just the opposite policy. These burdens fall as heavily upon the farmer as upon any other class.

I shall not, however, oppose this motion. The Members of the Senate have overwhelmingly voted in favor of $2.50 per bushel as the price for wheat.

Mr. CURTIS. Mr. President, will the Senator from North Dakota yield to me?

Mr. GRONNA. I yield.

Mr. CURTIS. I desire to ask the Senator from North Dakota if it would not be better for the other House to vote upon this question? I noticed that when the question was presented to the other House there were 127 votes for $2.50 wheat, 180 votes against it, and that there were 120 absentees. I think, in view

of that vote, that those of us who are in favor of $2.50 wheat are entitled to a vote in the other House when there is somewhere near a full vote present.

Mr. GRONNA. Mr. President, I agree with the Senator from Kansas, but unfortunately the parliamentary situation is that the Senate has the papers involved in the case, and the Senate will first have to vote. As has been suggested, I believe if the papers were sent back to the House the House would instruct its conferees at least to agree to a reasonable price. That is my belief.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Idaho?

Mr. GRONNA. I yield.

Mr. BORAH. I was going to ask the Senator who made the motion, the Senator from Virginia [Mr. MARTIN], if he expects to dispose of this motion this afternoon; but he seems to be absent; so I will suggest, in his absence, that I do not think we can dispose of it to-day.

Mr. GRONNA. Well, Mr. President, I shall not detain the Senate any longer. I know that every Senator is anxious to get through with the appropriation bills before we take a recess.

Mr. BORAH. Mr. President, may I suggest that, in view of the fact that two of the important appropriation bills have been vetoed, we need not be talking about a recess?

Mr. SMITH of Michigan. Mr. President, I should like to ask the Senator from North Dakota a little further about the suggestion he makes with reference to increasing the price of wheat by reason of the advance in freight rates. As I understand, the maximum price now is $2.20.

Mr. GRONNA. Yes, at certain terminal points.

Mr. SMITH of Michigan. And have there been regulations promulgated which raise this figure?

Mr. GRONNA. Yes, sir. I will say to the Senator, as he of course knows, that freight rates have been increased all over the country.

Mr. SMITH of Michigan. There has been a general increase.

Mr. GRONNA. A general increase. That would, of course, affect the price of wheat; and the price to the farmer would be less than $2.20 or $2.17 or $2.15, or whatever it may be.

Mr. SMITH of Michigan. It would be the maximum price provided by law, less the increase in freight rates imposed by the regulations?

Mr. GRONNA. Yes; and an order has been made giving authority to the food commissioner to increase the price to the amount——

Mr. SMITH of Michigan. Of the increased freight?

Mr. GRONNA. Of the increased freight.

Mr. STERLING. Mr. President, will the Senator from North Dakota permit an interruption?

Mr. GRONNA. I yield.

Mr. STERLING. Is not the $2.20 price, the price fixed by the price fixing committee for the 1917 crop, and did we not fix by statute a minimum price of $2 per bushel for the 1918 crop?

Mr. GRONNA. Yes; that is true, Mr. President. The minimum price was fixed at $2; but I will say to the Senator that I think the Committee on Agriculture of the Senate are unanimously of the opinion that this price was supposed to be a minimum price, and not a maximum price. The Senator knows, however, that the price fixed by the price-fixing board or by the food commission has been made the maximum price. In fact, I think I ought to state that there are instances where men who are handling grain have been threatened with prosecution if they pay any more than the fixed price.

Mr. STERLING. Does the Senator now mean the price fixed by statute or the minimum price of $2.20, the price fixed by the price-fixing committee?

Mr. GRONNA. I mean the price fixed by the price-fixing committee.

Mr. STERLING. Very well. Now, I understood the Senator to say that an increase in the price had been authorized for the purpose of compensating for the higher freight rate.

Mr. GRONNA. I so understand.

Mr. STERLING. Are any figures given as to the increase? Has it been stated what the increase shall be?

Mr. GRONNA. No; I think not.

Mr. CURTIS. Mr. President, I may say that I received a letter from the department to the effect that the increase would be enough to meet the freight-rate changes.

Mr. GRONNA. That is as I understand it, but no certain figures have been given. The increase is simply sufficient to offset the increase in freight rates.

Mr. BORAH. Mr. President, freight rates from what point? From the point where the grain is loaded upon the cars or from the main terminal points?

Mr. CURTIS. I judge from the letter I received that it is from the place where the wheat is sold or delivered to the market place.

Mr. BORAH. That is, not as it was last year, at certain terminals?

Mr. CURTIS. No; at one of the central market places, of which there are 21.

Mr. GRONNA. Mr. President, I will say to the Senator that there are 21 of these terminal markets, and, of course, the freight would be adjusted to those 21 different markets to conform to the changes in freight rates.

Mr. STERLING. Mr. President, I should like to have the Senator's view as to the price for the 1918 crop, which is almost due now. The fall wheat crop in the southern part of the United States is being harvested, or has been harvested already. The minimum price for the 1918 crop is now fixed by statute at $2.

Mr. GRONNA. That is correct.

Mr. STERLING. Has the Senator any information as to what will be authorized over and above that $2 minimum price?

Mr. GRONNA. I will say to the Senator that the President has issued his proclamation, or, in other words, the price-fixing board has fixed the price at $2.20, and the only change is that the prices have been set at the 21 different terminals, while last year everything was based upon the price at Chicago; and, then, with certain reductions at the other terminals of the country.

Mr. President, I do not care to further occupy the floor. I simply want to say that I regret exceedingly that we have to take this action. I believe it is unjust to the farmer, and I believe it will result detrimentally to the people of the country.

Mr. MARTIN. Mr. President, what I am about to say will be a repetition of what I said a few moments ago; but I desire to emphasize the fact that there is nothing else for us to do than to take the action proposed in the resolution I have offered. The Senate conferees are present on the floor. I introduced the pending resolution after they told me that it was a question whether the bill should be lost or the amendment fixing the price of wheat should be lost; that it was absolutely impossible to reach an agreement; that they had struggled with the matter since the 5th day of April; and that they had not the slightest hope of coming to an agreement with the House. So the question now up to the Senate is, Shall the Agricultural appropriation bill fail or shall the Senate yield on the amendment fixing the price of wheat? That is the single question before the Senate.

Mr. NORRIS. Mr. President——

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from Nebraska?

Mr. MARTIN. I do.

Mr. NORRIS. I thought the Senator had yielded the floor. I wish to take the floor in my own right.

Mr. MARTIN. I will yield in a second. That is a concise statement of the case.

Mr. BORAH. Mr. President——

Mr. MARTIN. Shall we have an appropriation bill for agricultural purposes or not? If you insist on the wheat amendment, you can not get this appropriation for the Agricultural Department of the Government. The conferees are on the floor, as I have said, and I have no doubt will express themselves. They expressed themselves in those words to me before I introduced the resolution, and I introduced it as a last resort, to save the appropriations for the Agricultural Department of the Government.

Now I yield to the Senator from Idaho.

Mr. BORAH. Mr. President, does the Senator feel the necessity of urging a conclusion of this matter this afternoon?

Mr. MARTIN. I feel that if it can ever be done it can be done now. I have stated the sole question involved, and that is all there is to it.

Mr. BORAH. There is a good deal more than that in it to those who are not on the floor of the Senate, and some of them have representatives here. So far as I am concerned, I want to know before this matter is disposed of what the program is with reference to fixing the price of wheat this year. I have seen a statement made and I have some letters from the department in regard to it. I have no desire, if the program should be a reasonable one, to interfere; but if there is not some definite and specific program outlined, so that we may know where we are and what we can depend upon, so far as I am concerned, I would prefer to see the Agricultural appropriation bill fail. I want to know definitely what the program is.

Mr. MARTIN. The program is that the Agricultural appropriation bill fails unless the Senate recedes on this amendment.

Mr. BORAH. I know that; but what is the program with reference to the price of wheat?

Mr. MARTIN. I know nothing about that; I am only dealing with the legislative matter that is before the Senate. I have no authority over any program.

Mr. BORAH. Some of us feel that we ought to know something about that.

Mr. MARTIN. Well, I do not know anybody who can advise the Senator. Congress will have to act for itself; I can not speak for it.

Mr. BORAH. I think there must be some one connected with the Agricultural Committee or with the conference committee who perhaps has some knowledge in regard to this matter.

Mr. MARTIN. They are here and can speak for themselves.

Mr. GORE. Mr. President, the Senator is aware that the food-control bill, which became a law on the 10th of August, fixed a guaranteed price on wheat for the crop of 1918 at $2 per bushel. A number of Senators, including myself, and Representatives from the Western States, together with a number of farmers, had a conference with Mr. Hoover upon this subject. He expressed the opinion at that conference that the $2 price was a fixed price; that it was an absolute price; a maximum as well as a minimum price. I knew that it was not so intended by Congress, and I advised Mr. Hoover at the time of the conference that I would take steps to obtain an official interpretation of the act from the Attorney General as to whether the $2 price was a minimum price or was an absolute maximum price. I communicated with the Secretary of Agriculture, who, being the head of the department, had the right to call upon the Attorney General for an official opinion. I received a letter from the Secretary of Agriculture, who evidently did not take the matter up with the Attorney General, but advised me that there could be no doubt that the price of $2 fixed in the law was subject to increase by the President. I ought to say, in passing, that he advised me that Mr. Hoover concurred with him in that opinion.

Mr. CURTIS. Mr. President, did not the act itself provide that the price should not be less than $2?

Mr. GORE. Yes, sir.

Mr. CURTIS. That naturally would give the President the right to increase it beyond that minimum.

Mr. GORE. It was a guaranteed price of $2, and there was not any room, so far as I could see, for controversy upon the point. It was intended in both Houses and by everybody concerned to be a minimum price; and at the time it was enacted it was supposed that the law of supply and demand would be left to operate above that minimum price; and if the supply compared with the demand justified a price of $2.50 or $3, the farmers would be allowed to receive that price. I imagine that the contrary opinion never entered the mind of a single Senator or a single Member of the other House. It has worked out, however, to be an absolute price, a maximum price. While the law of supply and demand would have warranted a higher price, the farmer is not allowed to receive a higher price. So I introduced the amendment to the agricultural appropriation bill the day after this conference with Mr. Hoover, raising the price to $2.50 and also lowering the grade from No. 1, an ideal grade, to No. 2, an actual grade. The Senate, I think, with great wisdom and with an appreciation of its public duty, adopted that amendment by an overwhelming vote. It testified not only to its own high sense of duty but to its solicitude and regard for the welfare of the farmers of this country. I wish to say, in passing, that no legislative body in this country or in any other has testified a higher respect or a sounder appreciation of the agricultural needs of the country than the Senate of the United States.

Soon after the agitation for the $2.50 wheat was instituted, the President issued a proclamation advancing the price for this year's crop from $2 to $2.20 at Chicago. At Oklahoma City, I believe, it is $2.05. It varies at the different terminal markets throughout the country.

I saw in the public prints a few days since that it had been determined to grant a further increase on account of recent advances in freight rates. The promised advance is to cover the recent increase in freight rates. It will not insure a larger net return to the farmer than he received under the previous proclamation of the President.

I may say that I have here now a letter from one of my constituents advising me that the council of defense for his county has increased the wages for harvest hands $1 as against the wages paid last season, and that the council of defense for his county has advanced the price for thrashing wheat 3 cents a bushel. It seems that everybody, from a county council of defense up to Mr. Hoover, has jurisdiction over the farmer, and is able to raise wages and to raise his expense account and revise his cost sheet upward. I think that only justifies the wisdom of the Senate when it undertook to increase the price that the farmer should receive to cover increased and increasing expenses.

The Senate suspended its rules by a two-thirds majority, and adopted this amendment by a vote of 49 to 18. For that reason the conferees of the Senate have felt doubly bound not to recede from the amendment. We were acting merely as delegates, and our instructions were so solemn and so exceptional that we did not feel warranted in abandoning or disregarding those instructions. For that reason the Senate conferees have not consented and, I may say, will not consent without express direction on the part of the Senate, to recede from this amendment; and I am one of the majority who maintain that position.

Mr. SMITH of Michigan. Mr. President, will the Senator yield for a question?

Mr. GORE. I yield; yes, sir.

Mr. SMITH of Michigan. Where are the papers in this matter?

Mr. GORE. The papers belong to the Senate conferees.

Mr. SMITH of Michigan. Are the papers here?

Mr. GORE. If they are not they will be here presently.

Mr. SMITH of Michigan. This attempt to have the Senate recede before the House has acted is, in my opinion, to assume that the House of Representatives would desire us to do so.

Mr. GORE. I think possibly the Senator misunderstands the parliamentary situation. The House of Representatives asked for the conference, which, of course, entitled the Senate to the papers; and the House having the papers, of course has to act first. The papers are, therefore in the hands of the Senate conferees, at least constructively, and the Senate must act in advance of the House.

Mr. SMITH of Michigan. Certainly.

Mr. GORE. I should like to see the Senate insist upon the $2.50 price and insist upon it until the snow flies and insist upon it until the House accedes to it; but if the Senate does not feel justified in insisting on so high a price as two dollars and a half per bushel, then I think the Senate ought to instruct its conferees to agree to a somewhat lower figure, say $2.40, and let the House take a vote on that proposition. I believe that if the House will not accede to $2.40 it will accede to some figure in that vicinity.

Mr. SMITH of Michigan. Will the Senator permit another interruption?

Mr. GORE. Yes, sir.

Mr. SMITH of Michigan. I sincerely hope that the Senator will make the motion that he has just indicated his desire to make, and we can very soon test the sentiment of the Senate upon that motion.

Mr. JONES of Washington. Mr. President, will the Senator permit a question?

Mr. GORE. I yield.

Mr. JONES of Washington. I should like to ask the Senator why the conferees have not reported a disagreement?

Mr. GORE. The conferees reported one disagreement when they reported an agreement on the other amendments, and the Senate in effect insisted upon this amendment and sent it back and asked for another conference.

Mr. JONES of Washington. But if a disagreement should be reported now, then there would be a way opened through which the House would have an opportunity to vote.

Mr. GORE. The trouble is, I will say to the Senator, that the Senate would have to act first.

Mr. JONES of Washington. That is true. We would simply disagree and appoint conferees.

Mr. SMITH of Michigan. Mr. President, I think the Senator is mistaken. If the Senate decides to insist upon its amendment and the matter goes back to the House of Representatives, then it is for them to act.

Mr. GORE. The Senator is right about that.

Mr. SMITH of Michigan. And I think we should put that situation before them.

Mr. GORE. Yes, sir.

Mr. SMITH of Michigan. So far as I am concerned, I am perfectly willing to do it and follow the leadership of the Senator from Oklahoma on that question.

Mr. GORE. I did not understand the Senator's proposition. In my judgment he is correct in that. If the Senate should instruct its conferees to insist further upon this amendment, my judgment, offhand, is that the parliamentary status is that that would refer the question back to the House. On that point I am not certain. I will look into it, but I believe I have

nothing further to say at this time. The price for the current crop now being harvested is $2.20, with a promised increase to cover the recent increase in freight rates.

Mr. BORAH. Mr. President, that is the point upon which I am trying to secure information. The Senator says "with a promised increase."

Mr. GORE. The promised increase will be, I suppose, 4 or 5 cents.

Mr. BORAH. Has the Senator had any statement from any official source as to the proposition that it would be increased; and if so, how much?

Mr. GORE. I have not. My only information is based upon a statement in the newspapers, I think last Sunday, and as to the amount of the increase I do not know, further than that it was to be measured by the increase in freight rates, which I assume to be 4 or 5 cents a bushel.

Mr. McCUMBER. That is assumed, is it not, simply to cover the advance in freight rates, and nothing else?

Mr. GORE. Yes, sir.

Mr. McCUMBER. And that probably would average about 5 cents a bushel throughout the United States.

Mr. GORE. The net return to the farmer would not be increased. I will say that I think the representatives of another body would not have consented even to that increase unless other authorities had signified a willingness, and even then they did not agree to it, but those who fixed the price at $2.20 now admit that that price ought to be increased, and yet the Congress of the United States seems to be unwilling to discharge its duty and appropriate to itself what little credit might come from discharging its duty.

Mr. McCUMBER. The question I wanted to ask the Senator was this: The price was fixed at $2.20 per bushel through the Food Administration and by the President something over a year ago, was it not?

Mr. GORE. No, sir; not for the current year.

Mr. McCUMBER. No; I know; but the time when it was fixed at $2.20 a bushel was over a year ago, was it not?

Mr. GORE. It was the last week of August or the first week of September.

Mr. McCUMBER. Yes; but I am considering the time when it was fixed. Has the Senator any information as to how much more it costs to produce a bushel of wheat to-day than it did then, with the present rate of wages and the present higher cost of everything that goes into the raising of grain?

Mr. GORE. I will say to the Senator that we had extended hearings before the Committee on Agriculture and Forestry on that subject, and the testimony was uniform and unanimous that the cost of production was greatly increased this season as against last season. One would assume that the increased cost of production this year as against last year would have justified and necessitated a larger price for the current crop than for the crop of last season, but that does not seem to have convinced the judgment of those who had this matter in hand.

Mr. McCUMBER. Has not farm labor, and has not twine, and has not machinery and everything else increased fully 25 per cent since then?

Mr. GORE. Twine has increased perhaps 50 per cent; farm labor has increased perhaps 50 per cent; farm machinery has increased 50 to 100 per cent; and the farmer not only has to pay higher wages this year than last year, but he can not get the labor at any wages.

Mr. McCUMBER. And yet they propose not to allow any real increase in the farmer's price after you have considered the matter of freight.

Mr. GORE. Yes, sir; and subtracting the cost of production from the $2.20 this year and last year leaves a much larger return for the farmer last year than this year.

Mr. McCUMBER. It seems to me, then, Mr. President, that if we are right upon this proposition, the responsibility for defeating this legislation ought to be upon the body which is in the wrong, and not upon the Senate.

Mr. GORE. I think so. I entirely agree with the Senator. I do not think the Senate ought to adopt the motion of the Senator from Virginia.

Mr. REED. Mr. President——

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from Missouri?

Mr. GORE. I do; certainly.

Mr. REED. I should like to ask how long this bill has been held in conference?

Mr. GORE. I think since the 4th of April—the 4th or 6th.

Mr. REED. I want to ask, further, if the statement has not been freely made that it was proposed to hold it in conference until the spring planting was over?

Mr. GORE. There have been those of us who feared that from the beginning. There were two grounds upon which Senators acted when they voted for $2.50 wheat. One was to encourage the sowing of a large acreage of spring wheat, which was a sufficient reason, and which was a reason of sufficient public importance to justify the votes of those who voted for the amendment. There were others who voted for the $2.50 amendment because it was an act of common justice. The farmer had been forced to take less for his product than it was worth. It was qualified, although unjustified, confiscation. In so far as the farmer was obliged to take less for his wheat than it was worth, it was nothing more nor less than confiscation, no matter what sweet title may be applied to the transaction. There were Senators who voted for the amendment because it was an act of common justice, and because until the prices of all products should be regulated the farmers ought not to be segregated and treated differently and treated worse than any other class of our citizens.

I believe the President, in his message last December, declared that the farmers complained, not without justice, that they were obliged to sell in a regulated market, and to buy in an unregulated market. That of course did not furnish the ground upon which Senators acted, but it was in confirmation of the conclusion which we had independently arrived at; and there can be no justification for isolating the farmer. When it is admitted that food is essential to the winning of this war, and that of all foodstuffs wheat is the primary and paramount article, why it should be treated differently and treated worse than any other single product or commodity in the United States can receive no explanation that is either intelligent or just. But it has been segregated; the farmers have been isolated as a class, treated differently and treated worse than any other class; and of all the farmers the wheat producers have been isolated and treated differently and treated worse than any other class.

I shall not insult the patriotism of the farmers of this country by defending them. They are as patriotic as any other class of our citizenship. They are willing to bear any burden that may be necessary. They are willing to make any sacrifice that may be necessary to maintain our Army and our Navy and to carry our arms to triumph. They only ask, Mr. President, and they have a right to ask, that the burdens and sacrifices shall be fairly apportioned as between themselves and their fellow citizens. If that be done, the farmers will be the last to complain.

I am glad that the Senate sought to do that. The Senate is entitled to commendation for its public service and for its regard for the welfare of the farmers, who must feed our civilian population and must feed the armies of this country and of our allies. We did our duty. I hope the necessity has not arisen for reversing that action.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12441) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes.

ENROLLED JOINT RESOLUTION SIGNED.

The message also announced that the Speaker of the House had signed the enrolled joint resolution (S. J. Res. 86) authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point Aurelio Collazo, a citizen of Cuba, and it was thereupon signed by the Vice President.

FORTIFICATIONS APPROPRIATIONS.

Mr. UNDERWOOD. I should like to ask the Senator from Virginia temporarily to lay aside the pending resolution in order that I may have an opportunity to report the fortifications appropriation bill and ask for its consideration. I think the bill will take only a short time, and it is a very important supply bill.

Mr. MARTIN. I am perfectly willing to have that course taken, and I ask unanimous consent that the pending resolution be laid aside temporarily, without losing its place, to enable the Senator from Alabama to dispose of the appropriation bill.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the resolution is temporarily laid aside.

Mr. UNDERWOOD. From the Committee on Appropriations I report back favorably with amendments the bill (H. R. 12541) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

and I submit a report (No. 532) thereon. I ask unanimous consent for the present consideration of the bill.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 12541) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. CURTIS. Mr. President, I understand that a bond bill will be presented to-day or on Monday, and before that bill is presented I wish to take about 10 minutes of the time of the Senate.

Mr. UNDERWOOD. If the Senator will yield for a moment, I desire to ask that the formal reading of the bill be dispensed with and that it be read for amendment, the amendments of the Committee to be first considered.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. CURTIS. Mr. President, in this contest we have no right to take anything for granted, for we are in a war that will likely require the exertion of all our powers, great as they are, and may cause the imposition of war taxes which will be exceedingly hard to bear.

The strength, the power, the position, the methods, and the ample preparedness of the enemy make it necessary for us to prepare for a war of the greatest magnitude, and make it essential for us to conserve our foodstuffs, economize in our every expenditure, and save in every way possible.

The most difficult problem with which we are confronted to-day is that of devising the best plan for raising the funds with which to carry on the present great war. In order to raise the money needed for that purpose we should formulate a systematic plan or program of taxation and bond issue. Before a definite plan or program is adopted a careful study should be made of our vast resources, our enormous business transactions, the income of our people, the use of luxuries, the importation of goods that compete with the products of American factories, farms, and labor, and the large war profits of our business concerns.

A mistake at this time might disarrange our currency, injure our credit, and greatly cripple business, while the adoption of a sound revenue program will enable the Government to raise all the funds that may be needed without disturbing confidence or in any way interrupting business. A carefully considered plan will enable Congress to place the burdens where they can most easily be borne, and in that way treat all our people with perfect fairness.

We will be wise, indeed, in view of the vast sums to be raised for our own use and to be loaned to our allies if we resort to both taxation and bond issues. The important question to be settled is what part of the funds needed shall be raised by taxation and what part shall be obtained from the sale of bonds. The proper solution of this question will require the very best there is in us. The proportion to be raised from each should be determined after a most careful consideration of the subject; and we must not forget that there is but a small, if any, foreign market in which our securities, no matter how good, may be sold.

Mr. President, I think we should raise of the needed funds as large a part as possible by taxation. In a speech on the revenue bill delivered in the Senate on August 17, 1917, I took the position that—

> The expenses of the war, so far as possible, should be paid by those making large profits out of war contracts, those who have large incomes, and those who enjoy luxuries which only the rich can afford.

On the 7th of May, 1918, the President addressed the Congress, and I quote the following from his speech:

> We shall naturally turn, therefore, I suppose to war profits and incomes and luxuries for the additional taxes.

I am glad the President has taken the position that some of us suggested in August, 1917. I hope the Committee on Finance may give this question of raising revenue most careful consideration, and that a bill may be reported which will contain provisions that will be easily understood by all and under which the forms for tax returns may be greatly simplified.

I agree with the senior Senator from Utah [Mr. SMOOT] that we should have a genuine war-profits tax. The tax levied in the revenue measures heretofore enacted by Congress falls upon all earnings above 9 per cent on the actual investment, irrespective of whether the war has increased or decreased profits. The British war tax falls exclusively upon profits due to the war, and is assessed upon earnings, large or small, over and above those of normal times.

Under the amendment proposed by the Senator from Utah to the existing revenue acts, a tax as high as 80 per cent is imposed upon war profits, and the collection of this amount would not impose one cent additional tax on the average amount of profits earned by any company during the five years preceding the war.

If more revenue is needed than can fairly and justly be raised from war profits, big incomes, and luxuries, why not increase the duties on imports? Great Britain's receipts from customs duties during the first fiscal year of her participation in the war totaled $188,000,000; in 1918 they amounted to $346,000,000; while the estimate for 1919 is $460,000,000. Receipts of the United States from customs revenues during our first full fiscal year of war totaled $180,000,000; they will be considerably less in 1919 under the present rates of duty. The average rate of duty on all imports under the present law is 6 per cent, while under the act of 1909 it was 18 per cent. Had the 1918 imports—$3,000,000,000 in value—paid the average rate of the act of 1909, our Treasury would have realized $540,000,000. Under the Democratic law about 75 per cent of imports come in free of duty. With a material increase in the rates of duty on ordinary imports and a large increase on imported luxuries, at least $1,000,000,000 annually could be raised from a source which now pays into the Treasury about one-sixth that sum. An increase of duties on imports would not only add to our revenues but it would enable our producers to prepare for the competition that is bound to come when this great world war is over.

It is not my purpose at this time to discuss any questions that may be raised by the proposed revenue measure, but to express the hope that it may be reported soon—the sooner the better. I can assure those on the majority side that we on the Republican side have been in favor of disposing of all war measures as soon as possible after they have been presented to the Senate, and we have opposed any unnecessary delay. When it was first suggested that additional revenue must be raised, we on the Republican side expressed our willingness to take the question up at once and dispose of it. We had then, and we have now, no desire to delay action. All we ask is that the measure be so drawn as to treat all our people fairly, and that the burdens be placed on those who can most easily bear them.

We on the Republican side have raised no political issues in matters pertaining to the war, and we have no intention of doing so. We are ready and willing to vote for any legislation which may be needed to bring the war to an early and successful conclusion, and we are ready and willing to do whatever may be required to win a decisive victory for humanity and civilization. We on this side of the Chamber have realized from the first that legislation must be enacted which would enable us to win the war in the quickest and the most efficient manner possible, and that this could only be done by supporting the measures recommended by the Government intended to bring about the desired results.

We on the Republican side, as well as you on the Democratic side, have stood, and will continue to stand, by our Government. We Republicans cite the votes cast on war measures as the best evidence of our attitude; and we insist that the votes show conclusively that on measures pertaining to the war party lines have not been drawn.

A few weeks ago I called to the attention of the Senate the record of the vote on war measures from the date when we were drawn into this great world conflict—April 6, 1917—to the 10th of September, 1917. That record showed that of the votes cast on the Republican side a little over 76 per cent were in favor of the war measures voted upon in the Senate, while of the votes cast on the Democratic side a little less than 75 per cent were in favor of such measures.

I have examined the record on 51 roll calls on war measures in the Senate between April 6, 1917—the date when it was declared that a state of war existed—and the 20th day of May, 1918; and I find that of the votes cast by Republicans 72 per cent have been in favor of such measures, while only 67 per cent of the votes cast on the Democratic side were in favor of such measures. We are justly proud of the record made by the Members on the Republican side.

We appropriated for the fiscal year ending June 30, 1918, the sum of $21,000,000,000—$19,000,000,000 direct appropriations and $2,000,000,000 authorizations—and the estimates for the fiscal year ending June 30, 1919, will amount to $24,000,000,000. Additional estimates are coming in, and the amounts required for the fiscal year 1919 may reach $30,000,000,000. The vast sum appropriated for the fiscal year ending June 30, 1918, has been met without a murmur, and that needed for the next year will be met in the same spirit; but the people at home are still asking to be taken into the full confidence of those who are to expend these vast sums. Those who pay the taxes desire to know how the money is being expended. They are also anxious to know why the expenses of our Government for the fiscal year

ending June 30, 1919, will cost our people over $24,000,000,000, while the expenses for war purposes for the last three years has cost Great Britain only $40,000,000,000, and it is estimated that her expenditures for the year 1919 will amount to about $14,000,000,000.

Our people want the Congress to appropriate every dollar that may be needed to help win the war, but they ask to be assured that there will be the greatest economy in the expenditures and that no favoritism will be shown to one section of the country over another section. They ask more, and that is that all graft shall be eliminated from every war contract and that the grafters shall be apprehended and prosecuted to the fullest extent. They also demand that profiteering shall be done away with and that those who are engaged in that pernicious practice shall be punished to the full extent of the law heretofore enacted by Congress. They further ask that the red tape shall be cut out wherever it is found and that everything needed to win the war shall be done as speedily as possible.

In a speech delivered in the Senate on September 25, 1917, the senior Senator from Virginia [Mr. MARTIN], chairman of the Committee on Appropriations and floor leader on the Democratic side, used the following language:

It has not been six months since Congress declared war on Germany. The resolution declaring war passed on the 6th day of April. Since that time, speaking from memory, in a general way, I believe Congress has appropriated about $20,000,000,000. Twenty billion dollars have been appropriated in about five months for the prosecution of the war. No such outlay has been made by the European countries whose very life is involved in the struggle. We have appropriated and expended money with an extravagance, or at least with a liberality, that is unknown to our allies in Europe.

It is appalling to me to see the freedom with which money is being called for by our administrative departments and is being appropriated by Congress. This bill came here from the House, and it had not been here more than three days before we received over $400,000,000 of additional estimates that had not even been presented to the House. Although the House had passed the bill carrying over $7,000,000,000, I say, in less than three days we received estimates for over $400,000,000 in addition; and I do not think I hazard anything when I say there has not been a day from that time down to this moment when additional estimates have not come to us from the administrative departments of the Government.

Mr. President, I am willing to consider all the estimates, and I am determined, so far as my vote goes, to appropriate every dollar that is necessary; but the time has come for us to scrutinize most closely the extravagant—I am almost tempted to say the reckless—estimates that are pouring in on us from the administrative departments of the Government.

I quote this language because it comes from a Senator who should, and does, know what he is talking about. The fact that he is surprised at the large estimates sent in by the heads of the departments is full justification for the taxpayers asking to be informed.

Mr. President, the national response to the call of the country has been magnificent. We are proud of the young men who have offered their all to the cause of their country. We are proud of the loyal men and women who are doing everything they can to help win the war. This war must be, and it will be, won.

FORTIFICATIONS APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12541) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

The VICE PRESIDENT. The Secretary will read the bill.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Appropriations was, under the head of "Fortifications and other works of defense," subhead "Engineer Department," on page 2, line 10, after the word "fortifications," to insert "for purchase and installation of searchlights for seacoast defenses, including searchlights for antiaircraft defenses and accessories therefor," so as to make the clause read:

The unexpended balances of appropriations heretofore made for "installation and replacement of electric-light and power plants at seacoast fortifications," for "purchase and installation of searchlights for seacoast defenses, including searchlights for antiaircraft defenses and accessories therefor," and for "purchase and installation of searchlights for seacoast defenses" in the United States are consolidated and made available for the following purposes: For the installation and replacement of electric-light and power plants at seacoast fortifications in the United States; the purchase and installation of searchlights for seacoast defenses in the United States, including searchlights for antiaircraft defenses and accessories therefor; and the procurement and installation of sound-ranging equipment for use in the United States, the insular possessions, and the Panama Canal, and for salaries of electrical experts, engineers, and other employees necessary to procure and install the same.

The amendment was agreed to.

The next amendment was, under the subhead "Armament of fortifications," on page 6, line 21, before the word "for," to strike out "$1,995,000" and insert "$1,900,000"; in line 23, after the words "and so forth," to strike out "$400,000 for contingent expenses incident to the construction of seacoast fortifications and their accessories"; and on page 7, line 4, after the words "in all," to strike out "$10,159,540.19" and insert "$9,664,540.19," so as to make the clause read:

The following portions of the unexpended balances of appropriations heretofore made for fortifications in the continental United States, respectively, shall be carried to the surplus fund and covered into the Treasury, namely, $2,000,000 for construction of gun and mortar batteries; $20,540.19 for procurement or reclamation of land, or rights pertaining thereto, etc.; $1,900,000 for the construction of land defenses in the United States, etc.; $3,744,000 for purchase, manufacture, and test of seacoast cannon for coast defense, etc.; and $2,000,000 for the alteration and maintenance of seacoast artillery, etc.; in all, $9,664,540.19.

The amendment was agreed to.

The next amendment was, under the subhead "Proving grounds," on page 7, line 19, after the date "1917," to strike out "$6,300,000" and insert "$8,480,000," so as to make the clause read:

Proving grounds: For additional for increasing facilities for the proof and test of ordnance matériel, including the same objects, and under the same authority and conditions, specified in the appropriation for this purpose in the deficiency appropriation act approved October 6, 1917, $8,480,000.

Mr. WADSWORTH. Mr. President, before we vote on this amendment which raises the amount for proving grounds from $6,300,000 to $8,480,000, may I ask the Senator in charge of the bill if under this item is to be defrayed the cost of purchase of Mulberry Island, on the James River, or whether that island has already been purchased?

Mr. UNDERWOOD. I do not understand that this item includes the purchase of Mulberry Island. The Acting Chief of Ordnance states that the funds requested are needed for additional facilities at the Aberdeen Proving Grounds to enable his department to do promptly the proof and experimental work which is necessary, and that it is essential that the work should be completed before winter in order that the proof of ammunition material may be carried on in increased volume during the period of next spring. I do not understand that this additional amount is for land, but for actual tests.

Mr. WADSWORTH. I was not certain myself. I am somewhat familiar with the Aberdeen Proving Grounds, having recently visited them, and I am somewhat familiar with the Mulberry Island Proving Grounds, or artillery range, as it is called, having visited that tract of land. Does the Senator know under what appropriation the Mulberry Island purchase was made?

Mr. UNDERWOOD. I do not. I am not advised as to that.

Mr. WADSWORTH. I am not criticizing the site as such. It seems to me a very available one; but I think it would be well worth the while of the committee which has in charge appropriations for the payment for the site, if it has not already been paid for, to look into the amount of money that is to be paid for it per acre.

Mr. UNDERWOOD. So far as the testimony before the committee is concerned, the Mulberry Island site was not brought before us. Although this item does not specify, my understanding from the testimony that came before the committee is that it is not involved in this appropriation.

Mr. WADSWORTH. It is not in this bill at all.

Mr. UNDERWOOD. Not that I know of.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, under the head of "Fortifications in insular possessions," subhead "Engineer Department," on page 8, after line 11, to strike out:

For purchase and installation of searchlights for the defenses of most important harbors in the Hawaiian Islands, $10,000.

And insert:

For purchase and installation of searchlights for the defenses of most important harbors, at the following localities:
In the Hawaiian Islands, $20,000;
In the Philippine Islands, $33,000.

The amendment was agreed to.

The next amendment was, at the top of page 9, to insert:

For installation and replacement of electric light and power plants at the defenses of the Hawaiian Islands, $17,000.

The amendment was agreed to.

The next amendment was, on page 9, after line 9, to insert:

For the construction of an engineer wharf at Honolulu, Hawaii, $30,000.

The amendment was agreed to.

The next amendment was, under the head of "Panama Canal fortifications," on page 11, line 3, after the word "batteries," to strike out "$210,000" and insert "$553,700," so as to make the clause read:

For the construction of seacoast batteries, $553,700.

The amendment was agreed to.

The next amendment was, on page 11, after line 6, to insert:

For the purchase or reclamation of land required for the defense of the Panama Canal, $155,000.

The amendment was agreed to.

The next amendment was, on page 11, after line 15, to insert:

For the construction of fire-control stations and the purchase and installation of accessories therefor, $345,888.85.

The amendment was agreed to.

The next amendment was, on page 12, after line 16, to insert:

UNDER THE DIRECTOR OF MILITARY AERONAUTICS.

For the establishment of one aviation station, a supply depot, and a repair depot in connection with the defenses of the Panama Canal Zone, including buildings, heating, lighting, plumbing, water, sewers, roads, and walks, $1,000,000: *Provided*, That the construction of buildings hereunder shall be under the direction of the Governor of the Panama Canal.

The amendment was agreed to.

The next amendment was, on page 12, line 26, after the words "Panama Canal," to strike out "$1,527,900" and insert "$3,372,488.85," so as to make the clause read:

In all, specifically for fortifications and armament thereof for the Panama Canal, $3,372,488.85.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. UNDERWOOD. I ask unanimous consent that the report, which is very short, may be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The report is as follows:

Mr. UNDERWOOD, from the Committee on Appropriations, submitted the following report:

The Committee on Appropriations, to whom was referred the bill (H. R. 12541) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes, reports the same to the Senate with amendments, and presents herewith information relating thereto:

Amount of regular and supplemental estimates for 1919	$4,358,158,316.42
Amount of House bill	2,811,630,379.00
Amount of bill as reported to the Senate	2,815,744,967.85
Amount of appropriations for 1918	2,197,342,847.00
The bill as reported is less than the regular and supplemental estimates	1,542,413,348.57
The bill as reported exceeds the appropriations for 1918	618,402,120.85

The increases in the amounts of the House bill recommended by the committee are as follows:

Fortifications and other works of defense:	
Proving-ground facilities	$2,180,000.00
Fortifications in insular possessions:	
Purchase and installation of searchlights, Hawaiian Islands	10,000.00
Purchase and installation of searchlights, Philippine Islands	33,000.00
Installation and replacement of electric light and power plants, Hawaiian Islands	17,000.00
Construction of wharf at Honolulu, Hawaii	30,000.00
Total, fortifications and insular possessions	90,000.00
Panama Canal fortifications:	
Construction of seacoast batteries	343,000.00
Purchase or reclamation of land	155,000.00
Construction of fire-control stations and accessories therefor	345,888.85
Establishment of one aviation station, etc	1,000,000.00
Total, Panama Canal fortifications	1,844,588.85
Total increase	4,114,588.85
Amount of bill as reported to the Senate	2,815,744,967.85

The House bill contains contract authorizations amounting to $2,623,465,845 concerning which the Senate committee recommend no change.

Mr. WADSWORTH. Mr. President, I should like to ask the Senator from Alabama if he will point out the item in the bill under which some 6-inch guns, which prior to this time had been discarded by the Navy, are to be repurchased by the Government; and I will state to him, in that connection, that I notice that there was a colloquy in the other House on that point and the name of a Mr. Bannerman was brought into the discussion.

Mr. UNDERWOOD. I know that a question has been raised in regard to the repurchase of those guns, but the question does not in any way relate to the amendments offered by the Senate committee. My understanding is that it comes in a paragraph on page 6, for alteration and maintenance of the mobile artillery.

Mr. WADSWORTH. Mr. President, perhaps for the purpose of what I desire to do it is not necessary to locate the exact item. I do not intend to delay the Senate in the consideration of the bill nor to criticize the item, whichever it may be, under which these 6-inch guns are being purchased. The story that has come to me of the predicament and experiences of Mr. Bannerman is such a strange mixture of tragedy and farce comedy that I could not refrain from bringing it to the attention of the Senate. I shall not do so at this time at length.

Senators who have traveled up the Hudson River on the New York Central Railway may have noticed that in that stream, as I remember, not far from Iona Island, which is the naval magazine, there is another and smaller island, covered in large part by large stone buildings built in the semblance of arsenals and magazines, known as Bannerman's Arsenal. This gentleman, who is a Scotchman by birth, came to this country when he was 3 years old, and has been for many, many years in the business of purchasing second-hand military equipment and selling it to rifle clubs, home-defense leagues, and, with the permission of the United States Government, from time to time to foreign governments.

According to the information that reached me, he purchased from the Navy Department some guns that had been discarded. The information that comes to me is that he protested against the sale of those guns, but was informed back in 1912 or 1913, when the purchase took place, that the Navy Department did not need them. It turns out now that they are valuable guns, perhaps of limited value, but nevertheless plenty good enough to be used, and the Army has proposed to purchase them, and the unfortunate Mr. Bannerman has been charged in the other House with profiteering.

He was charged, furthermore, with attempting to get from the Government a price of $15,000 apiece for these guns. The fact is, as shown by the correspondence, that he has asked $5,000 apiece for the guns; for those of the guns that are unmounted exactly the same price that was offered to him by the Cuban Government this calendar year, and for the guns for which he has manufactured some mobile steel mounts he is asking $7,500 apiece. He is in receipt of a letter from the Ordnance Department accepting his prices and stating that they were entirely satisfactory. I think this should be said in his defense and in explanation, for he has been charged not only upon the floor of another House but in the New York newspapers of gross profiteering.

Now, Mr. President, what to my mind appears to be the farce-comedy side of this situation is that the War Department to-day has 24 soldiers occupying this man's island in the Hudson River, having seized his entire property, including his house, on the theory or some kind of a supposition that he is a dangerous character. They have possessed the place for two months and a half, and passengers upon steamers going up and down the Hudson and upon the New York Central Railroad, which runs within close view of this island, wonder by the thousand if Mr. Bannerman is an enemy to his country and a traitor. My information is that for two and a half months he has made steady inquiry here at Washington to ascertain, if possible, why his property has been seized and is thus guarded. He has received a letter from the Attorney General of the United States in which that official states that there is no charge or suspicion of disloyalty against him. He has received a letter from the Secretary of the Navy to the same effect.

It might be well to state, Mr. President, that the first time an organized military raid was made upon this man's property it was carried out by a boatload of sailors approaching the property in a scout patrol and 14 men and 4 officers were landed, magazines broken into, samples taken that were stored there, although Mr. Bannerman was not there at the time and although his employees, who incidentally had been made deputy sheriffs in the county of Dutchess, State of New York, asked the officer in charge of the landing party or the scouting party to wait until Mr. Bannerman could give them the keys to the magazine.

The combination of the two things, Mr. President, has done this man, in my humble judgment and if my information is anywhere near complete, a very grave injustice. On the one side he stands in the position of a suspected character and on the other phase of it he is suspected of attempting to profiteer. There are many phases of this case which the Senate has not the time to listen to, but they are intensely interesting and in part amusing.

I ask permission to insert in the RECORD a letter addressed by Mr. Bannerman to Hon. EDMUND PLATT, a Member of the House of Representatives from that district, which reached Mr. PLATT too late to be of service at the time a colloquy occurred in the House of Representatives the other day. I ask leave to make this a part of my remarks in order that this man may have an opportunity to present his case in such a way that Members of the Senate and the House of Representatives will read it. I may say that I am not acquainted with him, and I know nothing other than the information contained in this document, which I recommend to Senators as most interesting reading.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NEW YORK, *June 26, 1918.*

Hon. EDMUND PLATT,
Congressman Twenty-sixth New York District,
Washington, D. C.

DEAR SIR: My attention was called yesterday to a sensational article in the New York World in which I was accused of attempted profiteering in the sale of cannon to the United States Government. The accusation was based upon statements claimed to have been made on the preceding day by Representative BORLAND, of Missouri, in the House of Representatives. According to these statements, I was represented as having demanded from the Government $15,000 apiece for thirty 6-inch cannon of obsolete type and worth not over $5,000 or $6,000 apiece, and which I had purchased for a trifling amount four or five years ago from the United States Navy. It was said that Mr. BORLAND described the transaction as "the boldest piece of effrontery that had ever come to his attention since he had been a Member of Congress."

As these statements are entirely without foundation, and as the effect of their utterance and publication has been to hold me up to public scorn and contempt, not only in the Halls of Congress but in the city of New York where I am in business, I am writing to you to lay before you certain facts in connection with this matter and to ask you to take such steps as you may think proper to right the wrong that has been done me.

The price at which I offered these guns to the Government was not $15,000 apiece but $5,000 apiece for the unmounted guns and $7,500 apiece for the mounted guns with carriages. These were the prices at which these guns have been held by me for years past, the prices at which they were listed in my printed catalogue, the prices at which they were offered to public and private purchasers, and the prices which the Cuban Republic has offered for them and is still willing to pay for them. As shown by the full transcript of Representative BORLAND'S speech contained in the CONGRESSIONAL RECORD, the price for the unmounted guns is exactly the same as the price which the Navy Department is now charging the Army Department for guns of the same character. The guns could not be manufactured or produced to-day for twice the amount that I asked for them. As far back as April, 1914, the American & British Manufacturing Co., of Bridgeport, Conn., quoted me $5,500 apiece for cannon of one-half the caliber and of about one-fifth the weight of these guns. (See annexed letter A.) Over 10 years ago I had occasion to buy from the Bethlehem Steel Co. a used gun which was exactly similar to the guns in question, and I had to pay $6,000 for it. A new gun at that time would have cost about $11,000.

Of the 30 guns which the Government proposed purchasing from me, 18 (price $5,000) were unmounted. The remaining 12 were mounted on pedestal mounts and weighed, with carriages, about 10 tons apiece. My price for these was $7,500, allowing $2,500 for the carriages. These carriages could not be produced to-day, in my opinion, for less than $10,000 apiece.

The guns are all in excellent condition and very little used. The 12 mounted guns had been altered up to the model of 1912 at the Washington Gun Factory, and had accompanying them breech blocks and sights still in their original boxes.

It is not true that these guns were all purchased by me from the Navy Department. Only 12 of the guns were purchased from the Navy Department by me. The rest of them were purchased from dealers who outbid me at the Navy auction sales. It is true, however, that they were purchased for a comparatively small amount. It is also probably true that they should never have been sold at all, even though they were obsolete for Navy uses. They should have been retained by the Government for use on land defenses. But such was not the policy of those in charge of the Government in 1912 and 1913. I know this, because at the time I attended the first sale in 1912 (when the unmounted guns were offered) I protested as a citizen to the officer in charge against the scrapping and sale of such good guns. The only result of my protest was that I was told that the Government considered its investment in guns as a form of insurance, and that it did not believe in retaining guns of obsolete pattern. But if the administration of 1912 pursued a mistaken policy in this connection is it fair to hold me responsible for it? I was not a member of the administration and never have been. I had nothing to do with the holding of this sale, except that I received a printed notice of the sale, attended it with others, protested against the sale, and was a successful bidder on 12 of the guns. I have no doubt that it was supposed that I would scrap these guns for the metal that was in them. In fact, Army and Navy officers have repeatedly ridiculed me for what they believed to be my stupidity in saving the guns from the melting pot and holding them for sale. This I did, however, and have preserved the guns for use at the present time. This has cost me a large amount of money. I was obliged to transport these guns, weighing over 200 tons, by freight and lighter to my arsenal at Polopel's Island in the Hudson River. Here I was obliged to build a cement dock, at an expense of several thousand dollars, on which to store the heavier guns, and I was also put to no little expense in replacing various parts that were missing. Having assumed the hazards of this venture and held these guns for the past four or five years, am I now to be branded as a profiteer because I have offered them to the Government at a price at which they are readily salable in any market and at which a customer is now waiting to take them?

On June 11, 1918, Col. Golderman, a member of the United States Army, engaged in assisting the Cuban Republic in its purchase of munitions in this country for Cuban defense, wired me as follows:

"Refer extended option 3d instant. Will take Navy guns for Cuban Government if release can be obtained. Acknowledge by mail." (See annexed telegram marked B.)

A few days before this, however—June 7, 1918—our Government had decided not to release these guns to Cuba, but to purchase them for its own use, and wrote me a letter (see annexed letter marked C) containing the following:

"1. I am instructed by the Acting Chief of Ordnance to acknowledge your letter of June 3 informing us of the present situation pertaining to the 6-inch, 30-caliber Navy gun, which are desired both by ourselves and the Cuban Government, as represented by Col. P. S. Golderman.

"2. Col. Golderman presented his case to the Chief of Staff, and the Chief of Staff has ruled that the guns shall come to the United States Government. We are, therefore, writing you to start our final negotiations. You are herewith advised definitely that we will purchase these guns from you. We accept your proposal of $5,000 each for 18 guns and $7,500 each for 12 guns, the latter including pedestal mounts."

Believing that this amounted to a sale of these guns to my own Government, and wishing to deal more generously with them than I would have been willing to do with the Cuban Government, I determined to make a gift to my Government of one of these guns with $20,000 in cash for the purpose of mounting it on modern field carriage, and under date of June 12 I wrote Maj. Gen. William Crozier, Chief of Ordnance of the United States Army, as follows (see annexed copy of letter marked D):

"MY DEAR GENERAL: I have just concluded negotiations with the Army Procurement Division for the purchase of thirty 6-inch B/1 Navy cannons, and now write to know if you can arrange it so that I could give one of these 6-inch guns as a free gift to my country, together with my check for $20,000 toward paying for the cost of mounting gun on modern field carriage.

"I have in the past three years helped our British allies, and would dearly love to be represented on the French battle front with a 'Bannerman gun.' During the war for independence many such gifts to the Government were gladly accepted."

Gen. Crozier's reply to me was as follows (see annexed letter marked "E"):

"I have your note of June 12, in which you speak of your wish to give a 6-inch gun to the Government, together with funds for procuring a suitable field mounting for it.

"As I am not now in charge of the Ordnance Department, having been assigned to duty with the War Council, I am referring your letter to Brig. Gen. C. C. Williams, Acting Chief of Ordnance, to whose office the matter pertains.

"There have been a few instances in the past where patriotic citizens have made gifts of arms to the Government, a comparatively recent one was that of the Astor Battery in the Spanish War. I have no doubt, therefore, that if the technical matters connected with the use of the gun can be arranged by the Ordnance Department, a way can be found to take advantage of your generous offer."

Less than a fortnight later, as a reward for this action on my part, I find myself pilloried in the public press as attempting to sell these guns to the Government at $15,000 apiece. I find my name hawked and blown about the streets as that of a greedy profiteer, indifferent to my country and its cause.

Whether my career since the commencement of the European war has been indicative of greed and indifference to our cause may be judged from the following facts. Documentary proof of certain of these facts is also herewith submitted:

I am a native of Scotland, having come to this country as a small boy in company with my parents. My father fought for the Union in the Civil War, and died a few years after the end of the war as a result of injuries received in his country's service. He refused the United States bounty awarded him, and never accepted a pension.

When the European war broke out I found myself unable to preserve that degree of neutrality in mind and act, which was considered the officially proper attitude of American citizens at that time. I believed in the integrity of the allies and in the justice of their cause as strongly at that time as I do to-day. I saw the country of my birth in an unprepared and comparatively defenseless condition hurled into a struggle against overwhelming odds in which she was threatened with annihilation. As the Germans were advancing steadily and unchecked toward Paris, in a moment of impulse I wrote a letter to Lord Kitchener, offering the British Government as a free gift my entire stock of military supplies, representing my accumulations and savings of over 40 years. A copy of my letter to Lord Kitchener is annexed hereto marked "F," and is in part as follows:

"As a native of Scotland, now a naturalized American citizen, but heart and soul loyal to the British in their struggle for humanity, I hereby offer gratuitously, without money, any or all of my stock that you can use, and will be pleased to place material selected on shipboard at New York, as your agents may direct. My proposition must be kept secret for the present, at any rate, in order not to defeat the end desired. * * * In addition to the list inclosed I have 12 United States Navy 6-inch breech loading cannon, mounted on late type Navy stand revolving carriage, which the Dominion of Canada's representative was interested in. This offer is like the widow's mite, my all, my living, in the hope that it will help to stop the German butchers and aid my native country and the land of my adoption."

Fortunately for me and my family there was a law in England, of which I was not aware, prohibiting the acceptance by the British Government of gifts from other than citizens of Great Britain. As a result of this my offer was courteously declined by the British Government.

On December 17, 1914, after German warships had shelled Hartlepool and killed many innocent people, and when a national guard was being formed for home defense, I cabled and wrote to the Lord Mayor of London, offering "as a free gift from an American Scotchman" to fit out 1,000 Scotch National Guardsmen with military supplies, including the following: One thousand hats, shirts, blouse coats, khaki breeches, wool blankets, wool overcoats, knapsacks, haversacks, canteens, Springfield rifles, angular bayonets, gun slings, steel scabbards and cartridge belts, 1,000 pairs of shoes, 1,000 pairs of khaki leggins, 1,000 sets of knife, fork, and spoon, 100,000 cartridges, 3 machine guns, caliber .45, 2 machine-gun field carriages, 2 machine-gun field carriage limbers, 2 sets machine gun lead harness, 2 sets machine gun wheel harness, 20 officers' automatic pistols, and 20,000 rounds smokeless powder. (See annexed copy of letter to Lord Mayor December 17, 1914, marked "G"). In this letter I stated:

"I am a native of Dundee, Scotland, residing in New York City since childhood; am an American citizen, but with a heart full of love and loyalty to my native land in their great struggle against German tigers."

When it appeared that the uniforms which I had were not of a pattern acceptable to the British War Department, I immediately cabled £1,500 toward the purchase of uniforms for the Scotch regiment, and provided for a further payment of £1,000 to cover port and landing charges, etc. (See annexed letter to Lord Mayor of London, dated January 14, 1915, marked "H"). In this letter I stated:

"I thank you and your associates for the high honor you have done me in giving me the privilege of contributing my mite toward the defense of my native land in helping to arm and equip some of my fellow countrymen; and praying that it may be the will of our merciful Father to shorten these terrible days of agony and suffering and to put the desire for a lasting peace in the hearts of all people and to give victory to the just and righteous cause of our dear ones."

This offer was accepted, and under date of January 29, 1915, the lord mayor wrote me a personal letter (see annexed copy of letter, marked "I") incorporating resolutions passed by the committee of the City of London National Guard thanking me for the contribution and stating:

"I beg leave to say that your thoughtful generosity has been of real encouragement and material assistance to the City of London National Guard, and I have further to add that the kind expression of your feelings toward our country and ourselves and your touching assurance of faith in our cause have made a deep impression upon us."

The outfitting of this regiment cost me upward of $70,000.

Later on, upon learning of King George's expressed regrets that the London volunteers did not have sufficient arms to drill with, I sent another letter to the Lord Mayor of London offering as a further free gift 1,000 Springfield and Mauser rifles and equipment, with a stock of cartridges, for use by the regulars (see annexed copy of letter, Aug. 27, 1915, marked "J"), in which I stated:

"If it is a fact that the law of the realm prevents the Government accepting free gifts, then His Majesty can send me a penny in payment. The sample gun is being forwarded you by express. If the rifle is satisfactory for the regulars, on receipt of a cablegram saying "Accepted" the lot will be shipped free to London as fast as they can go from the gun shops."

The King, through a letter written by Lord Sandringham, accepted my offer under the impression that I was a British subject. I thereupon shipped the rifles, and when they had been received and it was too late to decline the gift I wrote a further letter, dated February 16, 1916, explaining that I was not a British subject, and concluding:

"My motive has been a matter of conscience, with the thought that our Father had given me these guns, money, etc., for just such a time as this.

"'As Christ who died to make men holy,
"'So Briton's sons are dying to keep men free.'

"Please make known to His Gracious Majesty that while I am and always will be a true lover of my native land, ready to do all that I can for its welfare, I am an American citizen."

In February, 1917, after the infamous proposal of the German Government to permit certain of our ships to pass through the war zone with immunity, provided they were given certain designated markings, I offered President Franklin, of the American Line, as a free gift, to fit out the steamship *St. Louis* with one 6-inch quick-firing, breech-loading cannon, with 5-mile range, on naval gun mount, together with explosive projectiles; with one Hotchkiss rapid-fire revolving cannon shooting 80 shots a minute, and with two Colt rapid-fire machine guns shooting 500 shots a minute, an outfit which could not have been purchased at that time for less than $20,000. My letter to President Franklin was dated February 26, 1917, and a copy is annexed hereto, marked "K."

President Franklin decided not to permit the boat to go out, for reasons stated in his letter to me of February 27, 1917 (a copy of which is annexed and marked "L"), in which he said:

"Yours of the 26th received, and we greatly appreciate your kind offer to place at our disposal, free of charge, the equipment referred to, as it is very gratifying to know that you, as a good American citizen, fully realize the unfortunate position in which the American Line is placed in consequence of having its steamers tied up here indefinitely owing to causes beyond its control."

Upon the entrance of the United States into the war I was prepared to give the Government the benefit of anything that I had that could be of any service in the war. I saw Col. Mitcham, commanding officer of the New York Arsenal, and told him that the Government was welcome to anything I had on any terms that they saw fit to make. He said that he was not in a position to tell me what was needed, but advised me to send lists of my stock to the various Government departments. I thereupon prepared lists as suggested and sent them to the various Government departments. The lists included the 30 cannon now in question. In a letter to the Quartermaster General of April 11, 1917, I said: "If your department can use any of these items, the prices will be arranged to your satisfaction." The replies which I received from these departments were to the effect that they were not interested in any of my stock, with the exception of certain haversacks. These I offered to them at a price equal to about a third of what they would cost to manufacture, and my offer was accepted as satisfactory and the haversacks promptly furnished. There were over 100,000 of these haversacks, and Col. Mitcham said to me, "Your supply of these haversacks has been a godsend to us."

I also sold to the War Department a large number of cartridges which I had on hand at a price of perhaps 50 per cent less than they could have been obtained for from the manufacturers.

So far as the cannon were concerned the Government reported to me that they had no use for them, and I received no intimation to the contrary until the early part of 1918, when I was negotiating for their sale to the Brazilian Government. The Government then notified me that they were interested in the cannon and would like to inspect them. Arrangements were then made for an inspection at Polopel's Island, and the inspection took place on March 5, 1918. The inspectors expressed themselves as well pleased with the cannon, believing that they would be serviceable. They went away and I heard nothing further regarding the guns during the month of March.

This was the situation on April 1, 1918, a most memorable date to me, for on that day there commenced a series of most astonishing occurrences, which I shall now describe to you. If they had happened in the case of anyone else and had been described to me, I should have been unable to credit them as possibilities in any nation or country existing under a constitutional form of government.

I have already mentioned Polopel's Island. It belongs to me and is located in the Hudson River, near the town of Cornwall. This island has been used by me for many years past, not only as a summer residence, for my family but as a place of storage for my stock of goods. There is an arsenal located upon the island and a powder magazine. I inclose, for your examination, a photograph of the island, which gives a view of a part of the arsenal and shows the concrete dock which I built, with the cannon resting upon it (see annexed photograph marked "M").

Several months before the United States entered the war, and when there were rumors of possible uprisings, I became alarmed as to the safety of my stores on this island and applied to the Federal Government for protection. I was referred by the Federal Government to the State authorities, and I thereupon wrote a letter to Gov. Whitman, under date of February 5, 1917, applying to him for protection. I had some correspondence with him in the matter (see photographs of letter from military secretary and adjutant general, dated, respectively, February 6 and April 5, 1917, and marked "N" and "O"), in which I was referred to the county authorities, and it was suggested that I should be sworn in by the sheriff of Dutchess County as deputy sheriff for the purpose of guarding the island. I immediately adopted this advice, and shortly thereafter the sheriff of Dutchess County appointed me and five of my men deputy sheriffs and put us in charge of Polopel's Island. At about this time, and with the knowledge and authority of the sheriff of Dutchess County, I mounted four rapid-fire machine guns upon the tower of my arsenal, so that those in charge of the island would be in a position to make a proper defense of it.

On April 1, 1918, at about 12.30 p. m., a submarine-boat chaser (S. P. 899), with an armed guard of about 15 men, in command of 4 officers wearing the insignia of the United States Navy, landed on Polopel's Island and demanded immediate entrance into the magazine located there. I was not upon the island at the time, and my men, one of whom was one of the deputy sheriffs mentioned, although they had the keys to the arsenal, had not been entrusted with the keys to the magazine, which were under my personal control, so that it was impossible for them to get into the magazine without my assistance. The Navy officers were informed of this condition, as well as of the fact that I was in New York and was expected to arrive with Mrs. Bannerman to take up my residence there on the following day. They were also informed of the fact that I was then at my office at 501 Broadway, New York, where I could be readily reached by telephone and would be in a position to furnish them with the keys, so that they could obtain immediate admission into the magazine. Without making any effort to get in touch with me or to ascertain where the keys could be obtained, and not heeding the protests of the caretakers in charge of the magazine, the Naval officers, although they carried no warrant and were clothed with no authority permitting them so to do, demanded a hack saw to cut out the brass padlock on the outer steel doors of the magazine. Before the caretakers could get to them with the hack saw, the officers and men proceeded to force the outer doors of the magazine from their hinges and threw them flat upon the ground. They then kicked in the inner wooden door, although they were told that if they would wait for a moment the key to this door would be produced, and entered the magazine. They were ordinary leather shoes containing steel or iron nails, in violation of the well-known rule requiring rubber shoes to be worn in powder magazines to prevent sparks, and they obtained for use in the magazine a steel ax and an iron bolt, also in violation of a rule requiring only copper or wooden tools to be used in connection with work upon explosives. With these implements they proceeded to force open various boxes containing explosive shells and charges of powder, all of which, with the exception of one box, they opened inside the magazine. When some of my caretakers looked into the magazine to see what was being done they were ordered off by the guards, who pointed their pistols at them; and when one of the men, not understanding the gravity of the situation, failed to move quickly enough to satisfy one of the guards, he aimed a pistol directly at the man, saying, "Didn't I tell you to get out of here?" After opening the boxes they took out samples of projectiles and powder charges, which they carried away with them.

They then entered every arsenal building on the place, some of the men helping themselves to cartridge belts and some of them taking away a patent model set of leather equipment. They also entered and went through my private dwelling, including Mrs. Bannerman's bedrooms, and finally went out through one of the windows and climbed to the top roof of the Bannerman home building, where they took some photographs.

One of the officers then proceeded to remove the firing mechanism from one of the machine guns which I have mentioned as located in the tower of my arsenal, being the one on the side facing the direction in which the boat departed, this being done evidently on the theory that the gun might be used to attack the boat.

In fact, throughout this entire affair these naval officers and their men conducted themselves as if they believed that I was a dangerous enemy alien or a traitor to the United States.

Upon learning from my men of this outrageous proceeding I communicated with my counsel in New York, and on April 13, 1918, a letter was addressed by them to Hon. Josephus Daniels, Secretary of the Navy, in which they stated to him the facts which I have hereinbefore related and requested him to ascertain and tell me why this raid was made, who was primarily responsible for it, and what the grounds were upon which it was believed in the Navy Department that the raid was justified, to make an investigation of those grounds sufficiently adequate and complete to exonerate me to the satisfaction of such members of the department as had knowledge of the fact of the raid and to clear my name upon the records of the Navy relating to this event, and finally to take such corrective measures as would prevent a recurrence of outrages of this kind in the future, either at Polopels Island or elsewhere.

No reply was received by me or my counsel to this letter until May 3, 1918, when I received a short letter from Mr. Daniels (a photographic copy of which is annexed and marked "P"), in which he said:

"I desire to personally assure you that there is no question in my mind of your entire loyalty and devotion.

"The recent action of the War Department in taking over your arsenal for the storage of military goods was recommended as a measure of safety and for the best interests of the national defense. Such action was not predicated, however, as far as I am informed and believe, on any doubt or question of your loyalty, and I am glad to be able to give you my assurance to this effect."

In the meantime, however, and while my counsel's letter was awaiting a reply other occurrences took place the effect of which upon my good name has been nothing less than tragic. I had had in my employ upon this island for many years an elderly man by the name of Kovac, an honest, thrifty, and loyal workman of Hungarian birth. Like many men of Austrian and Hungarian origin, he was bitterly opposed to the Germans in this war and to the best of my knowledge and belief was as sincerely loyal to the allied cause as anyone I know. You will recall that even after our declaration of war with Austria no law was passed which forbade the employment of Austrian enemy aliens in positions such as Kovac was holding. Nevertheless, the matter of Kovac's presence on Polopels Island was taken up between myself and the Department of Justice, represented by the Federal district attorney in New York City, with the result that the district attorney gave me express permission to retain Kovac on the island for the time being. For corroboration of this statement I beg leave to refer to a confirmatory letter addressed to me by the Hon. T. W. Gregory, Attorney General of the United States, dated May 25, 1918, and hereto annexed as Q, in which he says:

"Kovac's presence on your island was known to the Department of Justice, and early in 1918, after an investigation by it, you were given permission to retain Kovac until further notice."

This permission had never been revoked or even questioned, when, on the 19th of April, 1918, a United States marshal arrested Kovac and took him into custody, and about the same time I was notified by the War Department of the United States that Polopels Island was to be immediately taken into custody of the War Department and an armed guard placed thereon, and that I was not to be permitted to

remove any of my goods from the island without the permission both of the War Department and of the Department of Justice. This seizure, it was said, was made as a measure of safety at the recommendation of the Navy Department. I have since been informed that the arrest of Kovac was also made upon the like recommendation.

Not wishing to embarrass the Government or to attract the public notice to what I had regarded as at the most a mistake on the part of some irresponsible subordinate, I had carefully refrained from giving any publicity to the matter of the raid upon the island by the Navy Department on April 1. It appeared, however, that it was not the policy of Government officials to give me similar consideration. On the day after the arrest of Kovac all the leading newspapers of New York came out with sensational articles describing the raid which had taken place on April 1 on the island and the arrest of Kovac on the preceding day. These articles had evidently been inspired by some one who was familiar with the raid on April 1, as they contained an account of the "discovery" of machine guns in my arsenal, together with "a large quantity of shells and other ammunition," which it was announced had "been found on the island." Kovac was described as "a prominent Teuton," and his arrest was announced as having been made "under instructions from Washington" and by "agents of the Naval Intelligence Service." My name figured prominently in these articles, each and every one of which contained the implication that I was under grave suspicion of disloyalty to the Government. The New York World stated, "The island was searched last February by agents of the Naval Intelligence Bureau and later by the crew of a submarine chaser. Both inspections disclosed that machine guns were mounted on the island and that on top of a tower on the warehouse were four guns." The headlines of one article in the New York Sun were "Three spy-law arrests in Hudson Valley—Guns found at castle on Bannerman's Island." These publications were not confined to the city of New York, but were widely circulated, especially in the region where I have lived for many years, a hitherto respected citizen. For example, in the Cornwall Press the following appeared.

"It is earnestly hoped by the many in this section who have had friendly relations with him that he may be able at the proper time to entirely vindicate himself of any suspicion which may now point his way."

I annex, marked R, photographic copies of a number of these publications.

I am a man of nearly 70 years of age. Since last July I have been in very feeble health, owing to a surgical operation which left a wound in my body which is still open. All my life I have tried to be a loyal citizen of these United States. The motto of my family is "For God and country we uphold our banner." To be practically accused of treason by the officials of my Government at this time, in the evening of my life, to find many of my former neighbors and friends looking askance at me and to know that my name has been associated in the minds of thousands of people with one of the worst crimes that a man can be guilty of has been a cross to me which it seems at times that it would be impossible for me to bear. I am a member of the Presbyterian Church, and not long after these scandalous articles appeared I made a statement in my church, in which I requested my friends and neighbors to withhold judgment until this matter had been investigated and the truth made known.

Although nearly three months have gone by since my property was seized, and although repeated efforts have been made by my counsel to ascertain the facts, I have not as yet received any definite reply to the inquiries which were addressed to the Secretary of the Navy on April 13. Armed guards still hold possession of my property, including my residence, where my wife and I live like Belgians under Prussian rule. Thousands of people who know my name pass daily in steamers and trains up and down the Hudson River, where my arsenal, always a conspicuous object, is now doubly so by reason of the armed guard upon it and the sensational stories which have been circulated about it and about me. The longer this situation continues the more confirmed becomes the opinion of my guilt and the more complete the ruin of my reputation.

Why was my property raided by the Navy Department? Why was it seized by the War Department? Why is it being held to-day by armed forces of this Government? These are questions which are being asked daily, both by people who know me and by people who do not know me. Sometimes these questions are asked of me. What answers can I give? None, for it is an astonishing fact that in spite of all efforts that have been made by me to learn the truth I am as ignorant of it as I was three months ago.

Is it because, as indicated by the newspaper articles, my loyalty to the Government is questioned by the Department of the Navy? Apparently not, for Secretary Daniels has written to me, assuring me that there is no question in his mind as to my loyalty and devotion.

Is it because any conduct of mine in connection with the employment of Kovac has been displeasing to the Department of Justice? Apparently not, for Kovac was thoroughly examined by the Department of Justice and was released, no fault being found in him. Attorney General Gregory has written to me, exonerating me completely from all blame and criticism (see letter of Attorney General, dated May 25, 1918, annexed and marked Q):

"You have directed my attention to certain statements published in the newspapers of New York City during the month of April last stating, in substance, that Charles Kovac, an Austrian and one of your employees, had been brought in to the Alien Enemy Bureau for investigation; further stating that Bannermans Island had been several times searched by Government officials, intimating that this island was under suspicion, and that some criticism might attach to you for permitting Kovac to be employed on your island.

"Kovac's presence on your island was known to the Department of Justice, and early in 1918, after an investigation by it, you were given permission to retain Kovac until further notice. * * * So far as I am aware, no question has ever been presented to this department as to your own loyalty or devotion to the cause of the United States and its allies."

Is it because the Government does not believe that my property was properly guarded? Apparently not, for when I asked for a Federal guard, before the island was put under State protection, my request was refused.

Is it because the Government wishes to commandeer the contents of my arsenal and magazine? Hardly that, for the Government has told me that it was not interested in acquiring any of my stock in trade, with the exception of the 30 cannon, and as to these it has always known that they might be acquired by purchase at any time.

Is it because they wish to use the magazine and arsenal for Government purposes? Evidently not, for no Government use has ever been made of either of these buildings, and they have seized not only these buildings but my dwelling house as well.

Why have they done this? Why do they continue to do it? My counsel went to Washington and asked these questions of the Navy Department. He was referred by them to the War Department. He went to the War Department and he asked these questions of the War Department. They were unable to answer him. They said they would investigate and find out. That was weeks ago, and whether their investigations in the meantime have enlightened them as to why they have seized the island and why they are holding it I can not say, for as yet they have told me nothing. At the time the seizure was made there were upon the island quantities of stores which had been sold to State and home defense organizations in different parts of this country. Many of them had been paid for and were awaiting delivery. I applied to the War Department for their release, but it took weeks of time and a special trip to Washington before I was able to obtain even this slight relief. As to the rest of my property on the island, it has been to all intents and purposes confiscated and rendered useless to me, all without the slighest grounds of justification.

I have been recently notified that the Navy Department also, after months of inactivity and loss to me, is now conducting an investigation of the matter. Thus investigation follows investigation, while hundreds of thousands of dollars' worth of my property lies tied up and idle and 24 soldiers, sorely needed on the war front, are paid month after month by the United States Government to patrol a little island on the Hudson with a show of protecting it from me, from whom it needs no protection.

But even this is apparently not enough. In addition to the rôle of traitor, I am now called upon to play the part of the bold profiteer. Members of Congress arise in their seats and denounce me for demanding of the War Department $15,000 apiece for cannon of a kind which they state the War Department was purchasing from the Navy Department for only a third of that amount. To be sure the fact was that my price was also a third of that amount. But what of that? To be sure my price was a matter of written record, available to any man who would take the trouble to read my correspondence with the Government. But what of that? If it wasn't $15,000 it might just as well have been. A man who will harbor spies and secrete machine guns upon his premises and maintain magazines that have to be raided by naval detectives at regular intervals can hardly complain at such a comparatively trivial charge as profiteering.

If my words seem bitter can you blame me? Could you yourself accept with complacency the treatment which I have been subjected to for the past three months? Could Representative BORLAND? Could any man?

In the report of Mr. BORLAND'S speech, contained in the New York World, I read: "'Is the estimate of $450,000 for the Bannerman guns in the bill?' Representative SNYDER inquired. 'Not a dollar of it,' thundered Mr. BORLAND, who promised that if Mr. Bannerman didn't accept a fair price the guns would be commandeered."

Commandeered! One would suppose, to read this statement, that the Government had made repeated efforts to purchase these guns from me at some price which they considered fair and reasonable and that their offers had been repeatedly refused. Yet the fact is that this Government has never, since the commencement of the war, made me any proposal with reference to these guns or any other of my stock which has not been promptly and cheerfully accepted and acted upon, and if Government officials had come to me prior to the 1st day of April, 1918, and requested me to make the United States a present of these guns, I believe I should have been strongly inclined to grant their request.

As matters stand, however, at the present time I see no reason why I should not receive for these guns a fair and reasonable price commensurate with their present market value. So long as those in charge of our affairs feel that they can afford to expend approximately $100 a day of the Government's money for the pay, upkeep, and maintenance of the unnecessary force of men now situated on Polopel's Island I shall remain of the opinion that they can also afford to pay me for my 30 cannon as much as the poor little Republic of Cuba is ready, willing, and anxious to pay.

Very truly, yours, FRANCIS BANNERMAN.

Mr. SHERMAN. Mr. President, I wish to suggest to the Senator from New York, that along with this case ought to go a statement of the arrest of a woman day before yesterday for wearing an iron cross hatpin which somebody had presented to her. She wore it with no malevolent intent whatever, but it created a suspicion of disloyalty. She was arrested as an alien enemy but was discharged. I think all this matter, whether it be comedy or tragedy, goes to show that some of the petty officials of this country are suffering from a mild form of hysteria.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the House had passed the joint resolution (S. J. Res. 158) further extending the time within which the joint resolution authorizing the Secretary of War to issue temporary permits for additional diversions of water from the Niagara River shall remain in effect, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a bill (H. R. 12599) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following bills, and they were thereupon signed by the Vice President:

S. 2104. An act to amend sections 4402, 4404, and 4414 of the Revised Statutes of the United States; and

H. R. 12441. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes.

DIVERSIONS OF WATER FROM NIAGARA RIVER.

The VICE PRESIDENT laid before Senate the amendments of the House of Representatives to the joint resolution (S. J. Res. 158) further extending the time within which the joint resolution authorizing the Secretary of War to issue temporary permits for additional diversions of water from the Niagara River shall remain in effect, which were to strike out all after the enacting clause and insert:

That the Secretary of War be, and he is hereby, authorized to issue permits revocable at will, for the diversion of water in the United States from the Niagara River above the Falls for the creation of power to individuals, companies, or corporations which are now actually producing power from the waters of said river, in quantities which in no event shall exceed in the aggregate a daily diversion at the rate of 20,000 cubic feet per second: *Provided*, That this resolution shall remain in force until the 1st day of July, 1919, and no longer, at the expiration of which time all permits granted hereunder shall terminate, unless sooner revoked. Any individuals, companies, or corporations violating any of the provisions of said permits, or diverting water from said river above the Falls for the creation of power, except under a permit issued under the authority of this law, shall be guilty of a misdemeanor and be punished by a fine not exceeding $2,000 nor less than $500, or by imprisonment not exceeding one year nor less than 30 days, or both in the discretion of the court; and each and every day on which such violation occurs or is committed shall be deemed a separate offense: *Provided*, That where such violation is charged against the company or corporate body, the offense shall be taken and deemed to be that of any director, officer, agent, or employee of such company or corporate body ordering, directing, or permitting the same.

And to amend the title so as to read: "Joint resolution authorizing the Secretary of War to issue permits for the diversion of water from the Niagara River."

Mr. LODGE. That bill has been examined by members of the Foreign Relations Committee. The amendments of the House are improvements on the bill. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

SHORT-LINE RAILROADS.

Mr. SMITH of South Carolina. I ask the Senator from Virginia if he will not yield to me for the purpose of calling up Senate joint resolution 159?

Mr. MARTIN. I am willing to yield to the Senator to get that measure before the Senate on the same condition that I yielded for the appropriation bill, without the resolution losing its place.

Mr. SMITH of South Carolina. I think it will take a very few minutes. I ask the Senate to proceed to the consideration of the joint resolution (S. J. Res. 159) to extend the time within which the President may relinquish control of any railroad or system of transportation, as provided in section 14 of an act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918, to January 1, 1919.

There being no objection, the Senate as in Committee of the Whole proceeded to consider the joint resolution, which had been reported from the Committee on Interstate Commerce with an amendment, on page 2, line 8, after the words "nineteen hundred and nineteen," to insert:

Provided, however, That the right conferred upon the President to relinquish prior to July 1, 1918, control of all or any part of any railroad or system of transportation without consent of the carrier as provided in section 14 of an act approved March 21, 1918, entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," which right is herein extended to and inclusive of January 1, 1919, shall not be construed to include any railroad engaged as a common carrier in general transportation such as mentioned in section 1 of said act not owned, controlled, or operated by another carrier company and which has heretofore competed for traffic with any railroad or railroads of which the President has taken and retained the possession, use, and control; it being the intent of Congress that every railroad not owned, controlled, or operated by another carrier company and which has heretofore competed for traffic with a railroad or railroads which the President has taken and retains the possession, use, or control, or which connects with such railroad and is engaged as a common carrier in general transportation, shall be held and considered as within Federal control as defined in said act, and to be entitled to the benefits of all the provisions of said act so long as the railroad or railroads with which it has heretofore competed for traffic or with which it connects shall be retained under Federal control.

Mr. PENROSE. Mr. President, I should like to address an inquiry to the Senator from South Carolina. It it difficult for me to understand the full scope of the joint resolution by simply hearing it read by the Secretary. I should like to ask whether the purpose of the resolution is to provide for the situation presented by the so-called short-line railroads?

Mr. SMITH of South Carolina. It is just to carry out a defined purpose of section 1 of the act in an amendment offered on the floor of the Senate and accepted.

Mr. PENROSE. I would be glad if the Senator would explain it in a few words, for I have a good many such short-line roads in Pennsylvania and I am in receipt of a good many communications.

Mr. SMITH of South Carolina. The object is this: The Senator from Iowa [Mr. CUMMINS] introduced an amendment when the bill was on its passage to the effect that all lines connecting or competing with a line or system taken over by the Government should be considered under Government control as long as the line with which it connected or competed was under Government control. The interpretation of that by the administration under section 14 of the railroad law was that any or all parts of a given railroad could be relinquished without respect to that amendment of the Senator from Iowa. So, the effect of the situation would be this, that under the present interpretation of the act any short-line railroad could be relinquished at their will, and as we have already closed the money market by an act of Congress and given them the power to route freight wherever they see fit to carry it, it simply amounts to this, that a short line which was relinquished would be left absolutely helpless, whether it was able to live or not. That is the situation

Mr. PENROSE. What does the joint resolution do?

Mr. SMITH of South Carolina. It makes it obligatory upon them to hold these short lines as long as they connect and compete with lines taken over.

Mr. PENROSE. In the opinion of the Senator from South Carolina, the chairman of the Committee on Interstate Commerce, does this measure meet the complaint of the owners of the short-line roads?

Mr. SMITH of South Carolina. Absolutely.

Mr. PENROSE. In the case of short-line railroads which have not already been taken over, what would happen to them?

Mr. SMITH of South Carolina. This will apply to them.

Mr. PENROSE. The Government will be compelled to take them over also.

Mr. SMITH of South Carolina. It will be compelled to take them over also.

Mr. PENROSE. I am glad that the committee has done that.

Mr. CUMMINS. I offer the following amendment to the committee amendment.

The VICE PRESIDENT. It will be read.

The SECRETARY. Add at the end of the committee amendment the following proviso:

Provided further, That nothing in this resolution or in the said act of March 21, 1918, shall be construed as requiring the President either to take or retain the possession, use, and control of any street railway, whether the same be owned, controlled, or operated by another carrier company or not, nor to require the President to take or retain the possession, use, and control of any interurban or other similar railroad which does not receive at least 25 per cent of its operating revenue from the transportation of freight, and which, prior to December 29, 1917, did not have through routes or joint rates with one or more steam road carriers.

Mr. CUMMINS. Mr. President, this is to make certain that the roads which were intended to be excepted from Federal control in the original act shall still remain in that position, with the discretion on the part of the President to take them or not to take them. The idea is that roads which do a general business and which connect and compete with other roads and do not do purely an interurban or a passenger business shall be taken over, but those which do a street railway business need not be taken over unless the President sees fit to do it.

Mr. HARDWICK. Mr. President, I merely want to say that I am heartily in favor of the proposal submitted by the Senator from South Carolina in behalf of the Committee on Interstate Commerce. In my judgment, it would not have been necessary to submit this proposition if any reasonable and fair construction had been given to the legislation and to the effect that Congress intended to give to the law.

I am also very heartily in favor for exactly the same reason of the amendment proposed by the Senator from Iowa. I should like to know what would become of the Hudson tube under its operation.

Mr. CUMMINS. That is not difficult to answer. The Hudson tube would not be required to be taken over by the President if he chose to exercise the discretion in another way, but I assume the Government can take it over if the President desires to do so.

Mr. HARDWICK. I was in hopes that the Senator's amendment would be so framed that it would be taken over.

Mr. KELLOGG. Mr. President, I do not know whether there will be a roll call on this joint resolution. I wish to state that I can not vote for it, because the amendment offered in the committee and adopted by the committee, in my opinion, compels the Government to take over every short-line railroad in the United States, and I am not willing to force the Government to take over all short lines, whether they are useful to the

Government or whether they are worth anything or not. I voted against the amendment in the original bill for the same reason. I wished to state my position before a vote is taken on the joint resolution.

Mr. SMITH of South Carolina. Mr. President——

Mr. McKELLAR. Will the Senator from South Carolina yield to me that I may ask a question of the Senator from Minnesota? If they are not taken over, will not the necessary effect be to destroy all the short-line railroads of the country?

Mr. KELLOGG. I do not think so.

Mr. McKELLAR. How else are they going to live under the present conditions, the Government having taken over all the long lines and having left them out entirely without the possibility of getting necessary financial aid to live for a long time?

Mr. KELLOGG. I think they will be given a fair division with the original lines and be allowed to live in the same way they did before the railroads were taken over. They, of course, in common with all other enterprises in the country, are suffering from the fact that the Government is making use of the money.

Mr. McKELLAR. In the one case, that of the larger railroads, the Government takes them over and carries them on through this trial system; and if they are turned back, they will be turned back in better order than they were when the Government took them over. In the other case the short lines will merely be gobbled up by the great lines of the country, and that will be an end to them.

Mr. KELLOGG. The short lines can not be gobbled up by the great lines of the country while they are in the hands of the Government. I think it is the intention of the Railroad Administration to do what they can to help the short lines and to take them over by the Government where they should be taken over, even though it costs the Government more money, where those short lines render valuable service to local communities; but I am not willing to say that the Government must take over every short line in this country, whether it is worth anything or not.

Mr. McKELLAR. Well, the Senator has stated that virtually every long line had to be taken over, and certainly it is proper and right to put them all in the same category, in my judgment.

Mr. PENROSE. If the Senator will permit me on that point, I desire to say that, as I understand, the Government diverts traffic to Government owned and controlled railroads, and practically leaves the competing short lines in a condition with no freight, no income, no credit, and the sheriff approaching them.

Mr. KELLOGG. Of course, I am unable to say to what extent the Government has diverted traffic from the short lines to the long lines.

Mr. PENROSE. Everybody knows it.

Mr. KELLOGG. The representatives of the Railroad Administration before the committee denied that. Some of the gentlemen representing the short lines stated that their traffic had decreased owing to being diverted to the long-line railroads or the Government-controlled railroads. I do not think that it is the intention of the Railroad Administration to divert such traffic; but I think it is their intention to deal liberally with the short lines. Of course I am not the Railroad Administration, and I do not speak for the Railroad Administration.

Mr. POMERENE. Mr. President, before the vote is taken, I want very briefly to announce my position.

Like the Senator from Minnesota [Mr. KELLOGG], I was opposed to what was known as the Cummins amendment when this legislation was before the Senate. If Senators will note the law as passed, that is, as it is construed by certain officials, it requires the Government to take over all short lines which are connected with or are competing with lines which are taken over. Under section 14, to which reference has been made, the Railroad Director was authorized to relinquish such roads, or of any of them that he might see fit to relinquish on or before July 1 of this year. As I understand, the Director of Railroads did not have the time to investigate each of these cases—and there were very many of them—so as to ascertain from the standpoint of the Government whether or not such roads should in fact be kept in control of the Government. He asked simply an extension of the time within which this right or privilege on the part of the Government could be exercised; that is all. It would not, in my judgment, have changed the status of any of these railroads.

The amendment which was presented originally by the chairman of the committee in the form of a joint resolution provided for an extension of the time within which the Railroad Director could exercise this right. It is proposed by the committee to give this right; but at the same time it says in effect, "You shall not exercise this right with reference to any road which is connected with any line which has been taken over or which competes with it."

Senators ought not to mistake the effects of this proposition. It means practically that every short line in existence is to be taken over, whether or not it is going to be of any value to the country at large. Do not mistake that. It means that every road that has been built by some promoter who knew nothing about railroading, but who did know how to get money out of the people, shall be taken over; that is all. It means that many roads will be taken over; the chief asset of which is the amount of bonds and of stock, whose chief value is their value as waste paper. That is what it means. The entire burden of the financing of these roads is to be placed upon the Government. I, for one Senator, will not go that far.

Mr. SMITH of South Carolina. Mr. President, I hope we may have a speedy vote. I think the Senate has fully made up its mind that this is a complete system; and that when the Government took charge of the railroads we could not have two systems in this country, one privately owned and the other publicly owned, when every man knows the system is a unit; that it is one system; and that we have no right to put into the hands of men other than the courts and this body the railroads——

Mr. POMERENE. Mr. President——

Mr. SMITH of South Carolina. Just a moment—the railroads of this country for them to arbitrarily destroy the property of a road regardless of what local benefit it may be to a community, because it happens not to earn big dividends in the way of remuneration for its operation. We have got to consider the small communities that are served by these little capillaries that furnish the great veins and arteries of traffic. The committee has testimony to the effect that they were being dropped, regardless of anything except that they were not considered at the time necessary for the movement of the great mass of traffic.

What redress have they got? They are a part of the system. We do not say, neither does this proposed law say, that the Government shall enter into any kind of a specific contract. The Government can determine whether these roads have a lot of junk for bonds; the Government will have an opportunity to ascertain whether the stock has been watered, or whether it has not been watered. The redress that these roads will have is the redress that every American citizen has to go to the courts to determine if they and the Railroad Administration may not agree, and not go to the Railroad Administration to know whether or not they are to be destroyed or are to be protected.

Mr. HARDWICK. Let me suggest to the Senator from South Carolina that the most conspicuous example of stock watering and bond control are the large roads of this country, and not the small roads.

Mr. SMITH of South Carolina. Precisely.

Mr. SUTHERLAND. Mr. President——

The VICE PRESIDENT. Does the Senator from South Carolina yield to the Senator from West Virginia?

Mr. SMITH of South Carolina. I yield.

Mr. SUTHERLAND. I should like to ask the Senator from South Carolina whether he construes that this amendment will take care of the large feeding short lines which feed the trunk lines but which are independent roads, along which there may be large quantities of coal and coke produced, and which are now almost strangled by the conditions which surround them—the trunk lines raising wages and they being unable to meet the competition? The trunk lines have increased rates; and of these rates the short lines get no larger proportion than they did before the Government regulation went into effect.

As I understand this law which is now proposed, one of its conditions is that the short lines must have been competing railroads. These feeders were not competing railroads.

Mr. SMITH of South Carolina. Or connected with them.

Mr. SUTHERLAND. It does not say "connected."

Mr. SMITH of South Carolina. Yes; it says "competing or connecting."

Mr. SUTHERLAND. If the Senator from South Carolina will show me that language, I shall be obliged to him.

Mr. SMITH of South Carolina. The joint resolution refers to a definition contained in section 1 of the law as it now stands.

Mr. SUTHERLAND. If the Senator will read the language here, he will find that it reads—

It being the intent of Congress that every railroad not owned, controlled, or operated by another carrier company and which has heretofore competed for traffic with a railroad or railroads which the President has taken and retains the possession, use, or control or which connects with such railroad——

Mr. SMITH of South Carolina. "Or which connects."

Mr. SUTHERLAND. I see that that language covers that case.

Mr. SMITH of South Carolina. Yes; entirely.

Mr. SUTHERLAND. I wish to say before I yield, in just a moment, that there is one of these short-line railroads in my State which carries 5,000 tons of coal a day, which is produced along the line of the road. The Government has failed to take over that road and has indicated no intention in regard to it. The road has given notice to the shippers on the line that if the Government does not take the road over by July 1 they are going to shut the railroad down, because they are absolutely unable to live under the conditions under which they are forced to operate at this time.

Mr. GORE. Mr. President——

Mr. SMITH of South Carolina. I yield.

Mr. GORE. Another instance illustrating the injustice of this measure has been cited by a Member of the other House. It was stated that there were two trunk lines paralleling each other, about 20 miles apart, and at one point there was an independently owned road connecting directly between the two, a distance of 20 miles—I will say connecting A and B on the two trunk lines. The trunk lines form a junction about 70 miles from A and B at a point I will call C. Under the present system freight is routed from A to B by way of C, a distance of 70 miles from A to C and 70 from C to B, instead of being routed directly across from A to B, a distance of only 20 miles, which, of course, would shrink and shrivel up the smaller road, as is entirely evident.

The VICE PRESIDENT. The question is on the amendment of the Senator from Iowa.

Mr. POMERENE. Mr. President, I wish to say one word. With all due respect to the chairman of the committee, he has discussed this as though it were a question between Government-owned and private-owned roads. He overlooks the fact that there is no Government-owned road; that it is a question simply between roads temporarily controlled for the time being by the Government and private-owned roads. All of the meritorious roads unquestionably will be taken over, and control will be kept of them; but this joint resolution requires the Government to take over all these roads, whether they are good, bad, or indifferent.

The VICE PRESIDENT. The question is on the amendment of the Senator from Iowa.

The amendment was agreed to.

Mr. CURTIS. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 2, line 20, after the word "railroad," it is proposed to insert the words "or interurban electric railroad."

Mr. CURTIS. Mr. President, I have been told by members of the committee that they think the language is broad enough to include the class of roads referred to in the amendment, but, in any event, the amendment I have offered will make it more definite and certain.

Mr. SMITH of South Carolina. If the Senator will notice the amendment offered by the Senator from Iowa, he will see that it takes care of the very matter the Senator desires to cover.

Mr. CURTIS. If the amendment of the Senator from Iowa does so, and if the Senator will agree to the amendment I have offered, it may be stricken out in conference, if necessary, but I should like to have it go in the joint resolution.

Mr. SMITH of South Carolina. I merely wish to call attention to the fact that this joint resolution will not go to conference. The House, if I may so state, are in a position to act on the joint resolution to-day if we will pass it now, and it will become a law and will save untold hardship if we can pass it this afternoon.

Mr. CURTIS. If, in the judgment of the chairman of the committee and the Senator from Iowa, the amendment of the Senator from Iowa includes the roads to which my amendment refers I will withdraw the amendment.

Mr. CUMMINS. In my opinion the matter is fully covered. It makes no difference whether a railroad is moved by electricity or whether it is moved by steam, the character of the railroad determines whether it is within or without the provisions of the law, and while I would have no objection in the world to the amendment proposed by the Senator from Kansas; yet, in my judgment, it is not necessary, and would tend to delay the passage of the joint resolution.

Mr. CURTIS. On that statement I withdraw my amendment, and offer another amendment, which I send to the desk.

Mr. CUMMINS. The Senator from Kansas will remember that there has been added to the joint resolution, as reported by the committee, a provision that this shall not be compulsory in the case of any street railway or any interurban railway that does not derive at least 25 per cent of its revenue from the movement of freight.

Mr. BORAH. Mr. President, I should like to ask the Senator from Iowa if, under this joint resolution, we can take in the Mount Pleasant car line?

Mr. CUMMINS. It does not affect that at all. If we could take it in and could improve it any, the Lord knows I would like to take it in.

Mr. THOMAS. I presume it has "taken in" the Senator several times. [Laughter.]

Mr. CURTIS. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 3, line 11, after the word "be," it is proposed to add the words "taken in and," so as to read "carrier in general transportation shall be taken in and held and considered."

Mr. CURTIS. I presume the Senator has no objection to that amendment.

Mr. SMITH of South Carolina. I ask that the amendment be again stated.

The Secretary again stated the amendment.

Mr. THOMAS. Mr. President, the public will be "taken in" anyway, will it not? [Laughter.]

Mr. POMERENE. They are "taken in" all the time.

Mr. PENROSE. They are "taken in" already.

Mr. CUMMINS. I hope the Senator from South Carolina will accept the amendment. The provision will mean after it is amended just what it means now.

Mr. CURTIS. I think so; but it makes the provision more definite.

Mr. CUMMINS. It makes it perfectly clear.

Mr. FRELINGHUYSEN. I should like to ask the Senator from South Carolina a question.

Mr. PENROSE. I will inquire if the amendment offered by the Senator from Kansas has been agreed to.

Mr. CURTIS. May we have a vote on the amendment offered by me?

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Kansas.

Mr. SMITH of South Carolina. I hope the Senator will not insist on the amendment, for the reason that any considerable change in the joint resolution will delay its passage, and we desire to get it finished this afternoon.

Mr. CURTIS. I understand that the joint resolution is already engrossed and ready to be signed, and it is feared that if amendments are made it will delay the measure. In view of that fact, I will withdraw the amendment.

Mr. FRELINGHUYSEN. Mr. President I should like to ask a question of the Senator from South Carolina. As I understand, this joint resolution simply extends the time to January 1 when the President may designate which roads he will relinquish control of. Now, if the President on January 1 decides that any short-line road——

Mr. SMITH of South Carolina. No; let me explain to the Senator——

Mr. FRELINGHUYSEN. Is not a competing or connecting line, he can relinquish control of it; it lies within his power to do so.

Mr. SMITH of South Carolina. Yes; after January, 1919; but he can not relinquish any competing line or any line connecting with a line that is under Government control.

Mr. PENROSE. Well, what can he relinquish?

Mr. SMITH of South Carolina. It would have to be an isolated road, for if it competes with any line or connects with any line that is controlled by the Government, ipso facto it comes under Government control.

Mr. THOMAS. I should like to ask, Mr. President, if there is any such isolated line in the United States?

Mr. SMITH of South Carolina. I hope not.

Mr. THOMAS. If there is such a line, it ought to be rounded up and put in a corral.

Mr. KELLOGG. If there is any line which commences in the desert and ends in the desert, and does not approach any other railroad, I presume the President might relinquish it.

Mr. PENROSE. Mr. President, I should like to address an inquiry to the chairman of the committee, the Senator from South Carolina. If it is not violating any state secret, I am curious to know whether the wording of this resolution as amended came from the Treasury Department?

Mr. SMITH of South Carolina. I will state to the Senator that this is the splendid product of members of the committee.

Mr. PENROSE. Sometimes the committee stand sponsor for a parentage for which they are not responsible.

Mr. SMITH of South Carolina. The committee gave birth to this.

Mr. PENROSE. Did the rude draft come from the Treasury Department?

Mr. SMITH of South Carolina. The draft came from members of the committee. It was conceived in their brains and put in this form.

Mr. PENROSE. Was there any substratum of phraseology furnished by the Treasury Department?

Mr. SMITH of South Carolina. Not so far as any of the committee knows.

Mr. PENROSE. I was going to make a passing observation, in which I hoped that I might be able to spare the feelings of the committee; but I am afraid I shall not be able to do so, because I want to state that I have seldom come across a legislative document more filled with obscurities, ambiguities, and incomprehensible sentences; and hence the occasion has arisen for a number of Senators to address these queries to the chairman of the committee, so that they might have in the RECORD a statement of what this obscure legislative proposition really means.

I had hoped that my observations would apply only to the Treasury Department. During the winter I have had occasion to regret that they did not have up there clerks more versed in the elegancies and technicalities of statutory law, and it is with very deep regret that part of my passing reflections must fall upon my colleagues in this Chamber who are members of the committee.

Mr. SMITH of South Carolina. It has done no damage.

Mr. LEWIS. Mr. President, I should like to make an inquiry of the chairman of the committee as to whether it is understood that this amendment to the joint resolution comprehends the street railways and the electric railways that run out of a city making connections for interurban traffic?

Mr. SMITH of South Carolina. That is expressly eliminated by the amendment offered by the Senator from Iowa, which has been adopted.

Mr. LEWIS. I did not hear it. I thank the Senator.

The VICE PRESIDENT. The question is on the amendment as amended.

The amendment as amended was agreed to.

The joint resolution was reported to the Senate as amended, and the amendments were concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. SMITH of South Carolina. I move that the preamble be disagreed to.

The VICE PRESIDENT. Without objection, it is so ordered.

AGRICULTURAL APPROPRIATIONS—CONFERENCE REPORT.

Mr. MARTIN. Mr. President, I ask unanimous consent that the resolution (S. Res. No. 268) relative to the Agricultural appropriation bill, which is now before the Senate, be laid aside until 12 o'clock noon on Wednesday next, the 1st day of July.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it is so ordered.

SENATOR FROM WEST VIRGINIA.

Mr. POMERENE. I ask unanimous consent that the Senate proceed to the consideration of Senate resolution 269, which I send to the desk.

The VICE PRESIDENT. The Senator from Ohio asks unanimous consent for the consideration of Senate resolution 269, which will be read.

The Secretary read the resolution, as follows:

Resolved, That HOWARD SUTHERLAND has been elected as Senator from the State of West Virginia for a term of six years, commencing on the 4th day of March, 1917, and that he is entitled to a seat in the Senate as such Senator.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. POMERENE. Mr. President, I may say that the report was presented by me the other day and it was the unanimous report of the committee. I therefore move the adoption of the resolution.

The resolution was unanimously agreed to.

MEDICAL SOCIETY OF THE DISTRICT OF COLUMBIA.

Mr. GALLINGER. I ask unanimous consent that the Senate proceed to the consideration of Senate bill 2653. It is a bill that will meet with no opposition, being simply an amendment to the charter of the Medical Society of the District of Columbia.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2653) to revive with amendments an act entitled "An act to incorporate the Medical Society of the District of Columbia," which had been reported from the Committee on the District of Columbia, with amendments.

The first amendment was, on page 1, line 8, after the word "successors," to strike out "are" and insert "be, and they"; on line 9, after the word "hereby," to insert "are"; and in the same line, after the word "are," to strike out "incorporated" and insert "constituted a body corporate of the District of Columbia," so as to make the bill read:

Be it enacted, etc., That Drs. George Wythe Cook, Frank Leech, J. W. Chappell, E. G. Seibert, P. S. Roy, R. T. Holden, W. M. Barton, E. Y. Davidson, J. B. Nichols, A. L. Stavely, C. W. Franzoni, H. C. Macatee, D. S. Lamb, A. W. Boswell, and J. Lawn Thompson, and such other persons as they may associate with themselves and their successors be, and they hereby are, constituted a body corporate of the District of Columbia, under the name and title of the Medical Society of the District of Columbia, for the purpose of promoting and disseminating medical and surgical knowledge, and for no other purpose.

SEC. 2. That the Medical Society of the District of Columbia be, and it is hereby, empowered to own, mortgage, and convey such property as may be necessary for its purposes, and to make such rules and regulations as it may require, and which may not be repugnant to the Constitution and laws of the United States.

SEC. 3. That Congress may at any time alter, amend, or annul this act of incorporation of said society.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10854) making appropriations for the naval service for the fiscal year ending June 30, 1919, and for other purposes.

The message also announced that the House had passed a joint resolution (H. J. Res. 303) to extend the time within which the President may relinquish control of any railroad or system of transportation, as provided in section 14 of an act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918, to January 1, 1919, in which it requested the concurrence of the Senate.

ENROLLED JOINT RESOLUTION SIGNED.

The message further announced that the Speaker of the House had signed the enrolled joint resolution (S. J. Res. 158) further extending the time within which the joint resolution authorizing the Secretary of War to issue temporary permits for additional diversions of water from the Niagara River shall remain in effect, and it was thereupon signed by the Vice President.

POST OFFICE APPROPRIATIONS.

H. R. 12599. An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes, was read twice by its title.

Mr. BANKHEAD. Mr. President, this is a House bill, and under the rule of the Senate it can not be acted upon without reference to the committee, except by unanimous consent.

I do not care to further discuss this question. It has been thoroughly discussed and acted upon twice. I have reference to the provision of the original bill which provided for the continuance of the pneumatic-tube service. The House and Senate conferees agreed to a compromise, in the hope that it would be passed, and it was passed; but the President, in his wisdom, saw proper to veto the bill for the reason that it contained that provision which authorized the continuance of the pneumatic-tube service until the 4th of March and the reference of the matter to the Interstate Commerce Commission.

I am not going to ask to have the bill read. I understand that it is an exact copy of the bill heretofore passed by the two Houses. The Post Office bill, as will be remembered, was considered and passed with this single exception. That bill now comes back to the Senate. It is highly important that the bill should be passed before the 1st of July, in order that the machinery of the Post Office Department may not be disturbed. Of course I will be pardoned if I say that, in my judgment, the passage of the bill in its present shape will create great dissatisfaction and great inconvenience in those cities which have been relying for 20 years upon the pneumatic-tube system for the dispatch of their first-class mail. However, that question is eliminated. Neither the Senate nor the House will be responsible for whatever may happen. Therefore, Mr. President, I ask unanimous consent to consider this House bill without its reference to the committee.

The VICE PRESIDENT. Is there any objection to the request of the Senator from Alabama?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. WEEKS subsequently said: Mr. President, I should like to say one word which I did not have an opportunity to say on account of what seemed to me to be the haste of the proceedings relative to the passage of the Post Office bill.

I do not propose to take any definite time to discuss what has transpired in connection with this bill, but I should not be doing justice to myself if I did not enter my protest against the action which has destroyed several millions of dollars of property and has destroyed the mail facilities in five of the largest cities of this country, and those cities produce a net revenue of sixty-odd millions of dollars a year. There is not, and never has been, a word of testimony against that service from any man who has been getting the benefit of it, but, on the contrary, universal testimony in favor of its continuance.

In the name of those people who have been paying such a large revenue to the Government for all these years, and who wish the service of the pneumatic tubes continued, I enter my protest against the high-handed method which has been adopted in this connection, destroying the property of the companies and destroying the mail facilities of the people who have been enjoying them.

ORDER OF BUSINESS.

Mr. GORE. I move that the Senate proceed to the consideration of House bill 11945.

Mr. PENROSE. Mr. President, I hope the Senator from Oklahoma will not press his motion at this late hour.

Mr. GORE. I will say to the Senator that my purpose was to ask that the formal reading of the bill be dispensed with and then to ask to lay it aside.

Mr. PENROSE. Does the Senator from Oklahoma intend to proceed with the consideration of the measure this evening?

Mr. GORE. I will say to the Senator that my purpose was to have that motion adopted, ask that the formal reading of the bill be dispensed with, and then request unanimous consent to temporarily lay it aside.

The VICE PRESIDENT. Just a moment. The Chair understands that a moment ago the Senate, by unanimous consent, agreed that the unfinished business should go over until 12 o'clock on Monday. The Chair will rule that, without unanimous consent, what the Senator from Oklahoma proposes can not be done.

Mr. PENROSE. I object.

Mr. SMOOT. Of course, it can not be done.

NAVAL APPROPRIATIONS—CONFERENCE REPORT.

Mr. SWANSON. Mr. President, I submit a report from the conference committee on the naval bill and ask for its immediate consideration. It will take but a moment.

The VICE PRESIDENT. The conference report will be read.

The report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10854) making appropriations for the naval service for the fiscal year ending June 30, 1919, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 37, 47, 52, and 170.

B. R. TILLMAN,
CLAUDE A. SWANSON,
JOHN WALTER SMITH,
BOIES PENROSE,
H. C. LODGE,
Managers on the part of the Senate.

L. P. PADGETT,
J. FRED C. TALBOTT,
D. J. RIORDAN,
THOMAS S. BUTLER,
WILLIAM J. BROWNING,
Managers on the part of the House.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

MICHIGAN AVENUE CONDUIT, DISTRICT OF COLUMBIA.

Mr. LEWIS. Mr. President, I ask the permission of the Senate to allow the consideration of a bill that will take but a minute. It merely gives permission to lay a conduit in the street toward one of the buildings of the Catholic University. I present it at the instance of the Committee on the District of Columbia. It carries no appropriation nor anything of the kind. It merely grants permission to place pipes under a street to convey heat from one part of the University to another.

Mr. PENROSE. Let it be read for information, Mr. President.

Mr. LEWIS. Yes; of course.

The VICE PRESIDENT. The Secretary will read the bill.

The Secretary read the bill (S. 3929), as follows:

Be it enacted, etc., That the Commissioners of the District of Columbia be, and they are hereby, authorized to grant permission to the Catholic University of America to lay a conduit for the transmission of power from their power house under and across Michigan Avenue northeast between Harewood Road and Brookland Avenue, in the District of Columbia, into and upon the property of the associated professors of St. Mary's Seminary, of Baltimore, Md., known as the Sulpician College, under the regulations and subject to the limitations prescribed in the act entitled "An act regulating permits for private conduits in the District of Columbia," approved May 26, 1900.

SEC. 2. That Congress reserves the right to alter, amend, or repeal this act.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RECESS.

Mr. UNDERWOOD. I move that the Senate take a recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 5 o'clock and 55 minutes p. m., Saturday, June 29, 1918) the Senate took a recess until Monday, July 1, 1918, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

SATURDAY, *June 29, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our God and our Father, for that friend toward the higher civilization, which has ever characterized us as a Nation, we lift up our hearts in love and praise and beseech Thee to continue that inspiration to grander heights of glory, until we indeed shall become the ideal Nation of the earth, and to Thee we shall ascribe all praise in the name of the Lord Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message, in writing, from the President of the United States, by Mr. Latta, one of his secretaries, was received.

MESSAGE FROM THE SENATE.

A message from the Senate by Mr. Waldorf, its enrolling clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to bill of the following title:

H. R. 12441. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to bill of the following title:

S. 1553. An act to give effect to the convention between the United States and Great Britain for the protection of migratory birds, concluded at Washington, August 16, 1916, and for other purposes.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 2104) to amend sections 4402, 4404, and 4414 of the Revised Statutes of the United States.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 2104. An act to amend sections 4402, 4404, and 4414 of the Revised Statutes of the United States.

EXPEDITING APPROPRIATION BILLS.

The SPEAKER. The Chair wants to make a very short announcement, and that is that so far as he can act as a steering committee he is going to have the right of way given to

these appropriation bills and such things as must be signed to-day or make trouble. The Chair thinks everybody agrees that that should be done. [Applause.]

CONFERENCE REPORT ON SUNDRY CIVIL APPROPRIATION BILL.

Mr. SHERLEY. Mr. Speaker, I call up the conference report on the sundry civil bill (H. R. 12441) and ask unanimous consent that the statement be read in lieu of the report.

EXTENSION OF REMARKS.

Mr. BROWNE rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. BROWNE. To ask that the gentleman from Kentucky yield to me a moment while I ask unanimous consent to extend my remarks in the RECORD in regard to war legislation.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent to extend his remarks in the RECORD in regard to war legislation. Is there objection?

There was no objection.

FARM CONDITIONS.

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to briefly extend my remarks on farm conditions—the farm and the farmer.

The SPEAKER. The gentleman from Ohio asks unanimous consent to extend his remarks on farm conditions. Is there objection?

Mr. BARNHART. Mr. Speaker, reserving the right to object, are they the gentleman's own remarks?

Mr. ASHBROOK. Yes; they are my own remarks, but they include brief resolutions passed by a grange. The whole article will not take up more than a column of the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, I desire to call the attention of the House and the administrative authorities to some resolutions adopted by one of the granges in my district, and to be permitted to make just a few brief observations relative thereto.

The success of this terrible war depends not alone on the men in the trenches. Our brave boys can not fight the Huns on empty stomachs. We must feed and clothe them, and do it well. To whom do we look for these mighty resources but to the farm and the man who farms the farm? I believe the American farmer is bending every energy to meet the heavy requirements now upon him, notwithstanding the fact that the farm boys are being called in great numbers to the colors and the harvest is ripe and the laborers are few. I have ofttimes doubted whether or not we are giving the farmer the encouragement justly due him. We fix the price on many of the things he produces, but do we give enough consideration while in the fixing business to the things the farmer must buy in order to produce the necessities of civil and military life?

I was born on a farm and am proud to own and operate the farm my grandfather cleared up and settled a century ago. I think, therefore, that I have first-hand knowledge of farm life and farm conditions. The daylight law does not affect the farmer. You can turn the clock forward or backward by legislation as you like, but it is before sunup until after the sun has sunk in the west with the American farmer. While we are crowding and urging the farmer to produce, produce, and still keep on producing more and more, let us see to it that he gets a fair shake and a fair deal. Inquire what the farmer has to pay for his binder and binder twine and machinery of all kinds. Labor is from two to three times more than in prewar times. The farmer made as much money before the war as he can make now with wool at $1 per pound and wheat at $2.50 to $2.75 per bushel. There is no doubt about the truth of this statement.

I have voted to increase the pay of the laboring man, the Government clerks, the rural carriers, et al., because I believed they were entitled to have their pay increased, but I beg of you, my friends who represent the great industrial centers and know but little about the conditions on the farm, to not forget "Old Rube" back on the farm, who is bending his back to carry the great load upon him. He feels satisfied and happy when he cleans up a thousand or two per annum for investment in his farm, and throws in his own labor and that of his faithful wife and children for good measure. There are no millionaire farmers. Let's fix the other fellow up some and give the faithful farmer and his household a chance to take a half holiday.

But my granger friends tell their own story better than I can tell it for them in the following resolutions:

NEW LONDON, OHIO, *June 1, 1918.*

WILLIAM A. ASHBROOK, M. C.

DEAR SIR: We ask, Why isn't the farmer entitled to the same interest on his investment as the city man? Industrial enterprises pay 7 per cent on their preferred stock and often more on their common, but the farmer who can get 6 per cent on his investment is mighty lucky.

When a big business concern wants to make an improvement or extension, they are safe in doing so, knowing they can increase the price of their output and soon get back the money expended for improvements. The farmer has to take just what is offered when he sells and pay what is asked when he buys.

Is there any business man under the sun who is denied the privilege of naming his selling price and thereby being sure of at least the cost of production?

We, the members of Ruggles Grange, No. 2119, of Ashland County, Ohio, have—

Resolved, That we should be granted a better price for our products, that we may have a small profit above cost of production. We understand that a fixed price is to be paid on all wool in the hands of producers.

Resolved, That while we recognize the exigencies of war and yield to none in patriotism and love of our country, yet we nevertheless appeal for an impartial hearing before the War Industries Board on the sale and movement of wool from the producer to the consumer, and we request this honorable board to withhold final decision upon this vital subject as to the methods of sale and prices until such hearings are completed.

We ask our lawmaking body to not curtail the selling price of our products without doing the same on articles we must buy, to wit: Machinery, fertilizer, twine, clothing, etc.

It is of great importance that the farmer be able to sell his products at a living profit if he continues to raise wheat and wool or takes a vacation in raising these commodities.

Very respectfully,

E. J. CRITTENDEN,
J. M. FAIR,
M. G. GITON,
Committee on Resolutions.

CONFERENCE REPORT ON SUNDRY CIVIL APPROPRIATION BILL (NO. 723).

The SPEAKER. The Clerk will read the conference report.

Mr. SHERLEY. Mr. Speaker, I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. Without objection, the statement will be read in lieu of the report.

There was no objection.

The statement was read.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12441) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 4, 5, 6, 8, 10, 11, 12, 13, 18, 20, 28, 29, 34, 35, 39, 40, 41, 45, 50, 53, 54, 59, 60, 69, 70, 71, and 72.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, 7, 9, 17, 19, 21, 22, 23, 24, 25, 26, 27, 30, 31, 32, 36, 43, 44, 46, 47, 48, 49, 51, 52, 55, 56, 57, 58, 61, 66, 67, and 68, and agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,800,000"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,000,000"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$10,500,000"; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: Transpose the matter inserted by said amendment to follow the sum "$300,000" in line 9, on page 96, of the bill, amended to read as follows: "*Provided*, That any license issued under the act of October 6, 1917, may be canceled by the Director of the Bureau of Mines if the person to whom such license was issued shall, after notice and an opportunity to be heard, be found to have violated any of the provisions of the act: *Provided further*, That platinum, iridium, and palladium and compounds thereof are hereby made subject to the terms, conditions, and limitations of said act of October 6, 1917, and the Director of the Bureau of Mines is hereby authorized, under rules and regulations approved by the Secretary of the Interior, to limit the sale, possession, and the use of said material"; and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: Restore the language stricken out by said amendment amended to read as follows: "Four-fifths of the two preceding sums shall be paid out of the Treasury of the United States and the other one-fifth out of the revenues of the District of Columbia"; and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,995,285"; and the Senate agree to the same.

Amendment numbered 42: That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following:

"For an investigation to be made by the Director of the Reclamation Service of the reclamation by drainage of lands outside existing reclamation projects and of the reclamation and preparation for cultivation of cut-over timberlands in any of the States of the United States, including personal services in the District of Columbia and elsewhere, purchase, maintenance, repair, hire, and operation of motor-propelled or horse-drawn passenger vehicles, and for all other expenses, there is appropriated, out of any money in the Treasury not otherwise appropriated, $100,000."

And the Senate agree to the same.

Amendment numbered 62: That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert the sum "$5,500,000"; and the Senate agree to the same.

Amendment numbered 63: That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Protection of the Capitol during the period of the war: For an additional uniformed police force during the period of the war for the protection of the Capitol Building and Grounds, the Senate and House Office Buildings, and the Capitol power plant, and for emergencies, and each and every item incident thereto, $30,000, one-half to be disbursed by the Secretary of the Senate and one-half by the Clerk of the House of Representatives: *Provided*, That the appointment to the positions herein provided shall be made by the Sergeants at Arms of the two Houses and the Superintendent of the Capitol Building and Grounds and shall be made solely on account of efficiency and special qualifications."

And the Senate agree to the same.

Amendment numbered 64: That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment as follows: In line 8 of the matter inserted by said amendment strike out the words "until expended" and insert in lieu thereof the following: "during the fiscal year 1919"; and the Senate agree to the same.

Amendment numbered 65: That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "purchase, exchange, care, and maintenance of a motor-propelled vehicle"; and the Senate agree to the same.

SWAGAR SHERLEY,
JAMES F. BYRNES,
F. W. MONDELL,
Managers on the part of the House.

THOMAS S. MARTIN,
LEE S. OVERMAN,
O. W. UNDERWOOD,
F. E. WARREN,
J. H. GALLINGER,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12441) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report as to each of said amendments, namely:

On No. 1: Inserts the paragraph, proposed by the Senate, extending the appropriation for post allowances to diplomatic and consular officers for the fiscal year 1919, to include diplomatic and consular officers regardless of where stationed, and also to the officers of the United States courts in China.

On Nos. 2, 3, 4, and 5, relating to public buildings: Strikes out the appropriation of $150,000, proposed by the Senate, for the Honolulu, Hawaii, post office; inserts the appropriation of $272,000, proposed by the Senate, for the New York assay office; strikes out the appropriation of $70,000 for the Paris, Tex., post office; and strikes out the appropriation of $68,200 for additional boilers and equipment for the Bureau of Engraving and Printing.

On Nos. 6 and 7, relating to marine hospitals: Strikes out the appropriation of $15,000, proposed by the Senate, for repairs to the old marine hospital at Cincinnati, Ohio, and provides $4,000 for a refrigerating plant at the marine hospital at Mobile, Ala.

On Nos. 8, 9, 10, and 11: Strikes out the appropriations, proposed by the Senate, for the quarantine stations at Cape Charles, Va., Reedy Island, Del., and Savannah, Ga.; increases the appropriation for wire fencing at the Port Townsend, Wash., quarantine station from $600 to $1,000, as proposed by the Senate.

On Nos. 12 and 13: Strikes out the authority, proposed by the Senate, permanently placing warrant officers of the Coast Guard on the same basis as warrant officers of the Navy in respect to pay and allowances.

On Nos. 14 and 15, relating to the Bureau of Engraving and Printing: Appropriates $1,800,000 instead of $1,731,600, as proposed by the House, and $2,039,118, as proposed by the Senate, for salaries of employees other than plate printers and plate-printers' assistants, and appropriates $2,000,000 instead of $1,930,000, as proposed by the House, and $2,100,600, as proposed by the Senate, for wages of plate printers and plate-printers' assistants.

On No. 16: Appropriates $10,500,000 instead of $10,200,000, as proposed by the House, and $10,900,000, as proposed by the Senate, for expenses of the Customs Service.

On No. 17: Inserts the language, proposed by the Senate, requiring the report of receipts and expenditures under the appropriation for the Committee on Public Information to contain a list of employees and the salaries paid to them.

On No. 18: Strikes out the increase, proposed by the Senate, in the appropriation to enable the Interstate Commerce Commission to keep informed regarding, and to enforce compliance with, the acts to promote the safety of employees and travelers upon railroads.

On Nos. 19 and 20, relating to the Advisory Committee for Aeronautics: Authorizes, as proposed by the Senate, the use of $10,300 for printing and binding the bibliography of aeronautics; restores the language, stricken out by the Senate, requiring the Secretary of War to house the committee in Government buildings occupied by the Signal Corps.

On Nos. 21, 22, and 23, relating to the emergency shipping fund: Provides, as proposed by the Senate, that the appropriation for plants for shipbuilding shall be available for ship maintenance or repair; increases from $50,000,000 to $75,000,000, as proposed by the Senate, the appropriation for housing; appropriates $20,000,000, as proposed by the Senate, to carry out the act authorizing the President to take over certain transportation systems in connection with shipbuilding.

On No. 24: Provides, as proposed by the Senate, that the appropriation for the disposition of remains of officers, soldiers, and civilian employees shall be available for the disposition of the remains of retired officers and retired enlisted men who die while on active duty.

On No. 25: Inserts the appropriation of $10,000, proposed by the Senate, for a ferry line in the vicinity of Seventh and Water Streets to East Potomac Park.

On No. 26: Appropriates $8,100, as proposed by the Senate, for installing a water main across the new Aqueduct Bridge.

On Nos. 27 and 63: Appropriates $30,000 for additional protection to the Capitol Buildings and Grounds, as proposed by the House, modified so as to require the appropriation to be disbursed one-half by the Secretary of the Senate and one-half by the Clerk of the House, and that appointments to the force shall be made by the Sergeants at Arms of the two Houses and the Superintendent of the Capitol, and shall be made solely on account of efficiency and special qualifications.

On Nos. 28 and 42: Appropriates $100,000, as proposed by the House, for an investigation of the reclamation of lands by drainage, modified so as to include drainage of lands in public-land States outside of existing reclamation projects and in other States and the reclamation of cut-over timberlands.

On No. 29: Restores the language, stricken out by the Senate, providing for 10 supervisors of surveys, at $250 per month each, in the Public Lands Service.

On Nos. 30, 31, and 32: Appropriates $2,500 for a disbursing clerk in the Geological Survey, as proposed by the Senate.

On Nos. 33, 34, 35, 36, 37, and 38, relating to the Bureau of Mines: Inserts the paragraph, proposed by the Senate, authorizing the Director of the Bureau of Mines to cancel licenses issued under the explosives act of October 6, 1917, and provides that platinum, iridium, palladium, and compounds thereof, shall be subject to the terms of that act; strikes out the increase of $100,000, proposed by the Senate, in the appropriation for the investigation of ores and other mineral substances; strikes out the increase of $50,000, proposed by the Senate, for mining experiment stations; inserts the paragraph, proposed by the Senate, prohibiting the use of any of the money for a Government fuel yard for the purpose of taking over or interfering with yards or coal dumps that have been used during the past year by coal dealers for supplying the general public; and provides that the appropriations for the establishment of the coal yard shall be paid four-fifths from the Treasury and one-fifth from the revenues of the District of Columbia, instead of half and half, as proposed by the House.

On Nos. 39, 40, and 41, relating to the Reclamation Service: Restores the language, stricken out by the Senate, prohibiting the use of the appropriation for Rio Grande irrigation project for drainage except in irrigation districts formed under State laws, and strikes out the increase of $20,000, proposed by the Senate, for cooperative and other miscellaneous investigations.

On Nos. 43 and 44: Appropriates $25,000, as proposed by the Senate, for repairing roads in Yellowstone Park and in the adjoining forest reserves from the Lake Hotel to the Cody entrance.

On No. 45: Strikes out the paragraph, proposed by the Senate, reappropriating the appropriation for 1918 for the Mount Rainier National Park.

On Nos. 46 and 47: Appropriates $190,000, as proposed by the Senate instead of $150,000, as proposed by the House, for a bathhouse at the Hot Springs Reservation, Ark.

On Nos. 48 and 49: Appropriates $20,000, as proposed by the Senate instead of $15,000, as proposed by the House, for expenses of the department of manual arts of the Howard University.

On Nos. 50 and 51, relating to the Department of Justice: Restores the language, stricken out by the Senate, directing the Department of Justice to expedite the final determination of suits to set aside conveyances of allotted lands for the removal of restrictions on allotted lands belonging to the Five Civilized Tribes and increases the appropriation for law books from $90 to $112.50, as proposed by the Senate.

On Nos. 52, 53, 54, and 55, relating to the United States courts: Appropriates $660,000, as proposed by the Senate, instead of $620,000, as proposed by the House, for the salaries of district attorneys and expenses of their offices; provides a maximum of $3,000, as proposed by the House, instead of $3,500, as proposed by the Senate, for regular assistant district attorneys; appropriates $175,000, as proposed by the House, instead of $200,000, as proposed by the Senate, for assistants to the Attorney General in special cases.

On No. 56: Appropriates $90,000, as proposed by the Senate, for a lighthouse depot in Alaska.

On Nos. 57 and 58, relating to the Bureau of Fisheries: Appropriates $400,000, as proposed by the Senate, instead of $375.000, as proposed by the House, for the propagation of food fishes, and inserts the appropriation of $5,000, proposed by the Senate, for the establishment of an auxiliary station on Lake Champlain.

On No. 59: Strikes out the appropriation of $32,000, proposed by the Senate, for additional land for the Bureau of Standards.

On No. 60: Appropriates $2,450,000, as proposed by the House, instead of $2,000,000, as proposed by the Senate, for the Immigration Service.

On Nos. 61, 62, and 63, relating to the employment of labor in connection with the war: Inserts the language, proposed by the Senate, making the appropriation available to aid in the standardization of wages paid by the Government; provides that appropriations for payment of wages shall not be available to pay wages in excess of the standardization determined upon by the War Labor Policies Board; and appropriates $5,500,000 instead of $1,500,000, as proposed by the House, and $7,590,000, as proposed by the Senate.

On No. 64: Inserts the paragraph, proposed by the Senate, continuing the unexpended balance of the appropriation heretofore made for the Joint Committee on Interstate and Foreign Commerce.

On No. 65: Inserts the language, proposed by the Senate, modified so as to provide for a motor-propelled vehicle for the Botanic Gardens.

On Nos. 66 and 67, relating to the Senate Office Building: Appropriates for maintenance and furniture for the Senate Office Building, as proposed by the Senate.

On No. 68: Appropriates $41,000, as proposed by the Senate, for the Senate kitchens and restaurants.

On No. 69: Strikes out the appropriation of $20.000, proposed by the Senate, for the restoration of the historical frieze in the Rotunda of the Capitol.

On Nos. 70, 71, and 72, relating to the office of superintendent of documents: Strikes out the two additional clerks at $900, proposed by the Senate; strikes out the increase in pay, proposed by the Senate, for 24 clerks from $840 to $900 each.

SWAGAR SHERLEY,
JAMES F. BYRNES,
F. W. MONDELL,
Manager on the part of the House.

Mr. JOHNSON of Washington rose.

The SPEAKER. For what purpose does the gentleman from Washington rise?

Mr. JOHNSON of Washington. I want to see if I can secure time to ask a question of the chairman in charge of the bill (H. R. 12441) in connection with the sundry civil bill.

The SPEAKER. The gentleman from Kentucky [Mr. SHERLEY] is recognized for an hour.

Mr. SHERLEY. If the gentleman will wait, I would like to make a statement to the House, and then I will yield.

Mr. JOHNSON of Washington. Certainly.

Mr. SHERLEY. Mr. Speaker, the Senate amended this sundry civil bill, considering its size, perhaps less than any other sundry civil bill has been amended in a great many years. There were 72 amendments. With the exception of three of them, there was none of major importance, considering the matters that we are dealing with in the bill.

They added in round figures about $53,000,000 to the bill. Of that amount $45,000,000 was represented in two items in connection with the shipping program, $25,000,000 being an increase in appropriations and authorizations for the housing of employees incident to their work and $20,000,000 being for transportation purposes in connection with the housing program. There was also added in connection with the program of the Labor Bureau an increase from $1,500,000 to $7,000,000 in connection with the employment of labor.

Those increases made a total of about $52,000,000. The other increases were scattered over a number of items and amounted to not a great deal, the detail of which is set out in the statement and in the report.

The House conferees agreed to the Senate amendment touching the shipping program. In point of fact, the need for these increases had been brought to the attention of the Committee on Appropriations too late to be considered in connection with the bill, but they were of sufficient importance for the committee to suggest that they be taken up in the Senate committee, where a statement as to the needs could be made and where, if the Senate thought it necessary to make the appropriations, the matter could then be dealt with in conference. The Senate did feel that the increase of $25,000,000 for housing and $20,000,000 for transportation in connection with the housing was warranted.

In point of fact, the testimony before the committee showed that they had already allotted more than the amount of money that had been given them, and that they had not solved the problem and could not solve it for the money that was allowed as the bill passed the House. They also were in doubt as to whether the language that authorized them to deal with this housing program permitted the dealing with it by an increase in the facilities for transportation, and yet it had developed that that was one of the economical and desirable methods.

What was meant by that is this: There are a number of places where, by aiding transportation companies in affording transportation facilities for laborers, they brought into the usable field areas where housing could be obtained that otherwise could not be used by the employees in connection with the work at the shipping plants.

In regard to the labor situation, I would like to state that there has been a very unfortunate condition the country over, known to everybody who has kept up at all with the industrial program that this country was facing. We have had to revolutionize in many particulars the industrial activity of this country. We have had to divert labor that in peace time was employed in work which was much to be desired, and yet which in war times was not permissible if the work of the Nation was to be done in the prosecution of this war. That has resulted in throwing out of adjustment all the old-time conditions in connection with the demand and supply of labor, and with the disruption of the old status grew up a situation of com-

petitive bidding on the part of different departments of the Government and different industries of the country which resulted repeatedly in increasing the price of labor and in causing undue movement and turnover in labor.

Labor agents were going over the country seeking to obtain labor needed by their respective industries, and in order to obtain it outbidding the people where the labor was employed. The result was that there were any number of instances in which war activities had labor taken away for some other war activity, and then in turn outbidding the men who had first outbid them they brought that labor back, and we had the spectacle of dozens and dozens of agencies in this country, some of them governmental agencies, maintaining expensive bureaus to obtain supplies of labor and interfering most seriously with the production of the country by this constant shifting of labor from one center to another. The matter became so acute that it was necessary to take some drastic action by the Government. That action has been taken. The President has issued a proclamation requesting all of the manufacturers of the country after August to desist from endeavoring on their own initiative to obtain laborers, requesting that they apply only to the Government for the labor that may be necessary; and with that order has come a centralization into one source of the entire activities of the Government touching the recruiting of labor. Instead of the ordnance people and the shipping people and numerous other bureaus undertaking to have labor agencies, it has all now been centered in the Department of Labor. Part of that program had come into existence at the time that the hearings were held before the Committee on Appropriations of the House, and for the purpose of establishing governmental agencies looking to the employment of labor and the distribution of it as it might be needed, the sum of $2,000,000 was asked at that time before that committee. The committee reported in favor of $1,500,000, and that amount was acquiesced in by the House and was carried into the bill. After the hearing was had before the House committee, and prior to the hearings before the Senate committee, it was determined not only to centralize the procurement and distribution of labor for governmental purposes in one department, but there was determined upon the cessation on the part of individual manufacturers of any effort to obtain labor.

That meant a tremendous enlargement of the field of activities that had to be occupied by the Department of Labor in connection with the mobilization and distribution of labor. Accordingly, they asked an additional amount of $7,600,000, which amount was allowed by the Senate committee and approved by the Senate. The matter then went into conference. The conferees have agreed on a sum of $5,500,000. It was strenuously insisted on the part of the Senate conferees that the entire amount requested was needed. I believe the House conferees have an appreciation of this problem. It is in some respects the greatest problem that confronts this Nation, and upon its correct solution depends absolutely the full carrying out of the plans of the Government in the prosecution of this war.

Mr. MILLER of Minnesota. Will the gentleman yield there?

Mr. SHERLEY. If the gentleman will permit, I should like to conclude my general statement and then I will be glad to yield.

The House conferees would not in any way minimize the importance of the work to be undertaken, and we have agreed to that part of the Senate amendment which carries some legislation looking to the enforcement of the determination that will be arrived at by the War Labor Policies Board touching the amounts of money that should be paid. That will be found in this language:

Provided, That no money now or hereafter appropriated for the payment of wages not fixed by statute shall be available to pay wages in excess of the standard determined upon by the War Labor Policies Board.

The reason for that is not only to provide agencies for getting labor but to see to it that when a scale is agreed upon as a result of the activities of the War Labor Policies Board it shall not then be disregarded by any department of the Government in any way, so as to provide absolutely that the bidding of department against department shall cease and that the zeal of men to accomplish their particular work shall not carry them away from a national policy, to the detriment of the work of other departments and of other men.

Touching the amount of money that was needed by the Department of Labor in establishing agencies, there was, of course, room for difference of opinion, and, as I stated, the Senate insisted that the full amount of $7,600,000 should be allowed. We believed that it was impossible to spend that amount of money wisely at once in connection with this work, and that if we were mistaken in that view the situation could be readily met by Congress at its next session, but that to give now the total amount asked was to invite an expenditure that in every instance would not be wise. It is one thing to establish agencies; it is another thing to consider that it is necessary to have an agency started everywhere with paid employees for the carrying out of the work. My own belief is—and I hope it will be the policy of Mr. Densmore, who has charge of this employment department—that there can be obtained in every State of this Union men of very great capacity who will gladly give their services in connection with the carrying out of this most important work in their respective States, just as they have done it in connection with the Food and the Fuel Administrations, and that thereby we will get men of a caliber, experience, and talent that can not be hoped for at salaries which the Government could or would pay, and that then, under these men, can be put such paid employees as are necessary to do the merely clerical work in connection with the carrying out of the program. We therefore insisted upon a reduction of the amount. We might have been willing to go lower than the amount stated, but the amount that has been fixed was the one finally agreed upon between the conferees of the two Houses after several days of very strenuous discussion touching the matter.

Mr. NOLAN. Will the gentleman yield?

Mr. SHERLEY. I yield first to the gentleman from Minnesota [Mr. MILLER], and then I will yield to the gentleman from California.

Mr. MILLER of Minnesota. I should like to inquire in reference to the standardization of wages. I have gathered from the gentleman's very clear and full statement that the activities of this branch of the Department of Labor extend over three things: First, the procuring and regulating of employees for Government work; second, the procuring and regulating of employees for private manufacturing concerns; and third—and this the gentleman has not touched upon, but it is suggested by the language of the bill—the standardization of wages. It is proposed by this that the War Labor Policies Board shall have the power, if it finds wages paid in any particular place not high enough in their judgment, to have hearings and raise the wages?

Mr. SHERLEY. It would have the power to fix the wage that should be paid by any governmental agency engaged in governmental work, the idea being that where the work was similar in character, instead of leaving the wages to vary, as they have in the past, to standardize them.

Mr. MILLER of Minnesota. If that is to be done, and I am willing to admit that it is highly important work and ought to be done, the idea of it is an extremely difficult thing to carry out, and the board having it in charge should be composed of the highest type of men. Can the gentleman inform the House as to the character of the men which will compose it?

Mr. SHERLEY. The board is composed of representatives of the Shipping Board, the Secretary of War, the Secretary of the Navy, the Railroad Administration, and the Agricultural Department.

I say to the gentleman that Mr. Densmore, who has charge of these employment agencies in the mobilization of labor, has nothing directly to do with the War Labor Policies Board, except that it is expected that through his agency he will be able to give to the board information as to rates of wages, conditions of labor, and supply of labor to aid them in the administration of their problem.

Mr. MILLER of Minnesota. If the board is to have charge, as indicated by the gentleman, of labor in Government work and practically of private manufacturers, that pretty nearly gives Government control of the labor of the country.

Mr. SHERLEY. Of course they have no power to determine by any legislation here or elsewhere the wage that shall be paid by private establishments. They can indirectly effect it, of course. The President has no power under the proclamation to compel the private manufacturers to secure such labor as they desire through governmental agency.

But the President has requested it by proclamation, and I have no doubt that the patriotism of the employees generally will cause them to acquiesce in the proclamation issued. He has of course indirect power. The Government by virtue of its control over priority, over fuel, over material needed by the manufacturers, can interfere with manufacture by denying them the fuel or material they want, and they could very easily be compelled to acquiesce in the policy of the Government. In point of fact, there is no doubt in my mind that we have reached the point where there will have to be a very marked curtailment of the activities of manufacturers engaged in nonessential manufactures.

I called attention on this floor a few days after the war was declared to the fact that "business as usual," which was

the cry that went up in England when the war broke out, which was the cry that was echoed here in America, was a vicious cry, and that it could not be permitted to be the policy of the Nation if we were to do the real work of winning this war.

The industrial capacity of America is not equal to the burden of carrying on the tremendous work of the Nation in prosecuting this war, and at the same time carry on a lot of industries that were perfectly proper in normal peace times, but which now can only exist at the expense of the efficiency of the Nation. The only mistake we have made has been a mistake in delay in enforcing that policy, just as we are going to be forced to the other policy of heavy taxation, that I at the same time spoke of, if we are to preserve the credit of this Nation. [Applause.]

Mr. MILLER of Minnesota. One question more. The result of this would be that the Government board would practically fix the wages of labor throughout the United States.

Mr. SHERLEY. I hope that will be true.

Mr. MILLER of Minnesota. I agree with the gentleman.

Mr. NOLAN. Will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. NOLAN. The gentleman from Minnesota asked the question if this would not be a standardizing of wages in the war industries. The chairman is aware of the fact that in the shipyards the wages are standardized from the Pacific to the Atlantic coast?

Mr. SHERLEY. Yes.

Mr. NOLAN. And along that line the effort is to standardize wages.

Mr. SHERLEY. It is an extension of that idea.

Mr. NOLAN. One other question: In relation to the State agencies for cooperation, the gentleman is aware of the fact that quite a number of men are directors in the United States employment that are not under salary?

Mr. SHERLEY. There are some, but as far as possible we ought to obtain in each State men of the first caliber of ability to administer this important work in these respects.

Mr. NOLAN. I call attention to the fact that in California we have a State employment service which is cooperating with the United States employment service.

Mr. SHERLEY. That is one reason why we did not think that they needed $7,500,000. This is as much money as is being given to the entire Food Administration, and is considerably more money than is given to the Fuel Administration.

We thought it was a false perspective that could lead to a belief that so much money was required for this work at this time.

Mr. NOLAN. Although the gentleman understands that their work is being extended into almost every avenue?

Mr. SHERLEY. I do so understand it.

Mr. MAPES. Mr. Speaker, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. MAPES. The gentleman has touched on what I was going to ask. I would like to ask him, more definitely, whether it is the intention of this War Labor Policies Board to standardize or attempt to standardize, by moral suasion or otherwise, the wages of men employed in private factories throughout the country?

Mr. SHERLEY. I think it is, and I think it is necessary if the scheme is to go through. If you are to have private establishments paying a higher wage, and by a higher wage bidding against the Government, to that extent you are going to have interference with Government work.

Mr. MAPES. This board will attempt to increase the wages where the board thinks the wages are too low and to lower them where it thinks the wages are too high?

Mr. SHERLEY. Perhaps I can answer that by saying they propose to standardize the wages.

Mr. MADDEN. They will not lower them.

Mr. SHERLEY. I hope they will standardize them both ways where the facts warrant it.

Miss RANKIN. Mr. Speaker, will the gentleman yield?

Mr. SHERLEY. Yes.

Miss RANKIN. Will this board attempt to standardize the wages of Government employees when those wages have been fixed by statute?

Mr. SHERLEY. It could not. Where the wages have been fixed by statute, the statute controls.

Miss RANKIN. And could the board go into bureaus and departments and standardize the wages there?

Mr. SHERLEY. I presume, where those wages are the result not of statute but of agreement, it could; but I say in answer to the lady's inquiry that that is not the real problem confronting the Government. It is a negligible problem compared with the real problem of wages in industry.

Mr. JOHNSON of Washington. Mr. Speaker, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. JOHNSON of Washington. I am sure that the entire membership of the House appreciates the hard and heavy work done by the Committee on Appropriations. The statement just made by the chairman with regard to the Labor Utilities Bureau is of great importance, and is of interest to all of us. It will be read with interest by the people of the entire Nation. The Committee on Appropriations has had much work to do in connection with the war. It has had to name appropriations without stint for actual war work, and it has had to stand firm against demands for appropriations on account of "near" war work. And then it had to examine all the other requests for appropriations for the general expenditures of the Government—a much wider range than the public generally understands. This will be made quite clear when I ask the chairman, after he has just finished the statement he has made, in regard to a minor item, amendment numbered 45, inserted by the Senate, providing that the unexpended balance of the appropriation of $75,000 made in the sundry civil appropriation act for the fiscal year 1918 for Mount Rainier National Park shall be made available for the fiscal year 1919.

Mr. SHERLEY. The reason the House did not carry that item was because the testimony before the committee was that prior to the 1st of July the park authorities would have expended the money. The Senate was misinformed as to that.

Mr. JOHNSON of Washington. That is, the park board found a chance to expend the money prior to the 1st of July of this year?

Mr. SHERLEY. Yes.

Mr. JOHNSON of Washington. There is another amendment, No. 28, to which I desire to direct attention, the insertion of the words "and cut-over timberlands" in regard to an appropriation of $100,000 respecting investigations concerning the reclaiming of swamp lands.

Mr. SHERLEY. The difference between the Senate and the House was this: The House inserted language, which I explained at the time the bill was pending, for the purpose of having an investigation made by the Reclamation Service touching lands that by drainage could be made usable, and concerning which it might be desirable to have drained in order to give to returning soldiers a field of useful activity. The Senate committee cut that out, but on the floor an amendment was offered and agreed to substantially the same as the House amendment, except that it made clear that such investigation and survey should be not only of lands that might be reclaimed by drainage, but also of cut-over lands, and provided that the survey should be under the Secretary of the Interior. The House agreed to the Senate amendment with this change only: That it should be, as it had been in the House provision, under the head of the Reclamation Service.

Mr. JOHNSON of Washington. Let me call attention to the fact that a large part of the cut-over lands and, of course, all of those owned by the Government are in the forest reserves, and the forest reserves are under control of the Department of Agriculture.

Mr. SHERLEY. There is nothing here that interferes with the survey of those lands, and all that is provided is a survey.

Mr. JOHNSON of Washington. And it can be carried into the forest-reserve projects?

Mr. SHERLEY. It can be anywhere in the United States.

By unanimous consent, Mr. JOHNSON of Washington was granted leave to extend his remarks in the RECORD.

Mr. WALDOW. Mr. Speaker, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. WALDOW. Do I understand the gentleman correctly to make the statement that the bill carries $53,000,000 in addition to the amount carried by the bill as it passed the House?

Mr. SHERLEY. I could not give to the gentleman the amount exactly, because I have had very little time to verify my memory, but the Senate added approximately $53,000,000, and we have cut out of that something like $3,000,000.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. STAFFORD. I direct the attention of the chairman of the committee to amendment No. 33, which has to do with the Bureau of Mines. We have heard much in the House recently of the need of controlling platinum. I notice that the second part of this amendment places platinum and the compounds of platinum, under the terms, conditions, and limitations of the act of October last, under the Bureau of Mines. Will the gentleman explain the real purpose and need of that special provision?

Mr. SHERLEY. Platinum is a very necessary mineral in connection with the manufacture of high explosives, and in some of the processes used platinum is a necessary agent for the reduction of nitrogen into such inactive form as makes it usable in connection with explosive manufactures. It was believed that the law should be plain to embrace within its scope platinum and its derivatives and compounds.

Mr. Speaker, there is one other matter I desire to call to the attention of the House, because it was a subject of some controversy when the bill was before the House, and that is the appropriation in connection with wages that are to be paid plate printers and other employees in the Bureau of Engraving and Printing. The House increased the appropriation for the purpose of increasing the wages in regard to the employees other than plate printers $91,600. The Senate gave the entire amount which had been sent as a supplemental estimate by the Treasury Department after the agitation on the part of the employees touching the wage. The conferees have agreed to an additional increase of $69,400, making a total increase of $160,000 for employees other than plate printers. As to plate printers, the House agreed to an increase of $100,000 in appropriation for the purpose of increasing their pay, and the Senate increased it considerably. The conferees have added $70,000 to the House sum, so that there is now an increase of $170,000 for such purposes, making a total of $330,000 of increase as against $669,718, which was submitted in the supplemental estimate of the Bureau of Engraving and Printing. I can only repeat what I said on the floor, that in my judgment the House amount was a sufficient amount to increase the pay of the lower-paid employees to $2.24 a day, exclusive of the $120 general increase. The amount now carried will enable them to be paid very considerably more than that amount.

Mr. SANFORD. Will the gentleman yield?

Mr. SHERLEY. I will.

Mr. SANFORD. I notice by amendment No. 63 that the Senate provided $30,000 for extra Capitol policemen, and provided that the appointments shall be made solely on account of efficiency and special qualifications, and shall not be in patronage. Do I understand that the House conferees insisted that the Capitol police jobs shall be in patronage?

Mr. SHERLEY. They did not.

Mr. SANFORD. I see in the conference-report agreement those words were stricken out.

Mr. SHERLEY. I will tell the gentleman why. We provided that the appointment of those extra police should be under the Sergeant at Arms of the respective Houses and the Superintendent of the Capitol, Mr. Elliott Woods. They have been employing such extra police for some time past under a special fund that has been in charge of Mr. Elliott Woods, and men have been appointed solely on the ground of efficiency. That policy is to be maintained, and the only reason we struck out the language was that we did not feel that the provision should carry legislative language that seemed to be a reflection upon the respective bodies. For myself I do not believe that any one of those men ought to be or will be appointed for any other reason than his efficiency, and I am pronounced in the belief that they ought not to be and will not be made the subject of patronage on the part of membership of either the House or the Senate, and I do not think it was seemly to carry that sort of language in the report.

Mr. SANFORD. Does the gentleman think, and does the committee think, that it is unseemly for the respective bodies to run their business on the patronage system? For instance, the Capitol police always have been run under the patronage system.

Mr. SHERLEY. The question of the regular police is not involved in this amendment at all. I will say to the gentleman there is nothing here that is going to be done that looked to doing anything more than obtaining necessary efficient employees for the protection of the Capitol at this time.

Mr. SANFORD. That will be a new departure, absolutely.

Mr. SHERLEY. That statement involves a number of matters that we might discuss had we more time, both in regard to the present situation and that which obtained in the days when the gentleman's party was in control.

Mr. DEWALT. Will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. DEWALT. The large industrial centers of the country being so vitally interested in regard to this question of the turnover of the employment of labor, I would like the gentleman to state whether I am correct in my figures, namely, that the Senate amendment, to wit, $7,600,000, was cut by the conference committee to $5,500,000.

And there was a tentative understanding, as I gathered from the gentleman's remarks, that if this Employment Service Bureau hereafter should by affirmative proof show that their necessities were larger they would be listened to patiently as well as affirmatively.

Mr. SHERLEY. Of course, we are not going to have closed minds on this or any other thing. We are inviting this bureau to exercise the economy which should characterize all bureaus, and believe that they have all the money that is needed; but if we are mistaken in that fact I hope we will be big enough to readjust our minds to that fact.

Mr. ROBBINS. Will the gentleman yield?

Mr. SHERLEY. I will.

Mr. ROBBINS. I am very much interested in the housing proposition, and I listened with great interest to the gentleman's statement. In this second allotment to be made under the appropriations under this bill is there any change in the method of applying and distributing to the various industrial communities of the country greater housing accommodations for war purposes?

Mr. SHERLEY. This relates only to the Shipping Board problem. The committee has pending in connection with the deficiency bill an estimate of $100,000,000 for the Department of Labor in connection with the housing problem generally outside of the Shipping Board's field.

Mr. ROBBINS. I was very much concerned lest this would not reach the interior points.

Mr. SHERLEY. There is pending before the committee an estimate submitted by the Department of Labor, and advocated by Mr. Eidlitz, of $100,000,000.

Mr. ROBBINS. And that will take care of these industrial centers in the interior of the country?

Mr. SHERLEY. That is what it is intended for.

Mr. Speaker, how much time have I used?

The SPEAKER. Thirty-five minutes.

Mr. SHERLEY. I yield 15 minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MILLER of Minnesota. May I make an inquiry of the gentleman? I understand the lady from Montana is very anxious to have 10 minutes on a matter in which she is deeply interested.

Mr. SHERLEY. I hope to be able to yield to the lady, although not that much time, but as much time as I can. I am under promise to expedite this bill, and minutes are precious in these closing days, and I know that she will appreciate that.

Mr. GILLETT. I would like to have five minutes.

Mr. SHERLEY. I have no desire to deny time. I hoped not to take all the time that I have taken in making my statement.

Mr. MILLER of Minnesota. I still think the lady from Montana should have 10 minutes.

The SPEAKER. The gentleman has only 25 minutes remaining.

Mr. SHERLEY. I yield to the gentleman from Wyoming [Mr. MONDELL] 15 minutes.

Mr. MONDELL. Mr. Speaker, when the sundry civil bill was brought into the House I called attention to the very extraordinary character of this legislation. It provides for the activities of the Federal Government, as I then said, from the Virgin Islands to the Philippines, from Panama to the farthest reaches of the North Pacific. Its items relate to the activities of the Federal Government in all of the territory between these widely separated points where the flag floats and where the Federal Government exercises control. The bill is unusually large; necessarily so, in these times of war. But in making up the bill originally every activity of the Federal Government other than those vital to the war and its successful prosecution was trimmed as closely as the committee was justified in trimming it, not to do actual harm and injury to any necessary work in progress. In view of this fact, in view of the fact that the committee were under obligations to keep all of the appropriations for activities not absolutely essential to the prosecution of the war as low as possible, I think the work of the committee and the judgment of the House in support of it are fully sustained in the fact that this bill, carrying a multitude of items of great importance, was amended in so few particulars by the Senate. After a perfectly friendly and harmonious conference the House yielded only on a few items, the more important of which had to do with matters with regard to which the House was not fully informed at the time the bill passed, and relative to which the House committee believed there was a probability of the necessity of considerable increases. The major increases, amounting to $45,000,000, as has already been stated by the chairman of the committee, relate to housing and transportation activities of the Shipping Board. When the bill passed the House it seemed altogether probable that larger sums than those allowed in the House bill would be necessary for these purposes.

After the bill passed the House there came the President's order enlarging the activities of the newly formed Bureau of Employment in the Department of Labor. As one of the House conferees, I shared the opinion of my colleagues that, while there was clearly a necessity for increased appropriations to meet the new activities, the sum that had been requested was unnecessarily large. We did not feel it wise to invite extravagant expenditures at the beginning of the expansion of this very important work, and I am of the opinion that the sum agreed upon will be abundant for the work during the fiscal year. If it is not, Congress will be in session and can make further provisions.

The hearings both in the House and in the Senate relative to the condition of labor in the country emphasized the evils that have been wrought by the constant competition of one Federal activity against another in bidding for labor. This had not been in the interest of labor in the main, for while it had raised wages temporarily at certain points, many of those employments were temporary and a large part of the time of certain classes of labor was spent in joy riding from one place of employment to another. So that it is very doubtful if labor received as large a reward during the period covered by these pullings and haulings hither and yon as it would have received had it remained at its original employment. The worst offenders in this matter were not the Government bureaus themselves, much as they offended, but the so-called cost-plus contractors. They had absolutely no conscience. It was apparently entirely immaterial to them what a work cost, what salaries were paid, how high the expense of an operation ran. A project estimated to cost $21,000,000, like the Hog Island shipyard, for instance, will eventually cost $55,000,000, at least, and others of these activities in proportion.

Mr. HUMPHREYS. Does that mean without any amplification in the original project?

Mr. MONDELL. I think there is some amplification in the Hog Island project that would perhaps account for two or three millions of that sum. I should say that one might say very conservatively that the increase was from $21,000,000 to $51,000,000 or $52,000,000 for the original plan. This enormous increase was largely due to failure on the part of the contractors to conduct their enterprise in a businesslike way and in their reckless bidding against all others in the attempt to secure labor. This competitive bidding went on in many instances when these enterprises actually had more men on their work than they could keep properly employed. In the case of Hog Island it was reported by officials in charge on behalf of the Federal Government that during a very considerable period of time there was not over 25 to 30 per cent of labor efficiency; that for certain periods not over a third of the men were given an opportunity to work. They were there in such numbers and material was so delayed and the work so badly organized that they could not be given employment. It was largely these cost-plus contractors that kept labor drifting and shifting from one part of the country to the other, without benefit to labor and to the very great detriment to the interests of the country. This has ceased to a certain extent, owing to orders that have been issued touching those matters, and we hope that it will be further cured through the activities of this bureau.

I do not anticipate that these gentlemen will accomplish as much as they hope for or expect, but it is well that their hopes are high and that they expect to accomplish a very great deal. Otherwise they would accomplish but very little, for the task is an enormous one, and I hope it will be performed to the benefit of the country. While we support this appropriation, we of the minority can not overlook the fact that this Labor Employment Bureau can be made a mighty engine to help in making the country safe for Democratic candidates.

If we were disposed to be captious and suspicious we might with reason claim that the hope of political advantage through the appointment of thousands of "deserving Democrats" to carry on active political work at public expense was one of the controlling reasons for asking for these large appropriations.

I do not make that charge; and yet I realize that there is great temptation to use these great lump-sum appropriations which are granted and the tens of thousands of men who will be appointed under them for political purposes. Notwithstanding this danger, we of the minority are faithfully supporting these activities of the Government, realizing that whatever political activity there may be in connection with them will be for the benefit of the Democrats.

We have now the great organizations of the Federal Food and Fuel Administrations, the Committee on Public Information, the increased activities of the Agricultural, Interior, Commerce, and other departments, nation-wide and liberally endowed, and to these we now add the nation-wide Labor Employment Bureau. All these could be utilized tremendously for political purposes. I fear they will be to a large extent, but we support them, notwithstanding, as a part of a general plan believed to be helpful in the winning of the war.

If anything further were necessary to prove the unwavering fidelity of the Republican Members of Congress to every object and purpose claimed or hoped to be useful in the prosecution of the war, it is found in their support of vast appropriations to be used in building up great nation-wide organizations like the Bureau of Public Information and the Food, Fuel, and Labor Employment Bureaus, which can and may be used to further the political interests of the party in power. I would support these activities so far as I believe them essential, though I believed they would be used to a certain extent for political purposes; but I suggest to my Democratic friends that they may easily overdo these things. I do not believe the people will tolerate an extensive use of appropriations and patronage for political purposes in this time of war if they become fully aware of it.

Now, Mr. Speaker, there are some items in this bill relating to the Bureau of Engraving and Printing, with regard to which there has been some difference of opinion and some controversy. The House subcommittee took up the matter of increased wages for the low-paid employees of the bureau. No estimates had been made contemplating any increase. I do not say that in criticism of anyone. But that was the situation with regard to the original estimates. Estimates to cover increased wages were invited, and a hearing of the employees was had. The House gave the bureau in the items covering these employments what they believed was a sufficient sum to advance the low-paid employees in the amounts which it had been suggested they were entitled to.

There were some who did not believe the sum allowed was sufficient to cover the increased wages. The Senate allowed the full amount of the estimates. That not only meant the full amount of the original estimates, which might or might not have been reasonable, but also the full amount of the supplemental estimates, and of course the committee was forced to take into consideration the whole matter. It was claimed that, while the amount allowed by the House might provide for, and probably would provide for, advancing all of the low-paid employees, it was doubtful if it would also allow an advance above these lowest-paid employees in the various grades running up to the highly skilled employees. In order to make it quite certain that a reasonable sum should be available for that purpose, the House conferees agreed to some considerable increases in both of the two items affecting these employees; increases which, in my opinion, with the repay work, are abundant to provide the increases that have been suggested and to give to these employees whose pay has been unquestionably too low a very considerable increase. The House expects those increases to be made, and believes there are abundant sums provided for making those increases.

Mr. Speaker, other than these items to which I have referred, the amendments of the Senate are in the main not particularly material. The conferees of the House were in full agreement in all the matters in conference, as they were originally in the making up of the bill. We believe that the sundry civil bill, as now presented to the House, takes care of every war industry provided for in the bill abundantly, provides for every other useful activity of the Government appropriated for in the bill reasonably, and will afford abundant funds with which to pay the increased salaries and wages contemplated in certain cases and keep the wheels of Government running smoothly, so far as they receive lubrication from this bill.

The SPEAKER pro tempore (Mr. SISSON). The gentleman's time has expired.

Mr. SHERLEY. Mr. Speaker, I yield five minutes to the gentleman from Massachusetts [Mr. GILLETT].

Mr. GILLETT. Mr. Speaker, the lady from Montana takes up so little of the time of the House and I take so much that I suggest that the gentleman from Kentucky yield to her my time.

Mr. SHERLEY. I yield the lady five minutes.

The SPEAKER pro tempore. The lady from Montana is recognized for five minutes.

Miss RANKIN addressed the House. [See Appendix.]

Mr. SHERLEY. Mr. Speaker, I desire to say just this in reply: Any basis of estimate upon repay work that places it at $40,000 is so necessarily erroneous as to make the calculation all out of line, and that must be apparent to anybody who knows the expenses of the Government now as compared with the expenditures heretofore.

How much time have I remaining, Mr. Speaker?

The SPEAKER. Four minutes.

Mr. MILLER of Minnesota. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MILLER of Minnesota. Could unanimous consent be given for five minutes, not to be taken out of the hour, so as to leave the gentleman from Kentucky four minutes?

Mr. SHERLEY. In the closing days when we have so much to do I do not think it is fair to the House to enlarge the time for the discussion of a matter that is settled. I do not understand that the lady from Montana [Miss RANKIN] desires to make any motion, so that this discussion leads nowhere. I will ask the gentleman from Massachusetts [Mr. GILLETT] if he desires any time out of the four minutes remaining?

Mr. GILLETT. Yes; if I may have it.

Mr. SHERLEY. I yield the remainder of my time to the gentleman from Massachusetts [Mr. GILLETTE], reserving a quarter of a minute to myself in which to make a motion.

Mr. GILLETT. Inasmuch as very often in past years when coming out of conferences on this sundry civil bill, which covers all the various interests of the country, I have had occasion to criticize the Senate for what I thought was their loading up of the bill with matters for their personal and local interests rather than for the good of the whole country, I wish to say that I am very happy that in this instance I can, on the contrary, commend them, and state that they have departed from what I sometimes thought was their custom, and they have recognized the emergency of war times and have to a large extent ignored their individual interests, so that this bill deals mainly with the interests of the whole country and is not blotted with the perquisites of individual Senators. I wish to say a few words about what, it seems to me, is the most serious and far-reaching item in this whole bill, this appropriation for the marshaling of the labor of the country. I doubt if the Members of the House appreciate what a tremendous innovation that is touching all our industrial forces. If it is carried out as the Senate hearings indicate is the intention of the Labor Industries Board, it really means that all the labor of this country is going to be held in the grasp of this board. As a member of the minority I am not blind to the political possibilities of such a tremendous engine, reaching all over the country, with its branches in every State and in every considerable city, and influencing all labor; but I appreciate that we have shut our eyes, or at least we have taken our chances already on many such opportunities, and I am ready here to hope again that the administration will not take the advantage which is so completely put in their power to make it a political engine. But whether they do or not, I believe some such organization is indispensable for war production, and no matter what its political results I favor it. But aside from the political possibilities, the operation of this new bureau excites some apprehension. It is incumbent upon us to try it; but it strikes me that the great difficulty is going to be, not in the employment feature of the provision, but in the wage feature of it, in the standardization of wages. While the provision preventing wages to be paid in the different departments above the amount fixed by this bureau controls the Government offices, it does not in the slightest degree affect private individuals, and there, it seems to me, will come the difficulty. Of course, the Government itself has had the power to remedy that in the past, but it has not been done. We have seen constantly one bureau here in Washington bidding against another for labor. I remember an instance when the Navy Department took men from the Superintendent of the Capitol, paying bricklayers $8 a day where they had been paid $6 a day. That is simply a specimen of the way different departments have bid against one another. Of course, it was inevitable. Each department feels the urgency of its work and is a little reckless as to how it shall carry it out. It does not consider much the relative importance of the work of other departments, but bends all its energies to get its own work accomplished, and the others do the same, and so there has ensued reckless competition and bidding against each other for labor. The administration has seemed powerless to prevent that, even right here in Washington, and my fear is that when it starts out to prevent it throughout the country by private as well as Government employers, it will find it has tackled a problem too vast for it effectively to cope with. But I believe something of this sort must be done. I have not been able to think out a better plan, and so I indorse this with best wishes for its mastery of a most difficult and intricate problem.

Mr. SHERLEY. Mr. Speaker, I move the adoption of the conference report.

The conference report was agreed to.

LEAVE TO EXTEND REMARKS.

Mr. GREENE of Vermont. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing certain correspondence with Col. Myron M. Parker, of Washington, in regard to certain statements made in debate on the floor here.

Mr. JOHNSON of Kentucky. Reserving the right to object, I ask the gentleman from Vermont to include in his request that I also be permitted to insert a letter from Mr. Brownlow, one of the Commissioners of the District of Columbia, and some remarks by myself, to be printed alongside of the matter that the gentleman from Vermont will print in the RECORD.

Mr. GREENE of Vermont. That is only fair, Mr. Speaker, and I am quite content to have such an understanding.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, is this matter of such a public character that it ought to be printed in the RECORD?

Mr. GREENE of Vermont. That is my purpose in asking to have it printed.

Mr. STAFFORD. I assume that the gentleman from Vermont would not take up the time of the House or the pages of the RECORD with any private affair relating to the Green Mountain State. I will inquire of the gentleman from Kentucky, if the gentleman from Vermont can not furnish the information, whether the correspondence which he seeks to put in the RECORD is of such a public character that the Membership of the House will be interested in it?

Mr. JOHNSON of Kentucky. It is a matter of a public nature. I made some remarks the other day, and in those remarks I mentioned the name of Col. M. M. Parker. He has written a letter to the gentleman from Vermont asking that his letter be inserted in the RECORD. I am perfectly willing that that shall be done if I can follow with a letter from the Commissioner of the District, with some remarks of my own.

Mr. STAFFORD. It is a matter of crimination and recrimination of remarks that have heretofore taken place.

Mr. GREENE of Vermont. Mr. Speaker, I started to explain at the outset that this refers to a matter in debate on the floor involving a former constituent of mine who has no Representative in Congress and who desires to have his explanation made a part of the RECORD.

Mr. STAFFORD. If I had heard the gentleman's original remark, I would not have arisen to reserve an objection, but he was speaking in that subdued tone that he sometimes uses, and I did not hear him.

The SPEAKER. Is there objection to the request of the gentleman from Vermont and the gentleman from Kentucky? [After a pause.] The Chair hears none.

Mr. BYRNES of South Carolina was given leave to extend his remarks in the RECORD.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11692) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year 1919, and for other purposes, had further insisted upon its amendments still in disagreement, and asked a further conference with the House on the disagreeing votes of the two Houses thereon and had appointed Mr. SMITH of Maryland, Mr. ROBINSON, and Mr. GALLINGER as the conferees on the part of the Senate.

EXTENSION OF TIME OF FEDERAL CONTROL OF RAILROADS.

Mr. GARRETT of Tennessee. Mr. Speaker, I present a privileged report from the Committee on Rules.

The Clerk began the reading of House resolution 407.

Mr. GARRETT of Tennessee (interrupting). Mr. Speaker, if I may interrupt, this is a privileged resolution, and yet I understand that the gentleman who objected to unanimous consent yesterday in the consideration of this joint resolution reported from the Committee on Interstate and Foreign Commerce has now no objection to it. So, in order to save time, I ask unanimous consent that it shall be in order to consider immediately House joint resolution 303.

The SPEAKER. The gentleman from Tennessee asks unanimous consent for the present consideration of House joint resolution 303. Is there objection?

There was no objection.

The SPEAKER. The Clerk will read the resolution.

The Clerk read the resolution, as follows:

Joint resolution (H. J. Res. 303) to extend the time within which the President may relinquish control of any railroad or system of transportation, as provided in section 14 of an act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918, to January 1, 1919.

Whereas it was provided in section 14 of an act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918, "that the President may, prior to July 1, 1918, relinquish control of all or any part of any railroad or system of transportation, further Federal control of which the President shall deem not needful or desirable"; and

Whereas it has been found that it can not be determined by July 1, 1918, whether certain railroads and systems of transportation under Federal control are needful or desirable for the successful operation of the railroads during Federal control: Therefore be it

Resolved, etc., That the time within which the President may relinquish control of all or any part of any railroad or system of transportation, further Federal control of which the President shall deem not needful or desirable, as provided in section 14 of said act, be, and it is hereby, extended to, and including, January 1, 1919.

With the following committee amendment:

Add, at the end of the resolution, the following:

"*Provided, however*, That the right conferred upon the President to relinquish prior to July 1, 1918, control of all or any part of any railroad or system of transportation without consent of the carrier as provided in section 14 of an act approved March 21, 1918, entitled 'An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes,' which right is herein extended to and inclusive of January 1, 1919, shall not be construed to include any railroad engaged as common carrier in general transportation such as mentioned in section 1 of said act, not owned, controlled, or operated by another carrier company and which has heretofore competed for traffic with any railroad or railroads of which the President has taken and retained the possession, use, and control, it being the intent of Congress that every railroad not owned, controlled, or operated by another carrier company and which has heretofore competed for traffic with a railroad or railroads which the President has taken and retains the possession, use, or control, or which connects with such railroad and is engaged as a common carrier in general transportation shall be held and considered as within Federal control as defined in said act and to be entitled to the benefits of all the provisions of said act so long as the railroad or railroads with which it has heretofore competed for traffic or with which it connects shall be retained under Federal control."

Mr. RUCKER took the chair as Speaker pro tempore.

Mr. SIMS. Mr. Speaker, the two preambles to this resolution state the reasons given by the administration for asking for this extension of time. While it says "railroads," its practical application will be to the so-called short-line railroads that were brought under Government control by what was known as the Cummins amendment, an amendment offered in the Senate to the railroad-control bill and which amendment when the bill reached the House was concurred in by a vote of the House. Consequently, as far as the Cummins amendment is concerned, it did not go to the Committee on Interstate and Foreign Commerce.

The Railroad Administration states that inasmuch as practically every one of the short lines differs in conditions from every other short line, depending upon its relation to the trunk lines or connecting lines, it is necessary to consider the special facts and circumstances in the case of each one of these lines. The time they have had has been used up in doing that which was absolutely necessary to do in order to have a standard form of contract for all railroads under Federal control and they have not had the time necessary to investigate each one of the short lines. They say that the general policy of the Railway Administration has been, as shown by the testimony of Mr. Payne, who was before the committee, to relinquish all railroads that were simply plant facilities. They have relinquished a number of short lines with the consent of the owners of those short lines. But the Railway Administration feel, and so construes the law, that it ought to relinquish all railroads that are not necessary for war purposes, not necessary for the Government to control, in order to better promote the prosecution of the war. And it has asked this further time to consider each individual case and to try, if possible, to have a contract in every case so as not to have to finally resort to the courts to decide what may be demanded as a compensation, and that if these lines are kept by force of law within Government control the lines will have the whip hand of the administration in making these contracts; that they will be under Government control and be where they can not be relinquished at the option of the Government whenever it is found it is not to the advantage of the Government to retain them. I have tried to explain the attitude of the administration in wanting further time. It was said by Mr. Payne, who represents the Railway Administration, that in so far as they have investigated these short lines it believes that if all the short-line railroads that were taken over by virtue of the Cummins amendment were retained it would be a great loss to the Government aggregating in the neighborhood of $20,000,000 per annum, and the administration feels that it ought not to retain them at such an expense to the taxpayers.

On the other side, the short-line people by their representatives have been before the committee and have stated in no uncertain language and in no doubtful terms that by virtue of the Government status, the control, whether exercised or not, has greatly reduced their gross earnings in the time that they have been within Government control. Some of them say that their gross earnings have run down 50 per cent; that the Railway Administration through the local officials have been in its treatment hostile, and has in some instances issued an absolute embargo order against freight being shipped over their roads, while others have refused to route freight over their roads where it was for their advantage not to do so.

Therefore, the short lines, by their representatives, contend that if they are relinquished now without any protecting provisions and not having the same benefits of roads which are retained under Federal control, that many of them will have to cease operation and that the communities they serve will be very greatly damaged, and they state in detail a great number of items of damage that will accrue to them, claiming that it will practically ruin some of the local communities that they serve. They insist that a great injustice will be done them, and that even though there is ultimate loss to the Government they should be retained until their connections are released, or the roads with which they are in competition are relinquished. An amendment was offered in the committee by a member of the committee, as set forth in the resolution as reported.

Mr. FAIRFIELD. Mr. Speaker, will the gentleman yield.

Mr. SIMS. Yes.

Mr. FAIRFIELD. What is the status of a line that has already been relinquished or might be before this resolution is agreed to?

Mr. SIMS. That is a very pertinent question, and one as to which, so far as this resolution is concerned, I do not wish to vouchsafe an opinion. When Mr. Payne was before the committee I asked the question, whether if this resolution was passed unamended, and they relinquished a railroad or it had already been relinquished, would they, under the law, have the right to bring back into Government control that relinquished railroad, supposing it was not thought to be necessary at the time of the relinquishment, but it was ascertained afterwards that it might be needed by the Government—whether the Government then, without further legislation, could resume Federal control. He answered that the matter was something about which legal minds differed; that the act of 1916 referred alone to systems of transportation, and if we relinquished these roads and took them from under the operation of the Cummins amendment, not being systems of transportation within the meaning of the original act, it was contended by some legal authorities that the President would not have the power to again resume control under the act of 1916, and having been relinquished under this act, it was a doubtful question, while others contended that the administration would have the right to resume control of any road that was once in the control of the Government.

Mr. SNOOK. Mr. Speaker, will the gentleman yield?

Mr. SIMS. Yes.

Mr. SNOOK. I want to say that when the chairman propounded that question to Mr. Payne, the latter part of the short-line amendment was not then being considered. That was afterwards proposed in the Senate. That part beginning with the word "it," on line 4, page 4, was not in the amendment when Mr. Payne's attention was called to the fact.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. SNOOK. Yes.

Mr. WALSH. Is the language of the resolution incapable of being interpreted to carry out the intent of the latter part of it as expressed in the language beginning on page 3, line 4, where it sets forth what the intent of Congress is in passing the resolution? If that language was not in there, would not anyone know what the intent was upon reading the resolution?

Mr. SIMS. Answering for myself I would think there would be no question about it.

Mr. WALSH. We have had about forty-seven different varieties of legislative language used during this session, and if you are going to put a concluding paragraph to each act or resolve stating what the intent of Congress is, it seems to me to be the height of absurdity. We better draft our language so that everybody will know what it is. I want to ask the gentleman if he can not interpret this resolution to mean just what it is stated is the intent of Congress without so expressing it.

Mr. SIMS. As the gentleman from Texas [Mr. RAYBURN] offered this amendment in the committee, I prefer that he make reply to the gentleman from Massachusetts, and I yield to him.

Mr. RAYBURN. Mr. Speaker, I think the language is absolutely clear without stating that it is the intent of Congress, and I also think that the language in the original act was clear in section 1, where it says:

That every railroad not owned, controlled, or operated by another carrier company, and which has heretofore competed for traffic with a railroad or railroads of which the President has taken the possession, use, and control, or which connects with such railroads and is engaged as a common carrier in general transportation, shall be held and considered as within "Federal control," as herein defined.

And that when the House agreed to that amendment that there was no question but that all of these lines that connected

with or competed with another carrier would be taken in, but they have not been.

Mr. WALSH. For the reason that they consider the word "railroad" to mean a system.

Mr. RAYBURN. Not at all. The intent of Congress, I think, was expressed in that, but over here in section 14 they did a very peculiar thing. They vested in the President power to turn them loose before the 1st day of July, and this amendment says that he can not do that if he retains the control of the carrier with which it connects or competes.

Mr. WALSH. I would like to ask the opinion of the chairman of the committee which reports the resolution if it would in any way vitiate this resolution if the phraseology expressing the intent of Congress is stricken from the resolution.

Mr. SIMS. Answering offhand, I would not think it would; but, as I did not offer the amendment, and am not responsible for it, I do not want my interpretation to be regarded as conclusive.

Mr. WALSH. But the gentleman is proposing it, and he has the resolution in charge. He is responsible for the resolution as presented to the House.

Mr. SIMS. The committee adopted the resolution.

Mr. CANNON. Mr. Speaker, will the gentleman yield?

Mr. SIMS. Yes.

Mr. CANNON. Does the gentleman from Massachusetts agree that the intent that is declared is unnecessary because the proposed amendment otherwise speaks for itself, and that the intent is evident as contained in the bill?

Mr. WALSH. I understand; but from my reading of the resolution without that as with it, it is giving the authority which is expressed in the intent. It is just mere surplusage, and if to every law we pass we are going to hitch on five or a dozen or two dozen lines saying what the intent of Congress is we are going to be kept busy.

Mr. CANNON. If the gentleman will permit, considering the history of this legislation and the difference of opinion that has been expressed as to what the law now is, does not the gentleman think, from his standpoint it being mere surplusage, that it leaves nothing open for construction, so the declaration of intent leaves nothing for construction?

Mr. WALSH. Then we ought to put in another paragraph and say what the intent of Congress was in putting in a paragraph declaring what the intent of Congress was, and so on.

Mr. CRAMTON. Will the gentleman yield?

Mr. SIMS. I will.

Mr. CRAMTON. I desire to ask the gentleman from Tennessee whether it is true, if he knows, that the Railroad Administration yesterday and to-day have rushed out a great number of notices to the short-line railroads notifying them they are cut loose from the national system?

Mr. SIMS. Relinquished?

Mr. CRAMTON. Relinquished.

Mr. SIMS. I have no knowledge on that subject.

Mr. CRAMTON. If that is true, if such notices in numbers are being rushed out yesterday and to-day in the face of the adoption of this resolution, would it not be patent it was the desire of the Railroad Administration to avoid the terms of this resolution?

Mr. SIMS. Mr. Speaker, I think that is an argumentative question and does not need a reply. These relinquishments which the gentlemen have heard of as being sent out may be every one of them confined to railroads not doing a general transportation business and not having connection——

Mr. CRAMTON. I do not know, and I am quite curious in reference to the question raised by the gentleman from Indiana [Mr. FAIRFIELD] whether by rushing out notices of that kind they can avoid the effect of this resolution.

Mr. SIMS. I could not answer any further than I have.

Mr. MONDELL. Will the gentleman yield?

Mr. SIMS. I promised to yield to the gentleman from Wisconsin, a member of the committee.

Mr. MONDELL. If the gentleman does not care to yield at this moment, I will wait until the members of the committee have been heard.

Mr. SIMS. How much time have I consumed?

Mr. SAUNDERS of Virginia. Will the gentleman yield before that in order to answer one question?

The SPEAKER. The gentleman has used 17 minutes.

Mr. SIMS. I yield to the gentleman from Virginia.

Mr. SAUNDERS of Virginia. The question I want to ask is related to the question asked by the gentleman from Indiana and that is, what would be the effect upon the short-line railroads which were relinquished prior to the adoption of this resolution? I understood the gentleman from Tennessee to state that such short-line railroads as have been relinquished have been relinquished by agreements with the owners of those roads?

Mr. SIMS. Very largely; but I do not think it includes all of them; but I am speaking from recollection.

Mr. SAUNDERS of Virginia. There are some that have been relinquished over the protest of those short lines?

Mr. SIMS. Over their own protests. Mr. Speaker, how much time does the gentleman from Wisconsin desire?

Mr. ESCH. I think only five minutes.

Mr. SIMS. I yield five minutes to the gentleman from Wisconsin [Mr. ESCH].

Mr. ESCH. Mr. Speaker, the urgency of this resolution impels me to limit the time I shall occupy in explanation. Now, unless this resolution speedily goes over to the Senate it can not be passed prior to the 1st day of July, when certain provisions of the Federal control act become operative. We had supposed when we enacted the Federal control act, including the Cummins amendment to section 1, that the status of the short-line roads had been clearly defined and fixed. It seems, however, that up to date they do not as yet know their status. In fact, but very few lines that have made applications to be brought under Federal control have had them adjudicated. There have been about 40 short lines which have been released upon their own request. There have been a less number that have been relinquished without their consent. There are about 750 short lines in the United States. They cover 30,000 miles of trackage. The capitalization of those railroads amounts to $2,000,000,000. From those facts you can realize the importance of the problem that is presented. These short lines desire to have a chance to live. We by this legislation wish to give them that chance by saying that they shall be retained under Federal control so long as the lines with which they compete or the roads with which they connect are retained under Federal control. When the trunk line has been relinquished the short line goes with it. The short lines do not object to that situation——

Mr. CRAMTON. Will the gentleman yield at this point?

Mr. ESCH. Yes.

Mr. CRAMTON. Will the gentleman give us his view as to the case of the railroad coming within the class he is describing but which has heretofore without its consent and over its protest been relinquished? Will the amendment and resolution be of any benefit to such lines?

Mr. ESCH. Where the line has been relinquished?

Mr. CRAMTON. Yes; over its protest.

Mr. ESCH. And against its protest?

Mr. CRAMTON. Yes.

Mr. ESCH. In my opinion such roads, once having been relinquished, might apply to the President for reinstatement under the provisions of section 9 of the Federal control act, which provides as follows:

> And the President, in addition to the powers conferred by this act, shall have and is hereby given such other and further powers necessary or appropriate to give effect to the powers herein and heretofore conferred. The provisions of this act also apply to any carrier to which Federal control may hereafter be extended.

The question was put to Mr. Payne, the counsel for the Railroad Administrator, as to whether the power granted in the language I have just read would not permit the agencies of the Government to retake such lines. He did not wish to express an opinion, because he said that it might come up to him in his capacity as legal advisor of the administrator, but he said if for purposes of carrying out the war it became necessary to retake such roads, he would not hesitate to so advise the Director General.

Mr. GILLETT. Will the gentleman yield?

Mr. ESCH. I will.

Mr. GILLETT. Would it not be true that the most that that would provide would be that the President in his discretion could take it if he wished, but the road would have no right to insist on being taken, so that the roads really would not have the same right as the roads under this resolution would have?

Mr. ESCH. The roads that have been relinquished without their consent are comparatively few in number and are such that they could not be directly useful in the conduct of the war and would be able, perhaps, to conduct their business in a successful manner whether under Government control or not. Now, the purpose of the legislation is to give these short lines, as I said, a chance to live. If it were not for the war, if it were not for the Federal control of carriers, these short-line roads would have continued their existence as before. But the taking over of the trunk lines by the Federal Government has handicapped practically every short-line carrier. It has rendered it almost impossible for some of them to live, because of the reduction in the amount of freight which is given to them to carry, because of the financial difficulties, the difficulties in financing

their short-time certificates, securing extensions of their loans from the banks and from other money institutions.

We asked the question whether these short-line railroads, in view of the fact that they would have maturities on the 1st of July, could not go to the War Finance Corporation and get relief. We were told efforts were made by some short lines to get such relief, and such relief had been refused.

The SPEAKER. The time of the gentleman has expired.

Mr. SIMS. Mr. Speaker, I yield five minutes more to the gentleman.

Mr. ESCH. So that avenue of financial relief seems to have been closed to the short-line carriers. They could not go to their local banks and get extensions, because extensions to the limit have already been granted of four months and of six months. What are they to do when these certificates become due and they can not finance themselves? Some of these short lines have been struggling along by assuring their creditors that the Federal Government would soon take care of the situation and, by placing them under Federal control, enable them to have opportunity for securing advancements and financial protection.

Mr. DEWALT. Will the gentleman yield?

Mr. ESCH. Yes.

Mr. DEWALT. Will the gentleman please refer to the fact that in the meanwhile the securities of these short-line railroads have depreciated remarkably, and therefore they can not raise money on those securities?

Mr. ESCH. The gentleman has stated a fact that has come to the knowledge of the committee and only reinforces what I am saying in reference to the necessity of taking care of these short lines by extending the period for six months within which their situation can be thoroughly examined and their status finally determined.

Mr. DILLON. Will the gentleman yield a moment to me?

Mr. ESCH. Yes.

Mr. DILLON. I suggest also to the gentleman that none of these short-line roads have been able to obtain a dollar under the finance-corporation bill.

Mr. ESCH. I have just made that statement. The testimony before the committee is to the effect that, notwithstanding a short line is the direct or shortest route for traffic, the Federal administration has routed the freight over the longer road because the longer road was already under Federal control. That resulted in diminution of the traffic of the short line, and as the short line must live by reason of its freight traffic, local and interline, it is seriously damaged by reason of the operation of the Government itself. I know it has been stated here, and it was the statement of the Secretary of the Treasury, when he opposed taking over the short lines, that the Government did not want to take over crippled railroads any more than the Secretary of War wanted to take over cripples for war service. That is true as a statement, but when the Government does the crippling, as it does with reference to these short lines, by routing freight over other lines and discriminating against them so far as freights are concerned, then it is a moral obligation, if not a legal one, for the Federal Government to come to the support of the short lines.

Mr. DEWALT. Will the gentleman yield?

Mr. ESCH. I will.

Mr. DEWALT. Will not the gentleman state that the original purpose of this legislation was, and the amendment proposed by the short-line people was, that there should be a distribution of freight to them, as they were formerly accustomed to, and a distribution of cars, and that has been taken away from them?

Mr. ESCH. That has resulted in very serious damage to them from a financial standpoint. They have offered a tentative contract to the Director General, and under the terms of that contract they do not ask to have a guaranty of 6 per cent on their capitalization as has been charged in certain quarters. They simply wanted a contract made with the Government which would assure them a larger division of the freight rate, which would insure a fair share of the cars and of the motive power. This to date has been denied many of these short lines, and it has come to a very critical condition with reference to many of them. And unless this relief is extended I look to see many of them in financial straits and some of them placed in bankruptcy, and some of them may have to be scrapped.

Mr. FESS. Will the gentleman yield?

Mr. ESCH. I yield.

Mr. FESS. I would say to my friend that I have some sympathy with the administration in not wanting to take over any institution that might be a losing one financially. Can we take it from what the gentleman has said that we can attribute, in part at least, the hard financial situation of these short lines to the act of taking over all the railroads over which they themselves had no control?

Mr. ESCH. Yes; in a very large degree. And it is because it is beyond their control that they come to Congress and ask this relief.

Mr. DEWALT. Will the gentleman yield further?

Mr. ESCH. Yes.

Mr. DEWALT. I wish the gentleman would state to the committee as a further persuasive argument that these short lines, so called, have been largely, if not exclusively, built by local capital, and that local capital now holds their bonds and vested securities.

Mr. ESCH. Yes. These bonds are not held to any large extent in Wall Street. They are held in the communities which originally built the roads. The small merchant, the small capitalist, the local bank, and local company hold these securities, and they have already depreciated in value, and unless they are given this protection they will still be more largely diminished in value, to the hurt of thousands who hold these bonds and securities.

Mr. GRAHAM of Illinois. Mr. Speaker, will the gentleman yield?

Mr. ESCH. Yes.

Mr. GRAHAM of Illinois. Are there any of these short-line roads that were not taken over by the Railroad Administration—by the Government?

Mr. ESCH. We can not get any statistics. We have asked for full information, but it is very difficult to pin the administration down so that it would name the roads.

Mr. GRAHAM of Illinois. The reason why I ask the question is that some weeks ago I addressed an inquiry to the Railroad Administration about a certain short-line road that ran through territory in my district. Up to this time I have received no answer as to whether that road is or is not under Federal control. Now, the first part of your resolution, as I understand it, provides that the Government can not relinquish control of these roads, and the latter part of it says that the intent of the act is that all competing roads or short-line roads should be under control of the Government. The question to my mind is whether there are any roads that were not taken over by the Government that would come within the meaning of the first part of the resolution.

Mr. ESCH. I think our committee assumed that they were all taken over, and it was our intent that they should be all taken over under the Cummins amendment to section 1 of the railroad control bill.

Mr. GRAHAM of Illinois. And if they were not taken over, under the latter part of the resolution they would be?

Mr. ESCH. Yes.

Mr. DEWALT. Mr. Speaker, will the gentleman yield?

Mr. ESCH. Certainly.

Mr. DEWALT. Is it not a fact that in the hearings before the committee it was also disclosed that tentative agreements were offered to the short lines, and that the threat was held out—if I may so call it—that unless the short lines agreed to the proposed bargain they would then be relinquished?

Mr. ESCH. Yes. That appeared in the testimony.

Mr. FAIRFIELD. Mr. Speaker, will the gentleman yield?

Mr. ESCH. Yes.

Mr. FAIRFIELD. As I understand it, the intent here is to make mandatory the taking over of the short lines that compete and connect with the other roads?

Mr. ESCH. Yes; mandatory.

Mr. FAIRFIELD. Now, then, if in the meantime, before this resolution could pass this House and the Senate, a number or any one of the short-line railroads could be dropped and there would be no recourse unless an amendment here would make it mandatory to take over those that had already been dropped?

Mr. ESCH. Some of them wanted to be dropped.

Mr. FAIRFIELD. I mean those who cared to be carried.

Mr. ESCH. I think there are so few cases of that kind, where their status has been finally determined by the Director General's office, that we would not need to offer an amendment to this resolution to cover that.

Mr. FAIRFIELD. I am a little apprehensive, because I know of one that has just been hanging by the merest thread for some little time, and the thread might be severed at any moment and we would find ourselves without any relief. Already a line 70 miles in length in my district has been abandoned and is liable to be scrapped. It was built by the local people, and we can not finance it now because of the demands of the Government for all the finances to be concentrated here. I really think it is an important point.

Mr. ESCH. Some criticism has been made of the form of the resolution because it closes with a statement of the express intent of Congress with reference thereto. It is because we

were not getting an interpretation of the Federal-control act in consonance with the Cummins amendment to section 1 that we thought we would make it so plain that there could be no doubt as to the will and wish of Congress with reference to the short-line roads.

Mr. SIMS. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. RAYBURN].

The SPEAKER. The gentleman from Texas is recognized for five minutes.

Mr. RAYBURN. Mr. Speaker, the gentleman from Tennessee [Mr. SIMS] and the gentleman from Wisconsin [Mr. ESCH] have so thoroughly covered this question that I feel that anything I might say would be surplusage now. But a situation has developed with reference to the short-line railroads that I think is sufficiently alarming to warrant us in taking some definite action with reference to it.

It was the intention of the Railroad Administration before our act was passed, and has been since that time, not to retain control of the short-line railroads, and they based their action, since the law was enacted, on that clause that gave the Director General, through the President, the power to release those roads before the 1st day of July. According to my way of looking at this question—and it was my way of looking at this question when it first came up—there were two alternatives. One was that if all the short-line railroads of the country were taken into this system it would make a considerable charge against the Treasury of the United States to operate and maintain them under Federal control. The other was, if the short-line railroads were not taken, it amounted to murder to them, so far as that is concerned.

Now, I think that the small sum—the way we speak of sums at this time—of $20,000,000—and that is the estimate that Mr. Payne, the counsel for the railroad directorate makes, as the charge that would be placed upon the Treasury of the United States for taking over these small competing lines—that sum at this time—$20,000,000—compared with the destruction of nearly $2,000,000,000 worth of property, is a small thing indeed in comparison. Not only that, but these people who own the short-line railroads have a great interest in them. They have invested their money in them. They have labored for years and years to build up those short-line railroads. But their interest is not as great or compelling with me as the proposition that people have moved in along these short-line railroads, have established farms, have built up towns and small cities in many instances, have built up factories, and that business must go on if those people do not go into bankruptcy; and they certainly will go into bankruptcy if the Government, since it has taken over the roads with which they compete and with which they connect and which are retained under Federal control, relinquishes control of the short lines.

Now, I believe it was the intent of Congress when it passed the railroad-control act that these short-line railroads were going to be taken into this system. The Railroad Administration is not administering the law from that viewpoint. Hence the amendment that we put on in the committee, which I believe makes it absolute, without any fear whatever, that as long as the line with which these short lines connect and compete are retained under Federal control, these short lines themselves will be retained under Federal control also.

Now, the question came up here a moment ago as to whether a railroad that had already been released from Federal control could come back into the system if this amendment were adopted. I think, whether we adopt this amendment or not, that if we had allowed the President to go on and release the short-line railroads at any time up to the 1st of July there is no question but that the Government could have taken them back under Federal control any time during the life of this law. Now, with this amendment I do not think there is a question in the world but that the lines that have been released before the 1st day of July will be automatically taken back into this system, because the language, it seems to me, is as plain as the English can be written. It goes on to say that the right of the President to relinquish before July 1, and so forth, shall not be construed to include any railroad engaged as a common carrier in general transportation, such as is mentioned in section 1 of said act, not owned, controlled, or operated by another common carrier. It seems to me that that language makes it absolutely certain that these railroads come back automatically under Federal control where they have been released, and that it keeps under Federal control the railroads that have not been released.

Mr. FESS. Is it the gentleman's opinion also that the bad condition of the short-line roads is due largely to recent legislation, by which the Government has taken over the railroads?

Mr. RAYBURN. There is no question about that. The gentleman from Tennessee [Mr. SIMS] remarked upon that—about routing freight over other lines that they had definitely taken under Federal control.

Mr. FESS. If that condition were brought about by any private management we would be inclined to give relief here by legislation, would we not?

Mr. RAYBURN. There is no question about it.

The SPEAKER. The time of the gentleman has expired.

Mr. SIMS. I yield five minutes to the gentleman from Ohio [Mr. SNOOK], a member of the committee.

Mr. SNOOK. Mr. Speaker and gentlemen, I had the pleasure of addressing the House upon this subject when the railroad legislation was first before Congress. At that time I expressed the opinion that there was some doubt in my mind as to the proper treatment that these short-line railroads should receive; but since the enactment of the law for Federal control I have had occasion to study the question at first hand by talks with those administering railroad affairs, by observing how it worked when applied to a railroad in our own district, and by talking with other men who have been interested in the short-line railroads. We find this to be a fact: When the Government took over the trunk lines it placed the administration of all the railroad affairs in the hands of men who have heretofore been dealing with trunk-line affairs, and therefore the freight that formerly was routed over the short-line roads was nearly all diverted to the trunk lines. We also find by a study of the question and by talking with the men interested in the short lines that there has been a loss in the receipts of nearly every short-line railroad of from 50 to 75 per cent. That has been the result on the short lines that have not been taken over by the Government.

It shows that if we continue our present policy it will result in the destruction of nearly all these railroads, because they can not survive a loss of 50 per cent of their income, which was all too small to begin with. Although shippers may route their freight over these short-line railroads, the management disregards that routing and ships the freight over the trunk lines, where formerly it was accustomed to be shipped over these short lines.

Then we find another thing that stands in the way of their successful operation, and that is the thing to which the gentleman from Wisconsin has referred. That is the question of finance. The Government has taken over the other lines and left these lines without the protection offered by the law providing for governmental control; therefore they are unable to secure financial aid. These two things, the loss of business and the loss of power to secure financial aid when their obligations are falling due, make it almost certain that they can not be longer operated and that they will be compelled to cease operation and be sold for scrap. Now, what does that mean? There are 765 of them. Many of them run through the very best country in America. It means that the people living along these lines, who have established elevators and manufacturing plants and towns and cities, will be without railroad facilities. We are spending millions of dollars a year to improve the rivers and harbors of the country; we have spent millions in the improvement of the Ohio River in the last 25 years. I am convinced that the loss to the people of my State in one year will be greater if the traffic on the short-line roads is suspended than would be caused by the loss of all the traffic carried on the Ohio River in 10 years. [Applause.]

I want to call attention to the fact that the gentleman from Massachusetts has made some criticism of this amendment, especially of the last paragraph.

In view of the construction that the Railroad Administration put upon the original act, to my mind it is absolutely necessary that the last paragraph of this amendment be retained if we expect to accomplish what we are setting out to do. Judge Paine, on page 9 of the hearings, was asked the question whether he thought the short-line railroads were taken over under the original act. I did not have time to read all he said, but he replied in substance that a short-line road not forming a part of a system of transportation may properly be held not to be included within the purview of an act which gives the President the power to take over systems of transportation. This shows that the Railroad Administration is inclined to take the position that under the terms of the law as it now stands there is doubt on this subject, and is also inclined to hold that it is not compelled by this act to take over the short-line railroads. So this makes it necessary to write into the law something that will make it plain, that those administering the law will understand that it is the intention of Congress that these railroads, whether they have heretofore been taken over and relinquished or whether they are now being operated under Federal control, are to be retained and given the benefit of all the provisions in the original railroad act. I believe when Congress adopted the Cummins amendment, when the original act was passed, it was

the belief of most Members that this settled the short-line question. But we see that it did not settle it. The attitude which those in authority assume in my judgment makes it necessary to adopt that part of the amendment which reads as follows:

It being the intent of Congress that every railroad not owned, controlled, or operated by another carrier company and which has heretofore competed for traffic with a railroad or railroads which the President has taken and retains the possession, use, or control, or which connects with such railroad and is engaged as a common carrier in general transportation, shall be held and considered as within Federal control as defined in said act and to be entitled to the benefits of all the provisions of said act so long as the railroad or railroads with which it has heretofore competed for traffic or with which it connects shall be retained under Federal control.

The reasons for the adoption of this amendment are many. The fact that the Government is prescribing what may be shipped and how and when any commodity may be transported, and over what routes all shipments shall be made has worked to the advantage of the railroads under Government control and has deprived those not under control of so much of the business they formerly enjoyed that many of them find it impossible to continue operation under such conditions.

I wish to call the attention of the House to several statements on the question made by Mr. Ben B. Cain to our committee during the hearings on this subject. Mr. Cain made a very clear statement of the reasons why this amendment should be adopted, and the quotations which I make from his statement I regard as being especially in point:

We thought that the reasons were sufficient. First, there was the practical reason. We believed that these railroads do serve a useful purpose in the winning of the war. The transportation machine is not alone useful for the purpose of moving men and ammunition. The man in the front-line trenches or behind the cannon over yonder is not the only man necessary for the winning of this war. Behind the Army are the men and the women and children at home. We believe that the short roads should be retained under the absolute control of the Director General, so that they may be utilized and their activities directed as the men in uniform under the direction of the War Department are moved here and there in the great struggle in which we are engaged. And so we said to the Director General upon practical grounds, in order that these short-line properties might function as units in the great transportation machine, that they ought to be preserved; they ought to be put under the power of the Director General for these reasons: That he might exercise the right, as to prescribing priorities of shipment, the right of directing embargo, the right of pooling railroad equipment regardless of ownership, the necessity of coordinating the handling of labor conditions, the importance of precluding the possibility of a conflicting and destructive jurisdiction between State and National railroad commissions and the Federal Railroad Administration, and the necessity of the elimination of waste in the Nation's resources.

And then we gave another reason which applies to the roads themselves, and that is the credit or the financial reason. We said to him in this letter: "Financing has been made impossible. Government loans have preempted banking facilities of the Nation, with the bare exception of commercial transactions based on paper discountable under the rules of the Federal reserve banks. Short-line railroad securities in the amount of thousands of dollars are maturing each month, which under present conditions it is impossible to liquidate. State, private, and national banks all over the country are holders of these securities, so that credit has been interned in this manner, and directly and indirectly the peoples of the Nation are suffering."

Then, in conclusion, let me call your attention to a word picture, in which Mr. Cain clearly shows what a calamity will fall on every rural community that is deprived of the service of one of these short-line railroads and left without railroad facilities:

In conclusion, gentlemen, permit me to say to you that there are people along these roads that are in as much suspense as the roads themselves. Eight years ago, when I started to build that road in Texas, I followed the engineer through cattle ranches that had never known a plow and knew but little of civilization. I had not let the contracts and started grading before the covered wagon began to make its appearance along the line, and here and there a man unloaded his family and his all, and struck his tent and began his little house or lived in that tent and opened his farm. One hundred miles of territory that had theretofore been devoted almost exclusively to the cattle business became a somewhat thickly settled agricultural country, because the land was new and unoccupied and because the territory was good. Tenant farmers who had accumulated nothing in the more thickly settled sections of the State and other States came there and bought that land on credit, and I saw, when the wagons would come by, women and children, some of them 14 and 15 years old, and all of their bedding with them; the cow trailing along behind the wagon and the dog under the wagon—all that they had; but they came to a new country determined to build up and own instead of being tenants. And those boys who were 15 or 16 years old went in and took hold of that opportunity with their father and mother and the other children, and helped pay for these homes. Some of them have been paid for and they own them—the first time they ever owned property in their lives.

I saw those boys drafted into the Government service. Some of them came to me and said, "We can not leave the old folks; they haven't quite paid for the farm, and we want to stay here. Can't you help us keep from going into the Army for a time anyhow?" I said, "I can not help you, boys; it is your duty to go to the front." Those boys left those homes, and when the mother followed them to the front gate to kiss them good-bye, and they looked back at that home that they had helped pay for, and they went out to defend a condition and a country that had made these things possible, they expected their country would take care of what they were leaving behind them. They are over yonder in khaki, and when they come back, if the home is desolate, if the folks have suffered, and the land they left worth $30 and $40 an acre is reduced to $15 or $10 an acre, what are we going to say?

Mr. SIMS. Mr. Speaker, I yield three minutes to the gentleman from South Dakota [Mr. DILLON], a member of the committee.

Mr. DILLON. Mr. Speaker and gentlemen of the House, I simply want to call attention to the Cummins amendment, and read it to you:

That every railroad not owned, controlled, or operated by another carrier company, and which has heretofore competed for traffic with a railroad or railroads of which the President has taken the possession, use, and control, or which connects with such railroads and is engaged as a common carrier in general transportation, shall be held and considered as within "Federal control," as herein defined, and necessary for the prosecution of the war, and shall be entitled to the benefit of all the provisions of this act.

Under the Cummins amendment there is not a short-line railroad in the country that is not included under the provisions of the act. That was the intent of Congress when we passed the law.

I now call your attention to the relinquishment clause, which reads as follows:

That the President may, prior to July 1, 1918, relinquish control of all or any part of any railroad or system of transportation, further Federal control of which the President shall deem not needful or desirable; and the President may at any time during the period of Federal control agree with the owners thereof to relinquish all or any part of any railroad or system of transportation.

Under the release clause the Director General says he has the right to turn back any short-line road. The committee thought that the right to do so was not granted by the original act. The Congress never intended to grant such arbitrary power to the Railroad Director. The short lines can not exist without connections with the trunk lines, and this Congress ought not to pass a law that will push them into bankruptcy, for that is what it means for all of these short lines. Communities and towns have been built up along these lines and they ought not to be destroyed. The original intent of Congress was as clear as could be made, that if the short line goes out the connecting lines must go out with it, so that no injury shall be done to any short-line road. It appeared from the examination of Mr. Payne, the solicitor of the Director of Railroads, that the Government intends to hold this right of relinquishment over the short lines and could easily be used as a bludgeon over the short lines by which he could say, "You agree to this contract, or we will eliminate you without any notice," without any hearing upon the part of the line. This, it seems to me, would be an act of manifest injustice to every short-line railroad in the country. It ought not to be done. I favor this resolution. I think it is properly drawn and it ought to have the support of every Member of the House. [Applause.]

Mr. SIMS. Mr. Speaker, I yield three minutes to a member of the committee, Judge DEWALT.

Mr. DEWALT. Mr. Speaker, this resolution as now presented contains two distinct ideas. The first is that which was proposed by the administrator of the Railroad Bureau, namely, an extension of time for the relinquishment from the date stated in the original act up to January 1, 1919. That was the resolution as originally proposed by the administrative bureau. The short lines then came in and pleaded for relief, and they introduced an amendment to the resolution. That amendment is the second idea in the resolution. That is simply this, that no short line shall be released until the main or trunk line with which the short line competes or with which it connects is also relinquished. In other words, it places the short line on a parity with the main or trunk line. This proposition further takes into view the capitalization of two billion of dollars as represented by the short lines. It takes into consideration altogether 765 short lines, because that is the number in the United States. One hundred and sixty-five of those lines have already been taken over and the remainder are in a chaotic state, not knowing whether they will be taken over or be relinquished, and the purpose of this resolution is to confine the administrative functions of the Railroad Bureau to this fact, and this alone, that this chaotic condition, so far as the short lines are concerned, must be removed and that they can not be relinquished until the trunk lines with which they compete or with which they are connected are also relinquished. That is the sum and substance of the whole thing. [Applause.]

Mr. SIMS. Mr. Speaker, I yield three minutes to the gentleman from Iowa [Mr. GREEN].

Mr. GREEN of Iowa. Mr. Speaker, this resolution is very important and necessary, but it is a sad commentary as to the condition into which this Congress has sunk that it should be necessary. The meaning of the act which was heretofore passed was perfectly plain. It is also plain that it has been disregarded. Whatever may be said as to whether there was or has been an actual violation by the Railroad Administration of the law as laid down by this Congress, there can not be the slightest question that the Railroad Administration knew perfectly well that the spirit of the law and the intent of Congress was being violated.

Notwithstanding the law—I believe the law was explicit as to its terms, and surely it was plain as to its meaning and intention, that the short lines should not be relinquished—yet they have proceeded to relinquish them over their protest.

Nor is that all. As gentlemen who have been speaking on the subject before me and others have said, they have proceeded in defiance of the directions of the shipper to route freight over certain other lines in order to kill off the short lines. There can be no question in the minds of any gentleman but that that is illegal and that short lines are being ruined by this practice. I could go on and review other matters to show you that the Railroad Administration has been disregarding and violating the law, but the few moments that have been allotted me are insufficient.

Gentlemen said repeatedly, when we granted great powers to the Railway Administration—powers not only unprecedented in this country but almost unprecedented anywhere—that there was no fear that they would be abused, that no official would overstep reasonable bounds or use them in an oppressive manner, but here we have a positive example of what the Railroad Administration intends to do in the way the short lines have been treated. If there is anybody that ought to be fair, it is those officials who have been placed in charge of the management of the railroads. If there is any institution that ought to be just it is the Government of this country which is represented by them. But they have absolutely ignored the law and have attempted to defy Congress. Then my friend from Massachusetts [Mr. WALSH] possibly not understanding the situation, has asked why the committee has been so particular to append to this resolution a statement of the express purpose and intent of Congress in enacting it.

It is simply in order that these gentlemen can not without effrontery exceeding anything they have already shown say they do not understand this law and that they will construe it in opposition to its plain import and meaning. We want to make this so plain that the wayfaring man can not err therein. We intend that there shall be no further pretense that the law is not understood. Unelss I completely misunderstand the purpose of this Congress, it has determined positively that the short lines shall be taken over. To do otherwise would be a blunder so astounding that it is utterly incomprehensible how any man or set of men could make it. It is claimed that these lines are not profitable. The same claim could be made with reference to every short branch or feeder which the great systems own and which it is not proposed to discard. These lines of track by themselves may not be profitable, but as feeders to the great lines they are profitable. In the same way they are profitable to the country at large, which can not afford to dispense with them even if it was willing to commit the moral wrong of destroying the communities through which they run, communities which have been built up on the faith and assurance of the laws as they then stood, which permitted these short lines to exist.

Mr. Speaker, it would be nothing short of a crime to now compel these short lines to be torn up, their property to be junked, the communities through which they run to be left without transportation, and it would be an act of folly that surpasses anything ever done in the history of this country. To prevent such action this resolution should be adopted.

Mr. SIMS. Mr. Speaker, I yield three minutes to the gentleman from Virginia [Mr. SAUNDERS].

Mr. SAUNDERS of Virginia. Mr. Speaker, when the Congress passed the act of March last, it was very manifestly the legislative intent clearly expressed, that the Railroad Administration should take over the short lines, coordinate them with the trunk lines, and operate the entire system of roads, great and small as a unified whole. It was an intolerable thought to this body that these short lines as a result of Government administration of the trunk lines should either in whole, or in part, languish and die. These roads are as essential to the smaller communities, as the trunk lines to the great centers of wealth and industrial activities. Yet this result of cessation, or bankruptcy, will be the lot of many short lines, unless action is taken to-day. It has been established by the statements made on this floor unchallenged, and uncontradicted, that unless the pending resolution is agreed to, reaffirming in unmistakable terms the legislative intent of the act of March, there are many short lines, in many communities that will be forced to discontinue their operations to the very great prejudice and loss of those communities.

The amendment to this resolution reaffirms the legislative intent, and makes certain that which we thought was already certain.

I agree with the gentleman from Massachusetts [Mr. WALSH] with respect to the general principles relating to the preparation and construction of statutes, but confronted with the situation developed under the interpretation impressed upon the act of March last, this body should reaffirm and declare anew the intent of the original act in the most positive and emphatic fashion. The gentleman from Massachusetts suggests that the declaration of intent in the resolution is surplusage. Possibly, but by all means should it be retained in the resolution. With that language retained there is no possibility that the meaning and purpose of the original act can be misunderstood. It is a plain and emphatic declaration on our part that the Government shall take over the short lines and operate them so long as it operates the trunk lines with which they connect, or compete.

That is what we meant by the original act, and that is the meaning that we now reaffirm. If there is any form of words other than that in the resolution by which our intent can be more definitely and positively expressed, then I am in favor of using that language in this resolution. As I have stated, this resolution simply says to the Railroad Administration that so long as the trunk lines with which these short lines connect continue to be administered and operated by the Government, then in the public interests the Government operation of the short lines shall continue for the same period.

I have listened in vain during the progress of this debate for some one to point out why the policy proposed with reference to the short lines is not a just and proper policy. No suggestion to that effect has been made. No one has risen in this debate to intimate that we, having in mind the interests of the entire Nation, should establish a system of railroad administration under which the trunk lines alone are to be operated, and the vast aggregate of smaller lines, with a mileage of 30,000 miles, and an aggregate value of something like $2,000,000,000, with their vast potentialities of benefit to the communities which they serve, should be left to their own devices under the new conditions created by Government administration of the trunk lines. It is freely admitted that such a policy will mean ruin for many of the short lines, and destructive losses to the communities which they serve.

Mr. Speaker, I think it would be most unfortunate to strike out a single line or word from this resolution of reaffirmation and redeclaration of a legislative intent that we thought had been heretofore expressed in terms of sufficient clarity.

Mr. FAIRFIELD. Mr. Speaker, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. FAIRFIELD. In the gentleman's judgment, will this take over those lines that may have been relinquished before this bill becomes a law and make it mandatory?

Mr. SAUNDERS of Virginia. I am not entirely clear upon that point.

Mr. DEMPSEY. Mr. Speaker, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. DEMPSEY. Why would it not be advisable to add at the end of the resolution the following:

And regardless of and despite any order of relinquishment heretofore made or of any other act which may have heretofore been done by or for the United States as to such control.

Mr. SAUNDERS of Virginia. I am not in charge of this joint resolution, but so far as I am concerned, I frankly say that I see no reason why the amendment suggested should not be accepted.

Mr. SIMS. Mr. Speaker, I yield three minutes to the gentleman from Missouri [Mr. BORLAND].

Mr. BORLAND. Mr. Speaker, I want to address myself to the last clause of the joint resolution, the one which provides that the Railway Administration shall continue to hold and operate the short-line railroads as long as the railroads with which they are competing are held in Federal control. A question has been raised here as to whether the short-line railroads which have heretofore been relinquished will be recovered into the Federal control in case of the passage of this resolution. In my judgment there is very strong ground for saying they would be, and I base that upon this language—

shall be held and considered as within Federal control as defined in said act.

That is, by the very language of this resolution, we define the intent of Congress to be that the railroads thus defined and described shall be held and considered to be within Federal control. So that I trust that that sets at rest that question. The short-line railroads are mainly railroads that have been constructed by local capital and are operated in response to local demands. If they are not taken over by the Federal Government, they have absolutely no opportunity to survive. That seems to be generally agreed. The routing of all the through traffic controlled by the Railroad Administration will pass over trunk lines, and even if the shipper should desire to favor the short-line railroads and to take the trouble to route his freight

over the short-line railroads it might still be within the power of the Railroad Administration for public reasons to change that routing.

Mr. SNOOK. Mr. Speaker, will the gentleman yield?

Mr. BORLAND. Yes.

Mr. SNOOK. They are now doing that very thing.

Mr. BORLAND. The gentleman says they are now doing that very thing. So the short-line railroad has no opportunity whatever to protect its through traffic or its share of its through traffic, and it has little opportunity to protect its local traffic. It has only one outlet, its connection with the trunk lines, and they are under the jurisdiction of the Federal control and the short-line railroad is embarrassed, of course, by such regulations as the Federal administration may make. Now, the clear intent of the Congress was that the taking over of the trunk-line railroads should not operate to destroy these local competing roads, and it would be the greatest violation of public policy if we allow that taking of the trunk-line railroads to operate to destroy just and legitimate competition which has been built up in response to a local demand. I am somewhat at a loss to know how under the present trend of railroad legislation in this country we are going to secure independent lines of railroads. How can independent lines be built? Here they have been built in many cases from local capital, and under that can not sustain themselves in opposition to the combined competition of the Railroad Administration, and they must go down. Now, suppose they perish. What opportunity is there in the future for the building of an independent line of road to compete with the present trunk line? It is a very serious question in our transportation system.

Another question is this, gentlemen: We have not an abundance of transportation facilities in this country. We are short of transportation facilities. It is perfectly possible for the Railroad Administration to make full use of these short lines by routing over them the surplus amount that they can carry, to the exclusion of the trunk lines.

VETO MESSAGE OF THE PRESIDENT (H. DOC. NO. 1206).

The SPEAKER. The Chair lays before the House a message from the President of the United States.

Mr. STAFFORD. Mr. Speaker, I believe that this message involves a matter of considerable interest to the membership of the House, and I believe a quorum should be present here to receive this important message.

Mr. CANNON. Can not the message be withheld temporarily until we can dispose of this resolution?

The SPEAKER. The Chair will state this: He is in no rush about laying this message before the House, but the Post Office Committee wants to meet at half-past 3 and see what they are going to do about reporting another bill. The Chair did not understand what the gentleman said.

Mr. STEENERSON. Mr. Speaker, it seems to me possibly the committee ought not to take any action until the message is disposed of.

The SPEAKER. Well, all the disposition that is necessary to make at this time is to have the message read, and then the gentleman from Tennessee or somebody else will make a motion to refer the message and the bill itself to the Committee on the Post Office and Post Roads.

Mr. STEENERSON. But the Constitution provides that the House shall proceed to vote on the question——

The SPEAKER. The Chair understands that. It may proceed to-day, next week, or next year. It has been ruled on over and over again. It does not mean you shall immediately take it up. The Chair has read that section of the Constitution until he knows it by heart, and has read all the decisions. It may lie on the Speaker's table if they want to or take it to the committee if they want to. It need not be reported back if the committee does not want to do so.

Mr. STEENERSON. Well, the message will be read, and then we will take such steps as are desirable.

The SPEAKER. Of course.

Mr. WALSH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WALSH. Does the Chair mean to state that while the vetoed message is pending upon a bill such as this that the House can proceed to consider and pass an identical bill with the exception of that part which is the subject of veto?

The SPEAKER. The Chair does not know what the committee will report back except in the light of experience. The Chair does not understand the point the gentleman makes.

Mr. WALSH. The point I sought to make is this: Whether the House can proceed to consider a bill just identical in language and effect to that which has been vetoed while the veto is pending upon a particular part——

The SPEAKER. Oh, no; you have got to vote on the veto.

EXTENSION OF TIME OF FEDERAL CONTROL OF RAILROADS.

Mr. RAYBURN. Mr. Speaker, I understand the time has expired of the hour which was controlled by the gentleman from Tennessee. I ask if we could not vote on this?

The SPEAKER. The gentleman has seven minutes more. [Cries of "Vote!"]

The SPEAKER. If the gentleman wants to move the previous question on the resolution and amendments thereto the Chair will withhold the President's message for a few moments.

Mr. STAFFORD. Mr. Speaker, I withdraw the point of no quorum.

Mr. SIMS. Mr. Speaker, I promised gentlemen a little more time, but in view of the situation I move the previous question on the resolution and amendments thereto to final passage. Before making that motion I want to ask unanimous consent to strike out all of the preamble except the last two words on page 2, "be it."

The SPEAKER. The preamble is the last thing that is voted on.

Mr. SIMS. I move the previous question on the passage of the resolution and amendments thereto.

The SPEAKER. Does the gentleman ask to strike the entire preamble from the resolution?

Mr. SIMS. Except the last two words, "be it."

The SPEAKER. The gentleman from Tennessee asks unanimous consent to strike from the preamble everything except the last two words, "be it." Is there objection?

Mr. McCLINTIC. I object, Mr. Speaker.

Mr. SIMS. Then, Mr. Speaker, I move the previous question on the resolution, preamble, and amendments.

Mr. McCLINTIC. I ask unanimous consent for one minute.

Mr. SIMS. I am perfectly willing and anxious for the gentleman to have it.

Mr. STAFFORD. Will the gentleman yield as to the form of the amendment which he has suggested to be eliminated from the preamble? I do not recall in the passage of a resolution the words "be it" preceding the word "resolved."

Mr. SIMS. Well——

Mr. STAFFORD. I do not believe that is proper practice.

The SPEAKER. That is absolutely a matter of taste.

Mr. STAFFORD. It is more than a matter of taste because it is included in the amendment.

Mr. SIMS. Mr. Speaker, I want to ask unanimous consent that the gentleman from Oklahoma may have permission to speak for one minute.

The SPEAKER. You do not have to ask unanimous consent.

Mr. SIMS. I yield to the gentleman one minute.

The SPEAKER. The gentleman has the control of time in his own hands. The gentleman from Oklahoma [Mr. McCLINTIC] is recognized for one minute.

Mr. McCLINTIC. Mr. Speaker, when legislation was enacted into a law authorizing the Director General to take over the railroads of the country I am sure it was not the intention of Congress to discriminate against short lines. Everyone knows the necessity of short-line railroads, as, to a large extent, they are pioneers when it comes to developing new territory. In every section of the country where you find this kind of railroads you will see splendid towns and the territory which they go through developed in a way that compares favorably with the territory adjacent to trunk lines. If the Government should discriminate so as to cause these roads to not receive the same consideration that will be given the trunk lines, then it is only a matter of time when they will slowly perish. I mean by this if they are not allowed to have the same advantages in the way of traffic arrangements, terminal facilities, and other benefits, it will be impossible for them to receive a sufficient amount of business so as to enable them to be self-sustaining.

The argument has been advanced that some of these short-line railroads are now being operated at a loss. Even if this were true, it can not be disputed that they are rendering to the citizens of the country depending upon same a service that can not be estimated in dollars and cents. If our Government would refuse to operate such enterprises or departments that are being maintained at a loss, it would be necessary that we suspend some branches of the Government in less than 30 days. When you measure the good that is given to a territory and the citizens living therein in comparison with the small loss that might be brought about in the operation of a short-line railroad, it is only a drop in the bucket compared to the loss that goes on from year to year in some of the other enterprises that are being maintained for the benefit of the people and the various communities at large.

In the district I have the honor to represent there is a short-line railroad called the Clinton & Oklahoma Western. Along this road are several splendid, new, hustling little cities. The

people who have gone out there have pioneered, eager for the opportunity of developing that section in order that they may have a home which will enable them to live in peace and happiness. When it was reported that the Government would not extend its protecting arm over these short lines, then they began to be alarmed, and I have in my office more than 500 appeals asking that no action be taken that would destroy their rights and privileges. It so happens this little short-line railroad is making money. It has at its head an efficient set of officers, who are conducting their affairs along business lines. They have made pleasant, agreeable traffic arrangements, and now they say to me, "If we are to be deprived of our privileges, then it is only a matter of time until our road must be operated at a loss."

I am sure this is one of the most important resolutions that has ever been brought before this body for consideration. I know it is necessary that Congress show to this department of our Government its real intention when it comes to handling matters of this kind. Some time ago it was reported that this department of our Government would not allow a certain railroad over 700 miles long, which goes through the district I have the honor to represent, to receive the benefits that would be given to other railroads. Immediately appeals were made to me from practically every town along its right of way, and I secured such information as was available and filed the following statement with Mr. McAdoo, the Director General of Railroads, asking that no unjust discrimination be made against the Kansas City, Mexico & Orient Railroad:

STATEMENT BY MR. MCCLINTIC TO HON. WM. G. MCADOO, DIRECTOR GENERAL OF RAILROADS.

KANSAS CITY, MEXICO & ORIENT RAILROAD.

Every new railroad, as a rule, has to go through certain periods which cause its promoters to suffer from a financial standpoint. These conditions are brought about in various ways, and the same thing holds true with the Kansas City, Mexico & Orient Railroad Co. According to the records, this railroad has gone through two periods of receivership, the first being caused by a financial depression, which resulted in its being placed in the hands of a receiver on March 7, 1912, and it remained in this condition until July 6, 1914. Later, and on April 16, 1917, it was again placed in the hands of a receiver; and this is the condition of the road at the present time.

FACTS CONNECTED WITH THE ROAD.

The Orient Railroad is at this time operating trains from Wichita, Kans., to Alpine, Tex., a distance of 737 miles. It has opened up a large territory that can not be served by any other transportation company, and many prominent towns, in addition to large sections of agricultural country, are dependent upon this road entirely for transportation facilities. The rolling stock consists of 61 locomotives, 22 passenger cars, and 1,726 freight cars. The road is fairly well graded, and 70-pound steel rails are used throughout. In addition to this equipment, adequate steam shovels, bridge-repairing equipment, and a splendid roundhouse and repair shop are available at Wichita.

BUSINESS OF THE ROAD.

Notwithstanding the fact that the Orient Railroad has been handicapped because it was not built into Kansas City and other terminal points, it has maintained through schedules and taken care of all the business intrusted to it in an efficient manner. In 1916 it carried 409,776 net tons originating on its own lines and 741,175 tons received from connecting lines, making a grand total of 1,150,952 tons, or 75,225 full carloads. In 1917 there was a reduction of tonnage originating on its own line, caused by the unprecedented droughts in practically all of the territory served by the road. The amount of tonnage originating for this year is 356,592 tons, and that received from connecting lines 831,128 tons, making a grand total of 1,187,721 tons, or 70,700 carloads. According to the information that has been given the authorities, this road has a sufficient amount of power and capacity to take care of more than double the business that it is at present handling; and with the present prospects for a good crop throughout the section of the country that it serves it can easily be seen that the road has passed through its most critical period and that in a very short time the added tonnage it will receive will be sufficient to enable it to pay more than the cost of operating expenses.

Judge Pollock, of Kansas, who is on the Federal bench, has had jurisdiction over the receivership of this road. He is probably as well posted as to the existing conditions as any other man in the country. Recently he granted permission to those in charge of this road to issue two and a half million of three-year receivership certificates, and from the information I have one and a half million of these have been subscribed for. The present financial conditions confronting the world have made it practically impossible to secure large amounts of money for construction purposes, and for this reason it has not been possible to complete this road to Kansas City, Mo., or to other places where connections are needed. The people of Texas are very much interested in seeing the Government retain supervision over this road, and resolutions have been passed by both branches of the Texas Legislature under date of March 16, 1918, asking that no discrimination be made against the Kansas City, Mexico & Orient Railroad Co.

NEW TERRITORY OPENED.

The Kansas City, Mexico & Orient Railroad was graded through many sections of Oklahoma and Texas for a number of years prior to the time it was completed. This resulted in the people starting many new enterprises years before the road was completed, thereby opening up much new territory for settlement. The building of this road has resulted in the establishment of many large irrigation plants in Texas; in fact, it can be said that the largest irrigated areas in some counties in Texas are those which are supplied by this road. In other sections, which depend entirely upon this road for transportation facilities, the live-stock industry is such that if this road should be discontinued it would bring about irreparable injury to the country and a great financial loss to those who are interested in this business.

There are some important towns with a population of 1,000 or more that depend entirely upon this road for its supplies. As an illustration, I respectfully call attention to the town of Canton, Okla., which has a population of approximately 1,000. This railroad in 1916 furnished to this town 251 carloads of various kinds of supplies, and in 1917, 348 carloads. When it is taken into consideration that the Post Office Department, the express companies, and many other kinds of business have at this time a satisfactory system of taking care of every condition, it can easily be seen that any movement that would cause this road to be discontinued would disturb the harmonious condition that exists and bring about untold hardships on the people who depend upon this railroad for transportation facilities.

CONCLUSION.

Under Government control the Orient Railroad has already demonstrated its usefulness in many ways. It has been handling 60 cars per day from Sweetwater, Tex., to Wichita, Kans., and many tons of freight have been diverted at different points for the use of the Government. Recent rains have caused thousands of heads of cattle to be brought into certain sections of Texas, which are taken care of by this railroad, and with good crop prospects in practically all of the territory, it can easily be seen that if no discrimination is made that the added business it will receive in the very near future will cause it to be able to take care of its financial obligations in a most satisfactory way.

I feel that no more meritorious railroad is now being operated than the Kansas City, Mexico & Orient. The construction of the system has resulted in the opening of large sections of the country, and thousands of people to-day are dependent upon it for the necessities of life. It has been a pioneer in blazing the way for civilization, and now, inasmuch as it has apparently reached the place where it can soon be operated without financial loss, it is hoped that the Government will not feel justified in making an order that will cause the same to be discontinued.

If the information given in this connection does not cover every phase of the situation, I respectfully ask that no action be taken until a committee representing the Government can inspect this road, the section of the country it goes through, and the industries that are dependent upon it for a livelihood.

Respectfully submitted.

JIM MCCLINTIC.

I am sure it is the desire of those in charge of this branch of our Government to deal fairly with all questions coming under their jurisdiction, and when this resolution is enacted into law then there will be no doubt as to what is the intention of Congress when it comes to dealing with matters of this kind. Mr. Speaker, I am hoping this measure can be enacted into law at the earliest date possible, as the entire country, more or less, is interested in this subject, and when it is known that the Government does not intend to make any discrimination in favor or against any of our industries then the people will have no cause for complaint.

Mr. SIMS. Mr. Speaker, I ask unanimous consent to strike out the entire preamble.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

The gentleman from Tennessee [Mr. SIMS] asks unanimous consent to strike out the entire preamble. Is there objection? [After a pause.] The Chair hears none.

The question is on ordering the previous question.

The previous question was ordered.

The SPEAKER. The question is on the engrossment of the House joint resolution.

Mr. RAYBURN. Mr. Speaker, there is a committee amendment.

The SPEAKER. The first vote, then, is on the committee amendment.

The question was taken, and the amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the House joint resolution.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. SIMS, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

VETO MESSAGE—POST OFFICE APPROPRIATION BILL (H. DOC. NO. 1206).

The SPEAKER. The Clerk will read the veto message of the President.

Mr. STAFFORD. Mr. Speaker, I make the point of order there is no quorum present.

The SPEAKER. The gentleman from Wisconsin makes a point of order there is no quorum present, and evidently there is not.

Mr. GARRETT of Tennessee. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The roll was called, and the following Members failed to answer to their names:

Austin	Britten	Campbell, Pa.	Classon
Baer	Brodbeck	Candler, Miss.	Coady
Bell	Brumbaugh	Cantrill	Collier
Bland	Burroughs	Carter, Mass.	Copley

Costello	Hayes	McKinley	Scully
Crago	Heaton	McLemore	Sells
Curry, Cal.	Heintz	Mann	Shackleford
Dale, N. Y.	Hensley	Martin	Sherley
Davidson	Holland	Mason	Sherwood
Davis	Hood	Montague	Slayden
Denison	Houston	Moore, Pa.	Slemp
Dent	Howard	Morin	Small
Dies	Husted	Mudd	Snell
Doremus	Hutchinson	Nelson	Snyder
Drukker	James	Norton	Stedman
Edmonds	Johnson, S. Dak.	Olney	Stephens, Nebr.
Emerson	Juul	O'Shaunessy	Stevenson
Estopinal	Kahn	Overstreet	Strong
Ferris	Kearns	Paige	Sullivan
Flood	Kehoe	Parker, N. J.	Switzer
Foss	Kelley, Mich.	Powers	Talbott
Frear	Kennedy, Iowa	Ramseyer	Templeton
Freeman	Kiess, Pa.	Rayburn	Vare
Gallivan	Knutson	Reavis	Voigt
Glass	Kreider	Roberts	Walker
Goodall	LaGuardia	Robinson	Walton
Gould	Langley	Rodenberg	Ward
Graham, Pa.	Lehlbach	Rose	Watson, Va.
Gray, N. J.	Lesher	Rowe	Welling
Gregg	Lever	Rowland	Whaley
Griest	Littlepage	Russell	White, Ohio
Hamill	McAndrews	Schall	Wingo
Hamilton, N. Y.	McCormick	Scott, Iowa	Wise
Harrison, Miss.	McKenzie	Scott, Pa.	Zihlman

The SPEAKER. On this roll call 294 Members, a quorum, have answered to their names.

Mr. GARRETT of Tennessee. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors. The Chair lays before the House the message from the President of the United States, which the Clerk will read.

The Clerk read as follows:

To the House of Representatives:

I am taking the liberty of returning H. R. 7237, making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes, without my signature, because the bill contains a provision which I venture to think it would be wisest to omit. I refer to the provision with regard to the rental of pneumatic tubes.

I am convinced that there is no moral or legal obligation resting on the Government to continue the use of these tubes by rental. At the time they were installed they may have had some value as a postal facility, but that was before the volume of mail had reached the enormous proportions which it has to-day and before the development of the use of motor vehicles. These developments have made the tubes practically obsolete, quite unnecessary, and in fact a hindrance to the efficient operation of the Postal Service. This is illustrated by the fact that in 1913 it was estimated that 5,373,147 letters were dispatched daily by the use of the tubes, while in 1917 only 2,837,638, or approximately one-half that number, were dispatched by that means. If this ratio of reduction continued, few, if any, letters would now be sent in that way. Less than 50 per cent of the letter mail, or 5 per cent of the entire volume of mail, handled at the stations using the pneumatic-tube service is transported by the tubes.

There seems to be an impression that if the tubes were abandoned these letters would be delayed. This is an unfounded impression, because practically all of this mail could be handled at less cost and more expeditiously by other means.

There are many reasons why the present pneumatic-tube systems are not efficient devices for the transmission of mail. Among these reasons is their limited capacity, which makes it impossible to use them to meet conditions of emergency. Furthermore, experience has demonstrated that the tubes are unreliable because of breakdowns and stoppages. During such breakdowns they cease operation for hours and even for days together, and it is often necessary to dig up the streets to obtain the mail clogged in the tubes. When these breakdowns occur it is necessary immediately to substitute vehicular service, which results in a confusion of schedules and disorganization of the transportation and delivery service and delay in the forwarding of large numbers of letters. Not only are letters delayed in this way, but because of defects in the tubes, carelessness on the part of operators, and accidents of various sorts the tubes soil or damage many thousand letters and in some instances destroy them.

The Post Office Department has found it necessary because of the unreliability and inefficiency of the tubes to divert a large quantity of mail formerly dispatched by their use to automobiles wherever close connections are required. It has been found that later closings of the mail can be arranged and closer connections assured by this means. I am informed that this is true even in the congested sections of New York City.

Some of the principal objections to the tubes, in addition to those I have already enumerated, are their unsuitability to carry many special-delivery parcels; the necessary relaying of containers at way stations involving a loss of time and requiring that all intermediate stations be kept open with attendants on duty; their inability to dispatch mail to intermediate stations during continuous transmission between any two points; their unsuitability to the dispatch of mail to the point where it is received by or taken from the railroad companies without additional handling; and the impossibility of preventing dampness and oil in the tubes at certain times, which results in damage to the mail.

It will be noted that the tubes when working at their best perform only one step in the transmission of the mail from the sender to the addressee, and the advantage of their use is largely theoretical. This conclusion was reached by Stone & Webster, among others, a firm of engineers employed by the congressional commission which recently investigated this matter. In speaking of the services performed by the tubes, they state—

but being only one step in the movement of the mail and being preceded and succeeded by other steps in which, by the exigencies of economical mail handling, intermittent movement is necessary, the advantage of the tubes is often lost, and at times the tubes become entirely inadequate to handle a bulk of mail which has been accumulated in some preceding step.

I have been guided in my conclusions by those who have expert postal knowledge and who seem to me the safest judges as to whether these tubes constitute a desirable postal facility. In the act of April 21, 1902, the Congress, realizing that the Postmaster General could not be expected to be an expert on postal affairs, prohibited him by law from issuing an advertisement for pneumatic mail service until a commission of postal experts had given their approval. When the last rental contract expired, such a commission was appointed in accordance with this law. Its report as well as subsequent reports by experts on the value of this service is before me, and no one who reads these reports can escape the impression that the conclusions reached by these experts are sound and that the use of the tubes should be abandoned.

I am informed that during the past 10 years many efforts have been made to extend the present system of pneumatic tubes, but that these extensions have invariably been advised against by the departmental commissions of postal experts who investigated the matter, and that the reports of these experts invariably called attention to the development of the automobile as a factor which would have to be considered at the close of the present rental contracts. The postmasters of various cities where the tubes are in use have spoken against them and urged that they be abandoned.

These reasons seeming to me conclusive and compelling, I have not felt at liberty to acquiesce in this feature of the bill, which I herewith reluctantly return.

WOODROW WILSON.

THE WHITE HOUSE,
29 June, 1918.

Mr. STEENERSON. Mr. Speaker, I move that the House on reconsideration do agree to pass the bill notwithstanding the objection of the President.

The SPEAKER. I wish the gentleman would send the motion to the desk.

Mr. STEENERSON. And on that motion I demand the previous question.

The SPEAKER. The Clerk will report the motion of the gentleman from Minnesota.

The Clerk read as follows:

By Mr. STEENERSON: I move that the House on reconsideration do agree to pass the bill notwithstanding the objections of the President.

Mr. MOON. Mr. Speaker, on that motion I move the previous question.

The SPEAKER. The gentleman from Minnesota has already moved it. The gentleman from Minnesota [Mr. STEENERSON] moves the previous question on this motion.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Minnesota [Mr. STEENERSON].

Mr. MADDEN. Mr. Speaker, does not that require the yeas and nays?

The SPEAKER. Of course. The Chair will order them just as quick as he can get to it. The gentleman from Minnesota [Mr. STEENERSON] moves that the Post Office bill be reconsidered and passed, the President's objections to the contrary notwithstanding. On that the Constitution requires that the yeas and

nays be called. The Clerk will call the roll. Those in favor of passing this bill over the President's veto, which is the popular phrase, will, as their names are called, vote "yea," and those opposed will vote "nay."

The question was taken; and there were—yeas 114, nays 186, answered "present" 3, not voting 127, as follows:

YEAS—114.

Austin	Fairfield	McLaughlin, Mich.	Smith, C. B.
Bowers	Fess	McLaughlin, Pa.	Smith, T. F.
Browning	Flynn	Magee	Steenerson
Burroughs	Focht	Maher	Stiness
Butler	Fordney	Mapes	Sweet
Caldwell	Francis	Meeker	Swift
Campbell, Kans.	Fuller, Ill.	Merritt	Tague
Cannon	Garland	Miller, Minn.	Temple
Carew	Gillett	Mott	Tilson
Chandler, N. Y.	Good	Nolan	Timberlake
Classon	Goodall	Oliver, N. Y.	Tinkham
Cooper, W. Va.	Green, Iowa	Parker, N. Y.	Towner
Cramton	Greene, Mass.	Peters	Treadway
Currie, Mich.	Greene, Vt.	Phelan	Vestal
Dale, Vt.	Hadley	Platt	Volstead
Dallinger	Hawley	Pratt	Waldow
Darrow	Hersey	Purnell	Walsh
Delaney	Ireland	Ramsey	Wason
Dempsey	Johnson, Wash.	Riordan	Watson, Pa.
Denison	Kennedy, Iowa	Robbins	Wheeler
Donovan	Kennedy, R. I.	Roberts	White, Me.
Dooling	Kraus	Rogers	Williams
Dunn	La Follette	Sanders, Ind.	Wilson, Ill.
Dyer	London	Sanders, N. Y.	Winslow
Elliott	Longworth	Sanford	Wood, Ind.
Ellsworth	Lufkin	Siegel	Woods, Iowa
Elston	Lundeen	Sinnott	Young, N. Dak.
Esch	McArthur	Sloan	
Fairchild, B. L.	McFadden	Smith, Mich.	

NAYS—186.

Alexander	Dominick	Johnson, Ky.	Ramseyer
Almon	Doolittle	Jones	Randall
Anderson	Doughton	Keating	Rankin
Anthony	Drane	Kelly, Pa.	Rayburn
Ashbrook	Dupré	Kettner	Reed
Aswell	Eagan	Key, Ohio	Romjue
Ayres	Eagle	Kincheloe	Rouse
Bankhead	Evans	Kinkaid	Rubey
Barkley	Fairchild, G. W.	Kitchin	Rucker
Barnhart	Farr	Larsen	Sabath
Beakes	Ferris	Lazaro	Saunders, Va.
Beshlin	Fields	Lea, Cal.	Scott, Mich.
Black	Fisher	Lee, Ga.	Sears
Blackmon	Flood	Linthicum	Shallenberger
Blanton	Foster	Little	Sherley
Booher	French	Lobeck	Shouse
Borland	Fuller, Mass.	Lonergan	Sims
Brand	Gallagher	McAndrews	Sisson
Browne	Gandy	McClintic	Small
Buchanan	Gard	McCulloch	Snook
Burnett	Garner	McKeown	Stafford
Byrnes, S. C.	Garrett, Tenn.	Madden	Steagall
Byrns, Tenn.	Garrett, Tex.	Mansfield	Steele
Caraway	Glynn	Mays	Stephens, Miss.
Carlin	Godwin, N. C.	Miller, Wash.	Stephens, Nebr.
Carter, Okla.	Goodwin, Ark.	Mondell	Sterling, Ill.
Cary	Gordon	Moon	Sterling, Pa.
Chandler, Okla.	Graham, Ill.	Moores, Ind.	Sumners
Church	Gray, Ala.	Morgan	Taylor, Ark.
Clark, Fla.	Griffin	Neely	Taylor, Colo.
Clark, Pa.	Hamilton, Mich.	Nicholls, S. C.	Thomas
Claypool	Hamlin	Nichols, Mich.	Thompson
Cleary	Harrison, Miss.	Oldfield	Tillman
Connally, Tex.	Haskell	Oliver, Ala.	Van Dyke
Connelly, Kans.	Hastings	Osborne	Venable
Cooper, Ohio	Haugen	Overmyer	Vinson
Cooper, Wis.	Hayden	Padgett	Watkins
Cox	Heflin	Park	Weaver
Crisp	Helm	Polk	Webb
Crosser	Helvering	Porter	Welty
Decker	Hilliard	Pou	Wilson, La.
Denton	Hollingsworth	Price	Wilson, Tex.
Dewalt	Huddleston	Quin	Woodyard
Dickinson	Hull, Iowa	Ragsdale	Wright
Dill	Humphreys	Rainey, H. T.	Young, Tex.
Dillon	Igoe	Rainey, J. W.	
Dixon	Jacoway	Raker	

ANSWERED "PRESENT"—3.

Hardy	Harrison, Va.	Sanders, La.

NOT VOTING—127.

Bacharach	Dies	Heintz	LaGuardia
Baer	Doremus	Hensley	Langley
Bell	Dowell	Hicks	Lehlbach
Bland	Drukker	Holland	Lesher
Britten	Edmonds	Hood	Lever
Brodbeck	Emerson	Houston	Littlepage
Brumbaugh	Estopinal	Howard	Lunn
Campbell, Pa.	Foss	Hull, Tenn.	McCormick
Candler, Miss.	Frear	Hustêd	McKenzie
Cantrill	Freeman	Hutchinson	McKinley
Carter, Mass.	Gallivan	James	McLemore
Coady	Glass	Johnson, S. Dak.	Mann
Collier	Gould	Juul	Martin
Copley	Graham, Pa.	Kahn	Mason
Costello	Gray, N. J.	Kearns	Montague
Crago	Gregg	Kehoe	Moore, Pa.
Curry, Cal.	Griest	Kelley, Mich.	Morin
Dale, N. Y.	Hamill	Kiess, Pa.	Mudd
Davidson	Hamilton, N. Y.	King	Nelson
Davis	Hayes	Knutson	Norton
Dent	Heaton	Kreider	Olney
O'Shaunessy	Russell	Snell	Walker
Overstreet	Schall	Snyder	Walton
Paige	Scott, Iowa	Stedman	Ward
Parker, N. J.	Scott, Pa.	Stevenson	Watson, Va.
Powers	Scully	Strong	Welling
Reavis	Sells	Sullivan	Whaley
Robinson	Shackleford	Switzer	White, Ohio
Rodenberg	Sherwood	Talbott	Wingo
Rose	Slayden	Templeton	Wise
Rowe	Slemp	Vare	Zihlman
Rowland	Smith, Idaho	Voigt	

So the motion was rejected.

The Clerk announced the following pairs:

On the vote:

Mr. ROWLAND and Mr. KREIDER (for) with Mr. CANTRILL (against).

Mr. HICKS and Mr. WARD (for) with Mr. ESTOPINAL (against).

Mr. MOORE of Pennsylvania and Mr. OLNEY (for) with Mr. HARRISON of Virginia (against).

Mr. BACHARACH and Mr. LEHLBACH (for) with Mr. TALBOTT (against).

Mr. SNELL and Mr. SNYDER (for) with Mr. CANDLER of Mississippi (against).

Mr. ROSE and Mr. ROWE (for) with Mr. DENT (against).

Mr. HUSTED and Mr. CARTER of Massachusetts (for) with Mr. HULL of Tennessee (against).

Mr. VARE and Mr. GRIEST (for) with Mr. HEATON (against).

Mr. EDMONDS and Mr. EGAN (for) with Mr. MARTIN (against).

Mr. HAMILTON of New York and Mr. GRAHAM of Pennsylvania (for) with Mr. HARDY (against).

Mr. PAIGE and Mr. GOULD (for) with Mr. REAVIS (against).

Mr. COSTELLO and Mr. TEMPLETON (for) with Mr. HOWARD (against).

Until further notice:

Mr. BELL with Mr. ZIHLMAN.

Mr. WISE with Mr. BLAND.

Mr. WINGO with Mr. BRITTEN.

Mr. BRODBECK with Mr. COPLEY.

Mr. BRUMBAUGH with Mr. VOIGT.

Mr. WHITE of Ohio with Mr. CURRY of California.

Mr. WHALEY with Mr. TREADWAY.

Mr. WELLING with Mr. SWITZER.

Mr. CAMPBELL of Pennsylvania with Mr. STRONG.

Mr. COADY with Mr. SMITH of Idaho.

Mr. COLLIER with Mr. SCOTT of Pennsylvania.

Mr. WATSON of Virginia with Mr. FREEMAN.

Mr. WALTON with Mr. SCOTT of Iowa.

Mr. WALKER with Mr. EMERSON.

Mr. SULLIVAN with Mr. FREAR.

Mr. STEVENSON with Mr. DRUKKER.

Mr. STEDMAN with Mr. FOSS.

Mr. GLASS with Mr. SLEMP.

Mr. GALLIVAN with Mr. DOWELL.

Mr. HAYDEN with Mr. MCKINLEY.

Mr. SHERWOOD with Mr. PARKER of New Jersey.

Mr. SHACKLEFORD with Mr. DAVIS.

Mr. SCULLY with Mr. DAVIDSON.

Mr. SCHALL with Mr. GRAY of New Jersey.

Mr. ROBINSON with Mr. KNUTSON.

Mr. RUSSELL with Mr. LANGLEY.

Mr. DORÉMUS with Mr. HAYES.

Mr. DALE of New York with Mr. HUTCHINSON.

Mr. LESHER with Mr. MCCORMICK.

Mr. LEVER with Mr. MCKENZIE.

Mr. LITTLEPAGE with Mr. MASON.

Mr. LUNN with Mr. MORIN.

Mr. HAMILL with Mr. MUDD.

Mr. HOLLAND with Mr. NELSON.

Mr. MONTAGUE with Mr. JAMES.

Mr. O'SHAUNESSY with Mr. JUUL.

Mr. OVERSTREET with Mr. NORTON.

Mr. KEHOE with Mr. KAHN.

Mr. DIES with Mr. KEARNS.

Mr. HENSLEY with Mr. KELLEY of Michigan.

Mr. HOUSTON with Mr. KIESS of Pennsylvania.

Mr. HOOD with Mr. KING.

Mr. SANDERS of Louisiana with Mr. RODENBERG.

Mr. SANDERS of Louisiana. Mr. Speaker, I have a pair with Mr. RODENBERG. I voted "no." I wish to withdraw that vote and answer "present."

Mr. LEVER. Mr. Speaker, I wish to vote "no."

The SPEAKER. Was the gentleman in the Hall, listening?

Mr. LEVER. I was not, Mr. Speaker; I was over in the Senate.

The result of the vote was announced as above recorded.

The SPEAKER. Two-thirds failing to vote to pass this bill the President's objection to the contrary notwithstanding, the bill is dead.

Mr. MOON. Mr. Speaker, I move that the President's veto message be referred to the Committee on the Post Office and Post Roads.

The SPEAKER. The gentleman from Tennessee moves that the President's veto message be referred to the Committee on the Post Office and Post Roads. The question is on agreeing to that motion.

The motion was agreed to.

Mr. STEENERSON. Mr. Speaker, I ask unanimous consent to extend my remarks on the veto.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to extend his remarks on the veto. Is there objection?

There was no objection.

DIVERSIONS OF WATER FROM NIAGARA RIVER.

Mr. POU. Mr. Speaker, I offer a privileged report from the Committee on Rules.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 406.

Resolved, That immediately upon the adoption of this resolution the House shall proceed to the consideration of S. J. Res. 158, entitled "Joint resolution further extending the time within which the joint resolution authorizing the Secretary of War to issue temporary permits for additional diversions of water from Niagara River shall remain in effect," under the general rules of the House.

Mr. FLOOD. Mr. Speaker, will the gentleman from North Carolina yield to me?

Mr. POU. I do.

Mr. FLOOD. Mr. Speaker, in order to save time, I ask unanimous consent that this resolution be taken up without the rule. It is absolutely necessary to pass it to-day, and I do not believe there will be any objection to taking it up by unanimous consent.

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, if the resolution is taken up for consideration, will time be given for making inquiries as to the reasons why the House committee has departed from the prior authorizations in phraseology, extending the authority, and did not agree to the joint resolution as it passed the Senate which carried that authority into effect, and changed the language from that which has heretofore been carried in the extension of these grants?

Mr. FLOOD. Certainly, Mr. Speaker. It is not my purpose to cut off any inquiries which might be made within the hour.

Mr. STAFFORD. And with the opportunity to offer amendments in case anybody wishes to do so?

Mr. FLOOD. Yes.

The SPEAKER. The gentleman from Virginia [Mr. FLOOD] asks unanimous consent, notwithstanding the rule that has been reported, for the present consideration of Senate joint resolution 158. Is there objection?

There was no objection.

LEAVE OF ABSENCE.

Mr. FRENCH, by unanimous consent, was granted leave of absence for the remainder of the afternoon to make addresses to soldiers at the dedication of the Young Men's Christian Association hut at Camp Humphreys.

DIVERSIONS OF WATER FROM NIAGARA RIVER.

The SPEAKER. The Clerk will report the resolution.

The Clerk read the joint resolution with the committee amendment, which is as follows:

Senate joint resolution 158.

Strike out all after the enacting clause and insert the following:

"That the Secretary of War be, and he is hereby, authorized to issue permits revocable at will for the diversion of water in the United States from the Niagara River above the Falls for the creation of power to individuals, companies, or corporations which are now actually producing power from the waters of said river, in quantities which in no event shall exceed in the aggregate a daily diversion at the rate of 20,000 cubic feet per second: *Provided*, That this resolution shall remain in force until the 1st day of July, 1919, and no longer, at the expiration of which time all permits granted hereunder shall terminate unless sooner revoked. Any individuals, companies, or corporations violating any of the provisions of said permits or diverting water from said river above the Falls for the creation of power, except under a permit issued under the authority of this law, shall be guilty of a misdemeanor and be punished by a fine not exceeding $2,000 nor less than $500, or by imprisonment not exceeding one year nor less than 30 days, or both, in the discretion of the court; and each and every day on which such violation occurs or is committed shall be deemed a separate offense: *Provided*, That where such violation is charged against the company or corporate body the offense shall be taken and deemed to be that of any director, officer, agent, or employee of such company or corporate body ordering, directing, or permitting the same."

The CHAIRMAN. The gentleman from Virginia [Mr. FLOOD] is recognized for one hour.

Mr. FLOOD. Mr. Chairman, this resolution gives the Secretary of War authority for a year to grant revocable permits for the diversion of water from the Niagara Falls, above the Falls, to the extent that that diversion is authorized under the treaty with Great Britain, namely, 20,000 cubic feet per second. Under what was known as the Burton Act 15,600 cubic feet of water was authorized to be diverted. Congress passed a resolution in January, 1917, authorizing the Secretary of War to issue permits for the diversion of the remaining 4,400 feet. The Burton Act and the resolution that we passed later extending the Burton Act have expired by limitation. There is no authority of law now for the diversion of that 15,600 cubic feet. The joint resolution authorizing the diversion of the remaining 4,400 feet of the treaty water was extended by a resolution of June 3, 1917, to run to July 1, 1918, but with certain limitations. The limitations being that the companies using this water to develop power should not install more machinery than they then had for its use.

The authority of the Secretary of War to permit the diversion of this water under that resolution expires on the 1st day of July of this year, which is Monday. The resolution passed by the Senate authorized an extension of these permits for one year, but on the same terms as the resolution of January, 1917. The House committee reported this resolution as an amendment to the resolution, and the difference is that the power companies can install additional machinery if necessary to consume the water authorized to be diverted. This resolution also applies to the whole of the treaty water instead of only to the 4,400 cubic feet.

The gentleman from Wisconsin [Mr. STAFFORD] indicated that he wanted to know our reasons for these changes. These are the changes the Foreign Affairs Committee made in the Senate resolution.

Mr. STAFFORD. As I understand it, if the gentleman will permit, the resolution that came over to the House from the Senate was in similar language to the resolution passed on January 19, 1917, which continued the prior authorization under the act of June 30, 1917, up to to-morrow.

Mr. FLOOD. The day after to-morrow—that is right.

Mr. STAFFORD. That Senate resolution was predicated upon the idea that these revocable permits issued by the Secretary of War should terminate when Congress should pass legislation regulating and controlling the diversion of the water. This whole question of the granting of the right to use this water, and particularly granting the right to use water in excess of that which the machinery then installed was capable of using, was always predicated upon the idea that Congress would pass some legislation which should supersede it. Now the amendment reported by the House committee does not make it contingent upon Congress passing any general legislation covering the use of water power, but grants a revocable permit that will expire a year hence, June 30, 1919. Therefore, if the water power bill that has recently been introduced should be enacted into law, these users of water power at Niagara Falls would be exempt from the provisions of that law until a year hence, whereas it has always been the policy of Congress merely to grant these temporary rights subject to the decision of Congress whenever it should pass some general law applying to water powers throughout the country.

Mr. FLOOD. No; the gentleman has not got that exactly right. This authorizes the Secretary of War to issue revocable permits for a year. He can revoke those permits any day he sees fit.

Mr. STAFFORD. Oh, yes; but heretofore the right to continue under these permits was terminable as soon as Congress should pass a general law that would apply to water power, the Secretary of War to the contrary notwithstanding, as to whether he would exercise his discretion; but now you are surrendering that right and leaving it only to the discretion of the Secretary of War to determine whether within a year he will revoke the permit or not.

Mr. FLOOD. There was nothing in the original resolution that differed in the respect the gentleman is talking about from this resolution. The original resolution simply gave the Secretary of War the right to issue revocable permits from the date of the passage of the resolution in January to June 30, 1917, but it did not have anything in it about the permit expiring when legislation was enacted by Congress. There was nothing in the resolution about that. The policy of this resolution is exactly the same as the policy of the original resolution, with the two exceptions I have mentioned. The gentleman will remember we passed the resolution of January, 1917, with the exception that between that time and the 1st of the next July we would enact permanent legislation on this question. The House did pass a well-considered measure dealing with this question comprehensively and permanently, but that measure failed to go through the Senate, and as a result of that we passed another resolution extending the authority of the

Secretary of War to issue permits for one year longer, until the 30th of June, 1918. But the policy was exactly the same as that of this resolution, with this exception: These resolutions did not permit the installation of more machinery. They authorized the use of the water, but the users could not use any more water than they then had machinery to consume. Now, it has developed that instead of using the 20,000 cubic feet of water that this country has the right to permit the use of, they are using only between 18,000 and 19,000 cubic feet per second, and there is something between 1,500 and 2,000 cubic feet per second of that water going to waste. These companies are willing to take their chances on installing more machinery and using this water and making 30,000 or 40,000 additional horsepower of electrical energy that is in great demand to make machinery and other articles that are necessary in the prosecution of the war, and so, in consideration of that fact, we eliminated from this resolution the limitation that they should not install any more machinery to use this water than they now have.

Mr. LONDON. Will the gentleman yield?

Mr. FLOOD. I yield to the gentleman from New York.

Mr. LONDON. Has the Secretary of War asked for the passage of this resolution in this form?

Mr. FLOOD. The Secretary of War desires it in the very form that the House committee reported it.

Mr. LONDON. In other words, it is desired to remove all limitations?

Mr. FLOOD. Yes. That is the only difference between this resolution and the resolution of 1917, except that this resolution applies to the whole 20,000 cubic feet of water per second, as it ought to, instead of the 4,400 cubic feet.

Mr. WALDOW. Will the gentleman yield?

Mr. FLOOD. I will.

Mr. WALDOW. Is it not true that the Secretary of War at the present time, under the authority vested in him, has the power to grant permission to companies to make improvements so that they can use the entire diversion of water?

Mr. FLOOD. I understand that a company is at work deepening and broadening its canal so that all the water can be used.

Mr. STAFFORD. Will the gentleman acquaint the committee, because the report is a vacuum so far as giving reasons and arguments for the legislation——

Mr. FLOOD. We thought the committee knew so much about the matter that it was not necessary to put it all in the report.

Mr. STAFFORD. Like the reports generally from the Committee on Foreign Affairs which have been of a vacuistic character——

Mr. FLOOD. I do not think the gentleman ought to say that about the reports from the Committee on Foreign Affairs. They have generally been full and complete. I call the gentleman's attention to the report on the war resolutions, the last appropriation bill for the Consular and Diplomatic Service, and I could call his attention to many others where the reports have been very full. This resolution does not call for a lengthy report.

Mr. STAFFORD. I can cite instance after instance where the reports from the Committee on Foreign Affairs have contained no reasons or arguments. But we will lay that aside. I am going to inquire why the committee saw fit to leave out, in the amendment as reported by his committee, the restriction that was carried in the Senate resolution that permits would be only in force until Congress should enact legislation regulating and controlling the diversion of water generally.

Mr. FLOOD. Where does the gentleman find that?

Mr. STAFFARD. On page 2, lines 4 to 6, the Senate resolution says:

unless the Congress shall before that date enact legislation regulating and controlling the diversions of water from the Niagara River or from boundary streams generally, in which event this resolution shall cease to be of any further force or effect.

That contemplates the passing of some water-power legislation that unquestionably will cover the water power in Niagara River.

Mr. CHARLES B. SMITH. No; it does not.

Mr. FLOOD. General water-power legislation does not embrace the boundary-line waters.

Mr. STAFFORD. As reported by the special committee, it may not.

Mr. FLOOD. They were not under the rule authorized to consider boundary waters.

Mr. COOPER of Wisconsin. This is a treaty question.

Mr. STAFFORD. The gentleman from Wisconsin says this is a treaty question, but the resolutions from time to time have been introduced because they were all of an expedient character and granted the use of power until the Congress should fix some permanent policy which would apply to Niagara Falls.

Mr. FLOOD. That is the purpose of this very resolution, and I will say that the Committee on Foreign Affairs has taken evidence for weeks and have been considering a measure dealing with this question permanently and thoroughly, and we have not got through with it yet.

Mr. STAFFORD. When the gentleman's committee does get through with it and it is taken up for consideration, why should not this temporary legislation be superseded by it, as intended by the Senate amendment?

Mr. FLOOD. That would be unobjectionable. I thought the gentleman said it was in the original resolution passed by Congress.

Mr. STAFFORD. To be frank with the gentleman, I did say that, but I was in error.

Mr. FLOOD. If the gentleman desires to offer an amendment of that kind, it will be perfectly satisfactory to all the members of the committee.

Mr. STAFFORD. One more question. The gentleman may have taken evidence on the subject, but the Canadian water-power companies are hard pressed at the present time to supply the necessary power that is demanded in Canada for manufacturing plants on the Canadian side.

Mr. FLOOD. That is true.

Mr. STAFFORD. Can the gentleman inform the committee whether these companies are utilizing any greater amount of water diversion than they were using prior to the outbreak of the war?

Mr. FLOOD. They are establishing new machinery for using more water but they have not completed the installation yet.

Mr. STAFFORD. Under the treaty with Great Britain whereby the two countries are to limit the amount of water diversion, how much was Canada authorized to use? I know that our country was authorized to use 20,000 cubic feet a second.

Mr. FLOOD. Canada was authorized to divert 36,000 cubic feet a second and we were authorized to divert 20,000 cubic feet a second.

Mr. STAFFORD. Can the gentleman inform the House how much of the 36,000 cubic feet per second is being used by the Canadian hydroelectric companies?

Mr. FLOOD. They are installing machinery to use it all, but at this time they are using a little less than 30,000 cubic feet a second.

Mr. STAFFORD. I understand there are two companies utilizing 15,600 cubic feet per second, and they seek to have the privilege of taking the residuum of the 20,000 cubic feet.

Mr. FLOOD. The Committee on Foreign Affairs has heard of several companies that are considering this new general legislation. No other company has the machinery to generate power now. No other companies would be benefited by this resolution except the two companies because the other companies have no machinery and no plants.

Mr. STAFFORD. These two companies are engaged directly or indirectly in furnishing power in the making of supplies of a war character.

Mr. FLOOD. No; they make electric power out of this water.

Mr. STAFFORD. But this power is used by manufacturers, one of which is the Carborundum Co.

Mr. FLOOD. Yes; the War Department has ascertained how much power the companies can generate, and they have distributed that power among the industries that are making material necessary for the prosecution of the war.

Mr. STAFFORD. I presume the House would be interested in knowing just the scope of the regulations the Secretary of War has prescribed under the revocable permits that he was authorized to grant for the use of power. Can the gentleman inform the House as to those regulations, whether there are any regulations as to the price to be charged to the consumer by the generating power companies?

Mr. FLOOD. That question is under the public-service commission of the State of New York, and the Secretary of War did not undertake to deal with it.

Mr. STAFFORD. So the Secretary of War has not attempted to regulate the price of power that will be paid by the consuming public?

Mr. FLOOD. No; but I will say to the gentleman that this power is all consumed by corporations that need just as little protection as these two generating companies need. They can take care of themselves; and some of them have contracts with these companies running for a long period of years, such as the aluminum company to furnish them power at $8 per horsepower.

Mr. STAFFORD. Then, as I understand the gentleman, all of the power that is generated by these two companies is sold to two large corporations.

Mr. FLOOD. No; not to two, but to quite a number.

Mr. STAFFORD. I understood the gentleman to say two large corporations were able to take care of themselves.

Mr. FLOOD. I said a number of corporations. I mentioned only one. I have a list of them here. There is the carbide company, the metallurgical company, the chemical company, the alkali company, and different carbon companies. There is quite a list of them.

Mr. STAFFORD. Has the gentleman got the rate per kilowatt at which the hydropower is sold?

Mr. FLOOD. No. It varies because some of these companies get power from the generating companies under contracts that were entered into years ago when electric power was not in such demand. They made contracts for very low prices, and, as I stated, some of them get the power for $8 per horsepower and some of them have to pay as high as $40.

Mr. STAFFORD. Then the gentleman has no objection to an amendment of similar import to that embodied in the Senate resolution?

Mr. FLOOD. None in the world.

Mr. MILLER of Washington. Mr. Speaker, can the gentleman tell me whether any of this increase of power will go to the use of any of the Niagara brewing companies?

Mr. FLOOD. No.

Mr. STAFFORD. They are all being converted into near-beer companies, and I take it the gentleman from Washington would not object to its being used for that purpose.

Mr. SABATH. And for Coca-Cola.

Mr. MILLER of Washington. I am very glad the gentleman from Milwaukee, the home of the amber fluid, can advise me on this.

Mr. SABATH. The gentleman needs advice.

Mr. MILLER of Washington. I am glad I have found the oracle to whom to appeal.

Mr. DILL. Mr. Speaker, the gentleman from Virginia says that Canada was using 36,000 cubic feet from Niagara River. Is any of the power produced by that water being transmitted into the United States?

Mr. FLOOD. Yes; some of it; but it is being cut off as fast as possible.

Mr. STAFFORD. Mr. Speaker, I move to amend, in line 16, on page 2, by inserting the phraseology which is found in lines 4, 5, 6, 7, and 8, page 2, as follows:

unless the Congress shall before that date enact legislation regulating and controlling the diversions of water from the Niagara River or from boundary streams generally, in which event this resolution shall cease to be of any further force or effect.

I question, however, whether that is the best place to insert that amendment.

Mr. COOPER of Wisconsin. I think it ought to come in after the word "revoked," in line 20.

Mr. STAFFORD. Then, Mr. Chairman, I modify the amendment by having the phraseology just read inserted after the word "revoked," in line 20, changing the period to a comma.

The SPEAKER pro tempore (Mr. WEBB). The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 2, line 20, after the word "revoked," strike out the period and insert a comma and the following language: "unless the Congress shall before that date enact legislation regulating and controlling the diversions of water from the Niagara River or from boundary streams generally, in which event this resolution shall cease to be of any further force or effect."

Mr. COOPER of Wisconsin. Mr. Speaker, I suggest to the gentleman that the words "or from boundary streams generally" ought to be omitted. I do not think we want the waters of the cataract of Niagara in any way taken away from the jurisdiction of the Committee on Foreign Affairs, acting in pursuance of a treaty with a foreign country.

Mr. FLOOD. I will say to the gentleman that in the formation of the Water Power Committee and the rule that provided for it there was taken from its jurisdiction or there was never given to it the jurisdiction of the waters of Niagara River and other boundary streams, so that the Niagara River and other boundary streams are left to the Committee on Foreign Affairs.

Mr. STAFFORD. Mr. Speaker, I withdraw from the amendment the words "or from boundary streams generally" and modify it further by inserting the word "and" before the word "unless."

The SPEAKER pro tempore. The Clerk will report the modified amendment.

The Clerk read as follows:

Page 2, line 20, after the word "revoked," strike out the period and insert a comma and the following language: "and unless the Congress shall before that time enact legislation regulating and controlling the diversions of water from the Niagara River, in which event this resolution shall cease to be of any further force or effect."

Mr. LONDON. Mr. Speaker, I move to strike out the last word, for the purpose of asking the gentleman from Wisconsin [Mr. STAFFORD] a question. Assuming that Congress has enacted legislation and that this resolution had ceased to be of any force, that would not in itself revoke a license issued for the period of one year?

Mr. STAFFORD. This resolution is predicated upon the idea that Congress has not passed any legislation, but the amendment that is now being considered is that this resolution be superseded upon Congress passing some general legislation regulating the water flow at Niagara.

Mr. LONDON. But I question——

Mr. FLOOD. The permits issued by the Secretary of War are revocable at will.

Mr. LONDON. Are these permits revocable at will?

Mr. FLOOD. Yes; this gives the Secretary of War authority to issue permits for 12 months, and they are revocable at his will.

Mr. LONDON. And they will be for one year, but they may be revoked at any time prior to the expiration of the year?

Mr. FLOOD. Yes.

Mr. RAKER. Mr. Speaker, I want to call the gentleman's attention to this last amendment. In reference to this proviso, commencing line 16:

Provided, That this resolution shall remain in force until the 1st day of July, 1919, and no longer, at the expiration of which time all permits granted hereunder shall terminate unless sooner revoked.

Now, you put in this proviso——

Mr. STAFFORD. A further limitation.

Mr. RAKER. No; there is a question whether it is a further limitation.

And unless the Congress shall before that date enact legislation regulating and controlling the diversions of water from the Niagara Falls from the Niagara River, etc.

It is a question or not whether that will not extend these permits beyond that period. What you are trying to do is to put a limitation to the expiration, namely, July 1, 1919.

Mr. STAFFORD. If Congress passes legislation regulating the control of the Niagara River, that legislation will supersede these permits of a year notwithstanding the Secretary of War does not exercise his discretion to revoke the same within that year.

Mr. RAKER. That does not seem to be certain, because that proviso without the amendment being in there is sufficient that the permit would end and cease.

Mr. STAFFORD. Mr. Speaker, to make it clear I wish to modify my amendment from the conjunctive to the disjunctive and ask that the word "or" instead of the word "and" be placed at the beginning of the amendment.

The SPEAKER pro tempore. Without objection, the modified amendment will be reported.

Mr. DEMPSEY. Will the gentleman yield for just a suggestion? The purpose of the removal of this restriction is to induce power companies to install additional machinery with which to develop this additional power for war purposes. Suppose the legislation should be such—and it is conceivable—that other power companies than the two power companies who are to take water under this resolution should obtain this water, and the companies look at it that way and say: "It is a question whether we are justified in going to the expense of installing this additional machinery to develop this power when it may be taken away from us within a year." The Government might lose much of the advantage this resolution seeks to obtain for it.

Mr. MADDEN. The gentleman presupposes that the Congress——

Mr. DEMPSEY. That is very easily possible. You have not any conception of the situation. I simply say it is a practical matter, and it is not only possible but it is very likely. These companies have already expended $500,000 without any guaranty that they have this extension. Whether they are going to continue to expend money when legislation may be enacted which may take the power away from them is a very questionable thing, and there is need for this power.

Mr. COOPER of Wisconsin. Does the gentleman believe these companies have expended a half a million dollars without some understanding? They have not expended $500,000 unless they felt perfectly sure it would not be thrown away.

Mr. STAFFORD. Can the gentleman conceive of a situation where Congress would pass legislation which would prevent this necessary power when it is to be used for war purposes in order to prevent its being used for the benefit of the country——

Mr. DEMPSEY. I can see no other purpose of the amendment suggested by the gentleman except it is limited in this way I have suggested.

Mr. STAFFORD. Except Congress ought to have the regulatory power in case it wished to exercise it.

Mr. DEMPSEY. As I understood the gentleman from Virginia, these permits are always granted by the department, revocable absolutely at will. It is going to be absolutely within the control of the Secretary of War, in any event, and it does not seem to me that it ought to be done by this legislation.

Mr. STAFFORD. We have had this question up, and this is a most reasonable amendment in order to safeguard the interests of the Government.

Mr. SABATH. The gentleman does not suppose that there is any danger on the part of the Congress refusing to pass an amendatory resolution?

Mr. FLOOD. I yield one minute to the gentleman from California [Mr. RAKER].

Mr. RAKER. In this last amendment, suggested by the gentleman from Wisconsin [Mr. STAFFORD], if this proviso is carried that it is revocable, and if not revoked ends on the 1st of July, 1919, the Government is clearly safe. There is not any doubt if within a month or within two months Congress enacts legislation controlling the waters of the river of Niagara, fixing the rules and regulations and the length of the term of the lease and the privileges to be granted, the Secretary of War has the power to immediately terminate that lease, and they would then come under the law. So there would be no question of complication.

Mr. FLOOD. May I make a suggestion to the gentleman from California?

Mr. RAKER. Yes.

Mr. FLOOD. Congress will likely pass that general legislation in six or eight months.

Mr. LONDON. Will the gentleman yield to me one minute?

Mr. FLOOD. I yield one minute to the gentleman from New York.

Mr. LONDON. I do not like this legislation. Somehow they bring in all this water-power legislation at the end of a session, at the very last moment, and you do not get a chance to discuss it at all. You do not know what it is all about. I sent for a copy of the hearings and there have been no hearings, although it is a water-company matter, and some water-power legislation has had the effect of smearing over the men who have been battling with it. I do not think it is a fair thing to bring in this legislation at the last moment. That is the only thing I have to say about it.

Mr. FLOOD. Well, Mr. Speaker, if you want to break up an aggregation of industries that are supplying the necessities for this war, I would say you would want to oppose this legislation. Now, the gentleman from New York [Mr. LONDON] is entirely wrong about no hearings. We have had hearings for weeks.

Mr. LONDON. I asked for a copy and they told me there were no hearings on this resolution.

Mr. FLOOD. There were not on this resolution, but on the permanent measure before the committee; and this resolution is merely an extension of the law, and that we have passed twice before for the purpose of allowing those people to go on and utilize this water that would otherwise go to waste in order to make electric energy and carry on the war activities.

Mr. Speaker, I move the previous question.

The SPEAKER pro tempore (Mr. WEBB). The Chair would like to ask the gentleman from Wisconsin where he wishes the disjunctive "or" instead of the conjunctive "and"?

Mr. STAFFORD. It is the first word in the amendment, so that it shall read "or unless the Congress shall before that date," and so forth.

The SPEAKER pro tempore. The question is on the amendment of the gentleman from Wisconsin [Mr. STAFFORD].

The question was taken, and the amendment was agreed to.

The SPEAKER pro tempore. The question now is on adopting the House committee amendment to the Senate joint resolution.

The committee amendment was agreed to.

The SPEAKER pro tempore. The question is on the third reading of the Senate joint resolution.

The resolution was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. FLOOD, a motion to reconsider the vote by which the resolution was passed was laid on the table.

The SPEAKER resumed the chair.

POST OFFICE APPROPRIATIONS (H. REPT. NO. 725).

Mr. MOON. Mr. Speaker, by direction of the Committee on the Post Office and Post Roads I introduce a bill making appropriations for the services of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes. And in this connection I want to ask the permission of the House——

The SPEAKER. The Clerk will report it by title.

The Clerk read as follows:

A bill (H. R. 12599) making appropriations for the services of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes.

Mr. MOON. Mr. Speaker, with the consent of the House I desire to make a brief statement, and then make a motion in reference to this bill.

The House, of course, is aware that the President vetoed the Post Office and Post Roads bill on account of the pneumatic-tube provision of the bill, and the House, I am glad to say, sustained the veto. It is also aware that the House and the Senate reached, in a conference on the bill H. R. 7237, an agreement on all of the other amendments and incorporating the legislation that is provided for in the Senate and agreed to in the House, as shown in the conference report. In other words, the bill was agreed upon by both bodies. Now, the bill which I have introduced by the direction of the committee—and I want to say it was by a unanimous vote of the committee, a quorum being present—is identical with the original bill, H. R. 7237, as agreed on, except, of course, the pneumatic-tube provisions are left out. It is very important that we pass this legislation. It is very fully considered, and is agreed to by both Houses in the conference report in the bill mentioned.

There are provisions of that bill that are new law, providing for increases in the salary of rural carriers and for railway mail clerks and post-office clerks, and the classification of clerks and fourth-class postmasters, and a number of other provisions which you gentlemen are familiar with, and which I need not repeat.

Mr. Speaker, in view of the fact that the measure should pass before the end of the fiscal year ending June 30, by direction of the Committee on the Post Office and Post Roads, unanimously given, I ask the unanimous consent of the House to take up this bill now, with an agreement that all of its provisions shall be in order, that the bill be considered in the House as in Committee of the Whole, that the first reading of the bill be dispensed with, and that there shall be no debate upon the bill, and that the previous question shall be considered as ordered after the reading of the bill.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to take this bill up immediately in the House as in Committee of the Whole, dispense with the first reading of the bill, have no debate, make in order everything that is in it, and have the previous question ordered on it, and pass it. Is there objection?

Mr. STEENERSON. Mr. Speaker, I hope there will be no objection to that.

Mr. WALSH rose.

The SPEAKER. For what purpose does the gentleman from Massachusetts rise?

Mr. WALSH. Reserving the right to object, Mr. Speaker—and I do not intend to object—I think the gentleman inadvertently said that the President had vetoed the tube provision of the bill. He vetoed the entire bill, and based his veto on the tube provision.

Mr. MOON. The gentleman is entirely correct about that. That is what I meant, of course.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee? It is a very large order, to be sure. [Laughter.]

There was no objection.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 12599) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes.

The SPEAKER. The question is on the engrossment and third reading of the bill.

Mr. GILLETT. Mr. Speaker, I suppose that the bill ought to be read. We have dispensed with the first reading.

The SPEAKER. The Chair thinks so, too. The Clerk will read the bill.

The Clerk read the bill, as follows:

A bill (H. R. 12599) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes.

Be it enacted, etc., That the following sums be, and they are hereby, appropriated for the service of the Post Office Department, in conformity with the act of July 2, 1836, as follows:

OFFICE OF THE POSTMASTER GENERAL.

For gas, electric power and light, and the repair of machinery, United States Post Office Department equipment shops building, $4,500.

For salaries of post-office inspectors: For salaries of 15 inspectors in charge of divisions, at $3,000 each; 30 inspectors, at $2,400 each; 20 inspectors, at $2,250 each; 32 inspectors, at $2,100 each; 20 inspectors, at $2,000 each; 30 inspectors, at $1,900 each; 90 inspectors,

at $1,800 each; 60 inspectors, at $1,700 each; 60 inspectors, at $1,600 each; and 65 inspectors, at $1,500 each; in all, including increases hereinafter provided, $968,100.

For per diem allowance of inspectors in the field while actually traveling on official business away from their homes, their official domiciles, and their headquarters, at a rate to be fixed by the Postmaster General, not to exceed $4 per day: *Provided*, That the Postmaster General may, in his discretion, allow inspectors per diem while temporarily located at any place on business away from their homes or their designated domiciles for a period not exceeding 20 consecutive days at any one place, and make rules and regulations governing the foregoing provisions relating to per diem: *And provided further*, That no per diem shall be paid to inspectors receiving annual salaries of $2,000 or more, except the 32 inspectors receiving $2,100 each, $350,000.

For compensation to clerks at division headquarters, 15, at $1,800 each; 15, at $1,600 each; 20, at $1,400 each; 30, at $1,200 each; 10, at $1,000 each; and 10, at $900 each; in all, including increases hereinafter provided, $154,100.

For traveling expenses of inspectors without per diem allowance, inspectors in charge, and the chief post-office inspector, and expenses incurred by inspectors not covered by per diem allowance, unusual and extraordinary expenses necessarily incurred for maintenance by inspectors over and above per diem allowance while traveling on official business in connection with the postal service of Alaska, and for the traveling expenses of 4 clerks performing stenographic and clerical assistance to post-office inspectors in the investigation of important fraud cases, $43,850.

For livery hire incurred by inspectors not covered by their per diem allowance, including livery hire in connection with the installation and inspection of rural routes, $45,000.

For necessary miscellaneous expenses at division headquarters, $7,500.

For payment of rewards for the detection, arrest, and conviction of post-office burglars, robbers, and highway mail robbers: *Provided*, That rewards may be paid, in the discretion of the Postmaster General, when an offender of the class mentioned was killed in the act of committing the crime or in resisting lawful arrest: *And provided further*, That of the amount herein appropriated not to exceed $5,000 may be expended, in the discretion of the Postmaster General, for the purpose of securing information concerning violations of the postal laws and for services and information looking toward the apprehension of criminals, $25,000.

For compensation of a special assistant to the Attorney General to assist in the defense of cases against the United States arising out of the transportation of the mails, and in other cases and matters affecting the postal revenues, $6,000.

For travel and miscellaneous expenses in the Postal Service, office of the Postmaster General, $1,000.

OFFICE OF THE FIRST ASSISTANT POSTMASTER GENERAL.

For compensation to postmasters, $35,000,000.

For compensation to assistant postmasters at first and second class post offices, 5, at not exceeding $4,000 each; 50, at not exceeding $3,000 each; 10, at not exceeding $2,500 each; 10, at not exceeding $2,000 each; 15, at not exceeding $1,900 each; 50, at not exceeding $1,800 each; 100, at not exceeding $1,700 each; 170, at not exceeding $1,600 each; 215, at not exceeding $1,500 each; 175, at not exceeding $1,400 each; 360, at not exceeding $1,300 each; 600, at not exceeding $1,200 each; 550, at not exceeding $1,100 each; 350, at not exceeding $1,000 each; 130, at not exceeding $900 each; 70, at not exceeding $800 each; in all, including increases hereinafter provided, $4,075,000. And the appointment and assignment of assistant postmasters hereunder shall be so made during the fiscal year as not to involve a greater aggregate expenditure than this sum.

For compensation to clerks and employees at first and second class post offices:

Superintendents of delivery, superintendents of mails, superintendents of money order, and superintendents of registry, 10, at not exceeding $3,200 each;

Auditors, and superintendents of mails, 15, at not exceeding $3,000 each;

Assistant superintendents of mails, superintendents of delivery, and superintendents of mails, 23, at not exceeding $2,700 each;

Assistant superintendents of mails, cashiers, superintendents of delivery, and superintendents of mails, 30, at not exceeding $2,600 each;

Assistant superintendents of mails, cashiers, superintendents of delivery, superintendents of mails, and superintendents of stations, 35, at not exceeding $2,500 each;

Assistant superintendents of delivery, assistant superintendents of mails, assistant superintendents of money order, assistant superintendents of registry, bookkeepers, cashiers, finance clerks, stenographers, superintendents of delivery, superintendents of mails, superintendents of money order, and superintendents of registry, 60, at not exceeding $2,400 each;

Assistant superintendents of mails, bookkeepers, cashiers, chief mailing clerks, chief stamp clerks, finance clerks, superintendents of delivery, superintendents of mails, superintendents of money order, superintendents of registry, and superintendents of stations, 70, at not exceeding $2,200 each;

Assistant cashiers, assistant superintendents of delivery, assistant superintendents of mails, assistant superintendents of money order, assistant superintendents of registry, bookkeepers, cashiers, examiners of stations, finance clerks, superintendents of carriers, superintendents of delivery, superintendents of mails, superintendents of money order, superintendents of registry, superintendents of second-class matter, superintendents of inquiry, and superintendents of stations, 190, at not exceeding $2,000 each;

Assistant cashiers, assistant superintendents of delivery, assistant superintendents of mails, assistant superintendents of money order, assistant superintendents of registry, assistant superintendents of stations, bookkeepers, cashiers, chief mailing clerks, chief stamp clerks, examiners of stations, finance clerks, stenographers, superintendents of carriers, superintendents of delivery, superintendents of mails, superintendents of money order, superintendents of registry, superintendents of second-class matter, and superintendents of stations, 180, at not exceeding $1,800 each;

Assistant cashiers, assistant superintendents of delivery, assistant superintendents of mails, assistant superintendents of money order, assistant superintendents of registry, assistant superintendents of stations, bookkeepers, cashiers, chief mailing clerks, chief stamp clerks, examiners of stations, finance clerks, stenographers, superintendents of carriers, superintendents of delivery, superintendents of mails, superintendents of money order, superintendents of registry, superintendents of second-class matter, and superintendents of stations, 190, at not exceeding $1,700 each;

Assistant cashiers, assistant superintendents of delivery, assistant superintendents of mails, assistant superintendents of money order, assistant superintendents of registry, assistant superintendents of stations, bookkeepers, cashiers, chief mailing clerks, chief stamp clerks, examiners of stations, finance clerks, foremen of crews, stenographers, superintendents of carriers, superintendents of delivery, superintendents of mails, superintendents of money order, superintendents of registry, superintendents of second-class matter, and superintendents of stations, 425, at not exceeding $1,600 each.

Assistant cashiers, assistant superintendents of delivery, assistant superintendents of mails, assistant superintendents of money order, assistant superintendents of registry, assistant superintendents of stations, bookkeepers, cashiers, chief mailing clerks, chief stamp clerks, examiners of stations, finance clerks, foremen of crews, stenographers, superintendents of carriers, superintendents of delivery, superintendents of mails, superintendents of money order, superintendents of registry, superintendents of second-class matter, and superintendents of stations, 1,050, at not exceeding $1,500 each.

Assistant cashiers, assistant superintendents of delivery, assistant superintendents of mails, assistant superintendents of money order, assistant superintendents of registry, assistant superintendents of stations, bookkeepers, cashiers, chief mailing clerks, chief stamp clerks, special clerks, examiners of stations, finance clerks, foremen of crews, stenographers, superintendents of carriers, superintendents of delivery, superintendents of mails, superintendents of money order, superintendents of registry, superintendents of second-class matter, and superintendents of stations, 2,600, at not exceeding $1,400 each.

Assistant cashiers, assistant superintendents of delivery, assistant superintendents of money order, assistant superintendents of mails, assistant superintendents of registry, assistant superintendents of stations, bookkeepers, cashiers, chief mailing clerks, chief stamp clerks, examiners of stations, finance clerks, foremen of crews, special clerks, stenographers, superintendents of carriers, superintendents of delivery, superintendents of mails, superintendents of money order, superintendents of registry, superintendents of second-class matter, and superintendents of stations, 7,100, at not exceeding $1,300 each.

Assistant cashiers, assistant superintendents of delivery, assistant superintendents of mails, assistant superintendents of money order, assistant superintendents of registry, assistant superintendents of stations, bookkeepers, chief stamp clerks, clerks, finance clerks, foremen of crews, stenographers, superintendents of carriers, superintendents of second-class matter, and superintendents of stations, 18,360, at not exceeding $1,200 each.

Assistant superintendents of stations, clerks, stenographers, superintendents of carriers, superintendents of second-class matter, and superintendents of stations, 7,700, at not exceeding $1,100 each.

Assistant superintendents of stations, clerks, clerks in charge of stations, stenographers, superintendents of carriers, and superintendents of second-class matter, 2,500, at not exceeding $1,000 each.

Clerks, clerks in charge of stations, and stenographers, 2,000, at not exceeding $900 each.

Clerks and clerks in charge of stations, 2,169, at not exceeding $800 each.

Substitutes for clerks and employees absent without pay.

And to provide for the promotion of 85 per cent of the clerks in first-class post offices from the fifth to the sixth grade, and for the promotion of 15 per cent of the clerks in the sixth grade to the designation of "special clerk" in the $1,300 grade, and for the promotion of 15 per cent of the designated "special clerks" in the $1,300 grade to the designation of "special clerks" in the $1,400 grade, and to provide for the promotion of 85 per cent of the clerks in second-class post offices from the fourth to the fifth grade, and for the promotion of 15 per cent of the clerks in second-class post offices from the fifth to the sixth grade: *And provided further*, That there may also be employed at first-class post offices foremen and stenographers at a salary of $1,300 or more per annum; in all, including increases hereinafter provided, $62,750,000.

Provided, That hereafter the appointment and assignment of clerks hereunder shall be so made during each fiscal year as not to involve a greater aggregate expenditure than the sum appropriated; and to enable the Postmaster General to carry out the provisions of this act and also the act of March 2, 1907, classifying clerks and city letter carriers in first and second class post offices, he may hereafter exceed the number of clerks appropriated for for particular grades: *Provided*, That the number of clerks in the aggregate as herein authorized be not exceeded: *Provided further*, That hereafter when any employee in the Postal Service under the law is entitled to compensatory time for Sunday or holiday service, if he so elects, he may be paid for overtime in lieu thereof.

For compensation to printers, mechanics, and skilled laborers, 22, at $1,200 each; 4 at $1,100 each; and 31 at $1,000 each; in all, including increases hereinafter provided, $71,070.

For compensation to watchmen, messengers, and laborers, 1,925, at $900 each; in all, including increases hereinafter provided, $1,989,500.

For compensation to clerks in charge of contract stations, $1,180,000.

For temporary and auxiliary clerk hire and for substitute clerk hire for clerks and employees absent with pay at first and second class post offices and temporary and auxiliary clerk hire at summer and winter resort post offices, $3,428,572.

For separating mails at third and fourth class post offices, $730,000.

For unusual conditions at post offices, $150,000.

For allowances to third-class post offices to cover the cost of clerical services, $2,400,000.

Provided, That hereafter no allowance in excess of $300 shall be made where the salary of the postmaster is $1,000, $1,100, or $1,200; nor in excess of $400 where the salary of the postmaster is $1,300, $1,400, or $1,500; and that no allowance in excess of $500 shall be made where the salary of the postmaster is $1,600 or $1,700; nor in excess of $800 where the salary of the postmaster is $1,800 or $1,900.

And provided further, That the Postmaster General may, in the disbursement of this appropriation, expend not exceeding $400,000 for the employment, at a maximum salary of $600 per annum, of assistant postmasters at post offices of the third class where the salary of the postmaster is $1,800 or $1,900 per annum.

For rent, light, and fuel for first, second, and third class post offices, $6,500,000.

Provided, That hereafter the Postmaster General may, in the disbursement of the appropriation for such purposes, apply a part thereof to the purpose of leasing premises for the use of post offices of the first, second, and third classes at a reasonable annual rental, to be paid quarterly for a term not exceeding 10 years; and that there

shall not be allowed for the use of any third-class post office for rent a sum in excess of $500, nor more than $100 for fuel and light, in any one year.

For miscellaneous items necessary and incidental to post offices of the first and second classes, $400,000.

For pay of letter carriers at offices already established, including substitutes for letter carriers absent without pay, and for the promotion of 85 per cent of the letter carriers in first-class post offices from the fifth to the sixth grade, and for the promotion of 85 per cent of the letter carriers in second-class post offices from the fourth to the fifth grade, and for the promotion of 15 per cent of the letter carriers in second-class offices from the fifth to the sixth grade, City Delivery Service, $49,100,000.

For pay of susbtitutes of letter carriers absent with pay, and of auxiliary and temporary letter carriers at offices where city delivery is already established, $4,685,715.

For pay of letter carriers, substitute and auxiliary letter carriers at offices where City Delivery Service is established during the year, $94,000.

For vehicle allowance, the hiring of drivers, the rental of vehicles, and the purchase and exchange and maintenance, including stable and garage facilities, of wagons or automobiles for, and the operation of, screen-wagon and city delivery and collection services, $6,700,000: *Provided*, That not to exceed $300,000 of the amount herein appropriated shall be available for the payment of this service during the fiscal year ending June 30, 1918: *Provided further*, That the Postmaster General may, in his disbursement of this appropriation, apply a part thereof to the leasing of quarters for the housing of Government-owned automobiles at a reasonable annual rental for a term not exceeding 10 years.

For mail-messenger service, $2,700,000: *Provided*, That not to exceed $100,000 of the amount herein appropriated shall be available for the payment of this service during the fiscal year ending June 30, 1918.

For car fare and bicycle allowance, $625,000.

For street car collection service, $9,000.

For Detroit River postal service, $7,250.

For car fare for special-delivery messengers in emergency cases, $13,000.

For fees to special-delivery messengers, $3,200,000.

For travel and miscellaneous expenses in the Postal Service, office of the First Assistant Postmaster General, $1,000.

OFFICE OF THE SECOND ASSISTANT POSTMASTER GENERAL.

For inland transportation by star routes in Alaska, $430,000:

Provided, That out of this appropriation the Postmaster General is authorized to provide difficult or emergency mail service in Alaska, including the establishment and equipment of relay stations, in such manner as he may think advisable, without advertising therefor.

For inland transportation by steamboat or other power-boat routes or by aeroplanes, $1,185,000: *Provided*, That the contract now in force for carrying the mail on Lake Winnepesaukee from the post office at Laconia, N. H., shall be readjusted so that the yearly salary paid the carrier, who furnishes his own equipment, shall be $1,800 per annum: *Provided further*, That hereafter, when there is no competition on a route and the rate of compensation asked is excessive, or no proposal is received, the Postmaster General may require that the mails be carried as freight or express, and it shall be unlawful for any common carrier by water to refuse to carry the mails when so required, and the penalty for such offense shall be a fine of $500. Each day of refusal shall constitute a separate offense: *Provided further*, That out of this appropriation the Postmaster General is authorized to expend not exceeding $100,000 for the purchase, operation, and maintenance of aeroplanes for an experimental aeroplane mail service between such points as he may determine.

For inland transportation by railroad routes, $60,645,000:

Provided, That not to exceed $1,000,000 of this appropriation may be expended for pay of freight and incidental charges for the transportation of mails conveyed under special arrangement in freight trains or otherwise.

For pay of freight or expressage on postal cards, stamped envelopes, newspaper wrappers, and empty mail bags, $95,000.

Railway Mail Service: For 15 division superintendents, at $3,250 each; 2 assistant superintendents, at $2,350 each; 15 assistant division superintendents, at $2,250 each; 115 chief clerks, at not exceeding $2,100 each; 465 clerks, grade 10, at not exceeding $1,800 each; 2,032 clerks, grade nine, at not exceeding $1,700 each; 393 clerks, grade 8, at not exceeding $1,600 each; 8,299 clerks, grade 7, at not exceeding $1,500 each; 1,078 clerks, grade 6, at not exceeding $1,400 each; 1,788 clerks, grade 5, at not exceeding $1,300 each; 3,801 clerks, grade 4, at not exceeding $1,200 each; 65 clerks, grade 3, at not exceeding $1,100 each; 1,974 clerks, grade 2, at not exceeding $1,000 each; 1,837 clerks, grade 1, at not exceeding $900 each; in all, including increases hereinafter provided, $32,500,000: *Provided*, That railway postal clerks shall be credited with full time when deadheading under orders of the department, and the appointment and assignment of clerks hereunder shall be so made during the fiscal year as not to involve a greater aggregate expenditure than this sum; and, to enable the Postmaster General to reclassify the salaries of railway postal clerks and make necessary appointments and promotions, he may exceed the number of clerks in such of the grades as may be necessary: *Provided*, That the number of regular clerks in the aggregate as herein authorized be not exceeded.

For travel allowances to railway postal clerks, acting railway postal clerks, and substitute railway postal clerks, including substitute railway postal clerks for railway postal clerks granted leave with pay on account of sickness, $1,613,959.

For actual and necessary expenses, general superintendent and assistant general superintendent, division superintendents, assistant division superintendents, and chief clerks, Railway Mail Service, and railway postal clerks, while actually traveling on business of the Post Office Department and away from their several designated headquarters, $48,000.

For rent, light, heat, fuel, telegraph, miscellaneous and office expenses, schedules of mail trains, telephone service, and badges for railway postal clerks, including rental of offices for division headquarters, and chief clerk, Railway Mail Service, in Washington, D. C., and rental of space for terminal railway post offices for the distribution of mails when the furnishing of space for such distribution can not under the Postal Laws and Regulations properly be required of railroad companies without additional compensation, and for equipment and miscellaneous items necessary and incidental to terminal railway post offices, $732,156.

For per diem allowance of two assistant superintendents while actually traveling on official business away from their home, their official domicile, and their headquarters, at a rate to be fixed by the Postmaster General, not to exceed $4 per day, and for their necessary official expenses not covered by their per diem allowance, not exceeding $500; in all, $2,420.

For inland transportation of mail by electric and cable cars, $555,000: *Provided*, That the rate of compensation to be paid per mile shall not exceed the rate now paid to companies performing such service, except that the Postmaster General, in cases where the quantity of mail is large and the number of exchange points numerous, may, in his discretion, authorize payment for closed-pouch service at a rate per mile not to exceed one-third above the rate per mile now paid for closed-pouch service, and for mail cars and apartments carrying the mails not to exceed the rate of 1 cent per linear foot per car-mile of travel: *Provided further*, That the rates for electric car service on routes over 20 miles in length outside of cities shall not exceed the rates paid for service on steam railroads: *Provided, however*, That not to exceed $25,000 of the sum hereby appropriated may be expended, in the discretion of the Postmaster General, where unusual conditions exist or where such service will be more expeditious and efficient and at no greater cost than otherwise, and not to exceed $100,000 of this appropriation may be expended for regulation screen or motor screen wagon service which may be authorized in lieu of electric or cable car service: *Provided further*, That the Interstate Commerce Commission is hereby empowered and directed as soon as practicable to fix and determine from time to time the fair and reasonable rates and compensation for the transportation of mail matter by urban and interurban electric railway common carriers and the service connected therewith, prescribing the method or methods by weight or space, or both, or otherwise, for ascertaining such rate or compensation and to publish same, and orders so made and published shall continue in force until changed by the commission after due notice and hearing: *And provided further*, That it shall be unlawful for any urban or interurban electric railroad to refuse to perform mail service at the rates or methods of compensation thus provided for such service when required by the Postmaster General so to do, and for such offense shall be fined $100. Each day of refusal shall constitute a separate offense.

For transportation of foreign mails, $5,800,000: *Provided*, That the Postmaster General shall be authorized to expend such sums as may be necessary, not exceeding $103,000, to cover the cost to the United States of maintaining sea post service on steamships conveying the mails.

For censorship of foreign mails, $1,620,000, of which amount $200,000 shall be available immediately: *Provided*, That the authority under this appropriation shall cease to be in effect when the existing state of war shall have passed, the date of which shall be ascertained and proclaimed by the President. *And provided further*, That it shall be the duty of the Postmaster General to submit to Congress at the beginning of its regular session in December of each year a detailed statement of all persons appointed and the salary or compensation paid or allowed to each: *And provided further*, That no part of this appropriation shall be expended to pay the expense of censoring mail from the military forces connected with the American Expeditionary Force, which mail has been censored in Europe.

For balances due foreign countries, $681,700.

For travel and miscellaneous expenses in the Postal Service, office of the Second Assistant Postmaster General, $1,000.

OFFICE OF THE THIRD ASSISTANT POSTMASTER GENERAL.

For manufacture of adhesive postage stamps, special-delivery stamps, books of stamps, and for coiling of stamps, $1,100,000.

For manufacture of stamped envelopes and newspaper wrappers, $3,000,000.

For pay of agent and assistants to examine and distribute stamped envelopes and newspaper wrappers, and expenses of agency, $18,400.

For manufacture of postal cards, $580,000.

For ship, steamboat, and way letters, $150.

For payment of limited indemnity for the injury or loss of pieces of domestic registered matter, insured, and collect-on-delivery mail, $670,000.

For payment of limited indemnity for the loss of registered articles in the international mails, in accordance with convention stipulations, $10,000.

For travel and miscellaneous expenses in the Postal Service, office of the Third Assistant Postmaster General, $1,000.

For travel and miscellaneous expenses in the service of the Postal Savings System, office of the director, $500.

OFFICE OF THE FOURTH ASSISTANT POSTMASTER GENERAL.

For stationery for the Postal Service, including blanks, books, printed and engraved matter, binding and carbon paper, and other miscellaneous items for the money-order and registry systems; the preparation, publication, and free distribution by postmasters to the public of pamphlet containing general postal information; the pay of one envelope inspector at $1,800 per annum, and one assistant at $900 per annum; and also for the purchase of supplies for the Postal Savings System, including blank books, forms, pamphlets, rubber stamps, canceling devices, certificates and cards and stamps for use in evidencing deposits, and free penalty envelopes; and for the reimbursement of the Secretary of the Treasury for expenses incident to the preparation, issue, and registration of the bonds authorized by the act of June 25, 1910, $725,000.

For postmarking, rating, money-order stamps, and electrotype plates, and repairs to same, metal, rubber, and combination type, dates and figures, type holders, ink and pads for canceling and stamping purposes; and for the purchase, exchange, and repair of typewriting machines, envelope-opening machines, and computing machines, copying presses, numbering machines, time recorders, letter balances, scales, test weights, and miscellaneous articles purchased and furnished directly to the Postal Service, $275,000.

For wrapping twine and tying devices, $370,000: *Provided*, That of this amount the Postmaster General is authorized to expend not to exceed $30,000 for the purchase of and experiments with tying devices or cords for the Postal Service.

For miscellaneous equipment and supplies, including the purchase and repair of furniture, letter boxes, package boxes, posts, trucks, baskets, satchels, straps, letter-box paint, baling machines, perforating machines, duplicating machines, printing presses, directories, cleaning supplies, and the manufacture, repair, and exchange of equipment, the erection, manufacture, repair, and painting of letter-box equipment, and for the purchase and repair of presses and dies for use in the manufacture of letter boxes; and other expenditures necessary and incidental to post offices of the first, second, and third classes, including offices of the fourth class having or to have rural delivery service, $400,000.

For defraying expenses incident to the shipment of supplies, including hardware, boxing, packing, cartage, freight, and the pay of one carpenter, at $1,200 per annum, and nine requisition fillers, at $1,000 each per annum, for assignment in connection therewith, $193,900.

For miscellaneous expenses in the preparation and publication of post-route maps and rural delivery maps or blue prints, including tracing for photolithographic reproduction, $20,000; and the Postmaster General may authorize the sale to the public of post-route maps and rural delivery maps or blue prints at the cost of printing and 10 per cent thereof added, the proceeds for such sale to be used as a further appropriation for the preparation and publication of post-route maps and rural delivery maps or blue prints; of this amount $1,500 may be expended in the purchase of atlases and geographical and technical works.

For rentals, purchase, exchange, and repair of canceling machines and motors, mechanical mail-handling apparatus and other labor-saving devices, including cost of power in rented buildings, and miscellaneous expenses of installation and operation of same, $405,000: *Provided*, That of this amount the Postmaster General is authorized to expend $100,000 for the installation of experimental mail-distributing machines.

For the purchase, manufacture, and repair of mail bags and other mail containers and attachments, mail locks, keys, chains, tools, machinery, and material necessary for same, and for incidental expenses pertaining thereto; also material, machinery, and tools necessary for the manufacture and repair in the equipment shops at Washington, D. C., of such other equipment for the Postal Service as may be deemed expedient, $1,000,000: *Provided*, That out of this appropriation the Postmaster General is authorized to use as much of the sum, not exceeding $5,000, as may be deemed necessary for the purchase of material and the manufacture in the equipment shops of such small quantities of distinctive equipment as may be required by other executive departments; and for service in Alaska, Porto Rico, Philippine Islands, Hawaii, or other island possessions.

For compensation to labor employed in the equipment shops at Washington, D. C., $285,000.

For inland transportation by star routes (excepting service in Alaska), including temporary service to newly established offices, $8,675,000: *Provided*, That hereafter no part of this appropriation shall be expended for continuance of any star-route service the patronage of which shall be served entirely by the extension of Rural Delivery Service, nor shall any of said sum be expended for star-route service for a patronage a major portion of which has been served by Rural Delivery Service, unless the services of a qualified rural carrier can not be secured.

For pay of rural carriers, substitutes for rural carriers on annual leave, clerks in charge of rural stations, tolls and ferriage, Rural Delivery Service, and for the incidental expenses thereof, $65,800,000: *Provided*, That not to exceed $20,000 of the amount hereby appropriated may be used for the compensation of clerks in charge of rural stations: *Provided further*, That on and after July 1, 1918, rural carriers assigned to horse-drawn vehicle routes on which daily service is performed shall receive $24 per mile per annum for each mile said routes are in excess of 24 miles or major fraction thereof, based on actual mileage, and rural carriers assigned to horse-drawn vehicle routes on which triweekly service is performed shall receive $12 per mile per annum for each mile said routes are in excess of 24 miles or major fraction thereof based on actual mileage: *Provided further*, That the pay of carriers who furnish and maintain their own motor vehicles and who serve routes not less than 50 miles in length may be fixed at not exceeding $2,160 per annum.

For village delivery service in towns and villages having post offices of the second or third class, $720,000.

For travel and miscellaneous expenses in the Postal Service, office of the Fourth Assistant Postmaster General, $1,000.

SEC. 2. That during the fiscal year ending June 30, 1919, the annual salaries fixed by law for assistant postmasters at first and second class post offices, and supervisory officials, whose compensation is $2,200 and less per annum, shall be increased $200, and those whose compensation is in excess of $2,200 shall be increased 5 per cent; that clerks in first and second class post offices and letter carriers in the City Delivery Service shall be divided into six grades, as follows: First grade, salary $1,000; second grade, salary $1,100; third grade, salary $1,200; fourth grade, salary $1,300; fifth grade, salary $1,400; sixth grade, salary $1,500. Clerks and carriers shall be promoted successively to the sixth grade: *Provided*, That on July 1, 1918, clerks in first and second class post offices and letter carriers in the City Delivery Service who are in grades 2, 3, 4, 5, and 6, under the act of March 2, 1907, as amended, shall pass automatically from such grades and the salaries they receive thereunder to the new grades, 1, 2, 3, 4, and 5, respectively, with the salaries provided for such grades in this act: *Provided further*, That the salaries of railway postal clerks shall be graded as follows: Grade 1, at $1,100; grade 2, at $1,200; grade 3, at $1,300; grade 4, at $1,400; grade 5, at $1,500; grade 6, at $1,600; grade 7, at $1,700; grade 8, at $1,800; grade 9, at $1,900; grade 10, at $2,000.

The Postmaster General shall classify and fix the salaries of railway postal clerks, under such regulations as he may prescribe, in the grades provided by law; and for the purpose of organization and establishing maximum grades to which promotions may be made successively, as hereinafter provided, he shall classify railway post offices, terminal railway post offices, and transfer offices with reference to their character and importance in three classes, with salary grades as follows:

Class A, $1,100 to $1,400; class B, $1,100 to $1,500; and class C, $1,100 to $1,700. He may assign to the offices of division superintendents and chief clerks such railway postal clerks as may be necessary, and fix their salaries within the grades provided by law without regard to the classification of railway post offices: *Provided*, That on July 1, 1918, railway postal clerks shall pass automatically from the grades they are in and the salaries their receive under the act of August 24, 1912, to the corresponding grade, with salaries provided for in this act: *Provided*, That the classifications and increases of salaries provided for in this section shall not be continued beyond the fiscal year ending June 30, 1919: *Provided further*, That the salary of clerks, carriers, and railway postal clerks shall be increased during the fiscal year 1919 not more than $200: *Provided further*, That the classifications herein provided for shall not become effective until July 1, 1918: *Provided further*, That the salaries of such other employees fixed by law or paid from lump-sum appropriations provided for in this act, including laborers in the Railway Mail Service, who receive $800 per annum or less shall be increased 20 per cent per annum; those who receive in excess of $800 and not more than $1,500 shall be increased 15 per cent per annum; and those who receive in excess of $1,500 and not more than $2,200 shall be increased 10 per cent per annum. Rural carriers assigned to horse-drawn vehicle routes now receiving a compensation of $1,200 or less per annum, exclusive of mileage allowance for miles on routes over 24 miles in length, shall receive in addition thereto 20 per cent of the amount of such compensation. Such increases shall not apply to the special assistant to the Attorney General appropriated for in this act and to postmasters at offices of the first, second, and third classes: *Provided further*, That postmasters of the fourth class shall receive the same compensation as now provided by law, except that they shall receive 100 per cent of the cancellations of the first $80 or less per quarter: *Provided further*, That if the compensation does not exceed $50 for any one quarter fourth-class postmasters shall be allowed an increase of 20 per cent of the compensation allowed under existing law: *Provided further*, That no office shall be advanced to third class by reason of the temporary increases herein provided: *Provided further*, That hereafter substitute, temporary, or auxiliary clerks and letter carriers at first and second class post offices shall be paid at the rate of 40 cents an hour: *Provided further*, That the provisions of this section shall not apply to employees who receive a part of their pay from any outside sources under cooperative arrangement with the Post Office Department or to employees who serve voluntarily or receive only a nominal compensation: *And provided further*, That the increased compensation at the rate of 5 per cent and 10 per cent for the fiscal year ending June 30, 1918, shall not be computed as salary in construing this section. So much as may be necessary for the increases provided for in this act is hereby appropriated.

SEC. 3. That hereafter watchmen, messengers, and laborers in first and second class post offices, and railway postal clerks assigned to terminal railway post offices and transfer offices, shall be required to work not more than 8 hours a day, and that the 8 hours of service shall not extend over a longer period than 10 consecutive hours, and that in cases of emergency or if the needs of the service require they may be required to work in excess of 8 hours a day, and for such additional services they shall be paid in proportion to their salaries as fixed by law: *Provided*, That hereafter when the needs of the Postal Service require the employment on Sundays and holidays of railway postal clerks assigned to terminal railway post offices and transfer offices, they shall be granted compensatory time in the same manner as provided by law for clerks and carriers in first and second class offices.

SEC. 4. That the Postmaster General is authorized to investigate conditions arising from contracts in the star route, screen wagon, and other vehicle service entered into prior to June 30, 1917, and from contracts for furnishing envelopes, blanks and blank books, and the Official Postal Guide, for contracts entered into prior to June 30, 1917, with a view to determining whether any adjustment should be made in the compensation and to adjust the same for materials or services hereafter to be furnished or rendered in cases where the facts disclose the necessity for such adjustment, or, in his discretion, with the consent of the contractor and his bondsmen, the Postmaster General may cancel such contracts.

SEC. 5. That the provisions of section 3 of the act of March 3, 1917, entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1918, and for other purposes," providing increased compensation at the rate of 10 per cent per annum to employees who receive salaries at a rate of more than $480 and not exceeding $1,000 per annum, shall apply during the fiscal year 1918 to all requisition fillers, watchmen, messengers, and laborers.

SEC. 6. The Postmaster General may, under such rules and regulations as he shall prescribe, accept United States liberty loan bonds in lieu of either corporate or personal surety from contractors, officers, and employees of the Postal Service to indemnify the Government against losses resulting from the failure of any contractor, officer, or employee of the Postal Service to properly discharge his official duty.

SEC. 7. That to promote the conservation of food products and to facilitate the collection and delivery thereof from producer to consumer, and the delivery of articles necessary in the production of such food products to the producers, the Postmaster General is hereby authorized to conduct experiments in the operation of motor-vehicle truck routes in the vicinity of such cities of the United States as he may select, and under such rules and regulations as he may prescribe, and the cost of such experiments, not exceeding $300,000, may be paid by the Postmaster General out of any unexpended appropriations of the Postal Service, and the Postmaster General shall report the result of such experiments to the Congress at the earliest practicable date.

SEC. 8. That the Secretary of War may, in his discretion, deliver and turn over to the Postmaster General from time to time, and without charge therefor, for use in the Postal Service, such aeroplanes and automobiles or parts thereof as may prove to be, or as shall become, unsuitable for the purposes of the War Department but suitable for the use of the Postal Service; and the Postmaster General is hereby authorized to use the same, in his discretion, in the transportation of the mails and to pay the necessary expenses thereof out of the appropriation for inland transportation by steamboat or other power boat or by aeroplanes or star route.

SEC. 9. Employees, including substitute employees, of the Postal Service who have entered the military or naval service of the United States or who shall hereafter enter it during the existence of the present war, shall, when honorably discharged from such service, be reassigned to their duties in the Postal Service at the salary to which they would have been automatically promoted had they remained in the Postal Service, provided they are physically and mentally qualified to perform the duties of such positions.

SEC. 11. That the act approved January 21, 1914 (38 Stat., p. 278), authorizing the Postmaster General to adjust certain claims of postmasters for loss by burglary, fire, or other unavoidable casualty be so amended as to include United States war-savings certificate stamps, United States Government thrift stamps, war-tax revenue stamps, and funds received from the sale of such stamps: *Provided*, That this act shall not embrace any claim for losses as aforesaid which accrued prior to September 24, 1917, and all such claims must be presented within six months from the time the loss occurred.

SEC. 12. The provision of the act of June 3, 1916, an act for making further and more effectual provision for the national defense and for other purposes, and the act of August 29, 1916, an act making appropriations for the naval service for the fiscal year ending June 30, 1917, and for other purposes, authorizing the payment of $5 to postmasters at second, third, and fourth class offices for each recruit secured by them and accepted by the Army Navy, and Marine Corps, is hereby repealed.

SEC. 13. That hereafter the balance to the credit of any one person in a postal-savings depository, exclusive of accumulated interest, shall not exceed $2,500. Noninterest-paying deposits shall not be accepted. All laws inconsistent herewith are hereby repealed.

SEC. 14. That section 6 of the act approved June 25, 1910, is hereby further amended so that the proviso in said section shall read as follows:

"*Provided*, That in order that smaller amounts may be accumulated for deposit, any person may purchase for 10 cents, from any postal-savings depository, specially prepared adhesive stamps to be known as

'postal-savings stamps,' and attach them to a card which shall be furnished for the purpose. A card with 10 postal-savings stamps affixed shall be accepted as a deposit of $1 either in opening an account or in adding to an existing account, or may be redeemed in cash."

SEC. 15. That if the revenues of the Post Office Department shall be insufficient to meet the appropriations made by this act, a sum equal to such deficiency of the revenue of said department is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to supply said deficiencies in the revenues for the Post Office Department for the year ending June 30, 1919, and the sum needed may be advanced to the Post Office Department upon requisition of the Postmaster General.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. MOON, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. FRANCIS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the war legislation of this session.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

UNIFORMS OF FRIENDLY NATIONS.

Mr. WEBB. Mr. Speaker, I ask unanimous consent for the present consideration of the following bill, which I ask the Clerk to report.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

A bill (H. R. 11247) providing for the protection of the uniform of friendly nations, and for other purposes.

Be it enacted, etc., That it shall be unlawful for any persons within the United States or Territories, possessions, waters, or places subject to the jurisdiction of the United States, to wear any naval, military, police, or other official uniform, decoration, or regalia of any State, nation, or Government with which the United States is at peace, or any uniform, decoration, or regalia so nearly resembling the same as to be calculated to deceive, unless such wearing thereof be authorized by such State, nation, or Government.

Any person who violates the provisions of this act shall upon conviction be punished by a fine not exceeding $300 or imprisonment for not exceeding six months, or by both such fine and imprisonment.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, I notice some phraseology there which I regard as rather awkward. In line 4 of page 1 I find this language, "within the United States or Territories." That is a phrase that I am not acquainted with.

Mr. WEBB. "United States or Territories, possessions, waters, or places subject to the jurisdiction of the United States." I think that is the way the phrase goes.

Mr. STAFFORD. There should be at least a comma after the word "States."

Mr. WEBB. I think that would be better punctuation.

Mr. STAFFORD. And "territories" with a small "t." The way it reads now, "United States or Territories" might refer——

Mr. WEBB. That is the Printing Office style. A comma may correct that.

Mr. STAFFORD. I want to inquire, in case this bill is adopted, whether on the stage in theatrical performances, where the scene is laid perhaps in a foreign country, a person taking some rôle where he has occasion to use the uniform would be barred?

Mr. WEBB. I think not. We put in the words "with intent to deceive or mislead" for the purpose of protecting that character of people. It is a unanimous report, Mr. Speaker.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The bill will be read for amendment.

The bill was read for amendment, with committee amendments as follows:

Page 1, line 3, after the word "persons," insert the words "with intent to deceive or mislead."

Page 1, line 7, after the word "any," insert the word "foreign."

Mr. ROGERS. Will the gentleman yield?

Mr. WEBB. Yes.

Mr. ROGERS. There is a Senate bill designed to accomplish the same result, is there not?

Mr. WEBB. I do not know that it is pending before our committee.

Mr. WALSH. Yes; there is.

Mr. ROGERS. I think a bill has passed the Senate, and I wondered if this bill was practically identical with the Senate bill it would not expedite the final conclusion if by unanimous consent the Senate bill was substituted for this.

Mr. WEBB. I do not know that the Senate bill is identical with this, because the committee has made some amendments.

Mr. ROGERS. I think it is identical, barring the two committee amendments.

Mr. WEBB. That may be correct.

Mr. ROGERS. Under those circumstances, could it not be arranged that we should pass the Senate bill?

Mr. WEBB. As far as I am concerned, I thought that the House bill might be passed and go to the Senate, and they could pass it as quickly as they could to agree to the amendments we might put on the Senate bill.

Mr. ROGERS. But the problem of getting the bill up in the Senate would be easier if we amended the Senate bill.

Mr. WEBB. I have no objection if the Senate bill has these amendments put upon it.

Mr. CALDWELL. May I ask the gentleman a question?

Mr. WEBB. Yes.

Mr. CALDWELL. Is this the bill that was rereferred from the Military Committee to the Committee on the Judiciary?

Mr. WEBB. No.

Mr. CALDWELL. I think there was a bill rereferred from the Military Committee to the Committee on the Judiciary.

The SPEAKER. There is no Senate bill like this over here.

Mr. WALSH. If the Chair will permit, I have a distinct recollection of a bill of this nature, practically identical in language, coming over from the Senate and being referred to the Committee on Military Affairs, and, upon my request, was rereferred to the Committee on the Judiciary.

Mr. WEBB. The Senate bill was not before our committee when we considered this bill.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. WEBB, a motion to reconsider the vote whereby the bill was passed was laid on the table.

CHEMICAL SECTION, BUREAU OF MINES.

Mr. FOSTER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a letter from President Wilson to Dr. Manning, Director of the Bureau of Mines, and one from Secretary Baker to the President.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD by printing the documents referred to. Is there objection?

There was no objection.

The letters are as follows:

WAR DEPARTMENT,
Washington, June 25, 1918.

MY DEAR MR. PRESIDENT: In connection with the proposed transfer of the chemical section at American University from the Bureau of Mines to the newly constituted and consolidated gas service of the War Department, which you are considering, I am specially concerned to have you know how much the War Department appreciates the splendid services which have been rendered to the country and to the Army by the Department of the Interior, and especially by the Bureau of Mines, under the direction of Dr. Manning. In the early days of preparation and organization, Dr. Manning's contact with scientific men throughout the country was indispensably valuable. He was able to summon from the universities and the technical laboratories of the country men of the highest quality, and to inspire them with enthusiastic zeal in attacking new and difficult problems which had to be solved with the utmost speed. I do not see how the work could have been better done than he did it, and the present suggestion that the section now pass under the direction and control of the War Department grows out of the fact that the whole subject of gas warfare has assumed a fresh pressure and intensity, and the director of it must have the widest control so as to be able to use the resources at his command in the most effective way possible. The proposal does not involve the disruption of the fine group of scientific men Dr. Manning has brought together, but merely their transfer to Gen. Sibert's direction.

Respectfully, yours,

NEWTON D. BAKER.

THE PRESIDENT.

THE WHITE HOUSE,
Washington, 26 June, 1918.

MY DEAR DR. MANNING: I have had before me for some days the question presented by the Secretary of War involving the transfer of the chemical section established by you at the American University from the Bureau of Mines to the newly organized Division of Gas Warfare, in which the War Department is now concentrating all the various facilities for offensive and defensive gas operations. I am satisfied that a more efficient organization can be effected by having these various activities under one direction and control, and my hesitation about acting in the matter has grown only out of a reluctance to take away from the Bureau of Mines a piece of work which thus far it has so effectively performed. The Secretary of War has assured me of his own recognition of the splendid work you have been able to do, and I am taking the liberty of inclosing a letter which I have received from him in order that you may see how fully the War Department recognizes the value of the services.

I am to-day signing the order directing the transfer. I want, however, to express to you my own appreciation of the fine and helpful piece of work which you have done, and to say that this sort of team-

work by the bureaus outside of the direct war-making agency is one of the cheering and gratifying evidences of the way our official forces are inspired by the presence of a great national task.

Cordially, yours,

WOODROW WILSON.

Dr. VAN H. MANNING,
Chief Bureau of Mines, Department of the Interior.

EXECUTIVE ORDER.

It is hereby ordered that the experiment station at American University, Washington, D. C., which station has been established under the supervision of the Bureau of Mines, Interior Department, for the purpose of making gas investigations for the Army, under authority of appropriations made for the Ordnance and Medical Departments of the Army, together with the personnel thereof, be, and the same is hereby, placed under the control of the War Department for operation under the Director of Gas Service of the Army.

WOODROW WILSON.

THE WHITE HOUSE,
25 June, 1918.

FOURTEENTH DECENNIAL CENSUS.

Mr. HELM. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 11984, providing for the Fourteenth decennial census.

Mr. GILLETT. Mr. Speaker, may I ask the gentleman a question? I think the House would be interested to know what the program is for this evening, whether there are other matters that require our staying here late, and if so, how late, because I suppose the gentleman would not wish to continue this bill if there was some such purpose.

Mr. GARRETT of Tennessee. Mr. Speaker, I can state that information has come to some of us that the Senate will be ready to send the military bill here by 7 o'clock. There are something like 300 amendments, and they have to be engrossed; but I understand they will be here by 7 o'clock. It is thought wise to at least remain in session until that time.

Mr. GILLETT. It might be wise to take a recess and come back and have an evening session. We do not want to stay until midnight without a recess.

Mr. HELM. Those gentlemen not interested in the census bill have my consent to go and stay as long as they please.

Mr. WALSH. The gentleman will not get consent to have less than a quorum to consider the census bill.

Mr. GILLETT. If we are going to have an evening session, it would be wise to take a recess for two hours, so that some of us who want to be here can come back.

The SPEAKER. The gentleman from Kentucky moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 11984, to provide for the Fourteenth and subsequent decennial censuses.

The question was taken, and on a division (demanded by Mr. WALSH) there were 32 ayes and 27 noes.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. FOSTER in the chair.

The Clerk read as follows:

SEC. 15. That the Director of the Census may authorize and direct supervisors of census to employ interpreters to assist the enumerators of their respective districts in the enumeration of persons not speaking the English language, but no authorization shall be given for such employment in any district until due and proper effort has been made to employ an enumerator who can speak the language or languages for which the services of an interpreter would otherwise be required. It shall be the duty of such interpreters to accompany the enumerators and faithfully translate the latter's inquiries and the replies thereto, but in no case shall any such interpreter perform the duties of enumerator unless commissioned as such by the Director of the Census. The compensation of such interpreters shall be fixed by the Director of the Census in advance and shall not exceed $5 per day for each day actually and necessarily employed.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. I believe there has been some change in the phraseology of this section from that carried in prior laws. I wish to inquire as to the special need for this mandatory direction that is now carried for the first time, requiring the interpreters to accompany the enumerators. Have there been any abuses heretofore, whereby the translators did not correctly enumerate the statistics that were to be submitted for tabulation?

Mr. HELM. The purpose is to correct anything of that kind.

Mr. STAFFORD. Merely to improve the record of the statistics.

Mr. HELM. Yes; to avoid inaccuracies and abuses.

Mr. STAFFORD. Can the gentleman inform the committee whether there are many instances where translators are obliged to accompany the enumerators?

Mr. HELM. Not very many, so I am advised.

Mr. ALEXANDER. Here is the statement in the hearing as to the abuse that this is intended to correct:

In its original form this section authorized the employment of interpreters to assist the enumerators, but did not define the assistance they were to render, although Congress undoubtedly intended that they should assist by interpreting only, and that they should not do any actual enumerating. In the enumeration of the population of a western city during the taking of the Thirteenth decennial census, however, certain interpreters were employed who "assisted" the enumerators by making the actual enumeration of the Chinese and Japanese population. Although extensive frauds were discovered in their schedules, they could not be prosecuted because of the failure of the law to define their duties. This defect in the law will, it is believed, be remedied by the above-proposed amendment, which not only prescribes the duties of interpreters, but also specifically prohibits their acting as enumerators unless commissioned as such by the director.

In other words, it is intended that they shall act solely as interpreters.

Mr. STAFFORD. And their acts must be part of the acts of the enumerator, by accompanying him, so as to make any irregularity a misdemeanor or a misfeasance of their official duties?

Mr. HELM. Yes; so I understand it.

Mr. STAFFORD. I withdraw the pro forma amendment.

Mr. HELM. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. FOSTER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses, and had come to no resolution thereon.

NAVAL APPROPRIATIONS.

Mr. PADGETT. Mr. Speaker, I present a conference report and statement on the naval appropriation bill (H. R. 10854).

The SPEAKER. The Clerk will report it by title.

The Clerk read the title of the bill.

The SPEAKER. Has the gentleman any request to make?

Mr. PADGETT. Yes; I ask unanimous consent for the present consideration of it. It is a complete report. The Senate receded on all of the remaining amendments, and that completes the bill.

Mr. BUTLER. Mr. Speaker, will the gentleman yield?

Mr. PADGETT. Yes.

Mr. BUTLER. Did the Senate recede on amendments 37, 47, 52, and 170?

Mr. PADGETT. It did.

Mr. WALSH. Mr. Speaker, will the report and statement be printed in the RECORD?

Mr. PADGETT. Yes; they will be printed. The Senate receded on all the disputed matters that we had up yesterday.

The SPEAKER. The gentleman from Tennessee asks unanimous consent for the present consideration of this conference report, notwithstanding the rule about first printing it in the RECORD. Is there objection?

There was no objection.

Mr. PADGETT. Mr. Speaker, I move the adoption of the conference report.

Mr. STAFFORD. The report ought to be read.

Mr. PADGETT. The Senate receded on all of the amendments.

Mr. GILLETT. Either the report or the statement ought to be read.

Mr. PADGETT. The report is very short.

The SPEAKER. The Clerk will read the conference report.

The Clerk read the conference report.

The conference report and statement of the House conferees are as follows:

CONFERENCE REPORT (NO. 728).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10854) making appropriations for the Naval Service for the fiscal year ending June 30, 1919, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 37, 47, 52, and 170.

L. P. PADGETT,
J. FRED. C. TALBOTT,
D. J. RIORDAN,
THOMAS S. BUTLER,
WM. J. BROWNING,
Managers on the part of the House.

B. R. TILLMAN,
CLAUDE A. SWANSON,
JOHN WALTER SMITH,
BOIES PENROSE,
H. C. LODGE,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill (H. R. 10854) making appropriations for the naval service for the fiscal year ending June 30, 1919, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon and submitted by the accompanying report on the amendments of the Senate, namely:

The Senate recedes from its amendments Nos. 37, 47, 52, and 170.

On amendment No. 37: Gives the rank and title of lieutenant general to the commandant of the Marine Corps during the period of the war.

On amendment No. 47: Gives the rank of major general to the heads of existing staff corps of the Marine Corps.

On amendment No. 52: Authorizes the transfer of staff officers of the Marine Corps to the line of the Marine Corps.

On amendment No. 170: Relates to the payment of premiums or bonuses from the appropriations carried in this act to employees of the Government, in addition to their regular wages.

L. P. PADGETT,
J. FRED. C. TALBOTT,
D. J. RIORDAN,
THOMAS S. BUTLER,
WM. J. BROWNING,
Managers on the part of the House.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

On motion of Mr. PADGETT, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

EXTENSION OF REMARKS.

Mr. LEVER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a brief survey of the work of the Department of Agriculture.

The SPEAKER. Is there objection?

There was no objection.

Mr. KING. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the subject of the waf measures of this Congress.

The SPEAKER. Is there objection?

There was no objection.

DISPOSITION OF INTOXICATING LIQUORS IN POSSESSION OF UNITED STATES COURTS.

Mr. WALSH. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 10851) to provide a method for disposing of intoxicating liquors now or hereafter in the possession of United States court officials, which I send to the desk and ask to have read.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent for the present consideration of the bill H. R. 10851, of which the Clerk will report the title.

The Clerk reported the title of the bill.

The SPEAKER. Is there objection?

Mr. GARNER. Mr. Speaker, let us have the bill read.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill as follows:

Be it enacted, etc., That all intoxicating liquors now in the possession of the officials of any United States court which have been seized and held as evidence in any prosecution in such court, which prosecution is no longer pending, shall be destroyed by the official having the custody of the same unless claimed by the owner within 60 days from the passage of this act, and all such liquors held for use as evidence in cases now or hereafter pending which shall be disposed of without conviction shall likewise be destroyed if not claimed by the owner within 30 days after the case shall be disposed of.

SEC. 2. That hereafter when any person shall be convicted upon a charge of violating the laws of the United States against causing intoxicating liquors to be transported into States or Territories the laws of which prohibit the manufacture or sale of such liquors, the judgment of the court shall include an order directing the marshal to destroy all such liquors as may have been used or held for use as evidence on the trial: *Provided*, That in cases now pending the order to destroy shall be conditioned upon the failure of the owner to claim said liquors within 30 days after conviction.

SEC. 3. That hereafter all intoxicating liquors seized under the provisions of section 240 of the Penal Code in any State, Territory, or District the laws of which forbid the sale of such liquors for beverage purposes shall be destroyed instead of sold.

SEC. 4. That in all cases in which intoxicating liquors may be subject to be destroyed under the provisions of this act the court shall have jurisdiction upon the application of the United States attorney to order them delivered to any department or agency of the United States Government for medicinal, mechanical, or scientific uses.

With the following committee amendments:

Page 2, line 7, after the word "liquors," insert the words "said liquors shall be forfeited to the United States, and"

Page 2, line 9, strike out the word "shall" and insert the word "may."

The SPEAKER. Is there objection?

Mr. GARNER. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Massachusetts whether or not this bill contains a provision whereby the Government can utilize that liquor for its own purpose in the manufacture of munitions or for other purposes.

Mr. WALSH. Yes. The last section of the bill provides that all liquors which are subject to be destroyed under the provisions of the act may by the court be ordered turned over to any department or agency of the Government for medicinal, mechanical, and scientific purposes.

Mr. GARNER. That does not exactly turn it over to the Government. It leaves the matter in the discretion of the court as to whether it shall be turned over to the Government or poured out on the street. Why does not the gentleman lodge with the executive branch of the Government the right to utilize this property for its own use, scientific or otherwise?

Mr. WALSH. There is a good deal of fiction about there being a wide range for the use of intoxicating liquors besides drinking it. A great deal of that which is seized is of very poor quality and it would be more expensive to try to utilize it for any scientific purpose than it would be to use pure alcohol. With other grades of the product it can be used and the Attorney General or his representatives can make application to the court and of course the court can order that turned over to any department of the Government.

Mr. GARNER. I understand that, but if a clause were inserted in the bill absolutely providing that this liquor or alcohol might be used by the Government for scientific purposes it would automatically go to some branch of the Government which had the duty to use alcohol in the manufacture of ammunition or other products where alcohol is used.

Mr. WALSH. If that were done, it would simply mean the storage of vast quantities of liquors that are now cluttering up various buildings and warehouses throughout the country. It would have to be stored until it could be used. There are such great quantities of this that some place would have to be provided to take care of it until it is redistilled, or whatever the process is that it is put through.

Mr. GARNER. I understand from the gentleman from North Carolina [Mr. WEBB], the chairman of the Committee on the Judiciary, that this bill was drawn in pursuance of a request from the Attorney General?

Mr. WALSH. Yes. I so stated at the beginning.

The SPEAKER. Is there objection?

There was no objection.

Mr. WALSH. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to consider the bill in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. WALSH, a motion to reconsider the vote by which the bill was passed was laid on the table.

FOURTEENTH AND OTHER DECENNIAL CENSUSES.

Mr. HELM. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the census bill.

Mr. BARKLEY. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. BARKLEY. Pending that, I want to ask unanimous consent to extend my remarks in the RECORD.

Mr. WALSH. Mr. Speaker, reserving the right to object, on what subject?

Mr. BARKLEY. I desire to have printed a couple of short resolutions—one passed by the Southern Methodist conference and another by the executive committee of the Anti-Saloon League on the subject of war prohibition.

Mr. WALSH. Mr. Speaker, I object to extending remarks by printing resolutions.

The SPEAKER. The gentleman from Kentucky moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 11984.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further con-

sideration of the bill (H. R. 11984), the census bill, with Mr. FOSTER in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 11984, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses.

SEC. 16. That the compensation of enumerators shall be determined by the Director of the Census as follows: In subdivisions where he shall deem such remuneration sufficient, an allowance of not less than 2 nor more than 4 cents for each inhabitant; not less than 20 nor more than 30 cents for each establishment of productive industry reported; not less than 20 nor more than 30 cents for each farm reported; not less than 20 nor more than 50 cents for each irrigation or drainage enterprise reported; and 10 cents for each barn and inclosure containing live stock not on farms. In other subdivisions the Director of the Census may fix a mixed rate of not less than $1 nor more than $2 per day and, in addition, an allowance of not less than 1 nor more than 3 cents for each inhabitant enumerated, and not less than 15 nor more than 20 cents for each farm and each establishment of productive industry reported. In other subdivisions per diem rates shall be fixed by the director according to the difficulty of enumeration, having special reference to the regions to be canvassed and the sparsity of settlement or other considerations pertinent thereto. The compensation allowed to an enumerator in any such district shall not be less than $3 nor more than $6 per day of eight hours' actual field work, and no payment shall be made for time in excess of eight hours for any one day. The subdivisions or enumeration districts to which the several rates of compensation shall apply shall be designated by the Director of the Census at least two weeks in advance of the enumeration. No claim for mileage or traveling expenses shall be allowed any enumerator in either class of subdivisions, except in extreme cases, and then only when authority has been previously granted by the Director of the Census; and the decision of the director as to the amount due any enumerator shall be final.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I move to strike out the last word. I wish to make an inquiry of the chairman of the committee. Is there anything in this bill that requires supervisors or enumerators to be actual residents of the districts or localities in which their work is to be done?

Mr. HELM. No, sir; there never has been so far as I know.

Mr. McLAUGHLIN of Michigan. Does not the chairman think there ought to be such a provision?

Mr. HELM. I can not see anything to be accomplished by it.

Mr. McLAUGHLIN of Michigan. I am not sure that the chairman is right in saying there has been no law, but the practice has been uniform of requiring that a supervisor shall be a resident of his district and that the enumerator shall be an actual resident of the territory in which he does the work. As that has been the practice and custom and accepted as that which is right and should be followed, should not a provision be inserted requiring it?

Mr. HELM. Well, there is no particular objection to it. I think the Director would unquestionably follow the uniform practice, but if the gentleman wants to offer an amendment that they shall be residents he can do so; but the gentleman must bear in mind that at this particular time there might be some difficulty in some particular locality in getting the right type of men for enumerators. Certainly you want a person who understands or who has had some experience in doing this kind of work. There are probably several sections of the country where it is difficult to get the best type, and you are looking for efficiency and the getting of the best results, so I believe it would be wise to leave it as it is.

Mr. McLAUGHLIN of Michigan. I think the chairman is entirely right. There is some important work to be done, but I am not willing to believe in each district of the United States there is not some one abundantly able to do it.

Mr. HELM. I am convinced that in the gentleman's district, that in my district, that there will be no difficulty whatever, but I can imagine out in the far West, in Alaska, Hawaii, or some sections of the island of Porto Rico, there would. I will say to the gentleman from Michigan there has been no instance brought to the attention of the committee by any official from the bureau where the necessity as indicated by the gentleman from Michigan has arisen.

Mr. McLAUGHLIN. of Michigan. I have no intention of reflecting on the Director of the Census or anyone else in authority. I trust those gentlemen, of course, but there are a thousand and one ways in which this House ought to express itself and not leave so much to the discretion of officials.

Mr. HELM. The gentleman is aware of the fact that we are to take the census of the islands of Guam and Samoa?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. HELM. And it might be possible in some of the districts in those remote islands it would be impossible to find a suitable person in that particular district to do the work. I believe it is the safe side of the proposition to leave it as it is.

Mr. McLAUGHLIN of Michigan. That may be true as to those outlying possessions. I am not familiar enough with them to express an opinion, but in continental United States I think Congress ought not to hesitate to put in such a provision as I suggest.

Mr. HELM. If I did not entertain a doubt as to the ability to comply with the section in Alaska, Guam, Samoa, Porto Rico, and some of the outlying possessions I would agree with the proposition of the gentleman at once. I am not especially opposed to it as it is, but I believe we get the best results by leaving it as it is.

Mr. JOHNSON of Washington. Mr. Chairman, I move to strike out the last two words for the purpose of making a brief statement. I presume that the Members have noticed during the consideration of this bill, H. R. 11984, the efforts made by our colleague, the lady from Montana [Miss RANKIN], to perfect the measure. I note that she added an important amendment with reference to the employment of women enumerators and clerks, and I presume the membership here generally will hope that that amendment will stay in the bill. In connection with the work of the lady from Montana I should like to make a further brief statement, to the effect that it has come to my knowledge that some persons in the western part of the country are actually charging that our colleague is a member of the I. W. W., basing their charges on an inquiry that I made of the lady during the progress of one of her speeches on this floor.

Mr. KING. Will the gentleman yield?

Mr. JOHNSON of Washington. In a minute I shall be pleased to yield. Of course, all who know the Representative from Montana [Miss RANKIN] would know that any such charge or even suspicion of it would be preposterous, and I would be glad of an opportunity, if any remarks of mine have led to such suspicion, to make a statement to the contrary on the floor. It is not even fair to intimate that Miss RANKIN is sympathetic with the organization.

Now, if I have a little time remaining, I would like to say to the Members that this matter of the development of the I. W. W. has been a serious one indeed in the far West. It has led to many misunderstandings, of course. But in all communities where it has asserted itself the people who employ labor have had to come to a determination as to whether they would deal with organized labor, which makes contracts and keeps contracts, or deal with this mob, which makes contracts only to break them, which goes into mills only to watch the chance to burn and destroy them, and into the mines for the same purpose.

Mr. Chairman, I have been watching with much interest the progress of the bill S. 4471, "to declare unlawful associations purposing by physical force, violence, or injury to bring about any governmental, social, industrial, or economic change in the United States and prescribing punishment for persons engaged in the activities of such associations, and for other purposes." That bill is necessary, and I am sorry that this session seems to be about approaching a recess period without this bill having reached the calendar of the House. I sincerely hope that when we will have returned to resume the work of this Congress this bill will find its place on the calendar with a unanimous report from the Committee on the Judiciary, and that it will receive prompt consideration on the floor and be passed.

I withdraw the pro forma amendment.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I move to strike out the last three words. I am not very familiar with the bill, but it strikes me that if an amendment is to be adopted along the line I suggested it should be in connection with this section 16. It is a very proper place, at least, and I wish to offer an amendment, but I have not one prepared. Therefore I ask unanimous consent for leave to return to this section later for that purpose.

Mr. ALEXANDER. Make the request later. When you get the amendment ready let us know.

Mr. McLAUGHLIN of Michigan. I make the request now. I do not think it is unreasonable.

The CHAIRMAN. The gentleman from Michigan [Mr. McLAUGHLIN] asks unanimous consent for leave to return to this section later for the purpose of offering an amendment. Is there objection? [After a pause.] The Chair hears none.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. BORLAND having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had agreed to the amendment of the House of Representatives to the joint resolution (S. J. Res. 158) futher extending the time within which the joint resolution authorizing the Secretary of War to issue temporary permits for additional diversions of water from the Niagara River shall remain in effect.

FOURTEENTH AND SUBSEQUENT DECENNIAL CENSUSES.

The committee resumed its session.

The Clerk read as follows:

SEC. 17. That in the event of the death of any supervisor or enumerator after his appointment and entrance on his duties, the Director of the Census is authorized to pay to the widow or legal representative of such supervisor or enumerator such sum as he may deem just and fair for the services rendered by such supervisor or enumerator.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word. I think this is very curious language. I do not know whether it has been in the law before or not. Take, for example, the employment of enumerators, and they are employed for the purpose of getting the names within a few blocks and might not be employed for more than two or three days, or a week at the outside, and there ought not to be any provision in this bill to authorize anybody to pay to their widows or families, in case of their decease during that three or four days of employment or a week's employment, any compensation.

Mr. ASWELL. That means for the work already done.

Mr. MADDEN. I do not understand it that way. I thought it was compensation, provided that they should die in the service.

Mr. ASWELL. It is for the work done.

Mr. MADDEN. Then I will withdraw everything that I have said.

The Clerk read as follows:

SEC. 18. That special agents may be appointed by the Director of the Census to carry out the provisions of this act and of the act to provide for a permanent Census Office, approved March 6, 1902, and acts amendatory thereof or supplemental thereto; and such special agents shall perform such duties in connection with the enforcement of said acts as may be required of them by the Director of the Census. The special agents thus appointed shall receive compensation at rates to be fixed by the Director of the Census, such compensation, however, not to exceed $6 per diem except as hereinafter provided: *Provided*, That during the decennial census period the Director of the Census may fix the compensation of not to exceed 25 special agents, who shall be persons of known and tried experience in statistical work, at an amount not to exceed $10 per diem: *Provided further*, That the Director of the Census may, in his discretion, fix the compensation of special agents on a piece-price basis without limitation as to the amount earned per diem: *And provided further*, That the special agents appointed under this section shall be entitled to necessary traveling expenses and an allowance in lieu of subsistence not to exceed $4 per diem during necessary absence from their usual places of residence; but no pay or allowance in lieu of subsistence shall be allowed special agents when employed in the Census Office on other than the special work committed to them, and no appointments of special agents shall be made for clerical work: *And provided further*, That the Director of the Census shall have power, and is hereby authorized, to appoint special agents to assist the supervisors whenever he may deem it proper, in connection with the work of preparation for, or during the progress of, the enumeration or in connection with the reenumeration of any district or a part thereof; or he may, in his discretion, employ for this purpose any of the permanent or temporary employees of the Census Office; and the special agents and employees of the Census Office so appointed or employed shall perform such duties in connection with the enforcement of this act as may be required of them by the Director of the Census or by the supervisors of the districts to which they are assigned, and when engaged in the work of enumeration or reenumeration shall have like authority with and perform the same duties as the enumerators in respect to the subjects committed to them under this act.

Mr. ROBBINS. Mr. Chairman, I move to strike out the last word. Comparing section 18 of this bill with the old law, it seems to be a very radical and marked departure from the provisions of section 18 of the old law. It provides among other things that the compensation shall be increased from $6 in the old bill to $10 in this bill, and that is quite a radical departure. I would like to have the chairman explain the cause of this difference between the existing law and this proposed act.

Mr. HELM. The gentleman, I suppose, has reference to the language in lines 20 to 24?

Mr. ROBBINS. Yes. That is entirely new, as I gather by comparison with existing law.

Mr. HELM. Of course those special agents are limited to a compensation of $6 a day. Now, the 25 special agents whose compensation is not to exceed $10 a day are types of men who are professors of colleges, experts in compiling and publishing the data in readable form. The special agent who goes out to take the data of manufactures receives $6 a day. The special agents who are experienced in statistical work are the men who write the reports.

Mr. ROBBINS. Well, I see here in lines 8, 9, and 10 there is a provision for special agents appointed under this section also. What is the difference between the 25 agents and those other classes of special agents who are to be given $4 a day for subsistence? The gentleman has been speaking of the 25 special agents, who are to be college men and who are allowed $10 a day. When you come to the proviso in lines 8, 9, and 10, there is a line of special agents to be appointed under this act who are to be entitled to traveling expenses and allowance for subsistence not exceeding $4 a day. You say one class is to be college professors. What are the others to be?

Mr. HELM. All classes of special agents are to receive necessary traveling expenses and an allowance in lieu of subsistence not to exceed $4 a day. All grades of special agents are to receive traveling expenses and subsistence.

Mr. ROBBINS. What is the difference between the 25 special agents and those others in line 8?

Mr. HELM. I have just explained the difference between the two. The $6 special agent is the agent who visits a factory and ascertains the volume of work done, the number of men employed, and the capital invested, and makes an invoice of the manufacturing establishment. The $10 a day special agent is the man who writes the bound volumes of reports that you see in the director's office. They are college men; men who have had special training and experience in writing and compiling all the work that is done in the office of publication.

Mr. ROBBINS. Well, if you look in line 24 you will see that there are special agents who are connected with the Census Office, presumably the permanent employees, who are not to be paid anything, so that you have three lines of special agents covered in this paragraph.

Mr. ALEXANDER. It says "special agents of the Census Office so appointed and employed."

Mr. ROBBINS. So you have three lines of special agents in this paragraph.

Mr. HELM. All of them are under the direction of the director.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. ROBBINS. I would like to have just a minute more to clear that up.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. ASWELL. I would like to make a statement as to that.

Mr. ROBBINS. Certainly.

Mr. ASWELL. The Census Bureau is always referred to as the "Census Office." That is the cause of the confusion. The official title is the "Census Office."

Mr. ROBBINS. Well, the employees in the Census Office are another set of employees who are permanently there, making in all three classes.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last two words.

Mr. STAFFORD. Mr. Chairman, I am interested in the purpose of the committee in increasing the allowance for these 25 special agents beyond that authorized in the last census act. My attention was diverted——

Mr. HELM. I think it is an entirely new provision. I do not think this type of special agent has heretofore been employed.

Mr. STAFFORD. I have just sent to the Committee on Appropriations for a copy of the legislative appropriation act, to see the number of special agents and the per diem allowed.

Mr. HELM. There is a limited number. They are employed principally in gathering tobacco and cotton statistics and data of that kind.

Mr. STAFFORD. My attention was diverted by a gentleman drafting an amendment and I was not able to follow the debate or to note the gentleman's answer to the gentleman from Pennsylvania [Mr. ROBBINS]. Will the gentleman advise the committee as to the reason for increasing the per diem amount to $10?

Mr. HELM. I do not think that is an increase. As I said a moment ago, this is a new type of special agent that is provided for in this bill. They differ from the ordinary or usual special agents that have heretofore been employed. I think probably $5 and expenses and subsistence at $3 a day.

Mr. STAFFORD. What reason prompted the committee in making the rate as high as $10 a day? My reason for asking that question is that in the Internal-Revenue Office we have deputy collectors whose per diem is $8, $7, $6, $5, and very few, perhaps, at a higher rate. Now, you are placing these 25 at $10 a day, or, rather, not to exceed $10 a day, but in the administration of the office we know, of course, that they will undoubtedly receive the maximum compensation of $10. What was the reason that prompted the committee in fixing that high per diem allowance, which would be at the rate of $3,600 a year?

Mr. HELM. I think there was a gentleman by the name of Prof. Wilcox, who was connected with Cornell University, who assisted the director and the chiefs of divisions in writing and publishing the bound volumes of the census reports. It is a work that requires the services of men who are of the type of Prof. Wilcox and of the president of a college in West Virginia

who also assisted in this work. It is to induce men of this kind to assist in preparing these volumes in the manner in which they should be prepared. Of course, you have to offer them some reasonable compensation. It does not mean that they get $10 per day for a year, or anything of that kind. They are employed for quite a limited period and necessarily have to leave their homes and come to Washington and work in the office.

Mr. ASWELL. I should like to say to the gentleman from Wisconsin that after these statistics have been gathered they are not of very great value unless they are interpreted—that is, so to speak, made to talk—and this particular class of experts are the men who take the statistics that have been gathered and make them mean something. It requires a very high class of intelligence and training to do that, and you can not get those men for less than that amount now.

Mr. STAFFORD. If the gentleman will permit, I have just had handed to me a volume that I have been trying to get for the last 15 minutes giving the rates of pay of the present special agents.

Mr. ASWELL. They are men of a different type.

Mr. STAFFORD. This gives the estimates of the department for the coming fiscal year. I think we should ponder a moment on this subject as to whether we should increase this to $10.

Mr. ALEXANDER. Has the gentleman there the estimate for the per diem for these special agents?

Mr. STAFFORD. Not these particular special agents, but the men now employed in the bureau.

Mr. ASWELL. Oh, well, they are employed continuously, while these men work only a few weeks.

Mr. STAFFORD. In response to the gentleman from Louisiana, we utilize the services of educators in other work.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. STAFFORD. I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. STAFFORD. These men are paid by the educational institutions that employ them, and their salaries continue.

Mr. FLOOD. Not always.

Mr. ASWELL. Not always at all. They do not continue during vacation at all.

Mr. STAFFORD. Most of these educators are on an annual salary; perhaps not those in the South——

Mr. ASWELL. Many of them are not.

Mr. STAFFORD. Every professor or instructor in any leading institution is on an annual salary.

Mr. FLOOD. They are on an annual salary; but when they get leave of absence to do work for other people, or for the Government, the salary is discontinued.

Mr. ASWELL. Of course.

Mr. STAFFORD. Let me say to the gentleman from Virginia that there are many educational institutions that grant what is known as a sabbatical year to their professors or instructors—that is, leave of absence for a year every seventh year—for which they are paid their full salaries. This per diem allowance is a perquisite in addition to their regular salaries.

Now, I wish to go back to the matter I was speaking about, that in the estimates for the next fiscal year for the Bureau of the Census we find no higher estimate for these special agents than $8 a day. Five are estimated for, and five were employed in 1917. There are four estimated for at $7 per day, of whom none were employed in 1917.

There are 18 men estimated for at $6 per day, of which 6 were in the employment of the Government in 1917. There are 2 estimated for at $5.50 a day, and 2 employed in 1917. There are 4 estimated for at $5 a day, and 3 employed in 1917. And so on down to $4. Thirty-one estimated for this year, being the lowest grade of these special agents. I am considering it in connection with the permanent force in the legislative bill as to whether it is advisable to provide a higher salary for the per diem employees than those on the statutory roll.

Mr. HELM. In all these increases in both classes of special agents, from 5 to 6 in one class and 8 to 10 in the other, with traveling expenses, subsistence, all are increased on the idea of the increased cost of living.

Mr. STAFFORD. I may say that the legislative, executive, and judicial subcommittee of the Committee on Appropriations did not provide any increase in the higher-paid officials. That is the reason why I am making inquiry so as to have a consonance of legislation in both bills.

Mr. ALEXANDER. The first appropriation bill that will carry an appropriation to cover the special agents will be the one for the fiscal year beginning in 1919. The report says:

The maximum salary for special agents is, in general, the same as it was before, namely, $6 per diem. The insertion of the proviso that a limited number of special agents, who shall be persons of known and tried experience in statistical work, may be appointed at higher salaries simply incorporates in the main census act a provision which at the last census was covered by an amendatory clause introduced in the urgent deficiency act of 1909. It is not, therefore, a new feature. The maximum number of such expert special agents has, however, been increased from 20 to 25, and their maximum compensation from $8 to $10 per diem, this increase in number and compensation being deemed necessary in order to make it possible to secure under existing conditions the amount and grade of assistance required for the class of expert work on which these agents are to be employed.

In view of the increased cost of living, the allowance in lieu of subsistence for special agents has been increased from $3 to $4 a day.

That is the suggestion made by the special committee.

Mr. STAFFORD. I understand the committee has followed the recommendations of the special committee. That is a question which I sought to propound to the gentleman yesterday when he did not have time to yield—as to whether these gentlemen that constituted the special committee are any or all Government employees. I notice the name of Mr. Steuart, who, I believe, has been in the employ of the Bureau of Census.

Mr. HELM. I think he is on the Tariff Board now.

Mr. ALEXANDER. I think all of these are in the employ of the Bureau of Census, unless one of them has become secretary of the Tariff Commission; and I am not sure of that.

Mr. HELM. That is Mr. Steuart, a former chief statistician of the bureau, and he is now with the Tariff Board.

Mr. STAFFORD. I question the advisability of increasing the per diem to $10, in view of the fact that the bureau did not ask more than $8 for the permanent force.

Mr. ASWELL. The work is entirely different.

Mr. STAFFORD. No.

Mr. ALEXANDER. These men have been carried heretofore; these are not new experts, and the number is increased from 20 to 25. The chairman is in error as to this being a new service.

Mr. STAFFORD. I recognize that it may be supported in the policy to have a higher rate because of the increased cost of living; but when we pay a man $8 a day, that would seem to be ample, because we have commissioners of the Government who negotiate treaties that do not receive $10 a day. It is allowing professors on the pay rolls of colleges an honorarium of $10 in addition.

Mr. ALEXANDER. They are high-class men. They prepare special articles that appear in volumes on manufactures, mines, and mining. They are college men and do the work aside from their regular work in the institutions of learning. They may be engaged a few days or a few weeks.

Mr. STAFFORD. I know the Government in many activities utilizes the educators in special work.

The Clerk read as follows:

SEC. 20. That the enumeration of the population required by section 1 of this act shall be taken as of the 1st day of January, and it shall be the duty of each enumerator to commence the enumeration of his district on the day following, unless the Director of the Census in his discretion shall defer the enumeration in said district by reason of climatic or other conditions which would materially interfere with the proper conduct of the work; but in any event it shall be the duty of each enumerator to prepare the returns hereinbefore required to be made and to forward the same to the supervisor of his district within 30 days from the commencement of the enumeration of his district: *Provided*, That in any city having 2,500 inhabitants or more under the preceding census the enumeration of the population shall be completed within two weeks from the commencement thereof.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. How do they ascertain the number of inhabitants in a city so that it can be stated that the enumeration must be completed within two weeks. They say 2,500 or more. There are very few cities in the sense in which the term is used that have only 2,500 inhabitants. What I am trying to ascertain is how they have fixed this as to population so that they can require the enumeration within two weeks.

Mr. HELM. The object of the director is to lay off a certain portion of the cities, so that the enumerator can complete the work within the prescribed time. I suppose in a city the size of New York the entire population, according to the last census, would be divided in such a way that enough enumerators would be appointed to canvass a given district within a given period.

Mr. WALSH. Yes; but here, we will say, is a town of some 2,000 inhabitants. They can take more than two weeks to make the enumeration of that town. It provides in the bill here that, having 2,500 or more inhabitants, the enumeration shall be completed within two weeks, so that if they have less the implication is that they may have a longer time in which to complete the enumeration.

Mr. HELM. The population is necessarily more congested in the cities than in the country.

Mr. WALSH. That all depends upon what you call a city. Take a city of 2,500——

Mr. ASWELL. That is not a city.

Mr. WALSH. Which is not a city according to the usual acceptation of the word "city" and according to the laws of some States, as in some States communities can not be made cities until they have 10,000 or 12,000 or possibly 6,000 or 8,000 inhabitants. The point I make is this: Here is a community with 2,400 or 2,300 people. You permit by implication a longer period than two weeks in which to complete the enumeration of that particular community, whereas, if it should have 2,600 people they have to complete it within two weeks.

Mr. HELM. In the city of Washington, in the heart of the city, a person can within a much shorter time take the enumeration of any block, which would have perhaps 3,000 or 4,000 people in it, if it is the congested part of the city, whereas an enumerator out in the rural districts has to travel about over the country and it consumes more time. A man can go in an office building, like the Woolworth Building in New York City, and possibly he would find more people in that building in the city of New York than are in my home town.

Mr. WALSH. Do they enumerate people in office buildings?

Mr. HELM. I suspect that some of them live in the office buildings.

Mr. WALSH. I expect they do not except possibly the janitor or watchman.

Mr. HELM. They have, of course, to go to the homes of the heads of the families.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. WALSH. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WALSH. Will not this permit the districting of a city into areas of in the vicinity of 2,500 people or even more and the employment of a great many more enumerators for that community than if the same length of time was permitted for completing the census that would be permitted for a smaller settlement?

Mr. HELM. There is no difference in the compensation.

Mr. WALSH. I know that, but you permit more people to be compensated.

Mr. ALEXANDER. I will give the gentleman the reason assigned for this by the committee. I read to you a provision of the existing law:

That in any city having 5,000 inhabitants or more under the preceding census the enumeration of the population shall be commenced on the 15th day of April aforesaid and shall be completed within two weeks thereafter.

The only amendment to that is this: That "5,000" be stricken out and "2,500" inserted, and the time is changed from the 15th of April to the 1st of January, and here is what the committee says:

The minimum population limit for cities in which the enumeration is to be completed within two weeks has been lowered from 5,000 to 2,500. The enumeration of all areas of fairly compact population should be completed in the shortest possible time, and it seems entirely feasible to have the stipulation as to two weeks apply in 1920 to all places of 2,500 inhabitants or more as shown by the census of 1910.

Mr. WALSH. Of course, that will be just what I stated. By lowering the minimum limit of population it would permit a city or large community to be carved up into districts and therefore would require more enumerators.

Mr. ALEXANDER. In these small cities or towns of less than 2,500 inhabitants there is no reason why the enumeration should extend during 30 days.

Mr. WALSH. There is no reason why it should extend over two weeks, but you seemingly permit it to extend over two weeks under the provisions of this bill. Mr. Chairman, I move to amend by striking out "2,500" and inserting "5,000," in order to conform with existing law.

Mr. HELM. I accept the amendment.

Mr. WALSH. The chairman of the committee accepts my amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Lines 4 and 5, page 20, strike out "2,500" and insert "5,000."

The question was taken, and the amendment was agreed to.

Mr. ROBBINS. Mr. Chairman, I move to strike out the last two words. I want to ask the chairman of the committee a question about a provision omitted from existing law. The old law of July 2, 1909, has a provision providing for the enumeration of those unfortunates designated as paupers, prisoners, juvenile delinquents, insane, feeble-minded, blind, deaf and dumb, and inmates of benevolent institutions. Now, those are entirely omitted from section 20. What provision is made in this bill for these persons so designated?

Mr. HELM. That work is done by special agents sent to the institutions where these people are confined, either by correspondence or by special agent.

Mr. ROBBINS. Well, ought not there be some provision of this kind with relation to that which was carried in the old law, which seemed to have worked satisfactorily?

Mr. ALEXANDER. The people who administered the old law think not, and hence suggested the change.

Mr. ROBBINS. What provision is to be made in lieu of the provision now in existing law?

Mr. ALEXANDER. They get it from the institutions through special agents provided for in the law. There is not any trouble about that. This is a better way to do it.

Mr. ROBBINS. Will the returns be made by special agents of these institutions?

Mr. ALEXANDER. By special agents provided for in this bill.

Mr. ROBBINS. Special agents in the last paragraph are to visit these institutions and get the lists?

Mr. HELM. The superintendents of asylums would write to the Director of the Census and tell how many inmates there were in those institutions.

Mr. ROBBINS. Enumerators who do the work of special agents?

Mr. HELM. Certainly, outside the correspondence.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, under the unanimous-consent agreement I ask to return to section 16 to offer an amendment.

The CHAIRMAN. Under the former permission the gentleman asks to return to section 16 to offer an amendment. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. McLAUGHLIN of Michigan. Page 17, line 6, at the end of line 6 add the following: "*Provided*, That within the limits of continental United States each supervisor to be appointed or selected under this act shall be an actual resident of the district, and each enumerator to be appointed or selected under this act shall be an actual resident of the subdivision within which his duties are to be performed, but an enumerator may be appointed if he be an actual resident of the city of which the subdivision in which his duties are to be performed is a part.

Mr. HELM. We agree to the amendment.

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

SEC. 23. That it shall be the duty of all persons over 21 years of age when requested by the Director of the Census, or by any supervisor, enumerator, or special agent, or other employee of the Census Office, acting under the instructions of the said director, to answer correctly, to the best of their knowledge, all questions on the census schedules applying to themselves and to the families to which they belong or are related, and to the farm or farms of which they or their families are the occupants; and any person over 21 years of age who, under the conditions hereinbefore stated, shall refuse or willfully neglect to answer any of these questions, or shall willfully give answers that are false, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not exceeding $100.

And it is hereby made unlawful for any individual, committee, or other organization of any kind whatsoever, to offer or render to any supervisor, supervisor's clerk, enumerator, interpreter, special agent, or other officer or employee of the Census Office engaged in making an enumeration of population, either directly or indirectly, any suggestion, advice, or assistance of any kind, with the intent or purpose of causing an inaccurate enumeration of population to be made, either as to the number of persons resident in any district or community, or in any other respect; and any individual, or any officer or member of any committee or other organization of any kind whatsoever, who directly or indirectly offers or renders any such suggestion, advice, information, or assistance, with such unlawful intent or purpose, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not exceeding $5,000.

And it shall be the duty of every owner, proprietor, manager, superintendent, or agent of a hotel, apartment house, boarding or lodging house, tenement, or other building, when requested by the Director of the Census, or by any supervisor, enumerator, special agent, or other employee of the Census Office, acting under the instructions of the said director, to furnish the names of the occupants of said hotel, apartment house, boarding or lodging house, tenement, or other building, and to give thereto free ingress and egress to any duly accredited representative of the Census Office, so as to permit of the collection of statistics for census purposes, including the proper and correct enumeration of all persons having their usual place of abode in said hotel, apartment house, boarding or lodging house, tenement, or other building; and any owner, proprietor, manager, superintendent, or agent of a hotel, apartment house, boarding or lodging house, tenement, or other building who shall refuse or willfully neglect to give such information or assistance under the conditions hereinbefore stated shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not exceeding $500.

Mr. ROBBINS. Mr. Chairman, I move to strike out the words "twenty-one," in line 4, page 22, and insert in place thereof the word "eighteen."

Mr. HELM. I will accept the amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 22, line 4, strike out "twenty-one" and insert in lieu thereof "eighteen."

The question was taken, and the amendment was agreed to.

Mr. ROBBINS. Mr. Chairman, I move to strike out the last two words in section 23, and I do this for the purpose of eliciting some information from those in charge of the bill. In lines 8, 9, and 10 it provides for certain questions to be answered by people who have farms.

Now, the existing law provides for the collection of statistics in a much broader sense, which would include factories, stores, or any other buildings, or any place where statistics and information must be obtained. Where is that in this bill? Why is section 23 limited to farms? Why do not you say stores, mills, forests, cattle, and other things?

Mr. ALEXANDER. That is the language of the existing law.

Mr. ROBBINS. The existing law has this statement:

Shall have free ingress and egress so as to permit the collection of statistics for census purposes, including the proper and correct enumeration of all persons.

Mr. ALEXANDER. You are reading section 23, are you not?

Mr. ROBBINS. I am reading section 23 of the act of 1909, and when applying it to section 23 of the act now under consideration it does not give anything about these statistics. It goes on to say that certain information is to be divulged by people who own farms, and there it stops.

Mr. ALEXANDER. Oh, no.

Mr. ROBBINS. I am reading section 23 of the old law and comparing it with the proposed law, which I say is much more limited. Now, then, where do you get this information? Of course, you retreat behind the special agents you create in this bill.

Mr. ALEXANDER. I may not get the gentleman's point inasmuch as there has been so much confusion here.

Mr. ROBBINS. That is true; and I will state briefly this: I am reading from section 23, lines 8, 9, and 10, on page 22, that we are now considering. These lines provide here for instructions being given said director, that all persons shall answer correctly to the best of their knowledge all questions on the census schedules applying to themselves or to the families to which they belong or are related, and to the farm or farms of which they or their families are the occupants. Now, if you turn to the same provision in the old law it goes on and specifies in the same section, on page 9, that free ingress and egress shall be given to any duly accredited representative of the Census Office, so as to permit of the collection of statistics for census purposes, including the proper and correct enumerations of all persons having their usual place of abode——

Mr. HELM. That is on page 23, line 8.

Mr. ROBBINS. Is it covered in lines 18 and 19? Is that your idea of it—by the special agents visiting the premises for that purpose?

Mr. HELM. Yes.

Mr. ROBBINS. All right, then, that covers it.

Mr. WALSH. Mr. Chairman, I move to strike out the last three words to direct the attention of the chairman of the committee to the fact that the same amendment which I offered to line 4, page 22, should be inserted in line 12.

Mr. HELM. I accept it.

Mr. WALSH. I offer the amendment to strike out, on page 22, line 12, the words "twenty-one" and insert in place thereof the word "eighteen." The chairman, I understand, accepts the amendment.

The CHAIRMAN (Mr. SAUNDERS of Virginia). The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. WALSH: Page 22, line 12, strike out "twenty-one" and insert "eighteen."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

SEC. 24. That it shall be the duty of every owner, official, agent, person in charge, or assistant to the person in charge, of any company, business, institution, establishment, religious body, or organization of any nature whatsoever, to answer completely and correctly to the best of his knowledge all questions relating to his respective company, business, institution, establishment, religious body, or other organization, or to records or statistics in his official custody, contained on any census schedule prepared by the Director of the Census under the authority of this act, or of the act to provide for a permanent Census Office, approved March 6, 1902, or of acts amendatory thereof or supplemental thereto; and any person violating the provisions of this section by refusing or willfully neglecting to answer any of said questions, or by willfully giving answers that are false, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not exceeding $10,000, or imprisoned for a period not exceeding one year, or both so fined and imprisoned, at the discretion of the court.

Mr. WALSH. I move to strike out the last six words in the section.

The CHAIRMAN. The gentleman from Massachusetts moves to strike out the last six words in the section. The question is on the amendment.

Mr. WALSH. These words, "at the discretion of the court," are mere surplusage and seldom found in any statute imposing a penalty. Why, of course, it is at the discretion of the court; but I wanted to direct the attention of the chairman of the committee to the wide variance in the fine which may be imposed and the imprisonment. Usually, when a person commits an offense for which he may be liable to a fine of $10,000 the alternative punishment of imprisonment is much longer than one year. And as this is a maximum I submit that either the fine ought to be reduced or the imprisonment ought to be increased.

Mr. HELM. This is the language of the existing law. I appreciate the criticism made by the gentleman, but it is out of the ordinary and I do not think it is worth while.

Mr. WALSH. You prefer not to change the existing law in that respect?

Mr. HELM. No court, I suppose, would ever impose a fine of $10,000.

Mr. WALSH. Then if they are not going to do that we ought to make the punishment in some degree in cases of conviction fit the crime.

Mr. MEEKER. In view of the fact of the high cost of living, is not that reasonable now?

Mr. WALSH. I do not think just because we have increased the compensation we ought to increase the amount which persons may be fined, but I do submit to the gentleman that the words "at the discretion of the court" are mere surplusage and ought to be eliminated.

Mr. HELM. It is wholly immaterial, and I will accept it if the gentleman insists on it.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken and the amendment was agreed to.

The Clerk read as follows:

SEC. 27. That the Director of the Census may authorize the expenditure of necessary sums for the actual and necessary traveling expenses of the officers and employees of the Census Office, including an allowance in lieu of subsistence not exceeding $5 per day during their necessary absence from the Census Office; and he may authorize the incidental, miscellaneous, and contingent expenses necessary for the carrying out of this act, as herein provided, and not otherwise, including advertising in newspapers, the purchase of manuscripts, books, of reference, and periodicals, the rental of sufficient quarters in the District of Columbia and elsewhere and the furnishing thereof, and expenditures necessary for compiling, printing, publishing, and distributing the results of the census, the purchase of necessary paper and other supplies, the purchase, rental, exchange, construction, and repair of mechanical appliances, the compensation of such permanent and temporary clerks as may be employed under the provisions of this act and the act establishing the permanent Census Office and acts amendatory thereof or supplemental thereto, and all other expenses incurred under authority conveyed in this act.

Mr. STAFFORD. Mr. Chairman, I move to amend the section in line 14, page 25, by striking out "$5" and inserting "$4."

Mr. HELM. I accept the amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Wisconsin.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 25, line 14, strike out "$5" and insert in lieu thereof "$4."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. STAFFORD. I wish to inquire if it would not be advisable to insert the language of the existing law, which limits the amount of the allowance to $5 a day for their actual subsistence? You will notice in the draft of the existing law the words stricken out, "or, instead of such an allowance, their actual subsistence expenses, not exceeding $5 a day."

Mr. HELM. I thought we had agreed upon $4 instead of $5.

Mr. STAFFORD. This is an allowance that is the alternative supplementary to the $4 allowance, and is the language of the existing law. The existing law provides "That the Director of the Census may authorize the expenditure of the necessary sums for the actual and necessary expenses of the officers and employees of the Census Office, including an allowance in lieu of subsistence, not exceeding $4 a day during their necessary absence from the Census Office, or, instead of such allowance, their actual subsistence expenses, not exceeding $5 a day." The point I am making to the chairman is this: The first allowance is a flat allowance of a per diem, regardless of the amount they

expend. The other authorization was to permit the Director of the Census to authorize their actual expenses, which in no event should exceed $5 a day. For instance, here is an agent or employee of the Census Bureau who is sent out and, at the discretion of the Director of the Census, is allowed a flat per diem of $4 a day, whether he spends that much or not.

Mr. HELM. Does the gentleman doubt that it is the universal practice?

Mr. STAFFORD. In this instance the Director of the Census has the option of either granting the flat allowance of $4 a day or else sending them out and stating that he would allow actual expenses as shown in the voucher returns, but not to exceed in any one instance $5 a day.

Mr. HELM. I agree to it right now.

Mr. STAFFORD. It is the general practice to allow a flat sum of $4. Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. The Clerk will read.

Mr. STAFFORD. Mr. Chairman, my attention was diverted for a moment, but I wish to strike out, in section 29, the language "or weight."

Mr. HELM. That section has been passed.

Mr. STAFFORD. I am well aware that it is passed, but it is new language.

Mr. ALEXANDER. It is very important that it should be in, the committee thought.

Mr. STAFFORD. If the gentleman will permit—not with the intention of taking up unnecessary time—the Post Office Department has for years been trying to warn against matter which is purely merchandise being sent in the mails.

Mr. HELM. The gentleman well knows that this section has been passed.

Mr. STAFFORD. It was through an inadvertence on my part. I had the matter marked. Of course, I thought the gentleman would permit at least the consideration of this bona fide suggestion on my part as to weight. I am presenting the view of the Post Office Department as to whether it is advisable.

We do not grant it to other departments.

Mr. HELM. It is just as broad as it is long. If these things were sent back by express it would cost just as much as by mail.

Mr. STAFFORD. They are not to be sent by express. They are to be sent by freight. Now, you authorize the Director of the Census to send it by registered mail. The Post Office Department has protested against that.

Mr. ALEXANDER. Section 29, which refers to census mail matter, has been amended in one important particular, as follows:

That all mail matter of whatever class or weight, relating to the census and addressed to the Census Office, or to any official thereof, and indorsed "Official business, Census Office," shall be transmitted free of postage, and by registered mail if necessary, and so marked: *Provided*, That if any person shall make use of such indorsement to avoid the payment of postage or registry fee on his or her private letter, package, or other matter in the mail, the person so offending shall be guilty of a misdemeanor and subject to a fine of $300, to be prosecuted in any court of competent jurisdiction.

Referring to the insertion of the words "or weight" in the first line of the above section, it must be explained that heretofore the schedules and other supplies used in the work of enumeration have been packed in large boxes, regardless of weight or bulk, and sent to the supervisors by mail, and, similarly, the mails have been used by the supervisors in forwarding to the enumerators the portfolios containing the schedules and supplies required in their work. The completed schedules, time reports, vouchers, etc., of the enumerators have likewise been returned by mail to the supervisors and then forwarded by them to Washington packed in the large boxes in which they were originally received. This method of transmitting the census schedules and supplies has worked well in practice, and should be made again possible with respect to the Fourteenth Census; but while the present limits of the postal laws and regulations as to size and weight of packages do not apply apparently to outgoing official mail from Washington, they do apply to the return of completed work by field employees or agents. The conduct of the census enumeration will be greatly hampered, in fact rendered almost impossible, unless this restriction is removed. It is believed that the insertion of the words "or weight" in the first line of the above section will accomplish this purpose.

Mr. MEEKER. Mr. Chairman, I ask unanimous consent that the words be permitted to remain in the bill as printed.

The CHAIRMAN. That request is not necessary. Without objection, the pro forma amendment will be withdrawn.

Mr. BORLAND. Mr. Chairman, I ask unanimous consent to proceed for five minutes out of order.

Mr. ALEXANDER. We object at this time.

The Clerk read as follows:

SEC. 31. That there shall in the year 1925, and once every 10 years thereafter, a census of agriculture and live stock, which shall show the acreage of farm land, the acreage of the principal crops, and the number and value of domestic animals on the farms and ranges of the country. The schedule employed in this census shall be prepared by the Director of the Census. Such census shall be taken as of January 1, and shall relate to the preceding calendar year. The Director of the Census may appoint enumerators or special agents for the purpose of this census, in accordance with the provisions of the permanent census act.

Mr. BLACK. Mr. Chairman, I move to strike out section 31.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLACK: Page 27, strike out all of section 31.

Mr. BLACK. Mr. Chairman, the adoption of my amendment would have the effect to eliminate section 31 of the bill, which provides that a live-stock and agricultural census shall be taken in 1925 and for each 10 years thereafter. The main body of the bill is to authorize the taking of the next decennial census in 1920. Section 31 has no relation to the taking of the 1920 census, and I do not think it has any proper place in this bill. What we should do now is to provide fully and adequately for the taking of the Fourteenth decennial census and then we ought to stop at that point.

When the census act of 1909 was passed it contained a section identical with this section 31 and was numbered section 31 in the census act of 1909, same as in this act.

At the second regular session of the Sixty-third Congress the Director of the Census, who was then Mr. William J. Harris, appeared before the Committee on Appropriations and submitted estimates for the taking of this proposed live-stock and agricultural census in 1915, and the estimates submitted amounted to $2,286,100. When the legislative, executive, and judicial appropriation bill came before the House in 1914, a point of order was made against the particular section which carried the appropriation on the ground that it contained some new legislation relating to enumerators and other similar legislation. The point of order was sustained and the paragraph was stricken from the bill, whereupon the gentleman from Tennessee [Mr. BYRNS] offered a new paragraph providing that the census authorized by said section 31 should be taken, and containing the same amount of appropriation, to wit, $2,286,100. Thereupon the gentleman from Iowa [Mr. GOOD] proposed an amendment as a substitute for the amendment of the gentleman from Tennessee to repeal section 31 of the census act of 1909, and when the substitute came to a vote it was adopted by the House by a vote of 179 to 137, and section 31 of the census act of 1909 was thereby repealed.

The question arises, suppose that substitute amendment had not been adopted, and the $2,286,100 had been spent for the taking of a live-stock and agricultural census in 1915, does any man in this House think that the country would have been in any better shape? What good would it have done?

Existing law already makes ample provision for ascertaining each year the amount of cotton, corn, wheat, tobacco, potatoes, and so forth, raised in the United States each year, and the figures are accurate and reliable. Also careful estimates are made each year by the Department of Agriculture as to the number of live stock in the United States, such as horses, mules, swine, milch cows, and other cattle.

What in the world do we want to spend several millions of dollars for duplicating work which is already being done by existing agencies? I am positively and emphatically against it, and am going to do what I can to prevent it.

Mr. BLANTON. Will my colleague yield?

Mr. BLACK. Yes; I yield.

Mr. BLANTON. Is it not a fact that if this provision is left in the bill, instead of taking a census of agriculture and live stock every 10 years, there will be one taken every 5 years?

Mr. BLACK. Yes; I was coming to that. The gentleman has stated the case correctly.

Now, I submit that a census of this kind in 1925 and each 10 years thereafter is wholly unnecessary, because the Department of Agriculture now has facilities and agencies for furnishing the country with accurate estimates upon these lines each year between the taking of the regular decennial censuses. It must be remembered that the census of 1920, for which the main body of this bill provides, will take a careful and accurate enumeration of all live stock in the United States and all agricultural products, farms, farm houses, and matters of that kind. I think that is a wise thing to do, and ought to be done while we are taking the census of population; but I see no reason in the world for repeating it in 1925.

Between the years of taking the Fourteenth Census in 1920 and the taking of the Fifteenth Census in 1930, the Department of Agriculture, through its very efficient agencies, can furnish us all the information we need as to agriculture and live stock. I have here a letter that I received from the Bureau of Crop Estimates in the Department of Agriculture on January 1 of this year. The letter contained some interesting and valuable data and information, and so when I received it I put it away in my files for future reference. I will not take the time to read it, but suffice it to say that it gives the number of horses, mules,

cattle, swine, sheep, milch cows, and also the average price of this live stock for the years 1914, 1915, 1916, 1917, and 1918, and shows the increase or decrease, as the case may be, of the different kinds of live stock for the respective years.

Mr. HELM. Will the gentleman yield?

Mr. BLACK. Yes.

Mr. HELM. Does the gentleman consider the cotton reports worth anything?

Mr. BLACK. I have not mentioned the cotton reports, but certainly they are valuable; they are very accurate.

Mr. BLANTON. Will this census benefit a single cowman or farmer in this country?

Mr. BLACK. I do not think so, because it will be unnecessary except at each decennial census when we are taking the census of population.

Mr. ALEXANDER. Does the gentleman consider these cotton censuses every year a benefit to the cotton farmers?

Mr. BLACK. I will say to the gentleman that I am not assailing the value of statistics now assembled by either the Department of Agriculture or the Census Department under existing law. What I am trying to prevent is an unnecessary duplication of work and a consequent waste of public money.

Mr. ASWELL. The department does not take the census; it bases its reports on the estimates.

Mr. BLACK. I have already said that some of the work of the Department of Agriculture is based on estimates, but it has the benefit of the more or less accurate enumerations that are made every 10 years, and taking that as a basis, with the work of its numerous agents in the field and facilities at its command, it furnishes the country annually with estimates upon these subjects which are remarkably accurate and trustworthy. I submit that they are entirely sufficient for all practical purposes.

Now, what will this proposed live-stock and agricultural census to be taken in 1925 cost? In his testimony before the committee Director Samuel L. Rogers says it will cost $3,500,000.

Now, gentlemen, if you think it is a necessary expenditure, if you think it is one which will justify its cost and the labor of numerous agents which will be used in taking it, then you should vote against my amendment and retain section 31. But if you think as I do, that it will be an unnecessary and unprofitable and well-nigh usless expenditure, then I appeal to you to support my amendment and strike out the section from the bill and save the money to the Public Treasury.

Mr. HELM. Mr. Chairman, I want to consume only three or four minutes in the discussion of this amendment. I am from an agricultural district. I am from a tobacco-growing district. Before we had these reports from the census, which are quarterly, the tobacco farmers were selling tobacco at 3 or 4 and 5 cents a pound. Since we had the report from the Census Bureau every three months tobacco has gone up before the war to 12 and 20 cents a pound. The farmers who fatten cattle in my district tell me, and I hear it generally talked, that when they take the fat cattle and ship them to market the packers say the country is flooded with cattle, and that they can buy the finest export New York cattle, that ought to be bringing around 7 or 8 cents, for 5 or 6 cents. Now, if you have a live-stock report which is accurate every five years, stating how many cattle, how many hogs there are in the country, these packers can not swindle the farmers out of the value of their stock.

Mr. BLACK. Will the gentleman yield?

Mr. HELM. Yes.

Mr. BLACK. Do not the hearings show that the Director of the Census states that it will be years from the time the census is taken before it is available for the people?

Mr. HELM. Oh, that is the same old talk. When these reports come in from the enumerators to the Census Bureau they get out something like these Farmers' Bulletins that you send to your farmers. This information is issued in pamphlet form and published and sent out. What the gentleman is referring to is the bound volumes of the reports that are finally compiled with the concentrated statistics, and that does take considerable time. But the country early gets the information and the benefit of the knowledge of these statistics, which are of great consequence to the farmers, because they want to know the number of hogs, the number of cattle, the number of sheep, the number of mules, the number of horses in the country—more especially that class of stock that enters into food. It is important that this census should be taken.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. BLACK].

The question was taken; and on a division (demanded by Mr. BLACK) there were 26 ayes and 33 noes.

Mr. BLACK. I ask for tellers.

Tellers were ordered; and the Chair appointed as tellers the gentleman from Texas [Mr. BLACK] and the gentleman from Kentucky [Mr. HELM].

The committee again divided; and the tellers reported that there were 39 ayes and 39 noes.

So the amendment was lost.

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10854) making appropriations for the naval service for the fiscal year ending June 30, 1919, and for other purposes.

The message also announced that the Senate had passed without amendment the bill (H. R. 12599) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes.

The message also announced that the Senate had passed with amendments bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 12541. An act making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

The message also announced that the Senate had passed joint resolution of the following title, in which the concurrence of the House of Representatives was requested:

S. J. Res. 159. Joint resolution to extend the time within which the President may relinquish control of any railroad or system of transportation, as provided in section 14 of an act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918, to January 1, 1919.

FOURTEENTH AND SUBSEQUENT DECENNIAL CENSUSES.

The committee resumed its session.

Mr. BLACK. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. BLACK. Did the Chair announce the vote on my amendment?

The CHAIRMAN. The Chair announced the vote—39 in the affirmative and 39 in the negative—and the amendment was lost.

Mr. BLACK. I understood that there was another one who wanted to vote in the affirmative.

The CHAIRMAN. No one can vote after the tellers have announced the result.

Mr. MEEKER. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Missouri makes the point of order that there is no quorum present. The Chair will count.

Mr. MEEKER (interrupting the count). Mr. Chairman, I withdraw the point of order.

Mr. GILLETT. Mr. Chairman, I renew it.

The CHAIRMAN. The gentleman from Massachusetts makes the point of order that there is no quorum.

Mr. HELM. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. FOSTER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 11984 and had come to no resolution thereon.

EXTENSION OF TIME OF FEDERAL CONTROL OF RAILROADS.

Mr. SIMS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table Senate joint resolution 159 with reference to short-line railroads and pass the same. It is exactly what the House has already passed, with a little addition at the end with reference to interurban railroads, to which there is no objection.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to take from the Speaker's table Senate joint resolution 159 and concur in a Senate amendment.

Mr. SIMS. It is not a Senate amendment. This is a Senate resolution, which they passed before our resolution got over there or after it got there. I want to take the Senate resolution from the Speaker's table and pass the same.

The SPEAKER. The gentleman from Tennessee asks unanimous consent for the present consideration of Senate joint resolution 159. Is there objection?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, I would like to have some statement as to what the additions are.

Mr. SIMS. There is no difference in the resolution from the House resolution except in the last proviso, with reference to interurban railroads, which I will ask the Clerk to report.

The Clerk read as follows:

Provided further, That nothing in this resolution or in the said act of March 21, 1918, shall be construed as requiring the President either to take or retain the possession, use, and control of any street railway, whether the same be owned, controlled, or operated by another carrier company or not, nor to require the President to take or retain the possession, use, and control of any interurban or other similar railroad which does not receive at least 25 per cent of its operating revenue from the transportation of freight, and which prior to December 29, 1917, did not have through routes or joint routes with one or more steam road carriers.

Mr. SIMS. That is all there is to it, and everyone is in favor of it.

Mr. WALSH. Mr. Speaker, reserving the right to object, it is to be noted that in this addition which the Senate has put in there is no provision stating what the intent of Congress is in tacking it on.

Mr. SIMS. The resolution is exactly as it passed the House, with this addition that has just been read.

Mr. WALSH. I know this addition has been put on there; but nothing has been put into the resolution declaring what our intent is in passing it, and some one will construe it so as to vitiate the other provisions of the resolution.

Mr. SIMS. The gentleman knows that if this resolution does not pass to-night there is no use in passing it.

Mr. WALSH. Oh, I do not agree with the gentleman.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the Senate joint resolution.

The Clerk read as follows:

Resolved, etc., That the time within which the President may relinquish control of all or any part of any railroad or system of transportation, further Federal control of which the President shall deem not needful or desirable, as provided in section 14 of said act, be, and it is hereby, extended to and including January 1, 1919: *Provided, however*, That the right conferred upon the President to relinquish prior to July 1, 1918, control of all or any part of any railroad or system of transportation without consent of the carrier as provided in section 14 of an act approved March 21, 1918, entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," which right is herein extended to and inclusive of January 1, 1919, shall not be construed to include any railroad engaged as a common carrier in general transportation such as mentioned in section 1 of said act not owned, controlled, or operated by another carrier company and which has heretofore competed for traffic with any railroad or railroads of which the President has taken and retained the possession, use, and control; it being the intent of Congress that every railroad not owned, controlled, or operated by another carrier company and which has heretofore competed for traffic with a railroad or railroads which the President has taken and retains the possession, use, or control or which connects with such railroad and is engaged as a common carrier in general transportation shall be held and considered as within Federal control as defined in said act and to be entitled to the benefits of all the provisions of said act so long as the railroad or railroads with which it has heretofore competed for traffic or with which it connects shall be retained under Federal control: *Provided further*, That nothing in this resolution or in the said act of March 21, 1918, shall be construed as requiring the President either to take or retain the possession, use, and control of any street railway, whether the same be owned, controlled, or operated by another carrier company or not, nor to require the President to take or retain the possession, use, and control of any interurban or other similar railroad which does not receive at least 25 per cent of its operating revenue from the transportation of freight, and which prior to December 29, 1917, did not have through routes or joint rates with one or more steam-road carriers.

The SPEAKER. The question is on the third reading of the Senate joint resolution.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. SIMS, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

DEPARTMENTAL EMPLOYEES SUBJECT TO MILITARY SERVICE.

Mr. DENT. Mr. Speaker, I ask unanimous consent for the present consideration of the House resolution 392, a privileged resolution, providing for an inquiry as to the number of men within the draft age in the Food and Fuel Administrations and other bureaus created by the Government. The resolution was sent to the Committee on Military Affairs of the House, and that committee has unanimously reported it.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 392.

Resolved, That the President be requested, if not incompatible with the public interest, to report to the House of Representatives the number of men in the service of the Food Administrator, Fuel Administrator, and all boards and commissions appointed by Executive order since April 6, 1917, who were on June 5, 1917, between the ages of 21 and 31 years, for whom requests for exemption from military duty or deferred classification have been asked by such administrators, boards, or commissions and allowed; the name and home address of each such person; the character of work he is performing in the service of such administrators, boards, or commissions, and the length of time he has been in such service.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

On motion of Mr. DENT, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

ENROLLED BILL SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 12441. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes.

The SPEAKER announced his signature to enrolled joint resolution of the following title:

S. J. Res. 158. Joint resolution authorizing the Secretary of War to issue permits for the diversion of water from the Niagara River.

MOVING PICTURES, ETC., AMERICAN EXPEDITIONARY FORCES.

Mr. DENT. Mr. Speaker, I ask to call up House resolution 402, making inquiry as to the method of taking moving pictures of our expeditionary forces in France and of our troops in this country.

Mr. STAFFORD. If the gentleman will permit, is that necessary to be considered to-night? Many of us have not had our dinners yet. Monday is unanimous-consent day.

Mr. DENT. I will say to the gentleman that the Committee on Public Information is perfectly willing to furnish the information, and I think this is the quickest way to dispose of it. The Committee on Public Information wishes to furnish all the information for which the resolution calls.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the resolution.

The Clerk read as follows:

Resolution 402.

Resolved, That the Secretary of War be requested to report to the House of Representatives the following information:

How many persons in the Signal Corps have been ordered to take still or moving pictures of the American Expeditionary Forces?

What disposition is made of such negatives and films when returned to this country?

In what manner, under what terms, and under what regulations are the pictures distributed for public exhibition?

With whom and by whom are contracts made for such exhibition purposes, and what are the conditions of the same?

What persons other than members of the Signal Corps have been authorized to take still or moving pictures of the American Expeditionary Forces, and in what manner is control exercised over exhibition of the pictures so taken?

Are members of the Signal Corps ordered to take still or moving pictures of military preparations in this country, including activities in the cantonments, ordnance, and airplane production and the production of articles used in the war, and what disposition is made of same?

Are pictures so taken exhibited in public places? If so, by whose authority and under what terms?

Have civilian photographers been authorized to take still or moving pictures of the American Expeditionary Forces or of war preparations in this country, including activities in the cantonments, ordnance, and airplane production and the production of articles used in the war? If so, what disposition is made of such negatives and films; in what manner, upon what terms, and under what regulations are such pictures distributed for public exhibition; with whom and by whom are contracts made for such exhibition purposes, and what are the conditions of the same?

What revenue is derived from such contracts, and what disposition is made of the same?

The question was taken, and the resolution was agreed to.

On motion of Mr. DENT, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

FORTIFICATIONS BILL.

Mr. BORLAND. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 12541) making appropriations for fortifications and other works of defense, to disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

H. R. 12541. An act making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

The SPEAKER. The gentleman from Missouri asks unanimous consent to take from the Speaker's table the bill just reported, to disagree to the Senate amendments, and ask for a conference. Without objection, it is so ordered.

There was no objection.

The SPEAKER. The Clerk will announce the conferees.

The Clerk read as follows:

Messrs. BORLAND, BYRNS of Tennessee, and GOOD.

EXTENSION OF REMARKS.

Mr. GILLETT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a petition to the House of the National Liberty Congress, Colored Americans, that has been sitting here this week. It is not long.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to extend his remarks by printing a petition from the National Liberty Congress, Colored Americans, which has been sitting here this week. Is there objection? [After a pause.] The Chair hears none.

RECESS UNTIL MONDAY AT 11 A. M.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that the House stand in recess until 11 a. m. Monday.

Mr. GARRETT of Tennessee. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. GARRETT of Tennessee. In order to reserve the right to object, after the Chair states the request of the gentleman.

The SPEAKER. The gentleman from North Carolina asks unanimous consent to have the House stand in recess until 11 o'clock a. m. Monday.

Mr. GARRETT of Tennessee. Mr. Speaker, I want to ask the gentleman from North Carolina whether taking a recess—that is, standing in recess instead of adjourning—will affect the legal situation that exists?

Mr. KITCHIN. No. One of the reasons for it is that the Senate stands in recess until Monday, and, of course, their legislative day will be one ahead of us, and although we may actually pass a bill or a conference report on Monday, it would appear in the RECORD that they were a day or two days before us. It is just a matter of keeping the RECORD straight. The gentleman will recall we had some difficulty with one of the revenue bills in regard to this matter two or three years ago.

Mr. GARRETT of Tennessee. Mr. Speaker, reserving the right to object for a moment, it seems to me that we are confronted with a very embarrassing situation, and with a situation that is likely to prove very serious, indeed. I see no remedy for it by objecting to the request of the gentleman from North Carolina.

Mr. KITCHIN. There is no remedy.

Mr. GARRETT of Tennessee. The legislative day, of course, in the House is one thing, but these appropriation bills that we passed for the present fiscal year all end on the 30th day of June; that is, to-morrow night at midnight.

Now, a very serious question presents itself to my mind. So far as I recall in my experience here, and so far as I know historically, we have never closed a fiscal year without having either passed the appropriation bills or passed joint resolutions to continue the appropriations, for a number of years.

Mr. SHERLEY. If the gentleman will permit, the gentleman is mistaken in fact in that regard. I desire to state to the House that in the event it becomes apparent upon Monday that the annual supply bills will not become a law, if necessary I shall offer such joint resolution as will not only take care of the situation but will cure any expenditure that may be necessary to be made by providing that such expenditure, if within the authorized purposes of supply bills, shall be ratified by the passage of such bills and be considered as having been so authorized.

Mr. GARRETT of Tennessee. Very well, Mr. Speaker. I may say that I had understood that that was the thought of the gentleman, but it seemed to me that it was not improper to have some discussion or statement with respect to that here this evening. The gentleman says I am mistaken in my recollection. I may be mistaken in my historical recollection, but in my personal experience during the time I have served in the House we have never adjourned without either passing the appropriation bills or a joint resolution. Now, there may be some cases, but, if so, I do not recall. But I think it important for something to be said about that before we take this course. Of course, we are about to take it. The Senate has recessed. But I think it right that something be said about it, and that it be said at this time, because if I were in a place of executive responsibility in one of the departments I should say very frankly that I would be at sea on Monday morning as to what to pay or authorize to be paid.

Mr. STAFFORD. Take, for instance, the Agricultural Department, and the Agricultural appropriation bill for the next fiscal year is held up. There is no authorization whatsoever on the part of any administrative officials connected with the Agricultural Department to authorize them to pay salaries that are based upon authorizations carried in the Agricultural appropriation bill.

Mr. SHERLEY. If the gentleman will yield, I desire to say it is my understanding that the Senate will have a vote on the Agricultural bill, on that phase of it which is dividing the Houses, on Monday. It is my belief it is possible to put through all the supply bills that are fiscal bills in the true sense of the term Monday.

Personally, I would have been glad if the Senate and the House had seen fit to sit to-morrow. While the memory of the gentleman from Tennessee as to his own experience may be entirely accurate, I am reliably informed there have been instances in the past in which the Government has run for several days, instead of simply for part of a day, without any such resolution as the gentleman refers to. And I repeat that if on Monday it becomes apparent that any of the supply bills will not be agreed to on that day I shall offer to the House, and I have no doubt it will be passed by it and the Senate, such joint resolution as necessary to absolutely safeguard the situation.

Mr. STAFFORD. A case was called to my attention last night by an employee of this Government of many years standing, that on one occasion, years back, when the sundry civil appropriation bill had not passed before the end of the fiscal year the Government Printer refused to go ahead with the operation of the Government Printing Plant because there was no authorization for him to do so. And that same condition confronts the Secretary of Agriculture at the present time.

Mr. SHERLEY. The answer to that is simply this, that if we had blocked all the activities of this Government since the war broke until there was legal authorization for the doing of a lot of things, half the activities would have been stopped. I have a proper appreciation, I believe, of what is necessary in this situation. I have labored day and night, and I am glad to say that, so far as the work of the Committee on Appropriations of the House is concerned, there is nothing that it has done or failed to do that is responsible for any supply bill that it has charge of not becoming a law before the end of the fiscal year. And I repeat that there is nothing that anyone needs to be alarmed about, but that the situation can be and, if necessary, will be taken care of on Monday.

Mr. GARRETT of Tennessee. Mr. Speaker, the statement of the gentleman from Kentucky as to the activities of the Committee on Appropriations, and its zeal, is correct, and it is true as to all committees, and it is true as to the House. The fault does not rest with the House, if fault there be; but it did seem to me—and, of course, I am not going to object, as there is nothing to do but what the gentleman from North Carolina [Mr. KITCHIN] proposes—that there ought to be some statement made here.

Gentlemen who are in executive positions, who are going to be charged with responsibility in connection with expenditures on Monday next or Tuesday next, ought to have some sort of assurance. For that reason I gave the gentleman from Kentucky [Mr. SHERLEY] the opportunity to make the statement that he has made.

Mr. SHERLEY. I assure the House that before Monday shall have passed the situation will be taken care of by the passage of these bills, and if not, it will be taken care of by resolution, offered and passed.

Mr. SAUNDERS of Virginia. Reserving the right to object, Mr. Speaker, I do not think anything has been developed here that makes it necessary for us to discuss this matter further. If there are any departments that are in trouble on Monday morning, that trouble will not last long. We will cure it by appropriate resolution. The situation has been brought before us, and now I ask for the regular order.

Mr. GILLETT. Just a word, Mr. Speaker——

Mr. SAUNDERS of Virginia. There is no necessity for discussing this any further.

Mr. GILLETT. I do not want to talk any longer than the gentleman from Virginia did.

Mr. SAUNDERS of Virginia. I serve notice on the House that after the gentleman from Massachusetts gets through I will call for the regular order.

Mr. LONGWORTH. I hope the gentleman will permit me to remind him that the Senate has recessed until Monday.

Mr. GILLETT. If we were not at war and if this side of the House had not really adjourned politics, I should enjoy very much making some comments on the present awkward situation of the appropriation bills; but inasmuch as we on this side have adjourned politics I shall restrain myself and will, without criticism, assist in every way I can to extricate ourselves from our embarrassing situation, and as the Senate has recessed until Monday I do not see how we can do anything here until then.

Mr. SAUNDERS of Virginia. Mr. Speaker, I demand the regular order.

The SPEAKER. The regular order is demanded.

Mr. SHERLEY. I want to bear witness to this fact, Mr. Speaker——

The SPEAKER. The gentleman from Virginia demands the regular order.

Mr. SHERLEY. After all, the world was not made in a day.

The SPEAKER. The gentleman from Virginia demands the regular order. The regular order is, Is there objection to the unanimous-consent request of the gentleman from North Carolina [Mr. KITCHIN]?

Mr. KITCHIN. Mr. Speaker, I will reserve that for a moment, to give the gentleman from Tennessee [Mr. SIMS] an opportunity to say a word.

Mr. SIMS. Mr. Speaker, the situation is this about the railroad bill: If it is not signed by yourself or by the Vice President, the law that amends it or extends it expires by to-morrow. Now, by waiting for a reasonable time the enrolled bill can be gotten back here. But if the House recesses until Monday, all that I want to know is whether the bill can be signed then in time to become a law before it is too late.

Mr. GILLETT. How can the Vice President sign it before Monday when the Senate is not in session?

Mr. KITCHIN. They have adjourned over there until Monday.

Mr. LONGWORTH. I want to call the attention of the gentleman from North Carolina to the fact that the Senate recessed over to Monday, and it will not be in the same legislative situation as the House.

RECESS UNTIL MONDAY AT 11 A. M.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that the House recess until 11 o'clock a. m. next Monday. Is there objection?

There was no objection.

Thereupon (at 7 o'clock and 22 minutes) the House stood in recess until Monday, July 1, 1918, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Navy, transmitting a proposed draft of a bill for the relief of Pay Director Livingston Hunt, United States Navy (H. Doc. No. 1204); to the Committee on Naval Affairs and ordered to be printed.

2. A letter from the Secretary of the Department of Commerce, inviting attention to certain items of public works relating to the Lighthouse Service, with a view to their inclusion in the next deficiency appropriation bill (H. Doc. 1205); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. McKENZIE, from the Committee on Military Affairs, to which was referred the bill (H. R. 4814) for the relief of Jonathan Milburn, reported the same without amendment, accompanied by a report (No. 724), which said bill and report were referred to the Private Calendar.

Mr. HULL of Iowa, from the Committee on Military Affairs, to which was referred the bill (H. R. 12233) to authorize the President of the United States to appoint William H. Armstrong a captain in the Porto Rico Regiment of Infantry of the United States Army, reported the same without amendment, accompanied by a report (No. 726), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. TAYLOR of Colorado: A bill (H. R. 12598) to recast the statue of Frederick the Great into a liberty bell; to the Committee on the Library.

By Mr. MOON: A bill (H. R. 12599) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes; considered, passed, and ordered to be printed.

By Mr. LUNN: Joint resolution (H. J. Res. 310) providing a prize for the first aviator or aviatrix who makes a successful flight from the United States to England; to the Committee on Appropriations.

By Mr. WALDOW: Resolution (H. Res. 408) authorizing the Committee on Foreign Affairs to sit during the session of the House or during a recess, at Washington or elsewhere, in the consideration of the Niagara Falls water-power bill, H. R. 11871, and providing for the payment of necessary expenses of said committee; to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 12601) granting an increase of pension to Daniel C. Darlington; to the Committee on Invalid Pensions.

By Mr. BLAND: A bill (H. R. 12602) granting a pension to Seth Cornelius; to the Committee on Invalid Pensions.

By Mr. BROWNING: A bill (H. R. 12603) granting an increase of pensison to Maria J. Gorman; to the Committee on Pensions.

By Mr. CARTER of Massachusetts: A bill (H. R. 12604) for the relief of William Rogers; to the Committee on Naval Affairs.

By Mr. COOPER of Ohio: A bill (H. R. 12605) granting a pension to Louisa C. Root; to the Committee on Invalid Pensions.

By Mr. GARRETT of Texas: A bill (H. R. 12606) for the relief of William J. Drucks; to the Committee on Claims.

Also, a bill (H. R. 12607) for the relief of Freddie Scofield; to the Committee on Claims.

Also, a bill (H. R. 12608) for the relief of Mrs. A. R. Carstens; to the Committee on Claims.

Also, a bill (H. R. 12609) for the relief of T. Binford; to the Committee on Claims.

Also, a bill (H. R. 12610) for the relief of W. H. Burkett; to the Committee on Claims.

Also, a bill (H. R. 12611), for the relief of Mrs. C. W. Wright; to the Committee on Claims.

Also, a bill (H. R. 12612) for the relief of Mrs. E. J. Meineke; to the Committee on Claims.

Also, a bill (H. R. 12613) for the relief of Mrs. Ira D. Raney; to the Committee on Claims.

Also, a bill (H. R. 12614) for the relief of Mrs. E. A. Thompson; to the Committee on Claims.

Also, a bill (H. R. 12615) for the relief of Miss Almer Reichart; to the Committee on Claims.

Also, a bill (H. R. 12616) for the relief of Charles T. Clayton; to the Committee on Claims.

Also, a bill (H. R. 12617) for the relief of Mrs. E. M. Jones; to the Committee on Claims.

Also, a bill (H. R. 12618) for the relief of Mrs. F. H. Sherbert; to the Committee on Claims.

Also, a bill (H. R. 12619) for the relief of James Edward Lyon; to the Committee on Claims.

Also, a bill (H. R. 12620) for the relief of G. W. Butcher; to the Committee on Claims.

Also, a bill (H. R. 12621) for the relief of W. A. Wise; to the Committee on Claims.

Also, a bill (H. R. 12622) for the relief of Mary E. Winkler; to the Committee on Claims.

Also, a bill (H. R. 12623) for the relief of Mrs. D. R. Patton; to the Committee on Claims.

Also, a bill (H. R. 12624) for the relief of Mrs. S. Satton; to the Committee on Claims.

Also, a bill (H. R. 12625) for the relief of Mrs. Horace Moody; to the Committee on Claims.

By Mr. HOLLINGSWORTH: A bill (H. R. 12626) granting a pension to Nancy A. Lawther; to the Committee on Invalid Pensions.

By Mr. KNUTSON: A bill (H. R. 12627) granting a pension to Emil J. Olsen; to the Committee on Pensions.

By Mr. TILLMAN: A bill (H. R. 12628) granting an increase of pension to Robert A. Houston; to the Committee on Invalid Pensions.

By Mr. HOLLINGSWORTH: A bill (H. R. 12629) granting an increase of pension to Elihu Simpson; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CLARK of Pennsylvania: Petition of Thomas Swift, R. B. Swift, Dudley Yaple, A. T. Owens, Anna Yaple, T. L. Henry, and Pearl Henry, all of Waterford, Pa., for a war prohibition measure; also resolutions of the Woman's Club of Erie, Pa., by Mrs. J. V. Yelgerhouse, secretary, favoring prohibition; to the Committee on the Judiciary.

By Mr. DILLON: Petition of sundry citizens of South Dakota, urging the enactment of prohibition legislation as a war measure; to the Committee on the Judiciary.

By Mr. DOOLING: Resolutions adopted by the Rotary Club of New York, asking for an adequate Federal program of road building and maintenance; to the Committee on Roads.

By Mr. ESCH: Petition of citizens of Wisconsin, favoring war prohibition; to the Committee on the Judiciary.

By Mr. FULLER of Illinois: Petition of Homer Simpkins, secretary of Federal Labor Union No. 15034, of Streator, Ill., for postponement of the second-class postage provisions of the war-revenue act; to the Committee on Ways and Means.

By Mr. MAGEE: Petition of R. H. Herring, of Syracuse, N. Y., favoring war prohibition; to the Committee on the Judiciary.

Also, petition of Henry Hoag and other residents of Fayetteville Depot, N. Y., favoring war prohibition; to the Committee on the Judiciary.

Also, petition of Belus F. North and other residents of Marcellus, N. Y., favoring war prohibition; to the Committee on the Judiciary.

Also, petition of Maynard H. Gates and other residents of Homer, N. Y., favoring war prohibition; to the Committee on the Judiciary.

Also, petition of D. B. Woodford and other residents of Syracuse, N. Y., favoring war prohibition; to the Committee on the Judiciary.

Also, petition of Susie M. Aeyer and other residents of Warner, N. Y., favoring war prohibition; to the Committee on the Judiciary.

Also, petition of Mr. E. H. Wheaton and other residents of Camillus, N. Y., favoring war prohibition; to the Committee on the Judiciary.

Also, petition of the Methodist Episcopal Church of Fayetteville, N. Y., favoring war prohibition; to the Committee on the Judiciary.

By Mr. TAGUE: Petition of labor organizations of Boston, Mass., against prohibition as applied to light wines and beer; to the Committee on the Judiciary.

By Mr. STEENERSON: Resolutions adopted by the fifth annual meeting of the Minnesota Red River Valley Development Association, pledging unswerving loyalty to every act and purpose of those clothed with the proper constitutional authority in their endeavors to successfully meet the problems confronting our Nation in its present crisis, signed by C. H. Zealand, secretary, Crookston, Minn.; to the Committee on Military Affairs.

Also, remonstrance of Mrs. M. Wahlgren, of Fergus Falls, Minn., against the second-class postage provisions of the revenue law; to the Committee on Ways and Means.

By Mr. TILLMAN: Petition of citizens of Siloam Springs, Ark., asking for prohibition as a war measure; to the Committee on the Judiciary.

SENATE.

MONDAY, *July 1, 1918.*

(Legislative day of Thursday, June 27, 1918.)

The Senate met at 12 o'clock noon.

Mr. SHEPPARD. Mr. President, out of order I ask leave to introduce several bills and a joint resolution.

Mr. ASHURST. Mr. President, I suggest the absence of a quorum.

Mr. SHEPPARD. Will not the Senator yield that I may introduce the bills?

Mr. ASHURST. I withdraw the demand.

Mr. PENROSE. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Guion	McNary	Simmons
Beckham	Hale	Martin	Smith, Ariz.
Borah	Hardwick	Myers	Smith, Ga.
Calder	Henderson	Nelson	Smith, Md.
Chamberlain	Hitchcock	New	Smith, S. C.
Colt	Hollis	Norris	Smoot
Culberson	Johnson, Cal.	Nugent	Sterling
Cummins	Johnson, S. Dak.	Overman	Sutherland
Curtis	Jones, N. Mex.	Penrose	Thomas
Dillingham	Jones, Wash.	Phelan	Thompson
Fall	Kellogg	Pittman	Trammell
Fernald	Kendrick	Poindexter	Underwood
Fletcher	Kenyon	Pomerene	Vardaman
France	King	Ransdell	Wadsworth
Frelinghuysen	Knox	Robinson	Walsh
Gallinger	Lenroot	Shafroth	Watson
Gore	McCumber	Sheppard	
Gronna	McKellar	Sherman	

Mr. KING. I desire to announce that the senior Senator from Kentucky [Mr. JAMES] is detained by illness and that the Senator from Illinois [Mr. LEWIS] is detained on official business.

Mr. SUTHERLAND. I wish to state that my colleague, the senior Senator from West Virginia [Mr. GOFF], is absent on account of illness. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Seventy Senators have answered to the roll call. There is a quorum present.

LIST OF JUDGMENTS (S. DOC. NO. 250).

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Acting Secretary of the Treasury, transmitting, pursuant to law, a list of judgments rendered by the Court of Claims amounting to $64,573.01, which have been presented to the Treasury Department and require an appropriation for their payment, which, with the accompanying paper, will be printed in the RECORD, printed, and referred to the Committee on Appropriations.

The communication is as follows:

TREASURY DEPARTMENT,
Washington, July 1, 1918.

The PRESIDENT OF THE SENATE.

SIR: In accordance with the provisions contained in the act of Septem 30, 1890 (26 Stat., 537), and the deficiency act of April 27, 1904 (33 Stat., 422), I have the honor to transmit herewith, for the consideration of Congress, a list of judgments rendered by the Court of Claims amounting to $64,573.01, which have been presented to this department and require an appropriation for their payment, as follows:

Under the War Department	$11,168.18
Under the Navy Department	37,122.62
Under the Post Office Department	731.31
Under the Interior Department	15,550.90
Total	64,573.01

Respectfully,

L. S. ROWE.

Judgments rendered by the Court of Claims.

No.	Claimant.	Date of judgment.	Amount.	When presented for payment.	When payable, if not appealed.	Nature of claim.
	WAR DEPARTMENT.					
33750	Chicago, Burlington & Quincy R. R. Co.	June 3, 1918	$2,924.74	June 20, 1918	Sept. 1, 1918	Land-grant deductions from transportation of Army officers' effects.
33658	Central of Georgia Ry. Co.	June 24, 1918	214.82	June 24, 1918	Sept. 22, 1918	Do.
33969	Atchison, Topeka & Santa Fe Ry. Co.	do	1,702.06	do	do	Do.
22436	William L. Killebrew, surviving partner of J. B. & W. L. Killebrew.	June 4, 1917	6,076.56	June 8, 1917	Sept. 2, 1917	Under contract for furnishing stone for improvement of Mississippi River.
32682	Jay H. Northrup	June 10, 1918	250.00	June 28, 1918	Sept. 8, 1918	Under contract for construction of Lock and Dam No. 1, Big Sandy River, Ky.
	Total		11,168.18			
	NAVY DEPARTMENT.					
24757	P. J. Carlin & Co.	Apr. 22, 1918	36,877.10	May 21, 1918	July 21, 1918	Under contract for construction of sea wall, Naval Academy, Annapolis.
33949	Mason E. Mitchell	June 24, 1918	245.52	June 28, 1918	Sept. 22, 1918	Mileage.
	Total		37,122.62			
	POST OFFICE DEPARTMENT.					
31550	Texas & Pacific Ry. Co.	Mar. 25, 1918	731.31	June 18, 1918	June 23, 1918	Mail transportation.
	INTERIOR DEPARTMENT.					
31954	Dana E. Brinck, receiver	Feb. 25, 1918	15,550.90	July 1, 1918	May 26, 1918	Under reclamation contract for Minidoka project, Idaho.
	Grand total		64,573.01			

THE GARABED INVENTION (S. DOC. NO. 251).

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Acting Secretary of the Interior, which will be read and referred to the Committee on Patents.

The communication is as follows:

THE SECRETARY OF THE INTERIOR,
Washington, July 1, 1918.

DEAR MR. VICE PRESIDENT: I am to-day in receipt of report of the committee of scientists appointed by Mr. Garabed T. K. Giragossian, and approved by Secretary Lane, in accordance with the provisions of Public resolution No. 21, dated February 8, 1918, a copy of which report I am sending to you herewith.

Cordially, yours,

ALEXANDER T. VOGELSANG,
Acting Secretary.

Hon. THOMAS R. MARSHALL,
The Vice President.

We, the undersigned, who are members of the commission duly appointed in accordance with the provisions of Public resolution No. 21, Sixty-fifth Congress, hereby certify that Mr. Garabed T. K. Giragossian showed us on Saturday, June 29, 1918, a model embodying the principles of his invention known as the Garabed. We found that the model was not in shape to run or to develop power. The inventor admitted that he had no working machine and that he was merely explaining principles. We do not believe that his principles are sound, that his device is operative, or that it can result in the practical development of free energy.

Witness our signatures at Boston, Mass., this 29th day of June, 1918.

JAMES A. MOYER.
EDWARD F. MILLER.
M. DE KAY THOMPSON.
EDWIN B. WILSON.
CHARLES L. NORTON.

SCHEDULE OF CLAIMS (S. DOC. NO. 249).

The VICE PRESIDENT. The Chair lays before the Senate a communication from the chief clerk of the Court of Claims, transmitting, pursuant to law, schedules of claims amounting to $391,423.06 allowed by the several accounting officers of the Treasury Department under appropriations the balances of which have been exhausted or carried to the surplus fund under the provision of section 5 of the act of June 20, 1874, and so forth, which, with the accompanying paper, will be printed, printed in the RECORD, and referred to the Committee on Appropriations.

The communication is as follows:

TREASURY DEPARTMENT,
Washington, July 1, 1918.

The PRESIDENT OF THE SENATE.

SIR: I have the honor to transmit herewith, in compliance with section 2 of the act of July 7, 1884 (23 Stat. L., 254), schedules of claims amounting to $391,423.06 allowed by the several accounting officers of the Treasury Department under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the act of June 20, 1874 (18 Stat. L., 110), and for the service of the following departments:

Executive	$42,102.65
State Department	23,267.04
Treasury Department	63,203.14
War Department	229,758.30
Navy Department	30,404.18
Interior Department	982.43
Department of Justice	1,555.89
Post Office Department	149.43
Total	391,423.06

Respectfully,

L. S. ROWE,
Acting Secretary.

Allowed by the Auditor for the Treasury Department.

No. of certificate or claim.	Name of claimant.	Appropriation from which payable.	Fiscal year in which the expenditure was incurred.	Amount.
	Treasury Department. CLAIMS.			
68318	Cady, John D	Refunding taxes illegally collected (certified claims).		$8.78
68319	Deere & Co	do		107.90
68341	Citizens National Bank of Frederick, Md.	do		31.89

Allowed by the Auditor for the Treasury Department—Continued.

No. of certificate or claim.	Name of claimant.	Appropriation from which payable.	Fiscal year in which the expenditure was incurred.	Amount.
	Treasury Department—Continued. CLAIMS—continued.			
68342	Crown Cork & Seal Co	Refunding taxes illegally collected (certified claims).		$6,341.00
68345	Mylander, Mary	do		3.03
68347	Ames, Mary S	do		85.47
68348	Baldwin, George S	do		43.64
68349	Bliss, Elmer J	do		67.04
68354	Joseph S. Williams, executor of estate of Jeremiah Williams.	do		1,743.15
68363	King, Grace W	do		148.44
68366	McLaughlin, H. R	do		30.00
68369	Levy, Louis S	do		530.14
68372	Loughman, Edward D	do		61.45
68373	E. E. Meacham & Son	do		77.38
68377	National Golf Links of America	do		21.44
68378	New Jersey Suburban Water Co	do		15.00
68379	Potter, J. W. Fuller	do		70.77
68382	Rosenthal, Samuel M	do		17.28
68385	Trundy, Raymond P	do		16.33
68386	Turner, Solon E	do		146.76
68392	Blumstein, Louis M	do		42.94
68393	Chambers, Clark T	do		11.73
68400	Luce, Harry J	do		79.42
68406	Sachs, John	do		590.88
68420	Buffalo Gas Co	do		600.00
68422	Buffalo Builders Supply Co	do		357.65
68423	Smith-Wadsworth Hardware Co	do		38.70
68429	Westcott, Burton J	do		32.05
68432	Lewis, Charles	do		33.70
68434	Pappenheimer, Alex	do		17.47
68439	Ambler, William E	do		6.14
68441	V. D. Anderson Co	do		379.08
68444	Cowell & Hubbard Co	do		98.69
68450	Brown, B. G	do		18.27
68455	Belvidere-Delaware R. R. Co	do		3,236.62
68457	Biggin, Charles P	do		15.86
68459	Glendinning, Robert	do		100.02
68461	Hale, J. Warren	do		37.50
68462	Harrisburg, Portsmouth, Mount Joy & Lancaster R. R. Co.	do		911.33
68465	Lumbermen's Insurance Co	do		82.46
68523	Wisconsin Tissue Paper Co	do		34.92
68528	Howe, Nathaniel L	do		.15
68533	Lesinsky, Leo	do		71.46
68538	Morange, Edward A	do		16.43
68539	Nathan, Eli M	do		38.25
68540	O'Reilly, Frank	do		37.50
68542	Rosen, Abraham	do		35.90
68546	Viggiani, Enrico	do		25.00
68548	Voss, Clara S. E	do		31.56
68576	Alaska United Gold Mining Co	do		250.08
68582	Hoare, P. H	do		25.87
68587	J. W. Wright & Co	do		91.74
68589	Amazon Oil Co	do		6.69
68590	American Olive Co	do		104.53
68599	Smales, Clyde Edgar	do		20.00
68600	Times-Mirror Co	do		406.63
68605	National Fire Insurance Co	do		190.83
68607	Americus Grocery Co	do		20.00
68609	Lowry, Robert J	do		14.74
68611	E. W. Peterson	do		2.29
68614	Le Bosky, Jacob C	do		2.88
68617	Snelling, Fred D. P	do		96.38
68618	South Shore Country Club	do		339.06
68623	Western Grocer Co	do		339.72
68624	American Cement Plaster Co	do		1,399.19
68627	Ballard & Ballard Co. (Inc.)	do		125.44
68633	Gottlieb, Joe	do		12.02
68636	The Baltimore Automobile Dealers Association (Inc.).	do		34.05
68642	Morton, Levi P	do		4,318.70
68643	National Window & Office Cleaning Co.	do		179.72
68646	Concordia Loan & Trust Co., of Kansas City, Mo.	do		87.33
68649	Philadelphia & Reading Ry. Co	do		71.16
68654	Heller, Walter S	do		13.86
68656	Shreve & Co	do		76.37
68658	Birkel, George J	do		70.92
68728	Hartman, J. L	do		18.35
68729	Herr & Co. (Inc.)	do		5.86
68730	do	do		14.44
68735	Wolf, S. George	do		105.15
68736	Boston Mfgs. Mutual Fire Ins. Co	do		10,451.29
68738	Butler, Charles S	do		46.01
68741	Goodale, Warren H	do		5.86
68743	Doe Run Lead Co	do		615.81
68746	Hallock, Edwin S	do		22.65
68749	First National Bank of Loup City, Nebr.	do		1.23
68750	First National Bank, Fairbury, Nebr.	do		61.03
68753	Buzby, Walter J	do		37.52
68757	New Jersey Fidelity & Plate Glass Insurance Co.	do		150.67
68758	New Jersey Registration & Trust Co., East Orange, N. J.	do		8.60

Allowed by the Auditor for the Treasury Department—Continued.

No. of certificate or claim.	Name of claimant.	Appropriation from which payable.	Fiscal year in which the expenditure was incurred.	Amount.
	Treasury Department—Continued.			
	CLAIMS—continued.			
68761	Bixby, Henry D	Refunding taxes illegally collected (certified claims).		$14.95
68768	Alliance Assurance Co. (Ltd.)	do		329.25
68774	Bromell, A. H	do		8.60
68776	Corn Exchange Bank, New York, N. Y.	do		355.92
68782	Hodgson, John H. P	do		12.20
68783	Houlder, Weir & Boyd (Inc.)	do		44.58
68794	Illinois Western Electric Co	do		163.74
68795	W. J. G. Whiley, administrator of the estate of Thomas M. Devilbiss.	do		29.76
68799	Blackton, J. Stuart	do		272.71
68801	Dellano Smith Co. (Inc.)	do		45.51
68802	Dimond, Thomas	do		133.44
68818	Ronalds, Thora Strong	do		20.94
68820	Stitt, William J	do		24.57
68828	Buffalo Board of Trade	do		26.66
68831	Hayd, H. E	do		31.21
68836	Dakota Meat Co	do		31.44
68837	Cathro, F. W	do		12.53
68838	McIntosh, W. H	do		28.06
68840	Fleischmann, Julius	do		50.71
68843	Krug, Frank S	do		26.30
68847	Fireside Building, Loan & Savings Co.	do		63.24
68850	Bridges, Amelia C	do		1,040.51
68851	Brunswig, L. N	do		198.29
68852	Coulter Dry Goods Co	do		160.70
68853	Johnson, Gail B	do		70.33
68854	Moulton, John Fletcher	do		54.81
68856	Paul Muhlendorf, trustee of estate of S. C. Allen.	do		294.76
68857	Mary A. Peacock, Marian C. Smith, Bertha L. Davis, Charles D. Peacock, jr., Ella R. Peacock, Robert E. Peacock, and Walter C. Peacock, heirs of Charles D. Peacock.	do		176.25
68876	Selden, E. V. D	do		10.12
68884	Arctic Ice & Refrigerating Co	do		60.72
68886	Damon Oil Co	do		22.31
68888	Daube, David	do		79.26
68889	Daube, Samuel	do		76.90
68892	Suppes, C. E	do		29.44
68893	Wilson Lumber Co	do		22.49
68897	Ajax Metal Co	do		133.68
68898	do	do		10.62
68899	Bayuk, Meyer	do		40.66
68900	Brighton Worsted Co	do		10.00
68902	Delaware R. R. Co	do		7,854.91
68905	Shamokin Valley & Pottsville R. R. Co.	do		1,246.24
68909	Bole, Robert A	do		18.11
68910	Marvin, Earle R	do		53.71
68925	Pacific Coast Biscuit Co	do		257.05
68926	Pacific Transfer Co	do		54.99
68932	Hollingsworth & Vose Co	do		312.31
68934	Regal Shoe Co of Maine	do		322.76
68939	Barnard, Mary E	do		8.29
68941	First National Bank of Baltimore, Md.	do		81.77
68955	Frank Toomey (Inc.)	do		9.02
68958	Green, A. A	do		10.94
68961	Krulewich, Mike	do		1.90
68962	Moore, H. Leslie	do		4.40
69025	Williamson, John M	do		120.51
69027	Colt, Elizabeth Mitchelson	do		115.65
69031	First National Bank, De Land, Fla.	do		1.18
69038	Gately, Ralph M	do		26.11
69040	McCormick, Harold F	do		208.33
69046	Thayer, Henry J	do		29.46
69047	Western Electric Co	do		598.22
69052	Harry B. Jennings, administrator of estate of L. A. Jennings.	do		32.72
69053	Levinson, Henry	do		76.57
69056	Central National Bank, Greencastle, Ind.	do		18.89
69063	Templin, Jacob Daniel	do		40.00
69064	Caddo-Rapides Lumber Co. (Ltd.)	do		9.15
69075	Dougherty, J. W	do		8.56
69085	Hill, Horace M	do		383.62
69086	Silliman, Arthur P	do		13.35
69090	Rainy Day Permanent Savings & Loan Association.	do		40.91
69092	Batcheder, Frank R	do		14.49
69093	Bennett, Ernest P	do		56.41
69096	Carr, Fred S	do		53.55
69099	Fernald, Herbert E	do		37.75
69100	Huntress, George L., jr	do		7.47
69101	Maynard, Herbert	do		70.02
69104	Silliman, Frederick H	do		92.83
69105	Towle, Loren D	do		130.99
69110	Sexton, Mary Jane	do		198.33
69111	Bergen Turnpike Co	do		848.02
69112	Bloomfield National Bank, Bloomfield, N. J.	do		20.00
69116	Sommer, Harry F	Refunding taxes illegally collected (certified claims).		$214.45
69117	Whitehead, Joseph	do		643.59
69119	Adams, Benjamin	do		16.87
69121	Anton Eilers estate	do		13.11
69122	English, William H	do		10.55
69128	Brankley, J. W	do		15.00
69130	Christie, John Reid	do		7.49
69139	James V. Parker Estate	do		33.35
69145	Salke, Louis	do		2.86
69147	Watson, Charles Horton	do		84.31
69150	Adler, Charles	do		96.12
69153	Beer, Edwin	do		8.60
69156	Colt, Elizabeth M	do		70.00
69250	Conway, E. E	do		33.23
69252	Flannery, George P	do		20.84
69258	Teton Mercantile Co	do		40.75
69260	Live Stock National Bank, Omaha, Nebr.	do		36.54
69262	Seymour, George N	do		110.84
69264	Dow, Fred N	do		42.28
69265	Foss, Horatio G	do		74.44
69277	Spokane Cattle Co	do		108.59
69279	Allis-Chalmers Manufacturing Co	do		657.09
69282	Townsend, William S	do		325.97
	Total			55,929.55
	JUDGMENTS.			
69160	Transit Development Co	Payment of judgment against internal revenue officers (certified claims).		6,852.59
69162	New York Mail & Newspaper Transportation Co. and New York Pneumatic Service Co.	do		171.00
	Total			7,023.59
	FURNITURE.			
66071	Interstate Construction Co. (Ltd.).	Furniture and repairs of same for public buildings (certified claims)	1913	250.00
	Total, Treasury Department			63,203.14

RECAPITULATION OF CLAIMS ALLOWED BY THE AUDITOR FOR THE TREASURY DEPARTMENT.

Treasury Department:	
Refunding taxes illegally collected (certified claims)	$55,929.55
Payment of judgment against internal-revenue officers (certified claims)	7,023.59
Furniture and repairs of same for public buildings (certified claims)	250.00
Total, Treasury Department	63,203.14

Allowed by the Auditor for the War Department.

No. of certificate or claim.	Name of claimant.	Appropriation from which payable.	Fiscal year in which the expenditure was incurred.	Amount.
	War Department.			
	MILITARY ESTABLISHMENT.			
140136	Johnson, Willie	Pay, etc., of the Army, certified claims.		$3.00
140480	McNett, Walter	do		26.25
140721	Heyner, Frank W	do		14.52
	Total			43.77
44361	War Department	Civilian military training camps, 1918.	1918	229,044.35
140621	McDermott, Edward J	Extra-duty pay to enlisted men as clerks, etc., at Army division and department headquarters (sec. 1287, R. S., as amended by act of Mar. 3, 1885; 23 Stat., 359 (certified claims)).		198.58

Allowed by the Auditor for the War Department—Continued.

No. of certificate or claim.	Name of claimant.	Appropriation from which payable.	Fiscal year in which the expenditure was incurred.	Amount.
	War Department—Contd.			
	MILITARY ESTABLISHMENT—continued.			
32559	The International & Great Northern R. R. Co.	Transportation of the Army and its supplies (certified claims).	1914	$7.46
32560	The New York, New Haven & Hartford R. R. Co.	do	1912	1.31
32561	do	do	1915	72.00
32707	The Potomac & Chesapeake Steamboat Co.	do	1915	37.15
	Total			117.92
32563	The Atcheson, Topeka & Santa Fe R. R. Co.	Headstones for graves of soldiers (certified claims).	1915	.49
32564	do	do	1915	.49
32646	The Southern Railway Co.	do	1916	1.60
	Total			2.58
32565	The Lehigh Valley R. R. Co.	Disposition of remains of officers, soldiers, and civil employees, 1917.	1917	1.85
32576	The American Express Co.	do	1917	33.44
32613	do	do	1917	27.66
32709	The Pullman Co	do	1917	3.00
32710	The Southern Express Co	do	1917	93.20
32753	The El Paso & South Western System.	do	1917	280.06
32766	The Pennsylvania Railroad Co.	do	1917	1.97
	Total			441.18
	Total, War Department			229,758.30

RECAPITULATION OF CLAIMS ALLOWED BY THE AUDITOR FOR THE WAR DEPARTMENT.

War Department, Military Establishment:		
Pay, etc., of the Army (certified claims)		$43.77
Extra-duty pay to enlisted men as clerks at Army division and department headquarters (certified claims)		108.50
Transportation of the Army and its supplies (certified claims		117.92
Civilian military training camps, 1918		229,044.35
Headstones for graves of soldiers (certified claims)		2.58
Disposition of remains of officers, soldiers, and civil employees, 1917		441.18
Total, War Department		229,758.30

Allowed by the Auditor for the Navy Department.

No. of certificate or claim.	Name of claimant.	Appropriation from which payable.	Fiscal year in which the expenditure was incurred.	Amount.
	Navy Department.			
	NAVAL ESTABLISHMENT.			
7131	The Burgess Co	Construction and repair, Bureau of Construction and Repair (certified claims).	1915	$15,197.67
7131	do	Engineering, Bureau of Steam Engineering (certified claims).	1915	15,197.68
7125	Brandt, Charles	Pay of the Navy (certified claims).	1915	8.83
	Total, Navy Department			30,404.18

RECAPITULATION OF CLAIMS ALLOWED BY THE AUDITOR FOR THE NAVY DEPARTMENT.

Navy Department: Naval Establishment, as follows:		
Construction and repair, Bureau of Construction and Repair (certified claims)		$15,197.67
Engineering, Bureau of Steam Engineering (certified claims)		15,197.68
Pay of the Navy (certified claims)		8.83
Total, Navy Department		30,404.18

Allowed by the Auditor for the Interior Department.

No. of certificate or claim.	Name of claimant.	Appropriation from which payable.	Fiscal year in which the expenditure was incurred.	Amount.
	Interior Department.			
	INDIANS.			
14087	Haygood, W. F	Purchase and transportation of Indian supplies, 1917.	1917	$63.00
58008	Atchison, Topeka & Santa Fe Ry. Co.	do	1917	20.34
58039	Do	do	1917	2.95
58009	Chicago, Milwaukee & St. Paul Ry. Co.	do	1917	161.26
58014	Do	do	1917	38.63
58035	Do	do	1917	157.45
58007	Great Northern Ry. Co	do	1917	6.62
58040	Do	do	1917	88.78
58004	Minneapolis, St. Paul & Sault Ste Marie Ry. Co.	do	1917	121.40
58041	Northern Pacific Ry. Co	do	1917	28.61
58010	Southern Pacific Co	do	1917	118.21
				807.25
58052	Illinois Central R. R. Co	Purchase and transportation of Indian supplies (certified claims).	1913	175.18
	Total, Indians			982.43

RECAPITULATION OF CLAIMS ALLOWED BY THE AUDITOR FOR THE INTERIOR DEPARTMENT.

Indians:		
Purchase and transportation of Indian supplies, 1917		$807.25
Purchase and transportation of Indian supplies (certified claims)		175.18
Total		982.43

Allowed by the Auditor for the State and Other Departments.

No. of certificate or claim.	Name of claimant.	Appropriation from which payable.	Fiscal year in which the expenditure was incurred.	Amount.
	Department of State.			
	FOREIGN INTERCOURSE.			
22466	Wiseman, William	Contingent expenses, U. S. Consulates (certified claims).	1915	$19.00
22509	Laughlin, Irwin B	Contingent expenses, Foreign Missions, 1917.	1917	36.73
22511	Pennoyer, R. E	do	1917	26.50
22513	Bell, Edward	do	1917	17.08
22516	Davis, R. B	do	1917	26.50
22524	Shoecraft, Eugene C	do	1917	26.36
	Total			133.17
21101	Morris, Ira N	Representation of interests of foreign Governments growing out of hostilities in Europe, etc., 1916-17.	1916-17	1,915.57
21236	Smith, James A	do	1916-17	58.30
21243	Stovall, Pleasant A	do	1916-17	2,196.30
21338	Brittain, Joseph I	do	1916-17	1,669.61
21606	Knabenshue, Paul	do	1916-17	3,546.75
21681	Bliss, R. W	do	1916-17	10,000.00
21746	Kirjassoff, M. D	do	1916-17	3,489.50
21754	Sauer, Emil	do	1916-17	45.65
21959	Gunsaulus, E. N	do	1916-17	193.19
	Total			23,114.87
	Total, Department of State			23,267.01
	Executive.			
21020	Gottschalk, A. L. M	Relief, protection, and transportation of American citizens in Europe.		2,266.19
21156	Gade, Horace U	do		5.48
21172	Thackara, A. M	do		1,322.88
21181	Keblinger, W	do		1,000.00
21181	do	do		109.96
21197	Holaday, Ross E	do		24.46
21200	Guyant, Claude E	do		9.35
21217	Knabenshue, Paul	do		1,281.53
21269	Wakefield, E. A	do		171.87

Allowed by the Auditor for the State and Other Departments—Contd.

No. of certificate or claim.	Name of claimant.	Appropriation from which payable.	Fiscal year in which the expenditure was incurred.	Amount.
	Executive—Continued.			
21272	Osborn, H. B.	Relief, protection, and transportation of American citizens in Europe.		$68.23
21309	Hathaway, C. M.	....do		54.67
21322	Fleming, Rufus	....do		119.24
21331	Osborne, J. B.	....do		.50
21332	Lowrie, Will L.	....do		99.73
21389	Anderson, G. E.	....do		41.12
21393	Harris, Heaton W.	....do		53.97
21394	Garrels, Arthur	....do		29.26
21422	Winslow, E. D.	....do		97.46
21445	Kent, W. P.	....do		174.00
21452	Armstrong, J. S.	....do		8.52
21485	McCunn, John N.	....do		272.75
21525	Carter, James G.	....do		.48
21526	Putnam, J. R.	....do		324.07
21535	Mahin, Frank W.	....do		42.19
21544	Richardson, E. V.	....do		96.66
21609	Loop, C. R.	....do		178.96
21629	White, Jay	....do		2,345.70
21632	Krogh, G. H.	....do		677.08
21633	Listoe, Soren	....do		410.91
21752	Sauer, Emil	....do		50.00
21797	Morris, Ira N.	....do		6,522.28
21840	Reilly, Arthur E. J.	....do		271.68
21896	Lathrop, Lorin A.	....do		260.85
21928	Wmans, C. S.	....do		91.52
21959	Gunsaulus, Edwin N.	....do		519.09
21960	....do	....do		254.77
21968	Byington, H. M.	....do		7.58
22028	West, George N.	....do		225.00
22037	Foster, Paul H.	....do		267.18
22039	....do	....do		58.98
22153	Lay, J. G.	....do		9,277.74
22161	Foster, John G.	....do		174.22
22440	Egan, M. F.	....do		11,216.88
22533	Morgan, H. H.	....do		1,617.66
	Total, Executive			42,102.65
	Department of Justice.			
30795	Hart, D. H.	Fees of clerks, United States courts, 1917.	1917	154.35
30808	Hope, Thomas	....do	1917	31.25
	Total			185.60
30795	Hart, D. H.	Fees of clerks, United States courts (certified claims).	1912–1915	1,302.20
30804	Union Envelope Co.	Supplies for United States courts, 1917.	1917	68.09
	Total, Department of Justice.			1,555.89

RECAPITULATION OF CLAIMS ALLOWED BY THE AUDITOR FOR THE STATE AND OTHER DEPARTMENTS.

State Department, foreign intercourse:		
Contingent expenses, United States consulates (certified claims)		$19.00
Contingent expenses, foreign missions, 1917		133.17
Representation of interests of foreign governments arising out of hostilities in Europe, etc., 1916–17		23,114.87
Total, Department of State		23,267.04
Executive:		
Relief, protection, and transportation of American citizens in Europe		42,102.65
Department of Justice:		
Fees of clerks, United States courts, 1917		185.60
Fees of clerks, United States courts (certified claims)		1,302.20
Supplies for United States courts, 1917		68.09
Total, Department of Justice		1,555.89

Allowed by the Auditor for the Post Office Department.

No. of certificate or claim.	Name of claimant.	Appropriation from which payable.	Fiscal year in which the expenditure was incurred.	Amount.
	Post Office Department.			
	POSTAL SERVICE.			
29424	W. J. Nagel, postmaster, Detroit, Mich.	Rural Delivery Service.	1915	$11.00
29425	B. M. Gatling, postmaster, Raleigh, N. C.	....do	1915	46.39
29426	E. S. Shannon, postmaster, Nashville, Tenn.	....do	1915	88.00
29427	J. Johnson, postmaster, Austin, Tex.	....do	1915	4.04
	Total			149.43

RECAPITULATION OF CLAIMS ALLOWED BY THE AUDITOR FOR THE POST OFFICE DEPARTMENT.

Rural Delivery Service		$149.43
Total "Deficiency in postal revenues" (certified claims) payable from the General Treasury		149.43

SUMMARY OF CLAIMS.

Executive		$42,102.65
State Department:		
Foreign intercourse		23,267.04
Treasury Department:		
Internal revenue	$62,953.14	
Miscellaneous	250.00	
		63,203.14
War Department:		
Military Establishment		229,758.30
Navy Department:		
Naval Establishment		30,404.18
Interior Department:		
Indians		982.43
Department of Justice:		
United States courts		1,555.89
Post Office Department:		
Postal Service		149.43
Total		391,423.06

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the House had passed the joint resolution (S. J. Res. 159) to extend the time within which the President may relinquish control of any railroad or system of transportation, as provided in section 14 of an act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918, to January 1, 1919.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H. R. 12541) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. BORLAND, Mr. BYRNS of Tennessee, and Mr. GOOD managers at the conference on the part of the House.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 10851. An act to provide a method for disposing of intoxicating liquors now or hereafter in the possession of United States court officials; and

H. R. 11247. An act providing for the protection of the uniform of friendly nations, and for other purposes.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 10854. An act making appropriations for the naval service for the fiscal year ending June 30, 1919, and for other purposes; and

H. R. 12599. An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes.

PETITIONS.

Mr. GALLINGER presented a telegram in the nature of a petition from the Yearly Meetings of Friends of New England, at its annual meeting held at Vassalboro, Me., praying for national prohibition as a war measure, which was ordered to lie on the table.

Mr. HALE presented resolutions adopted at the Fifty-first Encampment of the Maine Encampment of the Grand Army of the Republic, at Augusta, Me., pledging support to the President in the prosecution of the war and indorsing the work now being done toward the successful termination of the conflict, which were ordered to lie on the table.

Mr. LODGE presented a petition of the Equal Suffrage League of Holyoke, Mass., praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which was ordered to lie on the table.

Mr. FERNALD presented resolutions adopted by the Maine Encampment of the Grand Army of the Republic at its fifty-first encampment at the State House, Augusta, Me., pledging support to the President in the carrying on of the war, which were ordered to lie on the table.

Mr. SMITH of Arizona. I present a joint memorial adopted by the Legislature of the State of Arizona, which I ask to have printed in the RECORD.

There being no objection, the joint memorial was ordered to be printed in the RECORD, as follows:

CHAPTER 2.

House joint memorial No. 2.

To the Senate and House of Representatives of the United States of America in Congress assembled:

Your memorialist, the Third Legislature of the State of Arizona, in special session convened, respectfully represents:

That a full comprehension of the fundamental ideals and meaning of American life, citizenship, and political institutions, and a genuine allegiance to the principles upon which the Government of the United States is founded are both essential to promote the national unity of the people of the United States, especially among those people of foreign birth resident within the widespreading domain of the American Nation.

That the triumph of language over ideals and customs pertaining to birth has been beyond question established as complete and must be our answer to those apologists, the advocates of despotism, who plead for the wisdom of their despotic institutions and endeavor, with sacrilegious hands, to foist upon our people the dreaded influence of political governments whose fate is already written in the history of the times.

That to insure the success of our great experiment in free government it is peculiarly important that this great mass of people under the protection of the Government must be fitted to play well their part as citizens of the Republic.

That only by education can a full realization of the benefits of Americanism be brought home to those who have sought refuge and freedom from injustice and violence in a strange land whose laws they do not understand and whose language to them is a foreign tongue, where they are shut out from the family of man.

That it is the duty of the Government to offer these people of foreign birth more than sympathy and consolation by endeavoring to promote their rapid Americanization.

Wherefore your memorialist urgently urges the passage of bills now pending which provide, in the interest of national unity, for the promotion of the education of resident persons unable to speak the English language, and to that end enable the State and Federal Governments to cooperate in the promotion of the education of such persons in the English language and the fundamental principles of the Government and citizenship of the United States.

Resolved, That a copy of this memorial be forwarded to the President of the Senate, the Speaker of the House of Representatives, and the Senators and Representative of Arizona in the United States Congress.

Passed the senate June 17, 1918.

Passed the house June 14, 1918.

Mr. SMITH of Arizona. I present a joint memorial adopted by the Legislature of the State of Arizona, which I ask to have printed in the RECORD.

There being no objection, the memorial was ordered to be printed in the RECORD, as follows:

CHAPTER 1.

House joint memorial No. 1.

To the House of Representatives, the Senate, and the President of the United States:

Your memorialists, the Third State Legislature, in special war session, of Arizona, respectfully set forth:

It is now known that this world can no longer remain half autocratic and half democratic. Every child of freedom the world around is conscious of that fact, most certainly are they within the folds of the Stars and Stripes. Yet, knowing it, we have not fully met the issue involved.

Autocracy sneeringly holds itself to have the advantage because it is able by the single word of the autocrat to wield the body, mind, and soul of its subjects into one great, irresistible force, while democracy, endeavoring to crystallize itself through a President and Congress, subservient to the will of a nation of independent minds, will fail utterly in the final test. If this be so, then the struggle of humanity through the ages is lost. If autocracy wins on the fields of France, there will be no human conscience left to dispute its kultur.

Can this be averted? Arizona believes it can if the United States will, through efforts that move with order, determination, and precision, organize all its resources—material, spiritual, and psychological—and throw them all quickly into the conflict.

In your deliberations of a new revenue bill it will be well to remember that the Government has conscripted all its fighting forces but it has not yet taken full measure of its supporting forces. The only way to accomplish the latter is for everyone—men and women—for the duration of the war, to give to their country their entire time, efforts, and earnings consistent with a healthy existence.

Therefore the Legislature of Arizona suggests that you call for all citizens to volunteer in the service of their country in the positions they now occupy, or in others, as the country might wish, and after a certain period to draft all the slackers and misfits; that coincident with this call for a whole-hearted response by the people you give that response expression, assurance, and confidence in a tax that will take all the net earnings of the people over and above what is needed to support the industries and a normal and healthy existence.

It is true that such a thing was never done before, but democracy was never challenged as it is at this hour. We believe the lives of our young men, on the threshold of responsibility, are as valuable to the Nation as a few short years of consecrated effort on the part of the rest of us, who will soon pass out. Certainly a few years given to our country in the security maintained by our magnificent youth can not be compared with the sacrifices, heroism, and patriotism they offer their country.

This is a country not of blood nor of an idea but it is an ideal, and as such it must live on ideals. The nobler the ideal that supports it the more potent it becomes, both within and without its confines. Complete service to our country is indeed 100 per cent Americanism, and nothing short of it is. Such a service would burn all the sordid in our make-up as a people to a white ash. It would dissolve all the problems of class. It would exalt us to an efficiency not yet recorded in history. It would reveal to us the true meaning of democracy, not because we thought it but because we lived it. It would clarify our vision so that we could point the way to a lasting peace.

Such a service would inspire our armies as no armies were ever inspired before. It would make each soldier conscious that his country had not forgotten him, but was behind him in all its intensity, and that if he died his countrymen would live for the same thing for which he died. It would make him feel that a nation that could show such spiritual heroism must indeed be the revelation of the divine plan of the ages, and that to give his all for it would be a privilege sweeter than ever tasted by mortal.

Such a service would convince autocracy that democracy was more potent than any other earthly force. It would convince all mankind that democracy was a living, vital thing that could be comprehended, practiced, and sustained. It would teach mankind that we strove for the race and not for ourselves alone. Its psychological effect would be more powerful than all the armies autocracy could muster.

The blood of our soldier boys calls for nothing short of this; our conscious mission before God and man demands nothing less. We know what justice is. In this supreme test if we do not do our utmost we shall prove unworthy of justice, and the debasement and butchery of the Hun may be our just reward.

It is ordered that a copy of this memorial be transmitted to the governor of Arizona, to the President of the United States, to the Speaker of the House of Representatives, the President of the Senate, and Arizona's delegation in Congress, the Hon. M. A. SMITH, Hon. HENRY F. ASHURST, and Hon. CARL HAYDEN.

Passed the house June 13, 1918.

Mr. SUTHERLAND presented a petition of the congregation of the Tug River Church of Christ, of War, W. Va., praying for national prohibition as a war measure, which was ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. FLETCHER, from the Committee on Commerce, to which was referred the following bills, reported them each with amendments and submitted reports thereon:

H. R. 12099. An act to confer on the President power to prescribe charter rates and freight rates and to requisition vessels, and for other purposes (Rept. No. 535); and

H. R. 12100. An act to amend the act approved September 7, 1916, entitled "An act to establish a United States Shipping Board for the purpose of encouraging, developing, and creating a naval auxiliary and naval reserve and a merchant marine to meet the requirements of the commerce of the United States with its Territories and possessions and with foreign countries; to regulate carriers by water in the foreign and interstate commerce of the United States; and for other purposes" (Rept. No. 536).

Mr. OVERMAN, from the Committee on the Judiciary, to which was referred the bill (S. 4724) to incorporate the Mothers of Democracy of the United States of America, reported it with amendments (Rept. No. 537).

EMPLOYMENT OF STENOGRAPHER.

Mr. THOMPSON, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution No. 270, submitted by Mr. KENYON on the 28th ultimo, reported it favorably without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on Standards, Weights, and Measures be, and hereby is, authorized during the Sixty-fifth Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding $1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recess of the Senate.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SHEPPARD:

A bill (S. 4779) to provide increased compensation and pay for overtime, Sunday, and holiday work by certain employees;

A bill (S. 4780) to amend an act entitled "An act making appropriations to supply urgent deficiencies in appropriations for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes"; and

A bill (S. 4781) to amend an act entitled "An act making appropriations to supply urgent deficiencies in appropriations for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes"; to the Committee on Appropriations.

By Mr. ROBINSON:

A bill (S. 4782) to encourage instruction in the hygiene of maternity and infancy, and to extend proper care for maternity and infancy; to provide for cooperation with the States in the promotion of such instruction and care in rural districts; to appropriate money and regulate its expenditure, and for other purposes; to the Committee on Education and Labor.

By Mr. FLETCHER:

A bill (S. 4783) to give effect to certain provisions of the convention for the protection of trade-marks and commercial names, made and signed in the city of Buenos Aires, in the Argentine Republic, August 20, 1910, and for other purposes; to the Committee on Commerce.

By Mr. WATSON:
A bill (S. 4784) to incorporate the War Mothers of America; to the Committee on the Judiciary.
By Mr. OVERMAN:
A bill (S. 4785) to incorporate the American Committee for Relief in the Near East; to the Committee in the Judiciary.
By Mr. SHEPPARD:
A joint resolution (S. J. Res. 163) to insure the continuous operation of electrical communicating systems, to guard the secrecy of war dispatches, and prevent communications between public enemies; to the Committee on Military Affairs.

AMENDMENTS TO DEFICIENCY APPROPRIATION BILL.

Mr. POMERENE submitted an amendment relative to contracts entered into prior to June 30, 1917, for the erection of public buildings under the supervision of the Treasury Department, etc., intended to be proposed by him to the general deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.
Mr. NELSON submitted an amendment proposing to appropriate $263.37 to pay Amherst W. Barber, United States deputy surveyor, for the resurvey of 23 miles in the State of Colorado, etc., intended to be proposed by him to the general deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had, on the 29th ultimo, approved and signed the joint resolution (S. J. Res. 158) authorizing the Secretary of War to issue permits for the diversion of water from the Niagara River.

FORTIFICATIONS APPROPRIATIONS.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 12541) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.
Mr. UNDERWOOD. I move that the Senate insist upon its amendments and agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.
The motion was agreed to; and the Vice President appointed Mr. UNDERWOOD, Mr. SMITH of Maryland, and Mr. JONES of Washington conferees on the part of the Senate.

HOUSE BILLS REFERRED.

H. R. 10851. An act to provide a method for disposing of intoxicating liquors now or hereafter in the possession of United States court official was read twice by its title and referred to the Committee on the Judiciary.
H. R. 11247. An act providing for the protection of the uniform of friendly nations, and for other purposes, was read twice by its title and referred to the Committee on Foreign Relations.

MEDICAL SOCIETY OF THE DISTRICT OF COLUMBIA.

Mr. KING. Mr. President, I see by the RECORD that on Saturday last Senate bill 2653 was passed on the request of the Senator from New Hampshire [Mr. GALLINGER], a bill to incorporate the Medical Society of the District of Columbia. I desire to give notice that I shall move a reconsideration of the vote by which the bill was passed, and I move that the House be requested to return the bill to the Senate.
Mr. GALLINGER. Mr. President, just a word. Will the Senator from Utah kindly state, as I may be absent from the city for some time, the grounds upon which he desires a reconsideration?
Mr. KING. This question has received some little attention at the hands of the Judiciary Committee, and speaking for myself I am opposed to the granting of any charter by the Federal Government to any corporation except that which is absolutely necessary for the Government and becomes a governmental corporation.
Mr. GALLINGER. Manifestly the Senator has not read the bill or the report. This is simply amending the charter so as to permit them to purchase a house for their home; that is all. This society has been in existence, I think, for 50 years; possibly more.
Mr. KING. All I know is what I saw in the paper that this grants a charter to some physicians.
Mr. GALLINGER. No; it amends the charter; that is all.
Mr. KING. If it is a general charter which is already granted by Congress perhaps we can amend it, but it seems to me very unwise if it is granting a charter for a new company, and I shall oppose it.
Mr. GALLINGER. I will say to the Senator that on my motion the charter has been amended twice already in former years, and I am sure the Senator will not find any objection to it, inasmuch as it is an existing organization.
Mr. KING. I shall make further examination, Mr. President.

AGRICULTURAL APPROPRIATIONS—CONFERENCE REPORT.

Mr. HARDWICK and others addressed the Chair.
Mr. MARTIN. The unanimous consent of the Senate has been given to proceed to the consideration of Senate resolution 268, referring to the price of wheat, at 12 o'clock to-day.
Mr. GALLINGER. Would the Senator from Virginia kindly permit me, by unanimous consent, to introduce two or three petitions, as I may not be here to present them later?
Mr. MARTIN. They can be handed to the Secretary.
Mr. GALLINGER. No; I simply want to make a short statement.
Mr. MARTIN. It will lead to at least a dozen other requests. I hope the Senator realizes that it is important to get the Agricultural appropriation bill through.
Mr. GALLINGER. I realize that; but I shall take only a minute.
Mr. MARTIN. Then I will have to yield to everyone who comes along, and there are at least three at my elbow just at this minute.
Mr. GALLINGER. Very well; I shall not ask any courtesy, any favor.
Mr. MARTIN. About the matter of courtesy, the Senator knows the importance of this appropriation bill and he knows there is no courtesy I would not extend to him, but if I extend it to him I shall have to extend it to everybody.
Mr. GALLINGER. I used the word "favor." I do not ask any favor of the Senator.
Mr. MARTIN. It can not be done unless the unanimous-consent agreement is violated.
Mr. NORRIS. The resolution of the Senator from Virginia is now before the Senate?
Mr. MARTIN. The resolution instructing the conferees on the wheat matter is before the Senate by unanimous consent.
The Senate proceeded to consider Senate resolution 268, submitted by Mr. MARTIN June 24, 1918, as follows:

Resolved, That the managers on the part of the Senate at the conference on the bill H. R. 9054, entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1919," be, and they are hereby, instructed to recede from the amendment of the Senate numbered 44.

Mr. NORRIS. Mr. President, this Agricultural appropriation bill went to conference on the 5th day of April last. It had in it a great many items in dispute between the House and the Senate. The conferees met and within a reasonable time, after several meetings, agreed to all the disputed items except the one that is now the subject of the resolution. The conferees agreed to all the contested items except amendment numbered 44, which, as the Senate knows, is the item in reference to the price of wheat for the 1918 crop. Immediately after the partial conference report had been agreed to by the House and the Senate the conferees again met, and they have been in conference quite a number of times since that date.
There are 10 conferees—5 from the Senate and 5 from the House. The Senate conferees were confronted with the fact, that became more apparent from one meeting to the other, until it was finally announced as an ultimatum by the House conferees, that there would be no compromise on the part of the House conferees. There were two members of the conference, one from Iowa and one from Michigan, on the part of the House who were in favor of making a compromise. There were three, which constituted a majority of the House conferees, who refused to consider any compromise of any kind. One of these conferees was from South Carolina, one was from Georgia, and one was from Mississippi. Inasmuch as the conferees of the House were thus controlled by that majority we were unable during all those conferences to make any headway.
Thus we found that of 10 conferees 3 conferees held up all proceedings of every kind in the way of a compromise. Seven out of ten were willing to take up propositions pro and con and try to reach an agreement between the two Houses, but because each set of conferees acted separately, representing their respective Houses, it can be seen that 3 conferees of one House were able absolutely to control the action of the 10 conferees.
Mr. JOHNSON of South Dakota. Mr. President——
Mr. NORRIS. I yield to the Senator.
Mr. JOHNSON of South Dakota. Does the Senator from Nebraska understand that the conferees refused to even sign a report of disagreement?

Mr. NORRIS. No; they refused to consider any proposition in the way of a compromise.

Mr. JOHNSON of South Dakota. I understood that they also refused to sign a report of disagreement.

Mr. NORRIS. No; I do not understand that to be the case.

Mr. SMITH of South Carolina. If the Senator will allow me, that proposition was made and it was refused.

Mr. NORRIS. Yes.

Mr. SMITH of South Carolina. It was by the Senate conferees.

Mr. NORRIS. Yes. I have not said that the House conferees refused to sign a report of a disagreement. The Senate conferees had come from the Senate first on a roll-call vote of more than two-thirds in favor of this amendment, and then when the partial report was made with a unanimous vote of the Senate to insist on the Senate amendment we did not dare to come back to the Senate unless we could come with some kind of a compromise or agreement.

Mr. President, I believe it is the duty of the conferees, where the two Houses disagree, to try to get together, to try to compromise the differences. I take it that that is the object of a conference committee. That is what this conference committee did with every other item that was in dispute in the bill, but when we reached this item we were against a stone wall of the majority of the conferees on the part of the House, who said there was but one thing to do, and that was that the Senate conferees must recede entirely. The other two conferees of the House wanted to make some kind of a compromise, and they said often that they believed the House itself would be glad to agree on some kind of a compromise between the two Houses.

The Senate had fixed the minimum price for wheat for the 1918 crop at $2.50 per bushel at the local elevators for No. 2 instead of No. 1. The proposition was once submitted to the House conferees to modify it so that No. 2 should be the grade instead of No. 1, but they refused even that concession. Mr. President, it seems to me that the Senate ought to consider that condition, whether, when the two Houses disagree on some item that is as vital as this, the Senate ought to be compelled to recede entirely, when, on any idea of compromise, the House itself has had no opportunity even to vote. It seems to me that we ought for a moment to consider whether the great West, the great Middle West, and the great Northwest, producing the wheat of the country, and to a great extent the wheat of the world, should be absolutely controlled by three men coming from sections of the country that produce no wheat.

Mr. POINDEXTER. But which produce cotton.

Mr. NORRIS. Yes; they produce cotton. It seems to me it is an injustice to millions of our people, to the producers who are producing the most staple crop of any which is necessary for our sustenance and the sustenance of our allies and our armies, that they should be arbitrarily compelled to submit to a price for wheat which is conceded to be unfair by all those who have studied the question, and be compelled to submit to the dictation of three men coming from a section of the country that has nothing to do with the production of this cereal.

Mr. President, I concede every man's right to have any idea he may see fit on this question; but my own judgment is that if $2.50 a bushel were fixed as the price for wheat it would still bring a return to the producer of wheat that would not be so remunerative as would be the production of other crops that can be raised from the identical land. I realize that other men have their ideas and reach their conclusions; that we must give and take; but your conferees have been in a position where they were required to do all the giving and nobody else was willing to budge an inch.

I do not care at this time, Mr. President, to enter into any detailed or extensive discussion as to the justice of the price of wheat fixed by the Senate and the injustice of the price which has been fixed and enforced by the President. There was only one argument which was produced by the conferees on the part of the other House against making any change, and that was that our Government had agreed with foreign Governments on the price of wheat, and that in order to carry out that agreement no change whatever could be made, not even in the grade. That argument has within the last few days been completely upset, because the President himself has changed the price of wheat as agreed upon to correspond with the increase of freight rates. So whatever weight that argument might have had—and it was said that was the prevailing argument in the other House, that the officials of our Government had agreed with foreign Governments that they would pay no higher price for wheat—the action of the President within the last few days is going to make it necessary for them to pay a higher price for wheat to make up the advances which will be made necessary by the increase in freight rates.

In the first place, Mr. President, it does not seem to me that that argument ought to prevail, even though it were absolutely well founded, because we fixed the minimum price of wheat for the 1917 crop without any idea of its being a maximum price. Then we gave to the Food Administrator and to other officials of the Government the power to license mills, elevators, and all other kinds of business, and they had the power to buy up the wheat which was necessary for our Government, for our soldiers, for our allies, and even for neutrals. By the use of the power to license and the power to buy immense quantities the price of the 1917 crop was cut down to the producer to less than $2 a bushel at a time when wheat was selling in the open market for $3 a bushel and more. So every man who sold a bushel of wheat contributed to the welfare of his country $1 for every bushel that he sold. It is conceded now that if the law of supply and demand could have its sway the price of wheat would be above $2.50 a bushel.

The same land that produces wheat, no matter whether it be spring wheat or fall wheat, can produce other cereal crops. The man, for instance, in Montana, on 50 acres of land that will produce wheat, can also produce rye or oats or barley on the same ground and with but the same expense, with the same effort in the way of labor, and he will make more money by raising any of those other crops than by raising wheat. Because, however, of the patriotism of the producers of wheat, they will produce all the wheat that they possibly can. It seems to me we ought not to ask them to produce that wheat at a loss as compared with the cost of the production of other crops.

Mr. KING. Mr. President——

Mr. NORRIS. I will yield to the Senator in a moment. It seems to me that it can not be successfully disputed that, if we want an enormous amount of wheat produced, we ought to make it at least as profitable to produce that wheat as to produce any other crop which the same land will produce. That is true for two reasons: First, it is fair to the man who produces it; and, second, it will bring the result of a larger production, which is what we desire.

Now I yield to the Senator from Utah.

Mr. KING. Mr. President, I shall ask the Senator a question for information, because his superior knowledge will enable him to give me that information. On yesterday I was talking with a farmer who has 1,000 acres of land under cultivation. He stated to me that with wheat at from $1.80 to $2 per bushel it enabled him, notwithstanding the increased cost of labor and the enhanced prices for machinery, to make more out of his land in raising wheat than he made during the prewar period. He did state, however, that with wheat at from $1.80 to $2 per bushel he could make more money raising corn upon the same ground; but he stated at the same time that the price of corn was too high. I will ask, for my own information, whether or not at $2 per bushel the farmers could not make out of raising wheat more than they made in prewar times?

Mr. NORRIS. That may be, but a sufficient answer to that is that in prewar periods they did not make anything in the production of wheat; that the great bulk of it was produced at a loss during that time. From what part of the country was the farmer to whom the Senator from Utah refers?

Mr. KING. From Idaho.

Mr. NORRIS. Taking that farmer's own statement, it seems to me it affords a complete answer to the injustice of fixing the price of wheat below what the farmer could get if he produced other crops. Do you expect men to increase their acreage of wheat if they can make more money by raising corn or barley or oats or rye? Is the way to increase production to make it unprofitable? Is it not true that every country which is engaged in this war, except our own, has proceeded upon the theory that the producer ought to be given every inducement by way of a profit to produce increased acreage of crops that are vitally necessary in this war?

Nobody thought when we passed the Food Administration bill that we were going to repeal the law of supply and demand in its application to wheat. The only idea of establishing a minimum price was in order to guarantee, in case the war should end before the year was up, to the producers of wheat that they should not produce at a loss. Mr. President, since then the articles which the producer of wheat has had to buy in order to enable him to produce wheat have gone up from 25 to 200 per cent.

Now, there is another thing. The Senate adopted the proposition at a time before the spring wheat was put in, and at that time there were a large number of acres of fall wheat, in Oklahoma particularly, and some in Kansas and in other States, which were poor, and there was danger that it was going to be plowed up, because at the fixed price then existing for wheat it would pay the owner of the land to plow it up and put in some

other crop. So one of the objects in adopting the provision in the Senate was to prevent that—to save, as much as possible, fall wheat from being plowed up, and to induce the farmers to put in some spring wheat in the spring-wheat belt. It seems to me—I have no doubt of it, in fact—that many an acre of wheat was held on the implied promise of the action of the Senate, and many an acre of spring wheat was put in on that same implied promise, and it is not fair now that we should wipe it off the statute books and have nothing on the subject.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. NORRIS. I yield to the Senator from Wisconsin.

Mr. LENROOT. I should like to ask the Senator whether he thinks wheat would have been any higher to-day if Congress had not fixed the minimum price which it did fix a year ago?

Mr. NORRIS. If Congress had not fixed the minimum price?

Mr. LENROOT. Yes.

Mr. NORRIS. Well, I do not know that the fixing of a minimum price would have changed the price of wheat at all, unless there had been, for instance, a cessation of hostilities and a less demand for wheat, in which event it might have gone below the price fixed.

Mr. LENROOT. It might have gone below that point?

Mr. NORRIS. Yes.

Mr. LENROOT. But the fixing of the price of wheat was not due to the minimum price fixed by Congress, but was due to the executive department of the Government under other powers granted to them.

Mr. NORRIS. Yes.

Mr. LENROOT. And the fixing of the minimum price had nothing to do with the maximum price which the farmer received.

Mr. NORRIS. I tried to say, Mr. President, that when we passed the law no man had any idea that it was anything but a minimum price; but, because of the large purchasing power and the large licensing power granted, the President was able to fix a maximum price, and it is because of that power that the maximum price for the 1918 crop has been fixed. Men running elevators and mills are compelled to refuse to pay more than the price fixed in the order of the President because of the danger of losing their licenses and being entirely put out of business.

Mr. STERLING. Mr. President——

Mr. NORRIS. I yield to the Senator.

Mr. STERLING. I should like to ask the Senator from Nebraska if he is quite sure that, under the purchasing power given the President by the law, he is authorized to fix a maximum price for wheat?

Mr. NORRIS. Not directly; no. Neither is he directly so authorized under the licensing power. No one thought of that kind of a thing being done.

But, Mr. President, I did not rise for the purpose of going into the details or the merits of the proposition, because that was all gone over in detail not only by myself but by many others at the time we passed the Agricultural appropriation bill. I wanted the Senate to know the condition in the conference and who it is that is to blame, and to ask the question whether we are going to submit to have this matter absolutely controlled by three men who come from sections of the country that have nothing to do with the production of wheat. Believing, as I do, that where we can not get what we think is fair because somebody else has an opinion that a different price should be fixed that he thinks is fair, we ought to be willing to meet the House in a fair compromise. I have prepared, Mr. President, and I offer as a substitute for the pending resolution the resolution which I send to the desk.

The VICE PRESIDENT. The Secretary will read.

The SECRETARY. As a substitute for the resolution of Mr. MARTIN, Mr. NORRIS offers the following:

Resolved, That the managers on the part of the Senate at the conference on the bill H. R. 9054, entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1919," be, and they hereby are, instructed to agree to a modification of Senate amendment numbered 44, which will fix the price of wheat at $2.35 per bushel at the principal primary interior markets.

Resolved further, That the House be notified of the action of the Senate.

Mr. NORRIS. Now, Mr. President, just one word.

Mr. REED. Mr. President, will the Senator allow me to ask him a question?

Mr. NORRIS. I yield to the Senator.

Mr. REED. Does the Senator mean to have that read "which will fix the price of wheat at $2.35 per bushel," or "not less than $2.35 per bushel"?

Mr. NORRIS. It should be "not less than." I wish the Secretary would put those words in. I do not intend to have anything, of course, but a minimum price.

Mr. THOMPSON. Mr. President, will the Senator yield to me?

Mr. NORRIS. In just a moment.

Mr. THOMPSON. I simply wish to suggest to the Senator——

Mr. NORRIS. In just a moment I will yield to the Senator. I wish to add after the word "markets" the words "for grade No. 2," and after the word "at," and before "$2.35," to insert the words "not less than."

Mr. President, just one word and I am through. The Senate amendment fixed the minimum price of wheat at $2.50 at the local elevators. I believe the Senate amendment provides that No. 2 shall be the standard grade, and it may be unnecessary to add those words in the amendment I have suggested, because No. 2 is already in the Senate amendment. That amendment, as I have stated, fixed the price at $2.50 at the local elevators. The substitute for the resolution fixes the price at the interior primary markets, as it is fixed now by the proclamation of the President.

I now yield to the Senator from Kansas.

Mr. THOMPSON. I merely wish to say that, if statements in the press are correct, a higher price than $2.35 has already been fixed by the administration.

Mr. NORRIS. Oh, no.

Mr. THOMPSON. As I understand, a price as high as $2.38 at some points has been fixed.

Mr. McCUMBER. Mr. President, I am well aware that the Senate is more interested in getting a vote upon this proposition than in any argument made upon it, and undoubtedly it is more interested in other subjects than in this, as I judge from the personal conversations on the floor that have been occurring for the last half hour; but I do not think we should yield our judgment upon this most important matter without at least making an effort to see that justice shall prevail.

About a year ago we enacted a food-administration law. It did not cover foods only. It was broad enough to cover all of the principal products that enter into our national life, and especially those which are necessary for the conduct of the war. In that law we gave the authority to license certain businesses in manufacture and in trade. Now, the power to license has never been construed in any court upon the face of the earth as a power to fix the price of the thing which is to be produced or to be sold; and the Senate neither intended, nor did any Member expect, in my candid judgment, that the mere power to control and license carried with it the power to fix definitely the price at which a thing should sell, irrespective of the cost either of production or the raw material to the middleman. So when the Senator from Nebraska [Mr. NORRIS] suggests that we gave the power to fix prices, I wish to differ from him.

But, Mr. President, let us see what was intended. We declared, in order to secure the greatest possible quantity of production, that we would guarantee to the farmers who should comply with certain rules that if the market fell below $2 per bushel we would see that at least that amount should accrue to them. We not only were determined that that should be the minimum price but, for fear that the market might not hold up to that minimum price, we then provided for increasing tariff rates against the importations, so that we might carry out our intent; and that intent was to fix a minimum price.

Mr. President, under that licensing law, as construed by the department—and I say it is a construction which I do not deem legally correct—the price of wheat has been fixed not only what the farmer shall receive for his wheat but what the millers shall pay for their flour, and the retailers for their distribution of that flour, and the bakers for their bread; all these prices have been fixed by this board. The power to license has been construed by the board to include the power to refuse to license if the miller pays more than a certain price for his wheat, or the packer more than a certain price for his beef; and through that system the board fixes the price of beef and the price of wheat for the farmer. Under that construction, however, special care has been taken to see that neither the miller nor the packer nor the retailer has been injured, as his selling price is based on the purchase price of the thing sold, which is always definite and certain, which relieves him from the expense of going out and attempting to purchase at a price which may yield him a fair remuneration.

Mr. President, the labor price is not fixed for the farmer. The producer has had no consideration. The price of the things which enter into production remain unfixed. The chances of the elements being against the farmer are in no way provided against, and, to make matters worse, the Government is pleading with the farm labor to leave the farms and repair to the cities, where the hours of labor are shorter, where the work is less strenuous, and the pay is very much higher.

It is well, perhaps, to consider the comparative treatment that has been accorded the farmer of the Northwest in the production of wheat by this food-control commission, the same commission that also controls coal and steel, because the control power is all in the same bill. Let us start with steel.

Mr. President, we have a report from the Federal Trade Commission regarding profiteering. Notwithstanding the fact that all of these great manufacturing companies are just as much under the control of this commission, and notwithstanding the fact that they are allowed to earn from two to five hundred per cent more than they did under prewar conditions, we are objecting to the farmer earning any more than he did before. We propose that he shall not have a greater per cent upon the money invested in his business.

Let us take the profits of the steel companies for the years 1912 to 1917, inclusive, as they are reported by this Trade Commission.

In 1912 the principal steel companies in the United States made an average of 4.7 per cent upon their capital invested. In 1913 they made 5.7 per cent, a little more. In 1914 they made only 2.8 per cent. That is just about as much as the farmers in my State made in 1914. In 1915 they got back to 5.2 per cent, almost as much as in 1913; then in 1916 their return went up to 15.6 per cent; and in 1917, up to November last, under the control of this price-fixing commission, they made 24.9 per cent, or nearly 25 per cent. In other words, comparing 1917 with 1913, the steel companies increased their earnings 600 per cent. Comparing 1917 with 1914, they increased their earnings about 1,200 per cent.

Mr. President, when the grain raiser has to hire all of his help, hire it in competition with the Government, hire it in competition with the posters that are sent out over his country telling the farm boy to leave the farm—that if he will come to the city they will give him, for the lowest class of labor, not less than $4.40 per day—pleading with him to leave the farm home, does anyone believe that the farmer can then go out into the labor market and get some one to take the place of that boy, who is experienced in farming, and, where he must hire that help, make 7 per cent upon his investment, as against these steel companies making 25 per cent? I know enough about farming to know that it is impossible to do so.

Now, Mr. President, let us take the net incomes of these steel companies.

It is shown by this same report that in 1913 certain of these steel companies put in class 1 earned $77,000,000. In 1914, which was a depressing year, they dropped down to $46,500,000. In 1915, in round numbers, they earned about $98,000,000. In 1916—that was the time when they were selling so extensively to the warring armies in Europe—their income was $294,000,000. In 1917, under this commission that fixes the price of products, that seeks to drive down the price of the farmer's wheat from $3 per bushel to $2.20 per bushel, these steel companies earned $478,000,000—10 times as much as they made in 1914, 1,000 per cent increase over 1914, and nearly 500 per cent increase over 1913.

Is the Food Commission attempting to drive down their prices? On the contrary, we make allowance for what they must pay for their labor, for what they must pay for their raw material, and then give them an earning capacity that is 500 per cent higher than it was the previous year.

Mr. President, nearly every business must pay a very heavy income tax; every business must pay it except this steel business and a few other favorites of fortune. Let us see whether these steel companies are paying anything whatever to support the Government as compared with their conditions prior to the war.

Much was said in the press about the wonderful tax that was paid by these companies upon their 1917 business. What did they pay? They paid $233,465,435 of tax to the Government. Now, what did they make over and above what they made under normal conditions? Let us subtract this tax from the net earnings of 1917 of $478,000,000 and we will find that they still have left, after paying all of this enormous tax, $244,738,908 of net earnings, while they only earned $105,000,000 the year before the war and only $46,500,000 the first year of the war, 1914. That balance is 400 per cent more than all of these companies made in 1912 and over 500 per cent more than they made in 1914.

Mr. THOMAS. Mr. President——

Mr. McCUMBER. I yield to the Senator from Colorado.

Mr. THOMAS. I wish to inquire of the Senator whether the figures he has just announced are confined to the income of the United States Steel Corporation or whether they comprise all the companies?

Mr. McCUMBER. I understand that they comprise all of a certain class. This is equivalent to saying to these companies, "Through the licensing system and fixing of prices the Government allows you to hold up the Nation to such an extent that you are practically freed from taxation and allowed to make 300 per cent more than you made in the prewar period." That is what it amounts to.

I have been speaking so far of the mills in class 1. The Senator from Colorado asks me if these figures refer to all of them. They are divided into four classes. These are the principal classes that make the very heavy steel plates, and so forth, for the Government.

Mills in class 3—and those are the mills that start with steel furnaces—made upon their investment in 1917, the lowest 40.3 per cent and the highest 319.67 per cent; and these, again, were under the protection of this price-fixing commission.

Let us take copper. Twenty-one copper companies, including the larger portion of the high-cost companies, made profits in 1917 averaging 24.4 per cent, the highest being 107 per cent. More than 70 per cent of the production is marketed at over 20 per cent on the investment, as against an average profit of 11.7 per cent in 1913, which is a normal year. Thus, we allow the copper company to double the profits of a common, ordinary year; and this copper company, again, is under the control of this price-fixing board.

Let us take zinc. Basing the percentages on the capital stock issue of $35,000,000, the following net earnings and dividends are shown for the New Jersey Zinc Co. There are not many zinc companies; I think only two important ones. The 1916 profits were 72.5 per cent and the 1917 profits were 56 per cent.

The Federal Trade Commission figures, as to these same net earnings and dividends, a profit of 95.9 per cent.

NICKEL.

The profits of the International Nickel Co. in 1916 were $13,557,000, or 40 per cent on its investment—another one of the companies that is taken under the control of this price-fixing commission.

SULPHUR.

It is stated that two companies produce all the sulphur in this country. The Freeport Co. balance sheets show operating profits for the 11 months ending October 31, 1917, of 236 per cent on the investment.

Rather a good interest investment, is it not? And this again comes under the price-fixing commission.

LUMBER.

The report on lumber shows excessive profits on the part of southern pine producers. Forty-eight southern pine companies produced 2,215,000,000 feet of lumber in 1917, and made an average profit of 17 per cent, as against 5.2 per cent in 1916. The highest profit was 121 per cent.

Thus, as soon as these companies came under the control of this commission they increased their net earnings about 300 per cent, or three times.

THE MEAT PACKERS.

Now, this is of special interest, Mr. President, to the farmer and of special application to this resolution, because, again, no matter what feed may cost, no matter what the labor may cost to take care of stock, the packer is forbidden to pay more than a certain price for cattle.

The report deals with four companies, the Armour, Swift, Morris, and Cudahy companies. The average profit of these four companies in 1912, 1913, and 1914 was $19,000,000.

I want Senators to bear in mind that was their average, $19,000,000 for the prewar period.

In 1915 their earnings were $36,000,000, an excess profit of $17,000,000 over the prewar period. In 1916 the profits were $55,000,000, an increase of $36,000,000, or almost 100 per cent over the prewar period. In 1917 their profits were $87,000,000, or $68,000,000 more than the prewar period, an increase of about 350 per cent. It is further stated that in the three war years from 1915 their total profits reached the astounding figures of $140,000,000. The report calls attention to the fact that this is not due to any great increase in volume of business, but rather to higher prices, that the profits increased two and a half times as much as the sales increased.

Again, the report calls attention to the fact that the profits taken by Morris & Co. for the fiscal year ended November, 1917, is equal to 186 per cent on the net worth of the company, capital and surplus, and 263 per cent on the $3,000,000 capital stock outstanding; that in the case of the other companies the earned rate on common capital stock ranges from 27 to 47 per cent. But this is due to the fact that these other stock companies have declared stock dividends and in other ways capitalized their growing surplus. Thus the Armour Co., in 1916 raised its capital stock from $20,000,000 to $100,000,000 without receiving a dollar more of cash. It is stated also that the

independent packers in 1914, 1915, and 1916 earned a rate even higher than these companies.

Now, Mr. President, a word upon leather. Leather is an ingredient that goes into all the harnesses that are used most extensively on the farms.

The report shows the increase in the profits of a single company. In 1914 its profits were $640,051; in 1916, $3,576,544. In other words, that one company increased its profits in two years 500 per cent. Farmers must pay very much of this increased profit.

And now we come to flour, the thing that is made out of wheat. You took the farmer's wheat in 1917 at a time he was receiving in the principal markets as high as $3.07 a bushel; we will say an average of $3 a bushel. You took that, and under your authority to license the miller you compelled that miller, under penalty, never to pay more than $2.20 for wheat, or a loss of 80 cents a bushel to the farmer. When you compelled the farmer to take 80 cents a bushel less for his wheat, what did you do with the miller? I will tell you what you did with him.

For the four years ending June 30, 1916, there was a profit of 13½ cents on each barrel of flour milled and 12 per cent on the capital invested. "The years covered," so reads the report, "1913, 1914, 1915, and 1916, should probably be accepted as fairly representative in spite of the fact that the war demand in 1915 and 1916 would lead one to expect them to show an abnormally high profit."

That ran up as far as 1916, when the millers were not under the control of Mr. Hoover, and when they charged for their product just what the competition in business would allow them to charge, and they made, on an average, 13½ cents on a barrel.

In the year ended June 30, 1917, the same mills made an average of 52 cents on each barrel of flour sold. In other words, you cut the farmer's price down 80 cents a bushel, then you increased the profits to the miller from 13½ cents to 52 cents, or 400 per cent advance, and now you are opposed to allowing the farmer to receive a minimum price of $2.50 a bushel.

It is stated that the profits of one mill for six months show as high as $2 per barrel. I want Senators to think about it. Here is one mill which, prior to the control by this board, probably made its average of 13½ cents a barrel and in 1917 made a profit of $2 per barrel.

Now, I quote from this report the exact words of the Trade Commission on another feature:

> The commission has tabulated returns covering the sale of something over 4,000,000 barrels of flour made and sold under the Food Administration's regulations from September, 1917, to March, 1918, inclusive. In face of the regulation of 25 cents per barrel maximum, the average profit per barrel on this flour was about 45 cents, or over three times the normal profit per barrel referred to above. * * * The average net profit of jobbers reporting to the commission was about 15 cents per barrel for 1913 and 1914, but increased to nearly 50 cents in the first half of 1917.

Thus you are playing not both ends against the middle, but playing the middle against both ends. You cut down the farmer's price 80 cents a bushel. You then go to the baker and say that he can not sell his bread above a given sum. You fix his price. Then you allow the miller and the middleman to increase their profits from 300 to 500 per cent.

Mr. BORAH. Mr. President——

Mr. McCUMBER. I yield to the Senator.

Mr. BORAH. The statement the Senator read from the report of the Federal Trade Commission said in the face of the regulations of the Food Administration the profit would be 25 cents per barrel, and that they had nevertheless realized some 45 cents?

Mr. McCUMBER. Yes.

Mr. BORAH. The commission does not explain how that happened?

Mr. McCUMBER. Ask Mr. Hoover; I do not know how it happened. The Trade Commission does not say why. They simply give the facts.

Mr. President, the first thing that will surprise us is that while the millers were all making money, and making good money at a net profit of 13½ cents a barrel, why was it that the Food Commission immediately allowed them to make 25 cents per barrel? That is somewhat surprising to me. I think the average man ought to be pretty well satisfied if his book balances at the end of a year show him a profit during this war as great as it was before the war, but your Food Commission, controlling it absolutely, says you may charge nearly double, and then after allowing you to charge by their edict nearly double, they then allow you to double that double without any complaint, increasing profits from 13½ cents up to about 52 cents.

Mr. FRANCE. Mr. President——

Mr. McCUMBER. I yield to the Senator from Maryland.

Mr. FRANCE. Mr. President, will the Senator from North Dakota yield?

Mr. McCUMBER. I yield.

Mr. FRANCE. I am sure that the Senator from North Dakota realizes that there is a certain by-product of wheat which many farmers must buy. I refer to bran. While the price of wheat to the producer is fixed the millers or middlemen must be making large profits on bran, as bran now is priced to the farmers, in my immediate neighborhood at least, at $60 per ton. I desire to ask the Senator if he intends to discuss this subject and the price which the farmer receives for the real food value in his ton of wheat, when he must buy back a ton of bran at $60 per ton when he sells a ton of wheat?

Mr. McCUMBER. I did intend to comment on it, but I thank the Senator from Maryland for putting it in the RECORD at this time. I intended to comment on it in connection with this matter of substitutes. I do not know whether Mr. Hoover has fixed the price of substitutes or not. I can not find that he has. But I do know this, that you can not buy a single substitute as cheaply as you can buy the wheat flour. I know that there is allowed to be made an enormous profit in these substitutes. I know that corn is not worth as much as wheat bushel for bushel for bread, and I know that when you convert corn into meal and sell that meal, even at the present high prices of corn, for very much more than you are selling your wheat flour you are defrauding every consumer. I know that barley, as a rule, is not worth more than about a third or a quater of what wheat is worth. I know that to-day, while it is worth more to the farmer to raise it, nevertheless the price per bushel is much less than wheat. Yet if I buy barley flour, as I am compelled to buy it, when barley may be worth $1.50 per bushel, I must pay more for that barley flour than I will pay for wheat flour, when wheat is worth $2.20 a bushel, and as the Senator from Maryland [Mr. FRANCE] has stated, the farmer can not use the middlings, the bran of his wheat. He has got to take his wheat to the mill, and when he gets it to the mill, although he has to sell the wheat for $2 a bushel upon an average through the country, because it does not measure up to the grade at which we fixed the $2.20, when he sells his wheat for $2 a bushel, and when you have taken nine-tenths of the value out of that wheat, and he is compelled to buy back the bran, he has got to pay as much as for the wheat itself, and all of this, Mr. President, under the control of this commission.

Mr. President, I plead with those Senators who have a keen sense of justice, any sense of right in their make-up. They know as well as I do that it is worse than a crime, in the face of these conditions and the prices that we are paying for everything else, to seize upon the wheat producer and say you shall not be entitled for your product to that which you would receive under the law of supply and demand, but we will hold you down in order that these people who can afford to pay $10 a day for their help can make such profits as those which have been indicated in this report.

I want to speak of one thing more in this report. I do not think you will find many of the farmers attempting to pad their salaries. When you get your tax returns I will guarantee that you will not find out of the tax returns of any farmer in the whole United States a return by the father of the family, "I am putting my wages in at $75 a month and my wife's at $40 per month." I will guarantee that you will not find an instance in which he will say, "I am allowing my son $75 a month." Yet what does the Government do? I will not say that the Government does it, but I am afraid that in many instances the Government may overlook it and allow people who are making these enormous profits to pad their pay rolls in such a way that it will defraud the Government of millions and hundreds of millions of dollars.

Let me call attention to one matter that is reported of a single company, and this is the American Metal Co. (Ltd.). You all know what it is. Here are six officials of that company. Mr. Hochschild, chairman of the board of directors, was paid a salary of $179,663. C. M. Loeb, president of the company, was paid a salary of $364,000. I am giving it in round numbers. Otto Sussman, the vice president, was paid a salary of $221,500. J. Loeb, vice president, was paid a salary of $147,900. Sol Roos, manager, St. Louis, was paid $148,530, and Mr. Schott, manager of the Denver office, a salary of $136,553. Those six gentlemen were paid salaries amounting to $1,198,600, and yet were able probably to make the profits that have been indicated by many of these steel companies.

Mr. President, the man who is building a cantonment says to the farmer boy, "Can you drive a 10-penny nail through a 1-inch rough board?" The boy says, "I can." He says, "All

right; you are a carpenter. I will pay you $10 a day for 10 hours of work during the weekdays and I will pay you $20 a day if you will work on Sunday, and in order to make your job last a little longer I will allow you to lay off on Monday, and I will not hurry you, because the more the job costs the greater my profits." That is what is being done. What will the boy say? Why, he will say, "Father, with wheat at $2.50 or $3 a bushel, I can make ten times as much, and I shall not have to work 16 hours a day, either."

Mr. REED rose.

Mr. McCUMBER. I yield to the Senator from Missouri.

Mr. REED. It may interest the Senator from North Dakota to know that in the Government shipbuilding plant they fixed the scale of wages. The result was that that scale of wages had to be met by other factories engaged in producing war supplies. As a consequence, and as illustrative of the truth of the Senator's statement, the committee, in looking into the aircraft production, found in several factories that girls were making as much as $4.50 a day working in the factories. I do not say that to complain about the wages these girls are receiving, but it illustrates how high wages are going when girls can receive $4.50 a day for working with tools with which but a few weeks ago they were utterly unacquainted.

Mr. McCUMBER. Mr. President, because of the demoralization of the entire labor market and the conditions in the spring-wheat States, the condition in that section of the country which is remote from the large cities, with their laborers, is most serious. We do not know where we are going to get the labor with which to take care of our crops. Our wives and our daughters will do the best they can in the field. You talk about sending us men from the cities. Why, they are not going to leave the cities for such wages as we can afford to pay them; and the kind that will come to us, if any at all come, will be of a class who will be so independent that we can not get any real work out of them.

Mr. GRONNA rose.

Mr. McCUMBER. In just a moment I will yield to my colleague. Inasmuch as you have taken away from us our labor; inasmuch as you have not fixed the price of anything that we must buy; inasmuch as we must contend against higher priced labor and everything it produces, we ask you to at least give us this limited justice of allowing us to receive at least $2.50 per bushel for wheat at our primary markets.

Now I yield to my colleague.

Mr. GRONNA. I know that the figures given by my colleague [Mr. McCUMBER] as to labor may seem high, but I desire to assure the Members of this body that only last week we had before our Committee on Agriculture men who had to do with the building of ships, and it was stated by men who are in the service that they are paid wages from $60 to $75 per week for an eight-hour day. So my colleague has not overstated the enormous prices that are being paid to laborers in shipyards and in other places where they are employed by the Government.

Mr. STERLING. Mr. President, I desire to say a few words relative to a couple of sections of the food-control law and to suggest that I believe that under a reasonable interpretation of the provisions of that law there is no power on the part of the Executive or on the part of the Food Administration to fix a price for wheat other than the price that is guaranteed in section 14 of the food-administration act. There seems to have been some question as to whether or not that was a guaranteed minimum price or an absolute price fixed by law, with some authority on the part of the President to thereafter at any time fix any price he might choose above the minimum.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER (Mr. ASHURST in the chair). Does the Senator from South Dakota yield to the Senator from North Dakota?

Mr. STERLING. I yield.

Mr. GRONNA. I am exceedingly interested in the argument the Senator from South Dakota is making, and, in order that I may not misunderstand him, I desire to ask if it is the Senator's contention that neither the President nor the Food Administrator has the authority under the food-control act to fix the minimum price for wheat?

Mr. STERLING. It is my understanding that there is no such authority.

Now, I want to read and with a little care to analyze the provisions of section 14 of the food-control act. First, what is the purpose of the act, and particularly of section 14 of the act? It is to stimulate the production of wheat, that most important product. That section provides:

SEC. 14. That whenever the President shall find that an emergency exists requiring stimulation of the production of wheat and that it is essential that the producers of wheat produced within the United States shall have the benefits of the guaranty provided for in this section, he is authorized, from time to time, seasonably and as far in advance of seeding time as practicable, to determine and fix and to give public notice of what, under specified conditions, is a reasonable guaranteed price for wheat, in order to assure such producers a reasonable profit.

This law was enacted in view of the possibility that wheat might be at such a price in the market as not to stimulate its production, and hence the President was authorized, in order that there might be a reasonable profit to the farmer, to fix a minimum price of wheat. The word "guaranty" in this connection implies a minimum price. No reference is made in the whole act to the mere fixing of a price, but the reference is always to a "guaranteed price." The section further provides:

The President shall thereupon fix such guaranteed price for each of the official grain standards for wheat as established under the United States grain standards act, approved August 11, 1916.

* * * * * * *

Thereupon the Government of the United States hereby guarantees every producer of wheat produced within the United States that, upon compliance by him with the regulations prescribed, he shall receive for any wheat produced in reliance upon this guaranty within the period, not exceeding 18 months, prescribed in the notice, a price not less than the guaranteed price therefor as fixed pursuant to this section.

Then the act further provides the legislative guaranty of not less than $2 per bushel for the 1917 crop; and that guaranty, under the very terms of the act, is to prevail until May 1, 1919, and that will be until such period as the entire crop of 1918 is disposed of.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Dakota yield to the Senator from North Dakota?

Mr. STERLING. I yield.

Mr. GRONNA. As I understand the Senator, then, he agrees that the President or the Food Administrator has the authority under the law to fix a minimum price, but he has no authority to say that no higher price shall be paid on a competitive basis?

Mr. STERLING. Yes.

Mr. GRONNA. That the food-control act gives neither the President nor the Food Administrator the right to say that on a competitive basis no higher price shall be paid by anyone else?

Mr. STERLING. No; I agree with the Senator in that regard. I am coming to that.

What is the effect of the guaranty of not less than $2 per bushel as fixed by section 14 of the food-control act? Mr. President, it is my contention that it is also an implied guaranty that the farmer shall have the market price, whatever it may be, over and above $2 a bushel.

Mr. GRONNA. If the Senator will pardon me for a moment, I do not want to interrupt his line of thought but I wish to state of my own knowledge, I will say to the Senator, that under the licensing section not only have dealers in wheat been threatened with having their licenses revoked but their licenses in some instances have actually been revoked.

Mr. STERLING. Under what authority or power has the license been revoked under this section, will the Senator say?

Mr. GRONNA. Well, I do not think there is any such power given; and I will say further that I believe it an impeachable offense to exercise it.

Mr. STERLING. Mr. President, just a word or two further on this proposition. I contend that at the time a minimum price of $2 per bushel was guaranteed there also went with that guaranty this, namely, a guaranty that the farmer should receive whatever above $2 per bushel was the market price, let it be $2.50, $2.75, or $3 per bushel, and that is the fair implication of the statute itself.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Dakota yield to the Senator from Nebraska?

Mr. STERLING. If the Senator will excuse me for a moment, I wish to say that for the Government to come in and attempt to fix a price below the market price is, in effect, although not intentional of course, a breach of faith upon the part of the Government, because when we passed the food-control act in 1917 the contention was that the farmer must be guaranteed at least $2 per bushel for his wheat, or else wheat in quantities, such as we need for ourselves and the allies, would not be produced in the United States. Hence there was, as I say, the implied guaranty that went with the minimum guaranty of $2 per bushel that the farmer should receive whatever the market would pay over and above the $2 per bushel.

I now yield to the Senator from Nebraska.

Mr. NORRIS. Mr. President, I agree with the Senator's interpretation of the law; I did not think there was any idea that the law could be interpreted in any other way; but are we not in the position of the man in jail? The maximum price has been fixed, and is fixed, the proclamation of the President

has been issued fixing the maximum price, and that proclamation has been put in operation, and has been in operation for pretty nearly a year now.

Mr. STERLING. That is true, Mr. President, but I am urging this proposition in view of what is before the Senate at the present time, with the hope that the reason of it may be seen by Senators who are holding out against the Senate amendment or who are holding out against the amendment offered by the Senator from Nebraska.

Mr. President, it may be said that the President would have the authority under another section of the food-control act——

Mr. NORRIS. May I interrupt the Senator for just a moment?

Mr. STERLING. Yes; I yield.

Mr. NORRIS. When the food-control bill was before the Senate—the Senator probably does not remember it, as he may not have been present to have heard it—in a few remarks I made on the floor I pointed out the same identical thing, and said that I feared that the indirect power granted beside the ability to control by way of purchase so large a part of the bulk of the crop would mean that the President might, by using this power, in effect make a maximum price as well as a minimum price.

Mr. STERLING. I do not recall distinctly what the Senator said, but the Senator's fears as expressed at that time are apparently realized. But I am speaking of the question of authority to now fix an absolute price and of what was understood by the advocates of this minimum price of $2 at the time the bill was passed and of what the farmers throughout the United States—the wheat producers—understood at the time of the enactment of this law.

Why, Mr. President, it was contemplated at that time—and I think reference was made to that fact in the discussion—that the market price of wheat might be less than $2; it might be $1.75 or $1.50, and yet the farmer was guaranteed the price of at least $2 per bushel. That would mean, as we understood, a loss to the Government itself in making good to the sellers of wheat the minimum price.

Mr. NORRIS. May I interrupt the Senator again?

Mr. STERLING. Yes.

Mr. NORRIS. I think the Senator will agree that at that time the idea prevailed that we wanted to produce, for we knew that it was going to be necessary to produce, a very large quantity of wheat if the war continued.

Mr. STERLING. Certainly.

Mr. NORRIS. And if the war ended within a few months, or before the crop could be harvested, the market that the war made would be dispelled; the price, of course, would go down; and the provision was adopted with the idea of inducing men to increase the acreage of wheat and let the Government take the risk instead of the individual.

Mr. STERLING. Certainly.

Mr. NORRIS. It was feared that the individual would be apprehensive that if the war ended between the time he planted his wheat and the time it matured, he would lose by the operation.

Mr. STERLING. Yes.

Mr. NORRIS. And the theory of putting a minimum price on that crop was to induce the farmer to go on and increase his acreage and produce a big crop.

Mr. STERLING. Certainly; the Senator from Nebraska has stated the reason very clearly for the fixing of the minimum price, and, as I have said, the understanding on all sides was that the farmer was to have any benefits of the market above that minimum price.

In this same connection I want to call attention to section 11 of this act. If not from section 14, I think some Senators have deduced the idea that in section 11 the President has the right to fix the price of wheat. I want to call attention now to the particular language in section 11 of the food-control bill:

> That the President is authorized from time to time to purchase, to store, to provide storage facilities for, and to sell for cash, at reasonable prices, wheat, flour, meal, beans, and potatoes.

That does not change the law. That does not give the President the power to fix a minimum price or to fix any price, minimum or maximum; but I think it plainly contemplates that the President shall go into the market and buy, according to the market price, the wheat as it may be there for sale, and then he is to sell at reasonable prices; and the word "reasonable" qualifies not the buying or the price he shall pay, but qualifies the price at which he shall sell under the exact language of the bill. He shall sell for cash at "reasonable prices," whether it be for home consumption or to the allies.

Mr. NORRIS. Mr. President, may I interrupt the Senator?

Mr. STERLING. Certainly.

Mr. NORRIS. I think one of the objects, perhaps the principal object, of the particular section which the Senator has read was to permit the Government to save itself in case the war did end and the price did go down, so that it could go in and buy the wheat and store it for sale at another time. In other words, if the war ended and there was a large production of wheat, an overproduction, on account of this inducement and this desire of the Government to get a large crop, and the price went down, that provision was for the Government to save itself partially from some loss that everybody conceded it would have to stand under those circumstances.

Mr. STERLING. I think that was involved in the section, and that was the fair meaning and interpretation to be given to the section and to the exercise of the power on the part of the President in buying these various commodities—wheat, flour, beans, potatoes, and so forth. I think another consideration might have been the necessity for purchase on the part of this Government for the allies of great stores or quantities of wheat, and the President was given the power for that purpose.

Mr. President, that is an altogether different proposition from giving the President the power to fix the price at which he shall buy. There is no question—and I thought of it at the time the section was under consideration—that purchases by the Government on a large scale will tend in a way, without Executive order, to fix the price, to stabilize or standardize the price, as it were; but beyond that there is no power in this law on the part of the Government to fix a price beyond a minimum and less than the market price.

Mr. President, I have followed with a good deal of interest, first, the discussion of the amendment to the Senate bill providing for $2.50 wheat at the local elevators, and then the discussion here on the floor in opposition to the resolution of the Senator from Virginia [Mr. MARTIN]; and I have noted the great profits that are being made by the other great industries of the country, and how they receive compensation in those profits for the extraordinary prices they pay for labor and for material used in the business. But, Mr. President, in $2.50 wheat there is no such compensation allowed to the farmer or the producer of wheat. With the machinery he buys increased in price to him from 25 to 200 per cent, with labor—and much of it inefficient labor, too, under present conditions—doubled within the last year or two, $2.50 wheat is not an adequate return to him for the expenses to which he is subjected in the production of wheat.

It seems to me that the Senate, after it has adopted by such an overwhelming majority this Senate amendment providing for $2.50 wheat, ought not now to recede from its position in adopting that amendment, and yet I suppose there will be opposition here to the amendment offered by the Senator from Nebraska [Mr. NORRIS], that compromise provision, providing that for No. 2 wheat there shall be paid the sum of $2.35 per bushel at the great interior markets.

Mr. KING. Mr. President, will the Senator yield?

Mr. STERLING. If the Senator will excuse me for just a moment, I will yield. The Senator from Nebraska spoke of the source of the opposition on the conference committee to $2.50 wheat. I recall, in the discussion of the food-control bill, that whenever cotton was mentioned, and the fact that it was probably desirable to fix the price of cotton or give the President authority to fix the price of cotton, southern Senators held up their hands in holy horror at the idea of fixing the price of that commodity.

I yield to the Senator from Utah.

Mr. KING. Does not the Senator think that the course of the Government—and by that I mean the legislative branch as well as the officials of the Government in the executive department—and the course of business generally and the country generally is going to result in the imposition of burdens upon the Government and upon the country for the future so great that the Government can scarcely stagger under the load? Does not the Senator think that we are proceeding, by legislation and otherwise, in a vicious circle?

We raise the price of the products which we purchase upon the theory of the advance in labor. Then we justify the advance in labor—that is, a higher price for labor and an increase in the compensation which governmental employees are paid—upon the theory that there is an advance in the necessities of life which they are compelled to purchase, so that the laboring man, the man working in the shipyards or working for the Government, appeals to Congress for an increase in wage because of the high price of the commodities of life which he is compelled to buy. Then the producers of those commodities apply to Congress for an increase in price because of the high price of labor; and so you are balancing one against the other, and the result will be the pyramiding not only of labor but of

the prices of all commodities until the cost of the war and the cost of everything which the Government buys will impose in the end a staggering burden that we can not meet and that perhaps will break posterity.

Does not the Senator think that there ought to be a halt called at some time, some place, and somewhere? If Congress legalizes the price of wheat at $2.50, increasing it more than 200 per cent—because it sold for about 80 cents in prewar times——

Mr. STERLING. The Senator from Utah will remember that when it sold for 80 cents a bushel in prewar times it was being raised in many sections of the country at a loss to the farmer who raised it. He made nothing whatever out of wheat at 80 cents a bushel.

Mr. KING. I do not agree with the Senator there.

Mr. STERLING. I mean by that in the few years preceding the war. There was a time, further back, when labor was very cheap, and when materials and farm implements were not nearly so high, when he might have made a small profit out of wheat at 80 cents a bushel; but that time has long since passed, and not for many years prior to the war could he have made anything out of wheat at 80 cents a bushel.

Mr. KING. I do not quite agree with the Senator. I think that there may have been some instances in some sections of the country where 80-cent wheat could not be raised at a profit; but, generally speaking, throughout the United States, I believe that the farmer in prewar times, with wheat at 80 cents, made a fair profit upon his investment. At any rate, he was satisfied, and the farmers generally were as prosperous as any class of people in the United States, except those engaged in some of the industrial pursuits. But I am not expressing any opinion in what I have said——

Mr. STERLING. Let me say——

Mr. KING. Let me complete the sentence, although I am indebted to the Senator for his courtesy. The point I am trying to make is, without expressing any opinion in regard to the rightfulness of this demand for an increase in the price of wheat, does not the Senator think that if we do fix the price at $2.50 that is a declaration to the country that everything else may rise at least to that limit; that if an article was produced before the war for 80 cents, we will now legalize its sale at $2.50; that if wages before the war were on the basis of 80 cents, we will now legalize the demand that they shall be $2.50? In other words, if we signify our approval of $2.50 wheat, do we not automatically approve an increase of everything measured by the distance between 80 cents and $2.50?

Mr. STERLING. I shall not agree with the Senator from Utah in that regard, Mr. President. Instead of its being a declaration to the country from which improper conclusions may be drawn, I say that under the circumstances and under the facts as they have been shown to exist in regard to the profits made by other institutions and other industries it will be a declaration to the country that there is some intention of giving the farmer a part of what is his just due and nothing else.

Mr. GRONNA. Mr. President——

Mr. STERLING. I yield to the Senator from North Dakota.

Mr. GRONNA. I trust that my friend, the Senator from Utah, will not be understood as saying that the farmers have come to Congress asking for legislation with regard to the price of wheat, because, if he does so, he misunderstands the facts.

Mr. KING. I do not understand that the farmers have asked for legislation, although, if the Senator will pardon me, and the Senator from South Dakota will yield——

Mr. STERLING. Certainly.

Mr. KING. I did understand last year that the Senator who has now propounded the question to me and other Senators from agricultural States were insisting upon a food-control bill, and were insisting upon some regulation of the price of wheat. I may be in error with respect to that.

Mr. BORAH. Mr. President——

Mr. GRONNA. If the Senator will pardon me, the contrary is absolutely true. Instead of the Senator from North Dakota asking for food legislation and for fixing the price of wheat, the Senator from North Dakota said at all times that he was opposed to any price fixing, but that if prices were to be fixed, of course, he, with other Senators, was anxious to see that the farmers should be paid a price which would pay them at least to raise a crop. But at no time have the farmers come before the Committee on Agriculture and Forestry, nor, I believe, will any Member of this body say they have come to him and asked that prices be fixed; and let me remind the Senator that Mr. Hoover's statement will be found in the hearings last year when he said he was opposed to the fixing of a maximum price, when he said that he simply wanted to stabilize prices; that he wanted to fix a minimum price in order to increase production.

Mr. KING. Mr. President, may I ask the Senator a question?

Mr. STERLING. I yield to the Senator.

Mr. KING. Is it not a fact that many of the farmers—in fact, all of them, for that matter—opposed any price fixing, and did not want any price fixing, because they believed that without any fixing of prices they might get, because of the demand for wheat, four or five or six dollars a bushel for wheat—a price that would be extortionate?

Mr. GRONNA. I will say to the Senator from Utah that not only did they believe it, but they knew it, because the day we passed the bill wheat was worth $3.06 a bushel.

Mr. KING. Does the Senator believe, then, that if the farmers to-day could get four or five or ten dollars a bushel for wheat, in the face of the crisis which is existing in the world to-day, we ought to grant their demands?

Mr. GRONNA. I trust the Senator will not put me in that attitude. I would no more say that the farmers should have an exorbitant price than I would say that the Steel Trust, and the Metal Trust, and the Lumber Trust, and the meat packers of the country should have the enormous prices which we know they are receiving to-day.

Mr. NORRIS. Mr. President, may I interrupt the Senator?

Mr. STERLING. I yield to the Senator.

Mr. NORRIS. I am moved to make this observation by what the Senator from Utah said. I am a member of the Committee on Agriculture and Forestry of the Senate, and for weeks I listened to the hearings, not only from experts and Mr. Hoover—who said he did not want to fix the price of wheat; he only wanted to guarantee the farmer against loss, as the Senator from North Dakota has said—but representative farmers from all over the country, and I do not recall and I do not believe that there was a single farmer or any man who represented any farmers' organization—and there were dozens of them there—but that said, "We object to the fixing of the price at which the farmer has to sell his wheat unless you also fix the price of what he has to buy and pay to produce that wheat. We want the law of supply and demand to apply to us if it applies to everybody else; but if it is necessary to fix everything for everybody, then we will not object to fixing the price of our output."

Mr. STERLING. Mr. President, I have almost concluded, but I want to add just one observation.

Mr. FALL. Mr. President——

The PRESIDING OFFICER (Mr. KENDRICK in the chair). Does the Senator from South Dakota yield to the Senator from New Mexico?

Mr. STERLING. I yield to the Senator.

Mr. FALL. Before the Senator passes from the suggestion made by the Senator from Utah [Mr. KING] as to the same profits being allowed in all businesses as the difference between 80 cents and $2.50 for the farmer's wheat, it seems to me that an absolute answer to the proposition is that the farmer has but one turnover in a year. The farmer with $100,000 invested in his farm sells his wheat once a year. The meat packer or other man engaged in factory work with $100,000 invested may sell six times his capital, or $600,000, and make a profit upon each dollar; and since the war began, due to the increased demand and the rapidity of the demand, he may turn over his $100,000 a dozen times or twenty times in the year. Therefore, it would not be fair to allow him to make even the same difference, the same comparative profit, which is suggested, where the farmer, with a fixed business, has one sale a year.

Mr. STERLING. Mr. President, I might add to the suggestion of the Senator from New Mexico that if the farmer had been compelled to go on raising wheat, and nothing but wheat, at 80 cents a bushel he would have been out of business, or even later on, at $1 a bushel, he would have been out of business. But the farmer has not depended alone on wheat. He has raised corn, rye, barley, oats, and stock, and from these he, perhaps, has made a profit that compensated him for his work and outlay, even though there was no profit, or a very small profit, on his 80 cent or $1 a bushel wheat.

That must be taken into consideration, for a farmer will scarcely be found in the great Northwest, the great spring-wheat region, who does not raise and depend upon something else than wheat. He would have been impoverished years ago had he not come to rely on these other resources in the way of crops and stock.

Mr. President, I rose particularly to give some interpretation to sections 14 and 11 of the food-control act. In brief it is that in those two sections is to be found the only power conferred upon the administration to fix the price of wheat. Now, that is a minimum price fixed by the law of 1917 at $2 per bushel for the 1918 crop, and until May 1, 1919, and my insistence is that the plain implied guaranty is that the farmer should have over and above $2 per bushel what he could get in the market, let it be $2.50, $2.75, or $3 per bushel; that any price to be fixed by the President for any other than the 1918 crop must under the law be a guaranteed minimum price, and that when under

section 11 the President is authorized to purchase and store wheat, he purchases it at a price which the wheat will command in the market and at the time of the purchase, not forgetting of course that the purchase of great quantities of wheat by the Government will have its effect upon the price and tend to stabilize or standardize the price of wheat.

I was not in sympathy with the price-fixing proposition to begin with, but since it was determined upon I voted for and insisted upon the minimum price of at least $2 per bushel; but I believed that having provided as we did in that act against hoarding, against speculation in all its forms—in fact, against every evil practice in the buying and the selling of grain—we had done well enough without the doubtful experiment of fixing the price of wheat. Since, however, that has been entered upon and we have determined to fix the price of wheat let that price be what all the circumstances and conditions show to be a most reasonable price.

Mr. President, as I have said, I have listened to the discussion in regard to the profits of different institutions and different industries. We have heard them discussed here again and again, and I submit now that no fairer proposition has been before the Senate of the United States than that contained in the Gore amendment to the Agricultural appropriation bill fixing the price of wheat at $2.50, No. 2 spring, at the local elevator. It seems inconceivable to me now that the Senate should recede from that position, and I am sure we shall do right in insisting on that amendment or, at the very least, in not reducing the price below that contemplated in the amendment offered by the Senator from Nebraska.

Mr. BORAH. Mr. President, I am not going to indulge in any extended debate upon this proposition, in view of the very full discussion which the subject has already received, but I call attention, briefly, to one or two features of the question which seem to me to be possibly worthy of further consideration.

Mr. President, the farmers of the country, in my opinion, will be perfectly satisfied to take their position alongside the other industries of the country. They would be perfectly satisfied to have this law repealed entirely and to take their chances under the law of demand and supply with reference to the products which they produce and which they desire to sell. They have never to my knowledge asked for any price fixing; but if it is thought wise to fix prices, then they would be perfectly satisfied to have their prices fixed in harmony with the prices fixed for other articles. They would be perfectly satisfied to enjoy the profits, and no more than the profits, which those enjoy whose prices are fixed. In other words, they are not asking for any exception to the rule which the Government thinks wise to invoke or to apply.

If the price-fixing proposition is thought to be a wise one, very well, then fix the price of the articles which enter into the supply of the farmer, which enter into the production of wheat and those things, and fix it upon the same proportionate basis as that of the products of the farm, and I venture to say that there would be no delay in this body by anyone asking for any different treatment upon the part of the producers of the country.

The Senator from Utah has suggested that there ought to be a halt called upon this proposition with reference to raising prices and raising wages and pyramiding. In this respect I agree with him entirely. I think he is eminently correct in that proposition. The only thing I would suggest in connection with his statement is that the halt be called as a general halt; that there be no exception to the rule; that the farmers be not singled out and have their prices fixed and permit the implement dealer who sells to the farmer to reap what he can under the law of supply and demand. If the halt is to be called all along the line and the law of supply and demand should be permitted to work, in my opinion the American producer will not object at all.

The objection raised here is not that we do not desire to call a halt, but that apparently there is a desire to treat the wheat raiser upon a different basis than that which other producers or the other manufacturers or the people industrially interested are treated.

I call attention to a statement——

Mr. WATSON. Will the Senator yield?

Mr. BORAH. Yes.

Mr. WATSON. Does the Senator know of any law passed by Congress which authorizes any commission or any agency of Government to fix the price on wool?

Mr. BORAH. The authority is being exercised under what is called the license clause by the Food Administration.

Mr. WATSON. Precisely. In other words, by means of a license law they are fixing the price on wool. Does the Senator know of any agency of Government that is at this time fixing the price on cotton?

Mr. BORAH. No; I think they are not operating yet on that subject.

Mr. McCUMBER. I should like to ask the Senator if he knows of a single other thing that is being produced where the price has been lowered below what it was during the time of competition?

Mr. BORAH. No; I do not. I know of no such instance. The situation of the farmer with reference to this price fixing and dealing with this subject generally has been recognized throughout the country as being exceptional, as one standing separate and apart from the general program. The President said in his address on the 4th of December, 1917:

> Recent experience has convinced me that the Congress must go further in authorizing the Government to set limits to prices. The law of supply and demand, I am sorry to say, has been replaced by the law of unrestrained selfishness. While we have eliminated profiteering in several branches of industry, it still runs impudently rampant in others. The farmers, for example, complain with a great deal of justice that, while the regulation of food prices restricts their incomes, no restraints are placed upon the prices of most of the things they must themselves purchase; and similar inequities obtain on all sides.

There is no one here representing an agricultural region or speaking for those who are primarily interested in this proposition who invokes any other rule than the rule suggested by the President in his address to Congress. If the price-fixing system is to obtain it must obtain to the extent certainly of fixing the price of those things which enter into the production of things the price of which you do fix. Otherwise you must not only have injustice but you will have chaos, just such as you are now coming to realize in this country. The rule which we invoke is the rule which has been recognized by the President and throughout the country as a fair and just one.

Now, I think $2.20 wheat is quite high enough provided you will deal with the other subject matters which enter into the production of wheat upon the same basis. I do not think that we are justified for a moment if you are dealing with other subjects upon the same basis in asking for anything in addition to what we already have. It is not by reason of the fact that we are dissatisfied with $2.20 wheat; it is by reason of the fact that under conditions which are permitted to prevail with reference to other commodities it is impossible to produce wheat at $2.20. The price of farm implements has gone up from 100 to 200 per cent and labor has gone up in some instances 150 and 200 per cent, and even more than that.

So, Mr. President, we are here seeking for no favoritism whatever, but for the application of the principle that all shall be dealt with upon an equal basis and all treated alike in regard to this matter.

We had a report sent us a few days ago to which considerable reference has been made. I am not going to make extended reference to it, but there is one matter to which I call attention which illustrates the disadvantage under which the farmer labors at this time under the present system of doing business.

Mr. GRONNA. Will the Senator yield to me?

Mr. BORAH. I yield to the Senator.

Mr. GRONNA. I quite agree with the Senator from Idaho that the price of $2.20 is high enough for wheat, and I believe, when the Senator stated that, he voiced the sentiment of the largest farm organizations of the country; but, as he also states, that is predicated upon the fact that the price of other products should also be regulated to conform to the $2.20 price. We know that the price of everything the farmer buys—twine, for instance—has increased more than 50 per cent in price just in one year. Farm machinery has increased all the way from 50 to 100 per cent; and what the Senator from Idaho stated, that labor, I think he said, has increased 150 to 200 per cent, is absolutely true. So we are not here asking for an unduly high price for wheat, nor do I believe any farmer is asking for that, but he is asking to be treated fairly. If an arbitrary price is fixed upon his product, he asks that like treatment shall be accorded to other industries.

Mr. BORAH. Mr. President, I have received during the last 30 days several letters, some from the State which I have the honor in part to represent and some from other States, in reference to the price of hides, which the stockmen and the farmers have occasion to sell. There is no market for them practically at all, for some reason which it is very difficult for one to understand when he goes into a shoe store or to a harness shop or those places where leather is sold. There seems to be no demand practically for hides of any kind; that is, the kind which are sold by stockmen and farmers of the West. In two of these letters they state to me that the buyer told them there was no demand at all; that they would pay them so much, and if they did not desire to take it they could take the hides back. In other instances they give the price at which the farmer finally sold the hides, which, as one of them stated, "was not sufficient

to justify my stopping and taking the hide off the animal and taking it to the market."

Mr. President, let us look at the other end of the transaction. It is said here that if you raise the price of wheat to $2.50 it will mean an increase in the price of flour and bread, and so forth, and will therefore be a burden upon the working people of this country or upon those who are not in a position to pay more than they are paying now. If it were not true that between the wheat raiser and the man who eats the bread there is some one absorbing enormous, extortionate, unconscionable profits, that might be a just and reasonable argument, but if you will raise the price of wheat to $2.50 and reduce the profits of those who are dealing with it in its intermediate stages, you will not only prevent a rise in the price of bread but you will reduce it considerably to the bread consumers of the country.

Mr. KING. Will the Senator yield to me?

Mr. BORAH. Yes.

Mr. KING. I was interested in the statement made by the able Senator from Idaho in respect to the price of hides, and I was wondering if the low price, the inadequate price fixed by the purchaser, was the result of some combination in restraint of trade, and if the Attorney General of the United States or the district attorneys should enforce the provisions of the Sherman antitrust law that condition might not be remedied. I am asking for information because, in view of the enormous demand for leather and the very high price of the finished product, I can not understand why the price of the raw material should be so low.

Mr. BORAH. I think the Senator is correct in his inference. It is just as the able Senator from North Dakota [Mr. MCCUMBER] said, they are not playing both ends against the middle, but they are playing the middle against both ends.

Now, with reference to leather and leather goods, this report says:

LEATHER AND LEATHER GOODS.

During the year 1917 a large proportion of the tanners in the United States made unusual profits. As the commission reported in January last, reports of a number of the larger companies show that net profits in 1916 were in several instances two, three, four, or even five times as large as in 1915, and the 1915 net profits in turn showed increases of from 30 per cent to more than 100 per cent over those of 1914. One striking instance is a company whose net profits were reported as follows:

1914	$644,390.90
1915	945,051.37
1916	3,576,544.27

Here is the quotation from a letter:

As an indication of earnings of the big packers in the selling branch of their leather business the following is quoted from a letter of January 17, 1917, by the Eastern Leather Co., an Armour selling subsidiary, to Mr. F. W. Croll, of Armour & Co.:

"We are inclosing our check on the National City Bank, New York City, payable to Mr. J. Ogden Armour, for $915,787, same being a dividend of 53 per cent on the 17,279 shares of common stock standing in his name. In addition to this, and in accordance with our conversation when in Chicago, we have set aside as a surplus $250,000, which represents 10 per cent on the common stock.

It is under such conditions as these that the American farmer has to deal with this situation. He can secure practically nothing for the hides which he sells; but when he goes to buy his leather, his harness, his saddlery, or anything of that kind he pays these enormous prices, and the range of articles runs clear down the line. So it is that he is compelled to add to his price of wheat in order that he may sustain himself.

The American farmer has been asked to cut out other things, to cut out his corn acreage and different products which he might raise at a better price. Why? Because of the fact that those things are not accepted in Europe. The people of Europe do not want that kind of an article.

The fact is, they are not acustomed to using it and they do not use it. So the American farmer is asked to cut out these articles with which he might plant his acreage and receive a better price under the conditions and to raise wheat, and wheat is the one thing that he is forced to take 80 cents less a bushel for than under the law of supply and demand. If he were permitted to enjoy the price which is fixed by the law of supply and demand he would have far in excess of what he would receive at $2.50. If under the appeal which has been made to him by the Government he were permitted or would exercise his right nevertheless to plant his acreage in other products he could still enjoy a greater income than he does. But, yielding to the price-fixing system and also to the appeal of the Government, he is placed in a position where he is compelled to ask what seems to the world an extraordinary price; and I do not hesitate to say again in concluding that it is an extraordinary price under any circumstances or conditions except those which the farmer is compelled to meet, which have been imposed upon him by no act of his own.

Mr. GORE. Will the Senator allow me?

Mr. BORAH. I was about to yield the floor.

Mr. GORE. I wish the Senator to yield to me for a moment.

Mr. BORAH. I am pleased to do so.

Mr. GORE. I merely wish to state in this connection that the farmer out of his proceeds has to pay an income tax to the Government if he passes the exemption and also has to pay the railroad companies the guaranteed returns they have enjoyed on the average in the past three years.

Mr. BORAH. Precisely.

Mr. CURTIS obtained the floor.

Mr. HALE. Will the Senator from Kansas yield to me?

Mr. CURTIS. I yield to the Senator from Maine.

MOUNT DESERT NATIONAL PARK.

Mr. HALE. I should like to call up from the calendar the bill (S. 4569) to establish the Mount Desert National Park in the State of Maine.

Mr. CURTIS. If it does not lead to any discussion, I have no objection. I should like to retain the floor, however.

Mr. HALE. I ask unanimous consent to call up the bill.

The PRESIDING OFFICER (Mr. KING in the chair). The Senator from Maine asks unanimous consent for the present consideration of the bill he has indicated. Is there objection?

Mr. HITCHCOCK. This is rather an extraordinary proceeding right in the midst of the consideration of the resolution of the Senator from Virginia.

Mr. HALE. It is simply a bill to turn the Sieur de Monts National Monument into a national park. I should like very much to get the bill to the House to get action upon it there before Congress takes a recess. It will take only a few moments. I think there is no opposition to it.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole, and it was read, as follows:

Be it enacted, etc., That the tracts of land, easements, and other real estate heretofore known as the Sieur de Monts National Monument, situated on Mount Desert Island, in the county of Hancock and State of Maine, established and designated as a national monument under the act of June 8, 1906, entitled "An act for the preservation of American antiquities," by presidential proclamation of July 8, 1916, is hereby declared to be a national park and dedicated as a public park for the benefit and enjoyment of the people under the name of the Mount Desert National Park.

SEC. 2. That the administration, protection, and promotion of said Mount Desert National Park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provision of the act of August 25, 1916, entitled "An act to establish a National Park Service, and for other purposes," and acts additional thereto or amendatory thereof.

SEC. 3. That the Secretary of the Interior is hereby authorized, in his discretion, to accept in behalf of the United States such other property on said Mount Desert Island, including lands, easements, buildings, and moneys, as may be donated for the extension or improvement of said park.

Mr. HALE. I move to amend the bill by adding, after the words "national park," page 2, line 2, the following: "under which name the aforesaid national park shall be entitled to receive and to use all moneys heretofore or hereafter appropriated for Sieur de Monts National Monument."

I will state that in the sundry civil appropriation bill there is an appropriation of $10,000 for the Sieur de Monts Monument, and now that the name of the park is changed the appropriation should go to the Mount Desert National Park.

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the House disagrees to the amendments of the Senate to the bill (H. R. 12281) making appropriations for the support of the Army for the fiscal year ending June 30, 1919, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. DENT, Mr. FIELDS, and Mr. KAHN managers at the conference on the part of the House.

The message also announced that the House further insists upon its disagreement to the amendments of the Senate numbered 1, 61, and 83 to the bill (H. R. 11692) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1919, and for other purposes, agrees to the further conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SISSON, Mr. MCANDREWS, and Mr. DAVIS managers at the further conference on the part of the House.

The message further announced that the House had passed a bill (H. R. 12633) making appropriations for the legislative,

executive, and judicial expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILL AND JOINT RESOLUTION SIGNED.

The message also announced that the Speaker of the House had signed the following bill and joint resolution, and they were thereupon signed by the Vice President:

S. 1553. An act to give effect to the convention between the United States and Great Britain for the protection of migratory birds concluded at Washington, August 16, 1916, and for other purposes; and

S. J. Res. 159. Joint resolution to extend the time within which the President may relinquish control of any railroad or system of transportation, as provided in section 14 of an act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918, to January 1, 1919.

AGRICULTURAL APPROPRIATIONS—CONFERENCE REPORT.

The Senate resumed the consideration of Senate resolution 268, instructing the conferees on House bill 9054, the Agricultural appropriation bill, to recede from the amendment of the Senate numbered 44.

Mr. CURTIS. Mr. President, I agree with the Senator from Idaho [Mr. BORAH] and think he has correctly stated the position of the producers of wheat throughout the country. They would be perfectly willing to depend upon the law of supply and demand to fix the price of wheat. I think I can make the following statement without fear of successful contradiction, and that is that when the original bill was being considered there was no one who contended or believed that the price of wheat was to be fixed. I attended several conferences at which representatives of the Food Administration were present, and it was at no time contended that they wanted to fix the prices of wheat, but in order to encourage a large acreage they asked that a price of not less than $2 be guaranteed for the 1918 crop, so that if a large production was had and the market price fell below $2 the Government would guarantee at least $2 for the wheat so that the farmers might not lose by having put in the large acreage. When the price of wheat was fixed at $2.20, as has been said by, I think, both Senators from North Dakota, wheat was then selling at from $2.75 to $3 a bushel.

I remember the day before the price was fixed at $2.20 the Senator from North Dakota [Mr. MCCUMBER], the Senator from Minnesota [Mr. KELLOGG], the Senator from South Dakota [Mr. STERLING], and myself called upon the price-fixing power and urged that the price, if it was to be fixed at all, be fixed at the then market price, so that the farmers would continue to get what they were then receiving in the open market for their wheat. But the price was fixed at $2.20 a bushel, notwithstanding the showing made by the four of us.

As has been said here—and there is no use of again going over the ground—all the things which the farmers are compelled to buy have increased in price. A few weeks ago I submitted a list of farm implements and showed how greatly the price had been increased. I desire now to call the attention of the Senate to one article, and I desire to do that because I wish to refer to a question asked by the Senator from Utah [Mr. KING]. In 1915 a 12-foot harvester cost f. o. b. Chicago $130; the same machine costs in 1918 f. o. b. Chicago $250. That is a fair sample of how farm machinery has increased in price.

The Senator from Utah asked the Senator from Idaho [Mr. BORAH] why these parties had not been prosecuted under the Sherman antitrust law? The gentleman who sent me this letter and gave me the cost of farm machinery brought that question to the attention of the Federal Trade Commission. The Federal Trade Commission asked that they be sent information. The gentleman secured the information, giving the cost price of various articles of farm machinery in 1915, 1916, 1917, and 1918. Then the matter was referred to the Food Commission. The Food Commission in turn referred it to the Agricultural Department, and the Agricultural Department in turn referred it back to Congress, when, as a matter of fact, the Food Administration had jurisdiction, and the Federal Trade Commission could have proceeded to investigate and verify the figures and if found true they could have caused the prosecution of the dealers under the Sherman antitrust law. Instead, however, of doing that they sent the complaint around the circle and then brought it back to Congress.

There is another reason, in my mind, why the Senate should not yield on this question. When the bill was before the Senate a vote was had, and 49 Senators voted for fixing the price of wheat at not less than $2.50 per bushel, while only 18 Senators voted against that proposition. The measure went to the other House, and there was no vote taken on the 4th of April when it was submitted, but the bill was sent to conference. There, a little later on, I think about the 18th of April, a vote was had. That vote stood 127 for not less than $2.50 wheat and 180 against it, with 120 absentees. I insist that because there were so many absentees at the time the vote was taken in the House the wheat producers of this country have the right to ask the House to again vote upon this question. The only way a vote can be forced is to send the matter back to them and let the House say whether or not they want to agree to the price of wheat fixed by the Senate, to wit, at not less than $2.50 a bushel, or whether they will agree to some other price.

We have been told here in the Senate that out of the 10 conferees only 3 have held up this measure. They were members of the conference from South Carolina, Mississippi, and Georgia. I contend that those three men have no right to prevent a vote in the House upon this question. I believe that if the question shall be submitted to the House a majority will agree to not less than $2.50 wheat.

I am not going over the arguments which have been made by the Senator from Nebraska [Mr. NORRIS], by the Senator from Idaho [Mr. BORAH], by the Senator from North Dakota [Mr. MCCUMBER], and by other Senators. They have fully covered the ground; but I did want to state the vote in the other House and the vote in the Senate on this question, and then ask that the question be again submitted to the House and let us see if the House will not be fair; let us see if the House will not refuse to follow the three gentlemen who have refused even the consideration of a compromise.

Mr. NORRIS. Mr. President, I desire to withdraw the substitute which I offered, so that we may vote directly on the original resolution.

The PRESIDING OFFICER. Without objection, the request will be granted.

Mr. REED. Mr. President, what I have to say I desire to present as a part of the remarks I made on Saturday. Those remarks I withheld from the RECORD, because I had not then completed the discussion of the theme, and I shall ask to print what I say now and what I said on Saturday as one address.

The PRESIDING OFFICER. Without objection, it will be so ordered.

Mr. REED addressed the Senate. [See Appendix.]

LEGISLATIVE, ETC., APPROPRIATIONS.

Mr. MARTIN. I ask that the legislative, executive, and judicial appropriation bill be laid before the Senate.

The VICE PRESIDENT. The Chair lays before the Senate the bill referred to by the Senator from Virginia.

The bill (H. R. 12633) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes, was read twice by its title.

Mr. MARTIN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the bill without a reference to a committee.

The VICE PRESIDENT. Is there objection? The Chair hears none.

The Senate as in Committee of the Whole proceeded to consider the bill.

Mr. MARTIN. I offer an amendment to the bill, which I send to the desk and ask that it may be read.

The VICE PRESIDENT. The amendment offered by the Senator from Virginia will be stated.

The SECRETARY. On page 72, after the word "Alaska," in line 4, insert "employees paid from lump-sum appropriations in bureaus, divisions, commissions, or any other governmental agencies or employments created by law since January 1, 1916."

Mr. MARTIN. Mr. President, I think it is necessary for me to explain that amendment, but it will not take me three minutes to do so.

The language of the amendment was incorporated in the bill when it was in the Senate, and it was adopted by the Senate. It went to conference. The matter was elaborately discussed and considered in the conference, it was agreed to by the conferees, it was reported to the two Houses, and passed.

Mr. SMOOT. It was agreed to by both Houses.

Mr. MARTIN. It was agreed to by both Houses; but, to my amazement, the other House, when it undertook to change the bill to conform to the views of the President, as stated in his veto message, struck out that language, which had not been referred to in the veto message, but, as I have stated, had been agreed to by both Houses and put into the bill by the action of both Houses; and yet, under those circumstances, the House struck out that language. I am simply moving to reinstate the language as it had been agreed to by both Houses of Congress.

Mr. THOMAS. Mr. President, I desire to ask the Senator from Virginia if he has a copy of the President's veto message?

Mr. MARTIN. I have not now, though I had it. I sent over to the other House for it, and it was sent to me, and I have read it. I can assure the Senator that the President, in his message, alluded to nothing except what is known as the Borland amendment.

Mr. THOMAS. Mr. President, I do not question that at all; my purpose in making the inquiry was not to question the statement, but I am curious to know the grounds upon which the veto message is based. The information conveyed here this morning that there would be a veto of this bill because it contained what is known as the Borland amendment was a matter of great surprise to me, and it is due to the fact that I was wholly unprepared for such a result that I made inquiry whether or not the Senate had been informed of the President's veto.

Mr. MARTIN. I have read the President's veto message. I will not undertake to give his reasons, but he was simply opposed to what is known as the Borland amendment and vetoed the bill on that account, and none other.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Virginia.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

DATA RELATIVE TO PROFITEERING AND THE REVENUE.

Mr. BORAH. Mr. President, I wish to ask that the report of the Federal Trade Commission, sent to the Senate on Saturday last, be printed as a Senate document, if that order has not heretofore been made.

Mr. THOMAS. It has been printed in the RECORD.

Mr. SMOOT. I will ask the Senator from Idaho if he knows whether the Federal Trade Commission has printed it?

Mr. BORAH. I do not know.

Mr. SMOOT. If they have, I will say to the Senator that it would hardly be proper, under the rules that have been adopted by both Houses, to print it as a Senate document. If the Federal Trade Commission has not printed it, however, I have no objection to having it printed, but I should like the Senator to find out whether or not it has been printed.

Mr. McCUMBER. I wish to ask if the order was not made in the House at the time it was ordered to be printed in the RECORD that it also be printed as a document?

Mr. SMOOT. I do not know as to what happened in the House.

Mr. McCUMBER. The RECORD so reads, I think.

Mr. BORAH. Does the Senator mean printed as a House document?

Mr. McCUMBER. I think so.

Mr. SMOOT. I quote from the Senate proceedings of Saturday last:

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Federal Trade Commission, transmitting, pursuant to a resolution of the Senate of the 10th instant, the report of the Federal Trade Commission relative to profiteering, which will be printed, and also printed in the RECORD.

The communication is as follows:

Then the communication is printed in the RECORD.

Mr. BORAH. Is that the record of the Senate?

Mr. SMOOT. That is the record of the Senate.

Mr. BORAH. Very well.

PROTECTION OF FOREIGN UNIFORMS.

Mr. LEWIS obtained the floor.

Mr. OVERMAN. Will the Senator from Illinois yield to me for a moment?

Mr. LEWIS. I yield.

Mr. OVERMAN. Mr. President, this morning there came from the House of Representatives a message informing the Senate that the House had passed the bill (H. R. 11247) providing for the protection of the uniforms of friendly nations, and for other purposes. A similar bill has passed the Senate, and I now ask that the Committee on Foreign Relations, to which the House bill was referred, be discharged from its further consideration and that the Senate proceed to the consideration of the House bill, which, as I have said, is exactly similar to the bill which has passed the Senate.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and the Committee on Foreign Relations is discharged from the further consideration of the bill.

Mr. OVERMAN. I now ask unanimous consent for the immediate consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read as follows:

Be it enacted, etc., That it shall be unlawful for any person, with intent to defraud or mislead, within the United States or Territories, possessions, waters, or places subject to the jurisdiction of the United States, to wear any naval, military, police, or other official uniform, decoration, or regalia of any foreign State, nation, or government with which the United States is at peace, or any uniform, decoration, or regalia so nearly resembling the same as to be calculated to deceive, unless such wearing thereof be authorized by such State, nation, or Government.

Any person who violates the provisions of this act shall upon conviction be punished by a fine not exceeding $300 or imprisonment for not exceeding six months, or by both such fine and imprisonment.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AGRICULTURAL APPROPRIATIONS—CONFERENCE REPORT.

The Senate resumed the consideration of Senate resolution 268, instructing the conferees on House bill 9054, the Agricultural appropriation bill, to recede from the amendment of the Senate numbered 44.

Mr. LEWIS. Mr. President, I wish to address myself for a few moments to the pending measure, which is a motion to recede from some position heretofore taken upon the question of the price of wheat. My remarks shall not be distinctively upon that issue. However, they will not be altogether foreign to it.

Mr. President, we have had a discussion from Senators who have information touching the cultivation of grain. They represent the grain States; they know the needs of the farmers; they know the uses and benefits of the legislation. Mr. President, we are confronted with the question as to whether it were advisable to fix the price at one figure, $2.20, or another figure, $2.50. I confess ignorance as to what would be the best course, so far as applicable to the general welfare of farming, and particularly of the growing of wheat.

Mr. President, I wish to refer to the condition which has brought about the necessity for such legislation. I differ from my esteemed friend, the eminent senior Senator from Missouri [Mr. REED]; I differ from Senators of his school of thought. The time has been put upon this Republic, whether it will or not, when the Government is compelled to lay hands upon the instrumentalities of business, and control the agencies essential for the public welfare. It may be that it is not wise that we do this, so far as the standards of our Constitution shall be consulted; but the conditions of the country at this particular time, under a declaration of war, justify the exercise by the Republic of these powers which it has assumed to enter upon.

Sir, the time has really come, though such scholars as the eminent senior Senator from Missouri and those who follow in the same line of thought may be shocked at the contemplation—the time has really come when this Government will have to go much further than prescribe the rates concerning wheat in order to prevent extortion by the master powers controlling the different elements of human welfare. While this war is on this Government must go one step further and take some measures to prescribe all prices as to all the necessary elements that enter into human life. There can be no real reason that can be assigned for the fixing of the price of wheat to the farmer which can not apply equally to fixing the price of steel and iron which that farmer has to buy from the results of the price he obtains through Congress for his wheat.

Mr. McCUMBER. Mr. President——

Mr. LEWIS. I yield to the Senator from North Dakota.

Mr. McCUMBER. May I not ask the Senator if the Government has not exactly the same power to do that to-day, and under the same law, as it has to fix the price of wheat?

Mr. LEWIS. I answer the able Senator from North Dakota to say it may have; and if it has such power, I, for one, during this war, am ready to see it exercise it. I would, sir, instead of the Government isolating here and there some particular subject of human welfare and making it the sole object of its supervision and care, that it should turn its attention to all of the things upon which human life depends and prescribe such conditions and such terms as shall make it impossible for those who through artificial manipulations dominate the necessities of life and starve the hungry of the city, distress the creators of the farm, embarrass the welfare of business, monopolize the opportunities of life, and deprive the Government of its real purpose of existence, namely, happiness and justice to mankind.

Mr. THOMAS. Mr. President——

Mr. LEWIS. I yield to the Senator from Colorado.

Mr. THOMAS. Would the Senator also invoke the powers of the Government to regulate the wage scale?

Mr. LEWIS. I answer the Senator that I would not invoke the power of the Government to regulate wages in times like

these, but, having adjusted prices in order that the toilers be protected, I would likewise exercise the power of seeing that wages were just in proportion to what the laborer turned out.

Mr. President, what I am coming to is this, sir: I did not intend to go afield of the suggestion I wanted really to make, and that was that, instead of taking the time of Congress to prescribe a price of $2.20 for wheat, and then, to encourage the production of wheat, to raise the price 30 cents, what is needed in this country is that there shall be more farming, that there shall be more production; and what I would propose—and I have a bill embodying this suggestion now pending which has been before the Agricultural Committee for consideration for a long time—is that there shall be created by this Government now, sir, a commission that shall have for its object the cultivating of the uncultivated land of the United States, and cultivating that land according to the particular things that land and the zone where it lies may produce; so that, instead of taking the poor man and sending him to the country, tendering him land, and calling upon him to cultivate the land at his own instance, when he has nothing by which he can pay, the Government shall discover that portion of the land that is now uncultivated, summon all of those citizens who have been found to be disqualified for military service and who because of physical infirmities or for other reasons may not fight for their country, and tender them the opportunity to go upon the land. Let the Government equip them with the necessary farm utensils, advance them money enough to enter upon the enterprise, and then, assuring them the preliminary utensils and implements and giving them enough money to initiate them into the enterprise of farming, make a contract with them by which so much of their products shall be turned over to the Government for the uses of the war and the remaining portion to be at their service and privilege, to be sold for their private profit, then to arrange that they by contract return to the Government the sum of money advanced by the Government to them as a loan by which they entered into the farming process. In this way, Mr. President, we would cultivate that barren land that lies idle before the eyes of every person in every State; we would do away with that landlordism that is prevailing throughout the West and in my State and in neighboring States that is growing to so alarming a degree and shutting out the opportunities of a home and independence to thousands and thousands of human beings; these latter being forced to work as tenants, seeing from day to day nothing ahead of them except to toil for another man, being unable to buy land for lack of money, and having no credit because they have no land to pledge to obtain money. In this way, sir, large farms are idle, a part only of the land being cultivated. Many, being mere tenants, are not inspired to toil beyond the mere necessity of paying their rent and living. That system, if continued in America, will reproduce a status such as has cursed Ireland and brought upon that land the blight that all men by their eyes behold and by their hearts must really suffer when they realize the situation of those defenseless and miserable people.

Mr. President, if a policy such as I suggest were to be undertaken now by the Government, as I insist it should be, particularly under the present conditions, the wide areas of the West would be under cultivation; idle people from the cities would be sent out of town; the purlieus and darkened places of the municipalities would not be shadowed by the shrunken forms and emaciated faces of thousands who are hungry. They would not have to live in little tenement places, sir, literally like letters in a box. They would not be crowded like bugs in a hive. They would be human beings. The Government would be justified in that undertaking, because of the need which we now see for bread to the Army of America, for bread to the allies who are our cowarriors in the conflict, for bread and supplies to the thousands who live all around us, seemingly helpless and hopeless.

Let us not resort to the mere artificial and temporary subterfuge of raising the price, which may induce those who have land merely to cultivate it, but to those who have not it offers no opportunity whatever to compete and reduce the price by the only legitimate method—the forms of competition in the industry of man. Instead, sir, of taking our time, day in and day out, in discussing the abstract question of a mere increase of price to induce those who have land to plant more, and reap plenty, and obtain riches, let us turn our attention, sir, to the places throughout the United States that could be cultivated. Let us seize them with the governmental hand—aye, with parental care, if you will—water them with some suggestion, give them the inspiration of encouragement, take the citizen who is homeless, the man who is without occupation, the man who has been proven physically unworthy to go to the war, and give him an inducement to cultivate these public lands, or private lands, if necessay, to be obtained by purchase and condemnation by the Government. Then, sir, when we outfit him with implements, and with money, and with the seed which the Agricultural Department can advance, and settle him upon those lands, we will grow enough of the fruits of the soil to harvest grain sufficient to meet the demands of our people, and not be forced to these little temporary expedients from time to time of increasing the price to the farmer who has the land upon which he can grow wheat, to induce him to feed his countrymen from the bounty which God has given into his hands.

Mr. President, I have had pending before the committee for a year or more the bill to execute this policy. The committee has been a very busy committee. It has not had time to take up all the bills before it; and I am presenting the thought now to the Senators to show them where I feel that relief could really come, and come with stability, and come, as I see it, with a sense of permanency.

Do Senators recognize that there are now in the United States vacant, unoccupied, and uncultivated lands equal to every bit of the land that is now planted with wheat? Do Senators recognize that there is now uncultivated land in the United States to the full extent of every inch that is planted with corn? Without going into these statistics, which are always burdensome and seldom informing, it is sufficient to suggest the latter—that one-half of all the cotton in all the cotton States produced is equaled by the amount of land in the South uncultivated, with nothing being done by the Government to induce the cultivation of this land, notwithstanding all the uses that could flow from that cultivation and the benefits that would come from the planting of that soil.

I know there are eminent Senators, such as the senior Senator from Missouri [Mr. REED] and others of his thought, who differ strongly with me, who feel that the Government should not enter upon such a course; that all of these benefits and improvements should be left to individual initiative; and that we are entering upon a field that can be classified as socialism, or might be termed a form of parental centralism, that is contrary to the theory of the formation of the Republic.

Mr. President, I shall not take issue with any gentleman on that point. This Republic has gone far afield from the theory upon which it was founded. There is not a State of the Union to-day that cries out for State sovereignty if there is a particular project which it desires, for the success of that State, to have carried out at the hands of the National Government. The time has come when a thing that is necessary to be done for the citizen should be done by whatever agency can rightfully do it. The Government has gotten to the point where the adoption of the plan which I suggest is justified by the war necessities; and if, when the war is over, it is found then convenient to withdraw from it, that may be considered at that time.

Mr. President, the thought that I suggest is in harmony with the other. The time has come to take the railroads, to take them because they are a necessary branch of Government, to possess them by the United States, leaving to subsequent determination the mere matters of detail of management desirable upon a particular road, depending upon where it is located and the particular circumstances surrounding it. Equally, the time has come when we should take possession of the telegraphs and the telephones of the United States as an instrumentality of commerce, and take them by the Government as a necessary element of Government. With these in our hands, and then, sir, with the proper encouragement of agriculture, with a proper inducement to farming, the great, populous centers will no longer be darkened by those who are hungering and needy, and the great number of those who now have no thrifty occupation will not be in the cities. The inducement will be to take them to the land, where they can cultivate the soil, have an independent home, a prosperous farm, and tender to the Government those particular benefits of which now we are so much in need.

I trust we will have an end of the constant returning to Congress from hour to hour or from day to day for each little expedient, each little emergency, the increase of prices to each individual, and let us have some general principle that will be for the general welfare of the citizen. That is why I rose at this time to advocate the bill I have had pending so long and to bring this question to the attention of Congress as showing now that it was justified when I introduced it; that its policies are justified in the future; and therefore, sir, that it is timely now that the whole policy of it be revived and be carried into execution.

For myself, sir, I voted for $2.50 for wheat because, under the circumstances, I felt it justified. Having voted for it then, and not understanding now any reason for withdrawing that vote, I am compelled to vote again as I voted before, the inducement then being that I might induce the farmer of a limited area of wheat to grow more wheat, that the citizen might have

more bread and the armies be fed. As there is no other alternative open to me, as the measure to which I refer has not reached the ripening period when it can be exercised and administered, I shall adhere to my position as heretofore voted and vote to sustain the price previously fixed.

At this time, sir, having stated my views, if not satisfactorily, I trust at least plainly, I yield the floor.

STATE, WAR, AND NAVY BUILDING.

Mr. CALDER. I ask unanimous consent for the present consideration of the resolution which I send to the desk.

The VICE PRESIDENT. The Senator from New York asks unanimous consent for the present consideration of a resolution, which will be read.

The Secretary read the resolution (S. Res. 271), as follows:

Resolved, That the Secretary of War be directed to transmit to the Senate a copy of the report made by the National Board of Fire Underwriters on the condition of the State, War, and Navy Building.

The VICE PRESIDENT. The Senator from New York asks unanimous consent for the present consideration of the resolution. Is there objection?

There being no objection, the Senate proceeded to consider the resolution.

Mr. CALDER. Mr. President, I was constrained to offer this resolution because of my great interest in the condition of the State, War, and Navy Building. Last December I observed that in one of the interior courts of that building a frame structure had been erected which never would have been permitted in any other building of like character in this country. Perhaps my complaint to the officials of the War Department had something to do with having placed in that building proper fire apparatus and a sprinkler system, which, however, in case of fire would be of little value. I have more carefully examined the building since, and because of the fact that we have stored in it valuable documents of the Government, including the original Declaration of Independence, our treaties with foreign Governments, and the important records of the Army and Navy, it seemed to me desirable that these facts regarding the building should be brought to the attention of the Senate. I have therefore introduced this resolution asking for a copy of the report of the National Board of Fire Underwriters, and I trust it may be adopted.

The VICE PRESIDENT. The question is on agreeing to the resolution.

Mr. BANKHEAD. What is the resolution?

The VICE PRESIDENT. The Secretary will again state the resolution.

The Secretary again stated the resolution.

The VICE PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to.

MOTHERS OF DEMOCRACY OF THE UNITED STATES OF AMERICA.

Mr. KNOX. Mr. President, last Monday I reported from the Committee on Military Affairs a bill to incorporate the Mothers of Democracy of the United States of America and received unanimous consent for its consideration; but the question was raised by the Senator from North Carolina [Mr. OVERMAN] that the bill should have been referred to the Committee on the Judiciary. The bill was so referred and was reported by him favorably from the Committee on the Judiciary this morning, and I ask unanimous consent for its present consideration. It is Senate bill 4724.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on the Judiciary with amendments.

The amendments were, in section 2, page 5, line 19, before the word "sons," to insert "husbands"; in the same line, before the word "relatives," to insert "or other"; in section 3, line 24, before the word "personal," to strike out "real and"; in the same line, after the word "personal," to strike out "estate" and insert "property and to acquire leasehold interests limited by the period for which it is incorporated, but"; in line 25, after the word "necessary," to strike out "or convenient"; and in section 6, page 7, after the words "Secretary of State," to insert "the corporate existence of the corporation hereby created shall terminate upon the lapse of three years after the date of the proclamation declaring the termination of the present war," so as to make the bill read:

Be it enacted, etc., That Mrs. Taylor Allderdice, Mrs. A. P. Burchfield, Mrs. W. H. Siviter, Mrs. William Watson Smith, Mrs. Joseph Braun, Mrs. William McMasters, Mrs. Raymond Bacon, Mrs. Harry Sellers, Mrs. Robert T. Miller, Mrs. Enoch Rauh, Mrs. George Phelps Rose, Mrs. Margaret Stewart Gray, Mrs. J. Stewart Brown, Mrs. J. Rodgers McCreery, Mrs. Lawrence Sands, Miss Anne Rea, Mrs. A. C. Gumbert, Miss Alice McCague, Mrs. Herbert Du Puy, Mrs. Herbert Hostetter, Mrs. Henry Aiken, Mrs. I. W. Frank, Miss Eleanor Hanson, Mrs. D. M. Clemson, Mrs. E. V. Babcock, Mrs. Mary M. McGinnis, Mrs. Frank L. McKelvey, Mrs. Sarah E. King, Mrs. Harry C. Miller, Mrs. Charles Collins, Mrs. M. Roache, Mrs. J. S. Michalski, Mrs. Julia Haslage, Mrs. Adam C. Dear, Mrs. John Ashlin, Mrs. F. A. Johnson, Mrs. C. M. Clemsin, Mrs. Edgar Kaufman, Mrs. Heinz Townes, Mrs. Alexander Laughlin, Mrs. Nathaniel Epeer, Mrs. S. H. Church, Pittsburgh, Pa.; Mrs. Robert Dripps, Mrs. William C. Rowland, Mrs. Montgomery Wright, Mrs. Lincoln Ayers, Mrs. John Wanamaker, Mrs. William J. Clothier, Mrs. J. Willis Martin, Dr. Anne Gibson, Mrs. E. B. Leaf, Mrs. Frank J. Delaney, Mrs. S. R. Hansell, Mrs. Harry Marvel, Philadelphia, Pa.; Mrs. J. L. Twaddell, Devon, Pa.; Mrs. Charles P. Major, Norristown, Pa.; Mrs. J. L. Autenreith, Mrs. P. M. McDonald, Mrs. J. R. W. Tibby, Sharpsburg, Pa.; Mrs. Timothy Burns, Mrs. Eugene Grace, Bethlehem, Pa.; Mrs. S. E. Maxwell, Mrs. Mary Taylor, Mrs. Charles Cost, Mrs. A. B. Hughes, Avalon, Pa.; Mrs. W. H. Newmyer, Bellevue, Pa.; Mrs. Walter Colmery, Braddock, Pa.; Mrs. L. Donaldson, Bridgeville, Pa.; Mrs. W. Allen Smith, Brushton, Pa.; Mrs. L. H. Craig, Butler, Pa.; Mrs. Thomas F. Scott, Carnegie, Pa.; Mrs. Horace J. Thomas, Coraopolis, Pa.; Mrs. Robert Newman, Crafton, Pa.; Mrs. James Devlin, Hazelwood, Pa.; Mrs. J. J. Baird, Homestead, Pa.; Mrs. J. E. T. Shuman, Homewood, Pa.; Mrs. Edward B. Clarke, Knoxville, Pa.; Mrs. Estelle Jamison, Lawrenceville, Pa.; Mrs. Mary D. Squibb, Mrs. Louise McQuaide, Mrs. Thomas George, Mrs. Eva Penn, Mrs. Agnes Hetrick, Mrs. Lillie Shultz, Mrs. Millie Manis, Mrs. W. H. Gault, Mrs. A. Shultz, Mrs. William Mowell, Mrs. William Newlin, Mrs. Alvin Klamer, Mrs. Harry Danier, Mrs. Bertha Cunningham, Mrs. William Price, Mrs. John Berg, Mrs. Frances Rogers, Mrs. George Baird, Mrs. Matilda Fletcher, Mrs. Anna Stephan, Mrs. James Sweeney, Mrs. T. Walker, Mrs. Alice Montgomery, Mrs. J. E. Douglass, Mrs. H. H. Regenster, Mrs. Rose Jefferson, Mrs. Florence Killney, Mrs. G. Fulmer, Mrs. Anna Neilson, Mrs. Emma Johnson, Mrs. J. Stelf, Mrs. Alice West, Mrs. Margerite Davis, Mrs. J. W. Hobby, Mrs. Carth Marley, Mrs. Minnie Doty, Mrs. Harry March, Mrs. Emma Hoagland, Mrs. Augusta Hatzimer, Mrs. Richard Grace, Mrs. Rose Kaiser, Mrs. J. Wood, Mrs. Jennie Gim, Mrs. A. Knight, Mrs. Harry Cox, Mrs. E. A. Smith, Mrs. R. T. Stewart, Mrs. E. Gephart, Mrs. Emma Deitz, Mrs. E. Jones, Mrs. Sarah Latta, Mrs. Jere Bannon, Mrs. Herman Lottig, Mrs. Bert Hoak, Mrs. Elmer Barnes, Mrs. W. C. Soles, Mrs. H. Power, Mrs. Emma Busch, Mrs. E. Cooper, Mrs. M. Callahan, Mrs. E. Holloway, Mrs. Anna William, Mrs. Joe Shaw, Mrs. H. Shorr, Mrs. Mary Reid, Mrs. H. Shallenberger, Mrs. J. Woods, Mrs. Joe Thompson, Mrs. Chester Allen, Mrs. Robert Taylor, Mrs. O. Lindberg, Mrs. A. Hill, Mrs. G. McKee, Mrs. A. McCoy, Mrs. Luke Malseed, Mrs. George Raymers, Mrs. S. E. Griffith, Mrs. William Mackay, Mrs. William Wood, Mrs. George Green, Mrs. S. Biddlestone, Mrs. A. Everrett, Mrs. A. Guin, Mrs. E. Knight, Mrs. Don Smith, Mrs. R. Nicknols, Mrs. J. M. Denning, Mrs. Mary Donnelly, Mrs. M. Huber, Mrs. A. E. Roose, Mrs. A. McCoy, Mrs. Samuel Wolfe, Mrs. C. T. Seebert, Mrs. William Armstrong, Mrs. C. M. Young, Mrs. E. McGlashan, Mrs. B. Robinson, Mrs. R. Hitchens, Mrs. W. F. Wilkins, Mrs. F. W. Sqibs, Mrs. Mary Slater, Mrs. Lillie J. Badders, McKeesport, Pa.; Mrs. E. K. Lynn, East McKeesport, Pa.; Mrs. James Lackey, Mayview, Pa.; Mrs. Agnes Mangan, McKees Rocks, Pa.; Mrs. S. R. Costly, Mount Lebanon, Pa.; Mrs. Maria Means, Mount Oliver, Pa.; Mrs. John Schaefer, New Kensington, Pa.; Mrs. Clara Gould, North Bessemer, Pa.; Mrs. Anna M. Stewart, Oakdale, Pa.; Mrs. George McDonald, Sewickley, Pa.; Mrs. N. C. Tanner, Sheraden, Pa.; Mrs. Emma B. Leiphart, Springboro, Pa.; Mrs. John T. Patterson, Sturgeon, Pa.; Mrs. William G. Mockett, Swissvale, Pa.; Mrs. James Ewing, Mrs. Robert Caldwell, Tarentum, Pa.; Mrs. William McCurdy, Wilmerding, Pa.; Mrs. F. B. Tillinghast, McDonald, Pa.; Mrs. William B. Hill, Baltimore, Md.; Mrs. Bessie Grabowski, Mrs. William Berry, Mrs. Eugene Paters, Richmond, Va.; Mrs. Jessie Baskerville, Mrs. Frank S. Cocheu, New York, N. Y.; Miss Grace Richmond, Fredonia, N. Y.; Mrs. Charles Fell, Mrs. I. R. Williams, Mrs. Cora Whitmore, Loraine, Ohio; Mrs. S. H. Bowen, Mrs. F. W. Watson, Mrs. E. F. Schultz, Elyria, Ohio; and all such other persons as may from time to time be associated with them, and their successors, are hereby constituted a body corporate and politic, in the city of Washington, in the District of Columbia, by the name of the Mothers of Democracy of the United States of America.

SEC. 2. That the purposes and objects of said corporation are declared to be patriotic, the securing to its members of those benefits which should accrue from acquaintance and association of women residing in different parts of the Union who have sons, husbands, brothers, or other relatives or friends in the Army or Navy; the cultivation of an active interest in the morale and patriotic spirit of the soldiers, sailors, and citizens of our country.

SEC. 3. That said corporation shall have power to receive, purchase, hold, sell, and convey personal property and to acquire leasehold interests limited by the period for which it is incorporated, but so far only as may be necessary for its lawful purposes; to sue and be sued, complain, and defend in any court; to adopt a common seal, and to alter the same at pleasure; to make and adopt a constitution, by-laws, rules, and regulations for admission, government, suspension, and expulsion of its members, and from time to time to alter and repeal such constitution, by-laws, rules, and regulations, and to adopt others in their places; to provide for the election of its officers and to define their duties; to provide for chapters with rules for their conduct, and to regulate and provide for the management, safe-keeping, and protection of its property and funds: *Provided always*, That such constitution, by-laws, rules, and regulations be not inconsistent with the laws of the United States or any of the States thereof.

SEC. 4. That the affairs of said corporation shall be managed by not more than 21 nor less than 9 trustees, who shall be elected annually at such time and manner as shall be fixed in the by-laws.

SEC. 5. That the first meeting of this corporation shall be held on a call issued by any five of the above-named corporators by written notice signed by them, stating the time and place of meeting, addressed to each of the corporators personally named herein and deposited in the post office at least five days before the day of meeting.

SEC. 6. That this charter shall take effect upon its being accepted by a majority vote of the corporators named herein who shall be present at said meeting, or at any other meetings especially called for that purpose; and notice of such acceptance shall be given by said corporation by causing a certificate to that effect signed by its president and secretary to be filed in the office of the Secretary of State. The corporate existence of the corporation hereby created shall terminate upon the lapse of three years after the date of the proclamation declaring the termination of the present war.

SEC. 7. That Congress reserves the right to alter, amend, or repeal this act.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AGRICULTURAL APPROPRIATIONS—CONFERENCE REPORT.

The Senate resumed the consideration of Senate resolution 268, instructing the conferees on House bill 9054, the Agricultural appropriation bill, to recede from the amendment of the Senate numbered 44.

The VICE PRESIDENT. The question is on the resolution. [Putting the question.] The ayes seem to have it. The ayes have it, and the resolution is agreed to.

Mr. POMERENE. Mr. President, when this resolution fixing the price of wheat was before the Senate, I voted against $2.50 wheat.

The VICE PRESIDENT. Does the Senator understand that the resolution has been agreed to?

Mr. POMERENE. I did not so understand.

The VICE PRESIDENT. It has been agreed to.

Mr. POMERENE. Well, I propose to say in any event what I have to say on the subject. I assume that the matter that was presented by the Senator from Pennsylvania [Mr. KNOX] was before the Senate when the vote was taken.

Mr. SWANSON. Mr. President, if the Senator will permit me——

The VICE PRESIDENT. There is no doubt about it. The bill of the Senator from Pennsylvania was passed, and the Chair inquired about the resolution and waited.

Mr. FLETCHER. Mr. President, what resolution was pending?

The VICE PRESIDENT. The resolution instructing the conferees on the Agricultural appropriation bill to recede.

Mr. McCUMBER. Mr. President, I was here in the Chamber, and I confess as one that I heard nothing from the Chair about it. Perhaps it was because there was so much confusion.

The VICE PRESIDENT. Let the Reporter read it.

Mr. GRONNA. I move to reconsider the vote by which the resolution was agreed to.

The VICE PRESIDENT. The Reporter will read what occurred.

The Reporter read as follows:

After the "Mothers of Democracy" bill was passed the following occurred:

The VICE PRESIDENT. The question is on the resolution. [Putting the question.] The ayes seem to have it. The ayes have it, and the resolution is agreed to.

Mr. GRONNA. Mr. President, I do not doubt the statement of the Chair at all, but I am sure it was not generally understood; and I therefore move to reconsider the vote by which the resolution was agreed to.

The VICE PRESIDENT. The question is on the motion to reconsider the vote by which the resolution was agreed to.

The motion to reconsider was agreed to.

Mr. POMERENE obtained the floor.

Mr. PENROSE. Mr. President, I was going to suggest the absence of a quorum.

Mr. SWANSON. Mr. President, before that is done I should be glad if the Senator would yield for the passage of a bill which will take only a moment. The senior Senator from Minnesota [Mr. NELSON] is very much interested in a small bill with reference to the city of Faribault, Minn., in which the Government is authorized to sell to the city a small piece of land for an alley. It is very important to get the measure through; and, if there is no objection, I should like to make a report from the Committee on Public Buildings and Grounds on the bill. It has passed the House, and simply gives permission to deed enough land from the Government to make an alley connecting the streets.

Mr. PENROSE. I will renew my suggestion after the bill has been disposed of.

PUBLIC-BUILDING SITE, FARIBAULT, MINN.

The VICE PRESIDENT. The Senator from Virginia reports favorably from the Committee on Public Buildings and Grounds a bill which will be stated by the Secretary.

The SECRETARY. A bill (H. R. 3332) authorizing the Secretary of the Treasury to convey certain lands to the city of Faribault, Minn.

The VICE PRESIDENT. Is there any objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to sell to the city of Faribault, Minn., at a proper price and upon such terms as he may deem to be to the best interests of the United States, that portion of the Federal building site in said city described as follows: The west 16 feet of lots 1 and 2 of block 46, of the original town (now city) of Faribault, Minn., for public-alley purposes; to convey said land to said city by the usual quitclaim deed, and to deposit the proceeds of such sale in the Treasury of the United States as a miscellaneous receipt.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AGRICULTURAL APPROPRIATIONS—CONFERENCE REPORT.

The Senate resumed the consideration of S. Res. 268, instructing the conferees on House bill 9054, the Agricultural appropriation bill, to recede from the amendment of the Senate numbered 44.

Mr. PENROSE. I raise the point of no quorum, Mr. President.

The VICE PRESIDENT. The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Guion	Nelson	Shields
Beckham	Hale	New	Simmons
Borah	Henderson	Norris	Smith, Ariz.
Calder	Hitchcock	Nugent	Smoot
Chamberlain	Hollis	Overman	Sterling
Colt	Johnson, S. Dak.	Penrose	Sutherland
Cummins	Kellogg	Phelan	Swanson
Curtis	King	Pittman	Thomas
Dillingham	Knox	Poindexter	Thompson
Fernald	Lenroot	Pomerene	Trammell
Fletcher	Lewis	Ransdell	Wadsworth
France	Lodge	Reed	Walsh
Frelinghuysen	McCumber	Robinson	Warren
Gerry	McKellar	Shafroth	Watson
Gore	McNary	Sheppard	Wilfley
Gronna	Martin	Sherman	

Mr. THOMAS. I wish to announce that the Senator from Mississippi [Mr. VARDAMAN] is detained on official business.

Mr. CURTIS. I desire to announce the unavoidable absence of the junior Senator from Ohio [Mr. HARDING]. I will let this announcement stand for the day.

The VICE PRESIDENT. Sixty-three Senators have answered to the roll call. There is a quorum present.

Mr. POMERENE. Mr. President, I expect to speak very briefly to the question before the Senate, Shall the Senate recede from its position fixing the price of wheat at $2.50 per bushel?

I have been a good deal interested in the arguments upon this subject during the past day or two. Comparisons have been constantly made between the price of wheat and wheat flour, and corn and corn meal, and rye and rye flour; and it is argued that because the prices of corn and rye and corn meal and rye flour are unusually high, therefore wheat flour and wheat should be made higher.

I think we have been overlooking the fact that the price of wheat and wheat flour has been fixed by Government agencies. The prices of corn and rye and corn meal and rye flour have not been fixed; and because they have not been fixed they are now extraordinarily high, higher than anything in the condition of the markets justifies.

I come from a State that raises wheat. Last year, I believe, we raised about 41,000,000 bushels, if I remember correctly. We do not raise wheat in as large quantities as some of the other States, but my belief is that the statistics will show that we have as many farmers raising wheat in Ohio as in any other State in the Union. I do not know of any general demand for the raising of the price of wheat. I have had a few letters on that subject. I have had more letters from farmers opposing it.

When this subject was up for discussion in the Senate before I sought to get from the Agricultural Department some figures on the cost of production of wheat in the various States. I found they did not have them, because the cost of production varies so much in the different States, owing to climatic and soil conditions, that they find it next to impossible to secure the necessary data from which to figure the costs; but at the same time I called the Senate's attention to a report which had been made by the agricultural department of Purdue University in which they had collected the figures from 207 farms in Indiana, Ohio, and Michigan; and the department found that the average cost on 207 farms in those States last year was $1.20 per bushel. I am satisfied that was an outside figure, at least for last year; but if the cost has increased—and it has increased somewhat during the past year, I have no doubt—the Government has increased the price to $2.20 per bushel. Now, why? For the purpose of encouraging production.

When this legislation was first initiated to raise the price to $2.50, the winter wheat had already been put in the ground. It is true that the spring wheat was not sown in certain latitudes, but I have not seen the evidence yet to the effect that the spring wheat was sown because they had been promised $2.50 per bushel

for their product. If there was, in the earlier part of this year, any excuse for the raising of the price of wheat, it does not exist now.

We are not able to determine exactly what shall be the production of wheat of this country during the present harvest, but we have some figures which have been furnished to us by the Agricultural Department, and I assume they are the most reliable obtainable. During last year the total production of wheat was 650,820,000 bushels. The estimate on June 1 of this year of the production of winter wheat was 586,915,000 bushels and the estimate of spring wheat 343,987,000 bushels, making a total of 930,902,000 bushels. We were only expecting—or, rather, the Agricultural Department indicated that it would be satisfied if the country produced 750,000,000. We are promised, according to the best data we can secure, 930,902,000 bushels, and now it is aimed to raise the price of this wheat 30 cents per bushel. If that is done it means that by a vote of Congress, if the price is raised to $2.50 per bushel, we are adding to the first cost of the wheat of the country for the consumers $279,270,600; and I want to ask what justification there is now for the Congress of the United States to vote this bonus and thereby add that amount to the cost of the food to the consumers.

Mr. JOHNSON of South Dakota. Mr. President——

Mr. POMERENE. I yield to the Senator.

Mr. JOHNSON of South Dakota. I wish to ask the Senator if the amount of wheat we are going to have may not be less than the estimate of the Agricultural Department?

Mr. POMERENE. That is true.

Mr. JOHNSON of South Dakota. Everyone who is familiar with estimates along those lines knows that they are not at all accurate, or anywhere near it.

Mr. POMERENE. Mr. President, of course it is not an accurate estimate, but during the year 1915 the estimate for that year was, as I recall it, something like 950,000,000 bushels, and the total production for that year was 1,035,000,000 bushels.

Mr. REED. Mr. President——

Mr. POMERENE. I yield to the Senator.

Mr. REED. The Senator asked whether there was any evidence that the acreage of wheat had been affected by the price. Of course, no one can by any possibility trace the connection; but does not the Senator think that the prospect of a better price had something to do with the increased acreage?

Mr. POMERENE. Of course we can speculate on that subject. I assume that it had some influence.

Mr. REED. Now, I want to ask the Senator another question.

Mr. POMERENE. Just one moment. Let me say in advance that the Agricultural Department and everybody else interested in the production of food has been carrying on a propaganda for months and months urging the sowing of increased acreage of winter wheat and increased acreage of spring wheat, and it was during this time, it is true, that some Senators conceived the idea that we would advance the price over and above that which had been fixed by the President. It is probably true that it may have had some influence with some farmers, but I do not believe that it was very material.

Mr. REED. Now, let me ask further——

Mr. POMERENE. Let me finish this first. I want to get these figures in, if I may.

In 1917 there were 18,511,000 acres of spring wheat sown, and in 1918 the Agricultural Department reports that there were 22,489,000 acres sown.

Mr. REED. Now, will the Senator allow me?

Mr. POMERENE. Yes.

Mr. REED. Of course, this bill fixing the price of wheat at $2.50 never became a law, but it did pass the Senate. It did go to the country as the action of the Senate, and it went to the country as the action of the Senate by a very overwhelming vote.

Now, does the Senator really think that that had an influence and was one of the causes increasing the acreage from eighteen million five hundred thousand to twenty-two million and substantially five hundred thousand?

Mr. POMERENE. The Senator can speculate quite as well as I can on that subject. Neither he nor I can make any exact statement with regard to it. It may have had some influence on some minds, but I submit the mere fact that a bill may have been presented to either House of Congress or may have been passed by one branch of Congress is no reason why the wheat raisers should come here at this time and say, "We depended upon $2.50 wheat, otherwise we would not have sown that amount."

Mr. REED. But does the Senator think it is just fair to these farmers to say, "You have sown your wheat; you can not increase your crop now, and therefore we will kill the legislation"?

Mr. POMERENE. I have answered that question, I think, in substance at least.

Mr. REED. Very well; I do not care to press it further.

Mr. POMERENE. I want to say, on the other hand, I know the farmers are prosperous, and I want them to continue to be prosperous. There is no man here talking in behalf of $2.50 a bushel wheat who is more interested in the farmers than I am, but at the same time, with the price of food going skyward, I think also of the million and a half men or the two million men who are going to the front and of their families at home and of the working classes everywhere who will be forced to pay this increased cost.

Much time has been spent during the day calling attention to the abnormal profits in other lines of industry, and I indorse what has been said on that subject. It has been wrong, absolutely wrong, but are we going to right that wrong by committing another? Is it fair to the public to say that because there are enormous profits along certain lines of industry therefore we are going to have them in other lines of industry?

Mr. President, it seems to me that we have been derelict in this, that at the time we fixed the price of wheat and of wheat flour, or conferred the authority to fix it, we should at the same time have conferred the authority to fix the price of competing food products. Then there would not have been this great difference between the market prices as they now exist.

Mr. REED. I wish to ask the Senator a question, if he will permit me. Where is the law that gave the authority to fix the price of wheat?

Mr. POMERENE. It is in the food act, but I am not going to take the time to discuss it. Suffice it to say that it has been exercised.

Now, let me call the Senator's attention to this fact: We can criticize the food department as much as we wish, but the unalterable fact remains that before the price of flour was fixed flour here in the city of Washington was retailing at $18 a barrel. In looking at a market report in the Journal of Commerce and Commercial Bulletin of June 29, 1918, I find that flour was then selling—spring-wheat flour—at $10.75 to $11.20; Kansas white flour, in sacks, at $10.90 to $11.20; winter-wheat flour at $10.85 to $11.10. If we are to charge all of the shortcomings that we find in food administration to Mr. Hoover, we ought to give him credit at least for some of the good things he has done.

Mr. McCUMBER. Mr. President——

Mr. POMERENE. I yield to the Senator.

Mr. McCUMBER. The Senator spoke of the increase to $2.50 a bushel being 30 cents more a bushel than the present figure as being an imposition upon the public. Bearing in mind that the statistics show that each person consumes one barrel of flour a year, that would make a difference of 90 cents a year for each individual, or 7 cents a month, or 2 mills a day. Under the extraordinary high earning power at the present time, the Senator thinks that would be a very great imposition?

Mr. POMERENE. Mr. President, it takes from 4½ to 5 bushels of wheat to make a barrel of flour. The first cost would add about $1.50 per barrel to the flour. That is what it means. I recognize the fact that when somebody wants increased prices he says it does not amount to anything; but it is all these little things that make up the big prices.

Mr. GORE. Mr. President——

Mr. POMERENE. Pardon me just a minute. I join in what the Senator says with regard to the injustice of many of these high prices, but that has not disturbed me on this question in the least. If prices on some commodities are too high, let us lower them. It is not sound policy to say because some prices are too high therefore others shall also be made too high. I think we should extend the price-fixing powers of the Government. That was my position before, and it is my position now. We will be more nearly working out reasonable justice if we do that than to leave the ultimate consumer to suffer on all sides and from all branches of industry. I yield to the Senator from Oklahoma.

Mr. GORE. The Senator states that flour is now selling under the benign rule of Mr. Hoover at $10 to $11 a barrel. The Senator is well aware, of course, that a great many laboring men are making $10, $11, and $12 a day, and that they make enough in a day to buy a barrel of flour. The average laboring man has a family, say, of five. The average consumption of flour is one barrel per capita. If the pending amendment would increase the price of flour $1.50 a barrel, that would be $7.50 additional to the average laboring man in Cleveland and Cincinnati. The question is, Who is better entitled to that $7.50, the laboring man who is receiving extraordinary, generous wages, or the farmer who actually produces

the wheat and is entitled to his price, and would have received the price but for the intervention of his Government?

Mr. POMERENE. I have heard that question before.

Mr. GORE. I think it has not been answered.

Mr. POMERENE. I have answered it before. I do not think it needs any answer. When the Senator speaks of laboring men earning $10 and $11 a day, that is true in some instances. There is a mighty small percentage of them who are earning $10 and $11 a day. There are a good many washerwomen and scrub women who are not earning $10 or $11 a day. There are a good many men engaged in common labor who are not earning it. There are a good many poor people—men and women and young children dependent upon their own efforts—who are not earning it. Of course we can make an excuse to raise the prices in these matters.

Some reference was made here the other day to the price of meat and to the price of corn, and it was said there was not anything in the production of meat at the high prices named. We know that, generally speaking, hogs and cattle are produced on farms and the corn is raised by the farmer, and whether he gets the profits out of his corn or out of his hogs, or both, what difference does it make? No; we ought to be fair in presenting subjects of this character.

I do not care now to discuss this matter at further length. I am convinced that $2.50 wheat will be a very great injustice to the general public. I know that in my own State the farmers generally are not asking for it.

Mr. GORE. I ask for the yeas and nays on the adoption of the resolution.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CURTIS. I should like to know what the vote is on.

The VICE PRESIDENT. On the resolution instructing the conferees.

Mr. PENROSE. I should like to have the question that is being voted on stated to the Senate.

The VICE PRESIDENT. That is in plain violation of the rule when the roll call has begun. Under the rule there is nothing that can take place except calling the roll.

Mr. PENROSE. I ask unanimous consent that the resolution may be read. I have just entered the Chamber.

The VICE PRESIDENT. The Secretary will read the resolution submitted by the Senator from Virginia [Mr. MARTIN].

The Secretary read as follows:

Resolved, That the managers on the part of the Senate at the conference on the bill (H. R. 9054), entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1919," be, and they are hereby, instructed to recede from the amendment of the Senate numbered 44.

Mr. PENROSE. Then all Senators who want $2.50 a bushel wheat will vote against the resolution?

The VICE PRESIDENT. They will vote against it. They will vote "nay." The roll call will be proceeded with.

The Secretary resumed the calling of the roll.

Mr. JONES of Washington (when Mr. TOWNSEND's name was called). The junior Senator from Michigan [Mr. TOWNSEND] is necessarily absent on account of illness in his family. I will allow this statement to stand for the remainder of the day.

Mr. UNDERWOOD (when his name was called). I transfer my pair with the junior Senator from Ohio [Mr. HARDING] to the junior Senator from Arkansas [Mr. KIRBY] and vote "yea."

Mr. VARDAMAN (when his name was called). I have a pair with the senior Senator from New Jersey [Mr. FRELINGHUYSEN]. In his absence I withhold my vote. If at liberty to vote, I should vote "yea."

Mr. WATSON (when his name was called). I have a general pair with the junior Senator from Delaware [Mr. WOLCOTT]. In his absence I transfer that pair to the junior Senator from New Jersey [Mr. BAIRD] and vote "nay."

The roll call was concluded.

Mr. LEWIS. I rise to announce the absence of the senior Senator from South Carolina [Mr. TILLMAN] and the Senator from Kentucky [Mr. JAMES], occasioned by personal illness.

Mr. MYERS. I transfer my pair with the Senator from Connecticut [Mr. MCLEAN] to the Senator from Oklahoma [Mr. OWEN] and vote "nay."

Mr. REED (after having voted in the negative). I voted but neglected to announce that, while I am paired with the Senator from Michigan [Mr. SMITH], I have been shown a telegram from him, and in that telegram the statement is made that he would also vote "nay" if present. Therefore I feel at liberty to vote and shall allow my vote to stand.

Mr. STERLING (after having voted in the negative). I have voted, not knowing of the absence of my pair, the Senator from South Carolina [Mr. SMITH]. I transfer that pair to the Senator from Michigan [Mr. TOWNSEND] and will allow my vote to stand.

Mr. LODGE (after having voted in the negative). I have a general pair with the Senator from Georgia [Mr. SMITH]. Not seeing him in the Chamber I transfer my pair to the Senator from Wisconsin [Mr. LA FOLLETTE] and will let my vote stand.

Mr. COLT. I have a pair with the Senator from Delaware [Mr. SAULSBURY]. In his absence I withhold my vote.

Mr. PENROSE (after having voted in the negative). I observe that the senior Senator from Mississippi [Mr. WILLIAMS] has not voted. I am paired with that Senator. I transfer the pair to the senior Senator from Connecticut [Mr. BRANDEGEE] and will let my vote stand.

Mr. CURTIS (after having voted in the negative). I transfer my pair with the junior Senator from Georgia [Mr. HARDWICK] to the junior Senator from Vermont [Mr. PAGE] and will let my vote stand.

Mr. GRONNA. I am requested to announce that the senior Senator from Wisconsin [Mr. LA FOLLETTE] is absent due to illness in his family. If present, he would vote "nay."

Mr. CURTIS. I have been requested to anounce the following pairs:

The Senator from West Virginia [Mr. GOFF] with the Senator from South Carolina [Mr. TILLMAN]; and

The Senator from Kentucky [Mr. JAMES] with the Senator from Massachusetts [Mr. WEEKS].

The result was announced—yeas 19, nays 46, as follows:

YEAS—19.

Ashurst	King	Robinson	Swanson
Beckham	McKellar	Sheppard	Thomas
Fletcher	Martin	Smith, Ariz.	Trammell
Gerry	Pittman	Smith, Md.	Underwood
Hale	Pomerene	Sutherland	

NAYS—46.

Bankhead	Henderson	McNary	Shafroth
Borah	Hitchcock	Myers	Sherman
Calder	Hollis	Nelson	Simmons
Chamberlain	Johnson, Cal.	New	Smoot
Cummins	Johnson, S. Dak.	Norris	Sterling
Curtis	Jones, Wash.	Nugent	Thompson
Dillingham	Kellogg	Overman	Wadsworth
Fall	Knox	Penrose	Walsh
France	Lenroot	Phelan	Watson
Gore	Lewis	Poindexter	Wilfley
Gronna	Lodge	Ransdell	
Guion	McCumber	Reed	

NOT VOTING—31.

Baird	Harding	McLean	Tillman
Brandegee	Hardwick	Owen	Townsend
Colt	James	Page	Vardaman
Culberson	Jones, N. Mex.	Saulsbury	Warren
Fernald	Kendrick	Shields	Weeks
Frelinghuysen	Kenyon	Smith, Ga.	Williams
Gallinger	Kirby	Smith, Mich.	Wolcott
Goff	La Follette	Smith, S. C.	

So Mr. MARTIN's resolution was rejected.

Mr. SHIELDS subsequently said: Mr. President, a few moments ago, when the vote was taken on the resolution of the Senator from Virginia [Mr. MARTIN] to instruct the conferees on the part of the Senate on the Agricultural appropriation bill to recede from Senate amendment No. 44, I was called from the Chamber by a constituent and did not cast my vote. I wish now to state that if I had been present, I would have voted "nay," and had so stated to the Senator from Virginia during the afternoon.

EXCLUSION AND EXPULSION OF ANARCHISTIC AND SIMILAR ALIENS.

Mr. GORE. Mr. President, in the absence of the junior Senator from Georgia [Mr. HARDWICK], the chairman of the Committee on Immigation, I am requested to report from the Committee on Immigration without amendment a bill which I send to the desk. I ask unanimous consent for the present consideration of the bill. I think when the bill is read by title there will be no objection to it.

The VICE PRESIDENT. The Secretary will report the bill by title.

The SECRETARY. A bill (H. R. 12402) to exclude and expel from the United States aliens who are members of the anarchistic and similar classes.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. PENROSE. Let the bill be read, Mr. President.

Mr. HOLLIS. I should like to hear the bill read.

Mr. ASHURST. Let it be read.

The VICE PRESIDENT. The bill will be read.

The Secretary read the bill, as follows:

Be it enacted, etc., That aliens who are anarchists; aliens who believe in or advocate the overthrow by force or violence of the Government of the United States or of all forms of law; aliens who disbelieve

in or are opposed to all organized government; aliens who advocate or teach the assassination of public officials; aliens who advocate or teach the unlawful destruction of property; aliens who are members of or affiliated with any organization that entertains a belief in, teaches, or advocates the overthrow by force or violence of the Government of the United States or of all forms of law, or that entertains or teaches disbelief in or opposition to all organized government, or that advocates the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or of officers generally, of the Government of the United States or of any other organized Government, because of his or their official character, or that advocates or teaches the unlawful destruction of property shall be excluded from admission into the United States.

SEC. 2. That any alien who, at any time after entering the United States, is found to have been at the time of entry, or to have become thereafter, a member of any one of the classes of aliens enumerated in section 1 of this act, shall, upon the warrant of the Secretary of Labor, be taken into custody and deported in the manner provided in the immigration act of February 5, 1917. The provisions of this section shall be applicable to the classes of aliens mentioned in this act irrespective of the time of their entry into the United States.

SEC. 3. That any alien who shall, after he has been excluded and deported or arrested and deported in pursuance of the provisions of this act, thereafter return to or enter the United States or attempt to return to or to enter the United States shall be deemed guilty of a felony, and upon conviction thereof shall be punished by imprisonment for a term of not more than five years; and shall, upon the termination of such imprisonment, be taken into custody, upon the warrant of the Secretary of Labor, and deported in the manner provided in the immigration act of February 5, 1917.

Mr. BORAH. Do I understand the Senator from Oklahoma has asked for the immediate consideration of the bill?

Mr. GORE. Yes, sir.

Mr. BORAH. Mr. President, the principle upon which the bill is founded is a correct principle, but I should dislike very much to vote for the bill offhand, without knowing its details; that is, as to how it is going to be determined as to whether or not a man is guilty of the offenses described in the bill or whether or not he entertains the views which he is to be charged thereunder with holding. Without a little more consideration than we can give it in this way, I should feel I was voting blindly.

Mr. GORE. If there be any objection to the bill, I shall not insist on its consideration to-night.

Mr. BORAH. Who is going to determine whether or not a man is an anarchist under the provisions of this bill? Are you going to leave that to the department?

Mr. PENROSE. That is to be left to the Secretary of Labor.

Mr. GORE. It is left to the Secretary of Labor.

Mr. BORAH. Are you going to leave it to an ex parte hearing by the Department of Immigration or of Labor?

Mr. GORE. I will say that I have a letter from the department touching the bill, which explains it.

Mr. BORAH. It is not the principle of the bill to which I am objecting, but I want, before a man is exiled from this country, that he shall be accorded a hearing in accordance with our system of government. Before it is determined that he shall be exiled, if he is guilty of the things which are condemned in the bill, I want him to have an open hearing before a judicial body. I do not want any ex parte determination of such a question. Even an anarchist is entitled to a trial in the orderly way provided by American jurisprudence before he is to be condemned and driven into exile. This system of ex parte, bureaucratic hearing is the way to make anarchists. So I ask time to look into the bill.

Mr. PENROSE. Mr. President, I do not see how the alien is to be deported; I do not quite understand how the immigration laws can be applied. An immigrant may be stopped at the port of entry; but after a man has been here four or five years, how is he to be deported and where is he to go? If he comes from Germany we can not send him back to Germany, because he can not get in there or into Austria, and we should have considerable difficulty even in landing an alien in Russia; the landing party might be captured perhaps. and so get into trouble. It would not be a popular service. I think the bill contains a good principle, but certainly it ought to be thought out a little more in detail.

Mr. GORE. I shall not insist on the consideration of the bill to-night, in view of the objections which have been made.

The VICE PRESIDENT. The bill will go to the calendar.

Mr. GORE. I ask to have printed in the RECORD the letter from the department to which I referred a moment ago.

The VICE PRESIDENT. Without objection, it is so ordered.

The letter referred to is as follows:

DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, July 1, 1918.

Hon. THOMAS W. HARDWICK,
Chairman Committee on Immigration, United States Senate,
Washington, D. C.

MY DEAR SENATOR: The bill H. R. 12309, introduced in the House by Representative BURNETT at the request of this department, entitled "A bill to exclude and expel from the United States aliens who are members of the anarchistic and similar classes," has been passed by the House without a dissenting vote. You will recall that, at the request of this department, you introduced in the Senate a similar bill; also that your committee, at a meeting attended by certain representatives of this department and at which Representative BURNETT explained to the committee the purposes of the bill, concluded to report it favorably to the Senate as soon as possible after its passage by the House provided a slight amendment was made in the wording before it passed the House, at least, this is the department's understanding of the matter. The amendment which you suggested was incorporated on the floor of the House and another amendment was made, the purpose of the latter, however, being merely to improve the grammatical construction of one of the clauses.

There are now pending before this department a large number of cases of aliens who fall within the provisions of the bill and with respect to the possibility of deporting whom under the terms of the existing law there is considerable doubt. The matter is regarded as one of great importance, and the department trusts that it may be possible for the bill to be enacted into law before Congress takes a recess.

Very truly, yours,

JOHN W. ABERCROMBIE,
Acting Secretary.

ASSESSMENT WORK ON MINING CLAIMS.

Mr. HITCHCOCK. Mr. President, I think it necessary to have an executive session.

Mr. HENDERSON. Mr. President, will the Senator yield to me?

Mr. HITCHCOCK. I yield to the Senator for any matter which may be disposed of briefly.

Mr. HENDERSON. I think it will be very brief. I ask unanimous consent for the present consideration of Senate joint resolution 156, being Calendar No. 473. I think it will take but a few minutes.

The VICE PRESIDENT. The Senator from Nevada asks unanimous consent for the present consideration of a joint resolution, the title of which will be stated.

The SECRETARY. A joint resolution (S. J. Res. 156) to suspend the requirements of annual assessment work on mining claims during the years 1919 and 1920.

Mr. SMOOT. I will ask that the Secretary read the joint resolution.

The Secretary read the joint resolution.

Mr. SMOOT. I wish to ask the Senator from Nevada if this is similar in all respects to the joint resolution suspending the annual assessment work on mining claims during the years 1917 and 1918?

Mr. HENDERSON. I will state, for the Senator's benefit, that it is; the only difference being that the years 1917 and 1918 have been changed so as to read "for the continuation of the war."

Mr. SMOOT. As I read it hastily, I thought that it was exactly the same, of course with the date changed as indicated.

Mr. HENDERSON. It is just the same.

Mr. SMOOT. That being the case, I think the joint resolution ought to pass.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution (S. J. Res. 156) to suspend the requirements of annual assessment work on mining claims during the years 1919 and 1920, which had been reported from the Committee on Mines and Mining with amendments, on page 1, line 8, after the words "during the," to strike out "years 1919 and 1920" and to insert "continuation of the war in which the United States is now engaged, and until December 31 of the year following that in which the war is concluded"; and on page 2, line 4, after the words "December 31," to strike out "of each of the years 1919 and 1920" and to insert "of each year," so as to make the joint resolution read:

Resolved, etc., That the provision of section 2324 of the Revised Statutes of the United States which requires on each mining claim located, and until a patent has been issued therefor, not less than $100 worth of labor to be performed or improvements to be made during each year, be, and the same is hereby, suspended during the continuation of the war in which the United States is now engaged, and until December 31 of the year following that in which the war is concluded: *Provided,* That every claimant of any such mining claim in order to obtain the benefits of this resolution shall file or cause to be filed in the office where the location notice or certificate is recorded on or before December 31 of each year a notice of his desire to hold said mining claim under this resolution: *Provided further,* That this resolution shall not apply to oil placer locations or claims.

This resolution shall not be deemed to amend or repeal the public resolutions entitled "Joint resolution to relieve the owners of mining claims who have been mustered into the military or naval service of the United States as officers or enlisted men from performing assessment work during the term of such service," approved July 17, 1917, and "Joint resolution to suspend the requirements of annual assessment work on mining claims during the years 1917 and 1918," approved October 5, 1917.

The amendments were agreed to.

The joint resolution was reported to the Senate as amended, and the amendments were concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A joint resolution to suspend the requirements of annual assessment work on mining claims during the continuation of the war in which the United States is now engaged, and until midnight of December 31 of the year following that in which such war is concluded."

PROPOSED SUSPENSION OF THE RULES—GENERAL DEFICIENCY BILL.

Mr. POMERENE. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Ohio?

Mr. HITCHCOCK. I yield.

Mr. POMERENE. I desire to offer a notice of a motion to suspend the rules in connection with the general deficiency appropriation bill. I do not ask that it be read but that it be incorporated in the RECORD, if that be necessary.

The VICE PRESIDENT. Without objection, it is so ordered.

The notice referred to is as follows:

"I hereby give notice, in writing, that during the consideration of the general deficiency bill I will move to suspend paragraph 3 of Rule XVI of the standing rules of the Senate so as to permit the offering to said bill of the following amendment:

"'That the Secretary of the Treasury is hereby authorized and directed to determine whether any contracts entered into prior to June 30, 1917, for the erection of public buildings under the supervision of the Treasury Department have become inequitable and unjust on account of increased costs of labor and materials and other unforeseen conditions arising out of the entrance of the United States into the war with Germany, and in his discretion and with the consent of the contractors to modify and readjust the terms and conditions of said contracts in such manner as he may deem equitable and just to the contractor and the subcontractor, and any sum which may be necessary to provide for the increased cost of any such contracts due to any such modifications and readjustments not exceeding the sum of $500,000, in addition to existing appropriations, which are hereby made available, is hereby appropriated, out of the moneys in the Treasury not otherwise appropriated; and any penalties or forfeitures incurred by any such contractor due to conditions resulting from the war may be waived by the Secretary of the Treasury.'

"ATLEE POMERENE."

INVESTIGATION OF LIGNITE COAL.

Mr. HENDERSON. Mr. President, will the Senator from Nebraska yield to me for a moment?

Mr. HITCHCOCK. I yield.

Mr. HENDERSON. I ask unanimous consent for the immediate consideration of Senate bill 3220, being Calendar No. 474.

Mr. PENROSE. Let the bill be read for information.

The Secretary read the bill (S. 3220) authorizing the Secretary of the Interior to make investigations, through the Bureau of Mines, of lignite coals, to determine the practicability of their utilization as a fuel and in producing commercial products, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to make experiments and investigations, through the Bureau of Mines, of lignite coals, to determine the commercial and economic practicability of their utilization in producing fuel oil, gasoline substitutes, ammonia, tar, solid fuels, gas for power and other purposes; and there is hereby appropriated, out of the funds in the Treasury not otherwise appropriated, the sum of $100,000, or so much thereof as may be needed, to conduct such experiments and investigations, including personal services in the District of Columbia and elsewhere, and including supplies, equipment, expenses of traveling and subsistence, and for every other expense incident to this work.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. FLETCHER. I desire to offer an amendment, which has the approval of the department and, I believe, of all the members of the committee. In line 5, after the word "coals," I move to insert the words "and peat." Peat is an important article, which comes under the same head as lignite coal, and is found in numerous States.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 1, line 5, after the word "coals," it is proposed to insert the words "and peat."

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. FLETCHER. After the bill is passed, I shall move to amend the title so as to insert after the word "coals" the words "and peat."

The VICE PRESIDENT. If there be no further amendment the bill will be reported to the Senate.

Mr. FLETCHER. I think the appropriation ought to be increased from $100,000 to $150,000, and I move that amendment.

The VICE PRESIDENT. The Senator from Florida offers an amendment, which will be stated by the Secretary.

The SECRETARY. On page 1, line 10, it is proposed to strike out "$100,000" and insert "$150,000."

Mr. SMOOT. Mr. President, I think amendments of this sort ought at least to have been presented to the committee.

Mr. FLETCHER. The committee understands them, and the committee is quite in accord with every one of the amendments I am offering.

Mr. KING. Mr. President, is it too late to object to the present consideration of this bill?

The VICE PRESIDENT. Unanimous consent has been given. The Senator can talk it to death.

Mr. KING. I hope the Senator will not press it, because, if he does, I shall be compelled to object. I am opposed to the bill, and I want to discuss it a little.

Mr. GRONNA Mr. President, I want to say to the Senator from Utah that this is a bill which has been drawn and sent here by the Interior Department. It has the recommendation not only of the Bureau of Mines, but of Secretary Lane. Hearings have been held on this same bill in the House, and it has been favorably reported from the House committee.

I have no objection, of course, to the amendment proposed by the Senator from Florida. The peat industry is, I understand, a very important one; but there is no bill before this body that is of any more importance, not only to my State but to the entire West, including Canada, than this very bill, so far as it relates to lignite coal. If it were not so late in the afternoon, I know that by simply reading the hearings and the statements made by Secretary Lane and Director Manning and Mr. Darling, of the Bureau of Mines, I could satisfy the Senator from Utah so that he would not object to its consideration.

Mr. KING. Mr. President, if the Senator will pardon me, I know that many of these bureaus and departments are very anxious to extend the field of their activities; and they find many reasons, some of which are very sophistical, to justify their entrance into activities that do not belong to the Government.

Mr. GRONNA. This bill is in the interest of economy, and I am sure that the Senator will not object to it after he goes into the subject fully.

Mr. KING. Then will the Senator from North Dakota consent to its postponement until to-morrow morning, if he is so sure that after further investigation I will not dissent?

Mr. GRONNA. I will say to the Senator that after he has read the report—and I will give him a copy of the hearings in the House—if he has any objection, I shall be very glad to move to reconsider action upon it; but we are anxious to have the bill sent to the House as soon as possible. The department is anxious to have the bill become a law before the recess. I will say to the Senator, and I know the committee will bear me out in that statement, that the committee unanimously voted in favor of it.

Mr. KING. I can only say, Mr. President, that schemes of this kind do not commend themselves to me at all. I do not believe in governmental experimentation. Private individuals can experiment with these things, if there is any profit in them, and do it with far greater success.

Mr. THOMAS. Mr. President, if the Senator will permit me to interrupt him, I think that lignite coals have been the subject of experiment for a hundred years.

Mr. KING. Surely.

Mr. THOMAS. And why the Government should spend $100,000 or any other sum of money for experimenting upon a well-known fuel, which has been used as a fuel ever since coal has been used at all, passes my comprehension.

Of course the Senator says that he has listened to hearings upon the subject, and is convinced that the passage of the bill is of great importance. A few days ago I was talking with a coal man who told me of recent experiments that he had made in pulverizing lignite, and stated that by mixing it with oil he had produced a most wonderful fuel. In the State which I in part represent here, lignite coals have been commercially produced and consumed for the last 50 years; and I think we might just as well expend money in ascertaining the fuel value of anthracite coal, or of bituminous or semibituminous coal, or of old-fashioned hickory wood, as to expend $100,000 in further experimentation upon lignite coal.

In the Senator's State there are vast quantities of this coal. The experiments that have been made by private enterprise, particularly the last one of which I speak, demonstrate the value of that fuel. Now, why should we expend $100,000 for this purpose? And, Mr. President, it will only be the commencement of appropriations for experiments upon lignite coal and other coals, once we begin making appropriations for it.

Mr. KING. Mr. President, I shall object to the present consideration of the bill.

EXECUTIVE SESSION.

Mr. HITCHCOCK. Mr. President, I move that the Senate proceed to the consideration of executive business.

Mr. GRONNA. Mr. President, a parliamentary inquiry.

Mr. FLETCHER. The consideration of the bill was begun, Mr. President.

The VICE PRESIDENT. Unanimous consent was given to consider the bill. The Senator from Nebraska moves that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened, and (at 5 o'clock and 55 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, July 2, 1918, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate July 1 (legislative day of June 27), 1918.

CHIEF INSPECTOR OF LOCOMOTIVE BOILERS.

Alonzo G. Pack, of Colorado, now assistant chief inspector of locomotive boilers, to be chief inspector of locomotive boilers, vice Frank McManamy, resigned.

CONSULS GENERAL.

CLASS 2.

Albert Halstead, of Ohio, now a consul general of class 3, to be a consul general of class 2 of the United States of America.

CLASS 3.

Charles C. Eberhardt, of Kansas, now a consul general at large, to be a consul general of class 3 of the United States of America.

CLASS 4.

David F. Wilber, of New York, now a consul general of class 5, to be a consul general of class 4 of the United States of America.

CONSULS.

CLASS 3.

Arthur Garrels, of Missouri, now a consul of class 4, to be a consul of class 3 of the United States of America.

CLASS 4.

William P. Kent, of Virginia, now a consul of class 5, to be a consul of class 4 of the United States of America.

Robert Brent Mosher, of the District of Columbia, now a consul of class 5, to be a consul of class 4 of the United States of America.

CLASS 5.

William Dawson, of Minnesota, now a consul of class 6, to be a consul of class 5 of the United States of America.

Maxwell K. Moorhead, of Pennsylvania, now a consul of class 6, to be a consul of class 5 of the United States of America.

CLASS 6.

Leslie A. Davis, of New York, now a consul of class 7, to be a consul of class 6 of the United States of America.

George M. Hanson, of Utah, now a consul of class 7, to be a consul of class 6 of the United States of America.

CLASS 7.

Eugene L. Belisle, of Massachusetts, now a consul of class 8, to be a consul of class 7 of the United States of America.

George C. Hanson, of Connecticut, now a consul of class 8, to be a consul of class 7 of the United States of America.

CLASS 8.

Bartley F. Yost, of Kansas, now a consular assistant, to be a consul of class 8 of the United States of America.

DISTRICT JUDGE.

Louis Fitz Henry, of Bloomington, Ill., to be United States district judge, southern district of Illinois, vice J. Otis Humphrey, deceased.

JUDGE OF POLICE COURT, DISTRICT OF COLUMBIA.

John P. McMahon, of the District of Columbia, now serving as judge of the municipal court, District of Columbia, to be judge of the police court, District of Columbia, vice Alexander R. Mullowny, whose term has expired.

JUDGE OF MUNICIPAL COURT, DISTRICT OF COLUMBIA.

George C. Aukam, of the District of Columbia, now serving as judge of the juvenile court, District of Columbia, to be judge of the municipal court, District of Columbia, vice John P. McMahon, nominated to be judge of the police court, District of Columbia.

JUDGE OF THE JUVENILE COURT, DISTRICT OF COLUMBIA.

Miss Kathryn Sellers, of the District of Columbia, to be judge of the juvenile court, District of Columbia, vice George C. Aukam, nominated to be judge of the municipal court, District of Columbia.

DISTRICT ATTORNEYS.

Harry B. Tedrow, of Denver, Colo., to be United States attorney, district of Colorado. A reappointment, his term having expired June 26, 1918.

Fred H. Brown, of Concord, N. H., to be United States attorney, district of New Hampshire. A reappointment, his term having expired June 30, 1918.

Clarence Merritt, of Paris, Tex., to be United States attorney, eastern district of Texas. A reappointment, his term having expired June 16, 1918.

James G. Burnside, of Vandalia, Ill., to be United States attorney, eastern district of Illinois, vice Charles A. Karch, whose term has expired.

UNITED STATES MARSHALS.

McDuffie Cain, of Montgomery, Ala., to be United States marshal, middle district of Alabama. A reappointment, his term having expired June 8, 1918.

James B. Holohan, of San Francisco, Cal., to be United States marshal, northern district of California. A reappointment, his term having expired March 2, 1918.

Vincent Y. Dallman, of Springfield, Ill., to be United States marshal, southern district of Illinois. A reappointment, his term having expired June 8, 1918.

E. R. Moore, of Dubuque, Iowa, to be United States marshal, northern district of Iowa. A reappointment, his term having expired June 19, 1918.

Otho T. Wood, of Topeka, Kans., to be United States marshal, district of Kansas. A reappointment, his term having expired June 25, 1918.

Charles J. O'Neill, of Concord, N. H., to be United States marshal, district of New Hampshire. A reappointment, his term having expired June 30, 1918.

APPOINTMENTS IN THE NATIONAL ARMY.

GENERAL OFFICERS.

To be major generals with rank from June 26, 1918.

Brig. Gen. Mason M. Patrick.
Brig. Gen. Peter E. Traub.
Brig. Gen. Edward M. Lewis.
Brig. Gen. William S. Graves.
Brig. Gen. William J. Snow.
Brig. Gen. James G. Harbord.
Brig. Gen. William R. Smith.
Brig. Gen. Charles P. Summerall.

To be brigadier generals with ranks from June 26, 1918.

Col. Charles C. Walcutt, jr.
Col. Lucius L. Durfee.
Col. Charles A. Hedekin.
Col. Edward R. Chrisman.
Col. James J. Hornbrook.
Col. Jay J. Morrow.
Col. Edwin B. Winans.
Col. Harry A. Smith.
Col. George C. Saffarrans.
Col. William P. Jackson.
Col. John J. Bradley.
Col. Hanson E. Ely.
Col. Samuel D. Rockenbach.
Col. Howard R. Hickok.
Col. Charles W. Kutz.
Col. Meriwether L. Walker.
Col. William M. Cruikshank.
Col. Francis LeJ. Parker.
Col. Otho B. Rosenbaum.
Col. George H. Shelton.
Col. Merch B. Stewart.
Col. Edward L. King.
Col. William D. Connor.
Col. Albert J. Bowley.
Col. Harry G. Bishop.
Col. Andrew Moses.
Col. John E. Stephens.
Col. Malin Craig.
Col. Robert C. Davis.

Col. Oliver L. Spaulding, jr.
Col. Alfred W. Bjornstad.
Col. Henry J. Hatch.
Col. Ewing E. Booth.
Col. George V. H. Moseley.
Col. Wilson B. Burtt.
Col. Richard C. Marshall, jr.
Col. Douglas MacArthur.
Col. Harold B. Fiske.
Col. John N. Hodges.
Col. John H. Sherburne, National Guard.
Col. Cornelius Vanderbilt, National Guard.

QUARTERMASTER CORPS.

Col. Herbert M. Lord to be brigadier general with rank from June 26, 1918.

MEDICAL CORPS.

Col. Jefferson R. Kean to be brigadier general with rank from June 26, 1918.

PROMOTIONS IN THE ARMY.

CAVALRY ARM.

To be colonels.

Lieut. Col. Frank M. Caldwell, Cavalry (Inspector General's Department), with rank from October 10, 1917.
Lieut. Col. James J. Hornbrook, Cavalry, with rank from October 10, 1917.
Lieut. Col. William F. Clark, Cavalry (Quartermaster Corps), with rank from January 27, 1918.
Lieut. Col. Samuel G. Jones, Cavalry, with rank from January 27, 1918.

COAST ARTILLERY CORPS.

To be colonels.

Lieut. Col. Louis R. Burgess, Coast Artillery Corps, with rank from May 27, 1918.
Lieut. Col. James A. Shipton, Coast Artillery Corps, with rank from May 29, 1918.

To be lieutenant colonel.

Maj. Malcolm Young, Coast Artillery Corps, with rank from May 27, 1918.

To be major.

Capt. Francis H. Lincoln, Coast Artillery Corps, with rank from May 27, 1918.

INFANTRY.

To be colonels.

Lieut. Col. Robert C. Williams, additional officer, from October 9, 1917.
Lieut. Col. William O. Johnson, from October 9, 1917.
Lieut. Col. James R. Lindsay, from January 29, 1918.
Lieut. Col. Fred W. Sladen (General Staff), from February 2, 1918.
Lieut. Col. Harry H. Bandholtz (detached officers' list), from February 2, 1918.
Lieut. Col. Henry T. Ferguson, from February 9, 1918.
Lieut. Col. Henry G. Learnard (Adjutant General's Department), from April 2, 1918.
Lieut. Col. Peter Murray (subject to examination required by law), from April 2, 1918.

To be lieutenant colonels.

Maj. Frank S. Cocheu, from August 28, 1917.
Maj. Ora E. Hunt (detached officers' list), from September 18, 1917.
Maj. John C. McArthur, from September 18, 1917.
Maj. Frank D. Ely, from October 9, 1917.
Maj. Edwin Bell, from January 19, 1918.
Maj. Otho B. Rosenbaum, from January 29, 1918.
Maj. George H. Estes, from February 9, 1918.
Maj. Oliver Edwards, from February 10, 1918.
Maj. John S. Battle (detached officers' list), from April 2, 1918.
Maj. William E. Welsh (detached officers list), from April 13, 1918.

To be majors.

Capt. Paul W. Beck (detached officers' list), from August 28, 1917.
Capt. Robert I. Rees (General Staff), from September 18, 1917.
Capt. John J. Miller, from September 18, 1917.
Capt. Jesse M. Cullison, from September 18, 1917.
Capt. William H. Noble (Quartermaster Corps), from September 18, 1917.
Capt. Wilbur A. McDaniel, from September 18, 1917.
Capt. Evert R. Wilson, from September 18, 1917.
Capt. Philip Powers, from September 18, 1917.
Capt. Clenard McLaughlin (detached officers' list), from September 18, 1917.
Capt. Edward B. Mitchell, from September 18, 1917.
Capt. James H. Como (Quartermaster Corps), subject to examination required by law, from September 18, 1917.
Capt. Harol D. Coburn (detached officers' list), from September 18, 1917.
Capt. Allen J. Greer (General Staff), subject to examination required by law, from September 18, 1917.
Capt. Robert Whitfield (detached officers' list), subject to examination required by law, from September 18, 1917.
Capt. Abraham U. Loeb, from September 20, 1917.
Capt. Constant Cordier (General Staff), from October 3, 1917.
Capt. James M. Loud, from October 3, 1917.
Capt. J. DeCamp Hall (subject to examination required by law), from October 5, 1917.
Capt. Davis C. Anderson (detached officers' list), from October 5, 1917.
Capt. Robert D. Carter (subject to examination required by law), from October 9, 1917.
Capt. Douglas Potts (detached officers' list), subject to examination required by law, from October 23, 1917.
Capt. Stephen O. Fuqua (subject to examination required by law), from December 11, 1917.
Capt. Vincent M. Elmore (detached officers' list), subject to examination required by law, from December 15, 1917.
Capt. Benjamin R. Wade (subject to examination required by law), from January 9, 1918.
Capt. George E. Goodrich (subject to examination required by law), from January 19, 1918.
Capt. Edwin S. Hartshorn (General Staff), from January 29, 1918.
Capt. Clark R. Elliott (subject to examination required by law), from January 29, 1918.
Capt. William P. Screws (detached officers' list), subject to examination required by law, from February 5, 1918.
Capt. Ralph B. Lister (subject to examination required by law), from February 9, 1918.
Capt. Harry E. Comstock (Ammunition Train), subject to examination required by law, from February 9, 1918.
Capt. William R. Standiford (General Staff), subject to examination required by law, from February 9, 1918.
Capt. Frederick S. Young (General Staff), subject to examination required by law, from February 9, 1918.
Capt. Thomas S. Moorman (Quartermaster Corps), subject to examination required by law, from February 9, 1918.
Capt. Charles H. Morrow (subject to examination required by law), from February 9, 1918.
Capt. Lorenzo D. Gasser (General Staff), subject to examination required by law, from February 9, 1918.
Capt. Brady G. Ruttencutter (subject to examination required by law), from February 9, 1918.
Capt. Jennings B. Wilson (subject to examination required by law), from February 9, 1918.
Capt. William O. Smith (Quartermaster Corps), subject to examination required by law, from February 9, 1918.
Capt. Clarence K. LaMotte (subject to examination required by law), from February 9, 1918.
Capt. George M. Holley (detached officers' list), subject to examination required by law, from February 9, 1918.
Capt. Edgar S. Stayer (Quartermaster Corps), subject to examination required by law, from February 9, 1918.
Capt. Charles H. Errington (Quartermaster Corps), subject to examination required by law, from February 9, 1918.
Capt. George C. Shaw (Inspector General's Department), subject to examination required by law, from February 9, 1918.
Capt. Charles E. Reese (detached officers' list), subject to examination required by law, from February 9, 1918.
Capt. Robert S. Knox (detached officers' list), subject to examination required by law, from February 10, 1918.
Capt. William A. Castle (General Staff), subject to examination required by law, from March 24, 1918.
Capt. Harry D. Blasland (subject to examination required by law), from March 24, 1918.
Capt. Charles C. Allen (detached officers' list), subject to examination required by law, from April 9, 1918.
Capt. Edward H. Andres (Quartermaster Corps), subject to examination required by law, from April 15, 1918.
Capt. Thomas J. Rogers (subject to examination required by law), from April 15, 1918.
Capt. George W. England (subject to examination required by law), from April 15, 1918.

Capt. Edwin J. Nowlen (additional officer), from April 15, 1918, subject to examination required by law.

Capt. Clyde B. Parker (subject to examination required by law), from April 15, 1918.

PORTO RICO REGIMENT OF INFANTRY.

Cadet Francisco Cintron, jr., to be a second lieutenant, Porto Rico Regiment of Infantry, under the provisions of section 21 of an act of Congress approved June 3, 1916.

PROVISIONAL APPOINTMENT, BY PROMOTION, IN THE ARMY.

CAVALRY ARM.

Second Lieut. Duane L. Tice, Cavalry, to be first lieutenant with rank from June 25, 1918.

PROMOTIONS IN THE NAVY.

First Lieut. Augustus Aiken to be a captain in the Marine Corps, for temporary service, from the 1st day of February, 1918.

First Lieut. Austin G. Rome to be a captain in the Marine Corps, for temporary service, from the 9th day of February, 1918.

First Lieut. Arthur J. Trask to be a captain in the Marine Corps, for temporary service, from the 23d day of March, 1918.

Second Lieut. Donald B. Creecy to be a first lieutenant in the Marine Corps, for temporary service, from the 28th day of August, 1917.

Second Lieut. George R. Jackson to be a first lieutenant in the Marine Corps, for temporary service, from the 16th day of October, 1917.

Second Lieut. Clinton I. Smallman to be a first lieutenant in the Marine Corps, for temporary service, from the 15th day of December, 1917.

Second Lieut. Robert E. Mills to be a first lieutenant in the Marine Corps, for temporary service, from the 1st day of February, 1918.

Second Lieut. Stewart W. Chaffee to be a first lieutenant in the Marine Corps, for temporary service, from the 9th day of February, 1918.

Second Lieut. William F. Brown, jr., to be a first lieutenant in the Marine Corps, for temporary service, from the 23d day of March, 1918.

The following-named temporary second lieutenant to be a second lieutenant in the Marine Corps for a probationary period of two years from the 7th day of June, 1918:

Judson H. Fitzgerald.

The following-named temporary second lieutenant to be a second lieutenant in the Marine Corps, for a probationary period of two years, from the 8th day of June, 1918:

Samuel A. Milliken.

CONFIRMATIONS.

Executive nominations confirmed by the Senate Monday, July 1 (legislative day of June 27), 1918.

ASSISTANT TREASURER OF THE UNITED STATES.

Charles B. Strecker to be Assistant Treasurer of the United States.

MEMBER OF THE AIRCRAFT BOARD.

William C. Potter to be a member of the Aircraft Board.

MEMBERS OF THE BOARD OF CHARITIES FOR THE DISTRICT OF COLUMBIA.

John Joy Edson.
George M. Kober.

PUBLIC HEALTH SERVICE.

Surg. Julius O. Cobb to be senior surgeon.
Dr. Emil Henry Marek to be assistant surgeon.
Dr. Joseph Walter Mountin to be assistant surgeon.
Dr. Ralph Emmett Porter to be assistant surgeon.
Dr. Fayette Boyson Ross to be assistant surgeon.

APPOINTMENTS IN THE ARMY.

CORPS OF ENGINEERS.

To be second lieutenants.

Cadet John Paul Dean.
Cadet Patrick Henry Timothy, jr.
Cadet Hugh John Casey.
Cadet Robert Earle Hamilton.
Cadet Patrick Henry Tansey.
Cadet Hans Kramer.
Cadet Albert Gordon Matthews.
Cadet Amos Blanchard Shattuck, jr.
Cadet Leland Hazelton Hewitt.
Cadet Michael Charles Grenata.
Cadet Preston Wood Smith.
Cadet Thomas Francis Kern.
Cadet Ralph Edward Cruse.
Cadet Lewis Tenney Ross.
Cadet Roland Stenzel.
Cadet Charles Francis Baish.
Cadet Clarence Lionel Adcock.
Cadet Keryn ap Rice.
Cadet Charles Stuart Ward.
Cadet Henry Morehead Underwood.
Cadet James Bryan Newman, jr.
Cadet James Marshall Young.
Cadet James Creel Marshall.
Cadet Walter Ernest Lorence.
Cadet Meyer Loshie Casman.
Cadet Lucius Du Bignon Clay.
Cadet Lloyd Ernst Mielenz.
Cadet Pierre Alexander Agnew.
Cadet Alexander Murray Neilson.
Cadet Hoel Smith Bishop, jr.
Cadet Charles Emmett McKee.
Cadet Robert Habersham Elliott.
Cadet Samuel Davis Sturgis, jr.
Cadet Thomas Hay Nixon.
Cadet Anderson Thomas William Moore.
Cadet Reginald Whitaker.
Cadet Eugene Mead Caffey.

FIELD ARTILLERY ARM.

To be second lieutenants.

Cadet Roland Mac Gray.
Cadet Robert Johnson Horr.
Cadet John Loughlin Grant.
Cadet Paul Ludwig Deylitz.
Cadet Leo Myron Kreber.
Cadet Edwin Luther Sibert.
Cadet O'Ferrall Knight.
Cadet Charles Clifton Blanchard.
Cadet Paul Eleanor Hurt.
Cadet Henry Winston Holt.
Cadet Clarence Page Townsley, jr.
Cadet James Hubert Roemer.
Cadet John Mesick.

COAST ARTILLERY CORPS.

To be second lieutenants.

Cadet Julius Joseph Mussil.
Cadet James Milligan Gillespie.
Cadet Milo Benson Barrigan.
Cadet Oscar Alfred Axelson.
Cadet George Bicker Aigeltinger.
Cadet Joseph Stubbs Robinson.
Cadet James Faulkner Pichel.
Cadet Roy Douglas Paterson.
Cadet John Lawrence Hanley.
Cadet Albert Edwin Marks.
Cadet John Arthur Weeks.
Cadet Fred William Gerhard, jr.
Cadet Jacob Gunn Sucher.
Cadet Howard Harvey Newman, jr.
Cadet Ernest Lenwood Stephens, jr.
Cadet Nevins Dorsey Young.
Cadet Benjamin Franklin Manning.
Cadet Paul William George.

CAVALRY ARM.

To be second lieutenants.

Cadet Henry Milton Alexander.
Cadet Clyde Beauchamp Bell.
Cadet John Magruder Bethel.
Cadet Francis Parker Tompkins.
Cadet Cornelius Comegys Jadwin, II.
Cadet Donald Coray.
Cadet William Frederick Holford Godson, jr.
Cadet William Lillard Barriger.
Cadet Frederick William Fenn.
Cadet Elmer Quillen Oliphant.
Cadet Jonathan Lane Holman.
Cadet Francis Earle Rundell.
Cadet George Baird Hudson.
Cadet Edmund Bellinger Bellinger.
Cadet Harry Clay Mewshaw.
Cadet Joseph Perry Catte.
Cadet Maxwell Michaux Corpening.
Cadet Peter Lee Atherton Dye.
Cadet Frank Thorpe Turner.

INFANTRY ARM.

To be second lieutenants.

Cadet Charles Ellicott Hoffman.
Cadet Hugh Ambrose Murrill, jr.
Cadet Paul Bernard Malone, jr.
Cadet Ernest William Gruhn.
Cadet Edwin Hunter Crouch.
Cadet William Crosby Coogan.
Cadet John Haleston.
Cadet Robert Hilton Offley.
Cadet John Paul Zachman.
Cadet Elton Thomas Cobb.
Cadet Edward Alvin Grupe.
Cadet Richard Gray McKee.
Cadet Julian Kitchen Miller.
Cadet Joseph Charles Kovarik.
Cadet Wynot Rush Irish.
Cadet Royal Adam Machle.
Cadet Leonard Randall Nachman.
Cadet Clark Hazen Mitchell.
Cadet William Maynadier Miley.
Cadet Duncan Hodges.
Cadet Wayne Wallace Wells.
Cadet Alfred Armstrong McNamee.
Cadet Francis Joseph Achatz.
Cadet Harold Strong Kelley.
Cadet Leon Calhoun Boineau.
Cadet Harold Wilbert Gould.
Cadet Howard Parrill Richardson.
Cadet George Bittmann Barth.
Cadet Harry Benham Sherman.
Cadet Albert Francis Ward.
Cadet John Templeton Newland.
Cadet Carroll Tye.
Cadet Benjamin Ransom McBride.
Cadet Thomas Quinton Donaldson, jr.
Cadet Philip Edward Gallagher.
Cadet Carroll Kimball Leeper.
Cadet Edward Nathaniel Jones, 3d.
Cadet Herbert Benjamin Williams.
Cadet Harold Berkeley Lewis.
Cadet Charlie Quillian Lifsey.
Cadet Hugh McCalla Wilson, jr.
Cadet Dwight Terry Francis.
Cadet William Nimmons Davis.
Cadet Dorr Hazlehurst.
Cadet Robert Trueheart Foster.
Cadet Robert Edwin Bagby.
Cadet Edwin Davis Dando.
Cadet Frederick von Harten Kimble.

MEDICAL CORPS.

To be first lieutenants.

Burton Argyle Baird.
Thomas Francis McCormick.
James Day Edgar.
Wesley Charles Becker.
Russell Arthur Hennessey.
William Eli McCormack.
George Franklin Rendleman.
Benjamin Franklin Fridge, jr.
Fred Gasser.
James Robert McVay.

CAVALRY ARM.

Gibbes Lykes, to be second lieutenant.

DENTAL CORPS.

To be first lieutenants.

Charles Jefferson Denholm.
Harry Holmes.
Elmer Henry Nicklies.
Harold Jensen.
Edward William Blurock.
Daniel Sumner Lockwood.
Thomas Winton Deyton.
James Barto Mann.
Avery Scott Hills.
George Mason Babbitt.
Judge William Fowler.
Francis Stone Adams.
Archie Thomas McGuinness.
Carl Howard West.
Edwin Moore Kennedy.
Merle W. Catterlin.
Thomas Minyard Page.
Clarence Pefferce Jackson.
Chester Bumgardner Parkinson.
Herbert Edwin Guthrie.
James Harold Keith.

VETERINARY CORPS.

Henry L. Sommer to be assistant veterinarian.

CHAPLAINS.

George Barry Ford to be chaplain.
Gerard Schellinger to be chaplain.

PROVISIONAL APPOINTMENTS IN THE ARMY.

CORPS OF ENGINEERS.

To be second lieutenants.

Lucian Platt.
John H. Chase.
Horace D. Greenfield.
Lyon F. Terry.
Edward W. Murray.
Edwin R. Harrall.
Albert Haertlein.
John C. Arrowsmith.
Harold S. Hutton.
Edgar Marburg, jr.
Harry P. Hart.
Samuel J. Callahan.

PROVISIONAL APPOINTMENTS, BY PROMOTION, IN THE ARMY.

INFANTRY.

To be captains.

First Lieut. Sidney F. Mashbir.
First Lieut. William P. Scobey.
First Lieut. William C. Moore.
First Lieut. Albion Smith.
First Lieut. Edwin D. Patrick.
First Lieut. Herman F. Kramer.
First Lieut. Clarence P. Evers.
First Lieut. William H. Coacher.
First Lieut. Edward S. Johnston.
First Lieut. John T. Henderson.

To be first lieutenants.

Second Lieut. Joseph A. Nichols.
Second Lieut. Roland M. Glenn.
Second Lieut. Harry S. Robertson.
Second Lieut. Lawrence M. Arnold.
Second Lieut. Arthur R. Knott.
Second Lieut. Samuel O'C. Neff.
Second Lieut. Philip E. Brown.
Second Lieut. Olaf P. Winningstad.
Second Lieut. Raymond M. Myers.
Second Lieut. Paul S. Russell.
Second Lieut. Herbert C. Smith.
Second Lieut. Edward N. Mitchell.
Second Lieut. James A. Van Sant.
Second Lieut. William E. Stanley.
Second Lieut. Frank S. Spruill, jr.
Second Lieut. George A. Davis.
Second Lieut. Laurin L. Williams.
Second Lieut. George Van W. Pope.
Second Lieut. Edwin M. Allison.
Second Lieut. George E. Butler.
Second Lieut. Edgar L. Clewell.
Second Lieut. Herbert A. Buermeyer.
Second Lieut. Leo R. Moody.
Second Lieut. William McL. Christie.
Second Lieut. Leon D. Gibbens.
Second Lieut. Mark M. Grubbs.
Second Lieut. Robert A. Kinloch.
Second Lieut. Joel R. Burney.
Second Lieut. Franklin P. Shaw.
Second Lieut. Winfield H. Scott.
Second Lieut. Arthur G. Davidson.
Second Lieut. Harold A. White.
Second Lieut. Campbell N. Jackson.
Second Lieut. Joel A. Fite.
Second Lieut. James A. Black.
Second Lieut. Clarence R. Peck.
Second Lieut. Glenn G. Hall.
Second Lieut. Charles C. Gillette.
Second Lieut. Walace E. Hawkins.
Second Lieut. Ralph M. McPaul.
Second Lieut. Forrest [illegible]. Barrett.
Second Lieut. Beal H. Siler.

Second Lieut. Emmett G. Lenihan.
Second Lieut. Edward Hines, jr.
Second Lieut. Bird Little.
Second Lieut. Evan C. Williams.
Second Lieut. James A. O'Neill.
Second Lieut. Coulter M. Montgomery.
Second Lieut. Einar W. Chester.
Second Lieut. James A. Griffin.
Second Lieut. Guy C. McKinley, jr.
Second Lieut. Gordon P. Savage.
Second Lieut. Harold H. McClune.
Second Lieut. Kingsley Barham.
Second Lieut. Lester E. MacGregor.
Second Lieut. Harold P. Gibson.
Second Lieut. Lloyd R. Besse.
Second Lieut. Willard J. Mason.
Second Lieut. Percival R. Bowey.
Second Lieut. Hugh M. Elmendorf.
Second Lieut. William N. Given.
Second Lieut. Charles F. Sutherland.
Second Lieut. Lance E. Gowen.
Second Lieut. Edward P. Hayward.
Second Lieut. Gilbert E. Parker.
Second Lieut. Francis B. Myer.
Second Lieut. Arthur S. Nevins.
Second Lieut. Gustave Villaret, jr.
Second Lieut. Horace E. Watson.
Second Lieut. Lester A. Webb.
Second Lieut. Royal C. Carpenter.
Second Lieut. Edwin S. Van Deusen.
Second Lieut. Robert S. Boykin.
Second Lieut. Edward M. Ford.
Second Lieut. William L. Phillips.
Second Lieut. George A. Hunt.
Second Lieut. Kenneth G. Reynolds.
Second Lieut. Robert H. Warren, jr.
Second Lieut. Vyse B. Whedon.
Second Lieut. John Walcott.
Second Lieut. Philip H. Condit.
Second Lieut. John E. Dahlquist.
Second Lieut. Russell S. Fisher.
Second Lieut. Luther K. Brice.
Second Lieut. John M. Dale.
Second Lieut. Jack Edward Duke, jr.
Second Lieut. Tom S. Brand.
Second Lieut. Charles M. Ankcorn.
Second Lieut. James R. Urquhart.
Second Lieut. John W. Saladine, jr.
Second Lieut. Morrill W. Marston.
Second Lieut. Morrison C. Wood.
Second Lieut. Alymer B. Atkins.
Second Lieut. Robert Robinson.

CAVALRY ARM.

First Lieut. Jay D. B. Lattin to be captain.
Second Lieut. George L. Snelling to be first lieutenant.

FIELD ARTILLERY ARM.

Second Lieut. Roger A. Sanford to be first lieutenant.
Second Lieut. Kenneth L. Holmes-Brown to be first lieutenant.

COAST ARTILLERY CORPS.

To be first lieutenants.

Second Lieut. Stillman B. Hyde.
Second Lieut. Winston W. Little.
Second Lieut. Ralph P. Wagner.
Second Lieut. John A. Spangle.

PROMOTION IN THE ARMY.

QUARTERMASTER CORPS.

Maj. Salmon F. Dutton to be lieutenant colonel.

TRANSFER TO THE ACTIVE LIST OF THE ARMY.

INFANTRY.

Capt. Robert E. L. Spence to be lieutenant colonel.

APPOINTMENT IN THE NATIONAL ARMY.

MEDICAL CORPS.

Col. Theodore C. Lyster to be brigadier general.

POSTMASTERS.

FLORIDA.

Lewis B. Riles, Lake Wales.

PENNSYLVANIA.

G. F. Kittelberger, Curwensville.
Joseph A. McGrath, Falls Creek.

WITHDRAWAL.

Executive nomination withdrawn from the Senate July 1 (legislative day of June 27), 1918.

PROMOTION IN THE ARMY.

Cadet Francisco Cintron, jr., to be a second lieutenant.

HOUSE OF REPRESENTATIVES.

MONDAY, *July 1, 1918.*

(*Continuation of legislative day of Saturday, June 29, 1918.*)

The recess having expired, the House (at 11 o'clock a. m.) was called to order by the Speaker.

ENROLLED BILLS SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 10854. An act making appropriations for the naval service for the fiscal year ending June 30, 1919, and for other purposes; and

H. R. 12599. An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 3929. An act for the construction of a private conduit across Michigan Avenue NE. in the District of Columbia; and

S. 2653. An act to revive, with amendments, an act entitled "An act to incorporate the Medical Society of the District of Columbia."

The message also announced that the Senate had passed with amendments the bill (H. R. 12281) making appropriations for the support of the Army for the fiscal year ending June 30, 1919, had requested a conference with the House on the bill and amendments, and had appointed Mr. CHAMBERLAIN, Mr. HITCHCOCK, and Mr. WARREN as the conferees on the part of the Senate.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to the appropriate committee, as indicated below:

S. 2653. An act to revive, with amendments, an act entitled "An act to incorporate the Medical Society of the District of Columbia"; to the Committee on the District of Columbia.

DISINTERMENTS FROM CONGRESSIONAL CEMETERY.

Mr. HUDDLESTON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 12429) to authorize the health officer of the District of Columbia to permit the disinterment of the bodies of Eliza Hill Bowles, Bernice Worthen Bowles, and Bessie Vivian Bowles.

The SPEAKER. The gentleman from Georgia asks unanimous consent for the present consideration of a bill, which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That the health officer of the District of Columbia be, and he is hereby, authorized, under such directions and precautions as he may adopt, to permit William C. Bowles to disinter, remove, and reinter the bodies of his deceased children, Eliza Hill Bowles, buried October 8, 1893; Bernice Worthen Bowles, buried October 17, 1893; and Bessie Vivian Bowles, buried October 17, 1893; all of whom died from diphtheria and were buried in Congressional Cemetery in said District.

With the following committee amendments:

Page 1, line 7, strike out the word "eighth" and insert in lieu thereof the word "seventh."

Page 1, line 9, strike out the word "seventeenth" and insert in lieu thereof the word "eighteenth."

Page 1, line 11, strike out the word "seventeenth" and insert in lieu thereof the word "eighteenth."

Page 2, line 2, after the word "District," insert the following: "But such permit shall not be issued unless there has been filed in the health department of the District of Columbia a permit from the proper governmental authorities at the place where the reinterment is to be made authorizing said interment there of the said remains."

The SPEAKER. Is there objection to the present consideration of this bill?

There was no objection.

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

CERTAIN HOMESTEAD ENTRIES.

Mr. STEENERSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 4555) to validate certain homestead entries, a similar bill being on the House Calendar. It has been favorably reported by the House Committee on the Public Lands.

Mr. STAFFORD. Mr. Speaker, there are a number of bills on the Unanimous Consent Calendar that should be given consideration.

Mr. STEENERSON. I know that. I have several bills on that calendar myself, but this is a very urgent matter. These settlers are in need. There are only 14 of them in that district, and the Secretary of the Interior has suspended action in order to give Congress time to act.

Mr. GARNER. May I make a suggestion to the gentleman from Minnesota that this being ordinarily unanimous-consent day and there being a number of bills on the calendar, would it not be better to clear up the desk and then take an hour and see if we can not clear the Calendar for Unanimous Consent?

Mr. STEENERSON. This will take only a moment, and the other side have had one bill passed by unanimous consent this morning.

Mr. KITCHIN. Mr. Speaker, we would like to go on and finish up the census bill, and if we finish that up very shortly, then we can take up the remainder of the day with the Unanimous Consent Calendar until conference reports or matters concerning conference reports come in.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

Mr. GARRETT of Tennessee. I object.

The SPEAKER. The gentleman from Tennessee objects.

DEPARTMENT EMPLOYEES LIABLE TO MILITARY SERVICE.

The SPEAKER laid before the House the following communication, which was ordered to be printed in the RECORD:

DEPARTMENT OF LABOR,
OFFICE OF THE ASSISTANT SECRETARY,
Washington, June 28, 1918.

SIR: In compliance with House resolution 378, dated June 3, 1918, I am transmitting herewith a list of the employees of the Department of Labor for whom requests for deferred classification have been asked and allowed.

Respectfully, yours,

LOUIS F. POST,
Assistant Secretary.

The SPEAKER,
House of Representatives, Washington, D. C.

List of employees of the Department of Labor for whom deferred classification has been requested and allowed.

Name.	Home address.	Date of appointment in department.	Character of work.
OFFICE OF THE SECRETARY OF LABOR.			
Jacobson, Walter M.	Washington, D. C.	Nov. 10, 1916	Mail messenger and chauffeur.
Johnson, C. C.	do	July 18, 1914	Motor-truck operator.
Watts, Jesse C.	do	Jan. 16, 1911	Confidential clerk to the Secretary.
BUREAU OF IMMIGRATION.			
Avery, Ray H.	San Diego, Cal.	Dec. 2, 1912	Clerk-interpreter.
Baird, Hushel E.	Hidalgo, Tex.	Feb. 2, 1916	Immigrant inspector.
Beers, Frederick W.	El Paso, Tex.	Sept. 25, 1909	Record and index clerk.
Borstadt, Fedrinand H.	San Francisco, Cal.	May 1, 1918	Clerk-stenographer.
Brand, Wm. A.	El Paso, Tex.	Jan. 31, 1910	Chinese interpreter.
Butler, James P.	San Francisco, Cal.	Dec. 2, 1907	Immigrant inspector.
Couch, Matthew B.	Brownsville, Tex.	Aug. 10, 1917	Do.
Dannelley, Alva O.	Laredo, Tex.	Aug. 14, 1917	Do.
Dayton, Ross B.	Nogales, Ariz.	Aug. 17, 1917	Do.
Hord, Frank S.	Los Angeles, Cal.	Dec. 4, 1917	Clerk-stenographer.
Kinne, DeWitt C.	Laredo, Tex.	Sept. 1, 1908	Immigrant inspector
Knopp, Walter W.	do	Oct. 1, 1915	Clerk-stenographer.
Laack, Henry J.	Washington, D. C.	Aug. 13, 1917	Financial clerk.
Martenson, W. J.	San Francisco, Cal.	Apr. 3, 1912	Immigrant inspector.
Milligan, Jackson L.	Honolulu, H. T.	Feb. 10, 1913	Chinese inspector.
Mills, Matthew	Fairfax, Va.	July 6, 1917	Immigrant inspector.
Moore, Norman P.	Washington, D. C.	June 25, 1917	Personnel clerk.
Mullen, Percy K.	Tucson, Ariz.	Mar. 29, 1916	Immigrant inspector.
Perkins, Clifford A.	El Paso, Tex.	Jan. 4, 1911	Do.
Perkins, Lyle J.	Laredo, Tex.	Aug. 9, 1917	Do.
Quinn, Elmer F.	New York, N. Y.	Aug. 28, 1917	Do.
Rapp, Gates G.	Washington, D. C.	May 16, 1916	Index clerk-typewriter.
Reynolds, Marvin L.	Laredo, Tex.	May 1, 1918	Immigrant inspector.
Sametz, Stephen J.	Minneapolis, Minn.	June 7, 1907	Do.
Schmoldt, Herbert	San Francisco, Cal.	Apr. 23, 1912	Do.
Schweitzer, Henry P.	Portland, Oreg.	July 1, 1914	Clerk-stenographer.
Watkins, Wm. F.	do	Dec. 11, 1905	Immigrant inspector.
Weber, George H.	Buffalo, N. Y.	June 1, 1915	Inspector-stenographer
Zucker, William J.	Rouses Point, N. Y.	May 29, 1917	Immigrant inspector.
BUREAU OF NATURALIZATION.			
Barrett, George G.	Collegeville, Pa.	June 14, 1917	Clerk.
Bloch, Henry	St. Paul, Minn.	July 1, 1914	Examiner.
Emmerich, Fredk. C.	Denver, Colo.	Feb. 14, 1910	Do.
Jackson, John E.	Palestine, Tex.	July 3, 1916	Do.
Kilsdonk, Martin J.	St. Paul, Minn.	Sept. 1, 1914	Do.
Thomas, Jesse	Washington, D. C.	Aug. 14, 1915	Do.
Wagner, Warren H.	Chicago, Ill.	Feb. 7, 1911	Chief examiner.
Wilson, Harry A.	St. Louis, Mo.	Apr. 28, 1911	Examiner.
Wolf, Walter L.	do	Oct. 16, 1911	Do.
BUREAU OF LABOR STATISTICS.			
(None)			
CHILDREN'S BUREAU.			
Mead, Bennet L.	Washington, D. C.	Jan. 1, 1915	Assistant inspector.
Woodbury, Robert M.	Chicago, Ill.	Jan. 7, 1918	Director statistical research.
UNITED STATES EMPLOYMENT SERVICE.			
Boisseau, Henry J.	New Orleans, La.	Feb 16, 1918	Clerk.
Brall, H. F.	Philadelphia, Pa.	Nov. 7, 1917	Statistician.
Chiquoine, Alex. D.	Prospect Park, Pa.	Dec. 27, 1917	Editor.
Coghill, James H.	Morristown, N. J.	Oct. 8, 1917	Statistical clerk.
De Lano, Roy F.	Buffalo, N. Y.	Jan. 1, 1918	Clerk.
Evans, Gardner C.	Somerville, Mass.	Mar. 16, 1918	Do.
Jorgensen, Victor	Omaha, Nebr.	Jan. 28, 1918	Special examiner.
Raffetto, J. L.	New York, N. Y.	Apr. 1, 1918	Special agent.
Shallow, Frank A.	Philadelphia, Pa.	Nov. 19, 1917	Statistical clerk.
Twomey, Jeremiah J.	Washington, D. C.	Jan. 30, 1918	Clerk.
Price, George L., jr.	Nashville, Tenn.	Apr. 16, 1918	Examiner in charge.
INDUSTRIAL HOUSING AND TRANSPORTATION BUREAU.			
Hinkeldey, Louis	Washington, D. C.	Apr. 16, 1918	Clerk.

FOURTEENTH AND SUBSEQUENT DECENNIAL CENSUSES.

Mr. LARSEN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses.

The SPEAKER. Before the Chair puts that motion he would like to make the suggestion that whenever a conference report or anything of that nature comes in, or a resolution continuing appropriations, the committee ought to rise, so that these matters of pressing importance can be considered at once.

Mr. LARSEN. We understand that, Mr. Speaker.

Mr. STAFFORD. May I inquire whether that covers the report of the deficiency appropriation bill, which is likely to be presented in a very short time?

The SPEAKER. That will cover all of them.

Mr. LARSEN. In that connection I will say that there are only three sections of this bill remaining before we are done with it.

Mr. DYER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DYER. Does the suggestion of the Speaker include the report of the special committee to investigate the East St. Louis riots?

The SPEAKER. Oh, no; the committee will not rise for the presentation of that.

Mr. DYER. I understand that committee are ready to report.

The SPEAKER. The Chair understands that, and the Chair wants them to report, but these other matters have got to be attended to. The question is on the motion of the gentleman from Georgia [Mr. LARSEN] that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the census bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses, with Mr. FOSTER in the chair.

Mr. WALSH. Mr. Chairman, I direct the attention of the gentleman from Georgia [Mr. LARSEN], and also the attention of the gentleman from Kentucky [Mr. HELM], who, I see, has just entered the Hall, to line 17 of page 27, where it says "such census shall be taken as of January 1." In section 20 it is provided that the enumeration shall be taken "as of the 1st day of January." Now, of course, "January 1" is not the proper form of words to use in an act of Congress, and I move to strike out the words "January 1" and insert in lieu thereof the words "the first day of January." That will make the language conform to sections 19 and 20.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. WALSH: Page 27, line 17, strike out "January 1" and insert in lieu thereof "the first day of January."

The amendment was agreed to.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and the Speaker having resumed the chair, a message, in writing, from the President of the United States was communicated to the House of Representatives by Mr. Sharkey, one of his secretaries, who also informed the House of Representatives that the President had, on June 29, 1918, approved and signed joint resolutions of the following titles:

H. J. Res. 255. Joint resolution authorizing the readmission to the United States of certain aliens who have been conscripted or have volunteered for service with the military forces of the United States or cobelligerent forces; and

S. J. Res. 158. Joint resolution authorizing the Secretary of War to issue permits for the diversion of water from the Niagara River.

FOURTEENTH AND SUBSEQUENT DECENNIAL CENSUSES.

The committee resumed its session.

The Cleak read as follows:

SEC. 32. That the Director of the Census be, and he is hereby, authorized and directed to collect and publish, for the years 1921, 1923, 1925, and 1927, and for every tenth year after each of said years, statistics of the products of manufacturing industries; and the director is hereby authorized to prepare such schedules as in his judgment may be necessary.

Mr. LITTLE. Mr. Chairman, I much regret that I have to call the attention of the House to this matter, but unfortunately it is the disposition of some people in this country to misrepresent the House. Last year this House enacted a law which taxed every Member in it not only an income tax but an excess-profits tax and a supertax. I am particularly touchy about it myself. Although a very poor man, I paid $799.90 in income taxes, and yet miserable prevaricators are going around saying that this Congress voted to exempt itself. I am going to insert in the RECORD a statement by the collector of internal revenue calling attention to the fact, so that it may be well circulated. While I am here employed in the work of my constituents and the Republic thousands of these false, malicious publications are being circulated through our district, paid for from a campaign fund which they have, because I dared fight for the conscription of wealth. When I said, "Let their dollars die for their country, too," I touched their tender spot, and these vicious falsehoods in an immense issue of a paper which has not the privilege of the mails is their answer. "Let the galled jade wince."

Mr. DENISON. Will the gentleman yield?

Mr. LITTLE. Yes.

Mr. DENISON. Do the people who still think that live in the gentleman's district?

Mr. LITTLE. Some of them. A man in our district has just sent out thousands of copies of a paper in which he gives that as the reason why he should go to Congress from our district. I do not think that anybody really thinks so. There was a man traveling around our district making that statement on behalf of the candidate who sent out these papers. I met him on the train and called his attention, in a kind and firm way, to the fact that somebody had been lying to him; and he agreed with me after a slight argument. But I find other men interested in the primaries still reiterating that statement. I do not think that any honest man would make the statement. A man who would circulate, as has been done, thousands of that falsehood to get into Congress would violate any law for political triumph. I think the collector's ruling is proper matter to be circulated for public information.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. LITTLE. Yes.

Mr. MOORE of Pennsylvania. Does not the gentleman think that some of these people who are circulating this statement are seeking themselves to avoid taxation?

Mr. LITTLE. No; the man that I refer to probably never paid a dollar of income tax in his life, has no dependents, and has thrifty and industrious relatives who will not let him suffer. [Laughter.]

Mr. MOORE of Pennsylvania. Does not that evidence the foolishness of the contention?

Mr. LITTLE. Yes; but I think the evidence ought to be presented to the people. My vote was the same as yours, and if this deliberate misrepresentation goes unchallenged every man here is slandered.

Mr. MOORE of Pennsylvania. Did the gentleman ever know a tax shirker who did not find fault with those who paid taxes?

Mr. LITTLE. I have noticed that. The traveler I corrected had a kinsman who was worried over his brother's big income tax under this law——

Mr. DOOLITTLE. Will the gentleman yield?

Mr. LITTLE. Yes.

Mr. DOOLITTLE. Did I understand that the gentleman is going to put into the RECORD a ruling by the collector of internal revenue?

Mr. LITTLE. Yes; Mr. Roper.

Mr. DOOLITTLE. I will say that that ruling was put in the RECORD two or three months ago. It is now a matter of public record. If a man in the gentleman's district has been saying that the Members of Congress do not pay a war tax, a supertax, and all other taxes they are simply mistaken.

Mr. LITTLE. That is not quite the word, I think. That is correct, but it should be characterized by a stronger word. Here is a man in our district who wants to go to Congress by inducing people to believe this falsehood, which he circulates by the thousand, and since that statement is made I think it right that the RECORD should again show it, so that there may be no doubt about it. There was a time when some reputable newspapers made the statement, but they were misled. Since Mr. Roper has ruled on it there is nothing for further discussion. No honorable man would make the statement for political purposes.

TREASURY DEPARTMENT,
Washington, February 1, 1918.

SALARIES OF UNITED STATES SENATORS AND REPRESENTATIVES HELD TO BE SUBJECT TO EXCESS-PROFITS PROVISIONS OF THE ACT OF OCTOBER 3, 1917.

To collectors of internal revenue and others concerned:

In reply to numerous inquiries, the Bureau of Internal Revenue is of the opinion that it was not the intention of Congress to exempt the salaries of United States Senators and Representatives from the excess-profits tax, and holds that the salaries of Members of Congress are subject to the provisions of Title II of the act of October 3, 1917, and are included in the income to be reported by such Members for the purposes of the excess-profits tax as well as for the purposes of the income and the war-income taxes.

DANIEL C. ROPER, *Commissioner.*

Another false statement made by men who know better is that some who favored giving the President power to raise troops by draft and by calling volunteers fought conscription. The Military Committee bill gave authority for conscription and to take volunteers. The Kahn amendment cut out the power to call volunteers, and it was not till September, 1917, the first drafted men got to camp. If the committee bill had gone through, we would have enforced conscription and raised 1,000,000 volunteers before the first conscript came in. Those who favored the double system supported the bill as amended, and voted for conscription.

Mr. Chairman, in view of the campaign of villification and abuse which is being made I desire to place in this record for the information of my constituents the facts that I have just presented. In the last 20 years I have been a candidate for political office just twice. He who makes these statements has been a candidate 12 times in the last 12 years. He served his country by running for office 12 times and I by fighting in 11 pitched battles, one behind him. In all my life I have been a candidate for office just four times. Once the rival candidate was this same man. His claim was then that I was a candidate of the breweries and similar charges, which was just as false as this present statement he is making. When I was in the Philippines, risking my life in 11 pitched battles for my country, he was at home going to school at the age of 29. When I went to the Secretary of War and volunteered he was attending a Chautauqua course in oratory, equipping himself for a campaign on the rostrum, arranging, as he said, to lay his jawbone on the altar of his country. I suppose he was dreaming of Samson and his similar feat.

Five weeks before my term of office began and 60 days before the declaration of war he announced his candidacy, taking the position before my term began that I was not entitled to the usual second term. Now he offers as the reasons why he began his fight for the nomination in January, 1917, his claim that

Congress voted to exempt itself several months later. He is running for office, as he states in his circular of October 1, 1917, to "realize his ambition," and in that circular he does not say one word about supporting the administration or making the war a success, though it had been going on six months. When he assails Gen. SHERWOOD, a hero of the Civil War, and CLAUDE KITCHIN for voting against this war he attacks Webster, Clay, and Lincoln, who opposed the Mexican War. Mr. Chairman, I am not a candidate for Congress to "realize my ambitions." I merely wish to serve my country, as I did in 1898–99. Do you imagine I went to the Philippines to "realize my ambition"?

Twenty years ago, when I returned from the Philippines with the Twentieth Kansas, the great leaders of the Republican Party offered me a nomination for Congress. All I desired was a home and family and a quiet fireside, and I declined to run. Seven years ago this gentleman, with his $3,000 assessment, wrecked the Republican Party in our district and turned it over to the Democrats, who held the seat till I defeated their champion by 4,000 majority two years ago.

The experience we have all had here in the last 15 months has given us an equipment for the future during this conflict such that no man has a right to shirk his responsibility. The year and a half I had in the American Army, largely on the firing line, has enabled me, in a humble way, to be of use to my country on this floor. During this contest I have voted for every measure, without exception, to uphold the administration and make the Army successful and bring victory to our flag, and nobody but a copperhead would refuse to volunteer, stay at home, and yet malign those who have served their country here as well as on the field of battle. If I had never been to war, if I were 10 years younger than some soldier of the Republic in this Congress, I would move to make that soldier's nomination and election unanimous at such a juncture, and I would be ashamed to contest with him the right to serve under the flag under which he fought beneath the Southern Cross.

Of course, the fact that I voted for volunteers rankles in the heart of this gentleman, but not half as much as the fact that I volunteered. I know he is constitutionally opposed to volunteers because he did not volunteer in 1898, though a bachelor and "ambitious." So was Cæsar, but he was willing to take a chance where men died for glory and honor and patriotism. That orator is not worrying so much as to whether I voted for conscription of men, as I did. The real fact is that there would not be much of a campaign against me if I had not gone out on the floor of this House and made a fight for the conscription of wealth, for taxing into the Treasury all incomes above $100,000, and that is where the campaign fund against me comes from.

CURTIS, THOMPSON, ANTHONY, LITTLE, CAMPBELL of Kansas, DOOLITTLE, HELVERING, CONNELLY of Kansas, SHOUSE, and AYRES all voted just alike on the income tax, and when they assail one of them they assail them all on that point. And every honest man who has examined the RECORD knows that not one of them voted to exempt himself. When we see that the principal claim advanced against me is so willfully false, you can judge how the rest must run, and what consideration such rivalry is entitled to among honest men and women who have small regard for back-wounding calumny. Mr. Chairman, I decline to be drawn into a campaign of slander and abuse and I do not care to win if I must resort to such methods. That is something I leave to those who have pursued it all their lives and know no other. Men who circulate such malicious misrepresentations of the record of the Congress of the United States in order to "realize their ambitions" are not proper persons to sit in a body of which Webster, Clay, Calhoun, John Quincy Adams, and Abraham Lincoln were Members.

As for me, I stand on my record here. No honest man can point to a vote I cast since war began which he would change if he wished the war to be a success. As for a liar, he can say anything, and when he is uncovered thereafter he will be known. As Othello said, "I have done the State some service, and they know it." A man's first term is naturally devoted to acquiring the experience that enables him to be very useful here. Those districts which keep their Members here are the most powerful. Yet there are things I have accomplished here of which many of my constituents know personally and individually. The 6-foot channel of the Missouri River will start from Kansas City, Kans., hereafter, on my motion. Mr. FERRIS, chairman of the Democratic national congressional committee, said on this floor January 23, 1918, that if the bill brought in by the Irrigation Committee passed, the taxpayers would lose $70,000,000 and the revolving fund for future irrigators would disappear. On the motion of LITTLE of Kansas, that bill was killed and $70,000,000 saved for the taxpayers. I was a member of the Committee on Woman Suffrage which put through this House the suffrage amendment and opened a new era to the women of the Nation, as my dear mother instructed me a generation ago. On this floor I presented the claims of the first Christian nation, the Armenians, for the consideration of the greatest Christian Republic, and on this floor I made the first speech ever made in Congress for the conscription of wealth by the assessment of a tax of all above $100,000 incomes during this war.

The night war was declared I introduced the first war measure, and the National Anti-Saloon League, by its official organ, the American Issue, said that that bill and my fight for it established the present temperance zone about the camps and gave us a sober Army. Imagine, gentlemen, a bachelor, 10 years younger than I, wholly without dependents, old enough to go to the other war and young enough to go to this, who at 29 went to school while I went to war, and who was studying elocution at Chautauqua when I was here tendering my services for this war! Which one would be the more inclined or the better prepared to look after the interests of your boy yonder on the firing line for the liberty of the world? Do you think that a man who told the people two years ago that I was the candidate of the breweries, do you think that a man who tells the people now, in an edition of thousands of papers, that CURTIS, THOMPSON, ANTHONY, CAMPBELL, DOOLITTLE, HELVERING, CONNELLY, SHOUSE, AYRES, and LITTLE voted to exempt themselves from taxation, to, as he said October 1, 1917, "realize his ambition," would in a year and a half make a better record or prove to be a more honorable and patriotic man?

Mr. WALSH. Mr. Chairman, I move to strike out the section.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 27, biginning on line 22, strike out all of section 32.

Mr. WALSH. Mr. Chairman, I would like to ask the gentleman from Kentucky if he can advise me what will be the cost of taking this census in each of these years specified in this section, namely, 1921, 1923, 1925, 1927. Has the gentleman any information as to what the cost will be each of these years?

Mr. HELM. The statement made before the committee was to the effect that the cost of taking the census of manufactures, mines, and quarries would be about $300,000.

Mr. BLACK. Oh, no; if you look at the hearings you will find that the census for manufactures will cost $1,945,000, and the Director of Census stated that these censuses that are to be taken in 1921, 1923, and 1925 will not cost quite so much as $1,945,000, because they will not be so comprehensive; but he does not state exactly what they will cost.

Mr. WALSH. In view of that fact I do not think we ought to provide at this particular time for taking census of manufactures in the future after 1920.

Mr. HELM. If the gentleman will permit, this period is covered by the decennial census period, which comprises three years, beginning July 1, 1919, and ending June 20, 1922.

Mr. WALSH. You have one census in here of 1921.

Mr. HELM. That is embraced in the decennial census period. The census of 1927 is a part of the quinquennial census; that is, the census taken every five years. The census of manufactures taken every five years is distinguished from the decennial census. That is a provision of law that has been in force for a number of years. The census of manufactures is taken every 5 years, and the census of population is taken every 10 years. Manufactures are taken every five years under existing law that has been in force for a long period of time.

Mr. WALSH. Mr. Chairman, if the gentleman will permit, if your write this section into the law, you are going to take a manufacturing census in 1920. Before statistics are published or made available you start in in 1921 and take another manufacturing census, and when the statistics of the 1920 census will have been published, in 1923, to start in and take another census.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. WALSH. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FESS. At what time can the public expect the 1920 census to be published?

Mr. WALSH. Mr. Chairman, in response to the inquiry of the gentleman from Ohio, as I understand from statements which have been made here by members of the committee, it is hoped that this information will be available within three years after it has been collected, but of course we all know that the complete information which will be collected beginning January 1, 1920, will not be available within three years.

The point that I am making as a reason why we should not authorize these manufacturing censuses every two years at this particular time is that before they begin even the 1920 census,

we may think it wise to authorize a manufacturing census to be taken every year or every six months, and if it is taken under this schedule, they will take a census in 1920 and before they have even completed collecting the statistics upon it, they will start in to take another one in 1921, and before the statistics of the 1921 census have become available, in 1923 they are authorized to start in to take another manufacturing census.

Mr. FESS. If the gentleman will permit, it has been the practice in taking these complete censuses for the public to be compelled to wait for four or five years after it is taken for the information to be made available.

Mr. WALSH. We have been obliged to wait, so that particularly in these times, if we were compelled to wait a like period, statistics collected three years previously would be practically worthless. The point I make is that it would be better to defer this and possibly we might find it necessary to take a census every six months, at least a census to collect sufficient information so that it would be available for that current year, and it would be wiser, in my opinion, to defer this manufacturing census to be taken every two years, particularly when we are going to start in to take a census in 1920 that is not expected to be available until 1923. Then in 1921 we start in to take another, and in 1923 another, and in 1925 another, and in 1927 another, and then for every tenth year thereafter. I submit to the chairman of the committee it might be wise to defer authorizing the various manufacturing censuses to be taken, and to wait until the year 1920 when Congress will be in session, or in the session of the next Congress, when we might provide for a distinct correction of manufacturing statistics which might require, or at least might become available every six months. For that reason I trust that the amendment will be agreed to.

Mr. HELM. Mr. Chairman, will the gentleman yield?

Mr. WALSH. Yes.

Mr. HELM. I find that on referring to the hearings on page 164 that I was incorrect in my statement made in answer to the gentleman's inquiry a few moment's ago, that the cost of taking this census would be about $300,000. The chairman asked Mr. Rogers the following question:

What was it you stated would be the cost of taking the census of manufactures?

To which Mr. Rogers replied:

One million four hundred and ninety-five thousand dollars. The census provided for in section 32, however, is a restricted census and would not cost that much.

I want to correct that statement.

Mr. WALSH. The census provided for when; in 1921?

Mr. HELM. Yes; the censuses of 1921, 1923, 1925, and 1927; a biennial census instead of a census every five years.

Mr. WALSH. It is going to cost $1,945,000 for the 1920 census.

Mr. HELM. No. The director says it will not cost that sum of money because it is a restricted census; that is, the cost of taking a manufacturing census——

Mr. WALSH. In 1920?

Mr. HELM. Yes; if taken separately would be that much, if not taken in connection with the census of population and agriculture.

Mr. WALSH. If the gentleman will permit, of course the census of 1920 will have to be taken separately, and each of these other biennial censuses would have to be taken separately, except, possibly, the census of 1925, when we take an agricultural and live-stock census; and, possibly, they would find a lot of agriculture and live stock around these manufacturing establishments, so that the same force may collect both sets of statistics. It will be a separate census even in that case.

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last two words and I would like to have the attention of the gentleman from Kentucky [Mr. HELM] for a moment. I have not been able to follow this bill very carefully, but I want to ask if this section 32 provides for a separate manufacturing census, with all of the machinery incident thereto, for 1921, 1923, 1925, and 1927.

Mr. HELM. It is my understanding that while this is to make the manufacturing census a biennial census, it is covered in the decennial census period. I understand that it is to progress with the taking of the regular decennial census period, in so far as the dates coincide with the decennial census, and will be taken by the force performing the work for the decennial census.

Mr. MOORE of Pennsylvania. The law heretofore has provided for a census of manufactures once in five years?

Mr. HELM. Yes.

Mr. MOORE of Pennsylvania. Now you propose to take that census every two years?

Mr. HELM. Yes.

Mr. MOORE of Pennsylvania. I ask the gentleman who has asked for this biennial census? It looks like a lot of machinery——

Mr. HELM. The gentleman will understand this recommendation was made by a body of men, a committee of men, who had had considerable experience, long time experience in connection with the bureau and who are familiar with the business affairs generally of the country and the methods the office has of making them useful——

Mr. MOORE of Pennsylvania. Will the gentleman name some of them?

Mr. HELM (continuing). And upon the recommendation of those gentlemen connected with the Census Bureau this section was inserted.

Mr. MOORE of Pennsylvania. Did it arise from gentlemen wholly within the bureau or from gentlemen outside the bureau?

Mr. HELM. I take it that the officials in the bureau undertook to perform this work in such a manner that it would be serviceable to the public generally and, in my opinion, the business interests of the country. Of course, that is not done by the officials for the benefit of the bureau; it is for the benefit of the people and the commercial world.

Mr. MOORE of Pennsylvania. Will it be of benefit to the public to have these census takers go around to the factories every two years? You are compelling these people to examine their books and make returns every two years for census purposes. Does it not build up another big machine, with agents, inspectors, census takers, who, instead of being employed once in 5 or 10 years, will now be employed every 2 years to harass and annoy the business men all over the United States?

Mr. HELM. I think the gentleman is mistaken in his conclusion there. I think this work is to be done by what may be termed the office force. Now, you understand the men who take the population, if the gentleman will give me his attention just a moment, the men who take the census of manufactures are not the enumerators who go around and take the census of population or the census of agriculture, but they are the office force and detail special agents, many of whom are constantly occupied in the bureau. I do not think it is contemplated, do not think it will require a large increase of the office force such as the gentleman evidently has in mind. Certainly there is no intention to build up a political machine.

Mr. MOORE of Pennsylvania. I am quite sure that if it takes a large office force to collect these statistics once every five years it is going to take a larger office force to take them once every two years.

Mr. HELM. Let me read some of the testimony——

Mr. MOORE of Pennsylvania. It looks to me like the building up of a permanent institution, with increased machinery, for the sole purpose of keeping business men employed making Government returns.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. I ask that I may proceed for five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania. [After a pause.] The Chair hears none.

Mr. MOORE of Pennsylvania. I am going to say a word or two about this, if the gentleman will permit.

Mr. LARSEN. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I will yield to the gentleman from Georgia.

Mr. LARSEN. I want to inform the gentleman I have had a conversation with the Director of the Census in reference to this section. He advises me that it is the purpose of the department to take this census the first time in the regular way, which he says should not cost exceeding $100,000, and that he believes that after that it will be possible to take it through mail facilities, and that will simply require the various manufacturing enterprises over the country, upon request, to send in the information desired; that it will include a report from something like 75 different kinds and characters of manufactured products, and it would not increase the force.

Mr. MOORE of Pennsylvania. Is the thought underlying this movement to secure information for the Revenue Service?

Mr. LARSEN. No, it is not; it is purely and simply intended for the purpose of getting information which will be helpful to the various manufacturing industries throughout the country and to the people who desire information relating to manufactured products.

Mr. MOORE of Pennsylvania. What manufacturing industries have asked for this? Have they ever been consulted about it? What manufacturing interests have sought to have this decennial census of their particular business?

Mr. LARSEN. Well, I do not understand it is a question of whether they want it, but I understand it is a question of whether the public needs it, and if the public interests of this country demand it it ought to be given, regardless of the fact whether the manufacturing interests really want it or not; but so far as I know, I may say to the gentleman, there is no objection being made by any manufacturing establishment at all, and, as I understand, it will have their cooperation.

Mr. MOORE of Pennsylvania. Is there any manufacturing interest in the United States now which desires to have imposed upon it a decennial census? What chance has there been for them to be heard upon the subject?

Mr. LARSEN. I take it for granted a number of manufacturing enterprises throughout the country have been furnished with copies of this bill by some Member of Congress or by different enterprises.

Mr. MOORE of Pennsylvania. I represent a very large manufacturing district and I have not heard from a single manufacturer about this bill.

Mr. LARSEN. That indicates their entire satisfaction.

Mr. MOORE of Pennsylvania. No; they did not know about it. I want to say in the time I have left that this bill came along rather unexpectedly to a large number of the Members of this House. It might just as well have laid over until after the November election.

It is not a war measure. It has no relation to any urgency due to the war, but is due to the fact that the majority now in control wants to put this bill through so that it can cinch additional officeholders before the November election.

Mr. LARSEN. The gentleman recognizes the constitutional requirement, does he not?

Mr. MOORE of Pennsylvania. I can not yield to the gentleman. I admire and respect him, and recognize in him an able defender of the committee, but I believe down in the depths of his heart he will agree, and the gentleman from Kentucky will agree, that we could just as well have brought this census bill in with its great horde of appointees, following the November election, as readily as before the election. That would not have shocked the Constitution.

Mr. LARSEN. That is not the information of the gentleman from Kentucky.

Mr. MOORE of Pennsylvania. We make appropriations for the Department of Agriculture to take all the censuses it needs. We give appropriations every year for taking cotton censuses; we do all that is required in that respect; we do it for the war boards. But the purpose of this bill is simply to enable the party that is in power to get it through before election rolls around, so that assurance may be given to a large proportion of the few "deserving Democrats" who are left in the country without positions, that they may be able to obtain them before the November election.

Mr. BARKLEY. Will the gentleman yield?

Mr. MOORE of Pennsylvania. You are proposing by this section a charge upon the manufacturers of this country that they would resent if they had fair notice of the burden it imposed.

Mr. FESS. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I yield to the gentleman from Ohio.

Mr. FESS. To the inquiry of my friend from Pennsylvania as to the cost and the amount of work required, the answer came that they did not propose to take an exhaustive census, but only the census of the important manufactures.

Mr. MOORE of Pennsylvania. It seems to be a special census.

Mr. FESS. If that be true, what value will the facts be to the country if they are not exhaustive and do not satisfy the inquiry as to what these manufactures are?

Mr. MOORE of Pennsylvania. I was trying to get that information from the gentleman from Kentucky [Mr. HELM] and from the gentleman from Georgia [Mr. LARSEN], but up to date they have not informed me upon that very question. The gentleman from Georgia has indicated that there was a great public demand for this census.

Mr. HELM. In that connection, will the gentleman yield a moment?

Mr. MOORE of Pennsylvania. The gentleman says the public wants it. I respectfully challenge that statement of the gentleman from Georgia [Mr. LARSEN]. I have not heard a single demand from anybody in my section for this particular census.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask unanimous consent to proceed for five minutes in order to answer these questions.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MADDEN. Will the gentleman from Pennsylvania answer a question?

Mr. MOORE of Pennsylvania. I will.

Mr. MADDEN. I wanted to ask a simple question, namely, whether the proposed manufacturers' census will be sufficiently comprehensive to ascertain how many lines of industry have been suspended and put out of business entirely on account of the war? The census would not be worth much unless it disclosed that.

Mr. MOORE of Pennsylvania. The gentleman from Ohio [Mr. FESS] and the gentleman from Illinois [Mr. MADDEN] have put two very pertinent questions, and they ought to be answered. The gentleman from Ohio states what seems to be confirmed by the gentleman from Georgia [Mr. LARSEN], in defense of the bill—that this manufacturing census is to be only with regard to certain manufacturing industries.

If that is the fact, it is to be a special census. Certain industries are to be picked out and annoyed and harassed by a requirement to make biennial reports. The gentleman from Georgia indicates there is a great public demand for these reports. Of what value will they be if they are not general, but pertinent only to one or two industries? Now, the distinguished gentleman from Georgia and the distinguished gentleman from Kentucky both know, because they are on the Census Committee, that every line of manufacture is subject to scrutiny and investigation to-day as it never was before.

Mr. LARSEN. I am sure the gentleman does not want to misrepresent the committee. I stated to the gentleman I was informed it would not be less than 65 industries. The gentleman says one or two.

Mr. MOORE of Pennsylvania. I accept the gentleman's amendment.

Mr. LARSEN. Different characters of industries.

Mr. MOORE of Pennsylvania. Let it be 65. Well and good. It is still special. Why not all? Our laws ought to be uniform and our procedure against the industries or in favor of them should be general. There should be no exceptions; there should be no special legislation.

But what I want to say to the two gentlemen—the gentleman from Kentucky and the gentleman from Georgia—is this, that the various war-industry boards in this country are now taking a very effective census, at the expense of the people of the country, of all our manufactures, and are requiring all the special information that it is necessary for anybody to have now in respect to those industries.

Mr. HELM. Will the gentleman yield?

Mr. MOORE of Pennsylvania. And they are doing it under such pressure that it is impossible for any of them to resist giving the information.

Mr. HELM. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. HELM. The gentleman has stated that he has not been in the Chamber and has not heard the discussion on this bill.

Mr. MOORE of Pennsylvania. I have been busy with the Ways and Means Committee.

Mr. HELM. I understand what a busy man the gentleman is and realize that there are few, if any, more efficient Members than the gentleman from Pennsylvania.

Mr. MOORE of Pennsylvania. I thank the gentleman for that compliment, which is wholly unexpected and entirely undeserved.

Mr. HELM. But in the discussion of this bill——

Mr. MOORE of Pennsylvania. Will the gentleman yield until we get order on the Republican side?

Mr. HELM. I think that is impossible.

Mr. MOORE of Pennsylvania. It is a very noisy minority to-day. Generally the noise is on the majority side, but to-day it is on the Republican side. [After a pause.] Now, you see we have order at once. It is hard to keep order in a Democratic House. The gentleman will understand that.

Mr. HELM. Most of the activities, if not all, that the gentleman has referred to in the way of taking a census of the industries of the country are provided for in what is known as the Lever agricultural bill.

Mr. MOORE of Pennsylvania. Yes; nearly everything was covered in that—appropriations and all—as the gentleman will admit.

Mr. HELM. Yes. All the appropriations provided in that bill expire June 30, 1919, and none of the work to be done under

this bill begins until July 1, 1919, so that there is no overlapping and no duplication whatever of the activities.

Mr. MOORE of Pennsylvania. Then, why on earth do you propose to have a census taken every two years when you can not make the returns public for three years?

Mr. HELM. There is where the gentleman has been led into another error by reason of his inability, on account of his more pressing business, to be present in the Chamber. The point I urge upon the gentleman was more aptly expressed by Mr. Hartley, who was a member of the commission that drafted this bill. In answer to a question he said:

I would like to say that the Fuel Administration, the War Trade Board, the Tariff Commission, and the Internal-Revenue Bureau make daily use of the basic census facts. There is not a day passes that the Division of Manufactures is not called upon to supply basic facts, no matter what industry they are engaged in, because they get various returns, and they do not know what they tie to; they come to us and ask for special tabulations, and we make them, and then they know what to tie to.

Mr. MOORE of Pennsylvania. Who is this?

Mr. HELM. This is Mr. Hartley, the Chief of the Division of Manufactures in the Census Bureau.

Mr. MOORE of Pennsylvania. He is an employee of the Census Bureau?

Mr. HELM. Yes; he is Chief of the Division of Manufactures in the Census Bureau.

Mr. MOORE of Pennsylvania. Will the gentleman state what part of the public, to which the gentleman from Georgia [Mr. LARSEN] referred, requested this special manufactures census?

Mr. LARSEN. I did not say they specially requested it.

Mr. MOORE of Pennsylvania. The gentleman said the public wanted this information.

Mr. LARSEN. Oh, they do want a lot of things. I have wanted a lot of things myself in my life, and could not get them.

Mr. MOORE of Pennsylvania. The gentleman said this was in response to a public demand.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. Will not the gentleman give me some more time?

Mr. HELM. I yield to the gentleman five minutes.

The CHAIRMAN. The gentleman is recognized for five minutes.

Mr. HELM. To further answer some of the misunderstandings that I think the gentleman from Pennsylvania has, the Director of the Census stated, to illustrate what I mean in explanation of this very section:

There is in existence a volume giving reports for 73 principal industries of this country out of a total of 270,000 manufacturing establishments. They cover the things that enter most largely into our industrial and commercial life. The statistics for these industries are being called for almost every day.

Mr. MOORE of Pennsylvania. By the war boards?

Mr. HELM. By the different governmental instrumentalities in connection with the management of the war.

Mr. MOORE of Pennsylvania. Suppose that the census is taken in 1921, which is the one provided for here, how long will it be before the public will have the result of that census?

Mr. HELM. The gentleman has again been unfortunate in not having been able to be present in the Chamber during the discussion of this bill. As soon as the statistics are gathered and sent to the bureau a pamphlet or summary is issued and distributed over the country, to the newspapers, and the public is advised of the conditions existing in the manufacturing industries and in the commercial world.

Mr. MOORE of Pennsylvania. Take the census of 1921. When will we have the returns of that? In 1922 or 1923? The gentleman says I have not followed the discussion. What does the gentleman say now?

Mr. HELM. If the census is taken in the early part of 1921 in my opinion the public will be advised of it in less than nine months, possibly six months.

Mr. MOORE of Pennsylvania. The gentleman thinks if the census of 1921 is started by——

Mr. HELM. If it is started in 1921. Let me clear up the gentleman's confused idea about that. The complete work of the census consists of these bound volumes that the gentleman has seen, and in his activities as a very active and alert Congressman I know he has had occasion to call on the Census Bureau for data——

Mr. MOORE of Pennsylvania. I frequently do——

Mr. HELM. For the writing of tariff bills and matters of that kind.

Mr. MOORE of Pennsylvania. I am not finding fault with the Census Bureau. It is a valuable adjunct to the Government. There is no question about that. But the gentleman will not tell me when we are going to get the returns from this first biennial census of manufactures taken in 1921. I suspect he thinks we will get it in 1922.

The gentleman says, and the testimony indicates, that the war boards are seeking this information. The war boards have all this information in hand, because they have absolute control over all the industries. Now, then, what value for war purposes will this census of 1921 be in the year 1922 or 1923 when it comes along? We are told that this is a war proposition. I fear it means that those manufacturers who are doing a war business will be halted by those census inquiries at a time when they are expected to use all speed to win the war. They are to be told to stop in order to make new returns every year, or every other year, when the results can not be known for one or two years following.

Mr. HELM. Mr. Chairman, will the gentleman yield in that connection?

Mr. MOORE of Pennsylvania. Yes.

Mr. HELM. A representative of the Food Administration, Mr. Pearl, was before the Census Committee, and he stated that the censuses taken in 1910 and 1915 were found almost indispensable to the uses and services of that board, so that——

Mr. MOORE of Pennsylvania. I venture to say that Mr. Hoover, having given millions of dollars to ascertain——

Mr. HELM. The information taken six months ago ought to be of service to this war board.

Mr. MOORE of Pennsylvania. Mr. Hoover, having received millions and millions of dollars for the purpose of employing thousands and thousands of men—more than 5,000 are now in his service and that of the Fuel Administration—is better posted to-day upon the actual business statistics of this country than is the Director of the Census, because he has practical control over every food producer and food consumer. The Director of the Census has no such authority as that. Mr. Hoover and Mr. Garfield already have thousands upon thousands of employees engaged in this kind of work, and I fear that you are now proposing to duplicate it.

Mr. ASWELL and Mr. ROBBINS rose.

Mr. ROBBINS. I move to strike out the last three words.

The CHAIRMAN. Does the gentleman from Louisiana, a member of the committee, desire recognition?

Mr. ASWELL. Yes, Mr. Chairman.

The CHAIRMAN. The Chair will first recognize the gentleman from Louisiana [Mr. ASWELL], a member of the committee, and then he will recognize the gentleman from Pennsylvania [Mr. ROBBINS].

Mr. ASWELL. Mr. Chairman, I want to say only a word. After the first biennial census of manufactures is taken it will require no additional force in the Bureau of the Census, and will cost practically not a dollar after the first is taken. Why the Director of the Census should not be directed to take the next biennial census of manufactures when it will cost little extra I can not understand.

Mr. STAFFORD. Will the gentleman yield?

Mr. ASWELL. Yes.

Mr. STAFFORD. Upon what basis does the gentleman make the statement that the taking of the census of manufactures once every two years instead of once every five years will entail no additional cost upon the bureau?

Mr. ASWELL. Simply because after the first biennial census is taken the information, being easily accessible, will be gathered by correspondence largely, and will require no great tax upon the manufacturers to furnish the information. It saves money and at the same time brings to the country the information that everybody ought to have.

Mr. STAFFORD. I think the gentleman is entirely in error; and if the House will give me an opportunity I will show beyond peradventure of contradiction that the gentleman's statement is entirely erroneous.

Mr. ASWELL. I base my statement upon the statement of the Director of the Census made this morning and on statements he has made time after time.

Mr. STAFFORD. Will the gentleman kindly indicate in the record of the hearings where any such statement has been made by the director?

Mr. ASWELL. I have not the record before me.

Mr. STAFFORD. I will furnish the gentleman with a copy of the record.

Mr. ASWELL. I make this statement upon the statement of Mr. Rogers this morning. It seems to me somewhat unreasonable to argue in favor of striking out this section when the country urgently demands this information. The war certainly will not continue many, many years, and when the war is over gradually, step by step, we will have a continuous record

of the manufacturing industries of the country. I hope the gentleman will not press that point.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. ASWELL. Yes.

Mr. MOORE of Pennsylvania. This is the 1st of July, 1918, and we have been at war with Germany for 15 months. Six months of this year are to elapse, and the whole of 1919 is to elapse, before the first of these biennial censuses is arranged for. It will be 1921, fully two years from this time, before the first biennial manufacturing census herein proposed will be inaugurated. The returns from that census can not possibly be available for the public, which the gentleman says is in need of this information, until well on into the year 1922.

Mr. ASWELL. The gentleman is mistaken about that.

Mr. MOORE of Pennsylvania. Let us say that it will be ready in three months after the census is taken. I will give the gentleman the benefit of a very close margin. Of what use will that information be for war purposes?

Mr. ASWELL. I made no claim especially for war purposes. There is a necessity for it all the time, in war or in peace.

Mr. MOORE of Pennsylvania. I understood the gentleman to say that the public was demanding this, that we were at war, and that it was important that this legislation should pass.

Mr. ASWELL. It is important now, and will be more important as the years pass on.

Mr. MOORE of Pennsylvania. The gentleman is a very active member of the committee. He says there will be no additional expense by reason of this additional census. May I ask the gentleman if it is not a fact——

Mr. ASWELL. I said after the first one was taken.

Mr. MOORE of Pennsylvania. Is it not a fact that the Government will have to print a large number of blanks, and that it will have to keep employed a large number of people?

Mr. ASWELL. Not another man more than there are now.

Mr. MOORE of Pennsylvania. That it will have to send out a great deal of mail matter to all sections of the country, which, of course, is franked, but which the Government has to pay for? Is it not a fact that manufacturing establishments and business men all over the United States, in every section of it, will be required to make two or three more returns to the Census Bureau than they now have to make?

Mr. ASWELL. Yes; and they would be glad to do it.

Mr. MOORE of Pennsylvania. I question whether that is a fact.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last three words.

The CHAIRMAN. The Chair promised to recognize the gentleman from Pennsylvania [Mr. ROBBINS].

Mr. HELM. Mr. Chairman, I should like to see if we can not come to some agreement as to the limitation of debate on this section.

Mr. WALSH. How would an hour on each side do?

Mr. HELM. I am satisfied the gentleman from Massachusetts can talk 10 hours, as far as that is concerned; but there are some other matters here which require attention to-day.

Mr. WALSH. I have spoken on the amendment once, so that I would not be able to press my views upon the committee again unless I got unanimous consent.

Mr. HELM. I do not see anybody else besides the gentleman from Boston who wants to take time.

Mr. STAFFORD. I believe this is the last section that will provoke a debate of any length.

Mr. HELM. How much time does the gentleman from Wisconsin want?

Mr. STAFFORD. Not to exceed 10 minutes, and perhaps not more than 7.

Mr. ROBBINS. I should like 10 minutes.

Mr. JOHNSON of Washington. I should like five minutes.

Mr. HELM. Mr. Chairman, I ask unanimous consent that debate on this section and all amendments thereto close in 30 minutes.

Mr. STAFFORD. Reserving the right to object, how will that time be distributed?

Mr. HELM. I want 10 minutes time, and the gentleman from Michigan [Mr. NICHOLS] can control the remainder.

Mr. BLACK. Unless I can have the assurance of five minutes I shall object.

Mr. ASWELL. We can take care of the gentleman.

Mr. STAFFORD. Will the gentleman make it 35 minutes?

The CHAIRMAN. How is the time to be divided?

Mr. HELM. Twenty-five minutes to be controlled by the gentleman from Michigan and ten minutes by myself.

The CHAIRMAN. Will that take care of the gentleman from Texas?

Mr. BLACK. I so understand.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that debate on this section and all amendments thereto close in 35 minutes, of which time the gentleman from Michigan [Mr. NICHOLS] shall control 25 minutes and the gentleman from Kentucky [Mr. HELM] 10 minutes. Is there objection?

There was no objection.

Mr. HELM. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. FOSTER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 11984 and had come to no resolution thereon.

LEAVE OF ABSENCE.

Mr. MCLEMORE, by unanimous consent, was given leave of absense from June 24 to June 29, inclusive, on account of illness.

ARMY APPROPRIATION BILL.

Mr. DENT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 12281, the Army appropriation bill, disagree to the Senate amendments, and agree to the conference asked for by the Senate.

The SPEAKER. The gentleman from Alabama asks unanimous consent to take from the Speaker's table the bill H. R. 12281, disagree to all the Senate amendments, and agree to the conference asked for by the Senate. Is there objection?

Mr. MCKENZIE. Will the gentleman yield?

Mr. DENT. Yes.

Mr. MCKENZIE. Reserving the right to object, this is a proposition to send the military bill to conference?

Mr. DENT. Yes.

Mr. MCKENZIE. And disagree to all the Senate amendments?

Mr. DENT. Yes; and agree to the conference asked for by the Senate.

Mr. MCKENZIE. I have no objection to disagreeing to all the Senate amendments and sending the bill to conference, but I would like to ask the chairman of the committee, in view of the fact that there are so many very important and far-reaching legislative amendments that have been added to the bill since it passed the House, whether or not, in view of the importance of many of these amendments, such as the Slovak Legion, the creation of a number of regiments in certain States to be used as independent organizations, the creation of a new bureau to look after social hygiene of the country, lieutenant general for the Judge Advocate General, and the creation of a great number of major generals in the Medical Corps—I ask the gentleman if it is not his judgment that we should on these very important matters, which have not had the judgment of our committee and upon which the House has no information, if it will not be the purpose of the conferees to bring back some of the more important matters for the House to vote upon?

Mr. DENT. I will state to my colleague on the committee that I would not like to make any absolute promise as to what the conferees will do, but I think my colleague knows me well enough, from association on the committee, that where new legislative propositions are brought in it is my policy not to take the responsibility unless I can in some way, at least, get the sense of the House. I would not like to make any absolute promise as to what will or what will not be brought back. I will state, however, that I agree with the gentleman's proposition that these legislative matters ought not to be on this appropriation bill and that we ought to raise an American Army. [Applause.]

Mr. MCKENZIE. I realize that we are all anxious to get this bill completed and to have a complete agreement by the conferees. I shall interpose no objection at this time preventing that, but I do say very frankly, Mr. Speaker, that there are propositions injected into this bill by the Senate that I feel, regardless of my desire for a recess, that before I would vote for a conference report containing them I would stay here and fight as long as I could. But I have confidence that the chairman of the committee will bring them back and give an opportunity to express ourselves on it.

Mr. DYER. Mr. Speaker, reserving the right to object, the gentleman from Illinois, as well as the chairman of the committee, realizes that these are extraordinary times and that it is important for the success of our forces that some provisions pertaining to the Army should be enacted into law at once, including the provision in relation to the Medical Corps.

Mr. WALSH. Reserving the right to object, Mr. Speaker, has the gentleman from Alabama and his committee given con-

sideration to the plan to take this bill to his committee before sending it to conference?

Mr. DENT. I will state to the gentleman from Massachusetts that I suggested myself to Gen. Crowder and to Senator CHAMBERLAIN, prior to the time that the Senate committee reported on the appropriation bill, that there were certain matters of legislation which the War Department was anxious should be enacted into law, and that both committees had practically agreed on, and that it would be all right if the Senate would put those legislative features on the appropriation bill. In response to that suggestion the chairman of the Senate Military Committee invited the gentleman from California [Mr. KAHN] and myself to sit with him and the ranking minority member of the Senate Military Committee and Gen. Crowder and certain officers of his force. We went over the legislation that Gen. Crowder suggested and which the War Department was insisting upon. We agreed substantially upon the legislation that should go in the bill. I then called the House Military Committee in session and narrated what had been done and they substantially approved. After that there were put in the bill legislative matters that we were not advised about at all; and, of course, I have had no opportunity to confer with the Military Committee about them. For instance, in the Senate on the floor 22 amendments of a legislative nature were added to the bill. The bill has just come over. I tried to get a print on Sunday but was unable to do so. I have had no chance to confer with the Military Committee on the new legislative features that have been put on the bill.

Mr. WALSH. Of course, there are some matters here that would seem were not of such an urgent nature that they should be put on the appropriation bill.

Mr. DENT. I agree with the gentleman that there are some matters that ought not to be put on the bill.

Mr. WALSH. I think the House ought to have some opportunity for discussion of the new legislative features, because we can not assume that they are in perfect form simply because they are put on by the Senate. I think that we ought to have a chance to vote on some of these Senate amendments.

Mr. MOORE of Pennsylvania. Mr. Speaker, if objection is made to this motion, does it mean that the bill will go back to the Committee on Military Affairs?

The SPEAKER. The practice is, if the chairman asks that the bill lie on the table it will be allowed to do so; but this is an exigency and the Chair would be disposed to refer it to the Military Affairs Committee at once unless there was some good reason to have it lie on the table.

Mr. MOORE of Pennsylvania. Mr. Speaker, may I have one minute?

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to proceed for one minute. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. Mr. Speaker, my inclination is to object and send this report back to the Military Affairs Committee for further consideration. We should not, in my judgment, be forced to accept amendments involving important principles in this way. Stories come up through the camps, both here and abroad, that discontent in the ranks follows the tendency of men of high position in the Army to inject their personal affairs into these appropriation bills. Matters affecting rank and individual salaries should not halt these great measures nor bring disappointment to the boys in the trenches. We all want victory to perch upon our banners as quickly as possible. We do not help matters by stopping to contend over the rights or privileges of certain generals. For one I am tired of hearing complaints that come up from the ranks through members of soldiers' families with respect to the effect of the quibbling of men in Washington. I do not believe we are improving the morale of our boys in France or in the Army camps in the United States by stopping legislation until the personal interests of certain men are promoted. I shall not object to the report going back to conference, but——

Mr. CANNON. Mr. Speaker, will the gentleman from Pennsylvania yield?

Mr. MOORE of Pennsylvania. Yes; if I have the time.

Mr. CANNON. Did my friend get information from the boys in the trenches by wireless?

Mr. MOORE of Pennsylvania. No; but I have had it in various ways sufficient to satisfy me that some of the boys "over there," as well as some of them here, are very much discontented. They have hard drills, a hard life, and they are anxious to have the thing over. They should not be held up by these quarrels over grades in Washington.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. SAUNDERS of Virginia. Mr. Speaker, reserving the right to object, I wish to say that I understand that the Senate has added to the Army appropriation bill, an amendment making Gen. Crowder a lieutenant general. It was but a few days ago that this body expressed itself in the most emphatic fashion in the case of Gen. Barnett, in opposition to this policy of making lieutenant generals out of bureau heads in Washington. The House should be advised whether an opportunity will be given it to vote on this amendment, otherwise a motion ought to be made to instruct our conferees not to agree to this item. Of course if this matter is returned to the House for consideration in advance of final action by the conferees, that will be entirely satisfactory to everyone who is opposed to this amendment.

Mr. KAHN. Mr. Speaker, will the gentleman yield?

Mr. DENT. Yes.

Mr. KAHN. Mr. Speaker, to-day is the beginning of the new fiscal year. The amounts carried in this bill are the largest that have ever been carried in any appropriation bill in any legislative body. It is essential that the conferees be appointed as speedily as possible in order that the War Department may know at least what they can depend upon in the way of money appropriations. The legislative features that have been added to the bill by the Senate can be taken up at some length and can be disposed of in regular order. But I suggest that the conferees who have been appointed by the Speaker upon military matters in the past generally have given ample opportunity to the House to express its view upon such legislative features as may have been inserted in the bills by the Senate. The conferees should not, in my opinion, be instructed before they go into conference the first time. There is no disposition, so far as I know, on the part of any conferee of the House to preclude ample, full, free, and fair discussion on every one of the proposed legislative features. I sincerely hope that the request of the chairman of the committee will be agreed to and that the bill may go to conference at once.

Mr. TOWNER. Mr. Speaker, reserving the right to object, I would like to ask the chairman of the committee regarding those 22 amendments about which he spoke having been adopted in the Senate. As I am informed and understand, those amendments were not even considered and reported by the committee of the Senate.

Mr. DENT. I think there were seven of them that were committee amendments, but the others were put on from the floor.

Mr. TOWNER. I desire to make this suggestion to the gentleman: I hope this bill will go to conference, and I hope the conferees will take all the time necessary to consider all of these amendments. The Senate having placed upon the House the responsibility of acting upon these new propositions, the country should understand that the House will not be driven, because of the consideration of time, from a full consideration of the amendments. The country will not justify us, in my judgment, if we do not fully consider before we pass upon all of these amendments that have been submitted by the Senate, no matter how much time it may take.

Mr. DUPRÉ. Mr. Speaker, will the gentleman from Alabama yield?

Mr. DENT. Yes.

Mr. DUPRÉ. Is it not true that a number of the amendments offered from the floor of the Senate were included in legislation that had previously passed the Senate and is now pending before the Committee on Military Affairs of the House?

Mr. DENT. That is true as to committee amendments, but only 7 of the 22 were committee amendments.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The Chair announced the following conferees: Mr. DENT, Mr. FIELDS, and Mr. KAHN.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

The SPEAKER laid before the House the following message from the President of the United States:

The Clerk proceeded to read the message.

Mr. STAFFORD (interrupting the reading). Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Wisconsin makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and fifty Members present, not a quorum.

Mr. GARNER. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The Clerk called the roll, and the following Members failed to answer to their names:

Bacharach	Flynn	Lee, Ga.	Scott, Iowa
Baer	Foss	Lehlbach	Scott, Pa.
Bankhead	Freeman	Lesher	Scully
Bland	Gallivan	Lever	Sells
Britten	Goodall	Littlepage	Shackleford
Brodbeck	Gould	London	Sherwood
Browning	Graham, Pa.	Lundeen	Siegel
Brumbaugh	Gray, N. J.	McCormick	Slayden
Campbell, Pa.	Griest	Maher	Slemp
Carew	Hamill	Mann	Smith, T. F.
Carter, Mass.	Hamilton, N. Y.	Mason	Snell
Carter, Okla.	Haskell	Miller, Minn.	Snyder
Church	Hayes	Mudd	Stedman
Claypool	Heaton	Neely	Sterling, Ill.
Copley	Heintz	Nelson	Sterling, Pa.
Costello	Helvering	Norton	Stevenson
Cox	Hicks	Olney	Strong
Crago	Hood	O'Shaunessy	Sullivan
Currie, Mich.	Houston	Overmyer	Switzer
Curry, Cal.	Howard	Paige	Tague
Dale, N. Y.	Hutchinson	Phelan	Talbott
Davidson	Ireland	Polk	Templeton
Davis	Jacoway	Powers	Van Dyke
Denison	James	Pratt	Vare
Dies	Johnson, S. Dak.	Ragsdale	Voigt
Donovan	Juul	Rayburn	Ward
Dooling	Kearns	Reavis	Watson, Va.
Doremus	Kehoe	Riordan	Whaley
Drukker	Kelley, Mich.	Roberts	White, Ohio
Edmonds	Kennedy, R. I.	Rodenberg	Wingo
Emerson	Kiess, Pa.	Rose	Winslow
Estopinal	Kreider	Rowland	Wise
Fairchild, G. W.	LaGuardia	Russell	Woods, Iowa
Ferris	Langley	Sabath	Woodyard
Fields	Lea, Cal.	Schall	

The SPEAKER. On this call 291 Members, a quorum, answered to their names.

Mr. BYRNS of Tennessee. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The question was taken, and the motion was agreed to.

The SPEAKER. A quorum is present. The Doorkeeper will unlock the doors. The Clerk will read the veto message of the President.

VETO MESSAGE, LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL (H. DOC. NO. 1207).

The Clerk read as follows:

To the House of Representatives:

Though I realize very keenly the inconvenience to the Government of returning without my signature H. R. 10358, making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes, I feel constrained to do so because of the provision contained in the last paragraph of the bill, which increases the hours of work for the employees of the Government within the District of Columbia from seven to eight hours per day.

At the outset of the war I felt it my duty to urge all employers in the United States to make a special effort to see to it that the conditions of labor were in no respect altered unfavorably to the laborer. It has been evident from the first how directly the strain of this war is to bear upon those who do the labor which underlies the whole process of mobilizing the Nation, and it seemed to me at the outset, as it seems to me now, that it is of the highest importance that the advantages which had been accorded labor before the war began should not be subtracted from or abated.

Having taken this position in an earnest appeal to other employers, I do not feel justified in assenting to a measure in which the United States as an employer changes the conditions of the labor of its own employees unfavorably to them, and I feel the freer to take this position because I have not learned from any quarter that the employees of the Government in the District have been slack in their labor or have demurred from doing any of the necessary additional tasks which the time and the exigency require. On the contrary, I have learned that they have cheerfully done additional labor and have not needed the compulsion of law.

WOODROW WILSON.

THE WHITE HOUSE, *1 July, 1918.*

Mr. BORLAND. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Missouri rise?

Mr. BORLAND. Mr. Speaker, I rise to make a motion that the House proceed to reconsider the measure mentioned in the message.

The SPEAKER. It does not require a motion. It is the business of the Chair to put the question without any motion about it. The other day the gentleman from Minnesota [Mr. STEENERSON] made a motion, and inasmuch as he made it the Chair put it; it amounted to the same thing exactly. The question before the House is, Will the House on reconsideration pass the legislative, executive, and judicial appropriation bill, the objection of the President of the United States to the contrary notwithstanding? The Clerk will call the roll.

The question was taken; and there were—yeas 50, nays 248, answered "present" 3, not voting 129, as follows:

YEAS—50.

Anderson	Flood	Kitchin	Sisson
Anthony	Gard	McFadden	Slemp
Black	Garner	McKenzie	Sloan
Borland	Gillett	McLaughlin, Mich.	Small
Buchanan	Glass	Mansfield	Stafford
Candler, Miss.	Gordon	Mapes	Stephens, Miss.
Clark, Fla.	Green, Iowa	Miller, Minn.	Walsh
Collier	Greene, Vt.	Oldfield	Webb
Connally, Tex.	Haugen	Platt	Welling
Cramton	Helm	Quin	Wilson, Tex.
Dale, Vt.	Humphreys	Robinson	Young, Tex.
Doughton	Johnson, Ky.	Sanford	
Elliott	Kennedy, Iowa	Shouse	

NAYS—248.

Alexander	Eagan	La Follette	Romjue
Almon	Eagle	Larsen	Rouse
Ashbrook	Ellsworth	Lazaro	Rowe
Aswell	Elston	Lea, Cal.	Rubey
Austin	Esch	Lee, Ga.	Rucker
Ayres	Evans	Lever	Sanders, Ind.
Barkley	Fairchild, B. L.	Linthicum	Sanders, La.
Barnhart	Fairfield	Little	Sanders, N. Y.
Beakes	Fess	Lobeck	Saunders, Va.
Bell	Fisher	Lonergan	Scott, Mich.
Beshlin	Focht	Longworth	Sears
Blackmon	Fordney	Lufkin	Shallenberger
Blanton	Foster	Lunn	Sherley
Booher	Francis	McAndrews	Sims
Bowers	Frear	McArthur	Sinnott
Brand	French	McClintic	Smith, Idaho
Browne	Fuller, Ill.	McCulloch	Smith, Mich.
Burnett	Fuller, Mass.	McKeown	Smith, C. B.
Burroughs	Gallagher	McKinley	Snook
Butler	Gandy	McLaughlin, Pa.	Steagall
Byrnes, S. C.	Garland	McLemore	Steele
Byrns, Tenn.	Garrett, Tenn.	Madden	Stephens, Nebr.
Caldwell	Garrett, Tex.	Magee	Stiness
Campbell, Kans.	Glynn	Martin	Sweet
Cannon	Godwin, N. C.	Mays	Swift
Cantrill	Good	Meeker	Taylor, Ark.
Caraway	Goodwin, Ark.	Merritt	Taylor, Colo.
Carlin	Graham, Ill.	Miller, Wash.	Temple
Carter, Okla.	Gray, Ala.	Mondell	Thomas
Cary	Greene, Mass.	Montague	Thompson
Chandler, N. Y.	Gregg	Moon	Tillman
Clark, Pa.	Griffin	Moores, Ind.	Tilson
Classon	Hadley	Morgan	Timberlake
Cleary	Hamilton, Mich.	Morin	Tinkham
Coady	Hamlin	Mott	Towner
Connelly, Kans.	Hardy	Nicholls, S. C.	Treadway
Cooper, Ohio	Harrison, Miss.	Nichols, Mich.	Van Dyke
Cooper, W. Va.	Harrison, Va.	Nolan	Vare
Cooper, Wis.	Hastings	Oliver, Ala.	Venable
Cox	Hawley	Oliver, N. Y.	Vestal
Crisp	Hayden	Osborne	Vinson
Crosser	Heflin	Overstreet	Voigt
Dallinger	Hensley	Padgett	Volstead
Darrow	Hersey	Park	Waldow
Decker	Hilliard	Parker, N. J.	Walker
Delaney	Holland	Parker, N. Y.	Walton
Dempsey	Hollingsworth	Peters	Wason
Dent	Huddleston	Porter	Watkins
Denton	Hull, Iowa	Pou	Watson, Pa.
Dewalt	Igoe	Price	Weaver
Dickinson	Jacoway	Purnell	Welty
Dill	Johnson, Wash.	Rainey, H. T.	Whaley
Dillon	Jones	Rainey, J. W.	Wheeler
Dixon	Keating	Raker	White, Me.
Dominick	Kelly, Pa.	Ramsey	Williams
Doolittle	Kettner	Ramseyer	Wilson, Ill.
Doremus	Key, Ohio	Randall	Wilson, La.
Dowell	Kincheloe	Rankin	Winslow
Drane	King	Reed	Wood, Ind.
Dunn	Kinkaid	Robbins	Wright
Dupré	Knutson	Roberts	Young, N. Dak.
Dyer	Kraus	Rogers	Zihlman

ANSWERED "PRESENT"—3.

Chandler, Okla.	Moore, Pa.	Sumners

NOT VOTING—129.

Bacharach	Donovan	Heaton	Lehlbach
Baer	Dooling	Heintz	Lesher
Bankhead	Drukker	Helvering	Littlepage
Bland	Edmonds	Hicks	London
Britten	Emerson	Hood	Lundeen
Brodbeck	Estopinal	Houston	McCormick
Browning	Fairchild, G. W.	Howard	Maher
Brumbaugh	Farr	Hull, Tenn.	Mann
Campbell, Pa.	Ferris	Husted	Mason
Carew	Fields	Hutchinson	Mudd
Carter, Mass.	Flynn	Ireland	Neely
Church	Foss	James	Nelson
Claypool	Freeman	Johnson, S. Dak.	Norton
Copley	Gallivan	Juul	Olney
Costello	Goodall	Kahn	O'Shaunessy
Crago	Gould	Kearns	Overmyer
Currie, Mich.	Graham, Pa.	Kehoe	Paige
Curry, Cal.	Gray, N. J.	Kelley, Mich.	Phelan
Dale, N. Y.	Griest	Kennedy, R. I.	Polk
Davidson	Hamill	Kiess, Pa.	Powers
Davis	Hamilton, N. Y.	Kreider	Pratt
Denison	Haskell	LaGuardia	Ragsdale
Dies	Hayes	Langley	Rayburn

Reavis	Scully	Steenerson	Ward
Riordan	Sells	Sterling, Ill.	Watson, Va.
Rodenberg	Shackleford	Sterling, Pa.	White, Ohio
Rose	Sherwood	Stevenson	Wingo
Rowland	Siegel	Strong	Wise
Russell	Slayden	Sullivan	Woods, Iowa
Sabath	Smith, T. F.	Switzer	Woodyard
Schall	Snell	Tague	
Scott, Iowa	Snyder	Talbott	
Scott, Pa.	Stedman	Templeton	

So the motion was rejected.

The Clerk announced the following pairs:

Until further notice:

Mr. STEDMAN with Mr. BACHARACH.
Mr. BANKHEAD with Mr. BRITTEN.
Mr. FERRIS with Mr. CHANDLER of Oklahoma.
Mr. TALBOTT with Mr. BROWNING.
Mr. BRODBECK with Mr. STEENERSON.
Mr. BRUMBAUGH with Mr. STERLING of Illinois.
Mr. TAGUE with Mr. STRONG.
Mr. STERLING of Pennsylvania with Mr. BLAND.
Mr. STEVENSON with Mr. SWITZER.
Mr. SULLIVAN with Mr. CARTER of Massachusetts.
Mr. CAMPBELL of Pennsylvania with Mr. COPLEY.
Mr. CAREW with Mr. COSTELLO.
Mr. CHURCH with Mr. CRAGO.
Mr. CLAYPOOL with Mr. CURRIE of Michigan.
Mr. WATSON of Virginia with Mr. WARD.
Mr. WHITE of Ohio with Mr. WOOD of Indiana.
Mr. WISE with Mr. GOODALL.
Mr. GALLIVAN with Mr. FREEMAN.
Mr. FLYNN with Mr. FOSS.
Mr. FIELDS with Mr. FARR.
Mr. THOMAS F. SMITH with Mr. SNYDER.
Mr. SLAYDEN with Mr. SNELL.
Mr. SHERWOOD with Mr. SIEGEL.
Mr. SHACKLEFORD with Mr. SELLS.
Mr. SCULLY with Mr. EMERSON.
Mr. SABATH with Mr. EDMONDS.
Mr. DONOVAN with Mr. DAVIDSON.
Mr. DIES with Mr. DENISON.
Mr. DALE of New York with Mr. DAVIS.
Mr. RUSSELL with Mr. ROSE.
Mr. RIORDAN with Mr. RODENBERG.
Mr. RAYBURN with Mr. PRATT.
Mr. RAGSDALE with Mr. PLATT.
Mr. HAMILL with Mr. PAIGE.
Mr. HELVERING with Mr. GOULD.
Mr. HOOD with Mr. GRAHAM of Pennsylvania.
Mr. HOUSTON with Mr. GRAY of New Jersey.
Mr. HOWARD with Mr. GRIEST.
Mr. HULL of Tennessee with Mr. HAMILTON of New York.
Mr. KEHOE with Mr. HASKELL.
Mr. LESHER with Mr. HAYES.
Mr. LITTLEPAGE with Mr. HEATON.
Mr. LONDON with Mr. MUDD.
Mr. MAHER with Mr. HUSTED.
Mr. NEELY with Mr. HUTCHINSON.
Mr. OLNEY with Mr. HICKS.
Mr. O'SHAUNESSY with Mr. KIESS of Pennsylvania.
Mr. OVERMYER with Mr. KREIDER.
Mr. WINGO with Mr. LANGLEY.
Mr. ESTOPINAL with Mr. LEHLBACH.
Mr. SCHALL with Mr. KAHN.
Mr. DOOLING with Mr. GEORGE W. FAIRCHILD.

The SPEAKER. On this vote the yeas are 50, the nays 248, answering "present" 3. Two-thirds of the House having failed to vote in the affirmative, the House declines to pass the bill, the President's objection to the contrary notwithstanding.

Mr. BYRNS of Tennessee. Mr. Speaker, I move that the veto message of the President be referred to the Committee on Appropriations.

The SPEAKER. The gentleman from Tennessee moves that the veto message of the President be referred to the Committee on Appropriations.

The motion was agreed to.

WATER-POWER LEGISLATION.

Mr. SIMS. Mr. Speaker, I wish to make a request for unanimous consent.

The SPEAKER. The gentleman from Tennessee is recognized.

Mr. SIMS. Mr. Speaker, I ask unanimous consent that the bill known as the water-power bill be taken up for consideration by the House, subject to all privileged bills, resolutions, or other matters.

Mr. SHERLEY. Mr. Speaker, at this time I feel compelled to object to that request.

The SPEAKER. The gentleman from Kentucky objects.

GENERAL DEFICIENCIES.

Mr. SHERLEY. Mr. Speaker, I present for printing under the rule the general deficiency bill, and I wish to serve notice on the House that later in the day I shall ask unanimous consent to take up the bill, without regard to its being printed under the rule. A copy of the bill and the report (No. 727) will be available for the benefit of the Members, if not available now.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 12600) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes.

The SPEAKER. The bill is ordered printed under the rule.

Mr. STAFFORD. Mr. Speaker, I reserve all points of order on the bill just reported.

DISTRICT APPROPRIATIONS—CONFERENCE REPORT.

Mr. SISSON, from the Committee on Appropriations, called up the conference report on bill H. R. 11692, the District appropriation bill, as follows:

CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate Nos. 1, 61, and 83 to the bill (H. R. 11692) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1919, and for other purposes, having met, after full and free conference have been unable to agree.

T. U. SISSON,
JAS. MCANDREWS,
C. R. DAVIS,
Managers on the part of the House.

JOHN WALTER SMITH,
JOE T. ROBINSON,
J. H. GALLINGER,
Managers on the part of the Senate.

Mr. SISSON. Mr. Speaker, I will state that the conferees are still at disagreement on amendments Nos. 1, 61, and 83, the three amendments that were in disagreement before. The first amendment was the amendment involving the half and half and the other was the Keller amendment, involving the reversal by Congress of the judgment of the court in condemnation preceedings on land, and the other amendment involves the principle of the half-and-half law.

Now, I ask unanimous consent that the conference report be agreed to.

Mr. STAFFORD. Mr. Speaker, may I inquire of the gentleman since this matter was last under consideration in the House whether the conferees have had any protracted conference on the amendments that are in disagreement?

Mr. SISSON. Mr. Speaker, I will state that the conferees on the part of the House met with the conferees on the part of the Senate, and the Senate conferees declined to discuss either of these amendments. I made an effort to discuss the matter with the Senate conferees and endeavored to go into the history of the half and half, the reasons for its adoption at first, which I did at some little length, and then started to discuss with them the report of the joint commission. Neither of the conferees said anything, made no sort of reply, did not in any way controvert any statement that I made about it, and said that the conference was useless. I then stated to the conferees that if they would assign reasons——

Mr. DYER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DYER. I want to make the point that the gentleman is not permitted to state what took place in the conference.

Mr. SISSON. I am stating that we did not have a conference.

Mr. DYER. The gentleman has stated what took place and what the Senators and the members of the conference said, or what they did not say.

Mr. GILLETT. Mr. Speaker, I ask the gentleman if he thinks it proper to detail to the House information of the conference?

Mr. SISSON. I think so. If not, I do not know how the House could act understandingly upon this matter. I have absolutely nothing to conceal about it nor do I believe the Senate conferees have.

Mr. GILLETT. The gentleman does not think this is a question they are not familiar with?

Mr. SISSON. I say that this question has never been discussed in the Senate in debate except once. There has never been a real debate on this matter in the United States Senate.

Mr. GILLETT. That does not mean they are not posted on it.

Mr. SISSON. I have my doubts if they are all posted. I am willing to go back and try to confer with the Senate conferees once more, and if this conference report is agreed to, and I have asked unanimous consent that it be agreed to, I shall follow that up with the request that we further insist on disagreement to the Senate amendments and agree to the conference asked for by the Senate.

Mr. WALSH. Will the gentleman yield?

Mr. SISSON. Yes.

Mr. WALSH. Was not the conference report agreed to the other day?

Mr. SISSON. Yes. But this is another conference, although the items are identical with the items before.

Mr. WALSH. Do I understand the gentleman to say that he has brought in a conference report that has already been agreed to by both branches?

Mr. SISSON. We agreed to the conference report before, and in that conference report there was a disagreement on three items. We agreed to the conference report by unanimous consent, and then upon a vote the House sustained the disagreement of the House conferees upon amendments Nos. 1, 61, and 83.

Mr. GILLETT. Mr. Speaker, will the gentleman yield?

Mr. SISSON. I do.

Mr. GILLETT. Is it not true that, by reason of this bill not having been agreed to by the House to-day, officials of the Government throughout the city of Washington are breaking the law? Every employee whom they use——

Mr. SISSON. I do not think they are breaking the law yet.

Mr. GILLETT. Why not?

Mr. SISSON. The law does not consider part of a day; and we are not going to permit them to violate the law, because if we can not get an agreement upon this bill we will bring in a resolution and save them.

Mr. GILLETT. The resolution has got to provide whether it shall be paid by the half-and-half principle or not.

Mr. SISSON. That is true.

Mr. GILLETT. The same issue will arise.

Mr. SISSON. That can be dealt with by a resolution. But I am willing to go back to the Senate and make an effort to agree if we can.

Mr. GILLETT. I agree with the gentleman as to that. I think we ought to pass the bill in some way.

Mr. SISSON. One moment. I do not believe that there is a single Member of this House that wants to agree to the Keller amendment; not one.

Mr. GILLETT. Is it not probable, if the House agrees, as we always have done in the past ultimately, to carry on the appropriations in the way they have been accustomed to be carried on, that the Senate would abandon that amendment?

Mr. SISSON. I can not say as to that.

Mr. GILLETT. The gentleman knows it has been so in the past, if my recollection serves me.

Mr. SISSON. I can not say about that; but I am willing to make another effort to have a conference with the Senate.

I hope that the House will agree to the motion that I have made for our further disagreement to the Senate amendments and agree to the conference asked for by the Senate.

Mr. GORDON. Mr. Speaker, will the gentleman yield?

Mr. SISSON. Yes.

Mr. GORDON. Has the Senate asked for a conference on the half-and-half principle and now declines to confer on that subject?

Mr. SISSON. This is the first time they have asked for it.

Mr. GILLETT. They did not decline to have a conference.

Mr. SISSON. We sat around the table. I did most of the talking, and I and my colleagues insisted that the Senate conferees give some expression of their views on this subject.

Mr. DYER. The regular order, Mr. Speaker.

The SPEAKER. The regular order is——

Mr. SISSON. One moment; Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SISSON. When this conference report was here before we agreed to the conference report. There were only three items in disagreement.

The SPEAKER. The Chair understands that.

Mr. SISSON. Now, if that conference report has to be agreed to again——

The SPEAKER. It does not have to be agreed to again.

Mr. SISSON. Then I ask unanimous consent that we further insist upon our disagreement.

The SPEAKER. The gentleman from Mississippi asks unanimous consent that the House further insist upon its disagreement to the Senate amendments undisposed of, Nos. 1, 61, and 83, and agree to the conference asked by the Senate. Is there objection?

There was no objection; and the Speaker announced as the conferees on the part of the House Mr. SISSON, Mr. MCANDREWS, and Mr. DAVIS.

EXTENSION OF REMARKS.

Mr. McCLINTIC. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a letter defending second-class postal rates.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to extend his remarks in the RECORD as indicated. Is there objection?

Mr. WALSH. Reserving the right to object, who wrote the letter—an official of the Government?

Mr. McCLINTIC. No; a constituent of my district.

Mr. WALSH. I object.

The SPEAKER. The gentleman from Massachusetts objects.

LEAVE TO ADDRESS THE HOUSE.

Mr. McCLINTIC. I ask unanimous consent to address the House for a few moments.

Mr. WALSH. On this same subject?

Mr. McCLINTIC. Yes.

Mr. WALSH. I object.

Mr. McCLINTIC. Then I make the point of no quorum, Mr. Speaker.

The SPEAKER. The gentleman from Oklahoma makes the point of no quorum. The Chair will count.

Mr. McCLINTIC. Mr. Speaker, I would like to withdraw that point of no quorum.

The SPEAKER. The gentleman from Oklahoma withdraws the point of no quorum. The gentleman from Kentucky [Mr. HELM] is recognized.

Mr. HELM. Mr. Speaker, if anybody else has anything that he wants to be considered, I will not make the motion to go into the Committee of the Whole just for 10 minutes and then have to rise.

The SPEAKER. Nobody seems to be demanding consideration.

Mr. WALSH. I would like to say to the gentleman that I have a motion that I would like to have considered.

FOURTEENTH AND SUBSEQUENT DECENNIAL CENSUSES.

The SPEAKER. The gentleman from Kentucky is recognized.

Mr. HELM. I move, Mr. Speaker, that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 11984, the census bill.

The SPEAKER. The gentleman from Kentucky moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 11984, the census bill. The question is on agreeing to that motion.

The question was taken; and the Speaker announced that the noes seemed to have it.

Mr. ALEXANDER. Mr. Speaker, I ask for a division.

The SPEAKER. The gentleman from Missouri asks for a division.

The House divided; and there were—ayes 77, noes 47.

So the motion was agreed to.

The SPEAKER. The gentleman from Alabama [Mr. BURNETT] will please take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 11984, with Mr. BURNETT in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 11984, which the Clerk will report by title:

The Clerk read as follows:

A bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses.

Mr. NICHOLS of Michigan, Mr. ROBBINS, and Mr. WALSH rose.

Mr. WALSH. Mr. Chairman, there was an agreement limiting discussion to 35 minutes, 10 minutes to be controlled by the chairman of the committee and 25 minutes to be controlled by the gentleman from Michigan [Mr. NICHOLS].

The CHAIRMAN. The Chair was not in at that time. What was the agreement?

Mr. HELM. There was an agreement that we would have 35 minutes on section 32.

Mr. NICHOLS of Michigan. I yield five minutes to the gentleman from Pennsylvania [Mr. ROBBINS].

The CHAIRMAN. The gentleman from Pennsylvania is recognized for five minutes.

Mr. ROBBINS. Mr. Chairman and gentlemen of the committee, this section 32 provides for an entirely new feature in the census law. There is no such provision in any previous census law. It is new and without precedent. It provides for taking statistics of manufactures in 1921, 1923, 1925, and 1927 as to the industries of the country. This section reads as follows:

SEC. 32. That the Director of the Census be, and he is hereby, authorized and directed to collect and publish for the years 1921, 1923, 1925, and 1927, and for every tenth year after each of said years, statistics of the products of manufacturing industries; and the director is hereby authorized to prepare such schedules as in his judgment may be necessary.

In the testimony on page 163 of the hearings before the committee on this bill, with reference to this section Mr. Rogers, Director of the Census, testified, at the bottom of that page, and states as follows:

It would hardly be possible, even if desirable, to make the biennial censuses as comprehensive in character as the census of manufactures now in the bureau taken quinquennially * * * but that it is believed that the proposed bill—

Speaking of this section of the bill—

will, if enacted into law, meet in a great measure the need for more up-to-date information in regard to the materials needed for the manufacturing industries of the country.

On the next page he states that it will probably cost $1,945,000, but adds, "that this is a restricted census and would not cost that much." This proposed census is therefore not to be complete and will, of course, be of little or no value. There has been a lot of discussion here as to what good this data would actually be. I am opposed to it because I do not think it would yield any substantial benefit to the country or contribute any fund of accurate knowledge to the statistical information of the country that would be of any value.

Mr. HELM. Will the gentleman yield?

Mr. ROBBINS. For a question.

Mr. HELM. Is the gentleman from a manufacturing district?

Mr. ROBBINS. I am; and I am coming to that. This information will not be available until one year after it is taken. The commissioner admits that on page 166 of the hearings. In answer to this question, "When would that work be complete and available to the public?" He said:

If you mean December 31, 1918, you would get them about December, 1919, or the 1st of January, 1920; in other words, one year from the date of the receipt of the schedules in our office.

That information would be of no use a year after it was collected. More than that, we must seriously consider the conditions that confront us now among the industrial institutions of the United States. We have all sorts of commissions collecting information and this would only be a duplication of the data we already have.

Mr. HELM. Will the gentleman yield?

Mr. ROBBINS. For a question.

Mr. HELM. If the gentleman will look at page 167, he will see that Mr. Hunt, who is at the head of the manufacturing bureau, says:

What we call the press bulletins will be ready within three months.

Mr. ROBBINS. I was reading from the testimony of the Director of the Census, whom you have been quoting all through this debate as the highest authority. Mr. Rogers, the Director of the Census, says "one year." I will leave the dispute with the gentleman, and I accept the Director of Census rather than an irresponsible clerk. I will take the evidence of the Director of the Census. He is the head of the bureau and must answer for its work, and he testifies to one year.

Now, I want to call the attention of the committee to the number of commissions that we have created by various acts of Congress for collecting statistics from our various industries for various uses right now in active operation. We have the Federal Trade Commission, to which we have appropriated $1,500,000, with 83 expert clerks, and a lot of other employees, who are collecting statistics; and as an evidence of the statistics that they have collected, if you will turn to the bulletin published last Saturday, you will find a report filed with the Senate of the United States, giving facts and figures, data and information, concerning profiteering in the mining industry, in the manufacturing industry, beef industry, lumber, sulphur, copper, steel, petroleum, and in quite a number of other industries.

Therefore it will be a duplication to go through this work again by the experts of the Census Bureau. The Federal Trade Commission already has all this information and we are spending a million and a half dollars annually to collect it through this commission.

Mr. HELM. What has profiteering got to do with statistical information?

Mr. ROBBINS. You could not get evidence of profiteering if you did not know the statistics concerning the industry investigated that showed the actual cost of production. Profits only exist above the cost of production. The profiteer is one who obtains excess profits after deducting cost of production and a fair return.

Then we have the Tariff Commission, to which we have just appropriated $200,000. It is the whole purpose of this commission to ascertain the cost of manufacturing in our industries and recommend a tariff where protection is needed. We have the Interstate Commerce Commission, to which we have appropriated $4,518,000 to collect statistics about the transportation systems, both rail and water, throughout the country. Of course that is not information concerning manufacturing, but it is statistics, and these are obtained by an investigation. Then we follow that up with this Fourteenth Census, which will cost approximately $20,000,000; and by this section 32 we propose to compel these interests and industries to again submit to an investigation not every 10 years but every 2 years. Then we have the Bureau of Markets in the Agricultural Department, for which we have appropriated $1,945,000, that collects all kinds of statistics and issues a yearbook and monthly bulletins and has a multitude of agents traveling about the country nagging and annoying our people for information so they can be busy and hold their Government jobs. In Pennsylvania we have about 5,000 manufacturing corporations.

Mr. HAUGEN. Will the gentleman yield?

Mr. ROBBINS. I can not yield; my time is too limited; I mean no disrespect. I wish to impress upon the committee the iniquity of these investigations. This whole system is an outrage. We are investigating so much that legitimate corporations can not transact their business. I was in the office of a large Pittsburgh manufacturing company, one of the largest producers of commodities in Pennsylvania, last spring, and they told me that their whole clerical force was turned over to the work of getting statistics for the bureaus at Washington; that they could not carry on their usual business because of these investigations and the work entailed in getting out reports and data. Now, the director says it will probably cost $1,900,000 to gather the statistics about the manufacturing industries of the country, although he says it may cost less than that, and yet he does not know exactly how much it will cost to investigate them at every turn, investigate them day and night; and each one of these commissions must take a turn at investigating. I have given above a list of appropriations we have made for investigations and stated the various agencies that are duplicating this work, that must run well onto $30,000,000, and we are investigating as if every man engaged in any industry in our country was a scoundrel and had to be investigated and investigated over and over again, first by one commission and then by another.

Up in Pennsylvania we treat our manufacturing industries as if they were the greatest benefactors and most beneficent institutions in our State, and they are. These industries have developed our resources and give employment to millions of our people. They have made Pennsylvania the great Commonwealth that it is, the greatest manufacturing community in the United States, and the second Commonwealth in population and importance in the galaxy of States. We do not require our manufacturing industries to pay taxes. We foster and encourage them, and I object to having them harassed and annoyed by constant investigations. I am opposed to this section of the bill, and hope that the motion to strike out the whole of section 32 will prevail.

This is only a scheme to furnish places for "deserving Democrats." The work proposed is a useless duplication of work already done by several other governmental agencies, and is not only a waste of the taxpayers' money but is utterly and entirely worthless when the information sought is obtained and the work performed.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. LINTHICUM having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had insisted upon its amendments to the bill (H. R. 12541) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked for by the House on the disagreeing votes of

the two Houses thereon, and had appointed Mr. UNDERWOOD, Mr. SMITH of Maryland, and Mr. JONES of Washington as the conferees on the part of the Senate.

FOURTEENTH AND SUBSEQUENT DECENNIAL CENSUSES.

The committee resumed its session.

Mr. NICHOLS of Michigan. I yield five minutes to the gentleman from Texas [Mr. BLACK].

Mr. BLACK. Mr. Chairman, I do not often find myself in disagreement with the gentleman from Kentucky [Mr. HELM] on matters of public expenditure, but this section 32 is one that I think will impose upon the country an unprofitable governmental activity and therefore unnecessary expenditure, and in view of that fact I shall vote for the amendment to strike it out.

Mr. HELM. Will the gentleman yield?

Mr. BLACK. I would prefer to make a connected statement, and then I will yield to the gentleman. I call the attention of the House at the outset to the fact that section 1 of the bill provides that a census shall be taken in 1920 of population, agriculture, manufactures, and mines and quarries. I am heartily in sympathy with the taking of a full and accurate census on these four different subjects in 1920, and if this bill does not contain every provision that is necessary for a full and complete census of that kind, then I am willing to vote any additional provisions that are needed to accomplish such purpose. I submit that the testimony of the Director of the Census in the hearings which were had on this bill show that the information that will be gathered in the 1920 census will not be fully available to the public until three years after the census begins.

It is fair to state that the information as to population will be available during the first year; but the director himself says that the completed information will not be available to the public until the end of three years. And yet in this section 32 the committee has provided that in 1921 the Census Bureau shall begin over again and take another census of manufactures. I can not see any possible good reason for taking another census of manufactures in 1921 before the information and data obtained in the 1920 census are available for public use. To call it an absurd procedure would, in my mind, be expressing it mildly.

Mr. ASWELL. Will the gentleman yield?

Mr. BLACK. Yes.

Mr. ASWELL. The gentleman is in error, the director himself has repeatedly said that the information would be available in three months.

Mr. BLACK. I am not in error; I make the statement again, that the Director of the Census says complete information as to this census will not be available——

Mr. ASWELL. Oh, the gentleman is speaking of the bound volumes.

Mr. BLACK. I hope the gentleman understood what I said; the RECORD will show that I said that some of the information would be available the first year, but the complete information would not be available until the end of three years.

Mr. ASWELL. The gentleman means the books will not be published.

Mr. BLACK. The gentleman understood what I said, I hope, and I repeat again that the hearings will bear me out in the correctness of my statement. In order to show the House that I have made a correct statement, I quote the following colloquy found on page 169 of the hearings between Mr. NICHOLS of Michigan, a member of the committee, and Hon. Samuel L. Rogers, Director of the Census:

Mr. NICHOLS. When do you begin to take this census.
Mr. ROGERS. January 1, 1920.
Mr. NICHOLS. When will it be completed; that is, completed for the dissemination of the information to the country?
Mr. ROGERS. It will be done within the census period of three years, as provided. Some of the bulletins will be completed within a year.

Mr. HELM. Will the gentleman yield?

Mr. BLACK. Yes.

Mr. HELM. The Department of Agriculture issues an Annual Yearbook which is composed of all the different bulletins issued from time to time by the Agricultural Bureau for publication in the Department of Agriculture. Now, does the gentleman from Texas mean to say that these publications are of no value to the farmer at all until the date of the publication of the Annual Yearbook?

Mr. BLACK. That has absolutely nothing to do with the question we are now discussing, and I do not want to be diverted from the main point at issue, because I only have brief time in which to discuss this amendment.

Mr. HELM. The Farmers' Agricultural Bulletins, the gentleman would say, were of no value until the Annual Yearbook is published.

Mr. BLACK. I have not said that the statistics would not be of value. I said the information as to agriculture, manufactures, mines, and quarries in the 1920 census would not be completed and ready in its complete form, according to the testimony of the Director of the Census, until three years after it was taken, and that, therefore, it would be a foolish procedure to start in again in 1921, as this section 32 requires, and begin another census of manufactures before the data and information gathered by the 1920 census are available for distribution.

That is what I said, and I wish I had language that would still further emphasize it, for the gentleman's consideration. I do not criticize any necessary expenditure. We will have plenty of that kind to tax the utmost resources of this Government before the present war is ended. I do not doubt that the patriotism and loyalty and ability of the American people will be equal to the enormous task of meeting all necessary expenditures, but I submit that we owe it to them, and we owe it to ourselves, as their responsible legislative agents and servants, to keep all these expenditures to as low a figure as possible, consistent with a proper prosecution of all the work and activities of the Federal Government.

Any unnecessary tax is an unjust tax. And it is self-evident that any unnecessary governmental activity imposes an unnecessary expenditure of public money, and just to that extent it imposes unjust taxation.

It appears to me that the census of manufactures to be taken in 1920 and then the one in 1925, under existing law, are all that are necessary, and will be as frequent as the needs require, and therefore I will support the amendment to strike out this section 32 and hope the amendment will be adopted.

Mr. NICHOLS of Michigan. Mr. Chairman, I yield five minutes to the gentleman from Washington [Mr. JOHNSON].

Mr. JOHNSON of Washington. Mr. Chairman and gentlemen, this census bill, sprung at a time when the House is trying to close up the delayed bills carrying appropriations for the fiscal year which began to-day, is like the wicked flea. It hops in and is considered for 10 minutes; then it is laid aside for a conference report. Then it bobs up, is considered for another 10 minutes and is shoved aside by a veto message from the President. Just now the rush-order census bill has the right of way for a few minutes, and the particular paragraph under consideration is section 32, which proposes a special manufacturing census every two years; that is, in 1921, 1923, 1925, 1927, and every 10 years thereafter. Now, why take a regular census of manufacturers in 1920 and then come along with a special one in 1921? The ink would not be dry on the first one before the second one is in the works. I am opposed to this section for the additional reason that I think that the section, if enacted into law, will cause additional unnecessary expenses to the Government. I am confirmed in the conviction that this Congress, instead of continually and everlastingly adding to the expenses of the Government, should go through these bureaus with an ax and cut out every appropriation that is useless, ornamental, or not for the prosecution of the war. We should have started months ago. But we did not start then, and we do not start now. Time and time again—continually, almost—the Republican Members of the minority have appealed to the majority to cut these appropriations for expenses on the side lines—expenses outside of war expenses. But no; nothing doing; the bureaus are in control. Each and every chief is riding his hobby, and money makes the mare go—also the hobby. This proposed special biennial manufacturing census is a case in point. Look at the hearings. The Director of Census says one thing, modestly and carefully, and the chief of the bureau says another. The chiefs want to build up their bureaus. In almost every appropriation bill the bureau chiefs come and stand around the doors of Congress and each chief says if you will only add to the appropriation and build up his bureau it will help to win the war.

Mr. ASWELL. Will the gentleman yield?

Mr. JOHNSON of Washington. Yes.

Mr. ASWELL. The Director of the Census referred to the completed volume and the chief of the bureau referred to the others.

Mr. JOHNSON of Washington. And that means two additional piles of Government publications, printed in excess quantities, and piled up in the corridors around here, to become in time useless public documents—refuse, trash, waste, and rubbish. If I could have my way I would go through these Government bureaus with a stuffed club and cut out one-half of the Government publications. Right now they are piling up in the city of Washington, largely undelivered, half of them junk, at a time when the Printing Office can not get paper to print necessary publications or even keep up with necessary printing.

And while the mails of the country are at a point of collapse, these bureaus go on sending out thousands of sackfuls of bulletins, special notices, press agents' dope, bureau newspapers, and goodness knows what all, even down to a bulletin with full and complete information as to how to make clabber cheese; and, think of it, we are putting in a zone system in order to cut the amount of second-class mail.

Every country newspaper office is simply flooded with governmental publications and letters. The country editor has not even time to tear off the wrappers or open the envelopes. The great work that he is trying to do to help the Government is made harder by the amount of useless stuff that is sent to him. He helps the Government free of charge and looks out of his window at a gorgeous three-colored, three-sheet poster, the printing and posting of which were paid for by Uncle Sam, and every time he gets a sackful of useless junk he reflects a little on governmental extravagance, and also reflects on that governmental parsimony which denies him even the smallest pay for the use of his columns.

Mr. Chairman, these double census bulletins on manufactures will go double to the country editors and be used to light the fires and line the cuspidors. I will lay a little bet that before this thing has been a law a year there will be a Census Office weekly newspaper. If not, that bureau will be away behind the times. Does anyone suppose that any Census Bureau chief will permit any other bureau chief to outdistance him in bureaucratic publicity, which is all the rage these days? They all do it. There are dozens of governmental weekly newspapers now, ranging all the way from the Alaska Railroad's free Government weekly and the Panama Canal Zone Record on up the line. They all cost money; they all go through the mails free.

But, Mr. Chairman, this special biennial census of manufactures will in itself be an additional and unnecessary expense. In my opinion, it will be entirely useless. But if it is needed, we can order it after we have commenced to pay some of the war bills, or at least we can order it after we have collected in this little matter of $8,000,000,000, for which we are about to write a tax bill. I repeat, that it is high time to begin the trimming out of all these unnecessary expenses. The chairman of the committee, Mr. HELM, has been one of the foremost advocates for cutting down appropriation bills and has made speeches for rigid economy, and I hope he will not seriously oppose the striking out of this section.

Mr. DILLON. Will the gentleman yield?

Mr. JOHNSON of Washington. Yes.

Mr. DILLON. The provision for taking the statistics every two years does not appear in the former census bill, does it?

Mr. JOHNSON of Washington. Of course not.

Mr. DILLON. It is now proposed to take a census of manufactures every two years?

Mr. JOHNSON of Washington. Yes; and what is more, it is not proposed to take a census of all manufactures, but only of 60 or 70 lines of manufactures. Why authorize such a step now? Why crowd this bill along at this last hour amid a maze of conference reports, vetoes, and even deficiency bills?

Mr. HELM. Mr. Chairman, I yield five minutes to the gentleman from Missouri [Mr. ALEXANDER].

Mr. ALEXANDER. Mr. Chairman, the committee incorporated this provision in the bill, thinking it would be of interest to the manufacturing States and the manufacturing industries of the country. We assumed that this information would be more valuable to manufacturers than to any other class of our people in view of the great expansion of our industries and the necessity for accurate information. It is the opinion of the committee, acting on the suggestion of the Director of the Census, that this provision should be incorporated in the bill to carry out this sound economic policy.

Following the war, in my opinion—and I think it is the opinion of most thoughtful men—there will be a great struggle for the world trade. It will be helpful to our manufacturers to get the information to be afforded by these biennial censuses, but if the manufacturing States and the great manufacturing interests of the country do not want the information, as far as I am concerned, I am not disposed to force it upon them. It is my opinion, however, representing an agricultural constituency, that they will need this information. I can not understand the narrow view taken by the gentleman who represents the Pittsburgh district and who talks about the interests of his country being harassed by requests for reports. The Director of the Census, speaking of the manner in which the information is gathered, said this:

> We have what we call special agents who take the place of the enumerators, and where it becomes necessary they go to the manufacturing concerns and there obtain the information called for on the manufacture schedule. We obtain a great many of the schedules, however, by mail. Some of the largest and best concerns in the country, upon our request by letter, send us a statement of their business covering manufactures. About 20 per cent of the schedules on manufactures are obtained in this manner.

Mr. WALSH. Mr. Chairman, will the gentleman yield for a question?

Mr. ALEXANDER. I yield to the gentleman.

Mr. WALSH. Will the gentleman state why they take the first of these biennial censuses in 1921? We are going to take a census in 1920. Why should not the next one be taken in 1922?

Mr. ALEXANDER. I did not observe that that was the case.

Mr. WALSH. We take a census of agriculture, mining and manufacturing, and of population in 1920. Section 32 provides for a biennial census to begin in 1921, 1923, 1925, 1927.

Mr. ALEXANDER. The fourteenth decennial census will be taken as of January 1, 1920. Then the biennial census of manufacturers will be taken, beginning with 1921, I presume at the close of that year.

Mr. WALSH. But that is not what the section says.

Mr. ALEXANDER. I have not observed that, but I agree with the gentleman that it ought not to be taken earlier than that, and each two years thereafter. Those are the reasons that induced me to consent to this provision being inserted in the bill.

Mr. BLACK. I understand that under existing law there will be another census of manufactures taken in 1925, even though this section is not passed.

Mr. ALEXANDER. Yes; and we have provided for a census of agriculture every fifth year.

Mr. BLACK. That used to be the law, but it was repealed as to agriculture. The manufacturing census was not repealed and was taken in 1915.

Mr. ALEXANDER. Yes; by authorization of Congress; and we might as well realize that the Census Bureau is a permanent Government agency, and much of the statistical information now obtained through the other departments and bureaus of the Government ought to be gathered in that bureau, because it is a bureau equipped for that purpose. I agree that there is now much duplication of work, but this data as to manufacturers should be gathered through the Census Bureau and not through so many other governmental agencies, because the Census Bureau is equipped with experts, it has the machinery, and it is the logical bureau through which the information should be obtained.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. NICHOLS of Michigan. Mr. Chairman, I yield five minutes to the gentleman from Wisconsin [Mr. STAFFORD].

Mr. STAFFORD. Mr. Chairman, it is substantially agreed that these statistics will be of value only to statisticians and economists; certainly not of much value to the manufacturers of the country. I am not surprised that the Bureau of the Census should wish to amplify its powers. We have that continually before us in the framing of the legislative, executive, and judicial appropriation bill. Until 15 years ago the Bureau of the Census had no permanent, continuing force, but was organized every 10 years for the purpose of taking the decennial census of population. Since then there has been a strenuous endeavor continuously to amplify the powers of the Census Bureau so as to magnify its work all of the time.

Mr. HELM. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. HELM. Is the gentleman opposed to a census of manufactures?

Mr. STAFFORD. I am opposed to a census of manufactures at the present time, because conditions are absolutely abnormal and the census will be of absolutely no value to statisticians or economists.

Mr. HELM. I understood the gentleman to say——

Mr. STAFFORD. I can not yield further. I rose primarily to contradict the statement made by the distinguished educator and member of the committee, the gentleman from Louisiana [Mr. ASWELL], who said that the taking of the census of manufactures every two years will not entail any additional expense.

Mr. ASWELL. After the first two years.

Mr. STAFFORD. Before me I have the estimate of the Bureau of the Census for the next fiscal year, in which it is shown that the expenses estimated for the taking of the annual statistics of cotton amounts to $265,000. To obtain the statistics of electrical industries the amount estimated is $35,000, and so on down the list. It is preposterous to claim that when you are going to call on the manufacturers of the country and send out special agents to obtain this tabulation of statistics, which will be of no value two years after you obtain them to the manufacturing establishments, that it is not going to cost any-

thing. It means additional employees in the Bureau of Labor. At this time I want to criticize, if I may, the surrender, by the committee, and its acceptance of the recommendations almost completely of this committee of employees of the Census Bureau. This bill is a bill prepared by the employees of the Census Bureau, viséed by the Committee on the Census. If the Committee on Appropriations should accept everything that the Director of the Census in his estimates recommends, instead of having a total appropriation of half a million dollars annually for their permanent roll, we would have millions expended for that very purpose.

Our committee on appropriations has been attempting to curtail these everpresent demands, and yet our efforts are set aside by the action of the Census Committee in recommending a census of manufacturers every two years. The gentleman from Massachusetts [Mr. WALSH] points out the lack of consideration that has been given to this very amendment, because under the decennial census you will take a census of manufactures—that is, in 1920. Here you provide for a census immediately afterward in 1921, another in 1923. Under the existing law a census every five years of manufactures is provided for, and that certainly should be sufficient. Are we running wild in our consideration of these matters? There is no question of patronage involved. This is the permanent force that will be employed in the bureau to take something of value only to statisticians. Is it worth while? No manufacturers have come before the committee claiming that they will be of any value. I am not surprised that the employees of the bureau should wish to magnify their importance and equip themselves to employ these special agents who must be employed for the taking of the decennial census of population throughout the country during the years after the decennial census work is completed. I have served on the Appropriations Committee too long not to realize that once employees are put on the statutory roll, there is not much prospect of ever discontinuing them. So I ask to have the committee present some good reason to show that these statistics will be of value to the manufacturers of the country. Well may it be claimed that they will not be of value, but that the taking will be of inconvenience to manufacturers with these special agents going around the country every two years and compelling them at their mere direction to fill out these long tabulations. They do not want to be pestered that way especially when these statistics will not be of any value whatsoever to the manufacturing industries of the country.

The CHAIRMAN. The time of the gentleman has expired.

Mr. NICHOLS of Michigan. I yield five minutes to the gentleman from Indiana [Mr. FAIRFIELD].

Mr. FAIRFIELD. Mr. Chairman, the gentleman has spoken very earnestly in regard to the bill. I know of very few bills which have been brought into this Congress which have not been prepared in large part by the department from which they emanated. We have a regular organization, a statistical bureau. When we got into the war we needed knowledge of the conditions of this country as to manufacturing, agriculture, and mining. We found ourselves almost wholly without it, and special censuses were organized. These have been taken, based largely upon the estimates of the census which was taken in 1910. The committee thought it was not wholly unwise to see whether some organization could not be secured by which the needs continuously of an extra organization in connection with every department of the Government in the gathering of statistics might not well be turned over to the statistical bureau. You know and I know that agencies of this kind grow by what they feed upon, and the agencies which have just been brought into being by special services will continue to grow by what they feed upon unless we restrict those agencies and turn this work over to a regularly constituted bureau whose business it shall be continuously to furnish the Government with adequate knowledge.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. FAIRFIELD. I will.

Mr. JOHNSON of Washington. Oh, then it is intended that this manufacturing census shall not really stop at the number of years designated in the bill, but go on and on and on.

Mr. FAIRFIELD. It is restricted——

Mr. JOHNSON of Washington. And that is a fair sample of a bureau enlarging itself, or, as the gentleman well says, fattening by what it feeds upon?

Mr. FAIRFIELD. The bureau already is permanent——

Mr. JOHNSON of Washington. And is enlarging itself.

Mr. FAIRFIELD. And is now doing much work for which other departments get credit. They send their agents into the Census Bureau and get the information and to make estimates, and the further we get away from the regular census the more liable we are to error.

Mr. JOHNSON of Washington. Is it not quite possible by the time we get ready to take this census it will amount to one set of Federal employees taking the census of another set of Federal employees?

Mr. FAIRFIELD. Not if we refuse in the future to make special appropriations that each department in itself may take a census for itself.

Mr. JOHNSON of Washington. Where are we going to go——

Mr. FAIRFIELD. If it is to be in the future as now, then I can understand opposition to the development of the regular bureau.

Mr. JOHNSON of Washington. About when is Congress going to decline to enlarge appropriations to bureaus which seem to devote much of their time in trying to build themselves up——

Mr. FAIRFIELD. I trust we shall be able to do so in the next Congress at least, if not in this one, and I am heartily in sympathy with the idea.

Mr. WALSH. Will the gentleman yield?

Mr. FAIRFIELD. Certainly.

Mr. WALSH. Is that the purpose of section 32 of this bill, to dispense with the Agricultural Department and Bureau of Statistics, Commerce Department, and these various other bureaus?

Mr. FAIRFIELD. The thought in the mind of the committee was this——

Mr. WALSH (continuing). Shall take special censuses?

Mr. FAIRFIELD. That the special censuses should be done away with as soon as possible——

Mr. WALSH. You have got to legislate them out of existence, then.

Mr. FAIRFIELD. And it should be turned over to the Statistical Bureau to which it belongs. Now, personally I do not care particularly about this section, except as to indicate the hope that actuated the committee in being willing to report the bill in, and I think it has been actuated by thoughtful consideration.

Mr. FESS. Will the gentleman yield?

Mr. FAIRFIELD. Certainly.

Mr. FESS. The gentleman knows I have great respect for his judgment and sincerity in discussing any question, and I want to ask him, having voted to include manufactures in the measure——

The CHAIRMAN. The time of the gentleman has expired.

Mr. FESS. I ask unanimous consent——

The CHAIRMAN. The time has been fixed by order of the committee.

Mr. NICHOLS of Michigan. I yield the gentleman another minute for the purpose of answering a question.

The CHAIRMAN. The gentleman is recognized for one additional minute.

Mr. FESS. Having voted to include manufactures in the census requirement, what is the gentleman's opinion as to the time it will take to take this biennial census limited to manufactures?

Mr. FAIRFIELD. Well, we were informed it would take about six months with many bulletins out within three months.

Mr. FESS. Does the gentleman believe it is possible if it is at all an exhaustive census?

Mr. FAIRFIELD. Well, I am not familiar enough with the work of the Census Office, but I do think this: That the statistics of the bureau, organized as it ought to be, to which is continuously referred all matters that properly belong to it, would get it into such relationship that it might be quickly done by permanent agencies.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. HELM. Mr. Chairman, if the membership of this House thinks that a census of manufactures is of no value to the country, if you are not interested in the progress and in the growth and in the development of your country, if you are willing to stand perfectly still, become stagnant, not undertake to expand or increase or develop your manufacturing industries, then your contentions are good. If you are inclined to know how far your country has progressed, what you are producing, what new industries have been born, what industries have been compelled to die, what the future promises to you in the way of agriculture and manufacturing expansion, then I say your contention is wrong.

It occurs to me that this is a very late date for men who represent manufacturing districts in the United States to be coming in and asking that all sources of information on this line be cut off and denied them. I wanted to ask you men who flatter yourselves with the idea that you are soon to control Congress and rewrite a tariff bill where you will go for information to guide you if you do not get it through this bureau?

Mr. WALSH. In the 1920 census.

Mr. HELM. I understand you are not in favor even of a census in 1920 for manufactures.

Mr. WALSH. I am.

Mr. HELM. You Republicans have been making arguments for a census of the population only. If you read these hearings you will see that many hundreds of new industries have been brought into operation by reason of the business enforced upon us because of the war.

Mr. BLACK. Will the gentleman yield for a question?

Mr. HELM. No.

Mr. BLACK. I suggest to the gentleman that he used up half of my time.

Mr. HELM. I gave 25 minutes to the opposition.

Since this war has started the testimony shows that the United States has ceased to live, as it has been living in the past, as a hermit nation. Mr. Palmer, who is in charge of the Alien Enemy Property Bureau, has disclosed to the country the fact that almost 30 per cent of the manufacturing industries of this country are controlled by foreign capital and that that foreign capital is German capital. Therefore, having been forced into the production of articles that are essentially necessary under conditions that have arisen, we must have this information. You might just as well undertake to say how much land is contained in a given boundary without a survey of the land as to say what the business of the United States amounts to without an invoice of the business. The proposition to eliminate a census of manufacture is a ridiculous and senseless one.

Now, the effort to inject politics into this legislation and play upon political prejudices has nothing to do with the merits of the bill. This is a business proposition, and under the so-called Overman bill I do hope, trust, and pray that all of these legislative activities we are authorizing, and perhaps not getting good results from, which will be performed by different departments and bureaus, will be confined to the Census Bureau. If the Census Bureau is not worth while, abolish it.

But if the Government is to have a statistical bureau, a place where you can get information instead of having to trape all over the city of Washington from one place and another to get it, I do hope the result of the reorganization will throw all this business where it properly belongs—into the hands of men in the Bureau of the Census who are trained for that purpose. The men who are connected with these other bureaus have to come to the Census Bureau in order to get information as to how to do the work that they are directed and empowered to do, and without this aid they can do nothing. Now, in an effort to take away from the Government the only reliable, dependable instrumentality for gathering statistics that are worth while you say that this legislation calls for a useless waste of money. I submit to every man within the sound of my voice if there has been a Member of Congress who has stood more steadfastly against the useless expenditure of money than myself. But I do want to see my Government during this crisis have every instrumentality that is necessary to perform the functions of the Government reliably and well. And I for one do not propose to take from the Government such instrumentalities.

Mr. WALSH. Why did not the gentleman ask for an annual census if he believes in the argument he is making?

Mr. STAFFORD. Mr. Chairman, I wish to offer a preferential amendment, to strike out from line 24, page 27, the words "nineteen hundred and twenty-one."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 27, line 24, strike out the words "nineteen hundred and twenty-one."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken; and the Chair announced that the noes seemed to have it.

Mr. STAFFORD and Mr. ROBBINS demanded a division.

The committee divided; and there were—ayes 23, noes 27.

So the amendment was rejected.

The CHAIRMAN. The question is now upon the amendment offered by the gentleman from Massachusetts [Mr. WALSH] to strike out the section.

The question was taken; and the Chair announced that the noes seemed to have it.

Mr. WALSH. Division, Mr. Chairman.

The committee divided; and there were—ayes 28, noes 32.

Mr. WALSH. Mr. Chairman, I ask for tellers.

Tellers were ordered.

Mr. WALSH and Mr. HELM took their places as tellers.

The committee again divided; and the tellers reported—ayes 32, noes 37.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

Mr. SUMNERS. Mr. Chairman——

Mr. HELM. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. FOSTER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses and had come to no resolution thereon.

ENROLLED BILL AND JOINT RESOLUTION SIGNED.

The SPEAKER announced his signature to enrolled bill and joint resolution of the following titles:

S. 1553. An act to give effect to the convention between the United States and Great Britain for the protection of migratory birds, concluded at Washington, August 16, 1916, and for other purposes; and

S. J. Res. 159. Joint resolution to extend the time within which the President may relinquish control of any railroad or system of transportation, as provided in section 14 of an act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918, to January 1, 1919.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that on June 29, 1918, they presented to the President of the United States for his approval the following bills:

H. R. 12441. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes;

H. R. 10854. An act making appropriations for the naval service for the fiscal year ending June 30, 1919, and for other purposes; and

H. R. 12599. An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATIONS (H. REPT. NO. 694).

Mr. BYRNS of Tennessee. Mr. Speaker, by direction of the Committee on Appropriations I report the bill making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year 1919, and for other purposes.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 12633) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes.

Mr. STAFFORD. Mr. Speaker, I reserve all points of order.

Mr. BYRNS of Tennessee. Mr. Speaker, the House is aware of the fact that the legislative, executive, and judicial appropriation bill was vetoed because it carried the so-called Borland amendment. The bill which I have just presented is an exact copy of the bill heretofore passed by the House and the Senate with two exceptions. In the first place, it eliminates the amendment referred to; and, in the second place, it provides that the $120 increase shall apply to all the employees of the Government without exception, just as was originally provided by the House.

This should be done in order that there shall be no discrimination among the employees of the Government, and in order to provide for a class of employees, many of whom are drawing less salary than those to whom the increase allowed applies. Now, the House is aware, of course, that this bill should be enacted into law without delay. This is the beginning of the fiscal year and unless enacted into law to-day the salaries carried in the bill will stop. I wish, therefore, to ask unanimous consent that the bill be considered now in the House as in the Committee of the Whole, that the first reading of the bill be dispensed with, and that there be no debate upon the bill, and that at the conclusion of the second reading of the bill the previous question be considered as ordered.

Mr. SHERLEY. Mr. Speaker, reserving the right to object, I would like to ask of the House five minutes in which to make a statement in connection with the bill.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. SHERLEY. Mr. Speaker, as the gentleman from Tennessee [Mr. BYRNS], the chairman of the subcommittee dealing with this bill, has stated, the bill is now reported back to the House with the Borland amendment stricken out and with one other amendment alone made in it. In all other respects it is as agreed to by the conferees and as passed by the House and the Senate.

That one amendment consists in this: The House passed a provision giving the employees of the Government who were drawing $2,000 and less per year an increase of $120 a year, with certain exceptions as to those who had received promotions, and so forth. When the bill went to the Senate they amended that provision in two particulars. They raised the limit of $2,000 to $2,500, and then they excluded from the provisions of the $120 raise those bureaus of the Government which had been established since the 1st of July, 1916. As the bill was finally agreed to in conference it was agreed to with the limitation at $2,500 and with the elimination of these new bureaus.

In my judgment the latter provision was a mistake, and a mistake for this reason: The testimony before the Committee on Appropriations shows that perhaps in the War Department, more than in any other department of the Government, have there been increases in the pay of the clerks here in Washington, and that many of the new bureaus are employing clerks at rates that are as low or lower than those of most of the old established bureaus of the Government. These clerks are the new clerks that have come in many instances and have come here unfamiliar with conditions, who have had to get accommodations at the new prices for accommodations, and they are in a position of greater hardship than exists in regard to many of the old clerks that have been here permanently. They are paid out of lump-sum appropriations.

It would be within the power of these bureaus to increase their salaries not only $120, but more. To exclude them from the benefit of that raise would be to invite the increase of their salaries, leaving it to the discretion of these executive officers. Already there has been considerable agitation throughout the city looking to a general increase of their salaries. I think Congress ought to keep its hands, so far as it is humanly possible, upon this salary and labor situation in the country. I do not believe there can be any real justification for the exclusion of these new bureaus. For instance, the War Trade Bureau presented detailed information touching salaries and the rates of them more creditable than most any other that I know of. To exclude them would be to penalize their very efficiency.

Therefore the committee have felt warranted in making this change, with the belief that the Senate would acquiesce in the change when they understood the situation. This phase of the matter was not discussed on the floor of the Senate when the bill was pending there heretofore, and if it meets with the concurrence of the House I trust that we can have unanimous consent for the passage of this bill as speedily as possible.

This bill, more than any other annual bill, perhaps with the exception of the sundry civil bill, ought to become a law before the expiration of the fiscal year. It deals with the pay of the employees of the Government, and which makes it difficult to take care of in a proper way by resolution. If the bill becomes a law to-day, the law taking no cognizance of the fraction of a day, it will have been the law from the beginning of the fiscal year, and it will obviate a great deal of difficult bookkeeping and a great deal of trouble. Under the circumstances I feel warranted in asking the House to acquiesce in the action of the committee, the change indicated being the only change made; and I trust the motion of the gentleman from Tennessee [Mr. BYRNS] will be agreed to.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent to proceed for five minutes.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. STAFFORD. Mr. Speaker, the so-called Borland amendment, which the President disapproved and the House has approved of his position, was a subject of long controversy in conference. The House conferees felt bound in a way to follow the direction of the House on a record vote to insist upon adherence to that provision requiring eight hours, subject to half holidays and full holidays and 30 days' annual leave. As one of the conferees I declined to accept the principle, except as it was limited to the period of the war. I know of instances in private establishments, in large insurance companies, where the hours of employment are less than eight. In my opinion, we should not compel any Government clerk to work for a longer period than seven hours except under the pressing conditions of war.

Here in the District we are confronted by this peculiar situation: A shortage of clerical help; the country is being combed over to get efficient stenographers and clerks to perform the necessary work required by the Government's activities in war. Lack of quarters to house them is another pressing condition, and we are proceeding to expend $10,000,000 for building housing facilities to accommodate the increasing army of clerks. Another condition that was called to our attention was the varying standard of hours of employment; in one bureau the head would demand seven and a half hours of employment, because the working conditions in that bureau required that amount; and yet in another bureau, where the head of the department thought that seven hours should be the limit, only seven hours was required.

For instance, in the Bureau of Ordnance the employees have for several months been required to work seven and a half hours. In the Department of Labor the administrative head is opposed to requiring more than seven hours. So in different departments there is a different schedule of hours of employment.

Then, again, it is the opinion of many bureau heads, with the salaries that we are now paying to these employees, based not upon present living conditions but upon the exigent conditions prevailing by reason of the great demand for clerical assistance by the Government and the shortage of clerical help, where before we paid the clerk or typist $900 a year we are paying them $1,200 to $1,400 as a governmental necessity by reason of the conditions, that we should during the war situation exact an additional hour of all the clerks, and they would be willing during the war to make that sacrifice by giving one additional hour of employment. So that with this accumulating necessary work, with the limited quarters in the departments, where only so much work can be done, with minimum housing facilities in the District, where only so many clerks can be housed, and with the limited supply of employees, it was not unreasonable at all to require one uniform rule for all.

That was the justification on the part of some of the conferees in doing what had been done years before in peace time, requiring a certain fixed number of hours for all the employees in the departments. The House has seen fit to sustain the position of the President. I only thought it was fair to the conferees and to those of the House who had voted in support of the eight-hour law to make this explanation of the real, impelling reason for the action of the conferees.

The SPEAKER. The gentleman from Tennessee [Mr. BYRNS] asks unanimous consent that this bill be considered in the House as in Committee of the Whole, that the first reading be dispensed with, that all debate be omitted, and that at the end of the reading for amendment the previous question shall be considered as ordered. Is there objection? [After a pause.] The Chair hears none.

The Clerk read the bill.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time, and passed.

On motion of Mr. BYRNS of Tennessee, a motion to reconsider the vote by which the bill was passed was laid on the table.

GARABED (S. DOC. NO. 251).

The SPEAKER. The Chair has a communication from the Secretary of the Interior that he is not certain ought to be laid before the House; but inasmuch as the matter referred to created great excitement in the House at the time it was presented, and as the communication is short, the Chair orders it to be read.

The Clerk read as follows:

THE SECRETARY OF THE INTERIOR,
Washington, July 1, 1918.

DEAR MR. SPEAKER: I am to-day in receipt of report of the committee of scientists appointed by Mr. Garabed T. K. Giragossian, and approved by Secretary Lane, in accordance with the provisions of Public resolution No. 21, dated February 8, 1918, a copy of which report I am sending to you herewith.

Cordially, yours, ALEXANDER T. VOGELSANG,
Acting Secretary.

Hon. CHAMP CLARK,
Speaker of the House of Representatives.

—

We, the undersigned, who are members of the commission duly appointed in accordance with the provisions of Public resolution No. 21, Sixty-fifth Congress, hereby certify that Mr. Garabed T. K. Giragossian showed us on Saturday, June 29, 1918, a model embodying the principles of his invention known as the Garabed. We found that the model was not in shape to run or to develop power. The inventor admitted that he had no working machine and that he was merely explaining princi-

ples. We do not believe that his principles are sound, that his device is operative, or that it can result in the practical development or utilization of free energy.

Witness our signatures at Boston, Mass., this 29th day of June, 1918.

JAMES A. MOYER.
EDWARD F. MILLER.
M. DE KAY THOMPSON,
EDWIN B. WILSON,
CHARLES L. NORTON.

The SPEAKER. This communication will be referred to the Committee on Patents.

PENSIONS.

Mr. KEY of Ohio presented the conference reports on the disagreeing votes of the two Houses on the amendments of the House to the bills (S. 3798, 4193, and 4542) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors for printing in the RECORD under the rule.

DEFICIENCIES.

Mr. SHERLEY. Mr. Speaker, I ask unanimous consent that the House resolve itself into the Committee of the Whole House on the state of the Union for the present consideration of H. R. 12600, making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes.

The SPEAKER. The gentleman from Kentucky [Mr. SHERLEY] asks unanimous consent that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the general deficiency bill. Is there objection?

There was no objection.

Mr. SHERLEY. Mr. Speaker, I ask unanimous consent that general debate be limited to one hour, half to be controlled by the gentleman from Illinois [Mr. CANNON] and half by myself. I hope not to use that much time.

The SPEAKER. The gentleman from Kentucky asks, pending going into Committee of the Whole, that the general debate be limited to 1 hour, 30 minutes to be controlled by himself and 30 minutes by the gentleman from Illinois [Mr. CANNON]. Is there objection?

There was no objection.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the general deficiency appropriation bill (H. R. 12600), with Mr. GARRETT of Tennessee in the chair.

Mr. SHERLEY. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. SHERLEY. Mr. Chairman and gentlemen of the committee, this general deficiency bill carries a total appropriation of $992,058,993, which is $486,016,925.61 less than the total of the estimates requested.

As the Members of the House are aware, it is customary at the end of a fiscal year for the Congress to pass a general deficiency bill to take care of those deficiencies that have developed in the various services of the Government during the fiscal year, and it is really a bill to clean up the odds and ends that necessarily occur in the running of the various departments. This year, like every other deficiency bill, the amount is very great, due to the one compelling cause that has operated on all supply bills, and that is the war and its prosecution. This bill contains two large matters which amount for the great portion of the sums carried, one relating to the Quartermaster's Department of the Army and the other relating to the housing problem in connection with war industries.

Touching the Quartermaster's Department, of the more than a billion dollars of deficiencies presented to the committee, $1,031,000,000 was represented in clothing and equipage for the Army. When the last deficiency bill was before the House I stated that we were not carrying any moneys under the head of clothing, not because there were not deficiencies existing and deficiencies that would occur, but because the department had the right to incur such deficiencies, and it was believed at that time that the matter could go over until more knowledge was available touching the exact situation in connection with the clothing of the Army. The committee had before it Gen. R. E. Wood, who is now in charge of the Quartermaster's Department, and he made a statement which, I think, will repay the careful perusal of the membership of the House. Summarized, he said that notwithstanding the very great increase in the size of the Army, notwithstanding the very great increase in the number of men who were being daily shipped overseas, he was glad to say that the Quartermaster's Department had been able to clothe and equip fully all of the soldiers of the Nation who are being sent overseas and those who are being called into and are in the camps and cantonments here. He stated that the requirements that had been placed upon the department were very much in excess of what had been anticipated a few months ago, due to this very rapid movement of troops across the water and to the more rapid calling of other troops to the colors; but that notwithstanding that strain, they had been in a position to take care of the situation, and he presented certain tables as to the number of various articles that had been furnished to the soldiers of the Army. On page 49 of the hearings will be found a statement both as to the cost and the quantities of equipment for soldiers. The unit cost of equipping a soldier with these various articles has been $63.51, and the total cost of a year's maintenance, with the original issue, is $195.92. That is exclusive of what is known as equipage, which includes bags, bed sacks, blankets, overcoats, and slickers, and which increases the unit cost by $28.12 and the maintenance cost for a year by $71.32. He gives in some detail the cost of the equipment and the situation that confronts the Quartermaster's Department at this time.

Gentlemen will notice that the estimates which were submitted and those which the committee recommend touching clothing differ by some $300,000,000. They differ by that amount because of the exclusion of two items which were really duplicates. One was an item of $100,000,000 for the purchase of wool, and the other was an item of about $200,000,000 to take care of contracts. By agreement with the Quartermaster Department on detailed examination of the estimates it was found that these amounts would be eliminated.

Gentlemen will also notice that under the head of barracks and quarters, roads, walks, sewers, hospitals, and other items there have been a number of reductions made that will total something approaching $95,000,000. These reductions are explained by the fact that there had been made by the construction division of the Quartermaster Department requisitions upon the quartermaster funds for various works at the camps and cantonments. Subsequently requisitions would be made that were not always of the same amount as the original request; frequently for less sums, and yet the bookkeeping had not been so checked as to make the depletion of the quartermaster funds by such draft to correspond exactly to the facts, as shown by the books of the constructing quartermaster's division.

In addition to that there have been charged to the quartermaster fund in the first instance moneys for port facilities and warehouse facilities that should have been paid, and are now being paid, out of funds appropriated for such purposes. When credits were made to the quartermaster fund for such amounts, it resulted in the reduction of their estimate, as I have indicated.

Putting it in another way, the committee has recommended moneys that are necessary to pay all actual existing deficiencies in connection with the Quartermaster Department to the extent that we know them, and to take care of such work in process of completion as is now being done by the construction division of the Quartermaster Department.

There was testimony before the committee showing $82,907,415.42 had been or was being expended in connection with camps and cantonments. This included, however, items under the head of barracks and quarters, water and sewers, regular supplies, construction of hospitals, military posts, and so forth, of some $18,000,000 as a general reserve to provide for unforeseen contingencies. The committee eliminated of that $18,000,000, $9,000,000, believing that $9,000,000 was more than enough leeway to enable them to take care of unforeseen contingencies.

There was contained in the $82,907,000 nearly $14,000,000 in the way of hospitals. This is explained by the detailed statement as to the places where the expenditures have been made, and these expenditures consisted either in the enlargement or refinement of existing hospitals at camps and cantonments or additional hospital facilities.

We are providing a bed capacity of at least 5 per cent for all the enlisted personnel of the Army, and we are providing a bed capacity in hospitals that have never been equaled in the history of the world, in my judgment, in completeness and elaborateness of their facilities. Were it not a matter that related so directly to the health of the Army and of the Nation, criticism might properly be levied at the degree of expenditure that is being made in connection with hospitals. But it is only fair to say on the other side of the question that the health of the armies, both in camp and abroad, has been such as to cause con-

gratulation on the part of every one familiar with the facts. When it looked like there might be an epidemic of meningitis among the enlisted men in the spring and early summer months, the Medical Corps of the department were able so to handle the situation as to make important discoveries and to provide a remedy, and to break up in a few weeks what threatened at one time to be a serious epidemic. Consequently, none of us is prepared to deny any moneys that are necessary in order to continue the efficient work of these men in connection with the health of the troops.

The committee has not denied in this or in any other instance any allowance of moneys that have been asked for by the Medical Department of the Army, notwithstanding the belief that economies might be introduced without detriment to the efficiency of that service.

Mr. WALSH. Will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. WALSH. The gentleman has stated that we have provided the best hospitals in the world. Have those all been built, or have they taken over other buildings?

Mr. SHERLEY. The big expenditures have been in providing hospitals in camps and cantonments where they have been actually built, and there has been a number of other hospitals actually built. In other sections we have taken over hospitals; in some instances we have taken over hotel properties and other properties that were converted into hospitals.

Now, the Committee on Appropriations has not been able, of course, to take up such matters in detail. We were not able to say whether a given place was properly taken over, or should have been taken over, at the price at which they have taken it over, or whether the amount of money they have expended on improvements was the amount that was needed.

In point of fact, the committee has had practically no discretion. We have been confronted with work done, and we have been asked to pay the bill, and our chief function has been in requiring these departments to check up their bookkeeping so as to know accurately whether the bill was a bill that ought to be paid. In that connection I may say that I hope that the Committee on Military Affairs will bring about a reform in connection with the present methods of carrying a lot of items relative to construction generally. We carry under the head of barracks and quarters, water and sewers, regular supplies, roads, wharves, warehouses and drainage, shooting galleries and ranges, construction and repair of hospitals, Army quarters, storehouse, and so forth, and military post exchanges the moneys that go into the making of these camps and cantonments. It would be infinitely better if, instead of having those funds so segregated we should make available by one item the moneys necessary to do this construction work just as we are now doing in connection with port facilities that are being constructed under the direction of Gen. Goethals, and it would save an intricate examination into the books and an amount of labor that can hardly be estimated.

Mr. CAMPBELL of Kansas. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. CAMPBELL of Kansas. What I want to do is to direct a question to the gentleman with respect to the hospitals in France. The gentleman referred only to the hospitals here. Are the facilities provided there to the extent they have been here as commensurate with the probable necessities?

Mr. SHERLEY. It is my understanding they have been. The reason I referred exclusively to hospitals in America was because as to this bill there is no money being carried for hospitals abroad. The moneys have been provided, and it is my understanding that what we are doing there is the occasion of the admiration and the envy of all of our allies, touching the extent and the wisdom of the provisions we have made for our troops. Nowhere in the world are troops being sent with more care for their health, their physical well-being, than are the troops of the United States.

Mr. TILSON. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. TILSON. Does not the gentleman regard that as good policy not only from a humanitarian standpoint, but looking at it strictly from a military standpoint of efficiency and the best utilization of man power.

Mr. SHERLEY. There is no doubt about that. There is no more expensive person in the world than a sick soldier, and anything that can be done to prevent that, even putting it on the cold-blooded ground of economy and efficiency, ought to be done, and of course none of us would rest it simply upon that ground; but we desire, as far as is humanly possible, to lessen the sacrifice the boys are making in defense of their country. At the same time it is incumbent upon those who have the administration of these funds and whom we have to trust that they should exercise all of the economy that is possible along with efficiency.

Mr. CAMPBELL of Kansas. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. CAMPBELL of Kansas. I do not know whether I ought to ask this question, but it is a question that is asked of me and probably of every other Member who goes out working for Red Cross and Young Men's Christian Association contributions. Why is it necessary, if the War Department is appropriating sufficient money, to have these agencies so highly supplied with money?

Mr. SHERLEY. There has been a very interesting statement issued, I think in connection with the past Red Cross drive, in answer to that inquiry, and I shall not undertake to add to it, but, briefly, it is perfectly apparent to anyone who will stop to think for a moment that there are a lot of things that can be done by an individual organization that is not governmental, that can not be done by a government, that is necessarily restricted within certain more or less rigid lines in connection with its activities.

There are certain little attentions that are personal in their nature to the individual and to his needs and to his family needs that could not be met through governmental agency that are being most splendidly met by the Red Cross and the people who are working under the Red Cross, and the more one becomes familiar with that work the more he realizes that it is not a duplication of but a supplement to the work of the Government. It simply serves to give the personal, human, individual touch that can not be given by any Government, no matter what funds are placed at its disposal.

The House will recall that some time previously we voted $100,000,000 of cash, with a contract authorization of $50,000,000 more, for the creation of port facilities and warehousing in the interior in order to relieve the congestion that has arisen in connection with the movement of supplies to the seacoast and to expedite the handling of such supplies and to shorten the time of ships in loading at our ports of embarkation. That work has been under the direct charge of Gen. Goethals. There has been voted in the Army bill that is now pending, I think, $145,000,000 for additional work, and there is carried in this bill the $50,000,000 of cash necessary to meet the contract authorizations that were authorized when we voted the $100,000,000 in cash. There is a statement made by Gen. Goethals as to what has been done, what is in contemplation, which I also commend to the reading of the Members. It is impossible for me now, in the brief time that remains to discuss it, more than to say that I believe we have very greatly improved the conditions at our ports, and that we are providing facilities that will enable us to have immediately back of the ports a month's supply, as I recall it, and back in the interior two months' additional supplies, so that we will have storage capacity to take care of three months' supplies in addition to the facilities that we have at the ports in connection with the loading of our ships.

There was another matter presented to the committee that occasioned more study and about which the committee found greater difficulty in coming to a conclusion than perhaps any other matter carried in the bill, and that is the estimate submitted for $100,000,000 for additional housing facilities. The committee will recall that we authorized by acts passed through Congress the expenditure of $60,000,000 for that purpose, and that subsequently the Committee on Appropriations reported, and the Congress passed, an appropriation of that amount of money to take care of that authorization.

There was submitted by Mr. Eidlitz an estimate for $100,000,000 of additional money. The act as it passed the Congress placed with the President the power to expend the money and to employ such agency or agencies as he might see fit in connection therewith. Accordingly he designated the Department of Labor as the agency through which the money should be expended, and Mr. Eidlitz, with those who are associated with him under that department has, as was contemplated, the expenditure of this money. Since the $60,000,000 were appropriated there have been additional surveys made of the needs over the country, and I might say in passing that the committee will also recall that this is exclusive of the housing which is to be done by the Shipping Board in connection with the shipping plants and shipyards. The result of this subsequent study was that they felt that they needed $100,000,000 additional in order to deal with the situation. Part of that additional need is explained by virtue of this fact: In the months that have gone by some temporary housing has been done by the Army and the Navy out of funds voted in connection with acquiring munitions of war and as an incident to the creation of new plants and new

facilities. The Judge Advocate General of the Army has rendered an opinion, which I am inclined to believe is sound and which informally I have learned is likely to be considered as sound by the comptroller, who has the right only to make a binding decision, to the effect that inasmuch as Congress has now appropriated a specific fund for doing this particular work that no other funds appropriated for other or general purposes can be so used. In other words, it is an illustration of the old legal maxim that the expression of the one is the exclusion of the other, and having designated a fund you exclude all other funds. The result of that will be that the organization under Mr. Eidlitz will be expected to take care of all housing other than that which is done by the Shipping Board, whether it be temporary or permanent.

Now, there was some fear on the part of members of the subcommittee, and particularly did the language of the letter of the Secretary of Labor to Mr. Eidlitz touching the program warrant the fear, that the change might indicate also a change of policy and a determination on the part of these administrative officers to build exclusively, or practically exclusively, permanent houses rather than to build temporary houses where they would suffice. In order that that matter might not be the subject of any doubt there was asked, and repeatedly asked, questions of Mr. Eidlitz as to the facts; and assurances were given by him, not once but a number of times, that it was his intention to build permanent houses only where temporary houses would not properly serve the situation. He stated that they had come to the conclusion that in a great many instances it was absolutely necessary and desirable to build permanent houses, due to the fact you could not get skilled laborers who had families to remain contentedly in temporary houses or barracks, and that if you held such labor at their employment and prevented the very great turnover and consequent cost resulting from such turnover you had to build them permanent houses. He also testified again to what had been the testimony by him and others before the committee when another hearing was had on this matter, that since the beginning of the European war there had been a very great cessation in the building of houses in America and that in consequence the country was short of such housing facilities, and that in his judgment after the war was over there would be sufficient demand for those houses to enable the Government to dispose of them without material loss. And in that connection I should say that the idea of having contributions made by some corporations or localities of a portion of the moneys in connection with the building of those houses has been given up because it was not believed it could be worked out practically without carrying with it the idea of immediate sale of such houses to employees, and that immediate sale of houses to employees was not deemed wise because it would require the sale at a price that might not be justified and that the employees would probably undertake to purchase the houses on partial payment when after the cessation of the very high wage that they were receiving they might not be able to continue payments, and that it would lead to confusion and trouble and it was wiser and better for the Government to build and rent and avoid the situation of having the employee rent from a landlord who was his employer.

Mr. CAMPBELL of Kansas. Adjacent to what industries are these houses constructed?

Mr. SHERLEY. There is a list given in the hearing. I can not quote from memory, but they are all adjacent to industries which are engaged in munition work or other war activities for the Government—arsenals, navy yards——

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHERLEY. If the gentleman from Illinois can yield me 10 minutes, I will try to conclude in that time.

Mr. CANNON. Yes.

Mr. SHERLEY. I am very much obliged to the gentleman; but if it embarrasses the gentleman I do not wish to take his time.

Mr. CANNON. It does not embarrass me. I ask unanimous consent that the gentleman have such time as he desires to conclude his remarks. That is the better way, I think.

Mr. SHERLEY. I doubt under the rules, the time having been fixed for general debate, it can be enlarged; but I suggest this, if the gentleman can yield me 10 minutes, at the expiration of his time, if he has not concluded, we can start the reading of the bill and then under the five-minute rule he can continue his remarks.

Mr. CANNON. I will yield the gentleman 10 minutes.

Mr. CAMPBELL of Kansas. There has been considerable discussion in the country about unemployment of labor in industrial centers where contracts have not been given. Did Mr. Eidlitz refer to the possibility of extending the zone in which war contracts are given?

Mr. SHERLEY. He did. He stated it was his understanding that the Navy Department had issued an order which excluded the New England and the eastern coast from the area in which new industries should be created and new orders placed; that a similar policy was being followed by the War Department, and that is also my understanding from other sources.

Mr. CAMPBELL of Kansas. Would not that lessen the necessity for housing facilities?

Mr. SHERLEY. It would lessen the necessity for housing facilities in the future due to additional plants, but the problem he presented is an existing problem now, due to existing plants with their existing needs. Now, the committee cut this estimate in half. That may seem to some pretty drastic action. The reasons that actuated it, briefly, were these: First, it is perfectly apparent that communities in America where these industries are located are prepared, if I may use a slang phrase, "to let George do it," and to the extent that they can get the Federal Government to come in and supply facilities, to that extent they are going to lay back and not do their part of the work; they are not going to carry their load. Unfortunately we have many evidences of the desire on the part of capital in America to skim the cream in connection with a lot of matters and let the burdens be assumed by the Federal Government. Second, to the extent that any sort of this work that is done is unnecessary, to that extent you have diverted man power from the necessary things in connection with this war to things that are not necessary. And, third, it was not felt that there could be such expenditure of moneys within the next few months as was contemplated by the estimate that was submitted. If the amounts that we have recommended are agreed to by the Congress, there will be given to Mr. Eidlitz and those associated with him $110,000,000; there will have been given to the Shipping Board $75,000,000, and $20,000,000 additional in regard to transportation, which would make $95,000,000 for the Shipping Board and $110,000,000 for the Housing Commission, or a total of $205,000,000. That is a considerable sum of money even in this day and generation, and we did not believe that it was wise to give the full amount, inasmuch as Congress will be practically in continuous session, and if the need develops for additional sums they can come back and ask for such additional sums. And I am emphasizing this with the desire that every Member of Congress will emphasize it where the situation in his district may warrant it, with the hope that the communities that are benefited so greatly by the placing of these plants and the spending of these great sums, running into the billions, in their midst, will rise to their obligations and themselves help to solve some of this problem by building through private enterprise the houses that ought to be built.

Mr. WATSON of Pennsylvania. Will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. WATSON of Pennsylvania. I want to take exception to the gentleman's statement.

Mr. SHERLEY. I was in hopes that the gentleman would emphasize it.

Mr. WATSON of Pennsylvania. I will do it if I can. But in my district, where $5,000,000 has been appropriated for housing, it is not possible for the local lumber men to obtain sufficient lumber to build the houses, and it is also impossible to get the men to build them. We would like to do it but——

Mr. SHERLEY. I agree with the gentleman that a part of the problem has been due to the difficulty of getting material, and I hope it will be the policy of the priority committee, as I believe it will, to see to it that the men that are willing to provide for the erection of houses necessary for the housing of employees in useful war industries shall be given such priorities as to the shipment of material and as to labor as will enable them to do the work. But, making allowance for all of that, it still remains true that the communities are perfectly willing to let Uncle Sam do it instead of doing it themselves if they can.

Mr. WATSON of Pennsylvania. I wish to make another statement, to the effect that there have been two or three instances where the Shipping Board has commandeered the lumber in the local lumber yards.

Mr. SHERLEY. All right. I am not saying it is not the case in the gentleman's own locality, and I have not undertaken to specify; but I repeat that, speaking by and large, there is not only in this particular but in a great many other particulars a selfish desire on the part of the localities to turn over to the Federal Government the burden wherever they can do it. Now, there is nothing unusual about that. Since the beginning of time men have been selfish, and probably will be until the end of time; but it is a factor that we ought to take into mind when we come to legislate on the subject.

Mr. CAMPBELL of Kansas. Could not that be remedied by extending the area? Out in the mid-western country there have been no contracts let at all.

Mr. SHERLEY. Five months ago I held in my hand on this floor and read to gentlemen a statement that there were three States that had three-quarters of the contracts, and I prophesied the conditions that have arisen. Touching shipping, that arose because you have to build ships where water is. Touching other industries, it arose somewhat because of the fact that there was the nucleus for skilled labor that would enable industries to expand and build factories. It ought not to have been to the extent that it has been, and I believe it will not be in the future; at least, I hope so. But it is a fact, and we have to recognize the fact.

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. SHERLEY. Briefly. I would like to pass on, and when we get under the five-minute rule we can further discuss the housing problem.

Mr. GRAHAM of Illinois. This criticism you are making of communities of course does not apply to all communities where housing has become necessary.

Mr. SHERLEY. This I do know: The situation is frequently not as bad as pictured. Take the housing situation in Washington. If the Committee on Appropriations had wanted to be stampeded and had listened to a lot of talk that came to it informally and to the statements in the press, we would have believed that the whole machinery of the Government would stop if we did not build houses immediately to house employees here. Yet we have managed to get along fairly well. In point of fact, it is very rarely that a community of any size ever reaches the saturation point in connection with the housing of people. There has to be a disposition on the part of people who can do it to open up their homes and take people in and help extend the present facilities to the new need.

Mr. GRAHAM of Illinois. The reason I asked the question was because of one particular case I have in mind. At one place in my district the people had organized corporations and had already subscribed 25 per cent of the amount that must be invested in their community when they were told the plans had been changed.

Mr. SHERLEY. Oh, yes; that is true. But I have tried to explain the reason for that; and even at that time the desire to provide 25 per cent only was based on the idea that Uncle Sam should carry the added load of the increased cost of building at this time; and I suggest that in the gentleman's community and in every other community where that situation has occurred, instead of abandoning their program, they should take that 25 per cent and build a less number of houses and pay for them entirely, and to that extent solve the problem.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. SHERLEY. May I have two minutes more?

Mr. CANNON. I yield to the gentleman.

The CHAIRMAN. The gentleman is recognized for two minutes more.

Mr. SHERLEY. Now, gentlemen, the Navy presented some estimates here totaling more than $20,000,000. Some of them came in as late as 5 o'clock Saturday. I do not think there is any excuse for estimates to be sent to Congress that late in the fiscal year. Eighteen million dollars of those estimates was to provide additional facilities in connection with training camps for the personnel of the Navy. It is a matter that ought to have been brought to the attention of the Committee on Naval Affairs. The Committee on Appropriations did not feel warranted in interfering with the jurisdiction of the Committee on Naval Affairs by taking up that matter. It was not presented as being so pressing as to require that it be done, and the information with which the estimates were submitted was too meager to warrant us in so doing.

We have in the past appropriated considerable moneys on the requests of the departments in order that the war should go on. We are going to continue to do it where it is necessary. But we have reached a time when the departments ought to be able in a more regular form to present estimates and a justification for them.

And in this remaining minute I desire to say just this touching the committee's policy, as I said the other day: We have endeavored to deny no single dollar to the Government necessary to the prosecution of this war, and we have given it without regard to the burden that it lays upon the people, because in war you can not think of that phase; you must think only what needs to be done. Just because that is true the committee has endeavored as far as possible to eliminate those things which do not bear direct relationship to the war, and I repeat what has been said so frequently here, that upon the administrative officers of the Government rests the responsibility and in most cases the only security for the correct expenditure of these huge sums. No committee of Congress could possibly so investigate details as to be responsible for such amounts of expenditure. They have to trust these administrative officers, and they have the right to expect that they will exercise the utmost care in expenditure. What we need to do is to impress and reimpress upon them this responsibility, and bring home to every American the need of his cooperation. The war is going to cost enough, the burdens it lays in blood and treasure are going to be heavy enough, without being added to by inefficiency, extravagance, or greed of men. [Applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. BELL having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed without amendment the bill (H. R. 11247) providing for the protection of the uniform of friendly nations, and for other purposes.

The message also announced that the Senate had passed with amendment the bill (H. R. 12633) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes, in which the concurrence of the House of Representatives was requested.

GENERAL DEFICIENCY APPROPRIATION BILL.

The committee resumed its session.

The CHAIRMAN. The gentleman from Illinois [Mr. CANNON] has 18 minutes.

Mr. CANNON. Mr. Chairman, I am a member of the subcommittee that prepared this bill and reported it to the full committee for its consideration. Much of work has been expended upon its preparation. I have here before me substantially 300 pages of closely printed hearings. The sum carried by the bill is a very large one, aggregating $992,058,993. Yet you may ask, "Did you cut out things unnecessarily? Did you cut them out without investigation?" I answer no. There was as thorough investigation as could be made in the time that the committee had at its disposal, including sometimes nights, most times days, and sometimes not going to church on Sundays.

I agree substantially to the appropriations recommended. I want, if you will allow me, to exclude myself a moment from the remarks I make. The Committee on Appropriations with respect to this and other bills, especially since war was declared, has worked very diligently in recommending appropriations to the House for its consideration. I do not believe that we have failed to recommend sufficient appropriations from time to time. This is the third deficiency bill that we have passed during this session. The others were much larger—especially the first, as I recollect it—than this one.

Now, I want to say another thing. Most of the great expenditures that are being made for preparations for war have had to be made for preparations from the stump, if you will allow me, because it was preparation all along the line. The timber was growing in the forest, but we had to have lumber. We had to have lumber adapted to shipbuilding; we had to have lumber adapted to the making of aeroplanes; we had to have lumber adapted to the construction of cantonments—lumber galore. That had to be transported. Then, faster than we could construct the cantonments, working under stress, the soldiers were enlisting and were being drafted. Not only cantonments, but you had to have roads and drainage and hospitals, and all that constituted further plants; not only to prepare the men for the performance of their duties in war, in the Navy as well as in the Army, but you had to have munitions. I doubt if from the time of the Garden of Eden to the present time there has ever been in so short a time such an extraordinary expenditure of money to prepare a people for war. Not only for the Army but for the Navy we had to create things from matter where the hand of labor had not made it useful for humanity for either war or peace, substantially from the rough.

Now, then, it was impossible without something of waste for this great work to be done. Of course, looking through the hindsights we can make criticisms now that we could not foresee in the beginning. I think there has been much of waste. Some of it might have been avoided, in my judgment, if we had it to do over again. Here and there there has been something of graft, I have no doubt; something of needlessly expensive construction. But it was done under stress.

Now, I want to say further one word before I say a word about the housing proposition. Your committee and the House after getting reports from the various committees on appropriations have performed their duty well. No man and no committee under these conditions could intelligently have examined all the estimates and intelligently recommended appro-

priations. Hence the necessity of appropriating what seemed to be in sight. But we went further, and we authorized by the law the expenditure of money without any limit being placed upon it for war preparation. Hence deficiency bills are necessary. When the historian comes to write up the happenings during this war we shall get some new lights. I am not prepared to criticize appropriations and expenditures, and I do not know that anything is to be gained by criticism at this time. The truth is, it is not for the want of appropriation, it is not for the want of money, it is not for the want of revenue, but if there be shortcomings they are for the want of proper expenditure of the money gathered by taxation in preparation for the great struggle.

I do not believe anybody living or anybody who has lived could have been perfect in the expenditure; but after the money is appropriated we are practically dependent upon the Executive for an efficient expenditure of that great amount. And no one man can do it. No one man can form an organization and boss the whole thing. He must have great blocks of people, each an expert at his post; and true greatness is shown in the choice of the experts, the choice of the right men in the Army and the Navy and all along the line to exercise a wise discretion and see to it that these men have not only patriotism but competency to make these great expenditures wisely after the great power is bestowed.

Now, just a word in reference to the matter of housing. I have listened to what the chairman of the committee [Mr. SHERLEY] has said on that subject. He has only just touched it. I have no time to say even as much about it as he has said. A short time ago, May 16, the first housing bill passed, which was reported from the Committee on Public Buildings and Grounds. Do you know what was intended then? I will not read it all, but I will give you what I want to call attention to. That appropriation was for the acquirement of land and the building of houses. Was it for peace? No; for war. Was it to work out a policy by which we would spend multiplied hundreds of millions of dollars in permanent construction to last for a generation? No; it was the sense of Congress on the 16th day of May that this policy was to last only during the continuation of the existing war. It was a war measure. Hence as the money was appropriated for Army and Navy and munition plants authority was given by proper construction that the housing should be temporary within the spirit of the act which provides for housing. Then consideration was had of the proposition that the people who got great contracts, many times running into hundreds of millions of dollars, should help furnish the housing, and that the communities should help furnish the housing, and power was given for furnishing transportation, and so on. Well, some arrangements were made, I think, almost ready for completion. Then came seemingly a change of policy, looking to the building of permanent housing.

I do not know that I would have much objection to building permanent housing if you could pick out the places to build it, provided it was absolutely necessary. I do not believe any expenditure of this kind is necessary in New York, for instance, or Boston or Philadelphia. Possibly an expenditure is necessary at Norfolk and here and there at the yards where the Government is constructing ship-building plants. In my judgment, it would have better if it was all temporary. But it seems, as nearly as we can gather, that there is to be a change of policy, and that the housing is to be permanent. The selections for permanent construction ought to be wisely made, because we have no use for anything except temporary housing when this war closes. Take, for example, the arsenal at Rock Island, where a plant was established a generation ago. There are Rock Island and Moline on the eastern shore and Davenport just across the Mississippi River on the west, with bridges so that you can go back and forth, and with interurban transportation. We have 18,000 people employed there without the Government having helped a particle to house anybody. But an estimate is made that they want 5,000 more employees at Rock Island. My judgment is that that community with its transportation both in Iowa and in Illinois could furnish the housing necesary for those additional 5,000 people. But there is an estimate here for an expenditure of $8,000,000. Well, that is a Government improvement. The arsenal is a permanent institution. But many of them are scattered all over the country which are to be temporary. Wherever it can be done, buildings should be temporary

Mr. MADDEN. Will the gentleman yield?

Mr. CANNON. Yes.

Mr. MADDEN. The houses in Washington are to be temporary, are they not?

Mr. CANNON. No.

Mr. MADDEN. They ought to be, because when the war is over people who own property in this city will have to give it away if we are going to build houses and the Government conduct them as a business enterprise.

Mr. CANNON. I say no, but the chairman of the committee will correct me if I am wrong. I state it as I recollect it, that under the modified proposition land is to be acquired in part, with public reservations, to be utilized for the construction of permanent buildings. Am I right, Mr. Chairman?

Mr. SHERLEY. To be permanent wherever temporary construction would not supply the needs.

Mr. CANNON. But I am asked as to the construction in Washington.

Mr. SHERLEY. In Washington, so far as it relates to the housing of employees in the departments, I understand it is to be entirely on public land, without the purchase of land, and is to be temporary in the sense that buildings for housing the departments are temporary.

Mr. CANNON. I think the whole hearings will show that that may be so in part, but I think it was anticipated that land was to be bought for the Navy Yard housing.

Mr. SHERLEY. So far as housing employees for the Government Navy Yard, yes; but I was speaking of the department clerks.

Mr. MADDEN. If I may be permitted to interrupt, I think it is a very unwise policy to establish permanent housing facilities under the control of the Government in the city of Washington at Government expense.

Mr. SHERLEY. It is not my understanding that it is expected that after the war the Government will continue to own and run these houses. The idea is to dispose of them right away.

Mr. BARNHART. Will the gentleman yield?

Mr. CANNON. Yes.

Mr. BARNHART. I had a part in preparation of the bill authorizing this appropriation. The foundation for this appropriation, as I understand it, and as I know it to exist, was that the Department of Labor asked for these housing facilities. The Secretary of Labor was asked personally if it was to be a permanent policy of the Government, and he said, "No." He stated furthermore that wherever Government buildings could be established, like the city of Washington, where the supply of labor might be diminished after the war, or Hog Island and numerous places where war industries have been inaugurated and where the population after the war would drift elsewhere, the buildings were to be temporary. But in some cities—like Rock Island, as mentioned, for instance—it was admitted that it might be permanent and sold when this emergency is past.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. BARNHART. I ask that the gentleman's time be extended five minutes.

The CHAIRMAN. The time for general debate has expired. It was limited in the House.

Mr. SHERLEY. I suggest that the Clerk read the first paragraph in the bill.

The Clerk read as follows:

Be it enacted, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in appropriations for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes, namely:

Mr. CANNON. Mr. Chairman, I move to strike out the last word. Now I yield to the gentleman from Indiana to complete his statement.

Mr. BARNHART. I had stated that in cities like Rock Island and other places where permanent Government institutions are established and where housing is needed, such should be built on a permanent basis, with a view to selling at the close of the war.

Mr. CANNON. The gentleman has mentioned Rock Island. I have a kindly feeling for Rock Island. It is in Illinois, and we like our own. Nature made Rock Island for an arsenal and for munitions. It is a very extensive plant. I know a number of people there. There are 18,000 people that work in Rock Island Arsenal, and they are housed. Rock Island and Davenport are wonderfully rich in soil and every other way, west of the Mississippi and east of the Mississippi. It has wonderful transportation facilities. It has several great manufacturing companies. It is a wonderfully wealthy section of the country from every standpoint. I have no doubt but what Rock Island, as far as private plants are concerned, that permanent Government plants could be builded to make munitions—to make everything that is necessary for war. I have no doubt that the growth of that portion of the country is so great that they would be glad to build the houses and either lease or sell them to the employees. I apprehended that many if not most of them

own their houses. I am not sure of that, but I make that kind of a guess.

Now, what I want, without criticizing anybody, without criticizing the administration, without criticizing the Department of Labor, without criticizing the organization it has made with Mr. Eidlitz at the head, with this vast power during this war, I want every dollar to be expended, every effort to be made that can be made to enable our people to help conquer a peace in Europe that will spread when we have conquered it throughout the whole world. At whatever the cost may be, I stand ready, in season and out of season, while I occupy a seat on the floor of this House, to vote it. I want to sin, if I sin at all, in voting too much rather than voting too little. But I want to protest, here and now, against newspaper talk, against intimations on the floor of the House and elsewhere, against talking on the street, against agitation throughout the country, that in taking over railroads we will keep them forever and a day; that we are going to do everything in a new order; that when the war is over this new order will continue; that the United States of America on land and sea will own everything and manage everything. [Applause.] I do not assent to that proposition. Ours is a government by the people, for the people, upon their own initiative, under the law governing demand and supply, in the development of the new world, and when our part of it is developed and settled as it is in Europe we will have from seven to eight hundred million people. Nature has given us almost unlimited wealth, and we have done very well with it since our Constitution was adopted. Three times and over have we multiplied the population since 1860. Somebody suggested there were 30,000 miles of short-line railroads in this country. That would leave 230,000 miles of other than short-line railroads.

We have as many miles of short-line railroad now as we had of all railroads in existence in the United States in 1860. How marvelous has been our development! How has it been accomplished? By somebody saying that the Government was running everything? We elect the House of Representatives every two years and one-third of the Senate every two years, and we elect a President once in four years. I believe in the Government doing everything it ought to do, but I do not listen with patience to the cry that is sometimes uttered or intimated on the floor of this House, that is being heralded throughout the press to a greater or less extent, that we will take from the individual the initiative. They say, "My God, the plutocrat!" I wish the House was in full attendance, and I would call upon the 435 Members to rise up, every man who has made his way from the street in the city a poor boy, or from the farm a poor boy, or the mechanic, who is now in Congress. I would ask them to stand up. I want to keep our country and make it worth fighting for and preserving. Civilization rests upon the hustle of the unit, first, to care for yourself, your family, and for the hearthstone. I have seen this House change substantially since I have served in it at least three times, and as I have gone along and read the Congressional Directory and have become acquainted with the membership, I have noticed that the men, on the average, were, in youth, the newsboys, the boys who attended the common school in the city and in the country—the boy who has made his way; the boy who, under the hand of necessity, at the age of 9 or 10 or 11 or 12, helped to support the growing family, helped to make his own way—the boy of good brawn.

God preserve us from having somebody presiding over us and saying that industry and ability shall count for nothing. I often think of that wonderful old myth of the Greeks. Hercules had 12 tasks to perform, as I recollect; he was half divine and half human. He accomplished 11 of them, but he was yet to accomplish the twelfth, to overcome Antaeus. He then consulted his mother and she gave him the secret of the strength of Antaeus, which was that every time Antaeus touched the earth he had his strength renewed. With that knowledge Hercules in conflict with Antaeus thrust his arms about Antaeus and squeezed him to death, holding him in the air so that he could not renew his strength by touching the earth, and in that way he vanquished Antaeus.

Men are sorry for the children of the poor.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CANNON. Men, I say, sometimes say that they are sorry for the children of the poor. My young life and parts of my mature life have been passed in the Middle West, among the pioneers. I recollect when they pioneered to the West, and I know what it meant—the log cabin; the butternut clothing; the patriotic, cheerful mother who spun the wool and wove it on the old-fashioned wooden loom and colored it with butternut and cut and made the garments. I know what it means. I can take a country comprised in two or three counties on the Wabash where it was worth a man's life to bring 80 acres of land under subjection and raise a family, and I can count, stretching from Illinois and Indiana west across the continent, the children and the grandchildren of those pioneer people who in the grand aggregate have been the great factors in developing that country. Some of them will stand in history second to no one. They helped found the Republic and preserve it. I am not sorry for the children of the poor, but I sometimes am sorry for the children of the rich, who reap where they have not sown and grow up without skill and frequently without character.

I once made a speech on Lincoln's birthday anniversary in Pittsburgh. I looked around that great building, and I said to the man sitting beside me, "In this thousand of people who are here at this great banquet, how much of wealth is there?" I sat at the right hand of the presiding official. Said he, "CANNON, I suspect that the aggregate wealth of these people assembled here must be four or five hundred million dollars." Said I, "Call the roll." They were middle-aged men, here and there an old man, a few comparatively young men. Who are they? Why, So-and-so, So-and-so, So-and-so. Where do they get their wealth? They made their way—the answer was—they are captains of industry, employers of labor. Where did they get their education? The reply was, "The great mass of them got their education in common schools." Under the hand of necessity they made their way. "Why, I recollect many, and I could point out quite a number who were newsboys." At the conclusion of my remarks touching Lincoln and his great services, I ventured to call attention to what this gentleman had said, and I asked the question, "Who will assemble in this or some similar hall 50 years from now on a like occasion to celebrate Lincoln's birthday anniversary?" And I answered my own question by saying that to find them we would have to go out now upon the streets and take the children, the newsboys, to find the children of the mechanics who are under the hand of necessity and who must hustle.

Mr. Chairman, I grow aweary sometimes when I hear some people talk about plutocrats. Good God, plutocrats! According to the opinion in which the successful seem to be held by some, then, to find the most worthless population on earth we must go to the great State of Iowa, where the per capita wealth is $3,539, as against the per capita wealth in the State of New York, as I recollect it, of $2,626. [Applause.]

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. BARNHART. Mr. Chairman, the gentleman from Illinois [Mr. CANNON], always interesting, usually argumentative, and generally right, except politically, has given logical observations in his remarks, and with most of them I quite agree.

It has always been my theory, and I believe a theory of the Government of my country, that the individual should never ask of a township what he can do for himself; that the township ought not to ask of the county what the township can do for itself; that the county ought not to ask of the State what the county can do for itself; and that the State ought not to ask of the Government what it can do for itself. I believe that it is a mistaken idea, if anybody has such housed up in his head anywhere, that this Government ought to establish a policy to provide homes for its people. I have said on the floor of this House on a previous occasion that I believe that if all of the demands that some interests have made were granted, viz, that if all of the people who work were given to understand that at the end of 20 years or so, during which time they have obtained good wages, they were then to be retired on a pension and the Government had to provide them with an abode, this country of ours, self-dependent as its people have been in all the years of its existence, in 50 years from that date would be the greatest nation of laggards beneath the sun. And so I am opposed to Government ownership of homes.

But here was a situation, Mr. Chairman, that confronted the committee that had to do with the authorization of this appropriation. The departments of the Government that have to do with the employment of labor came before our committee and presented facts to show us conclusively that many of these places where munition factories and shipbuilding plants are being established are necessarily in isolated places, because they must be located remote from cities, and that with the price of material as it is to-day and property going higher and higher, the wages of labor higher than ever known before, the prospect of private capital building houses for these people is so very remote, with emergency pressing in the preparations

for the war in which we are engaged, they asked that $50,000,000 might be authorized, which was finally increased to $60,000,000—$10,000,000 of that to be used in the city of Washington—for the purpose of providing housing in several ways. One was by providing transportation to carry workmen from these factories to the city nearby, where houses might be obtained, to encourage capital to build housing by the Government loaning part of the money, by conducting surveys in the cities of the country near where these plants are established to see just how much housing was available there, and to build housing as a temporary relief and built in such a way that at the end of the war it could be taken down and removed for the salvage there is in it. Now, these were the propositions which were presented to the Committee on Public Buildings and Grounds. We left nothing undone to ascertain facts from the officials interested, the Secretary of Labor, Secretary of War, Secretary of the Navy, and from Mr. Eidlitz himself.

And when I speak of Mr. Eidlitz, I did not then know him; he was a stranger to me, but I did learn on looking the matter up that he had been given some of the most important positions of trust within the State of New York when former President Roosevelt and former Judge Hughes were governors of that State, and we found him, as we believed, trustworthy to take care of this important matter. He asked that he be given the liberty, or that the Department of Labor be given the liberty, to provide any sort of houses they could get to the very best advantage of the Government and its needs, and if they found that capital would not provide enough housing to take care of the employees in places where permanent institutions are established, then they asked that they might build permanent houses and that they might be sold at the close of the war.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BARNHART. Just one minute more.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana? [After a pause.] The Chair hears none.

Mr. BARNHART. In the city of Washington and in many places like it, where this great influx of labor will go hence when the war is over, it is asked that ample housing be established for the purpose of inducing help to come here and be satisfied to remain as long as their services are needed. This is a war-emergency enterprise of most important necessity to the efficiency of the Government. After we have won the war, if we will pay labor the wages it earns, we can abandon this temporary Government housing, and labor will gladly furnish its own homes and be more prosperous and happy in them than if provided at public expense. Labor wants to be independent, and it should and can be so if it is treated fairly and then treats itself fairly.

Mr. TOWNER. Mr. Chairman, I desire to call the attention of the committee and the House for a few moments to a consideration of the question of a recess. There has been a general understanding among the Members of the House and the Senate that there is to be a recess of from four to six weeks entered into by an agreement of the House and Senate. I believe, gentlemen, that conditions have arisen that make such action on our part unwise. I think it will be unwise for the House, under existing conditions, to attempt to recess for more than three days at a time, and I want to suggest two or three reasons for that position. In the first place, we are not in the condition in which it was supposed we would be at this time. Legislation will require at least all of this week, and if it is finished by that time, according to the definitely understood program, or the indefinitely understood program, it will have to be hurried beyond a proper consideration of such important legislation. I want to call the attention of the committee to the bill for the support of the Army, which we have just sent to conference and which is now under consideration by the conferees. It is now more than twice as large in its provisions as it was when it went to the Senate. Nearly all the amendments which have been offered, and they are numerous, are new legislation regarding the Army. I have taken the pains to go through the bill, and have noted the titles of the more important amendments containing the proposed legislation, and these are some of the things that are to be considered by the conferees and afterwards by the House: The appointment of staff corps in the line of the Army; taking over the Palace of Fine Arts at the Presidio, San Francisco; increase in the Medical Department of the Army; provisions for drafted or enlisted men detailed for work; bands for the Engineer Corps; equipment, maintenance, and training of foreign troops; the organization of a Slavic legion; organization of a Russian legion; provision for medals of honor for distinguished service; provisions changing longevity pay; provisions for the purchase of real estate for military purposes; provisions regarding the Army Nurse Corps; claims for loss of private property; Army mine-planter service; amending the Articles of War, three sections, extending over several pages; disposition of the effects of deceased persons; method of determining quotas for military service; raising the age limit in the Staff Corps; prohibiting prostitution near cantonments; establishment of an international social-hygiene board; commandeering of timber; establishing an aircraft construction corporation; amending the national defense act; providing pay of certain enlisted men, covering many pages; giving power to the President to increase the drafted army, also covering many pages.

This is legislation that has never been considered by the House, but which must now be considered by the conferees and reported to both the House and the Senate, and by them considered and passed upon.

And that is not all. We have before us several other important bills for consideration, bills that are too important for hurried consideration. It is not expected and it is not justified that we shall give slight consideration to such important legislation as this.

Mr. McKENZIE. Will the gentleman yield?

Mr. TOWNER. Yes.

Mr. McKENZIE. The gentleman would not argue that it would take any great length of time to kill most of that stuff, would he, if the conferees would agree to do it?

Mr. TOWNER. I think some of it ought to be killed, and I think perhaps some of it is necessary legislation. But neither you nor I, I will say to the gentleman from Illinois [Mr. McKENZIE], can at this time determine what ought to be passed and what ought to be killed. It is urged upon us as emergency legislation, and as such certainly ought to receive the consideration of the House.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TOWNER. Mr. Chairman, I ask unanimous consent for five minutes more.

Mr. SHERLEY. Mr. Chairman, I do not desire to unduly curtail debate, but the gentleman is not discussing matters before the committee. It is important that this bill should go through. There are a number of conference reports waiting on us. Whether we adjourn or not, we ought to get the supply bills through.

Mr. TOWNER. I will say to the gentleman that the gentleman from Illinois [Mr. CANNON] was expecting to yield and promised to yield me 10 minutes of time.

Mr. SHERLEY. I shall not object to five minutes extension, but ask that the Members shall confine themselves to the bill.

Mr. TOWNER. I shall not continue my discussion beyond the five minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. TOWNER. I want to call attention also, gentlemen, to some very important matters that are likely to be considered by the House and, I believe, considered by the House in the very near future.

The announcement is made, gentlemen, that there is an impending strike among the telegraphers of the United States, making a very serious condition, as all understand. The announcement has also been made, somewhat informally, that the Committee on Interstate and Foreign Commerce are reporting or considering reporting a bill for taking over the telegraph systems of this country. That ought to receive the careful consideration of the House. It ought not to be considered lightly; it ought not to be determined upon a short and hurried debate. It is too important a matter to be thus lightly passed over.

And I want to call the attention of gentlemen further to this fact: I was talking with an Army officer but yesterday, and he said to me that he had more apprehension regarding the next German offensive than any offensive that had yet been put in operation, because, he said, this would be the supreme and perhaps last effort to break through the American lines. He said that it would be aimed particularly against the American forces to make the United States feel that it will not pay to carry on the war longer. He said that he would not be surprised if 10,000 American casualties were reported to the United States each day the offensive continued. Gentlemen, if that is the condition of affairs, if things are so vital, if such a crisis exists across the waters as that, the people of the United States will feel that Congress ought to be within call. It seems to me, gentlemen, that it is most unwise for us to tie up the legislation of the country for five or six weeks under these conditions. I sincerely hope that this House will not, because of its desire for a vacation, assume such a responsibility. I believe it is incumbent upon us who are here, notwithstanding many are anxious to get away, notwithstanding many have even arranged

to get away, to oppose any recess that will prevent the consideration of emergency legislation for any considerable time.

Mr. COX. Will the gentleman yield?

Mr. TOWNER. I will.

Mr. COX. Does not he think it wiser for the House to remain here until the revenue bill is passed before adjournment is taken?

Mr. TOWNER. I think it unwise to adjourn, so that Congress can not be called almost immediately to meet any emergency. Perhaps a three-day recess after a little might be arranged, but certainly nothing more than that.

Mr. WALSH. Does not the gentleman understand that the proposed plan for a recess meets with the approval of the President and the administration?

Mr. TOWNER. I understand that the matter was presented to the President before any of these things I am now calling attention to were called to his attention. I can not believe the President would desire Congress to be away at such a crisis as this in the affairs of the Nation. Personally I am opposed to any adjournment of this Congress that will prevent our being here when needed during the summer, and I hope that the Congress will not take any action that will prevent that being done.

Mr. MADDEN. Mr. Chairman, I want to make a suggestion or two that I hope will reach the ears of those who will be responsible for the expenditure of this money for housing. In some sections of the country there is no congested condition. There are more houses than there are people. Take it in my own city, for instance, and since the war began so many people have been called away to other sections of the country that in the township of Englewood, representing a part of the congressional district in which Mr. Wilson lives, there are over 11,000 empty residences. That is only one very small fraction of the city. There are over 50,000 idle men in the city. Most of those men are builders, and I hope that those who are to be responsible for the expenditure of this money for housing, wherever it can be done, will let the building by contract.

I believe that you can build more cheaply to-day in most sections of the country than you could build at any time during the last four or five years—not that building material is not high but that labor is idle. Take, for example, this case: I had a house to paint just a short time ago. I thought I would not paint it. I thought the painting job would cost a great deal more than I could afford to pay. One of the best concerns in the United States suggested that this was the best time to paint, as white lead was not being used in the Government work; that the board in control of the painting system in the war activities had adopted a kind of paint that would wash off with every rain; that it contained no white lead. I asked that concern to bid on the buildings that I had to paint. The cheapest I ever had these buildings painted before was at a cost of $1,100. To my surprise the bid of this concern was $995. I suggested to them that I would add some interior decoration in connection with the outside work that would amount to about $280, and I would give them $1,000. The representative of this concern said: "All right; I will take the job. I have men begging for work, and I am glad to find employment for them." And the job is done. [Laughter.]

Mr. VARE. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. VARE. I was going to suggest that the gentleman might advise his friends in Chicago to come to Philadelphia.

Mr. MADDEN. Well, Philadelphia is surrounded by shipbuilding. That is one of the congested places.

Mr. VARE. So much the more reason why we should have that good labor that is out there.

Mr. MADDEN. They have taken all the men they could find to Philadelphia and other places. My suggestion is that they should take some of the activities away from Philadelphia and New York and Newport News and Charleston, S. C., and a few of these places down South here, and add them to the Central West, where the men are now idle and paying taxes on their empty houses, trying to find employment at any price.

Now, Mr. Chairman, I want to repeat again that I hope, in the construction of the buildings which they are authorized to construct out of these appropriations, those who are responsible for the expenditure will take advantage of every opportunity to employ the labor that is now idle and let the work out by contract instead of letting it on the cost-plus basis.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. WALSH. The gentleman is speaking about transferring some of these activities in the Central West. You could not build ships at Elmwood, could you?

Mr. MADDEN. I do not know where Elmwood is.

Mr. WALSH. Is not that the town the gentleman named?

Mr. MADDEN. No; I said Englewood. We could build ships there. We have in the Calumet River there a body of water where we build ships by private enterprise, but the Government has failed to see the importance of building any ships for the Government there.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MADDEN. I would like to proceed for one minute more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. MADDEN. Another thing that I would like to call attention to while I am on my feet is the fact that the Director General of Railroads, in the order fixing the new rates, has destroyed railroad movement in the State of Illinois. He has imposed a burden upon the people of the State such as they have never dreamed of. He makes the claim that he is raising the railroad rates 25 per cent, but he has taken no account whatever of classification or commodity rates, and instead of the rates being increased 25 per cent they have been increased all the way from 50 to 75 per cent. They have taken away all the power of the railroad commission of the State. They have made it impossible for the State to understand what the railroad situation is to be. They have imposed on the taxpayers and consumers an extra burden that they will be unable to bear.

In addition to taking away all the war industries while collecting the war revenue, they now propose to impose further unjust and unusual and unthought-of burdens upon the consuming public of the State. I propose to-morrow to introduce a resolution of inquiry to find out why it is that the State of Illinois, patriotic, with its 600,000 men drafted into the Army or ready to be drafted into the Army, is to be discriminated against in every form which can be thought of by anybody connected with the administration. We do not propose to submit idly or quietly to that sort of discrimination; and we do propose, if it is possible, to find out why. [Applause.]

Mr. GRAHAM of Illinois rose.

Mr. SHERLEY. Mr. Chairman, I ask that the Clerk read. There is nothing pending before the committee.

The CHAIRMAN. The gentleman from Illinois [Mr. GRAHAM] is seeking recognition.

Mr. SHERLEY. The debate has been exhausted on this measure.

Mr. GRAHAM of Illinois. I would like to speak for five minutes relative to the housing proposition.

Mr. SHERLEY. I would like to get these conference reports through.

Mr. GRAHAM of Illinois. Then I will not take the time, Mr. Chairman.

The CHAIRMAN. The Clerk will read.

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed the bill (S. 4569) to establish the Mount Desert National Park, in the State of Maine, in which the concurrence of the House of Representatives was requested.

The message also announced that the Senate had passed without amendment bill of the following title:

H. R. 3332. An act authorizing the Secretary of the Treasury to sell and convey certain land to the city of Faribault, Minn.

GENERAL DEFICIENCY APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

EXECUTIVE.

HOUSING FOR WAR NEEDS.

The authorization fixed by section 8 of the act entitled "An act to authorize the President to provide housing for war needs," approved May 16, 1918, is increased from $60,000,000 to $110,000,000, and there is appropriated for the purposes thereof, including rental of offices in the District of Columbia, contingent and miscellaneous expenses, printing and binding, and personal services in the District of Columbia and elsewhere, $50,000,000, to be expended in accordance with the authority and under the conditions prescribed in the said act as amended by the deficiency appropriation act approved June 4, 1918, and to continue available during the fiscal year 1919.

Mr. GRAHAM of Illinois. Mr. Chairman and gentlemen of the committee, in the debate on this matter allusions have been made to the housing proposition; and inasmuch as the particular locality from which I come has been the subject of discussion, I have sought recognition at this time, because I have thought perhaps I might throw some light upon that particular subject.

When this matter of housing first came up it was evident to anyone who heard the discussion that the necessity for some housing existed; that it was impossible for the Government to

carry on its war activities without making some provision for the people who should work in them. But at that time it was also evident to anyone who gave any attention to the matter, that there were two classes of problems presented, one having to do with the men engaged in industries where they were working on war contracts for the time being, and the other having to do with men who worked in permanent plants of the Government given over to the making of munitions of war. In the one case it was stated in the discussion that it was evident that the only thing we ought to do was to build temporary shelters for the people who were working there, because as soon as the war was over these employees would scatter and go back to their ordinary vocations, and no further necessity would exist for the continuance of these temporary shelters. But in places like the city of Rock Island, where a great Government arsenal is located, it was evident that it appeared greatly to the advantage of the Government to build permanent houses for the employees, so that the Government in the years to come might have the advantage of a class of people working there who were steady, industrious, who owned their own houses, and who were naturally the best class of workmen. Now, I want to tell you something about what happened up there to that particular locality when this war broke out. There were then working there about 1,600 men in this arsenal. Immediately their numbers began to expand wonderfully, and there came in from the little towns all around there the mechanics and men who could do work of that sort, until now, as shown by this estimate, there are 18,000 men employed there, and there will be 23,000 before the year is over. Now, in order to keep these men you have got to furnish permanent homes for them. Most of them are men above the draft age. They are mostly men with families. They want to live in their own homes, they want their children to go to school, and you must furnish places for that sort of men to live, or they will not stay there. My colleague from Illinois [Mr. CANNON] is right, in a degree, when he says most of the men live in their own homes. That is true of the men who have been working there, who were there before the outbreak of the war, but you have suddenly dumped into that community somewhere from 15,000 to 21,000 more, and in a community of 100,000 people you can readily appreciate that you can not take care of that sort of an influx of labor in the houses that are already there. The Government must help to house them, and it is necessary to have this sort of a law.

This community, after the passage of the housing act, as well as many other communities all over the country, were preparing themselves to go in with the Government as a joint enterprise in the building of these houses. I know, because I was in constant communication with the Bureau of Housing up to the time this order came from the Secretary of Labor. They were preparing their contracts by which they were going to contribute to the erection of these houses and share with the Government the responsibility of this burden, along the lines that the Government asked for. But suddenly there came from the Department of Labor an order to discontinue immediately all these activities, to do away with the corporations that had been formed, to do away with all individual participation, and that the Government would take up this work as an individual obligation of the Government and continue the housing by itself.

Mr. McKENZIE. Will my colleague yield?

Mr. GRAHAM of Illinois. Yes.

Mr. McKENZIE. Of course, when the thing is over there will be a great reduction in the number of men employed in this Government plant.

Mr. GRAHAM of Illinois. Naturally.

Mr. McKENZIE. When that occurs, if the Government has these permanent homes built there, naturally the men will live in them if it is possible to do so.

Mr. GRAHAM of Illinois. Yes.

Mr. McKENZIE. Now, what is going to be the effect on the property owners in the city of Rock Island and in the city of Moline who own their own houses?

The CHAIRMAN. The time of the gentleman has expired.

Mr. GRAHAM of Illinois. Mr. Chairman, I ask unanimous consent to proceed for five minutes longer.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. GRAHAM of Illinois. In reply to the gentleman from Illinois [Mr. McKENZIE], I may say the effect will depend upon how the Department of Labor does its work in that community. As I view it, the thing you want now is housing. The thing that must be furnished now is housing for these employees. You have got to have these men at these industrial institutions at Rock Island, Springfield, Mass., and every other place where men are working. You have got to keep them, and in order to keep them you must have as an inducement a place where men can live decently. After the war is over a different proposition presents itself. I do not believe that the Government should change its idea so much as to go into a scheme of community housing and to embark upon some fanciful scheme of building community towns for industrial workers where we need temporary housing only for war purposes. The thing we want to do is to win the war and take care of the workmen so that they may live in comfort while they work in those temporary war activities. I state, as I have said before, that where houses can be made after the war is over as a part of the permanent plan of the Government they should be made permanent, because that is efficiency and economy; but where they can not, they ought to be temporary, because these things are going to end after the war is over. The fear in my mind is that the Government, which is responsible for the administration of this law, will forget that we are doing this thing as a war measure and will rather pursue the scheme of housing for communities that will lead us into the depths of extravagance and the expenditure of money that we do not know of now and will take us years to accomplish. I think something of that kind is in the mind of every man who has debated this proposition. Judging from what I know of the community from which I come and from what I have heard in this House, the officers of the Government who are charged with the administration of this law ought to know that it is the idea of Congress that we are doing this thing as a war emergency, as a war measure, and that we are not attempting to go into any permanent scheme of community housing at this time. [Applause.]

The CHAIRMAN. The pro forma amendment is withdrawn and the Clerk will read.

The Clerk read as follows:

Support of convicts: For support, maintenance, and transportation of convicts transferred from the District of Columbia, expenses of shipping remains of deceased convicts to their homes in the United States, and expenses of interment of unclaimed remains of deceased convicts, expenses incurred in identifying and pursuing escaped convicts and rewards for their recapture, to be expended under the direction of the Attorney General, $15,000.

Mr. SHERLEY. Mr. Chairman, line 23, page 7, I move to strike out the figures "15,000" and insert "10,000."

The Clerk read as follows:

Page 7, line 23, strike out "15,000" and insert in lieu thereof "10,000."

The amendment was agreed to.

The Clerk read as follows:

One-half of the foregoing amounts to meet deficiencies in appropriations on account of the District of Columbia, except as otherwise provided herein, shall be paid from the revenues of the District of Columbia and one-half from any money in the Treasury not otherwise appropriated.

Mr. GRAHAM of Illinois. Mr. Chairman, I move to strike out the last word to ask the chairman a question. I observe in the last paragraph that the half-and-half principle is being carried out. Will the settlement of that point in controversy between the two Houses have any effect on this item?

Mr. SHERLEY. Not at all; this is for the fiscal year 1918, which ended last night.

The Clerk read as follows:

For salaries of clerks and other employees of the commission detailed to work in France and who may be authorized by the commission to adjudicate claims for compensation and perform such other duties as the commission may direct; for per diem in lieu of subsistence, not exceeding $4, traveling expenses, rent, printing and binding, and all other necessary expenses for carrying on the work of the commission in France, fiscal year 1919, $25,000.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. What is the necessity that requires the employees and clerks of the employees' compensation division to perform part of their duty in France?

Mr. SHERLEY. The fact that we have 300,000 or 400,000 civilian employees entitled to compensation under the compensation act for injury and death and the need of having people on the ground to investigate claims to ascertain the facts establishing third-party liability where such liability exists, and the impracticability of doing it by mail.

Mr. WALSH. Are not these civilian employees under direction of military officials?

Mr. SHERLEY. They may be under the direction of the military officials, but they are within the provisions of the law touching civilian employees of the Government and are entitled to compensation under the act. It has been found practically impossible to audit claims looking to matters of that kind, but the Treasury is doing its auditing there, and they believe that inasmuch as these claims may amount to a considerable sum, and frequently investigation on the ground establishes a third-party liability to the exclusion of Government liability, it is often economy to have the force there.

Mr. ROBBINS. Mr. Chairman, I move to strike out the last word. On page 9, I want to ask about the item of $9,400 for these employees—seven clerks at $1,200 each and one clerk at $1,000 for the fiscal year 1919. Is that the commission of which President Taft is a member?

Mr. SHERLEY. Oh, no; this is a commission that is created under the compensation act for the purpose of adjusting claims for Government employees who are injured.

Mr. ROBBINS. It has nothing to do with wages?

Mr. SHERLEY. Nothing in the world.

Mr. ROBBINS. Is it under the compensation act entirely?

Mr. SHERLEY. Yes.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

The amounts collected from exporters for cable charges during the fiscal year 1919 shall be credited to the appropriation for the War Trade Board and be available for the purposes thereof during the said fiscal year.

Mr. WALSH. Mr. Chairman, I notice in line 12, page 11, that the word "fiscal" is misspelled.

Mr. SHERLEY. Mr. Chairman, I ask unanimous consent that it be corrected.

The CHAIRMAN. Without objection, the Clerk will correct the spelling of the word.

There was no objection.

The Clerk read as follows:

SECRETARY'S OFFICE.

Section of surety bonds: For the amount necessary to increase from $1,000 to $1,200 the pay of a clerk provided in the legislative, executive, and judicial appropriation act for the fiscal year 1919, $200.

Mr. SHERLEY. Mr. Chairman, I move to strike out, on page 11, lines 15, 16, 17, 18, and 19.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 11, strike out lines 15, 16, 17, 18, and 19.

Mr. SHERLEY. Mr. Chairman, the reason for that is this: The subcommittee, at the urgent instance of representatives of the Treasury, agreed to this increase of from $1,000 to $1,200 in the pay of the clerk in the section of surety bonds, but on fuller investigation in the full committee the statements made by the chairman of the subcommittee of the legislative bill made us believe that the increase was not warranted, and therefore I move to strike it out.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Kentucky.

The amendment was agreed to.

The Clerk read as follows:

The Secretary of War is authorized, for the official purposes of the War Department, and within the limits of the appropriations for rent made by this or any other act making appropriations for the War Department, to requisition the use of, and take possession of, any building or any space in any building, and the appurtenances thereof, in the District of Columbia, other than a dwelling house occupied as such or a building occupied by any other branch of the United States Government, and he shall ascertain and pay just compensation for such use. If the amount of compensation so ascertained be not satisfactory to the person entitled to receive the same, such person shall be paid 75 per cent of such amount and shall be entitled to sue the United States to recover such further sum as, added to said 75 per cent, will make up such amount as will be just compensation for such use in the manner provided by section 24, paragraph 20, and section 145, of the Judicial Code.

Mr. SHERLEY. Mr. Chairman, I ask unanimous consent that the Clerk be authorized to correct the spelling of the word "Department" in line 20, page 13.

The CHAIRMAN. Without objection, it will be so ordered.

There was no objection.

The Clerk read as follows:

Mileage: For mileage to commissioned officers, members of the officers' Reserve Corps when ordered to active duty, contract surgeons, expert accountants, Inspector General's Department, Army field clerks, and field clerks of the Quartermaster Corps, when authorized by law, $2,750,000.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. Can the gentleman state whether the commissioned officers and members of the Officers' Reserve Corps and these other officials when traveling on official duty are obliged to pay the increased passenger-fare rates that have recently gone into effect.

Mr. SHERLEY. So far as I know, yes; though I have no information about it.

Mr. WALSH. Has the committee given any consideration to a plan whereby these officials might, during the control of the railroads by the Government, travel without expense being charged up in this way?

Mr. SHERLEY. We have not considered that. Of course, this mileage is not entirely to pay just the actual expenses to the railroad. Under the law the officers are entitled to mileage of so much. It is somewhat similar to the mileage allowed Members of Congress, though less in amount.

Mr. WALSH. I withdraw the pro forma amendment.

The Clerk read as follows:

Clothing and camp and garrison equipage: For cloth, woolens, materials, and for the purchase and manufacture of clothing for the Army, including enlisted men of the Regular Army Reserve and retired enlisted men when ordered to active duty, for issue and for sale at cost price according to the Army Regulations; for payment for clothing not drawn due to enlisted men on discharge; for altering and fitting clothing and washing and cleaning when necessary; for equipment and repair of equipment of laundries, dry-cleaning plants, salvage and sorting storehouses, hat-repairing shops, shoe-repair shops, clothing-repair shops, tent-repair shops, and garbage-reduction works; for educational propaganda in connection with reclamation; for equipage including authorized issues of toilet articles, barbers' and tailors' materials, for use of general prisoners confined at military posts without pay or allowances and applicants for enlistment while held under observation; issue of toilet kits to recruits upon their first enlistment, and issue of housewives to the Army; for expenses of packing and handling, and similar necessaries; for a suit of citizens' outer clothing, to cost not exceeding $10, to be issued upon release from confinement to each prisoner who has been confined under a court-martial sentence involving dishonorable discharge; for indemnity to officers and men of the Army for clothing and bedding, etc., destroyed since April 22, 1898, by order of medical officers of the Army for sanitary reasons, $712,232,605.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. Is this the item to which the gentleman referred in general debate?

Mr. SHERLEY. Mr. Chairman, this item was reduced $300,000,000, speaking in round figures, for the reasons I undertook to state in general debate.

Mr. WALSH. I wanted to inquire if this amount will provide the clothing for the new men who have recently been called under the second draft.

Mr. SHERLEY. There is a certain amount of clothing that is on hand, and to that extent that clothing will be issued to the men who come under the new draft, and would have been paid for out of some of this money, but there is also money carried in the Army bill for the same purpose. They have the right to incur deficiencies in connection with food and clothing for the Army.

Mr. WALSH. I notice that a suit of citizen's outer clothing, to cost not exceeding $10, is to be issued upon release from confinement to each prisoner who has been confined under a court-martial sentence involving dishonorable discharge.

Mr. SHERLEY. That is simply the language carried in the ordinary bill; we did not go into that matter at all. We carried the usual language that is carried in the regular Army appropriation bill, and the purpose of that provision appears upon its face.

The Clerk read as follows:

Regular supplies, Quartermaster Corps: Regular supplies of the Quartermaster Corps, including their care and protection; construction and repair of military reservation fences; stoves and heating apparatus required for heating offices, hospitals, barracks and quarters, and recruiting stations, and United States disciplinary barracks; also ranges, stoves, coffee roasters, and appliances for cooking and serving food at posts, in the field, and when traveling, and repair and maintenance of such heating and cooking appliances; and the necessary power for the operation of moving-picture machines; authorized issues of candles and matches; for furnishing heat and light for the authorized allowance of quarters for officers, including members of the Officers' Reserve Corps when ordered to active duty, and enlisted men, including enlisted men of the Regular Army Reserve and retired enlisted men when ordered to active duty; contract surgeons when stationed at and occupying public quarters at military posts; for officers of the National Guard attending service and garrison schools, and for recruits, guards, hospitals, storehouses, offices, the buildings erected at private cost, in the operation of the act approved May 31, 1902; for sale to officers, and including also fuel and engine supplies required in the operation of modern batteries at established posts; for post bakeries, including bake ovens and apparatus pertaining thereto and the repair thereof; for ice machines and their maintenance where required for the health and comfort of the troops and for cold storage; ice for issue to organizations of enlisted men and offices at such places as the Secretary of War may determine and for preservation of stores; for the construction, operation, and maintenance of laundries at military posts in the United States and its island possessions; for the authorized issues of laundry materials for use of general prisoners confined at military posts without pay or allowances and for applicants for enlistment while held under observation; authorized issues of soap; for hire of employees; for the necessary furniture, textbooks, paper, and equipment for the post schools and libraries and schools for noncommissioned officers; for the purchase and issue of instruments, office furniture, stationery, and other authorized articles for the use of officers' schools at the several military posts; for purchase of relief maps for issue to organizations, commercial newspapers, market reports, etc.; for the tableware and mess furniture for kitchens and mess halls, each and all for the enlisted men, including recruits; of forage, salt, and vinegar for the horses, mules, oxen, and other draft and riding animals of the Quartermaster Corps at the several posts and stations and with the armies in the field and for the horses of the several regiments of Cavalry and batteries of Artillery and such companies of Infantry and Scouts as may be mounted; for remounts and for the authorized number of officers' horses, including bedding for the animals; for seeds and implements required for the raising of forage at remount depots and on military reservations in the Hawaiian and Philippine Islands and for labor and expenses incident thereto, including, when specifically authorized by the Secretary of War, the cost of irrigation; for straw for soldiers' bedding, stationery, typewriters, and exchange of same, including blank books and blank forms for the Quartermaster Corps, certificates for discharged soldiers, and for printing department orders and reports, including $69,955.83 on account of the fiscal year 1917, $90,971,072.06.

Mr. HERSEY. Mr. Chairman, I move to strike out the last word for the purpose, not of opposing anything in this paragraph, but I wish to call the attention of the committee to the fact that there is nothing that we provide more cheerfully than money for the preparation and care of our soldiers. Great sacrifices are being made, not in the raising of money by this Nation, but in the furnishing to the world of the American soldier. Almost every household in the land furnishes its contribution. Every Member of this House takes a great deal of pride at different times in putting in the RECORD the achievements of those who have made sacrifices by the furnishing from their families of soldiers for the Army and how many stars they have upon their flag. My home town is a little country town, and they are doing their part, furnishing more than most any town of its size almost in the Nation. I wish to send to the Clerk's desk and have read in my time, Mr. Chairman, a little extract from my town paper showing what an humble family in my town is doing in the way of furnishing men.

The CHAIRMAN. The Clerk will read the extract in the gentleman's time.

The Clerk read as follows:

HOULTON, ME., FAMILY PROUDLY FLIES SERVICE FLAG OF NINE STARS—RECORD THAT CAN BE EQUALED BY BUT FEW IN THE WHOLE NATION.

"If I had a son for each star in Old Glory, Uncle Sam, I'd give them all to you."—Popular song.

From many homes throughout our land a service flag has been thrown to the breeze denoting that a member of the household has taken service under the colors.

Some flags show only one star, others two, three, or four stars, but it is believed that to a Houlton family, who has given nine sons to the service of Uncle Sam, is a record that can scarcely be equaled in the whole United States.

It is with just pride that Mrs. Martha Cassidy Crabbe has given her six sons to uphold the honor of the Nation, while her husband, Mr. William Crabbe, has three sons in the various branches of the service, making a total of nine boys from one family who are training for the big drive that will make the world a better and safer place to live in.

Following is a list of the nine men and where located:
Capt. G. P. Cassidy, Dental Corps, Camp Devens, Mass.
Herman Cassidy, Dental Corps, Camp Devens, Mass.
Ernest Cassidy, in France.
Guy Cassidy, medical unit, Fort Porter, N. Y.
Clarence Cassidy, Naval Reserve, Commonwealth Pier, Boston.
Don W. Cassidy, Medical Reserve, awaiting orders.
Leo Crabbe, in France.
Thomas Crabbe, in France.
Louis Crabbe, in France.

The Clerk read as follows:

Civilian military training camps: For the expense of maintaining upon military reservations or elsewhere, camps for the military instruction and training of such citizens physically capable of bearing arms as may be selected under such terms of enlistment and under such regulations as may be prescribed by the Secretary of War, and for furnishing said citizens, at the expense of the United States, uniforms, subsistence, transportation by the most usual and direct route within said limits as to territory as may be prescribed; for such expenditures as may be deemed necessary for water, fuel, light, temporary structures, not including quarters for officers nor barracks for men, screening, and damages resulting from field exercises, and other expenses incidental to maintaining said camps and the theoretical winter instruction in connection therewith, including textbooks and stationery; for furnishing such equipments, tentage, field equipage, and transportation belonging to the United States as may be deemed necessary as authorized by section 54 of the act of Congress approved June 3, 1916, $1,000,000.

Mr. WALSH. Mr. Chairman, I move to strike out the last paragraph, to ask if this is for a continuation of the Plattsburg military training camp for officers?

Mr. SHERLEY. It is for continuation of training-camp activities and to pay——

Mr. WALSH. Such as the Plattsburg camp?

Mr. SHERLEY. Yes; and to pay the indebtedness heretofore incurred for which there was not sufficient money. It is a deficiency in a large measure.

Mr. WALDOW. Mr. Chairman, I move to strike out the last word. Can the gentleman from Kentucky inform the committee if there is any intention, if he knows, by the War Department to discontinue the Plattsburg training camp?

Mr. SHERLEY. I have not heard anything about it one way or the other.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

The appropriations contained herein under the Navy Department and the Naval Establishment shall be available for the payment of obligations on account of the existing emergency incurred prior to the passage of this act and which are properly chargeable to such appropriations.

Mr. SHERLEY. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 30, after line 22, insert as a center heading the words "Department of the Interior."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Department of the Interior.

Mr. SHERLEY. Mr. Chairman, I move to strike out line 4, page 31.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 31, line 4, strike out line 4.

The question was taken, and the amendment was agreed to.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. The preceding paragraph is not in the nature of a deficiency, I assume.

Mr. SHERLEY. The courthouse?

Mr. WALSH. Yes.

Mr. SHERLEY. It is exactly that. If the gentleman will recall, we are repairing the old courthouse and the cost of the work, due to increased cost of labor and material, to the condition that the foundations were in, and to the need of remodeling very much more extensively the interior, has produced a deficiency which this supplies. The furnishing is new.

Mr. WALSH. Can the gentleman state what the total amount to be expended on the remodeling and furnishing is to be?

Mr. SHERLEY. Well, the furniture costs $100,000. The $345,000 is to continue the exterior of the building.

Mr. WALSH. Well, what will be the total when it is all completed—how much will have been expended?

Mr. SHERLEY. They had $350,000, so it will be about $700,000.

Mr. STAFFORD. It will be over a million dollars.

Mr. SHERLEY. No; I think not. As a result, there will be preserved in Washington what to my mind is one of the most beautiful buildings in Washington, and there will be a building that in decency and usability could not be created anew for twice the amount that has been taken to repair it.

Mr. WALSH. Where is that located?

Mr. SHERLEY. It is down at John Marshall Place.

Mr. STAFFORD. On Judiciary Square?

Mr. SHERLEY. Yes.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

The accounting officers of the Treasury are authorized to allow in the accounts of the United States marshal for the District of Columbia items aggregating $442.14, covering payments for coal actually supplied and used for heating the building occupied by the Supreme Court for the District of Columbia and offices connected therewith, notwithstanding the failure to have said coal inspected and weighed as required by law.

Mr. FESS. Mr. Chairman, may I ask the chairman of the committee why lines 18 and 19, page 31, fall under the Department of Justice—the National Training School for Boys?

Mr. SHERLEY. It is one of our penal institutions, and has been under the Department of Justice for a number of years.

Mr. FESS. It is a correctional school?

Mr. SHERLEY. A correctional school.

The Clerk read as follows:

Botanic Garden: The limitation of $2 per day on the pay of skilled laborers and laborers in the Botanic Garden, contained in the legislative, executive, and judicial appropriation act for the fiscal year 1919, hereby is removed, and skilled laborers and laborers may be employed and paid from such appropriations during the said fiscal year at rates to be fixed by the superintendent.

Mr. SHERLEY. Mr. Chairman, I present an amendment, to be put at the head of line 1, page 36.

The CHAIRMAN. The gentleman from Kentucky offers an amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment: Page 36, before line 1, insert as a center head the word "legislative."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky.

The question was taken, and the amendment was agreed to.

Mr. ROBBINS. Mr. Chairman, I move to strike out the last word for the purpose of asking a question. Will the chairman of the committee explain the meaning of line 7, page 36, in which the right is given to the superintendent to employ certain labor in connection with the Botanic Garden and fixing the price? There is no limit there. What is the purpose of that?

Mr. SHERLEY. There is a limit on the amount of money that he can expend, because he has only a certain amount of money allowed. Now, he has been limited by statute to $2 a day. The result is that as laborers are getting $3 or $4 a day the superintendent can not hold his labor, and we simply left him the discretion of paying what is reasonable in order to hold men as laborers. The amount of money he can expend, anyway, is very limited, and if he pays them more wages than he

ought he certainly would be short of labor later on, as we would not give him a deficiency under those circumstances.

Mr. ROBBINS. What do you give him?

Mr. SHERLEY. The amount we gave him in the legislative bill was about $14,000, as I recall.

Mr. ROBBINS. That would be the limit he could then expend under this unlimited right to employ men and fix wages as he pleased?

Mr. SHERLEY. If the gentleman can tell me just what he will have to pay for unskilled labor at this time in Washington, I shall be glad to put in a limitation. We felt it was a minor matter. He had to pay more than $2, and if he was fit for his job, he could be trusted to the extent of the part of $14,000 that was to be expended for this labor, and then we could pick it up in December, if there was any abuse.

Mr. ROBBINS. I think there ought to be a maximum.

Mr. SHERLEY. Whenever you put a maximum, that becomes the Government's minimum. We did not want to invite it in that way.

Mr. ROBBINS. Since I understand the purpose of the paragraph, I will withdraw the pro forma amendment.

Mr. WALSH. This is only for one year? It does not make it permanent law?

Mr. SHERLEY. Oh, no.

The Clerk read as follows:

House Office Building: For construction and equipment of additional rooms at the House Office Building, and for each and every purpose connected therewith, $5,200, to be available during the fiscal year 1919.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. Can the gentleman state what additional rooms are to be constructed in the House Office Building?

Mr. SHERLEY. The Committee on Interstate and Foreign Commerce has moved from the Capitol here to a room that is under the Ways and Means Committee room there, and which is being divided, and this is to supply about $4,000, as I recall, for fitting up that room. The balance of the money is to meet expenses incident to the inclosing of a part of the hallways that lie just outside of the majority and minority rooms over in the House Office Building.

The Clerk read as follows:

Legislative.

Mr. SHERLEY. Mr. Chairman, I move to strike out line 16.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Kentucky.

The Clerk read as follows:

Committee amendment: Strike out line 16 on page 36.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For the following employees, from and including July 1, 1918, until the close of the second session of the Sixty-fifth Congress: Forty-six pages, including 2 riding pages, 4 telephone pages, 1 press gallery page, and 10 pages for duty at the entrance to the Hall of the House, at $2.50 per day each; and 8 clerks to committees at $6 per day each; so much as may be necessary.

Mr. SHERLEY. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Kentucky offers the following amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SHERLEY: Page 37, line 16, after the word "each," insert "three session telephone operators at $75 a month each."

Mr. SHERLEY. Mr. Chairman, these operators are already carried on the rolls, to be carried as the others are, to the 1st of July. Their omission was by a mistake in the other bill.

Mr. STAFFORD. Are they session employees or employees on the permanent roll?

Mr. SHERLEY. They are session employees, not on the permanent roll, just as these employees here. Their compensation has been arranged for up to the 1st of July, but not beyond. This is to carry them on up to the close of the session.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Kentucky.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Office of Superintendent of Documents: For the following employees during the fiscal year 1919, to be in lieu of the positions of stockkeepers, helpers, assistant messengers, mailers, skilled laborers, unskilled laborers, janitress, folders, and messenger boys, provided in the sundry civil appropriation act for the fiscal year 1919: Four stockkeepers at $1,126.80 each, 20 helpers at $1,001.60 each, 58 skilled laborers at $876.40 each, 11 unskilled laborers at $876.40 each, and 28 messenger boys at $500.80 each; in all, $99,033.20: *Provided*, That from and after the passage of this act no salary or wage shall be increased in the Government Printing Office except upon express authority of Congress.

Mr. SHERLEY. Mr. Chairman, I move to strike out, on line 8, page 38, beginning with the word "*Provided*," down to and including the word "Congress" in line 11.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. SHERLEY: Page 38, strike out the proviso from line 8 to line 11, which reads as follows: "*Provided*, That from and after the passage of this act no salary or wage shall be increased in the Government Printing Office except upon express authority of Congress.

Mr. SHERLEY. Mr. Chairman, the reason for that was this: It developed, after we had increased the wages of the employees under the Superintendent of Documents in the Printing Office, in order to make them correspond with the wages paid similarly to other employees over there, that the Public Printer had increased the wages of the other employees, which made necessary an increase again of their wages, which increase is carried here. We did not want to continue to play fast and loose and have to increase one class as fast as they increased another, and so it was suggested in committee that this limitation be put on. But the Public Printer has presented to the committee since then the fact that the matter would perhaps embarrass him unduly and unjustifiably, as he is compelled from time to time to adjust some of the wages there in order to meet conditions that exist in the printing trade. We therefore have concluded it to be not wise to carry as strict a limitation as this. But we hope that the Public Printer will not think that every time an increase is made by Congress he is warranted in a further increase of other employees, with the constant boosting up of wages. With the understanding that such action by him will not be taken without some knowledge on the part of Congress as to what is proposed to be done, I now move to strike out this limitation.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Kentucky.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

PRINTING AND BINDING.

For printing and binding for the Department of Justice, $5,000.

Mr. SHERLEY. Mr. Chairman, I move to strike out lines 12, 13, and 14.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Kentucky.

The Clerk read as follows:

Amendment offered by Mr. SHERLEY: Page 38, strike out lines 12, 13, and 14.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For payment of the final judgments and decrees, including costs of suits, which have been rendered under the provisions of the act of March 3, 1887, entitled "An act to provide for the bringing of suits against the Government of the United States," certified to Congress during the present session by the Attorney General in House Document No. 1181, and which have not been appealed, namely.

Mr. WALSH. Mr. Chairman, I direct the gentleman's attention to the omission of the letters "h" and "n" at the beginning of line 23 on page 38.

Mr. SHERLEY. I ask unanimous consent, Mr. Chairman, that the printing be corrected in line 23, page 38, making it read "hundred."

The CHAIRMAN. Without objection, the correction will be made.

There was no objection.

Mr. WALSH. May I also direct the gentleman's attention to the fact that on line 8, above the proviso, the colon should be changed to a period?

Mr. SHERLEY. Mr. Chairman, I request that that change of punctuation be made.

The CHAIRMAN. Without objection, the change will be made.

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For payment of the judgment in favor of the State of Massachusetts, certified to Congres in House Document No. 298, Sixty-fifth Congress, first session, $886,389.68.

Mr. SHERLEY. Mr. Chairman, touching the item just read, I desire to say simply this: Some years ago the Congress submitted to the Court of Claims the question of ascertaining the amount of moneys due to the State of Massachusetts in con-

nection with certain expenditures made at the time of the Civil War. The Court of Claims not only made a finding of facts but also rendered a judgment. There was considerable question in my mind as to whether the Congress ever intended that the Court of Claims should do more than make a finding of facts; but, in point of fact, they did render an actual judgment, and they rendered that judgment after argument by counsel for the Government questioning their jurisdiction so to do. The right to appeal has ceased, and the judgment is a legal judgment of the Court of Claims against the United States Government. In view of those circumstances, having examined the documents and the facts as shown therein, I feel that it is but proper that the Congress should pay this judgment as it pays other judgments of the courts. The amount was sufficiently large, however, to make it seem proper that I should call the attention of the House to the fact.

Mr. ROBBINS. Mr. Chairman, may I ask the gentleman a question before he yields the floor?

Mr. SHERLEY. Yes.

Mr. ROBBINS. Recently I noticed a statement that the United States Government had claims against a number of States, among others a claim against the State of Pennsylvania. I asked the auditor general of the State of Pennsylvania about it, and he repudiated it and said there was nothing in it. I would like to ask if the Government has any claim against the State of Massachusetts.

Mr. SHERLEY. I do not know about that. Prior to the Civil War certain surplus funds in the Treasury of the United States were distributed among the various States, under certain conditions looking to their repayment at some time. They have never been repaid, and I do not suppose they ever will be repaid. About once in every five years they are made the basis of a speech by somebody who thinks he has discovered something new. They have never been considered as having anything to do with these other claims.

Mr. ROBBINS. It would not be a proper item of set-off in this case?

Mr. SHERLEY. It has never been made a set-off as against other States which have had claims similar to those of the State of Massachusetts, and we did not feel that we had any right to enter into that matter. The States then in existence received moneys, which they used for various State purposes. The newer States have been more than compensated, in many instances, by the value of the public lands that they have obtained.

Mr. ROBBINS. I thought there was nothing in it, but I wanted to know whether the chairman of the committee had that in mind when the bill was made up.

Mr. SHERLEY. We did not consider that as in any sense a set-off.

The Clerk read as follows:

For maintenance, Hygienic Laboratory, Public Health Service, $240.67.

Mr. WALSH. Mr. Chairman, the gentleman from Ohio [Mr. FESS] calls my attention to the misspelling of the word "hygienic" in line 1, page 42.

Mr. STAFFORD. It needs the addition of an "i."

Mr. SHERLEY. I ask unanimous consent that the Clerk may correct the spelling.

Mr. STAFFORD. Not only in this case, but in all cases.

The CHAIRMAN. Unanimous consent is asked that the Clerk may correct the spelling of the misspelled word to which attention has been called. Is there objection?

There was no objection.

The Clerk read as follows:

For contingent expenses, foreign missions, 1917, $39,221.85.
For contingent expenses, foreign missions, $7,117.10.

Mr. ROBBINS. Mr. Chairman, I move to strike out the last word, for the purpose of inquiring what foreign missions are carried on by the United States Government?

Mr. WINSLOW. For the reformation of the Germans. [Laughter.]

Mr. ROBBINS. I should like to have some light by the chairman of the committee on that. In lines 15 and 16, on page 49, there is an item for contingent expenses, foreign missions, $39,221.85, and in line 17, for contingent expenses, foreign missions, $7,117.10. It is suggested by my friend from Massachusetts [Mr. WINSLOW] that it is for reforming the Germans. Heretofore we have not made much headway at that. I should like to know what we are doing with this money.

Mr. SHERLEY. This is simply an audited claim in connection with contingent expenses of embassies and legations abroad, and is a true deficiency.

Mr. ROBBINS. It is connected with embassies and not with missionary work?

Mr. SHERLEY. "Foreign missions" do not mean foreign missionaries.

Mr. ROBBINS. I am enlightened, Mr. Chairman, and the pro forma amendment is withdrawn.

The Clerk read as follows:

For freight on stamped paper and mail bags, $108.99.

Mr. MONDELL. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD on the general deficiency bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

The Clerk read as follows:

For Railway Mail Service, vacation, $14.52.

Mr. SHERLEY. Mr. Chairman, I ask unanimous consent to correct the spelling of the word "mail" in line 16, page 53.

The CHAIRMAN. Without objection, the correction will be made.

There was no objection.

Mr. WALSH. May I ask what this item means?

Mr. SHERLEY. This is for the Railway Mail Service vacation pay.

Mr. WALSH. It does not say pay.

Mr. SHERLEY. Mr. Chairman, I move that the committee do now rise and report the bill with sundry amendments to the House, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GARRETT of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12600, the general deficiency bill, and had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

There was no demand for a separate vote.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. SHERLEY, a motion to reconsider the vote whereby the bill was passed was laid on the table.

LEAVE TO ADDRESS THE HOUSE.

Mr. SHERLEY. Mr. Speaker, with the permission of the House, I would like two minutes to address the House touching the situation.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to proceed for two minutes. Is there objection?

There was no objection.

Mr. SHERLEY. Mr. Speaker, I announced at the adjournment on Saturday that I would present a continuing resolution to-day to take care of any supply bill that might fail. Anticipating the situation that confronted the Congress I endeavored to have both House and Senate sit yesterday. In that I was unsuccessful. I believe if we had done so a great many matters could have been disposed of yesterday or to-day and much confusion avoided. To-day I have been continually engaged not only with conference reports but with the general deficiency bill which has just passed.

I sent word to the Senate requesting that that body should not adjourn, with the statement that I was prepared to offer a resolution continuing appropriations for departments of the Government that had not been taken care of by virtue of the regular appropriation bills. At my request the Comptroller of the Treasurer has been at the Capitol and has drawn a resolution to take care of the situation with which the Government is confronted. That situation is different from what has confronted the Government heretofore in that there has been created a great many new activities that were not created as the result of the provisions of any previous appropriation bills, and the size of the Government expenditures are way beyond the amount carried in former annual appropriation bills. So that a resolution that would simply provide for the proportionate amount being authorized to be expended as compared with the expenditures of last year would in no sense cure the situation. I would be prepared now to present a resolution—I hold it in my hand—dealing with the situation; but notwithstanding the request that was made to the Senate, not once but more than twice, notwithstanding word was sent an hour ago. the Senate has seen fit to adjourn. It is impossible with the Senate adjourned for the House, by any action of its own to-night, to pass a resolution that will relieve the situation.

I shall not, therefore, at this hour ask for the passage of such a resolution, but will present it when the House convenes to-morrow. I make the statement in justice to the membership of the House and in justice to my committee and myself as chairman of the committee. We have been prepared at all times to take care of the situation that has arisen. If any embarrassment should arise by virtue of the failure to take care of it the blame does not rest upon this House and does not rest on the Committee on Appropriations. That statement is due to the country and to the House. [Applause.]

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. SHERLEY. Mr. Speaker, I call up the legislative bill on the Speaker's table.

The Clerk read as follows:

H. R. 12633. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes.

Mr. SHERLEY. Mr. Speaker, I ask for the reading of the Senate amendment.

The Clerk read the Senate amendment.

Mr. SHERLEY. Mr. Speaker, the amendment that the Senate has placed upon the bill is an amendment restoring the bill to the exact form in which it passed the Congress with the exception of the Borland amendment. In other words, they have insisted upon their position in excluding from the $120 increase those Government establishments that have been created since July 1, 1916. I still believe that in this course a mistake is being made. It is more important, however, that this bill should be passed than that the two Houses should have a wrangle touching this situation. The matter can be, and I hope will be, taken care of economically by virtue of the action of the administrative officers. I therefore move that the House concur in the Senate amendment.

The SPEAKER. The question is on the motion of the gentleman from Kentucky that the House concur in the Senate amendment.

The Senate amendment was agreed to.

SENATE BILL REFERRED.

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 4569. An act to establish the Mount Desert National Park, in the State of Maine; to the Committee on the Public Lands.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. LANGLEY for two days, on account of illness.

EXTENSION OF REMARKS.

Mr. ROBBINS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks made this morning upon the census bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. SMITH of Idaho. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting therein a patriotic address delivered by my colleague, the gentleman from Idaho [Mr. FRENCH].

The SPEAKER. Is there objection?

There was no objection.

Mr. SHERLEY. Mr. Speaker, I ask unanimous consent to revise my remarks upon the general deficiency appropriation bill.

The SPEAKER. Is there objection.

There was no objection.

Mr. BORLAND. Mr. Speaker, I ask unanimous consent to extend my remarks upon the legislative, executive, and judicial appropriation bill.

The SPEAKER. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. SHERLEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 27 minutes p. m.) the House adjourned until to-morrow, Tuesday, July 2, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of War, resubmitting a deficiency estimate of appropriation in the sum of $33,000,000, required by the Medical Department of the Army for the fiscal year 1918 (H. Doc. No. 1208); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Acting Secretary of War, submitting a supplemental estimate of appropriation in the sum of $120,000 required by the War Department for the censorship of mails in the Canal Zone for the fiscal years 1918 and 1919 (H. Doc. No. 1209); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Acting Attorney General, submitting a supplemental estimate of appropriations, required by the Department of Justice for new boilers at the National Training School for Boys, Washington, D. C. (H. Doc. No. 1210); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Acting Secretary of War, submitting a supplemental estimate of appropriation required by the Ordnance Department of the Army for Philadelphia, Pa., fiscal year 1919 (H. Doc. No. 1211); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Acting Secretary of the Treasury, inviting attention to the letter written May 25, 1918, recommending authorizations for public-building work at various places, and particularly to item No. 5, Newark, N. J. (H. Doc. No. 1212); to the Committee on Public Buildings and Grounds and ordered to be printed.

6. A letter from the Acting Secretary of the Treasury, submitting estimate of appropriation for remodeling and reroofing the Treasury Building (H. Doc. No. 1213); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. HAYDEN, from the Committee on Indian Affairs, to which was referred the bill (S. 385) to authorize mining for metalliferous metals on Indian reservations, reported the same with amendment, accompanied by a report (No. 730), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. NICHOLLS of South Carolina, from the Committee on Military Affairs, to which was referred the bill (H. R. 12525) for the relief of Frank Barber, reported the same without amendment, accompanied by a report (No. 729), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SHERLEY: A bill (H. R. 12600) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1918, and prior fiscal years on account of war expenses, and for other purposes; committed to the Committee of the Whole House on the state of the Union.

By Mr. ROBBINS: A bill (H. R. 12630) to provide that the United States shall aid the States in the maintenance, repair, and reconstruction of public roads subjected to extraordinary traffic wear by reason of the use of such roads by the Government of the United States; to the Committee on Roads.

By Mr. FULLER of Illinois: A bill (H. R. 12631) granting the consent of Congress to the County of Winnebago, in the State of Illinois, and the town of Rockford, in said county and State, to construct a bridge across Rock River, at or near Camp Grant; to the Committee on Interstate and Foreign Commerce.

By Mr. SIMS: A bill (H. R. 12632) to give effect to certain provisions of the convention for the protection of trade-marks and commercial names, made and signed in the city of Buenos Aires, in the Argentine Republic, August 20, 1910, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BYRNS of Tennessee: A bill (H. R. 12633) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes; committed to the Committee of the Whole House on the state of the Union.

By Miss RANKIN: A bill (H. R. 12634) to encourage instruction in the hygiene of maternity and infancy and to extend proper care for maternity and infancy; to provide for coopera-

tion with the States in the promotion of such instruction and care in rural districts; to appropriate money and regulate its expenditure, and for other purposes; to the Committee on Labor.

By Mr. MONTAGUE: A bill (H. R. 12635) to incorporate the American Committee for Relief in the Near East; to the Committee on the District of Columbia.

By Mr. JOHNSON of Kentucky: A bill (H. R. 12645) to amend the act entitled "An act to amend the law relating to taxation in the District of Columbia," approved April 28, 1904; to the Committee on the District of Columbia.

Mr. Mr. CANNON: Resolution (H. Res. 409) to pay Arthur Lucas $140 for special janitor services; to the Committee on Accounts.

By the SPEAKER: Memorial from the Legislature of the State of Arizona, favoring legislation for education of all persons in the United States of America in the English language and the fundamental principles of the Government and citizenship of the United States; to the Committee on Education.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GARD: A bill (H. R. 12636) for the relief of Alexander McMurtie; to the Committee on Naval Affairs.

Also, a bill (H. R. 12637) granting relief to Columbus Shannon; to the Committee on Military Affairs.

Also, a bill (H. R. 12638) granting a pension to Frank Clemson; to the Committee on Pensions.

By Mr. HOLLINGSWORTH: A bill (H. R. 12639) granting an increase of pension to Peter Wagener; to the Committee on Invalid Pensions.

By Mr. NOLAN: A bill (H. R. 12640) granting an increase of pension to John McMahon; to the Committee on Pensions.

Also, a bill (H. R. 12641) granting an increase of pension to Mary Leahy; to the Committee on Pensions.

By Mr. WILSON of Texas: A bill (H. R. 12642) for the relief of Milton W. Cunningham, postmaster at Amarillo, Potter County, Tex., and the bondsmen of Norman P. Henderson, assistant postmaster; to the Committee on Claims.

By Mr. VOIGT: A bill (H. R. 12643) granting an increase of pension to Robert Perl; to the Committee on Pensions.

By Mr. FOSTER: A bill (H. R. 12644) granting an increase of pension to Benjamin M. Laur; to the Committee on Invalid Pensions.

By Mr. GOOD: A bill (H. R. 12646) granting a pension to Charles A. Walters; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. COOPER of Wisconsin: Petition of Kenosha Chapter Daughters of the American Revolution, Kenosha, Wis., and of the Womens Christian Temperance Union of Beloit, Wis., asking Congress to enact immediate legislation to provide for wartime prohibition; to the Committee on the Judiciary.

By Mr. DALE of New York: Resolutions of the Central Federated Union about the Western Union difficulty and about the naturalization of aliens serving with the colors; to the Committee on Immigration and Naturalization.

Also, memorial of the Hugh H. Reilly Association and the Central Federated Union against war prohibition; to the Committee on the Judiciary.

Also, petition of the Brooklyn Trust Co. and resolution of the New York State Bankers' Association against S. 4426; to the Committee on Banking and Currency.

Also, resolution of the Chamber of Commerce of the United States of America favoring adequate appropriations for the United States Employment Service; to the Committee on Appropriations.

Also, memorial of the New York State Bankers' Association, protesting against the curtailment of the railway postal car service; to the Committee on the Post Offices and Post Roads.

Also, petition of the International Paper Co., of New York City, against the compulsory adoption of the metric system; to the Committee on Coinage, Weights, and Measures.

Also, resolution of the New York Association of Women Workers, favoring the establishment of a national conservatory of music and art; to the Committee on the Library.

Also, memorial of the New York Wholesale Grocers' Association, favoring a Federal highway program; to the Committee on Roads.

Also, petitions of the Central Labor Union of Brooklyn and Queens; of Miss Evelyn Kivilowitz, representative of class 334, Washington Irving High School; and of Federal Employees' Union No. 4, urging the repeal or suspension of the second-class postage rates of the war revenue bill; to the Committee on Ways and Means.

Also, petitions of Fischer Bros. Co., of Seattle, Wash.; Frank A. Meine Factory, Louisville, Ky.; and of the National Association of Ink Makers, favoring House bill 12143; also petition of the Merchants' Association of New York, opposing House bill 10366; also resolution of the New York Typographical Union No. 6, advocating Government ownership of all telegraph and telephone lines; to the Committee on Interstate and Foreign Commerce.

Also, petitions of H. D. Roosen Co., of the Fuchs & Lang Manufacturing Co., and of the O. J. Maigne Co., all of New York City, relative to the printing-ink industry; also resolutions of the Iowa State Manufacturers' Association, concerning the production and transportation of essentials, also the distribution of Government purchases as related to these problems; to the Committee on Interstate and Foreign Commerce.

By Mr. DYER: Petition of J. L. Mauran, of St. Louis, Mo., suggesting plans for the reconstruction of the country after the war; to the Committee on Interstate and Foreign Commerce.

By Mr. ELSTON: Resolution of the Berkeley (Cal.) Defense Corps, urging drastic legislation against sabotage and traitorous acts; to the Committee on the Judiciary.

By Mr. ESCH: Petition of citizens of Cashton, Wis., favoring war prohibition; to the Committee on the Judiciary.

Also, resolution of the Chamber of Commerce of the United States of America, supporting adequate appropriations for the United States Employment Service; to the Committee on Appropriations.

By Mr. FULLER of Illinois: Petitions of the Red Cross Society and the Foreign and Home Missionary Society of Rollo, Ill., for immediate war prohibition; to the Committee on the Judiciary.

Also, petitions of the Haddorff Piano Co. and the Free Sewing Machine Co., of Rockford, Ill.; the Tuthill Spring Co., of Chicago: and the Oglesby Coal Co., of Oglesby, Ill., favoring a budget system for national appropriations; to the Committee on Appropriations.

Also, petitions of Division 241, Surface Railway Employees, and Division 308, Elevated Railway Employees, of Chicago; the Monday Study Club, of Rock Island; the Wood River (Ill.) Woman's Club; J. W. and Miss Marian Dick, of Sycamore; Mrs. Clyde J. Cody, of Sheridan; Ernest M. Ode, of Plano; and the Indiantown Household Science Club, of Tiskilwa, all in the State of Illinois, favoring the repeal of the second-class postage provisions of the war-revenue act; to the Committee on Ways and Means.

Also, petition of Pittsburgh (Pa.) Clearing House Association, opposing the guaranteeing of bank deposits; to the Committee on Banking and Currency.

Also, petition of the City Club, of Chicago, Ill., favoring the Keating minimum-wage bill (H. R. 12098); to the Committee on Labor.

Also, petition of O. E. Wilson, I. N. McCollister, J. M. Collins, Louis Roether, and D. E. Lyday, representing farmers' unions, favoring suspension of all restrictions on immigration of laborers into this country during the period of the war; to the Committee on Immigration and Naturalization.

Also, petitions of D. M. Goodwillie Box Co., Diamond T. Motor Co., Chicago Labor News, Agar Packing Co., Joseph Fitzgerald, Independent Packing Co., Patrick Brennan, Manufacturers & Dealers' Association of Illinois, Great Lakes Dredge & Dock Co., Chicago Federation of Labor, William J. Scown Building Co., United Societies for Local Self Government and Liberty League, Peter Schuttler Wagon Co., and Trades Union Liberty League of Illinois, all of Chicago; McGuire & Cummings Manufacturing Co., of Paris; Peru Trades Council, of Peru; and T. J. Nertny, of Ottawa, all in the State of Illinois, protesting against the proposed prohibitory amendment to the Agricultural appropriation bill; to the Committee on Agriculture.

By Mr. HOLLINGSWORTH: Evidence in support of a bill to grant an increase of pension to Peter Wagenen; to the Committee on Invalid Pensions.

By Mr. MAGEE: Petition of Mr. and Mrs. E. A. Walrath and other citizens of East Syracuse, N. Y., favoring early passage of a war prohibition measure; to the Committee on the Judiciary.

By Mr. MERRITT: Resolution adopted by the Savings Bank Association of the State of Connecticut in opposition to the passage of the bill providing for a Federal guaranty of bank deposits; to the Committee on Banking and Currency.

By Mr. VARE: Memorial of the Philadelphia Chamber of Commerce, relative to commercial dry docks along the Delaware; to the Committee on Interstate and Foreign Commerce.

SENATE.

TUESDAY, *July 2, 1918.*

Rev. Plato T. Durham, D. D., of Atlanta, Ga., offered the following prayer:

O Lord God, most mighty, most holy, and most merciful, we pause in the grave and fateful duties of this Nation and present ourselves before Thee, that our hearts may be cleansed of pride, that our visions may be cleared of all feeble images, that unto us may come the ideals and the purposes of the timeless and eternal years, that we may be able to make the work of our hands fit into the purposes and plans of God, and that in wisdom and in justice and in love we may give ourselves this day to the service of the Lord.

We pray Thy blessing upon the President of the United States and the Vice President, upon this august body, upon this Nation in all the fullness of its power and in all the greatness of its purposes. Be Thou, we beseech Thee, its light this day in the heart of its Chief Executive and in the heart of its humblest soldier, and upon them who lay down their life we pray that the vision and the splendor of God may fall, that they may of Thy mercy see their life taking its place in the long and illustrious annals of this Nation.

Preserve us as a Nation, we beseech Thee, to do the work of Christ in the historic growth of man. May the light of our stars flash full in the darkness of the world and the mighty strength of this Nation be given over only to the uplift of the weak, that without pomp and without pride of place we may deserve to be and continue to be a force in the long annals of mankind. Amen.

The Secretary proceeded to read the Journal of the proceedings of the legislative day of Thursday, June 27, 1918, when, on request of Mr. OWEN and by unanimous consent, the further reading was dispensed with and the Journal was approved.

ESTIMATES OF APPROPRIATIONS.

The VICE PRESIDENT laid before the Senate a communication from the Acting Secretary of the Treasury, transmitting a letter from the Secretary of Commerce submitting supplemental estimates of appropriation in the sum of $504,200 required by the Lighthouse Service for salaries of keepers of lighthouses, fiscal year 1919 (S. Doc. No. 254), which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

He also laid before the Senate a communication from the Acting Secretary of the Treasury, transmitting a letter from the Secretary of Commerce submitting a deficiency estimate of appropriation in the sum of $4,750 required by the Bureau of Standards to cover a deficiency in the appropriation "Testing railroad scales, etc., Bureau of Standards, 1917" (S. Doc. No. 255), which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

He also laid before the Senate a communication from the Acting Secretary of Labor, transmitting a letter from the Secretary of Commerce submitting a supplemental estimate of appropriation in the sum of $100,000,000 required by the Bureau of Industrial Housing and Transportation for the purpose of carrying out the provisions of the housing act of May 16, 1918 (S. Doc. No. 252), which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

He also laid before the Senate a communication from the Acting Secretary of the Treasury, transmitting supplemental estimates of appropriation required by the Treasury Department for salaries of employees, equipment, and operating expenses of the New Arlington Building and the Treasury Annex, in the sum of $239,370.50 (S. Doc. No. 253), which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

PUBLIC UTILITIES COMMISSION (H. DOC. NO. 914).

The VICE PRESIDENT laid before the Senate a communication from the Public Utilities Commission of the District of Columbia, stating, pursuant to law, that the balance sheets for the year ended December 31, 1917, and other information required by the Public Utilities Commission of the various utilities under its jurisdiction which have been received since February 1, 1918, have been submitted to the Speaker of the House of Representatives, which was ordered to lie on the table.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the House agrees to the amendment of the Senate to the bill (H. R. 12633) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes.

The message also announced that the House had passed a concurrent resolution (H. Con. Res. 47) providing that in the enrollment of the bill (H. R. 11247) entitled "An act providing for the protection of the uniform of friendly nations, and for other purposes," the Clerk be authorized to strike out "persons," in line 3, page 1, and insert in lieu thereof the word "person," in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 12000. An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes; and

H. R. 12429. An act to authorize the health officer of the District of Columbia to permit the disinterment of the bodies of Eliza Hill Bowles, Bernice Worthen Bowles, and Bessie Vivian Bowles.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 3332. An act authorizing the Secretary of the Treasury to sell and convey certain land to the city of Faribault, Minn.; and

H. R. 12633. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes.

PETITIONS AND MEMORIALS.

Mr. GALLINGER. I present a petition of 6,285 voters and 11,915 nonvoters in the State of New Hampshire, praying for the prohibition of the manufacture and sale of intoxicating liquor during the war. I presume they will lie on the table, as the bill has been reported.

I also present the petition of 106 granges, Patrons of Husbandry, of the State of New Hampshire, with a total membership of 12,518, making the same prayer.

The VICE PRESIDENT. The petitions will lie on the table.

Mr. KING. Mr. President, I have received a large number of telegrams, letters, and petitions urging that Congress shall not pass any prohibitory statute. I have not felt like presenting them or encumbering the RECORD, but I desire to state that I have received a large number of that character.

Mr. WARREN presented a petition of sundry citizens of Lusk, Wyo., praying for the enactment of further prohibition legislation as a war measure, which was ordered to lie on the table.

He also presented resolutions adopted by sundry citizens of the State of Wyoming, favoring the enactment of further prohibition legislation as a war measure, which were ordered to lie on the table.

Mr. SHEPPARD presented petitions of the Conference of Methodist Men, representing the Methodist Episcopal churches of the United States, in session at Lake Junaluska, N. C.; of the Methodist Episcopal Church of Congress Heights, D. C.; and of the Senior Society of Christian Endeavor of the First Congregational Church of Washington, D. C., praying for national prohibition as a war measure, which were ordered to lie on the table.

Mr. MYERS presented a resolution of the Business Men's Association of Ismay, Mont., favoring an investigation of the gas and oil conditions in the State of Montana, which was referred to the Committee on Public Lands.

He also presented sundry papers to accompany the bill (S. 4179) for the relief of James W. Nugent, which were referred to the Committee on Military Affairs.

Mr. PHELAN presented a petition of Croatian League No. 66, of Sacramento, Cal., praying for the enactment of legislation whereby all Jugo-Slavs resident in the United States of America and technically subjects of Austria-Hungary, may be relieved from their present status as enemy aliens upon their disavowal of all allegiance to the Austro-Hungarian Empire or to its allies, together with an oath of loyalty to the United States of America, which was referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEES.

Mr. OWEN. I am directed by the Committee on Banking and Currency to report back favorably House bill 11283, with certain amendments striking out all of the bill except section 3, providing for the printing of large denominations of Federal reserve notes, and section 7, providing for imposing penalties for

embezzlement of the funds of Federal reserve banks, which is not now provided for. I ask for the present consideration of the bill.

Mr. ROBINSON. Mr. President, I shall object to the present consideration of any bill until morning business has been concluded. Then, I suggest to the Senator, he can call up the bill.

Mr. OWEN. I will ask to have the bill lie on the table until the morning business is concluded. It is impossible to get action on this matter, because of the parliamentary condition in the House, unless it is acted upon to-day.

Mr. ROBINSON. I have no desire to delay the consideration of the bill, but I have some committee reports to present and other Senators have other morning business that we want to transact.

The VICE PRESIDENT. The bill will lie on the table for the present.

Mr. GRONNA. I report back favorably from the Committee on Claims, without amendment, the bill (S. 56) for the relief of John T. Eaton, and I submit a report (No. 539) thereon. I call the attention of the Senator from Montana [Mr. WALSH] to the bill, but as objection was made to the other bill, I do not presume it can be considered now.

Mr. WALSH. At the conclusion of the routine business I shall ask for the consideration of the bill.

The VICE PRESIDENT. The bill will be placed on the calendar.

Mr. ROBINSON, from the Committee on Claims, to which was referred the bill (S. 2885) for the relief of the estate of Moses M. Bane, reported it without amendment and submitted a report (No. 538) thereon.

He also, from the same committee, to which was referred the bill (S. 4562) to reimburse Horace A. Choumard, chaplain in Twenty-third Infantry, for loss of certain personal property, reported it with an amendment and submitted a report (No. 537) thereon.

Mr. KENDRICK, from the Committee on Indian Affairs, to which was referred the bill (S. 3948) to authorize the Secretary of the Interior to adjudicate claims covering the expense of removing certain Choctaw Indians from Mississippi to Oklahoma, submitted an adverse report (No. 540) thereon, which was agreed to, and the bill was postponed indefinitely.

FIRST NATIONAL BANK, OWATONNA, MINN.

Mr. McCUMBER. From the Committee on Finance I report back favorably, without amendment, the bill (S. 1003) to reimburse the First National Bank of Owatonna, Minn., for revenue stamps stolen or lost in transit, and I submit a report (No. 541) thereon. I ask unanimous consent for the immediate consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole, and it was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the First National Bank of Owatonna, Minn., the sum of $42, to reimburse the bank for that amount of revenue stamps stolen or lost while same was in transit from St. Paul, Minn., to Owatonna, Minn.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NELSON:

A bill (S. 4786) granting an increase of pension to Joseph H. Reeves; to the Committee on Pensions.

A bill (S. 4787) for the relief of Amherst W. Barber; to the Committee on Claims.

By Mr. McCUMBER:

A bill (S. 4788) granting an increase of pension to Elizabeth Hagadorn (with accompanying papers); to the Committee on Pensions.

By Mr. KING:

A bill (S. 4789) to establish a branch of the Interior Department in the Western States, and to transfer to such branch certain bureaus and offices of the Interior Department; to the Committee on Public Lands.

By Mr. FRELINGHUYSEN:

A bill (S. 4790) for the relief of Frank Barber; to the Committee on Military Affairs.

By Mr. WEEKS:

A bill (S. 4791) to authorize the President to appoint Capt. William R. Rush, United States Navy, retired, a rear admiral on the active list of the Navy; to the Committee on Naval Affairs.

By Mr. KING:

A bill (S. 4792) to establish in the Department of Labor a Bureau of Citizenship and Americanization, for the Americanization of naturalized citizens, and for other purposes; to the Committee on Immigration.

By Mr. PHELAN:

A bill (S. 4793) granting an increase of pension to Emma Phelan (with accompanying papers); to the Committee on Pensions.

NOONDAY PRAYER.

Mr. MYERS. I have been requested to introduce the joint resolution, which I now present, and I cheerfully do so. I ask that it be read, and I ask then unanimous consent for the immediate consideration of it.

Mr. PENROSE. Let it be read for information.

The joint resolution (S. J. Res. 164) requesting the President to commend by proclamation to the people of the United States observance of the practice of prayer at noon each day for victory in the war was read the first time by its title and the second time at length, as follows:

Whereas what is called the angelus, the practice of prayer for one minute at noon each day for the success of our country in the existing war, is being observed in the District of Columbia and some other parts of the United States; and

Whereas it is the desire of some good citizens that it be observed generally throughout the country to the end of the war; and

Whereas the sentiment is in accord with the traditional spirit and sentiment of this country and recognizes the overruling power of the Almighty: Therefore be it

Resolved, etc., That the President is requested to commend by proclamation to the people of the United States observance in their homes and elsewhere, until the end of the war, of the practice of prayer for at least one minute at noon each day to God for victory for our cause in the existing war.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

Mr. THOMAS. Mr. President, the joint resolution which has just been introduced is no doubt commendable, but I think the people should be left to their own impulses in this matter. I do not see myself the necessity of our legislating upon or passing resolutions about everything under the sun because we are at war. I say that without reflecting or intending to reflect at all upon those who feel that the joint resolution is appropriate and should be adopted.

It is a fact, however, Mr. President, that all the nations engaged in war and their people are praying either to the Almighty or to Allah for victory. The central powers have as their ally a Mohammedan nation. As a consequence they feel that their supplications to the god of the Mohammedans and of the God of the Christians may result, and some of them contend that they have resulted in the success of the arms of the central powers up to this time. The Kaiser is not only praying to the Almighty constantly, but claiming Him as a partner. We regard both as sacrilegious in view of the manner of German warfare. But we propose to make our supplications, and are making them, to the same Divine Power, and I have no doubt as we have made them we will continue to make them. Their efficacy will be determined by results when the war is over.

Why legislate about it? I do not believe that if we enact this legislation we are going to produce any more prayers, and I am sure that if we do not enact it the number of prayers which daily ascend to Heaven will not be sensibly reduced or decreased.

I think we had better spend our time on legislation of a more material and important character, and I therefore object.

Mr. McCUMBER. Mr. President, two little girls were hurrying to school one morning and found that they were liable to be late. One of them said, "Let us kneel down and pray that we will not be late." The other replied, "No; let us skip right along and pray as we go."

I think that this little bit of philosophy would be well to be observed by the Government. I think we ought to get along with our work a little more rapidly than we are doing and pray as we get along.

Mr. PHELAN. Mr. President, what is the parliamentary situation in respect to the resolution?

The VICE PRESIDENT. There was objection to it, and it goes over.

Mr. PHELAN. I desire to say, Mr. President, that the President of the United States has expressed interest in this resolution. Through his secretary he has communicated that interest to one of the societies advocating it. It is a beautiful idea—the giving by the people of one moment on each day for the men at the front and to offer up a prayer of supplication for their safety and the success of our arms.

Scientific gentlemen, apart from religious advocates, have come to the conclusion that when a large body of people con-

centrate their minds on a given purpose it is helpful even to those who doubt and scoff. Most admit the efficacy, in that sense, at any rate, of prayer, and I trust that the joint resolution will prevail when it is considered by the Senate.

Mr. THOMAS. Mr. President, my remarks are not those of a scoffer, although I have never made any pretensions toward Christianity. I am thinking about the boys at the front nearly all the time and I am trying to do all I can for them. My impression is that the busier we are in their behalf the more certain we are to succeed. Prayer may be available; it may produce something. The prayers that are being uttered all the time will be efficacious, whether this measure pass or whether it does not. The whole situation was summed up in the statement of the Senator from North Dakota [Mr. MCCUMBER], let us pray as we work, and work, whether we pray or not, for success in this war.

Mr. MYERS. Mr. President, in regard to the joint resolution which I have just introduced, and as to which there was objection made to my request for unanimous consent for immediate consideration, I will say that I was requested to introduce that joint resolution, and when requested to do so I could conceive of no possible objection to doing it. The sentiment of the joint resolution is in accord with my sentiments, and I thought it a very appropriate and timely resolution to offer and for which to ask unanimous consent for immediate consideration. It did not occur to me that there would be any objection from anyone in this body to the request for its immediate consideration. However, of course, there having been objection, it can not be considered immediately. That takes unanimous consent. I will state, however, that I regret that there was objection and regret that the resolution was not given the right of immediate consideration and unanimous passage by this body. I think it is a very timely, fit, and appropriate resolution, and I heartily approve of it.

The VICE PRESIDENT. To what committee does the Senator from Montana desire to have the joint resolution referred?

Mr. MYERS. It is suggested to me by other Senators that it go to the Committee on the Library, and I ask that it be referred to that committee.

The VICE PRESIDENT. That action will be taken.

FORTIFICATIONS APPROPRIATIONS—CONFERENCE REPORT.

Mr. UNDERWOOD submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12541) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 7, 9, and 12.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 5, 8, and 10, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,960,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows: "$200,000 for contingent expenses incident to the construction of seacoast fortifications and their accessories"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$9,924,540.19"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"For purchase and installation of searchlights for the defenses of most important harbors in the Hawaiian Islands, $20,000."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert the following: "$342,888.85"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: "In lieu of the sum proposed insert "$2,025,788.85"; and the Senate agree to the same.

O. W. UNDERWOOD,
JOHN WALTER SMITH,
W. L. JONES,
Managers on the part of the Senate.

WILLIAM P. BORLAND,
JOSEPH W. BYRNS,
JAMES W. GOOD,
Managers on the part of the House.

The report was agreed to.

HOUSE BILLS REFERRED.

H. R. 12600. An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

H. R. 12429. An act to authorize the health officer of the District of Columbia to permit the disinterment of the bodies of Eliza Hill Bowles, Bernice Worthen Bowles, and Bessie Vivian Bowles, was read twice by its title and referred to the Committee on the District of Columbia.

TUBE LINES BETWEEN NEW YORK AND NEW JERSEY.

Mr. FRELINGHUYSEN. Mr. President, I send to the desk a resolution, and before it is read I wish to make a statement.

My purpose in presenting this resolution, Mr. President, is very simple. I am anxious to have some information concerning the taking over by Director General McAdoo, of the Railroad Administration, of the electric railway system from Newark and Jersey City, through the so-called McAdoo tubes, to New York, a distance of a very few miles.

As I understand it, the railroad act, under which the Director General is operating our transportation systems, was passed "to meet conditions growing out of war," to quote the language of the act, a war measure, in other words, whereby the Federal Government might control the transportation of troops and various supplies for governmental purposes. That was the primary purpose of the act.

In conjunction with the various trunk lines, however, Congress deemed it advisable to insert in the act a positive direction that the Government should also take over the short lines of the country, those carrying passengers and freight, operating as feeders to the trunk lines. By joint resolution, Congress, on Saturday last, supplemented this original provision by again directing the taking over of said short lines.

For reasons stated, the President has turned back to private control a large number of short lines, estimated to represent a mileage of 30,000 miles. Concerning the hurtful effect upon these small roads, which this decision is likely to have, I shall say nothing at the present time. I trust the result may not be as disastrous as has been predicted.

While, however, the President has deemed it wise to leave these small railroads to their own devices without aid from the Government, such as is being given to the larger and wealthier corporations, the Director General seems to view these electric roads between Newark and New York quite differently.

As a matter of fact, in the fullest sense the latter are not railroads at all. They carry no freight and no general passenger traffic. No soldiers are carried over them and no supplies, for war or other purposes. They are operated by electricity, and belong no more to a general railroad system than a municipal trolley line. The passengers almost wholly are commuters, living in the cities of north New Jersey and engaged in trade in New York.

Mr. SMITH of Arizona. Mr. President, if the Senator will yield, I desire to make a suggestion to him. I understood the Senator was reading a resolution for the consideration of which he desired to ask unanimous consent, to which of course no one would object; but as he is at this time proceeding to place in the RECORD an argument on the resolution, which is not before the Senate, I desire to ask the Senator if he does not think it would more comport with orderly procedure first to have the resolution read at the desk, and then ask for its consideration, in which event I and all other Senators would be delighted to hear the Senator address himself to the resolution?

Mr. FRELINGHUYSEN. Mr. President, I did not wish to take the valuable time of the Senate by delaying the proceedings. This is a matter of grave importance to my State. It will only take me a minute or two to finish my statement, which I desire to have before the Senate before the resolution is read from the desk. That is the reason why I am first making my

statement. As I have said, it will only take me a minute or two to finish it, and I hope the Senator from Arizona will not object to my doing so.

Mr. SMITH of Arizona. Of course, I shall not press the objection in this particular instance, but I am only afraid that the precedent will lead to abuses in other cases which may be entirely different from the one which the Senator is now presenting.

Mr. FRELINGHUYSEN. I am not sure as to that, but I shall not offend again.

Mr. SMITH of Arizona. I merely desired to protect myself against the charge of being partial in the matter.

Mr. FRELINGHUYSEN. In a large measure these daily passengers are poor people, or people in very moderate circumstances. An increase in fare to them is a very serious matter. Their incomes are not large, and the addition of 10 or 20 cents a day is an important item in their daily expenditures, particularly at the present time.

I can not see why, for governmental reasons, or because of the war, the Director General of Railroads should assume control of these local interurban lines, and increase the rates from 60 to 100 per cent. This additional revenue is not needed to further develop these roads, or for betterment in connection with their operations. There will be a vast increased revenue from this service, out of the pockets of the commuters, few of whom can afford the additional charge, but the millions of dollars which this half million toilers will be called upon to pay the Government will doubtless be employed in building up some broken-down railway a thousand miles from New York.

This does not seem to me fair or within the scope of the power which Congress granted to the Director General of Railroads when the act of March 21, 1918, was passed.

This resolution which I offer empowers the Committee on Interstate Commerce to inquire into this matter, with a view to seeking a remedy and an adjustment satisfactory to all parties interested.

I ask that the resolution may be read.

The VICE PRESIDENT. The Secretary will read the resolution.

The Secretary read the resolution (S. Res. 272), as follows:

Whereas the United States Railroad Administration, operating under the provisions of the act of March 21, 1918, has assumed jurisdiction over the railroad systems of the country, for and during the continuance of the war, "to meet conditions growing out of war"; and

Whereas it was the purpose of the act in question to take over only those transportation lines which engage in general traffic, passenger and freight, and not roads engaged solely in local, urban, or interurban passenger business; and

Whereas the Director General of Railroads has assumed jurisdiction over the so-called tube lines running under the Hudson River, between the New York terminal and the cities of Jersey City and Newark, N. J., a class of traffic having no relation whatever to war conditions; and

Whereas by order of the Director General of Railroads the rate of fare between Jersey City and New York was increased 100 per cent, which increase was subsequently annulled; and

Whereas the rate of fare between New York and Newark, a purely local business, has been increased from 17 cents to 27 cents, or 60 per cent, though the traffic over said line has no relation to war conditions: Therefore be it

Resolved, That the Committee on Interstate Commerce of the Senate be instructed to inquire into the conditions above set forth, with a view to ascertaining why these purely local lines were taken over; whether such taking over was in accordance with the spirit and letter of the act in question; why the order was issued increasing from 5 to 10 cents the fare between New York and Jersey City, and why said order was canceled; why the fare between New York and Newark has been increased 60 per cent: Be it further

Resolved, That the Committee on Interstate Commerce be authorized and directed to subpœna witnesses and compel their attendance, to send for persons and papers, and do such further acts as may be necessary to secure any and all information desired in the furtherance of said inquiry; any expenses incurred in the conduct of this inquiry shall be paid out of the contingent fund of the Senate; and that a report of the finding of the Committee on Interstate Commerce shall, upon its conclusion, be made to the Senate.

Mr. FRELINGHUYSEN. I ask unanimous consent for the immediate consideration of the resolution.

The VICE PRESIDENT. The resolution will have first to go to the Committee to Audit and Control the Contingent Expenses of the Senate, as it calls for an expenditure of money. The resolution is, therefore, referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. THOMAS. Mr. President, what disposition was made of the resolution?

The VICE PRESIDENT. It has been referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as it calls for the expenditure of money.

Mr. FRELINGHUYSEN. Mr. President, I desire to make a parliamentary inquiry. Might I modify the resolution which I have presented by striking out the portion of it providing for appropriating money out of the contingent fund of the Senate, and thereby bring the resolution before the Senate?

The VICE PRESIDENT. The Senator can offer a new resolution. The resolution which he has presented has been referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. FRELINGHUYSEN. I will do so.

The VICE PRESIDENT. The Chair would suggest that perhaps a speedier way to dispose of the resolution which has been presented by the Senator from New Jersey would be to ask unanimous consent to withdraw it from the Committee to Audit and Control the Contingent Expenses of the Senate and to strike out all that portion of the resolution that has to do with the subpœnaing of witnesses and the paying of the expenses thereof. Is there objection to doing that? The Chair hears none. Now, the Senator from New Jersey asks unanimous consent for the present consideration of the resolution. Is there objection?

Mr. THOMAS. I ask that the resolution go over.

The VICE PRESIDENT. Then the resolution goes over under the rule.

WOMAN SUFFRAGE.

Mr. GORE. Mr. President, I send to the desk an amendment, which I have the intention of proposing to House joint resolution 200, the woman-suffrage constitutional amendment, to be inserted as a new paragraph after the word "sex." It is intended to prevent unnaturalized aliens from voting for Senators and Representatives in Congress and for electors for President and Vice President. I wish to say that there are eight States which permit that. They might elect the controlling factor in the House of Representatives and the Senate and the controlling number in the Electoral College. I shall not, however, insist upon the amendment to the extent of delaying the consideration or passage of the original suffrage joint resolution, but I ask that it be printed in the RECORD.

There being no objection, the amendment was ordered to lie on the table and to be printed in the RECORD, as follows:

Amendment intended to be proposed by Mr. GORE to the resolution (H. J. Res. 200) proposing an amendment to the Constitution of the United States conferring upon women the right of suffrage, viz:

At the end of line 11, page 1, add the following:

"No person other than a citizen of the United States shall be entitled to vote for Senators and Representatives in Congress or for electors for President and Vice President of the United States."

ORDNANCE PRODUCTION—STATEMENT OF GEN. CROZIER.

Mr. WEEKS. Mr. President, in the month of February I made some remarks in the Senate referring to the condition of the war and criticizing some of the activities of the War Department. At that time the head of the Bureau of Ordnance, who was among those criticized in the remarks I made, was abroad. Upon his return to the United States he read what I had said, and has written me on two or three points which I made, calling my attention to matters in the testimony which he believes were not given the proper construction in what I said. I have a copy of his letter here, and in order that the record may be complete I ask that it be inserted in the CONGRESSIONAL RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The letter referred to is as follows:

JUNE 25, 1918.

Hon. JOHN W. WEEKS,
United States Senate.

DEAR SIR: Upon my return this month from France my attention was called to your address of February 15, made during my absence, before the Senate upon the recent work of the War Department, and I proceeded to read the same with great care and interest. I could not feel otherwise than flattered at what you were good enough to say of my general work as Chief of Ordnance during the past 16 years, and I am especially pleased that you should have pointed out that for years I have been calling attention to the inadequacy of the appropriations for ordnance, and have repeatedly advocated a greater measure of military preparedness than was deemed necessary by many of my superiors or by Congress.

Nevertheless you find me "partially responsible" for certain unsatisfactory conditions in relation to three things, (a) rifles; (b) machine guns; and (c) artillery. Believing that you do not wish to place blame where it does not belong, I am sending you this letter in which I deal seriatim with your more important criticisms.

(A) RIFLES.

As regards rifles, you make this specific criticism of me:

He had constantly sought—justifiably so in ordinary times—for the best the market could produce, and in this case he was unwilling to modify that standard of perfection even though a modification would have greatly hastened the production of a satisfactory arm and one which would have answered all our purposes. (P. 7 of your separately published speech.)

At the outbreak of the war the Government was fortunate in having on hand more than 500,000 Springfield rifles (than which there are none better in the world) available for immediate use, and, barring wastage, sufficient to supply an army of 1,000,000 men. Furthermore, private factories were manufacturing for the British large numbers of Enfield rifles, but for use with British ammunition. After due consideration the responsible military authorities reached the conclusion that our Springfield rifles should be sent abroad, and that they should be supplemented as rapidly as possible with Enfields, but changed to use American ammunition; for it is elementary (and you concede it) that all rifles used by us should have one ammunition. Another important reason for so changing the Enfields was the superiority of our ammunition over the British, our cartridge being rimless, whereas theirs has a rim which might jam. (Pp. 38 and 39 of my hearings before the Senate Military Committee.)

Further reasons for the course followed by the military authorities were—

(a) That it enabled us to continue to use our Government factories for turning out additional supplies of rifles, without the necessity of changing such factories over for the manufacture of the British rifle, or of the Springfield for British ammunition. The same is true of the Government ammunition factory.

(b) That the Enfield is a better rifle when made for the American type of rimless cartridge, for which it was originally designed, than when made for the British type—my hearings, page 38.

(c) The military authorities had been advised that the American forces would be fighting alongside of the French, and not of the British forces, so that no argument based on the use of the same ammunition as that used by their immediate associates could be made in favor of using the British Enfield rifle with British ammunition.

Turning now to your position, it appears to be that we should have kept our Springfields for use in training soldiers in the United States, and used abroad the new Enfield rifles with British ammunition. "If this had been done," you say, "we would have supplied our Army with rifles in a much shorter time"—speech, page 6. After conceding that there were some arguments in favor of changing the Enfield, as we did, to use our ammunition you say:

> But all of these arguments in favor of the change did not commence to overcome the advantage of immediately providing the largest supply of rifles possible—a rifle which has served England satisfactorily during three years of actual warfare. (Speech, p. 7.)

Your position is not in accord with that of the responsible military authorities, as hereinabove outlined, who are satisfied that the preponderating advantages were and are on the side of the course adopted. I may add that the primary object of the Ordnance Department was to equip all of our soldiers in the trenches with the best possible weapon for fighting the Germans. No soldier has been sent abroad without such a weapon—hearing, page 41—and in this connection it is worth noting that on May 1, 1918, the number of rifles needed for all the combatant troops which we had sent abroad, including a proper allowance for wastage, was considerably less than that of the Springfield rifles alone which we had on hand when we entered the war.

It is doubtless regrettable that there were not enough rifles to supply all soldiers as soon as they reached their camps in this country, but under the policy of nonpreparedness, acquiesced in by the American people, it was not possible both to do this, and do what the Ordnance Department has done, namely, issue a timely and adequate supply to our troops abroad of the best rifles and ammunition. But in connection with the soldiers at American camps it should be borne in mind that lack of rifles alone has not been the cause of any such soldier going abroad without adequate rifle training. Some have remained at camps too short a time to enable them to receive proper rifle training, but that is another matter—hearings, pages 41, 44, 82.

There is another point in connection with the rifles to which you have not referred and which was one of the contributing causes of delay. It was decided by the Ordnance Department that there should be a certain interchangeability of parts as between the rifles made at the various plants. As made for the British, the Enfield rifles were not interchangeable, and at first the interchangeability required by us was of a limited nature; but later it was made quite extensive, and it is an interesting fact that within six weeks the general commanding our troops in France has expressed a desire for rifles with a maximum of interchangeability as to parts. As bearing on this, I quote the following from a cablegram received from him under date of March 25, 1918, as follows:

> The matter of spare parts and maintenance in our present situation is serious and must not be complicated by the addition of any distinctions in manufacture.

He means by this that there must not, for instance, be one set of parts for Winchester rifles and another for those made at Illion. (Hearings, p. 361.)

The standardization ultimately greatly accelerated manufacture, and while not pertinent to any criticism made by you it is proper to record here the fact that for some time past the Ordnance Department has been providing for all troops, both here and abroad, a greater number of rifles, all using American ammunition, than have been required, and the further manufacture is possible at a higher rate than would have been possible with the unstandardized rifles as they were being made for the British.

On the facts and the evidence, supplemented by actual experience—the best test of all—it would seem that under the circumstances the Ordnance Department had pursued the right course in regard to rifles; and I do not think you will find any competent and distinterested military critic to say the contrary.

(B) MACHINE GUNS.

Speaking of these, you say:

> I do not intend to discuss the long-drawn-out controversy about the Lewis gun. Possibly Gen. Crozier is right in his claim that the gun did not function satisfactorily until after our declaration of war; but it had been used during the previous two years by the English to good advantage, and it was very easy to obtain evidence that the gun was giving satisfaction." (Speech, p. 7.)

On the uncontradicted evidence, supplemented by actual experience, I believe that I was not merely "possibly," but unqualifiedly, right in the claim stated. To understand the situation it is necessary clearly to distinguish between the Lewis gun of British manufacture, using British ammunition, and the Lewis gun of American manufacture. It is only as to the former that it is possible to say that "it was easy to obtain evidence that the gun was giving satisfaction," and this gun could not use American ammunition. Also, for some reason to the Ordnance Department unknown, the British-made Lewis gun was a much better article than that made in the United States (Hearings, p. 150), and it was not until April, 1917, that a proper Lewis gun of American manufacture using American ammunition was submitted to the Government, although both in 1915 and 1916 the Ordnance Department made earnest efforts to have Lewis guns submitted for test. (Hearings, pp. 261, 262.) If prior to April, 1917, any agency of the Government had ordered Lewis guns for American ammunition, the action would have been taken in the face of the failure of these guns ever to perform satisfactorily with American ammunition and against the recommendation of every board appointed to investigate the subject. (Hearings, p. 150.)

The early failures of the American-made Lewis guns were set forth in some detail at pages 258 to 271 of the hearings before the Senate Military Committee. At the 1913 test they showed, amongst other defects, "206 jams and malfunctions" (hearings, p. 261). A second official test of machine guns was ordered in April, 1916, but the Lewis gun using American ammunition was withdrawn from test by its owners (hearings, p. 262). The board conducting this second test found that the American-made Lewis gun, even when used with British ammunition, was not as good as either the Benet-Mercie or the Vickers, which latter had already been adopted for the Army (hearings, p. 263). In the summer of 1916 we had the opportunity to put to test in the field on an extensive scale the American-made Lewis gun using British ammunition, for, no other machine guns being available, we were obliged to buy some 350 of these for use on the Mexican border. The official reports show that they functioned poorly (see hearings, pp. 263 et seq.).

In October, 1916, yet another board supported the Vickers gun over any other down to that time (hearings, p. 268), and the appropriations of August, 1916, for machine guns were used by the Ordnance Department in the purchase of Vickers guns as soon as it was permitted to do so by the War Department (pp. 267–268), which took over the determination of the question what machine guns should be purchased (p. 268).

It is proper to note that none of the boards which dealt with the Lewis gun were appointed or controlled by the Ordnance Bureau, but all were War Department boards. The fairness and ability of the board of the spring of 1916 were fully appreciated by the owners of the Lewis guns, who, under date of April 26, 1916, wrote me, in part, as follows:

> This company wishes to express its appreciation of the Ordnance Department for the courtesies extended recently by the board appointed to inspect the operation of the Lewis machine gun. The company feels that the investigation has been entirely impartial and regards the board as one very capable of judging the value of the investigation to the Ordnance Department.

In April, 1917, a proper Lewis gun of American manufacture, and using American ammunition, was finally submitted after some 17 changes had been made in the old gun. At once, not, as you say, late in the fall, the Ordnance Department urged, and successfully urged, the purchase of this remodeled gun by the thousands (pp. 151, 152, 269). It is proper to record here the fact that the War Department board which in the spring of 1917 accepted this remodeled gun went out of its way to approve the action of the military authorities in rejecting the Lewis gun using American ammunition prior to that time. In its report the board said:

Many improvements have been made in this gun since it was last tested, which justify the delay of the War Department in according complete recognition to this weapon. (Hearing, p. 269.)

Speaking of the Utica plant engaged in the manufacture of Lewis guns you say:

I think this plant should have been enlarged without delay and as many guns as possible turned out at once, even if a better gun would be provided later on.

To this I repeat that it would not have been proper for the Ordnance Department to order Lewis guns with American ammunition earlier than it did, or to have encouraged the enlargement of the plant until it had been demonstrated that the gun used with American ammunition would be a success; after which its enlargement was encouraged.

You also say:

Incidentally we have lost a great deal of time in changing this plant, which was manufacturing guns for British ammunition, to manufacture a gun to use American ammunition.

It was desirable that both American rifles and machine guns should use one ammunition, and that American, as is to-day the case. Naturally it took time to make the change to which you refer, but it was time well spent.

You further state:

After many trials and investigations it was decided to manufacture Lewis guns for aircraft purposes, and orders were given for these guns late in the fall of last year, but no Lewis guns are even now being manufactured for ground service. (Speech, p. 7.)

I premise my comments hereon with the statements (a) that none of the trials or investigations can be shown to have been unnecessary; on the contrary, they were all born of a desire to secure a good machine gun with the utmost possible speed, while at the same time refusing to accept any inferior gun, (b) that large orders for the remodeled gun were given much earlier than "late in the fall of last year." Such orders were, in fact, given beginning in April and May of last year, since which time the Ordnance Department has done whatever it could in reason to have this gun produced as rapidly as possible. One thousand three hundred were ordered in April, 6,400 in June, 12,000 in July, and 22,000 in September, and financial assistance was given for the enlargement of the plant. It is quite true, as you say, that none are being manufactured for ground service. For this there is a very good reason, namely, pending delivery of the new Browning gun, Gen. Pershing prefers to use for ground service the excellent machine guns supplied by France, and wishes the Lewis guns reserved for the air service. (Hearings, pp. 270, 271.)

You further state:

It was finally decided to manufacture for ground service what is known as the Browning gun, an untried weapon in actual service, but a gun which promises well in the tests which have been made. (Speech, p. 8.)

The event has since shown the wisdom of this decision. The Browning gun was not selected without being first subjected to very thorough tests (hearings, p. 136), and recent field tests have demonstrated conclusively its superiority to any other machine gun in existence. Incidentally, it is both simpler and cheaper than any other. (Hearings, pp. 138, 148.)

As in the case of rifles, the Ordnance Department was primarily intent on supplying to our soldiers in the trenches machine guns which would do efficient work against the Germans, and this it has done. Incidentally, it is to be noted that no soldiers have been delayed in going abroad through lack of machine guns, and while it is to be regretted that machine guns were not available at an earlier date than they were at the camps in this country, yet this is a matter for which the Ordnance Department can not be held responsible, but must again be attributed to the unwillingness of the people in any large sense to prepare for war until after it had begun.

The two foregoing subjects, rifles and machine guns, illustrate the department's conception of a proper scheme of preparation for taking part in the war. We could not hope to repair the national neglect of years by utilizing the energies of our small professional personnel and the very limited capacity for military manufacture in the hasty production of inferior weapons. We were entering the war against an enemy who had at his disposal the results of long years of the most scientific and systematic preparation on an enormous scale, and we could hope to prevail only through using the very best kinds of fighting equipment, turned out in amounts calling for the methods of quantity production, of which the initial steps are always slow. Thanks to the shelter afforded by our allies, our preparation could proceed in a systematic way. Already a great deal has been accomplished in ordnance work—though there is much more to come—and we are, in less time than might reasonably have been anticipated, meeting scientific force with scientific force. Such force is coming into play with only the delay necessarily resulting from the situation of unpreparedness in which we found ourselves and without the delay which would certainly have followed a hasty production of imperfect material, upon ill-digested plans. In seeking "the best the market could produce" and declining to lower my standard I am satisfied that I have best fulfilled the duties of my office, and it has not been shown that my methods have resulted in any harmful delay, beyond what was inherent in the situation. The event has shown the contrary.

(C) ARTILLERY.

As to artillery, you concede that I was not responsible for the wretched shortage upon our entry into the war, and credit me with having, as the record shows, frequently urged better preparation upon Congress, but you find fault with the unnecessary delay which you think occurred in placing orders for artillery after the declaration of war. Whether or not there has been any undue delay in procuring artillery is a large and difficult question, which could not be correctly determined on any such incomplete record as that taken before the Military Committee, nor shall I attempt to argue such an issue here. Instead I shall direct attention to a few of the more important things which must be taken into consideration before any determination could be reached.

We entered the war with, as you correctly state, a "pitiful showing" in respect of artillery. Its manufacture is at best a slow process, even where the necessary plants are in existence. Where they are not, they must first be created before any orders can be executed, and to do this and get an output going may take a year or more. At the outbreak of the war there were in this country only two plants for making artillery even on a moderate scale, the Bethlehem and the Midvale, and these were loaded with work almost to the full extent of their capacity, and had to be enlarged before they could be of material assistance in carrying out the vast artillery program necessitated by the war. One phase of its vastness may be illustrated by the following: In 1916 Congress appropriated $17,000,000 to be used for artillery. By contrast note that the appropriations for field artillery from the beginning of the war to the date of your speech amount to over a billion dollars.

The Government had generally to take the initiative in bringing about the erection of the new plants for artillery. It necessarily took some time and a great deal of thought, negotiation, and other intricate work to get these plants built and in operation. As a rule, the manufacturers were not anxious to build them. Six large forging establishments for the production of gun forgings have now been, or are rapidly being, brought into existence, and the same number of large machine shops have been erected and equipped for the manufacture of these forgings into finished guns. Let it be remembered that our new artillery is being made largely by people who have never before made such things. Establishments which have heretofore been making crankshafts, locomotive axles, and things of that sort have been changed into factories for making steel for guns or the guns themselves. It was not enough for the Ordnance Department to request that these establishments be created. It had to explain in detail how they could be created. It had even to tell the people where to get the information for making steel for guns, and arrange for it to be given them.

In addition to the new plants required for the manufacture of artillery, new, large, and costly ones were required for a multitude of other things, including ammunition, shells, and the explosives with which to manufacture them. Thus there have been called into existence plants for powder, trinitrotoluol, ammonium nitrate, picric acid, the fixation of nitrogen, the loading of gas shells, the manufacture of toxic gases, and there have been great extensions of plants for manufacturing small arms and ammunition, machine guns, textile equipments, and articles of tin plate, aluminum, and leather. A brief illustration of the steps required to get trinitrotoluol in quantities is given at page 193 of the hearing. These illustrations could be multiplied.

I now come to the matter of placing orders. Intelligently to spend over a billion dollars, especially for new kinds of material, involves a great deal of hard and accurate work on the

part of a great many people. There was, as to most of the material desired, no such thing as going out into a willing and prepared industrial field and giving manufacturing orders to establishments awaiting them, with capacity and understanding to carry them out. This vast volume of new work found the Ordnance Department, so far as personnel was concerned, totally unprepared to cope with it. In the face of repeated warning that such personnel was inadequate, even for peace times—see my letters of October 18, 1915, to the Secretary of War and December 4, 1916, to The Adjutant General—I found myself at the outbreak of the war with only 96 Ordnance officers at my command. This number has now grown to over 4,000. The advent of war threw on our insufficient force an enormous burden, both in design and procurement, which had to be shouldered at the same time that efforts were made to increase the force by inducting new officers and new draftsmen into the service; and as there were practically no engineers and no draftsmen in the country skilled in the design of artillery, progress in increasing the organization was necessarily slow. Such a task has never before confronted any department of the Government. Our troubles were not diminished by the fact that our Washington business had to be transacted in 15 different places scattered all over town.

Having thus given you a rough picture of the situation which confronted the Ordnance Department in April, 1917, I take up your principal specific complaints as to delay in supplying artillery. You say that the larger contracts, instead of being made in May, June, or July, 1917, "were very largely made in November; many of them as late as December" (speech, bottom of p. 10). All this is true; now how can it be determined whether the Ordnance Department was blameworthy unless, amongst other things, it be first ascertained as to each contract whether it was feasible to place it earlier; which inquiry in turn involves ascertaining whether there were any existing and unoccupied plant facilities with which the work could be done earlier than where the contract was placed? Your very complaint in regard to the orders for 5,000 of the 75-milimeter guns and carriages illustrates what I have in mind. You say "small orders were placed throughout the summer, but the main order to the Willys-Overland Co. for 2,927 was not made until December 1, 1917." The "small orders" to which you refer aggregated over 1,600, and were all placed prior to July 9, which was quick work. The Willys-Overland order was not placed until December, because the company was, down to that time, not ready to receive it, and there was no other company which was ready. The explanation of delay offered in this case holds true in most if not all of the other cases involving orders for guns and carriages.

You further complain that the largest order for certain carriage limbers and for nearly three-fourths of the 75 mm. gun caissons was not given until November 5, 1917. The answer is that the order was given in sufficient time to have the limbers and caissons ready when the carriages were ready.

With adequate opportunity to do so, I believe that the Ordnance Department could give a valid reason for all of the delays in procuring artillery and ammunition, but these delays can not be disposed of en bloc. Each requires discussion in the light of the facts of the particular case. You refer to the department's failure to expend, prior to the declaration of war, the whole of the $100,000,000 allotted it in 1916—only $17,000,000 whereof was for artillery. The tables at pages 225 to 242 of the hearing show that the major portion had been obligated for supplies ordered. You refer also to our failure to use any portion of the $100,000,000 emergency fund set aside for the use of the President. I have explained as to this (hearing, p. 26) that I early learned that it was not to be generally available for ordnance work. Finally, in August, $35,000,000 thereof were obtained upon the understanding that it would be returned to the fund, as it was. This relatively small amount has not material bearing upon the issues under discussion here. The President's entire fund was not 3 per cent of the amount needed for equipment by the Ordnance Department alone, as measured by the appropriations of June and October.

You will note that I do not rely upon the fact that Congress failed to make the appropriations for the war program until two months after the estimates were submitted. Like many other things, it is to a certain extent material, but not at all controlling, and has too little to do with the larger reasons hereinabove given why the industries of the country could not be mobilized more quickly than they were for the production of artillery.

With reference to the supply of our forces in Europe with artillery by France and England, you say:

It should not have been necessary for us to depend on those countries for this assistance, or, at least, to nothing like the extent we find it necessary. (P. 11.)

I fully agree with you in this, but the necessity arose out of the failure of the country through a long series of years to provide for the preparation which I repeatedly urged; and nothing which the Ordnance Department or any other agency could possibly have done after our entry into the war could have saved us from this dependence.

I take this occasion to point out an oversight on your part in the use of certain testimony of mine at page 9 of your speech. It related to machine guns, not to artillery, the heading under which you cite it.

Please do not misunderstand me. It would be foolish for me or anyone else to claim that the Ordnance Department has made no errors. What public official or department in times like these does not make them? What I do claim at this time is that there is no proof that the action of the Ordnance Department as regards rifles and machine guns was other than in the best interests of the United States, or that the department was guilty of any improper delay; and, further, that on this record and under all the circumstances of this trying situation, some of which have been described, the Ordnance Department can not be charged with improper delay in placing orders for artillery. It did the best that could be done in the situation of unpreparedness in which the war found us, placing orders wherever they could be accepted with effective results, increasing the capacity of factories already in existence and bringing about the erection of large numbers of new ones on a scale unprecedented in the history of this country. To bridge over the interval before our vast plans for new facilities could mature we arranged for the utilization of the accumulated stores and surplus manufacturing capacity of the French and British, and did so with the hearty approval of those Governments. Under the new order of things the work of the Ordnance Department grew by leaps and bounds, and, furthermore, had to be transacted with utterly inadequate machinery. It now exceeds four times that of the great Steel Corporation. I wish to avoid no responsibility, but do feel that I may properly insist that this work be judged in the light of the multitude of handicaps under which it was performed, traceable directly to the unwillingness of the country to prepare for war, and that the actual accomplishments of the department be considered as well as possible shortcomings. When this is done, I have no fear of the result.

I am, Senator, very respectfully,

WILLIAM CROZIER,
Major General, Chief of Ordnance.

AMENDMENT OF FEDERAL RESERVE ACT.

Mr. OWEN. I ask unanimous consent for the immediate consideration of House bill 11283.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 11283) to amend and reenact sections 4, 11, 16, 19, and 22 of the act approved December 23, 1913, and known as the Federal reserve act, and sections 5208 and 5209, Revised Statutes, which had been reported from the Committee on Banking and Currency with amendments.

The amendments were, on page 1, line 2, after the word "assembled," to strike out:

That section 4 of the act approved December 23, 1913, known as the Federal reserve act, be amended and reenacted by striking out that part of such section which reads as follows:

"Directors of class A and class B shall be chosen in the following manner:

"The chairman of the board of directors of the Federal reserve bank of the district in which the bank is situated or, pending the appointment of such chairman, the organization committee, shall classify the member banks of the district into three general groups or divisions. Each group shall contain as nearly as may be one-third of the aggregate number of the member banks of the district, and shall consist, as nearly as may be, of banks of similar capitalization. The groups shall be designated by number by the chairman.

"At a regularly called meeting of the board of directors of each member bank in the district it shall elect by ballot a district reserve elector and shall certify his name to the chairman of the board of directors of the Federal reserve bank of the district. The chairman shall make lists of the district reserve electors thus named by banks in each of the aforesaid three groups and shall transmit one list to each elector in each group.

"Each member bank shall be permitted to nominate to the chairman one candidate for director of class A and one candidate for director of class B. The candidates so nominated shall be listed by the chairman, indicating by whom nominated, and a copy of said list shall, within 15 days after its completion, be furnished by the chairman to each elector.

"Every director shall, within 15 days after the receipt of the said list, certify to the chairman his first, second, and other choices of a director of class A and class B, respectively, upon a preferential ballot, on a form furnished by the chairman of the board of directors of the Federal reserve bank of the district. Each elector shall make a cross opposite the name of the first, second, and other choices for a director of class A and for a director of class B, but shall not vote more than one choice for any one candidate."

And by substituting therefore the following:

"Directors of class A and class B shall be chosen in the following manner:

"The Federal Reserve Board shall classify the member banks of the district into three general groups or divisions, designating each group by number. Each group shall consist as nearly as may be of banks of similar capitalization. Each member bank shall be permitted to nominate to the chairman of the board of directors of the Federal reserve bank of the district one candidate for director of class A and one candidate for director of class B. The two candidates so nominated shall be listed by the chairman, indicating by whom nominated, and a copy of said list shall, within 15 days after its completion, be furnished by the chairman to each member bank. Each member bank by a resolution of the board or by an amendment to its by-laws shall authorize its president, cashier, or some other officer to cast the vote of the member bank in the elections of class A and class B directors.

"Within 15 days after receipt of the list of candidates the duly authorized officer of a member bank shall certify to the chairman his first, second, and other choices for director of class A and class B, respectively, upon a preferential ballot upon a form furnished by the chairman of the board of directors of the Federal reserve bank of the district. Each such officer shall make a cross opposite the name of the first, second, and other choices for a director of class A and for a director of class B, but shall not vote more than one choice for any one candidate. No officer or director of a member bank shall be eligible to serve as a class A director unless nominated and elected by banks which are members of the same group as the member bank of which he is an officer or director.

"Any person who is an officer or director of more than one member bank shall not be eligible for nomination as a class A director except by banks in the same group as the bank having the largest aggregate resources of any of those of which such person is an officer or director."

SEC. 2. That section 11 (k) of the Federal reserve act be amended and reenacted to read as follows:

"(k) To grant by special permit to national banks applying therefor, when not in contravention of State or local law, the right to act as trustee, executor, administrator, registrar of stocks and bonds, guardian of estates, assignee, receiver, committee of estates of lunatics, or in any other fiduciary capacity in which State banks, trust companies, or other corporations which come into competition with national banks are permitted to act under the laws of the State in which the national bank is located.

"Whenever the laws of such State authorize or permit the exercise of any or all of the foregoing powers by State banks, trust companies, or other corporations which compete with national banks, the granting to and the exercise of such powers by national banks shall not be deemed to be in contravention of State or local law within the meaning of this act.

"National banks exercising any or all of the powers enumerated in this subsection shall segregate all assets held in any fiduciary capacity from the general assets of the bank and shall keep a separate set of books and records showing in proper detail all transactions engaged in under authority of this subsection. Such books and records shall be open to inspection by the State authorities to the same extent as the books and records of corporations organized under State law which exercise fiduciary powers, but nothing in this act shall be construed as authorizing the State authorities to examine the books, records, and assets of the national bank which are not held in trust under authority of this subsection.

"No national bank shall receive in its trust department deposits of current funds subject to check or the deposit of checks, drafts, bills of exchange, or other items for collection or exchange purposes. Funds deposited or held in trust by the bank awaiting investment shall be carried in a separate account and shall not be used by the bank in the conduct of its business unless it shall first set aside in the trust department United States bonds or other securities approved by the Federal Reserve Board.

"In the event of the failure of such bank the owners of the funds held in trust for investment shall have a lien on the bonds or other securities so set apart in addition to their claim against the estate of the bank.

"Whenever the laws of a State require corporations acting in a fiduciary capacity to deposit securities with the State authorities for the protection of private or court trusts, national banks so acting shall be required to make similar deposits, and securities so deposited shall be held for the protection of private or court trusts, as provided by the State law.

"National banks in such cases shall not be required to execute the bond usually required of individuals if State corporations under similar circumstances are exempt from this requirement.

"National banks shall have power to execute such bond when so required by the laws of the State.

"In any case in which the laws of a State require that a corporation acting as trustee, executor, administrator, or in any capacity specified in this section, shall take an oath or make an affidavit, the president, vice president, cashier, or trust officer of such national bank may take the necessary oath or execute the necessary affidavit.

"It shall be unlawful for any national banking association to lend any officer, director, or employee any funds held in trust under the powers conferred by this section. Any officer, director, or employee making such loan, or to whom such loan is made, may be fined not more than $5,000, or imprisoned not more than five years, or may be both fined and imprisoned, in the discretion of the court.

"In passing upon applications for permission to exercise the powers enumerated in this subsection, the Federal Reserve Board may take into consideration the amount of capital and surplus of the applying bank, whether or not such capital and surplus is sufficient under the circumstances of the case, the needs of the community to be served, and any other facts and circumstances that seem to it proper, and may grant or refuse the application accordingly: *Provided*, That no permit shall be issued to any national banking association having a capital and surplus less than the capital and surplus required by State law of State banks, trust companies, and corporations exercising such powers."

On page 8, line 3, before the word "That," to strike out "SEC. 3"; on the same page, after line 20, to strike out:

SEC. 4. That paragraphs (b) and (c) of section 19 of the Federal reserve act, as amended by the acts approved August 15, 1914, and June 21, 1917, be further amended and reenacted to read as follows:

"(b) If in a reserve city, as now or hereafter defined, it shall hold and maintain with the Federal reserve bank of its district an actual net balance equal to not less than 10 per cent of the aggregate amount of its demand deposits and 3 per cent of its time deposits: *Provided, however*, That if located in the outlying districts of a reserve city or in territory added to such a city by the extension of its corporate charter, it may, upon the affirmative vote of five members of the Federal Reserve Board, hold and maintain the reserve balances specified in paragraph (a) hereof.

"(c) If in a central reserve city, as now or hereafter defined, it shall hold and maintain with the Federal reserve bank of its district an actual net balance equal to not less than 13 per cent of the aggregate amount of its demand deposits and 3 per cent of its time deposits: *Provided, however*, That if located in the outlying districts of a central reserve city or in territory added to such city by the extension of its corporate charter, it may, upon the affirmative vote of five members of the Federal Reserve Board, hold and maintain the reserve balances specified in paragraphs (a) or (b) thereof."

SEC. 5. That section 22 of the Federal reserve act, as amended by the act of June 21, 1917, be further amended and reenacted to read as follows:

"(a) No member bank and no officer, director, or employee thereof shall hereafter make any loan or grant any gratuity to any bank examiner. Any bank officer, director, or employee violating this provision shall be deemed guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not more than $5,000, or both; and may be fined a further sum equal to the money so loaned or gratuity given.

"Any examiner accepting a loan or gratuity from any bank examined by him or from an officer, director, or employee thereof shall be deemed guilty of a misdemeanor and shall be imprisoned one year or fined not more than $5,000, or both, and may be fined a further sum equal to the money so loaned or gratuity given, and shall forever thereafter be disqualified from holding office as a national bank examiner.

"(b) No national bank examiner shall perform any other service for compensation while holding such office for any bank or officer, director, or employee thereof.

"No examiner, public or private, shall disclose the names of borrowers or the collateral for loans of a member bank to other than the proper officers of such bank without first having obtained the express permission in writing from the Comptroller of the Currency, or from the board of directors of such bank, except when ordered to do so by a court of competent jurisdiction, or by direction of the Congress of the United States, or of either House thereof, or any committee of Congress, or of either House duly authorized. Any bank examiner violating the provisions of this subsection shall be imprisoned not more than one year or fined not more than $5,000, or both.

"(c) Except as herein provided, any officer, director, employee, or attorney of a member bank who stipulates for or receives or consents or agrees to receive any fee, commission, gift, or thing of value from any person, firm, or corporation, for procuring or endeavoring to procure for such person, firm, or corporation, or for any other person, firm, or corporation, any loan from or the purchase or discount of any paper, note, draft, check, or bill of exchange by such member bank shall be deemed guilty of a misdemeanor and shall be imprisoned not more than one year or fined not more than $5,000, or both.

"(d) Any member bank may contract for, or purchase from, any of its directors or from any firm of which any of its directors is a member, any securities or other property, when (and not otherwise) such purchase is made in the regular course of business upon terms not less favorable to the bank than those offered to others, or when such purchase is authorized by a majority of the board of directors not interested in the sale of such securities or property, such authority to be evidenced by the affirmative vote or written assent of such directors: *Provided, however*, That when any director, or firm of which any director is a member, acting for or on behalf of others, sells securities or other property to a member bank, the Federal Reserve Board by regulation may, in any or all cases, require a full disclosure to be made, on forms to be prescribed by it, of all commissions or other considerations received, and whenever such director or firm, acting in his or its own behalf, sells securities or other property to the bank the Federal Reserve Board, by regulation, may require a full disclosure of all profit realized from such sale.

"Any member bank may sell securities or other property to any of its directors, or to a firm of which any of its directors is a member, in the regular course of business on terms not more favorable to such director or firm than those offered to others, or when such sale is authorized by a majority of the board of directors of a member bank to be evidenced by their affirmative vote or written assent: *Provided, however*, That nothing in this subsection contained shall be construed as authorizing member banks to purchase or sell securities or other property which such banks are not otherwise authorized by law to purchase or sell.

"(e) No member bank shall pay to any director, officer, attorney, or employee a greater rate of interest on the deposits of such director, officer, attorney, or employee than that paid to other depositors on similar deposits with such member bank.

"(f) If the directors or officers of any member bank shall knowingly violate or permit any of the agents, officers, or directors of any member bank to violate any of the provisions of this section or regulations of the board made under authority thereof, every director and officer participating in or assenting to such violation shall be held liable in his personal and individual capacity for all damages which the member bank, its shareholders, or any other persons shall have sustained in consequence of such violation."

On page 13, line 15, to change the number of the section from 7 to 2, and in line 21, after the word "amended," to strike out "and reenacted," so as to make the bill read:

Be it enacted, etc., That the ninth paragraph of section 16 of the Federal reserve act, as amended by the acts approved September 7, 1916, and June 21, 1917, be further amended and reenacted so as to read as follows:

"In order to furnish suitable notes for circulation as Federal reserve notes the Comptroller of the Currency shall, under the direction of the Secretary of the Treasury, cause plates and dies to be engraved in the best manner to guard against counterfeits and fraudulent alterations, and shall have printed therefrom and numbered such quantities of such notes of the denominations of $5, $10, $20, $50, $100, $500, $1,000, $5,000, $10,000 as may be required to supply the Federal reserve banks. Such notes shall be in form and tenor as directed by the Secretary of the Treasury under the provisions of this act and shall bear the distinctive numbers of the several Federal reserve banks through which they are issued."

SEC. 2. That section 5208 of the Revised Statutes as amended by the act of July 12, 1882, and section 5209 of the Revised Statutes as amended by the acts of April 6, 1869, and July 8, 1870, be, and the same are hereby, amended to read as follows:

"SEC. 5208. It shall be unlawful for any officer, director, agent, or employee of any Federal reserve bank, or of any member bank as defined in the act of December 23, 1913, known as the Federal reserve act, to certify any check drawn upon such Federal reserve bank or member bank unless the person, firm, or corporation drawing the check has on deposit with such Federal reserve bank or member bank, at the times such check is certified, an amount of money not less than the amount specified in such check. Any check so certified by a duly authorized officer, director, agent, or employee shall be a good and valid obligation against such Federal reserve bank or member bank; but the act of any officer, director, agent, or employee of any such Federal reserve bank or member bank in violation of this section shall, in the discretion of the Federal Reserve Board, subject such Federal reserve bank to the penalties imposed by section 11, subsection (h), of the Federal reserve act, and shall subject such member bank if a national bank to the liabilities and proceedings on the part of the Comptroller of the Currency provided for in section 5234, Revised Statutes, and shall, in the discretion of the Federal Reserve Board, subject any other member bank to the penalties imposed by section 9 of said Federal reserve act for the violation of any of the provisions of said act. Any officer, director, agent, or employee of any Federal reserve bank or member bank who shall willfully violate the provisions of this section, or who shall resort to any device, or receive any fictitious obligation, directly or collaterally, in order to evade the provisions thereof, or who shall certify a check before the amount thereof shall have been regularly entered to the credit of the drawer upon the books of the bank, shall be deemed guilty of a misdemeanor and shall, on conviction thereof in any district court of the United States, be fined not more than $5,000, or shall be imprisoned for not more than five years, or both, in the discretion of the court.

"SEC. 5209. Any officer, director, agent, or employee of any Federal reserve bank, or of any member bank as defined in the act of December 23, 1913, known as the Federal reserve act, who embezzles, abstracts, or willfully misapplies any of the moneys, funds, or credits of such Federal reserve bank or member bank, or who, without authority from the directors of such Federal reserve bank or member bank, issues or puts in circulation any of the notes of such Federal reserve bank or member bank, or who, without such authority, issues or puts forth any certificate of deposit, draws any order or bill of exchange, makes any acceptance, assigns any note, bond, draft, bill of exchange, mortgage, judgment, or decree, or who makes any false entry in any book, report, or statement of such Federal reserve bank or member bank, with intent in any case to injure or defraud such Federal reserve bank or member bank, or any other company, body politic or corporate, or any individual person, or to deceive any officer of such Federal reserve bank or member bank, or the Comptroller of the Currency, or any agent or examiner appointed to examine the affairs of such Federal reserve bank or member bank, or the Federal Reserve Board; and every receiver of a national banking association who, with like intent to defraud or injure, embezzles, abstracts, purloins, or willfully misapplies any of the moneys, funds, or assets of his trust, and every person who, with like intent, aids or abets any officer, director, agent, employee, or receiver in any violation of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof in any district court of the United States shall be fined not more than $5,000 or shall be imprisoned for not more than five years, or both, in the discretion of the court.

"Any Federal reserve agent, or any agent or employee of such Federal reserve agent ,or of the Federal Reserve Board, who embezzles, abstracts, or willfully misapplies any moneys, funds, or securities intrusted to his care, or without complying with or in violation of the provisions of the Federal reserve act, issues or puts in circulation any Federal reserve notes shall be guilty of a misdemeanor and upon conviction in any district court of the United States shall be fined not more than $5,000 or imprisoned for not more than five years, or both, in the discretion of the court."

Mr. SMOOT. Mr. President, I want to be sure that I have caught the import of this bill from its hasty reading. As I understand it, the first section—that is, it will be section 1—provides that Federal reserve notes shall be printed in certain denominations, and those denominations have been increased in amount from what they are under the old act with reference to national bank notes.

Mr. OWEN. They have been increased so as to permit denominations of $5,000 and $10,000 to be printed, which would take the place of gold certificates for like amounts. That is the purpose of it.

Mr. SMOOT. I thought that was the purpose of that section, which I think is a wise one. The amendment of sections 5208 and 5209, as I gather from the reading, simply puts the Federal reserve bank and the member bank under the provisions of those two sections, and the penalties imposed under those two sections will apply to the Federal reserve bank and the member banks the same as they apply to the national banks to-day.

Mr. OWEN. And to the employees of the Federal Reserve Board.

Mr. SMOOT. Yes; they are added to it.

Mr. OWEN. That is all that it means.

Mr. SMOOT. That is as I caught the meaning of the bill.

Mr. PENROSE. Mr. President, I should like to ask the chairman of the committee whether the committee was unanimous on this measure?

Mr. OWEN. It was.

Mr. PENROSE. I have received so many protests and complaints from Pennsylvania about many of the bills pending before the committee that I was moved to ask the question.

Mr. OWEN. This bill has a unanimous report, and has passed the House of Representatives.

Mr. PENROSE. I notice that the bill bristles with penalties, which seem to be a commendable feature of modern legislation.

Mr. OWEN. They are old penalties.

Mr. PENROSE. I was going to ask the Senator whether they conformed to the penalties of existing law.

Mr. OWEN. Yes; they are the same. The bill extends to the employees of Federal reserve banks the penalties which previously applied to the national banks.

Mr. PENROSE. Then I will not object, Mr. President.

The VICE PRESIDENT. The question is on agreeing to the amendments reported by the committee.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "A bill to amend the ninth paragraph of section 16 of the Federal reserve act as amended by the acts approved September 7, 1916, and June 21, 1917, and to amend sections 5208 and 5209, Revised Statutes."

JOHN T. EATON.

Mr. WALSH. This morning a favorable report was made on Senate bill 56. I ask unanimous consent for its present consideration.

Mr. SMOOT. What is the calendar number of the bill?

The VICE PRESIDENT. It was reported this morning. The Secretary will state the title of the bill.

The SECRETARY. A bill (S. 56) for the relief of John T. Eaton.

The VICE PRESIDENT. Is there any objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to John T. Eaton, of Helena, Mont., out of any money in the Treasury not otherwise appropriated, the sum of $560, in compliance with the findings of the Court of Claims, Senate Document No. 220 of the first session of the Sixty-third Congress.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CLAIM OF GOVERNMENT OF FRANCE.

Mr. HITCHCOCK. I ask unanimous consent for the present consideration of Senate bill 4727.

The VICE PRESIDENT. The Senator from Nebraska asks unanimous consent for the present consideration of a bill the title of which will be stated by the Secretary.

The SECRETARY. A bill (S. 4727) to authorize the payment to the Government of France of $13,511.13 as an indemnity requested in behalf of Mme. Crignier for losses sustained by her as the result of a search for the body of Admiral John Paul Jones.

Mr. REED. How much does it involve?

Mr. HITCHCOCK. Thirteen thousand dollars.

The VICE PRESIDENT. Is there any objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes the payment, out of any money in the Treasury not otherwise appropriated, as a matter of grace and without reference to the question of liability therefor, to the Government of France, of the sum of $13,511.13, for full indemnity for losses suffered by Mme. Crignier by reason of a search for the body of Admiral John Paul Jones, undertaken in 1899 by Gen. Horace Porter, at that time American ambassador to France, and completed by the finding of the body in 1905, as set forth in the message of the President of the United States to the Senate dated June 4, 1918.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CONTROL OF TELEGRAPH AND TELEPHONE LINES.

Mr. CUMMINS and Mr. HITCHCOCK addressed the Chair.

The VICE PRESIDENT. The Senator from Iowa.

Mr. CUMMINS. I ask unanimous consent that Senate joint resolution 163, which was yesterday referred to the Committee on Military Affairs, be recalled from that committee and referred to the Committee on Interstate Commerce. The Senator who introduced the joint resolution has no objection whatever to that reference, and the chairman of the committee has indicated that in his opinion that should be the reference.

The VICE PRESIDENT. Is there any objection?

Mr. PENROSE. Mr. President, I have just entered the Chamber. What is the resolution? I ask that it be read.

The VICE PRESIDENT. It is not a resolution. It is a request to withdraw a joint resolution from the Committee on Military Affairs and have it referred to the Committee on Interstate Commerce.

Mr. PENROSE. Do I understand the Senator from Iowa to state that the chairman of the Military Affairs Committee, who is not at present in the Chamber, was in favor of this change of reference?

Mr. CUMMINS. I was so informed a few moments ago.

Mr. PENROSE. I had been informed differently, and that is the reason why I wanted to know. I think it would be well to have the Senator verify his information on that point.

Mr. CUMMINS. The Senator from Indiana [Mr. WATSON] told me, as well as the Senator from Virginia [Mr. MARTIN], that the chairman of the committee had no objection, and believed that was the proper reference.

Mr. PENROSE. I do not doubt the Senator's statement. The Senator from Indiana is here to speak for himself. I should like to hear what he has to say on the subject.

Mr. WATSON. My understanding was that the Senator from Oregon [Mr. CHAMBERLAIN] stated that he would have no objection to this reference, but that he wanted to confer with the Senator from Texas [Mr. SHEPPARD], who had introduced the joint resolution.

Mr. SHEPPARD. Mr. President, as the author of the joint resolution, I wish to say that I believe it should go to the Committee on Interstate Commerce, and I have no objection to the change of reference.

Mr. WATSON. The chairman of the Military Affairs Committee is not here at this time. I should not want to quote him on a proposition of that kind in his absence, but my understanding was that he would not object to it.

Mr. PENROSE. My understanding is different.

Mr. CUMMINS. Very well, Mr. President; I withdraw the request for unanimous consent.

THE CALENDAR.

Mr. SMOOT. I ask unanimous consent that the Senate proceed to the consideration of the calendar under Rule VIII, and consider only bills to which there is no objection.

The VICE PRESIDENT. Is there objection to the request of the Senator from Utah? The Chair hears none.

Mr. VARDAMAN. Mr. President, I have received a great many telegrams and letters from the people of Mississippi and other States regarding the amendment to the agricultural bill prohibiting the manufacture of foodstuffs into liquor. In order that I may be able to answer them authoritatively, I desire to ask the chairman of the Agricultural Committee if he can give me any idea of when he proposes to call up this bill, and particularly I want to know whether or not he is going to insist, as I hope he will, upon the consideration of this bill before the recess?

I am very desirous of going home, but it is more important that this legislation should be enacted than that I or any other Senator should look after his political fences. I am unalterably opposed to converting foodstuffs—food that is necessary to sustain the bodies of the men, women, and children of this country, our allies abroad, and our soldiers in the trenches—into a beverage which not only destroys the body but damns the immortal soul. The Senator will kindly answer my question as to whether or not it is his purpose to urge the passage of this bill before the recess.

Mr. GORE. Mr. President, in answer to the Senator's inquiry, I will say that the amendment to which he refers was reported by the Senate Committee on Agriculture as an amendment to what is known as the food-production bill. The food-production bill is a special supply bill for the Department of Agriculture. It is a descendant or a successor of what was known as the food-survey bill, which was passed last summer, and approved, I believe, on August 10 of last year. The regular supply bill of the Department of Agriculture, as the Senator knows, is still in conference. The Senate on yesterday declined to instruct the conferees on the part of the Senate to recede from amendment numbered 44. Amendment numbered 44 is the so-called wheat amendment. It was my hope, and I had taken steps to that effect, to have a meeting of the conference committee yesterday immediately after the vote on the part of the Senate. The vote, however, was not taken until after 5.30. I immediately called the chairman of the House Committee on Agriculture on the telephone. He was not in his office, but I was advised that he was thought to be on the floor of the Senate. I made a search at this end of the Capitol, but was unable to find him.

I then notified the conferees to meet this morning at 11 o'clock. The chairman of the House Committee on Agriculture called me up a few minutes before 11 and requested that I defer the conference until 4 o'clock this afternoon. I insisted upon an immediate conference, because I thought it would require only a few minutes, and perhaps a report of disagreement would be all that was necessary. He insisted, however, that for special reasons he could not be present, and was very much concerned to be present at the meeting, and urged me to call the meeting for 4 o'clock this afternoon. That was done. The conferees on that amendment will meet this afternoon at 4 o'clock. What will be done, of course, I can not foretell with precision, but possibly a disagreement will be reported. I shall then report to the Senate, making the proper motion to facilitate the proper consideration of that report.

It is not my purpose, speaking for myself alone, to call up the special supply bill until the regular supply bill is disposed of. It seems to me that is the orderly procedure, and that there are a good many reasons in behalf of that course. For my own part, that is the course which I intend to pursue, and, of course, the special bill will trail the regular bill.

Mr. VARDAMAN. Mr. President, I want to say to the Senator that there is a great demand for this legislation; and the course to be pursued in calling up these bills——

Mr. PENROSE. Mr. President, I rise to a point of order.

The VICE PRESIDENT. The Senator from Pennsylvania will state his point of order.

Mr. PENROSE. I should like to ask what is before the Senate.

The VICE PRESIDENT. Nothing.

Mr. PENROSE. Then I raise the point of order that this discussion is out of order.

The VICE PRESIDENT. If there is an objection, it is out of order.

Mr. PENROSE. I object.

Mr. VARDAMAN. What is the ruling of the Chair?

The VICE PRESIDENT. If there is an objection to the further discussion of this question as not being before the Senate, it is out of order, there being nothing before the Senate.

Mr. VARDAMAN. I hope the Senator from Pennsylvania will permit the chairman of the committee to answer the question. It is a matter in which the American people are very much interested.

Mr. GORE. Mr. President, notwithstanding the objection of the Senator from Pennsylvania, I have already said all that I am in a position to say upon the subject.

Mr. PENROSE. Mr. President, we are supposed to be in what are equivalent to the closing days of a session. We are trying to take a recess which in its length would approximate to an adjournment. We are all interested in these supply bills, and many of them have legislative paragraphs in them in which our constituents are interested.

Mr. VARDAMAN. Mr. President, if the Senator will desist, I will sit down.

Mr. PENROSE. I will sit down right away.

Mr. VARDAMAN. So will I, and let the business of the Senate proceed.

PROTECTION OF UNIFORMS.

The VICE PRESIDENT laid before the Senate the following concurrent resolution (H. Con Res. 47) of the House of Representatives, which was read, as follows:

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H. R. 11247) entitled "An act providing for the protection of the uniform of friendly nations, and for other purposes," the Clerk be, and he is hereby, authorized and directed to strike out "persons," in line 3, page 1, and insert in lieu thereof the word "person."

Mr. HITCHCOCK. I move that the Senate concur in the resolution of the House.

Mr. JONES of Washington. Mr. President, before that question is put I want to say just a word or two.

I regret very much that the Senator from Oklahoma [Mr. GORE] feels that he ought not to press this supplementary Agricultural bill until after the regular Agricultural bill is disposed of. That measure is in conference, and there does not seem to be very much business before the Senate, and I had hoped very much that he would move to take it up. The Senator from Pennsylvania has suggested that we are nearing the close of the session and that we are trying to get a recess. Mr. President, there has been no proposition regarding a recess brought up in the Senate. There has been no resolution presented. There has been no motion carried. The length of this session is indefinite.

Mr. BORAH. Have not the leaders agreed upon a recess?

Mr. JONES of Washington. I am not in their counsel; I do not know. I am not one of that body. I have seen intimations in the papers and heard suggestions outside that we are going to have a recess, but, Mr. President, there is important business pending in Congress. We condemn slackers nowadays in the

industrial world, and it does not seem to me that Congress should set any example that would encourage anything of that kind outside. We have business that ought to be done, and, as far as I am concerned, I think we ought to stay here as long as it is necessary to stay and do it.

This measure that we hope the Senator from Oklahoma will call up is a very important one. It has been urged heretofore, at any rate, that the measure is absolutely necessary and ought to be passed in order to conserve our resources and our food supply. I think it ought to be passed, and I can see really no reason which appeals to me, at any rate, why the Senate should not proceed to its consideration. I want to say to the Senator from Pennsylvania that, so far as I can do it, I shall do what I can to prevent any recess until that measure is acted upon.

Mr. SMOOT. The regular order.

Mr. GORE. Mr. President, if I am not out of order, I will say, in connection with what the Senator from Washington suggested, that I appreciate the importance of the legislation involved in the special supply bill. It has been suggested by the department as a matter of considerable concern, contributing to the food production of the country. I have no disposition to delay the legislation, but it has occurred to me to have the special bill follow the regular bill. That would be the more orderly procedure.

I also appreciate the Senator's interest in the amendment to which he referred. It is an interest shared by a great many Senators. I might also say that I feel myself a very keen interest in the amendment which was under consideration yesterday, involving the guaranteed price of wheat. I do not wish to do anything that would either directly or indirectly hinder the prospect of its becoming a law and the farmers enjoying the benefit of it. I am trying to pursue the course which I think will best accomplish that end. I may be in error myself.

Mr. NORRIS. May I ask the Senator from Oklahoma a question? The Senator intends to take up and dispose of the bill referred to by him before the recess, does he not?

Mr. GORE. Well, that is not within my power. That is within the power of the Senate. My only purpose has been to bring up that bill when the regular bill is out of the way. It ought to trail that bill. That is my judgment about it.

Mr. NORRIS. There has been a good deal said about a recess. I want to ask the Senator if he intends to get the bill up if he can and dispose of it before a recess is taken?

Mr. GORE. I will say to the Senator that I made a motion on Saturday to bring it up; and if the resolution brought up yesterday by the Senator from Virginia [Mr. MARTIN] had been agreed to, I would have immediately asked unanimous consent to take up that bill, but, in view of the decision that was taken yesterday, it occurred to me that perhaps, in the interest of those who voted with the majority yesterday, it might best be postponed.

Mr. NORRIS. Still, I would like to have the Senator give a more direct answer to the question, because there is such an interest in that bill on the part of a large number of Senators.

Mr. GORE. I realize that.

Mr. NORRIS. If it could be understood that the Senator intended to press that bill for consideration before the recess, and if that is his intention, I do not think there would be any disposition to ask the Senator to call it up prior to the finishing of the wheat proposition. But can not the Senator assure the Senate that he will do all he can to dispose of the bill in question before the recess is taken?

Mr. GORE. I will say, Mr. President, that I am not speaking as chairman of the committee, but for myself alone. Pursuing the course which seemed to promise the best result to gain an object which I have had very near at heart—$2.50 wheat—I have not been disposed to do anything that would obstruct it. I speak for myself alone, and am responsible only for what I state in this connection.

Mr. HITCHCOCK. Mr. President, a parliamentary inquiry.

Mr. GORE. I do not know when a recess will be taken, and I can not give the Senator any assurance, but if my wishes shall be fulfilled it is certainly my purpose to have the special bill trail the regular bill.

Mr. HITCHCOCK. I inquire whether the motion made by me was carried?

The VICE PRESIDENT. Not yet. That is what Senators are talking about, but the Senator did not know it. The question is on concurring in the resolution.

The resolution was concurred in.

THE CALENDAR.

The VICE PRESIDENT. The calendar will now be proceeded with.

The joint resolution (S. J. Res. 39) to appropriate $3,000,000 to enable the Secretary of Agriculture to prosecute the work of eradicating the southern cattle tick was announced as the first resolution on the calendar.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. It will go over.

The joint resolution (S. J. Res. 53) authorizing the President to appoint two additional Assistant Secretaries of Agriculture, and for other purposes, was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. It will go over.

The bill (S. 1725) to stimulate the production of food upon private and public lands within reclamation projects, and for other purposes, was announced as next in order.

Mr. LENROOT. I ask that the bill may go over.

The VICE PRESIDENT. It will go over.

Senate resolution 91, extending the authority of and provision for the committee appointed under S. Res. 92, Sixty-third Congress, first session, to investigate the charges of alleged attempts to influence legislation, was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. It will go over.

The joint resolution (S. J. Res. 25) providing for the appointment of a joint committee to be known as the joint committee on the conduct of the war was announced as next in order.

Mr. ASHURST. Let that go over.

The VICE PRESIDENT. It will go over.

Senate concurrent resolution 10, authorizing the appointment of a joint committee to investigate the causes of the recent riots in East St. Louis, Ill., and to report thereon, was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. It will go over.

The joint resolution (H. J. Res. 200) proposing an amendment to the Constitution of the United States conferring upon women the right of suffrage was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. It will go over.

The joint resolution (S. J. Res. 12) proposing an amendment to the Constitution of the United States providing for the election of President and Vice President without the intervention of the electoral college, establishing their term of office for the third Tuesday of January following their election, and fixing the time when the terms of Senators and Representatives shall begin was announced as next in order.

Mr. ASHURST. Let that go over.

The VICE PRESIDENT. It will go over.

The bill (S. 23) granting to the State of Nevada 7,000,000 acres of land in said State for the use and benefit of the public schools of Nevada and the State university of the State of Nevada was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. The bill will go over.

The joint resolution (S. J. Res. 90) proposing an amendment to the Constitution of the United States was announced as next in order.

Mr. ASHURST. Let that go over.

The VICE PRESIDENT. It will go over.

The bill (S. 3311) to increase and expedite the supply of munitions of war was announced as next in order.

Mr. SMOOT. I think it was requested by the chairman that this bill should go over.

The VICE PRESIDENT. It will go over.

The bill (S. 1795) to relieve Congress from the adjudication of private claims against the Government was announced as next in order.

Mr. SMOOT. Let that go over.

The VICE PRESIDENT. It will go over.

The bill (S. 3522) to amend an act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917, was announced as next in order.

Mr. SMOOT. I think this same subject matter has been acted upon in bills that have already passed the Senate. I think this statement was made before when this bill was up and it was asked that it should go over. The Senator who reported it not being present, I ask that it may go over to-day.

The VICE PRESIDENT. The bill will go over.

The bill (S. 951) to provide for the sinking of artesian wells, and for other purposes, was announced as next in order.

Mr. LENROOT. Let that go over.

The VICE PRESIDENT. It will go over.

The bill (S. 758) to increase the productive agricultural area of the United States by the reclamation of arid and swamp lands was announced as next in order.

Mr. LENROOT. Let that go over.

The VICE PRESIDENT. It will go over.

The bill (S. 3439) for the relief of certain homestead and desert-land entrymen was announced as next in order.

The VICE PRESIDENT. This bill was considered May 16 last in Committee of the Whole, and the committee amendments were agreed to.

Mr. LENROOT. Let it go over.

Mr. MYERS. I rise to make a parliamentary inquiry. Are we operating under Rule VIII or under a unanimous-consent agreement to consider unobjected bills only? I heard no unanimous-consent agreement, and my impression is that we are operating under Rule VIII.

The VICE PRESIDENT. We are operating under Rule VIII.

Mr. MYERS. I make the point of order that under the rule one objection is not sufficient to prevent the consideration of a bill, but that by vote of a majority of the Senate a bill objected to can be considered and disposed of.

Mr. SMOOT. I wish to say to the Senator that there was a unanimous consent asked for by myself, and it was granted by the Senate, to take up bills under Rule VIII on the calendar and to consider only bills to which there was no objection. We are now acting under that unanimous-consent agreement.

Mr. MYERS. That is the enlightenment I wanted. I did not hear it. I wanted to know under what rule we are operating.

The joint resolution (S. J. Res. 132) to amend section 14 of the food-control act by increasing the guaranteed minimum price of wheat for the crop of 1918 from $2 to $2.50 per bushel was announced as next in order.

Mr. ASHURST. Let that go over, please.

The VICE PRESIDENT. It will go over.

WISCONSIN BAND OF POTTAWATOMIE INDIANS.

The bill (S. 2120) for the relief of the Wisconsin Band of Pottawatomie Indians, and for other purposes, was considered as in Committee of the Whole.

The bill was reported from the Committee on Indian Affairs with an amendment, on page 3, line 1, after the word "page," to insert "991, and any subsequent acts of Congress making appropriations for said Indians," so as to make the bill read:

Be it enacted, etc., That for the purpose of carrying into effect the act of June 25, 1864 (13 Stat. L., p. 172), and the act of June 30, 1913 (38 Stat. L., p. 102), the Secretary of the Treasury is hereby authorized and directed to place upon the books of the Treasury to the credit of that portion of the Wisconsin Band of Pottawatomie Indians now residing in the States of Wisconsin and Michigan the amount of money which shall be found as a balance due to the said Wisconsin Band of Pottawatomie Indians by the Secretary of the Interior, said balance to be determined as follows: By computing the interest on the original sum of $447,339, declared to be due said Pottawatomie Indians, at the rate of 4 per cent per annum from April 1, 1908, to April 4, 1910, and on the balance thereafter found by deducting the various amounts spent out of the appropriations made by Congress for the said Pottawatomie Indians under the act approved April 4, 1910 (36 Stat. L., p. 288); act approved August 24, 1912 (37 Stat. L., p. 539); act approved June 30, 1913 (38 Stat. L., p. 102); act approved August 1, 1914 (38 Stat L., p. 606); joint resolution approved March 4, 1915 (38 Stat. L., p. 1228); act approved May 18, 1916 (39 Stat. L., p. 156); act approved March 2, 1917 (39 Stat. L., p. 991 and any subsequent acts of Congress making appropriations for said Indians); said interest to be computed at the rate of 4 per cent on balance due said Indians between the dates of said acts of Congress and to the date of the approval of this act as the proportionate share of the said Wisconsin Band of Pottawatomie Indians in the annuities and the land of the Pottawatomie Tribe in which they have not shared, as set forth in the report of the Secretary of the Interior to the House of Representatives, embodied in House Document No. 830, Sixtieth Congress, first session, confirmed in part by the act of Congress of June 30, 1913 (38 Stat. L., p. 102), appropriating the sum of $150,000 on account. Said sum shall draw interest at the rate of 4 per cent per annum. And there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the purposes aforesaid, the amount of the balance found to be due to said Wisconsin Band of Pottawatomie Indians now residing in the States of Wisconsin and Michigan, as computed by the Secretary of the Interior by the method hereinbefore set forth: *Provided*, That the Secretary of the Treasury is hereby authorized and directed to pay Erik O. Morstad, of Carter, Wis., who has lived with and cared for said Indians for many years, the sum of $5,000, said sum to be paid from the amount placed to the credit of said Pottawatomie Indians.

SEC. 2. That from the sum placed to the credit of said Pottawatomie Indians the Secretary of the Interior is hereby directed to pay to the legal representatives of R. V. Belt, deceased (Mrs. Joanna Belt and William O. Belt), in full settlement of the claim of said R. V. Belt against said Indians, such sum as the Court of Claims, to which the matter of fees of the attorneys for the Wisconsin Band of Pottawatomie Indians is hereby referred for judgment, shall find to be due the said R. V. Belt and his associates on a quantum meruit for their services in the prosecution of said claim under a contract with representatives of the Wisconsin Band of Pottawatomies, approved by the Commissioner of Indian Affairs, for 15 per cent on the 1st day of November, 1902. Suit for said attorneys' fees shall be filed in the Court of Claims within 90 days from the date of approval of this act by petition verified by the legal representatives of the estate of said R. V. Belt, deceased, shall be defended by an attorney to be designated by the Attorney General, and the Court of Claims shall render judgment as upon a quantum meruit for such sum as it shall deem just, after consideration of all services rendered in prosecution of said claim by R. V. Belt and his associates and of the contract approved as aforesaid by the Commissioner of Indian Affairs.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WOMAN SUFFRAGE.

Mr. FALL. I move that the Senate proceed to the consideration of joint resolution (H. J. Res. 200) proposing an amendment to the Constitution of the United States conferring upon women the right of suffrage.

Mr. SMOOT. We are working under a unanimous-consent agreement to consider unobjected bills on the calendar.

Mr. FALL. I do not so understand. I understood the Chair to rule that a motion could be made to take up any bill.

The VICE PRESIDENT. There seems to be some misunderstanding between the Chair and the Senator from Utah. The recollection of the Chair is that the Senator from Utah asked unanimous consent to proceed to consider the calendar under Rule VIII, unobjected bills alone to be considered, but it was at a time when some other matter was before the Senate. Subsequently the Chair announced that the Senate would proceed to the consideration of the calendar under Rule VIII. I do not know exactly where we are.

Mr. SMOOT. To consider unobjected bills. I was noticing very closely.

The VICE PRESIDENT. The Chair will hold that we are proceeding under the unanimous-consent agreement.

Mr. FALL. My purpose in making the motion is to follow out what I understood was the notice given several days ago, that immediately upon the disposition of certain war measures a motion would be made to take up and dispose of this joint resolution. I will say that as far as my own personal convenience is concerned, twice I have deferred very important personal business engagements for the purpose of remaining here during the discussion of the joint resolution and a vote upon it. I am still in that same position. I yesterday notified parties with whom I had these business engagements that I could not say when the Senate would take a recess. As far as I am concerned I am anxious to be here and to assist in the disposition of the constitutional amendment for woman suffrage. I am in favor of it, and I think it ought to come to a vote, and I hope the Senate will proceed to take it up and dispose of it.

The VICE PRESIDENT. The calendar will be proceeded with.

Mr. SHEPPARD. Mr. President, inasmuch as the suffrage amendment is soon to be voted on, either before or after the recess—I trust before—I deem it my duty to take advantage of this occasion to submit certain observations regarding the amendment.

The VICE PRESIDENT. The Senator from Texas understands that the Chair will hear him for five minutes.

Mr. SHEPPARD. Then I will defer until later what I have to say. I had not recalled that we were proceeding, by a unanimous-consent order, under the five-minute rule.

WINFIELD S. SOLOMON.

The bill (S. 3011) for the relief of Winfield S. Solomon was considered as in Committee of the Whole, and was read as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, Winfield S. Solomon, late of Troop D, Sixth Regiment United States Cavalry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of said troop and regiment on the 26th day of September, 1865: *Provided*, That no pay, bounty, or other emolument shall accrue by reason of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RATIFICATION OF CONSTITUTIONAL AMENDMENTS.

Mr. ASHURST. Mr. President, a few moments ago the joint resolution (S. J. Res. 90) proposing an amendment to the Constitution of the United States, reported by the Senator from Connecticut [Mr. BRANDEGEE], from the Committee on the Judiciary, was reached upon the calendar, and I misapprehended just what it was and entered an objection. I ask unanimous consent to withdraw that objection. I am very much in favor of that proposed constitutional amendment. It came from the Committee on the Judiciary, and I was under a misapprehension as to what it was.

The VICE PRESIDENT. The Senator from Arizona asks unanimous consent to return to Senate joint resolution 90. Is there objection?

Mr. WALSH. I reserve the right to object after the joint resolution shall have been read.

The VICE PRESIDENT. The joint resolution will be read.

The Secretary read the joint resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That Article V of the Constitution of the United States is hereby amended to read as follows, to wit:

"ARTICLE V.

"The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or on the application of the legislatures of two-thirds of the several States shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution when ratified within six years from the date of their proposal by the legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, or by the electors in three-fourths thereof, as the mode of ratification may be proposed by the Congress: *Provided*, That no State, without its consent, shall be deprived of its equal suffrage in the Senate."

Mr. WALSH. Mr. President, I feel myself in hearty concurrence with the object of the joint resolution, so I have no objection to its consideration.

Mr. JONES of Washington. Mr. President, I do not desire to have this joint resolution considered under the five-minute rule; I do not think it should be so considered. I therefore object.

The VICE PRESIDENT. The joint resolution goes over.

BUSINESS PASSED OVER.

The bill (S. 3646) to grant rights of way over Government lands for reservoir purposes for the conservation and storage of water to be used by the city of San Diego, Cal., and adjacent communities, was announced as next in order.

Mr. SMOOT. Let that bill go over, Mr. President.

The VICE PRESIDENT. The bill goes over.

The joint resolution (S. J. Res. 136) providing for the registration for military service of the subjects or citizens residing in the United States of a foreign country with whose Government the United States has concluded or hereafter concludes a convention or agreement consenting to such aliens being drafted into the military forces of the United States under the terms of the act approved May 18, 1917, entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," and all amendments thereto, was announced as next in order.

Mr. FLETCHER. Mr. President, I think that matter has been taken care of by an amendment to the Army bill, and, therefore, I ask that the joint resolution go over.

Mr. OVERMAN. Then let us get it off the calendar.

Mr. HITCHCOCK. The objection to taking the joint resolution off the calendar at the present time is that the Army appropriation bill might fail in conference.

The VICE PRESIDENT. The joint resolution goes over.

JOHN F. KELLY.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1478) for the relief of John F. Kelly. It proposes that in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers John F. Kelly, who was a private in Company F, First Regiment Maryland Volunteer Cavalry, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a private of that company and regiment on the 15th of February, 1863; but no pay, bounty, or other allowances shall accrue by reason of the passage of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ADOLPH F. HITCHLER.

The bill (S. 164) for the relief of Adolph F. Hitchler was considered as in Committee of the Whole. It proposes that in the administration of the pension laws and the laws conferring rights and privileges upon honorably discharged soldiers, Adolph F. Hitchler, late of Company K, One hundred and ninety-fourth Regiment Pennsylvania Volunteer Infantry, shall be held and considered to have been honorably discharged from the military service of the United States as a member of the above organization on the 5th of November, 1864; but no pay, pension, bounty, or other emolument shall accrue prior to the passage of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BUSINESS PASSED OVER.

The bill (S. 4185) to require the Commissioner of Education to devise methods and promote plans for the elimination of adult illiteracy in the United States was announced as next in order.

Mr. SMOOT. That bill can not be considered under the five-minute rule, and I ask that it go over.

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). The bill goes over.

The concurrent resolution (H. Con. Res. 39) to print 250,000 copies of the soldiers and sailors' civil relief act, approved March 8, 1918, etc., was announced as next in order.

Mr. SMOOT. Let that go over, Mr. President.

The PRESIDING OFFICER. The concurrent resolution goes over.

Mr. SMOOT. I ask that beginning with Order of Business 332, being Senate bill 3899, down to and including Order of Business 345, being Senate bill 3904, go over.

The PRESIDING OFFICER. The bills referred to by the Senator from Utah will go over under the rule.

The resolution (S. Res. 229) to request the Committee on Foreign Relations, to which was referred S. J. Res. 145, to give said resolution early consideration and report to the Senate thereon, was announced as next in order.

Mr. OVERMAN. I ask that that go over.

The PRESIDING OFFICER. The resolution goes over.

JACOB NICE.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1477) for the relief of Jacob Nice. It proposes that in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Jacob Nice, who was a private of Company G, Ninety-fifth Regiment Pennsylvania Volunteer Infantry, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a private of said company and regiment on the 17th of August, 1865, but no back pay, pension, or other emolument shall accrue prior to the passage of this act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER.

Mr. SMOOT. I ask that Order of Business 367, being Senate bill 3907, and Order of Business 368, being Senate bill 4426, be passed over.

The PRESIDING OFFICER. Being objected to, the bills will be passed over.

The bill (S. 3172) to provide for the abandonment of Piney Branch Road between Allison Street and Buchanan Street NW., in the District of Columbia, was announced as next in order.

Mr. SMITH of Maryland. I ask that that bill go over.

The PRESIDING OFFICER. The bill goes over.

NATIONAL GERMAN-AMERICAN ALLIANCE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3529) to repeal the act entitled "An act to incorporate the National German-American Alliance," approved February 25, 1907.

The SECRETARY. The committee amendment striking out section 2 of the bill has already been agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER.

The bill (S. 3438) to prevent corrupt practices in the election of Senators, Representatives, or Delegates in Congress was announced as next in order.

Mr. SMOOT. That bill can not be considered under the five-minute rule, and I therefore ask that it go over.

Mr. POMERENE. Mr. President, do I understand that there is objection to the consideration of that bill?

Mr. SMOOT. There is objection to its consideration under the five-minute rule; yes.

Mr. POMERENE. The bill was very fully considered the other day. It is a very short bill. I hope the Senator from Utah will withdraw his objection to its consideration.

Mr. SMOOT. The bill can not be considered under the five-minute rule, and therefore I object to its present consideration.

The PRESIDING OFFICER. The bill goes over.

The bill (S. 3914) authorizing a right of way for the transportation of water for improvement of grazing and development of the live-stock industry upon public and national forest lands in Arizona was announced as next in order.

Mr. LENROOT. I ask that that bill go over.

The PRESIDING OFFICER. The Senator from Wisconsin objects, and the bill goes over.

MARY C. MAYERS.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 641) for the relief of Mary C. Mayers. The preamble recites that whereas Joseph L. Mayers, lately an American citizen, residing at Yokohama, Japan, died on May 7, 1899, as the result of injuries received on May 6, 1899, by the fall of the first whaleboat belonging to the U. S. S. *Charleston*, then lying in Victoria Harbor, Hongkong, China, and which whaleboat was negligently detached from the davits of the ship by some of the ship's crew, Mayers having gone to the ship on official business; and that he left surviving him a widow, Mary C. Mayers, who was wholly dependent on him for support, and she is now without means; therefore, the bill proposes to pay her $5,000 for her aid and support.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

Mr. SMOOT. Mr. President, was there an amendment adopted to the bill which has just been passed?

The PRESIDING OFFICER. The Chair is informed that no amendment to the bill was reported or offered.

Mr. SMOOT. I merely call the attention of the Senator reporting the bill to the fact that in the correspondence, found in the report of the committee accompanying the bill, there is a letter from Deacon & Hastings, attorneys for the applicant, in which this statement appears:

> As, however, we understand it is desired to effect an immediate settlement, we are instructed to inform you that our client is willing to accept (of course, without prejudice to his legal rights) the sum of $1,000 in full settlement of his claim, if paid promptly.

Does the Senator reporting the bill remember any discussion of that matter in the committee?

Mr. GRONNA. What is the date of that letter?

Mr. SMOOT. That is a letter of date May 8, 1899.

Mr. GRONNA. I will say to the Senator from Utah that we did not take that letter into consideration.

Mr. OVERMAN. How much is proposed to be appropriated by the bill?

The PRESIDING OFFICER. The bill proposes to appropriate $5,000.

Mr. OVERMAN. Then, Mr. President, let the bill go over.

Mr. GRONNA. I will say that the committee unanimously reported in favor of $5,000.

Mr. OVERMAN. I should like to examine the facts as to a bill proposing to appropriate $5,000 in a case where the beneficiary was willing to take $1,000.

The PRESIDING OFFICER. The bill has been passed, and a motion will be necessary to reconsider it before it can be amended.

BILLS PASSED OVER.

The bill (S. 3944) for the relief of Emma H. Ridley was announced as next in order.

Mr. OVERMAN. I object to the consideration of that bill. I can not understand why all these claims are not put on the same basis. There is a general provision of law for paying those on the Canal Zone who are injured, and providing also for the payment of the heirs of those who are killed. Here it is proposed to pay a man in one case $3,000, and to pay another man a year's wages.

The PRESIDING OFFICER. The Senator from North Carolina objects, and the bill goes over.

The bill (S. 3258) for the relief of Ethel Proctor was announced as next in order.

Mr. OVERMAN. Let that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

LANDS IN THE CACHE NATIONAL FOREST, UTAH.

The bill (S. 2088) to consolidate certain forest lands within the Cache National Forest, Utah, and to add certain lands thereto, was considered as in Committee of the Whole. It authorizes the Secretary of the Interior to accept from the persons named below title to the following-described lands, either in whole or in part, upon certification by the Secretary of Agriculture that the lands are chiefly valuable for national forest purposes and approximately equal in value to the lands to be given in exchange therefor:

Isaac P. Stewart: The southwest quarter of the southwest quarter and the northeast quarter of the southeast quarter of section 21; the south half of the northeast quarter and the west half of section 28; all of sections 29, 30, and 31; the southeast quarter and the west half of section 33, all in township 11 north, range 2 east, Salt Lake meridian.

James E. Hansen: All of section 19, township 11 north, range 2 east, Salt Lake meridian.

William H. Stewart: All of section 5, township 10 north, range 2 east, Salt Lake meridian.

It also authorizes the Secretary of the Interior to issue to the persons named below in lieu thereof patents to the following described areas or to such parts thereof as may be found approximately equal in value to the lands conveyed:

Isaac P. Stewart: Lots 3 and 4, the northwest quarter, and the southwest quarter of section 1; the northwest quarter of the northwest quarter of section 12; lot 4, section 30, all in township 13 north, range 18 west, Salt Lake meridian; the east half of section 11; the west half and the southeast quarter of section 15; the south half of section 27; lots 1, 2, 3, and 4, the southeast quarter of the southeast quarter, the north half of the southeast quarter, and the northeast quarter of section 33; all of section 34, all in township 13 north, range 19 west, Salt Lake meridian.

James E. Hansen: Lots 1, 2, and 3 in section 1; the north half of the southeast quarter, section 12, township 14 north, range 5 west; lots 1, 2, 3, and 4 in section 6, the north half of the southwest quarter, the northeast quarter of the southeast quarter, and the northeast quarter in section 7, township 14 north, range 4 west, Salt Lake meridian.

William H. Stewart: The southeast quarter of the southeast quarter of section 23, the south half of the northwest quarter and the southwest quarter of section 24, the west half of the northwest quarter and the northwest quarter of the southwest quarter of section 25, the east half of the northeast quarter and the southeast quarter of section 26, all in township 13 north, range 18 west, Salt Lake meridian.

The lands conveyed to the Government shall thereupon become part of the Cache National Forest and subject to all laws and regulations applicable thereto.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER.

The bill (S. 3260) to remove the charge of desertion from the record of Wilbur F. Lawton was announced as next in order.

Mr. THOMAS. I ask that that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3986) to acquire the manuscript of Charles Chaillé-Long, containing an account of the unveiling of the McClellan Statue was announced as next in order.

Mr. WADSWORTH and Mr. OVERMAN. Let that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

ARMY MINE-PLANTER SERVICE.

The bill (H. R. 9898) to establish in the Coast Artillery Corps of the Regular Army an Army mine-planter service was announced as next in order.

Mr. WADSWORTH. I think the provisions of that bill are contained in the Army appropriation bill, but it might remain on the calendar.

Mr. FLETCHER. I think that is the better course. The matter has gone into conference, and we do not know whether or not it will be agreed to in conference.

Mr. WADSWORTH. That is what I say, that it should be left on the calendar; but there is no necessity of passing it, because the Senate has already passed it as an amendment to the Army appropriation bill.

The PRESIDING OFFICER. The Senator from New York objects, and the bill goes over, but remains on the calendar.

VICTORIA A. THOMSON.

The bill (S. 4467) to validate the homestead entry of the heirs of Victoria A. Thomson was considered as in Committee of the Whole. It proposes to validate the homestead entry No. 037153, made by the heirs of Victoria A. Thomson, deceased, for the northeast quarter section 4, township 8 north, range 14 east, Montana principal meridian, and authorizes the Secretary of the Interior to issue patent thereon upon the submission of satisfactory proof of compliance with the laws under which the entry was allowed.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LYNETTE DEAN MAXWELL.

The bill (S. 4541) for the relief of Lynette Dean Maxwell, and for other purposes, was considered as in Committee of the Whole. It proposes to validate the desert-land entry of Lynette Dean Maxwell, numbered 013684, for the south half of the northeast quarter, and lots 1 and 2, section 2, township 5 north, range 8 east, New Mexico principal meridian, and authorizes the State of New Mexico through its proper officers, to select 160 acres of

surveyed, nonmineral, unappropriated, and unreserved public land in lieu of that embraced in said desert-land entry.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WIDOW OF RUDOLPH H. VON EZDORF.

The bill (S. 2474) for the relief of the widow of Rudolph H. von Ezdorf, deceased, was announced as next in order.

Mr. OVERMAN. I object to that bill now, as it is in the same class as others to which I have objected; I should like an opportunity to look into it.

The PRESIDING OFFICER. The bill will be passed over.

Mr. GRONNA. Mr. President, I will say to the Senator from North Carolina that the committee has given this bill very careful study, and the amount asked for has been cut in two. The committee allowed one year's salary.

Mr. OVERMAN. If that is the case, I withdraw my objection to the bill. I did not understand that there was an amendment making the provision the Senator suggests, and I had objected to other bills of a similar nature.

The PRESIDING OFFICER. The Senator from North Carolina withdraws his objection. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Claims with an amendment, on page 2, line 4, after the words "sum of," to strike out "$9,000" and insert "$4,500," so as to make the bill read:

Whereas Rudolph H. von Ezdorf, late surgeon and a commissioned officer in the United States Public Health Service, contracted myocarditis as a sequel to an attack of yellow fever, incurred in line of duty while an assistant surgeon engaged in the special work of suppressing an epidemic of yellow fever in the State of Mississippi during the year 1898; and

Whereas said myocarditis so contracted was the approximate cause of the death of the said Rudolph H. von Ezdorf while he was actually engaged in the special work of investigating the suppression and control of malarial fever in the county of Lincoln, N. C., on September 7, 1916: Therefore

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the widow of Rudolph H. von Ezdorf, deceased, the sum of $4,500, being the amount of salary and allowances for two years.

The amendment was agreed to.

Mr. GRONNA. On page 2, line 5, the words "two years" should be stricken out and "one year" inserted in lieu thereof.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 2, line 5, after the words "allowances for," it is proposed to strike out "two years" and insert "one year."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The preamble was agreed to.

INCREASE OF MILITARY FORCES.

The bill (S. 4459) to amend an act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, was announced as next in order.

Mr. SMOOT. I think that bill had better go over, Mr. President.

Mr. WADSWORTH. Mr. President, does the Senator object to any discussion of the bill?

Mr. SMOOT. No; I have no objection at all, if it can be passed under the five-minute rule.

Mr. WADSWORTH. I simply desire to say that in all probability it will be quite useless for the Senate to pass this bill; but its presence upon the calendar with a favorable report from the Committee on Military Affairs is somewhat significant, as it authorizes the President to raise 3,000,000 more men. Since the bill was reported a decision has been reached which is contrary to that suggestion.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SMOOT. I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over on objection.

SALARY OF CLERKS OF UNITED STATES DISTRICT COURTS.

The bill (S. 3079) fixing the salary of the clerks of the United States district courts; prescribing how and when they shall account for the fees collected; providing for the office expenses of such clerks, including salaries of deputy clerks and clerical assistants; and for the travel and subsistence expense of such clerks and their deputies when necessarily absent from their official residences, was announced as next in order.

Mr. SMOOT. I will inquire of the Senator from North Carolina if that bill is all right?

Mr. OVERMAN. Mr. President, I wish to say, in answer to the question of the Senator from Utah, that the bill has been examined into thoroughly by the Judiciary Committee. Three different Presidents have recommended to Congress the abolition of the fee system, and the Judiciary Committee has had the question under consideration a number of times. The bill as originally introduced by the Senator from Florida [Mr. FLETCHER] proposed to fix definitely the salaries of the clerks of the various Federal courts, but the bill as amended by the Committee on the Judiciary provides that the salaries of the clerks of the United States courts shall be fixed by the Attorney General at not less than $2,500 nor more than $5,000; in other words, the committee take the highest salary received and the lowest salary, and authorize the Attorney General to fix the rate of compensation, but it must be fixed between the limits provided and within that range. The salary must be based, furthermore, on the amount of work done and the location of the court. That is the only way, in our opinion, that we could fix the salaries on an equitable basis and abolish altogether the fee system. That is the purpose of the bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That on and after the 1st day of July, 1918, all clerks of United States district courts shall be appointed by the judge for the district, or the senior judge if there be more than one judge in the district, subject to the approval of the senior circuit judge for the circuit in which the district is situated, and all fees and emoluments authorized by law to be paid to the clerks of the United States district courts, except the clerks of the district courts of Alaska, shall be charged as heretofore and shall be collected, as far as possible, and paid into the Treasury of the United States in such manner and at such times as hereinafter provided; and such clerks shall be paid, in lieu of the fees and emoluments now allowed by law, an annual salary as hereinafter provided: *Provided,* That this section shall not be construed to require or authorize fees to be charged or collected from the United States.

SEC. 2. That the clerk of the United States district court for each of the judicial districts of the United States, except the clerks of the district courts of Alaska, shall be paid, in lieu of the fees, salaries, and per cent now allowed by law, an annual salary to be fixed by the Attorney General at not less than $2,500 nor more than $5,000, based in each instance upon the amount of business transacted by the court and the fees and the emoluments received by the clerks in the four years last preceding.

SEC. 3. That when any clerk of a district court is necessarily absent from his official residence on any official business he shall be allowed his actual traveling expenses only and his necessary and actual expenses for lodging and subsistence, the latter not to exceed $4 per day.

SEC. 4. That when, in the opinion of the Attorney General, the public interest requires it, he may, on the recommendation of the clerk of a district court, which recommendation shall state facts (as distinguished from concessions) showing necessity for the same, allow such clerk to employ necessary deputies and clerical assistants, upon compensation to be fixed by the Attorney General from time to time and paid as hereinafter provided.

When any such deputy or clerical assistant is necessarily absent from the place of his regular employment on official business he shall be allowed his actual traveling expenses only and his necessary and actual expenses for lodging and subsistence, the latter not to exceed $3 per day.

SEC. 5. That the necessary office expenses of the clerks of the district courts of the United States shall be allowed when authorized by the Attorney General.

SEC. 6. That the salaries of the clerks, deputy clerks, and clerical assistants to the clerks of the district courts shall be paid monthly by the marshals of the respective districts.

SEC. 7. That the expense accounts of clerks of the United States district courts, when made out and verified, and the expense accounts of their deputy clerks and clerical assistants, when made out and certified as correct by the clerk of such court, covering the necessary expenses incurred by such clerk, deputy clerk, or clerical assistants when necessarily absent from the place of regular employment on official business, shall be paid by the marshal, who shall include them in his accounts with the United States.

SEC. 8. That the necessary office expenses of the clerk of the United States district court, as allowed and authorized by the Attorney General, shall be paid by the marshal and included in his accounts with the United States.

SEC. 9. That the clerk of every district court, except the clerks of the district courts of Alaska, shall account quarterly for all the fees and emoluments earned during the quarter last preceding such accounting, except where the person requiring the services is relieved by law from prepayment of fees and costs, and for all fees and emoluments received within the quarter which had been earned prior thereto. Such accounting shall be in writing and shall be made to the Attorney General, in such form as he may prescribe, on the 1st days of January, April, July, and October in each year, or within 20 days thereafter, and shall include all moneys received in connection with the admission of attorneys to practice in the court, all that portion retained by the clerk of moneys received for services in naturalization proceedings in whatever capacity rendered, and all other amounts received for services in any way connected with the clerk's office. Such accounts shall be made in duplicate and be verified by the oath of the officer making them. The Attorney General shall cause each such return or account to be carefully examined by the proper officer of the Department of

Justice, and shall approve the same as he may deem just and proper, and shall transmit it with his approval to the Auditor for the State and Other Departments, by whom an account shall be stated against the officer rendering such return or account. Immediately upon receipt of notice from the auditor, or within 10 days thereafter, the clerk shall deposit to the credit of the Treasurer of the United States the amount so stated against him.

During the reading of the amendment,

Mr. JONES of Washington. Mr. President, I should like a little more information in regard to this measure.

Mr. OVERMAN. As I stated a moment ago, the purpose of the bill is to abolish the fee system of paying clerks of United States courts and to fix their salaries. I am satisfied the Senator will be in favor of it.

Mr. JONES of Washington. My recollection is that I have some letters from some of the clerks in my State against the measure. I am in favor of abolishing the fee system, but, as I recall, those who have written me think that there is some discrimination in the salaries provided.

Mr. OVERMAN. That is the trouble with a matter such as this. The clerks have been here and asked us to pass a bill. This bill does not fix the salary of any clerk, because it provides that the Attorney General shall fix the salary between the highest salary now paid and the lowest salary now paid, taking into consideration the amount of business transacted and the location of the court.

Mr. JONES of Washington. This is an amendment to the House bill, striking out all of the House bill and substituting the Senate provision, is it?

Mr. OVERMAN. This is a bill reported from the Judiciary Committee as a substitute for the other bill.

Mr. JONES of Washington. I think probably the letters I have received were with reference to the provisions of the House bill.

Mr. OVERMAN. If the Senator will hear the bill read—it is being read now—I think he will see that the objections are obviated.

Mr. FLETCHER. Mr. President, if the Senator will allow me to interrupt him, the bill as I originally introduced it undertook to fix the salaries in the various districts; but the Committee on the Judiciary really substitutes for the bill which I introduced, fixing these salaries, a provision which authorizes the Attorney General to fix them within certain limits; so I think that the objections to which the Senator refers do not apply to the bill as amended.

Mr. OVERMAN. That was the trouble; some of the clerks did not think they were getting enough money, and in consequence we found that we could not pass the bill. We have two judicial districts in North Carolina, and the clerk of the eastern district thinks he ought to have the same salary as the clerk of the western district; and so it is all over the United States. We found Senators objecting and letters coming in here protesting against the Senator's bill because it undertook to fix the salaries. We never can pass a bill fixing the salaries ourselves because of the embarrassment we have in that respect. Therefore we fixed a rule by which the Attorney General could act and fix the salaries.

Mr. JONES of Washington. Upon that statement by the Senator, I shall not object. I think that meets the suggestion made in the letters to me, so I will not make any objection.

After the conclusion of the reading of the amendment,

The PRESIDING OFFICER (Mr. SHAFROTH in the chair). The question is upon agreeing to the amendment proposed by the committee.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to fix the salaries of the clerks of the United States district courts and to provide for their office expenses, and for other purposes."

DIRECTOR OF MUNITIONS.

Mr. CHAMBERLAIN. Mr. President, I ask unanimous consent to return to Order of Business 179, Senate bill 3311, to increase and expedite the supply of munitions of war, in order that I may ask that it be indefinitely postponed, for the reason that the substance of the powers conferred by it is included in the so-called Overman bill.

Mr. WADSWORTH. Mr. President, may I ask the Senator from Oregon whether that is the so-called munitions-director bill?

Mr. CHAMBERLAIN. Yes, sir. I do not know whether or not the Senator heard my statement of the reasons for the request. It is because the powers attempted to be conferred are included within the provisions of the so-called Overman bill.

Mr. WADSWORTH. Of course, I have no objection to its indefinite postponement, although I do not agree with the Senator's estimate of the Overman bill.

Mr. CHAMBERLAIN. If there is any question about it, we will let it remain on the calendar.

The PRESIDING OFFICER. Does the Senator from Oregon still request the indefinite postponement of the bill?

Mr. CHAMBERLAIN. No; I withdraw my request, Mr. President.

RESOLUTION PASSED OVER.

The next business on the calendar was the Senate resolution to print as a Senate document the article entitled "The Electoral College and Presidential Suffrage."

Mr. WADSWORTH. I object to the consideration of the resolution.

The PRESIDING OFFICER. The resolution will be passed over.

AMENDMENT OF THE RULES.

The resolution (S. Res. 242) amending paragraph 3 of Rule VII of the standing rules of the Senate, relating to the morning hour's business, was announced as next in order.

Mr. JONES of Washington. Let that go over.

Mr. SHEPPARD. Mr. President, let me make a statement before the Senator announces his objection. I realize that perhaps there is not sufficient time to debate the matter under the five-minute rule.

Mr. JONES of Washington. I asked that the resolution go over simply because I do not know a thing about it. I do not know what it is.

Mr. SHEPPARD. I merely want to say that the bill establishes one morning hour in each week in which bills on the calendar shall be considered in their regular order.

Mr. JONES of Washington. I withdraw my objection, so far as that is concerned.

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Rules with an amendment, to strike out all after line 2, on page 1, and insert:

Add to paragraph 3 of Rule VII the following proviso:

"*Provided, however*, That on Mondays the calendar shall be called under Rule VIII, and during the morning hour no motion shall be entertained to proceed to the consideration of any bill, resolution, report of a committee, or other subject upon the calendar except the motion to continue the consideration of a bill, resolution, report of a committee, or other subject against objection as provided in Rule VIII."

So as to make the resolution read:

Resolved, That paragraph 3 of Rule VII of the Standing Rules of the Senate be amended as follows:

"Add to paragraph 3 of Rule VII the following proviso:

"'*Provided, however*, That on Mondays the calendar shall be called under Rule VIII, and during the morning hour no motion shall be entertained to proceed to the consideration of any bill, resolution, report of a committee, or other subject upon the calendar except the motion to continue the consideration of a bill, resolution, report of a committee, or other subject against objection as provided in Rule VIII.'"

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The resolution as amended was agreed to.

THE PHILIPPINE SCOUTS.

The bill (S. 2933) for the relief of the Philippine Scouts was announced as next in order.

Mr. KING. Let that go over.

Mr. THOMAS. Mr. President, that is a bill in which the Senator from Iowa [Mr. CUMMINS] is personally interested, by which I mean that it is his bill, and he has been very actively engaged in an effort to secure its passage. Under the circumstances, I hope there will be no objection to its consideration. The Senator from Iowa is not in his seat. I am sure that if he were here he would ask for its consideration.

Mr. KING. I ask that it go over.

The PRESIDING OFFICER. Objection being made, the bill will be passed over.

GEORGE B. HUGHES.

The bill (S. 2176) for the relief of George B. Hughes was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to George B. Hughes, out of any money in the Treasury not otherwise appropriated, the sum of $1,000 as compensation for the loss of his right arm while in the performance of his duties as an electrician in the Government Printing Office during the month of January, 1899.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LANDS IN MONTANA.

The bill (S. 4221) for the relief of private owners of lands within or near the Bitter Root National Forest, Mont., was announced as next in order.

Mr. LENROOT. Let that go over, Mr. President.

Mr. MYERS. Mr. President, I request the Senator from Wisconsin to withhold his objection for a minute. That bill is very similar to one that has just been passed, to consolidate lands within the Cache National Forest in Utah. The principle is the same. This bill was drawn by an official of the Agricultural Department. It is recommended by the Agricultural Department with an amendment which the department suggested. With that amendment it meets with the approval of the department. It is merely to enable a few private owners of lands in or near the Bitter Root National Forest in Montana, isolated tracts which are unsalable at present, to exchange them with the Government, and to receive other lands in exchange, whereby they may consolidate their holdings in larger areas, and make them salable, so that they can dispose of them.

That is the explanation which I have to offer and I hope it may meet with the approval of the Senator.

Mr. LENROOT. Mr. President, if the Senator will yield, he will recognize the distinction between this bill and the bill referred to by him that was passed a few minutes ago. In that bill the specific lands were described and approved. In this bill there is a general authority to exchange upon the recommendation of the Secretary of Agriculture only. The Interior Department has an equal interest in the matter of exchanges with the Agricultural Department; and if this bill should pass it would be the first time to my knowledge that Congress has enacted general legislation of this nature. I therefore object.

Mr. MYERS. I will say to the Senator, if he will permit me, that the report of the Secretary of Agriculture states that similar bills have heretofore been passed applicable to the Oregon National Forest, the Whitman National Forest in the State of Oregon, the Paulina National Forest, the Ochocho National Forest, and the Florida National Forest. I can not speak with personal knowledge of those bills, but the Secretary of Agriculture says that is the case.

Mr. LENROOT. I have no recollection of any bill which has passed in this form in the past. I may be mistaken, but I do not think there is any bill of this kind. We have passed a number of bills providing for exchanges, giving the description and authorizing the exchange of particular lands; but this bill authorizes the exchange of lands not only contiguous to national forests but lands near national forests. It is a very broad and sweeping power, which Congress, I feel sure I am correct in saying, has consistently refused to grant to the departments in the past.

I therefore object, Mr. President.

The VICE PRESIDENT. Objection is made, and the bill will be passed over.

The bill (S. 2715) to authorize an exchange of lands with the State of Montana in connection with Muddy Creek Reservoir site, Sun River project, and Nelson Reservoir site, Milk River project, and for other purposes, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Public Lands with an amendment, on page 3, line 1, after the word "project," to strike out the period and the word "The" and insert a semicolon and the word "the," so as to make the bill read:

Be it enacted, etc., That upon receipt of proper deeds from the State Board of Land Commissioners of the State of Montana, executed under authority of its legislative assembly, reconveying to the United States of America title to the northwest quarter of the northwest quarter section 2, north half of the northeast quarter and southeast quarter of the northeast quarter section 3, township 22 north, range 1 west, Montana principal meridian; northeast quarter of the northeast quarter, south half of the northeast quarter, and southeast quarter section 20, east half of the northeast quarter, and southeast quarter section 21, southwest quarter of the northwest quarter, east half of the southwest quarter, and southwest quarter of the southeast quarter section 27, northeast quarter, northwest quarter, north half of the southwest quarter, and north half of the southeast quarter section 28, north half of the southwest quarter section 29, southeast quarter of the northwest quarter section 30, north half of the northeast quarter, and north half of the northwest quarter section 32, north half of the northeast quarter, and northeast quarter of the northwest quarter section 33, east half of the northeast quarter, south half of the northwest quarter, east half of the southwest quarter, and west half of the southeast quarter section 34, township 23 north, range 1 west, Montana principal meridian, for the Muddy Creek Reservoir site, Sun River project; and the northwest quarter of the northeast quarter section 35, township 32 north, range 2 east, north half of the southwest quarter section 4, township 31 north, range 32 east, and all of section 36, township 32 north, range 31 east, Montana principal meridian, for the Nelson Reservoir site, Milk River project, the Secretary of the Interior is authorized to issue patents to said State for such vacant, surveyed, unreserved, unoccupied, nonmineral public lands as may be selected by said State within its boundaries, not exceeding the amount of land included in said deeds, and said land when so reconveyed shall not be subject to settlement, location, entry, or selection under the public-land laws, but shall be reserved for the use of the United States Reclamation Service for the purposes aforesaid: *Provided, however*, That the Secretary of the Interior may restore such lands as he may determine are not needed for said reservoir sites.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER.

The bill (S. 2171) to abolish the United States Land Office at Springfield, Mo., was announced as next in order.

Mr. THOMAS. Mr. President, in view of the absence from the Chamber of both the Senators from Missouri, I ask that that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 4366) to amend section 5 of an act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 50, 1914, and for other purposes," approved June 23, 1913 (38 Stat. L., pp. 4, 75), was announced as next in order.

Mr. SMOOT. I ask that that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. SMITH of Arizona. Mr. President, I do not see the Senator who reported the bill here; but that is a bill that clearly ought to have gone to the Committee on Printing. It affects nothing else, and how it ever got before the Committee on the Library I do not know, except that it might have been through an inadvertence. I would have asked its reference to the Committee on Printing. I shall take no notice of that, however, in the absence of the Senator who reported the bill.

CATHERINE GRACE.

The bill (S. 4017) for the relief of Catherine Grace was considered as in Committee of the Whole. It authorizes and directs the Secretary of the Treasury to pay the sum of $469.50, out of any money in the Treasury of the United States not otherwise appropriated, to Catherine Grace, widow of James Grace, who died as the result of injuries received by him, the said James Grace, while in the performance of his duties as an employee of the Government.

Mr. FLETCHER. Mr. President, may I ask whether that conforms to the rule that has been laid down as to compensation? What amount is appropriated?

The PRESIDING OFFICER. Four hundred and sixty-nine dollars and fifty cents.

Mr. FLETCHER. I have no objection.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER.

The bill (S. 3269) to remove the charge of desertion from the military record of John H. Armstrong was announced as next in order.

Mr. OVERMAN. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

MAHONING RIVER BRIDGE, OHIO.

The bill (H. R. 10021) granting the consent of Congress to the county commissioners of Trumbull County, Ohio, to construct, operate, and maintain a bridge and approaches thereto across the Mahoning River in the State of Ohio was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the county commissioners of Trumbull County, Ohio, to construct, maintain, and operate, at a point suitable to the interests of navigation, a bridge and approaches thereto across the Mahoning River, near the city of Niles, in the township of Weathersfield, in the county of Trumbull, State of Ohio, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

INVESTIGATION OF LIGNITE COALS.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, it becomes the duty of the Chair to lay before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 3220) authorizing the Secretary of the Interior to make investigations, through the Bureau of Mines, of lignite coals, to determine the practicability of their utilization as a fuel and in producing commercial products.

Mr. WALSH. I ask the Senator in charge of the bill to lay the same temporarily aside until the Senate can consider certain pension bills that would have been reached if the morning hour had been extended a few minutes, being the bills H. R. 12211, H. R. 12229, S. 4722, and S. 4723.

Mr. HENDERSON. Only temporarily, and with that understanding I have no objection.

Mr. FLETCHER. How much time will it take? Will the bills lead to any discussion?

Mr. WALSH. I think not.

Mr. KING. I should like to ask the Senator from Montana whether those are special bills or do they relate to the entire subject?

Mr. WALSH. No; they are special bills, ordinary omnibus bills.

The PRESIDING OFFICER. Is there objection?

Mr. GRONNA. With the understanding that the unfinished business will not lose its status, and that it is laid aside only for the purpose of considering the pension bills, I shall not object.

The PRESIDING OFFICER. Yes; that is understood.

Mr. FLETCHER. The only trouble about that is we do not know how long it will take. It might take a week to consider those bills.

Mr. SIMMONS. Does the Senator ask to take up some particular bill?

Mr. WALSH. Four pension bills.

Mr. SIMMONS. The Senator does not anticipate that any of them will lead to debate?

Mr. WALSH. I do not.

Mr. SIMMONS. If they do lead to debate the Senator will be willing to withdraw any one that does lead to it?

Mr. WALSH. I shall be glad to do that.

Mr. SIMMONS. I am asking the Senator the question because I am very anxious to call up and dispose of the bond bill.

Mr. WALSH. If there is to be any protracted debate upon a pension bill I shall ask that it may go over.

The PRESIDING OFFICER. Unanimous consent is asked that the unfinished business be laid aside informally. Is there objection?

Mr. GRONNA. I wish to say to the Senator from Montana that I shall have to leave here at 6 o'clock this afternoon. I do not anticipate that it will take very long to dispose of the unfinished business. I am perfectly willing to take a vote at any time. If those who are opposed to the bill want to take time, of course I can not object to their taking time, but I shall not occupy any great length of time, and I do hope the measure can be disposed of to-day.

Mr. WALSH. If the Senator from North Dakota will pardon me, I am, like himself, very much interested in the consideration of the bill which is the unfinished business, and if the bills for which I ask consideration take any considerable length of time I shall withdraw the request.

Mr. GRONNA. Very well.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none and the pension bills will be proceeded with.

PENSIONS AND INCREASE OF PENSIONS.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 12211) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, which had been reported from the Committee on Pensions with amendments.

The first amendment of the Committee on Pensions was, on page 2, after line 18, to strike out:

The name of Sarah B. Greene, dependent mother of Benjamin J. Greene, late of the United States Navy, Regular Establishment, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 3, line 4, after the word "First," to strike out "Regiment" and insert "Battalion," so as to make the clause read:

The name of Edward Blackmer, late of Company G, First Battalion Wyoming Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 3, after line 6, to strike out:

The name of Annie Neate, widow of John S. Neate, late of the Hospital Corps, United States Army, Regular Establishment, and pay her a pension at the rate of $25 per month.

The amendment was agreed to.

The next amendment was, on page 3, after line 14, to strike out:

The name of Fred A. Angelo, late of Troop C, Thirteenth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 4, line 2, before the words "per month," to strike out "$12," and insert "$17," so as to read:

The name of Samuel E. Spencer, late of the One hundred and twelfth Company United States Coast Artillery, Regular Establishment, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 5, after line 3, to strike out:

The name of Edith V. Bowman, widow of Thomas E. Bowman, late of One hundred and tenth Company, United States Coast Artillery, Regular Establishment, and pay her a pension at the rate of $12 per month, and $2 per month additional on account of the minor child, Charles T., of the said Thomas E. Bowman until he reaches the age of 16 years.

The amendment was agreed to.

The next amendment was, on page 6, after line 2, to strike out:

The name of Grant H. Hill, late of Company M, Fourth Regiment Missouri Volunteer Infantry, War with Spain, and pay him a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 8, after line 7, to strike out:

The name of Lindley Herrington, late of the United States Navy, Regular Establishment, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 10, after line 4, to strike out:

The name of Genevra M. Lamb, formerly widow of John D. Spittler, late of Company C, First United States Dragoons, War with Mexico, and pay her a pension at the rate of $25 per month.

The amendment was agreed to.

Mr. SMOOT. If the Senator from Montana will kindly give me his attention, I desire at this point to offer the following amendment, and then I will explain to the Senate why I offer it. On page 10, after line 4, I move to insert:

The name of Charles A. Walters, late Company G, First Regiment United States Infantry, Regular Establishment, and to pay him a pension at the rate of $24 per month.

In the omnibus pension bill, House bill 9641, there was a provision granting to Charles A. Walters $24 per month. The Senate struck that provision from the House bill, and the conferees finally agreed to the action of the Senate. At a conference the other day upon a Senate bill there was a pension granted to a soldier at the rate of $24 per month under the same circumstances and conditions that the pension was asked for Charles A. Walters. After going into the testimony more carefully it was thought by the conferees on the part of the Senate that if the conferees on the part of the House would yield upon that item, one of the Senate conferees would be asked to offer an amendment to the pending bill and that the Senate agree to the same. Therefore I have asked that this amendment be incorporated in the bill.

Mr. WALSH. I have no objection to the amendment.

The amendment was agreed to.

The next amendment of the Committee on Pensions was, on page 11, line 3, after the name "Edward P. Aler," to insert "alias John P. Edwards," so as to make the clause read:

The name of Edward P. Aler, alias John P. Edwards, late of Company G, Two hundred and second Regiment New York Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 12, after line 4, to strike out:

The name of Emma L. Green, dependent mother of Frank M. Green, alias Marshall F. Green, late of Company D, First Regiment South Carolina Volunteer Infantry, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 12, line 18, after the word "helpless," to insert "and dependent," so as to make the clause read:

The name of James P. Dooley, helpless and dependent child of James Dooley, late of Company B, Second Regiment Indiana Volunteers, War with Mexico, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 13, after line 10, to strike out:

The name of Frances L. Young, dependent mother of Henry E. Young, late of Company K, Sixteenth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 13, after line 23, to strike out:

The name of Fred F. Newell, late of Company G, Nineteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 14, line 4, before the words "per month," to strike out "$25" and insert "$20," so as to make the clause read:

The name of Susan E. Brown, widow of Jesse Brown, late of Company D, Third Regiment United States Dragoons, War with Mexico, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 14, line 21, before the words "per month," to strike out "$12" and insert "$17," so as to make the clause read:

The name of Henry A. Jaegle, late of Company M, Tenth Regiment Ohio Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

The next amendment was, on page 15, after line 2, to strike out:

The name of Mary A. Lawson, widow of Spencer B. Lawson, late of Company E, Fifth Regiment Tennessee Volunteer Infantry, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 15, after line 7, to strike out:

The name of Mary O. Barbee, widow of Samuel P. Barbee, late of Company B, Second Regiment Kentucky Volunteers, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 15, after line 16, to strike out:

The name of Carrie E. Dennis, dependent mother of Guy C. Dennis, late of Company C, Ninth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 15, after line 21, to strike out:

The name of Lafayette Martin, late of Company G, Fifteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $30 per month.

The amendment was agreed to.

The next amendment was, on page 16, after line 8, to strike out:

The name of Walter Sewell, late of Company I, Fourth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, on page 16, after line 16, to strike out:

The name of Addie Burns, widow of Thomas Burns, late of Company I, Second Regiment Ohio Volunteers, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 16, after line 23, to strike out:

The name of Mary E. Wainwright, dependent mother of James M. Wainwright, late of Company F, First Regiment Louisiana Volunteer Infantry, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 17, after line 5, to strike out:

The name of Rebecca Strouther, dependent mother of Charles Strouther, late of Company G, Forty-ninth Regiment United States Volunteer Infantry, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 17, after line 10, to strike out:

The name of Belle R. Reid, dependent mother of Wayne R. Jacobs, late of Company A, First Regiment Colorado Volunteer Infantry, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 17, after line 23, to strike out:

The name of Alice A. Thorburn, dependent mother of Orin B. Thorburn, late of Company B, Thirty-fourth Regiment Michigan Volunteer Infantry, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 18, after line 21, to strike out:

The name of Wesley H. Crackett, late of United States Navy, Regular Establishment, and pay him a pension at the rate of $17 per month.

The amendment was agreed to.

Mr. THOMAS. I should like to inquire of the Senator having charge of the bill what is the total increase of the pension roll that is made by this bill.

Mr. WALSH. I have not had any estimate made of the amount, and I am unable to inform the Senator.

Mr. THOMAS. Can the Senator approximate it?

Mr. WALSH. No; I can not.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. WALSH. I move that the Senate request a conference with the House of Representatives on the bill and amendments, and that the Chair appoint conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer appointed Mr. WALSH, Mr. THOMPSON, and Mr. SMOOT managers at the conference on the part of the Senate.

The Senate as in Committee of the Whole proceeded to consider the bill (H. R. 12229) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, which had been reported from the Committee on Pensions with amendments.

The Secretary proceeded to read the bill, the first item read being the following:

The name of William Wilson, late of Company B, Seventy-seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

Mr. KING. I should like to ask the chairman of the committee why Mr. Wilson is singled out and a special pension granted him. Do not the general pension laws, particularly the one passed recently, known as the Smoot Act, cover every case of this character?

Mr. WALSH. The report shows that William Wilson, aged 77 years, late a private, Company B, Seventy-seventh Regiment Pennsylvania Infantry, from September 26, 1861, to September 22, 1862 (length of service 11 months 27 days), is now pensioned under certificate No. 176279 at the rate of $30 per month under the general law for disease of lungs and heart and curvature of the spine.

His claim for increase from the $30 rate was rejected June 29, 1917, on the ground that his condition was due in part to senility.

Medical testimony filed with this committee indicates the claimant is wholly unfitted for self-support and appears to be in a condition to require periodical aid and attendance of another person by reason of disease of heart, recurring attacks of hemorrhage of lungs, curvature of spine, and the infirmities of age; further evidence shows him to be without means, property, or income other than his pension, which it is recommended be increased to $40 per month.

My recollection is that under the general act passed some time ago, known as the Smoot Act, the pension would be increased to $35. This is an increase to $40. Have I given the figures accurately I ask the Senator from Utah?

Mr. SMOOT. I beg pardon.

Mr. WALSH. This pensioner was pensioned at the rate of $30 per month. Under the general act the rate would be increased to $35.

Mr. SMOOT. He is 77, and what was his length of service?

Mr. WALSH. Eleven months.

Mr. SMOOT. He would get $35.

Mr. WALSH. That is what I understood.

Mr. SMOOT. Under the general law now he would get $35, and if his physical condition is such under the rules which have been adopted by both the Senate and the House committees he would be entitled to a rate of $40 a month.

The first amendment of the Committee on Pensions was, on page 3, after line 18, to strike out:

The name of Katharine Schellschmidt, divorced wife of Ferdinand Schellschmidt, late of the band, Eleventh Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The amendment was agreed to.

The next amendment was, on page 4, line 21, before the words "per month," to strike out "$30" and insert "$21," so as to make the clause read:

The name of Charles T. Wolfe, late unassigned, Second Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $21 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 4, line 24, after the words "late of," to strike out "United States Army" and insert "Battery C, Fourth Regiment United States Artillery," so as to make the clause read:

The name of Elizabeth M. Keefe, helpless and dependent child of Martin Keefe, late of Battery C, Fourth Regiment United States Artillery, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The next amendment was, at the top of page 6, to strike out:

The name of Edward C. Jeffries, late of Company K, and B, Sixty-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 6, line 23, before the words "per month," to strike out "$40" and insert "$30," so as to make the clause read:

The name of Josiah Ketchum, late of Company A, Eightieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 7, line 7, before the words "per month," to strike out "$40" and insert "$30," so as to make the clause read:

The name of John T. Gregory, late of Second Battery Indiana Volunteer Light Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 9, line 6, after the words "per month," to insert "in lieu of that he is now receiving," so as to make the clause read:

The name of Morgan S. Bechtel, late of Company G, One hundred and fifth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $15 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 11, line 9, before the words "per month," to strike out "$50" and insert "$40," so as to make the clause read:

The name of Perry Jarrett, late of Company C, Seventy-fourth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 15, after line 10, to strike out:

The name of Erastus A. Buck, alias Erastus N. Buck, late of Capt. Graham's company, Fourteenth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $25 per month.

The amendment was agreed to.

The next amendment was, on page 16, line 15, before the words "per month," to strike out "$40" and insert "$32," so as to make the clause read:

The name of George W. Justice, late of Company E, Eighty-third Regiment, and Company D, Forty-eighth Regiment, Indiana Volunteer Infantry, and pay him a pension at the rate of $32 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 17, after line 16, to strike out:

The name of Emma L. Randall, widow of George W. Randall, late of Company B, One hundred and ninety-fourth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The amendment was agreed to.

The next amendment was, on page 18, line 11, before the words "per month," to strike out "$36" and insert "$30," so as to make the clause read:

The name of Thomas J. Morris, late of Company B, Seventy-fourth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 19, line 19, before the words "per month," to strike out "$30" and insert "$21"; and in the same line, after the words "per month," to strike out "in lieu of that he is now receiving," so as to make the clause read:

The name of Newton Sigsby, late unassigned, One hundredth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $21 per month.

The amendment was agreed to.

The next amendment was, on page 20, after line 21, to strike out:

The name of Extra C. Gilmore, widow of Joseph C. Gilmore, late of Company G, Ninety-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The amendment was agreed to.

The next amendment was, on page 21, line 19, before the words "per month," to strike out "$36" and insert "$25," so as to make the clause read:

The name of John B. Lynch, late of Company D, Sixth Regiment Delaware Volunteer Infantry, and pay him a pension at the rate of $25 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 22, after line 17, to strike out:

The name of John L. Wheeler, late of Company I, Seventeenth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 22, line 24, before the words "per month," to strike out "$36" and insert "$30," so as to make the clause read:

The name of Sylvester Peters, late of Company D, One hundred and thirty-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 24, line 12, before the words "per month," to strike out "$40" and insert "$30," so as to make the clause read:

The name of Henry N. Tippett, late of Company A, One hundred and thirty-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 25, line 12, before the words "per month," to strike out "$50" and insert "$40," so as to make the clause read:

The name of Isaac N. Dysard, late of Company F, Fifty-fourth Regiment Kentucky Volunteer Mounted Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 26, line 3, before the words "per month," to strike out "$40" and insert "$30," so as to make the clause read:

The name of Robert J. Keltner, late of Company H, Sixth Regiment Provisional Enrolled Missouri Militia, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 26, after line 16, to strike out:

The name of Drucilla T. Collier, widow of Frank M. Collier, late of Company F, First Regiment Maryland Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The amendment was agreed to.

The next amendment was, at the top of page 27, to strike out:

The name of Keziah Zink, widow of Henry C. Zink, late of Company F, Sixth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The amendment was agreed to.

The next amendment was, on page 27, after line 15, to strike out:

The name of Francis M. Newgen, late of First Regiment Alabama and Tennessee Independent Vidette Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 30, line 15, before the word "Volunteer," to strike out "Missouri" and insert "Maine"; and in line 16, before the words "per month," to strike out "$40" and insert "$32," so as to make the clause read:

The name of Woodbury Smith, late of Company D, Twenty-seventh Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $32 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 32, after line 7, to strike out:

The name of Anna Bell O'Neal, widow of George E. O'Neal, late of Company G, Thirtieth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The amendment was agreed to.

The next amendment was, on page 32, line 14, before the words "per month," to strike out "$50" and insert "$40," so as to make the clause read:

The name of Sylvester A. Simpson, late of Company F, Fortieth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 32, line 26, after the word "and," to insert "first lieutenant and quartermaster," so as to make the clause read:

The name of Myron S. Towne, late of Company H, One hundred and forty-third Regiment Pennsylvania Volunteer Infantry, and first lieutenant and quartermaster Forty-fifth Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 33, after line 23, to strike out:

The name of Susan B. Churchill, widow of Elroy Churchill, late of Company A, First Regiment New York Volunteer Mounted Rifles, and Company A, Twenty-third Veteran Reserve Corps, and pay her a pension at the rate of $25 per month.

The amendment was agreed to.

The next amendment was, on page 35, line 4, after the word "Volunteer," to strike out "Infantry" and insert "Cavalry," so as to make the clause read:

The name of Joseph Forbes, late of Company M, Second Regiment California Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 36, after line 8, to strike out:

The name of Sarah Keys, widow of William T. Keys, late of Company I, Seventy-second Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The amendment was agreed to.

The next amendment was, on page 37, after line 8, to strike out:

The name of Margaret L. Cisney, widow of John W. Cisney, late of Company I, Fifty-fourth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The amendment was agreed to.

The next amendment was, on page 38, after line 4, to strike out:

The name of Martha R. Benner, widow of George Benner, late of Company F, Seventy-eighth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The amendment was agreed to.

The next amendment was, on page 39, in line 1, before the words "per month," to strike out "$40" and insert "$32," so as to read:

The name of Allen Morris, late of Company H, Fourteenth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $32 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 39, line 20, after the words "John H.," to strike out "Brautner" and insert "Brantner," so as to make the clause read:

The name of Mary A. Abbott, former widow of John H. Brantner, late of Company I, Forty-fourth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The amendment was agreed to.

The next amendment was, on page 40, after line 6, to strike out:

The name of Lydia E. Johnson, widow of Thomas W. Johnson, late of Company H, One hundred and forty-sixth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The amendment was agreed to.

The next amendment was, on page 41, after line 13, to strike out:

The name of James A. Jones, late of company C, One hundred and ninety-third Regiment New York Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

Mr. WALSH. Mr. President, I move that the Senate request a conference with the House of Representatives on the bill and amendments, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer appointed Mr. WALSH, Mr. THOMPSON, and Mr. SMOOT managers at the conference on the part of the Senate.

The bill (S. 4722) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War, and certain widows and dependent relatives of such soldiers and sailors was considered as in Committee of the Whole.

It proposes to pension the following persons at the rate named:

Charlotte Bloom, widow of Zachariah Bloom, late of Company D, Seventy-sixth Regiment Pennsylvania Volunteer Infantry, $25 per month.

Daniel Wootan, late of Company A, Eleventh Regiment Illinois Volunteer Infantry, $21 per month.

Charles O. Thorp, late of Company K, Forty-fifth Regiment Illinois Volunteer Infantry, $40 per month in lieu of that he is now receiving.

Jacob Nauerth, late of Company G, Fourteenth Regiment Iowa Volunteer Infantry, $36 per month in lieu of that he is now receiving.

Stephen A. Miller, late of Company H, Thirty-third Regiment Indiana Volunteer Infantry, $40 per month in lieu of that he is now receiving.

John Gates, late of Company A, Eighty-second Regiment Ohio Volunteer Infantry, $40 per month in lieu of that he is now receiving.

T. Ewing W. Elliott, late of Company D, Eighty-ninth Regiment Ohio Volunteer Infantry, $50 per month in lieu of that he is now receiving.

Stephen Lampman, late of Company G, Thirtieth Regiment Indiana Volunteer Infantry, $50 per month in lieu of that he is now receiving.

Elijah Thompson Hurst, alias Elijah Thompson, late of Company F, Twentieth Regiment Illinois Veteran Volunteer Infantry, $50 per month in lieu of that he is now receiving.

James R. Rundlett, late of Company D, Nineteenth Regiment Wisconsin Volunteer Infantry, $36 per month in lieu of that he is now receiving.

Robert J. Foster, late of Company B, Twenty-sixth Regiment Illinois Volunteer Infantry, $50 per month in lieu of that he is now receiving.

Nannie Johnson Veale, widow of George W. Veale, late major, Sixth Regiment, Kansas Volunteer Cavalry, $30 per month in lieu of that she is now receiving.

Laura L. Junkin, former widow of James P. Crumleigh, late of Company H, Ninth Regiment Pennsylvania Volunteer Cavalry, $25 per month.

Adeline F. Austen, widow of David E. Austen, late of Company H, Seventh Regiment, and adjutant, Forty-seventh Regiment, New York State Militia Infantry, $25 per month.

Fanny S. Conline, widow of John Conline, late of Company E, First Regiment, and Company E, Fourth Regiment, Vermont Volunteer Infantry, and major, United States Army, retired, $36 per month in lieu of that she is now receiving.

Stephen F. Baker, late of Company F, Thirteenth Regiment, and Company K, Sixth Regiment, New York Volunteer Heavy Artillery, $40 per month in lieu of that he is now receiving.

James Muzzy, late of Company C, First Regiment New York Volunteer Engineers, $36 per month in lieu of that he is now receiving.

Mary J. Milton, widow of Alfred Milton, late of Company A, Third Regiment Connecticut Volunteer Infantry, $25 per month.

William B. Vaughn, late of Company A, Fourteenth Regiment Kentucky Volunteer Cavalry, $36 per month in lieu of that he is now receiving.

Zachariah Campbell, late of Company E, Twenty-fifth Regiment Illinois Infantry, $50 per month in lieu of that he is now receiving.

Lorinda C. Rand, former widow of Robert Buchanan, late of Company C, Third Regiment Ohio Volunteer Infantry, $25 per month.

Laura A. Wallingford, former widow of Charles R. Stevens, late of Company I, Third Regiment New Hampshire Volunteer Infantry, and unassigned, Fifteenth Regiment Maine Volunteer Infantry, $25 per month.

David Dryburgh, late of U. S. S. *Ohio*, *Mississippi*, and *North Carolina*, United States Navy, $40 per month in lieu of that he is now receiving.

Jay Smith, late of Company E, Eighty-third Regiment Pennsylvania Volunteer Infantry, $40 per month in lieu of that he is now receiving.

William J. Rigg, late of Company K, Third Regiment Potomac Home Brigade Maryland Volunteer Infantry, $36 per month in lieu of that he is now receiving.

William Wellman, late of U. S. S. *Clara Dolsen* and *Marmora*, United States Navy, $40 per month in lieu of that he is now receiving.

John E. Carpenter, late of Company A, One hundred and eighty-seventh Regiment Pennsylvania Volunteer Infantry, $40 per month in lieu of that he is now receiving.

Daniel L. Thompson, late of Company C, Forty-fifth Regiment Massachusetts Militia Infantry, $50 per month in lieu of that he is now receiving.

Mary B. Hawkins, now Guptill, former widow of Hugh Hawkins, late of Company F, Seventy-second Regiment, and Company F, Thirty-third Regiment, Illinois Volunteer Infantry, $25 per month.

Edwin Doan, late of Company C, Eighty-fifth Regiment New York Volunteer Infantry, $50 per month in lieu of that he is now receiving.

Thomas H. Birnley, late of Company E, One hundredth Regiment Pennsylvania Volunteer Infantry, $40 per month in lieu of that he is now receiving.

Elijah C. Lawrence, late second lieutenant Company B, Fifty-fifth Regiment Illinois Volunteer Infantry, $40 per month in lieu of that he is now receiving.

John G. Fulton, late of Company I, Sixth Regiment Illinois Volunteer Cavalry, $50 per month in lieu of that he is now receiving.

Elizabeth A. Ashmead, widow of Howland L. Ashmead, late of Company M, Twenty-first Regiment Pennsylvania Volunteer Cavalry, and general service, United States Army, $25 per month.

Emma A. Gannett, widow of Frederick Gannett, late of Company B, Third Regiment Maine Volunteer Infantry, $25 per month.

Margaret E. Gibboney, widow of Samuel R. Gibboney, late acting assistant surgeon, United States Army, $20 per month.

Samuel M. Bailey, late of Company K, Eighty-fourth Regiment Pennsylvania Volunteer Infantry, $40 per month in lieu of that he is now receiving.

Warren Jones, late of Company A, Twenty-sixth Regiment Maine Volunteer Infantry, $40 per month in lieu of that he is now receiving.

Abbie Pike, widow of Bennett Pike, late colonel Third Regiment Provisional Enrolled Missouri Militia, $25 per month.

Joseph Stafford, late of Company A, Forty-second Regiment Ohio Volunteer Infantry, and Company K, Nineteenth Regiment Veteran Reserve Corps, $50 per month in lieu of that he is now receiving.

Silas Wright, late of Company E, Tenth Regiment Michigan Volunteer Cavalry, $36 per month in lieu of that he is now receiving.

Gabriel M. Betz, late of Company G, One hundred and seventy-seventh Regiment Ohio Volunteer Infantry, $36 per month in lieu of that he is now receiving.

Robert W. Adams, late of Company F, Eighty-fourth Regiment, and Company H, Fifty-seventh Regiment Pennsylvania Volunteer Infantry, $40 per month in lieu of that he is now receiving.

William T. Ferguson, late assistant surgeon, One hundred and forty-second Regiment Indiana Volunteer Infantry, $50 per month in lieu of that he is now receiving.

Alanson H. Nelson, late captain Company K, Fifty-seventh Regiment Pennsylvania Volunteer Infantry, $50 per month in lieu of that he is now receiving.

Ephraim B. Guffey, late second lieutenant Company H, Thirtieth Regiment Kentucky Volunteer Mounted Infantry, $40 per month in lieu of that he is now receiving.

Wilkerson McHoward, late of Company E, Forty-ninth Regibent Kentucky Volunteer Infantry, $50 per month in lieu of that he is now receiving.

Charles F. Lytle, late of Company I, Sixth Regiment Iowa Volunteer Cavalry, $40 per month in lieu of that he is now receiving.

John W. Johnson, late first lieutenant Company F, Forty-third Regiment Missouri Volunteer Infantry, $36 per month in lieu of that he is now receiving.

Alphonzo O. Drake, late of Company E, Second Regiment Rhode Island Volunteer Infantry, $36 per month in lieu of that he is now receiving.

Jeremiah W. Miller, late of Company I, One hundred and ninety-fifth Regiment Ohio Volunteer Infantry, $36 per month in lieu of that he is now receiving.

Joseph H. Bamberger, late of Company C, Twelfth Regiment Maryland Volunteer Infantry, $25 per month.

Eliza Dalton, widow of John Dalton, late of Quartermaster Department, United States Volunteers, $20 per month.

James Ellis, late of Company B, One hundred and forty-sixth Regiment Indiana Volunteer Infantry, $36 per month in lieu of that he is now receiving.

Daniel M. Crockett, late of Company C, Twelfth Regiment Maine Volunteer Infantry, $50 per month in lieu of that he is now receiving.

Francis A. Strout, late of Company B, Twentieth Regiment Maine Volunteer Infantry, $36 per month in lieu of that he is now receiving.

Sewell W. Hewett, late of Company C, Fourth Regiment Maine Volunteer Infantry, $40 per month in lieu of that he is now receiving.

Frank Libby, late of Company B, First Regiment New Hampshire Volunteer Heavy Artilley, $40 per month in lieu of that he is now receiving.

Dennett Cotton, late of Company K, Twenty-eighth Regiment Massachusetts Volunteer Infantry, and Company C, Forteenth Regiment Veteran Reserve Corps, $50 per month in lieu of that he is now receiving.

Henry Divelbill, late of Company G, Forty-seventh Regiment Illinois Volunteer Infantry, $50 per month in lieu of that he is now receiving.

John Larner, late of Company K, Fifteenth Regiment Maine Volunteer Infantry, $50 per month in lieu of that he is now receiving.

Mary E. Morgan, former widow of Nathan Morgan, late of Company I, Fortieth Regiment Iowa Volunteer Infantry, $25 per month, the same to be paid to her without further deduction or rebate on account of former alleged erroneous payments or overpayments of pension.

Elijah T. Knight, late of Company A, Thirty-sixth Regiment Iowa Volunteer Infantry, $40 per month in lieu of that he is now receiving.

Thomas C. Helmling, late of United States ships *Dacotah* and *Cambridge*, United States Navy, $50 per month in lieu of that he is now receiving.

William H. Blackwell, late of Company F, Seventy-ninth Regiment Indiana Volunteer Infantry, $36 per month in lieu of that he is now receiving.

Joel I. Long, late of Company D, Seventy-first Regiment Ohio Volunteer Infantry, $40 per month in lieu of that he is now receiving.

Mattie A. Birney, widow of William Birney, late brigadier general, United States Volunteers, $50 per month in lieu of that she is now receiving.

Otto A. Risum, late first lieutenant and adjutant, Fifteenth Regiment Wisconsin Volunteer Infantry, $50 per month in lieu of that he is now receiving.

Cantorinia F. Crawford, late of Company A, First Regiment Michigan Volunteer Light Artillery, $40 per month in lieu of that he is now receiving.

Mary E. Cook, former widow of Israel Cook, late of Company F, Sixteenth Regiment Wisconsin Volunteer Infantry, and of Cornelius Cook, late of Company C, Ninety-sixth Regiment New York Volunteer Infantry, $25 per month.

Byron H. Purinton, late of Company A, Third Regiment Rhode Island Volunteer Cavalry, $50 per month in lieu of that he is now receiving.

William F. Kindle, late of Company C, Fifth Regiment Ohio Volunteer Cavalry, $50 per month in lieu of that he is now receiving.

Halvor Anderson, late of Company D, Tenth Regiment Minnesota Volunteer Infantry, $36 per month in lieu of that he is now receiving.

Homer E. Lewis, late of Company E, One hundred and twenty-fourth Regiment Indiana Volunteer Infantry, $40 per month in lieu of that he is now receiving.

John E. Albaugh, late of Company F, Sixty-eighth Regiment Ohio Volunteer Infantry, $40 per month in lieu of that he is now receiving.

William H. McKay, late of Company B, Forty-second Regiment Missouri Volunteer Infantry, $36 per month in lieu of that he is now receiving.

Martin Joy, late of Company G, One hundred and forty-ninth Regiment New York Volunteer Infantry, $50 per month in lieu of that he is now receiving.

Stephen R. Clark, late captain Company B and lieutenant colonel Thirteenth Regiment Ohio Volunteer Cavalry, $50 per month in lieu of that he is now receiving.

John W. Dickens, late of Company B, Twenty-seventh Regiment, and Company B, Twelfth Regiment, Iowa Volunteer Infantry, $40 per month in lieu of that he is now receiving.

Charles Belknap, late of Company E, Nineteenth Regiment Wisconsin Volunteer Infantry, $40 per month in lieu of that he is now receiving.

Susannah C. Timmons, dependent mother of Leonard E. Timmons, late of Company E, Eleventh Regiment Ohio Volunteer Cavalry, $20 per month in lieu of that she is now receiving.

Omer A. Arnold, late of Company K, Sixty-eighth Regiment Indiana Volunteer Infantry, $50 per month in lieu of that he is now receiving.

James S. McDonald, late of Company H, Thirtieth Regiment Illinois Volunteer Infantry, $50 per month in lieu of that he is now receiving.

Martha J. Davis, widow of Marcus Davis, late of Company E, Seventeenth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

Samuel Robison, late first lieutenant Company C, Fifty-first Regiment Missouri Volunteer Infantry, $40 per month in lieu of that he is now receiving.

Sophronia F. Shurtleff, widow of Seth H. Shurtleff, late of Company K, Third Regiment Massachusetts Volunteer Infantry, $20.

George L. Danforth, late of Company C, Eighth Regiment Vermont Volunteer Infantry, $50 per month in lieu of that he is now receiving.

Morris Hinchman, late of Company I, Fifty-fourth Regiment Indiana Volunteer Infantry, $40 per month in lieu of that he is now receiving.

Theodore Marcy, late of Company H, Twenty-ninth Regiment Indiana Volunteer Infantry, $36 per month in lieu of that he is now receiving.

George E. Tracy, late of Company D, Thirty-second Regiment, and Company D, Sixteenth Regiment, Wisconsin Volunteer Infantry, $30.

Jefferson L. Wylie, late assistant surgeon, Ninetieth Regiment Ohio Volunteer Infantry, $21.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The bill (S. 4723) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of the wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors, was considered as in Committee of the Whole.

It proposes to pension the following persons at the rate named—

Alada T. P. Mills, widow of Albert L. Mills, late major general, United States Army, Regular Establishment, $50 per month in lieu of that she is now receiving.

David A. Kooker, late of Company I, Second Regiment United States Volunteer Engineers, War with Spain, $24 per month in lieu of that he is now receiving.

Oscar L. Geer, late of Company L, Sixteenth Regiment Pennsylvania Volunteer Infantry, War with Spain, $12 per month.

Alonzo G. Williamson, late of Battery A, Third Regiment United States Field Artillery, Regular Establishment, $50 per month.

Charles E. Anderson, late of Company A, Twentieth Regiment Kansas Volunteer Infantry, War with Spain, $17 per month in lieu of that he is now receiving.

James W. Wilson, late of Company L, Twentieth Regiment Kansas Volunteer Infantry, War with Spain, $12 per month.

Mark M. Coffman, late of Troop K, Second Regiment United States Cavalry, Regular Establishment, $12 per month.

Martha E. Hammond, dependent mother of Daniel Howe, alias Daniel Hammond, late of Troop I, Fourth Regiment United States Cavalry, Regular Establishment, $20 per month in lieu of that she is now receiving.

Louise R. Hanley, widow of William B. Hanley, late of Company F, Third Regiment Wisconsin Volunteer Infantry, War with Spain, $25 per month and $2 per month additional on account of the minor child of said William B. Hanley until she reaches the age of 16 years.

Amy E. Wingreen, now Macomber, late nurse, Medical Department, United States Army, War with Spain, $12 per month.

Belle H. Purdon, widow of William R. Purdon, late captain Company I, First Regiment North Dakota Volunteer Infantry, War with Spain, $25 per month.

John Bernard Rueben, alias Bernard Reuben, late of Battery D, First Regiment United States Artillery, Regular Establishment, $12 per month.

Sarah J. Wood, widow of Palmer G. Wood, late brigadier general, United States Army, Regular Establishment, $50 per month in lieu of that she is now receiving.

Thomas Smith, late of Company L, First Regiment Tennessee Volunteer Infantry, War with Spain, $30 per month in lieu of that he is now receiving.

Mary E. Stafford, widow of Samuel B. Stafford, late captain Company C, First Regiment Oregon Mounted Volunteers, Oregon and Washington Territory Indian War, $20 per month.

James Besheres, late of Company K, Twenty-first Regiment United States Infantry, War with Spain, $12 per month.

David Krant, late of Company K, Twenty-first Regiment United States Infantry, Regular Establishment, $40 per month in lieu of that he is now receiving.

Amy B. Mitchell, widow of William G. Mitchell, late of Company I, Thirtieth Regiment United States Infantry, War with Spain, $25 per month and $2 per month additional on account of each of the minor children of said William G. Mitchell until they reach the age of 16 years.

Louis Miller, late of Battery B, Utah Volunteer Light Artillery, War with Spain, $40 per month in lieu of that he is now receiving.

Dora L. Brown, dependent mother of Wilber H. Brown, late of Troop F, First Regiment United States Cavalry, War with Spain, $20 per month in lieu of that she is now receiving.

John W. Franklin, late of Company L, Sixteenth Regiment United States Infantry, War with Spain, $30 per month.

Robert J. Erwin, late of Company H, Eighth Regiment United States Infantry, Regular Establishment, $24 per month in lieu of that he is now receiving.

Robert H. Bailey, late of Hospital Corps, United States Army, War with Spain, $17 per month in lieu of that he is now receiving.

James W. Grant, late of Company I, Fifteenth Regiment Minnesota Volunteer Infantry, and Hospital Corps, United States Army, War with Spain, $12 per month.

Missouri Perea, widow of Beverly Perea, late first sergeant, United States Army, retired, Regular Establishment, $25 per month and $2 per month additional on account of the minor child of said Beverly Perea until she reaches the age of 16 years.

Julia Carey, dependent mother of Christian C. Carey, late of U. S. S. *Dale*, United States Navy, Regular Establishment, $20 per month in lieu of that she is now receiving.

Mr. JONES of Washington. I wish to offer an amendment to the bill. After the first item in it, on page 1, after line 9, I move to insert:

The name of Elizabeth K. Cottman, widow of Vincendon L. Cottman, late rear admiral of the United States Navy, Regular Establishment, and pay her a pension at the rate of $50 per month.

Mr. KING. I raise a point of order against that amendment.

Mr. JONES of Washington. I wish to make this suggestion to the Senator: The Senate already passed this item in a bill some little time ago. It went to the House and was stricken out there. I understand the House conferees insist that they will not grant a pension to the widow of an officer at a rate of more than $35 a month. The Senate conferees had to accede to their request, and this woman is getting no pension at all.

I understand a rear admiral corresponds with a major general in the Army. The Senate committee now provides for the widow of a major general and I want this item to go in in connection with that, so that if they are able to get the House conferees to recede from the position they have taken heretofore this widow may also be pensioned.

Mr. THOMAS. Do I understand from the Senator that the object of this pension is the widow of a rear admiral?

Mr. JONES of Washington. Yes; a rear admiral.

Mr. SMOOT. In order that my colleague [Mr. KING], who objected to the consideration of this item, may know the situation as it really exists between the two Houses, I want to explain it in a few words.

The item the Senator from Washington has just offered as an amendment to the bill passed the Senate once as an amendment to a House bill. When the conferees met upon that bill the conferees of the House notified the conferees of the Senate that there had been a rule adopted by the House by a vote of the House that the widow of an officer should receive no greater pension than the widow of an enlisted man. This item was the only one that the Senate put upon the bill granting a pension to an officer's widow. The conferees on the part of the Senate knew that in this bill there was an item for the widow of Maj. Gen. Mills granting her a pension of $50 a month. So we concluded, as long as the conferees of the House intended to have a direct vote upon the question, that we had better have both items in one bill. The one is the widow of a major general and the other the widow of a rear admiral, and the question can be settled once and for all with that one reference to the House. Therefore I suggested to the Senator from Washington that we yield on the case, so that the bill could go to the House without any disagreement on the part of the conferees and that he could offer an amendment to this bill and then let the question be settled upon this bill alone.

Mr. KING. I should like to ask my colleague whether there is any general law providing for pensioning the widows of officers in the Army and officers in the Navy, or do we have to have special bills for each particular case?

Mr. SMOOT. Over and above the rate established by law the Pension Committees have agreed upon a rate, as I remember, by special acts for the widow of a major general of $50.

Mr. WALSH. I think the Senator is in error about that. I took occasion to look into that matter, and much to my surprise I found that the pension of the widow of a major general or rear admiral was the same as a pension to the widow of an enlisted man.

Mr. SMOOT. I was in error if I said it was by existing law. I will say this, that in the past the Pension Committees of the

House and Senate have had rules, which have been printed, showing the rates that would be allowed to the widow of a lieutenant, to the widow of a captain, to the widow of a major, a colonel, and a general, and so forth.

Mr. WALSH. I understood that the Senator's colleague was inquiring as to the law, not the rule established by the committee.

Mr. SMOOT. Under the law a pension for an officer's widow is the same as for a private.

Mr. WALSH. It is my recollection that the law provides for a low rate of pension for the widow of a rear admiral, and accordingly the House adopted the rule suggested by the senior Senator from Utah of passing special bills for an increased pension, as suggested by him.

Mr. SMOOT. I will say to my colleague also that I could present to the Senate a long list of major generals and generals and rear admirals whose widows have received from $100 down to $50. That is the general rate which has been given.

Those who receive $100 per month are the widows of officers who had exceedingly distinguished service.

Mr. JONES of Washington. Let me suggest to the Senator also that under the law, I understand, the widow of an officer in the Regular Establishment can not get a pension unless it is shown that his death was the result of disability contracted in the service. The department holds technically that Admiral Cottman did not die of disabilities contracted in the service, but the committee, after examining the reports of the medical officers and considering the character of his disease, closed their report in this way:

Your committee are of the opinion that the long and exceedingly valuable services of Rear Admiral Cottman—

And they point out that his services were—

and the widow's necessitous circumstances taken in connection with the fact that his death was most probably due to disease resulting from the service, justify the allowance to the widow of the pension of $50 per month proposed in the bill.

That is just in line with what the Senator mentioned about the list of widows getting $50 a month. I have here a list of pensions to commissioned officers, a document of the Sixty-fourth Congress, second session. Pages 16, 17, 18, and 19, contain a statement with reference to the widows of rear admirals, showing that quite a large number are getting $50 a month, as we have provided by special act. As the Senator said, we passed the House bill and the Senate committee reported it favorably. I have a copy of the report here. Under the circumstances it seems to me that the amendment ought to go on this bill in connection with the other items, so that if the rule adopted by the House is to be followed it will be applied to all. If not, then it should not be made to apply to any of these widows.

Mr. McCUMBER. I think there ought to be a little correction in the statement that the widow of an officer can not receive anything unless it be established that the death of the husband was due to some disease or injury of service origin. Under the law of 1890, which has been amended several times, the widow of a soldier or officer of the Civil War, of course, would receive a pension whether the death of her husband was the result of disease of service origin or otherwise. The amounts allowed, however, were no greater for the widow of an officer than for the widow of a private soldier, the law specifically declaring that when the pension was granted for service only there should be no distinction between the widows of officers and the widows of enlisted men.

Mr. KING. Does not the Senator think that that is the proper view to take?

Mr. McCUMBER. I have always thought it was a very proper view to take, but the Senate itself by its own action has always made more or less of a distinction between not only what constitutes poverty on the part of the widow of an officer and the widow of a private soldier, but has allowed a greater amount to the widow of an officer than to the widow of a private soldier.

While I have always done all I could to prevent any distinction being made it nevertheless has been made, and made in so very many cases that it has almost become a precedent to guide the Senate and to guide the Committee on Pensions in allowing a little more to the widow of an officer than is allowed to the widow of a private soldier.

Mr. WALSH rose.

The PRESIDING OFFICER. Does the junior Senator from Utah still insist on his point of order?

Mr. KING. I yield for a moment to the Senator from Montana.

Mr. WALSH. I am in a way pledged to expedite the passage of the bill which is the unfinished business and to give way if these bills lead to discussion. I hope the discussion will not be prolonged.

Mr. KING. I am sure the Senator having this bill in charge intended his admonitions for the speedy passage of the bill as a rebuke. I shall detain the Senate but a moment, because I am aware that no opposition to any bills carrying appropriations is of any avail. Any Senator who thinks he may save the Treasury from increasing demands is greatly in error, and he wastes his efforts and brings upon himself the wrath of those who benefit from appropriations.

It becomes disheartening to meet constand demands for money from the Treasury at this hour, when every effort should be made to conserve our resources for the prosecution of the war. I have repeatedly called attention to the enormous demands that are being made, and necessarily made, to meet legitimate war expenses. Instead of devoting all of our energies to the prosecution of the war and practicing the most rigid economy in every branch of the Government, we consider general legislation, legislation not connected with the war, and make, in my opinion, extravagant, unnecessary, and frequently improper and useless appropriations. We appropriated a day or two ago nearly sixteen billions of dollars in one day. That constitutes no inconsiderable part of the entire wealth of the Nation; and yet that amount did not include all of the appropriations for one year for the prosecution of the war. We have no budget; we outline no plans for our expenditures, but pass bills carrying millions and billions without any reference whatever to the sources of income or the method by which these stupendous appropriations can be met.

Apparently there is no effort to economize or to modify the demands which are made for Federal aid. Departments and bureaus submit figures for amounts that we can scarcely comprehend and we pass appropriation bills covering the figures submitted with undue haste and, as I think, with a disinclination to make that careful scrutiny and examination which prudence and duty demand. I sometimes think that we take no serious steps to stabilize conditions with a view to reducing the cost of the war as well as the expenses of the Government without in any manner destroying efficiency or jeopardizing the success so much desired. Prices are mounting to dizzy heights and our legislation encourages this movement. We support policies to increase the prices of the commodities required by the Government and the people, and this in turn requires an increase in wages, and the granted increase in wage becomes the basis for further increases in the prices of the products required by the Government.

But I arose only for the purpose of expressing my dissent from the method we are pursuing in dealing with the subject of pensions. We have passed two special pension bills to-day and we are now considering the third one. General pension laws have been passed; and only a few days ago a measure was passed, general in character, which greatly increased the pensions of those who were connected with the Civil War.

Notwithstanding broad and liberal general pension bills, we have been passing for years hundreds and thousands of special pension measures. I have seen hundreds of these special pension bills which sought to remove the charge of desertion from persons who had been in the Army and to place them upon the pension rolls. The bill now under consideration singles out individuals and gives them special pensions. We appropriated only a few days ago over $220,000,000 to meet the pensions for the current year, and that amount does not include the allowances and pensions that will be paid to those who are now in the military and naval service of our country. When the present war is over there may be millions of additional names placed upon the pension lists. Of course, those who are giving their lives to save this Nation and to save the civilization of the world will be entitled to the gratitude of our country, and there is no doubt but what they will be dealt with in a just and generous way.

But the matter to which I am calling attention is the very heavy burdens which we are placing upon the people. There seems to be no spirit of economy in dealing with the Public Treasury. Not only are we making increased demands for appropriations but we are embarking upon a course that will diminish the sources of revenue for the Government. While we are augmenting the appropriations we are striking down private enterprises, taking property from private individuals and corporate owners, and transferring the same to the control of the Government. We have taken the railroads away from the owners, and the demand is now being made that the Government shall take control of the telegraph lines and the telephone systems. In my opinion additional demands will be made, indeed, they are already being made, that other enterprises owned and successfully operated by private individuals shall be taken over by the Government.

Following these demands, we are asked to pension the employees of the Government. When all the railroads, telegraph

and telephone properties are controlled and owned by the Government, and when the mines and smelters and other industries now owned and operated by private individuals shall be owned and controlled by the Government, as some people are insisting, and when there shall be millions of employees of the Government placed under civil service and provided with disability and old-age pensions, and when millions of those who have rendered military service to our country shall be paid hundreds of millions of dollars per annum by way of pensions and allowances in recognition of their services, and by way of pensions for injuries and disabilities received, it may be found that this country, great and powerful and rich as it was thought to be, may prove inadequate to bear the burdens placed upon it. We should pause and consider seriously when demands are made upon the Public Treasury. These special pension bills should not be passed—certainly, not at this time. Under the generous general pension laws substantially all who are entitled to consideration will receive it. I am opposed to this bill and shall vote against it. I have submitted a point of order, but withdraw it in order that the Senators may register their views in regard to the item challenegd by the point of order.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Washington [Mr. JONES].

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

Mr. THOMPSON. Mr. President, I have observed that a great many questions have been asked relative to the various pension laws in the consideration of these pension cases. Having recently had charge of some of these bills, I have very carefully gone through all of the pension laws of the country and have prepared a brief on the whole subject, which I should like to have inserted in the RECORD for the benefit of all Senators who may desire to know just what laws have been passed by Congress in reference to the granting of pensions. The various laws are arranged under separate headings, according to the date passed for the several wars of the country, as follows: Revolutionary War, War of 1812, War with Mexico, Indian Wars, and Civil War.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kansas? The Chair hears none.

The brief referred to is as follows:

REVOLUTIONARY WAR.

"The act of March 18, 1818, 35 years after the termination of the Revolutionary War, was the first general act passed granting a pension for service only. Its beneficiaries were required to be in indigent circumstances and in need of assistance.

"About 1820 Congress became alarmed at the large number of applicants for pensions under this act (there were about 8,000), and on May 1, 1820, passed what has been known as the 'alarm act,' which required all pensioners then on the roll to furnish a schedule of the amount of property then in their possession. Many of the pensioners whose schedules showed they possessed too much property were dropped from the rolls. Pensioners were dropped who owned as small an amount as $150 worth of property.

"On May 15, 1828, or 45 years after the war, service pension was granted to those who served to the end of the War of the Revolution.

"On June 7, 1832, or 49 years after the close of the war, a general law was enacted pensioning all survivors who served not less than six months in said war.

"On July 4, 1836, being 53 years after the termination of the war, an act was passed granting pension for five years to Revolutionary War widows, provided they were married to the soldier or sailor before the close of his last service and that his service was not less than six months.

"On July 7, 1838, or 55 years after the close of the war, the above act was amended so as to provide where the marriage took place before January 1, 1794.

"On July 29, 1848, or 65 years after the war, the above laws were amended to include those who were married prior to January 1, 1800.

"On February 3, 1853, or 70 years after the war, an act was passed striking out the limitation as to date of marriage."

WAR OF 1812.

"The first law granting pensions for service in the War of 1812 was passed February 14, 1871, 56 years after the close of the war. This act required 60 days' service, and widows were not entitled unless they were married to soldier or sailor prior to the treaty of peace, February 17, 1815.

"The act of March 9, 1878, 63 years after the close of the war, reduced the period of service to 14 days and made no limitation as to date of marriage in case of widows."

WAR WITH MEXICO.

"On January 29, 1887, 39 years after the close of the war, an act was passed providing for soldiers and sailors and their widows for service of 60 days if 62 years of age or disabled or dependent. The rate was fixed at $8 per month (24 Stat. L., 371).

"By act of January 5, 1893 (27 Stat. L., 413), the rate of pension of every survivor whose name was then on the rolls at $8 per month was increased to $12 per month if he was wholly disabled for manual labor and in such destitute circumstances that $8 per month was insufficient to provide him the necessaries of life.

"By an act passed April 23, 1900 (31 Stat. L., 137), the rates were increased to $12 per month to all survivors who had then become or who might thereafter become wholly disabled for manual labor and were in such destitute circumstances that $8 per month was insufficient to provide them the necessaries of life, irrespective of the date of the granting of said service pension.

"By act of March 3, 1903 (32 Stat. L., 1228), the pensions of all Mexican War survivors then on the roll or who might thereafter be placed on the roll under the preceding acts were increased to $12 per month.

"On February 6, 1907 (34 Stat. L., 879), the rates of pension of Mexican War survivors were increased to $12 per month for those who had reached the age of 62 years, to $15 per month for those who had reached the age of 70 years, and to $20 per month for those who had reached the age of 75 years.

"On May 11, 1912, by act of that date (37 Stat. L., 112), the rates were increased to $30 per month.

"On April 19, 1908, by act of that date (35 Stat. L., 64), the rate of pension of widows was increased to $12 per month."

INDIAN WARS.

"On July 27, 1892, 50 years after the period included in the act, pension was provided for those who served 30 days in the Black Hawk, Creek, Cherokee, and Florida War with Seminole Indians from 1832 to 1842, and to their widows.

"On February 19, 1913, by act of that date (37 Stat. L., 679), the rate of pension for surviving soldiers of the various Indian wars was increased to $20 per month.

"On March 4, 1917, Congress passed an act (Public, No. 400, 64th Cong.) extending the provisions, limitations, and benefits of the preceding acts relating to Indian war services 'from the date of the passage of this act to the surviving officers and enlisted men of the Texas Volunteers who served in defense of the frontier of that State against Indian depredations from January 1, 1859, to January 1, 1861, inclusive, and from the year 1866 to the year 1867, inclusive, and to the surviving officers and enlisted men, including Militia and Volunteers of the military service of the United States, who have reached the age of 62 years, and who served for 30 days in the campaign in southern Oregon and Idaho and northern parts of California and Nevada from 1865 to 1868, inclusive; the campaign against the Sioux in Minnesota and the Dakotas in 1862 and 1863, and the campaigns against the Sioux in Wyoming in 1865 to 1868; to the following organizations of the First Regiment Nebraska Militia engaged in fighting Indians and guarding United States mails on the western frontier: Company A, First Regiment, First Brigade, Nebraska Militia, who served from August 30, 1864, to November 12, 1864; Company B, First Regiment Nebraska Militia, who served from August 13, 1864, to February 13, 1865; Company C, First Regiment, Second Brigade, Nebraska Militia, who served from August 24, 1864, to February 7, 1865; to Capt. Edward P. Child's artillery detachment, Nebraska Militia, who served from August 30, 1864, to November 12, 1864; and Company A, First Regiment, Second Brigade, Nebraska Militia, who served from August 12, 1864, to December 24, 1864; the campaign against the Cheyennes, Arapahoes, Kiowas, and Comanches in Kansas, Colorado, and Indian Territory from 1867 to 1869, inclusive; the Modoc war of 1872 and 1873; the campaign against the Apaches of Arizona and New Mexico, or either of them, in 1873; the campaign against the Kiowas, Comanches, and Cheyennes in Kansas, Colorado, Texas, Indian Territory, and New Mexico in 1874 and 1875; the campaign against the Northern Cheyennes and Sioux in 1876 and 1877; the Nez Perce war of 1877; the Bannock war of 1878; the campaign against the Northern Cheyennes in 1878 and 1879; the campaigns in the Black Hawk Indian war in Utah from 1865 to 1867, inclusive; the campaign against the Ute Indians in Colorado and Utah from September, 1879, to November, 1880, inclusive; the campaign against the Apache Indians in Arizona and New Mexico, or either of them, in 1885 and 1886; and the campaign against the Sioux Indians in South Dakota from November, 1890, to January, 1891, inclusive; and also to include the surviving widows of said officers and enlisted men who shall have married said survivor prior to the passage of this act: *Provided*, That such widows have not

remarried: *Provided further*, That this act shall extend also to the surviving officers and enlisted men of the organization known as Tyler's Rangers, recruited at Black Hawk, Colo., 1864, for services against the Indians: *Provided further*, That if any certain one of the said campaigns did not cover a period of 30 days the provisions of this act shall apply to those who served during the entire period of said campaign.'

CIVIL WAR.

[Acts of July 14, 1862, and March 3, 1873. (Secs. 4692 and 4693, R. S., U. S.) Disability pension.]

"Any officer, soldier, sailor, or marine disabled by reason of wound received or disease contracted in the service of the United States and in the line of duty may be pensioned for such disability during its continuance.

"In case of his death from causes originating as above set forth his widow or his child or children under 16 years of age become entitled to pension. If he left no widow or child under 16, his dependent mother, father, or orphan sisters and brothers are entitled in the order named.

"The foregoing relates to service in the Civil War and all services performed since March 4, 1861, in the Army, Navy, Marine Corps, and Volunteers in the War with Spain or during time of peace up to October 6, 1917.

"The rate of widow's pension is determined by the soldier's rank at the time the death cause originated. (Sec. 4702, R. S., U. S.) Originally the rate of pension for a widow of an enlisted man was $8 per month. It was increased to $12 per month on March 19, 1886, by an act of that date (24 Stat. L., 5), but that increase applied only to widows who were married to the deceased soldier or sailor prior to its passage and to those who might thereafter marry prior to or during the service of the soldier or sailor. The rate was further increased to $20 per month by the act of September 8, 1916 (39 Stat. L., 844), provided the pensioner was then 70 years of age or to commence when the pensioner reached that age, and on October 6, 1917, by an act of that date (40 Stat. L., —), the pensions for widows of officers or enlisted men of the Army, Navy, or Marine Corps of the United States who served in the Civil War, the War with Spain, or the Philippine Insurrection was increased to $25 per month.

[Act of June 27, 1890 (26 Stat. L., 182) as amended by the act of May 9, 1900 (31 Stat. L., 170.)]

"Any officer, soldier, sailor, or marine who served 90 days or more in the military or naval service of the United States during the late War of the Rebellion, who has been honorably discharged therefrom, and who is suffering from disability of a permanent character not the result of his own vicious habits which incapacitate him from the performance of manual labor in such a degree as to render him unable to earn a support is entitled to pension under this act of not less than $6 per month nor more than $12 per month.

"In case of the death of any person named above his widow becomes entitled to pension, provided she married him prior to June 27, 1890, and that she is without other means of support than her daily labor. If she remarries or dies, the child or children of such soldier or sailor under the age of 16 years become entitled.

"The act of May 9, 1900, which is an amendment of the act of June 27, 1890, provides that in determining inability to earn a support each and every infirmity shall be duly considered and the aggregate of the disabilities shown be rated.

"It is also provided that a widow may have title to pension if she is left without means of support other than her daily labor and an actual net income not exceeding $250 per year.

"On February 6, 1907, by act of that date (34 Stat. L., 879), it was provided: That any person who served 90 days or more in the military or naval service of the United States during the late Civil War or 60 days in the War with Mexico, and who has been honorably discharged therefrom, and who has reached the age of 62 years or over, shall, upon making proof of such facts according to such rules and regulations as the Secretary of the Interior may provide, be placed upon the pension roll, and be entitled to receive a pension as follows: In case such person has reached the age of 62 years, $12 per month; 70 years, $15 per month; 75 years or over, $20 per month; and such pension shall commence from the date of filing of the application in the Bureau of Pensions after the passage and approval of this act.

"On May 11, 1912, by an act of that date (37 Stat. L., 112), it was provided: That any person who served 90 days or more in the military or naval service of the United States during the late Civil War, who has been honorably discharged therefrom, and who has reached the age of 62 years or over, shall, upon making proof of such facts, according to such rules and regulations as the Secretary of the Interior may provide, be placed upon the pension roll and be entitled to receive a pension as follows: In case such person has reached the age of 62 years and served 90 days, $13 per month; six months, $13.50 per month; one year, $14 per month; one and a half years, $14.50 per month; two years, $15 per month; two and a half years, $15.50 per month; three years or over, $16 per month. In case such person has reached the age of 66 years and served 90 days, $15 per month; six months, $15.50 per month; one year, $16 per month; one and a half years, $16.50 per month; two years, $17 per month; two and a half years, $18 per month; three years or over, $19 per month. In case such person has reached the age of 70 years and served 90 days, $18 per month; six months, $19 per month; one year, $20 per month; one and a half years, $21.50 per month; two years, $23 per month; two and a half years, $24 per month; three years or over, $25 per month. In case such person has reached the age of 75 years and served 90 days, $21 per month; six months, $22.50 per month; one year, $24 per month; one and a half years, $27 per month; two years or over, $30 per month. That any person who served in the military or naval service of the United States during the Civil War and received an honorable discharge, and who was wounded in battle or in line of duty and is now unfit for manual labor by reason thereof, or who from disease or other causes incurred in line of duty resulting in his disability is now unable to perform manual labor, shall be paid the maximum pension under this act, to wit, $30 per month without regard to length of service or age.

"On October 6, 1917, section 312 of the act relating to the War-Risk Bureau (40 Stat. L., —), it is provided that: 'The laws providing for gratuities or payments in the event of death in the service and existing pension laws shall not be applicable after the enactment of this amendment to persons now in or hereafter entering the military or naval service, or to their widows, children, or their dependents, except in so far as rights under any such law shall have heretofore accrued.'

"On June 10, 1918, by act of that date amending the act of May 11, 1912, the rate of pension for any person who served 90 days or more in the military or naval service of the United States during the Civil War, now on the roll or hereafter to be placed on the pension roll and entitled to receive a less rate than hereinafter provided, shall be $30 per month. In case such person has reached the age of 72 years and served six months, the rate shall be $32 per month; one year, $35 per month; one and a half years, $38 per month; two years or over, $40 per month."

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the House adheres to its disagreement to the amendments of the Senate numbered 1, 61, and 83 to the bill (H. R. 11692) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1919, and for other purposes.

The message also announced that the House had passed a joint resolution (H. J. Res. 311) making appropriations for certain necessary operations of the Government and of the District of Columbia for the month of July, 1918, and for other purposes, in which it requested the concurrence of the Senate.

The message further announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12541) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

EXTENSION OF APPROPRIATIONS.

The PRESIDING OFFICER. The Chair lays before the Senate House joint resolution 311, which will be read by title.

The SECRETARY. A joint resolution (H. J. Res. 311) making appropriations for certain necessary operations of the Government and of the District of Columbia for the month of July, 1918, and for other purposes.

Mr. MARTIN. Mr. President, I ask unanimous consent for the present consideration of the joint resolution.

Mr. GRONNA. I have to object to that. I have a bill on the calendar, and I am obliged to be away for the afternoon. I am sure the consideration of the joint resolution will take the remainder of the day.

Mr. MARTIN. It will not take three minutes. It proposes to continue the current appropriations until three appropriation bills shall have been passed.

Mr. GRONNA. If the Senator from Virginia will agree to withdraw the joint resolution if it leads to discussion——

Mr. MARTIN. I do not insist on the consideration of the joint resolution. I agree to withdraw it now. I ask that the unfinished business be laid before the Senate.

INVESTIGATION OF LIGNITE COALS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3220) authorizing the Secretary of the Interior to make investigations, through the Bureau of Mines, of lignite coals, to determine the practicability of their utilization as a fuel and in producing commercial products.

The PRESIDING OFFICER. The pending amendment will be stated.

The SECRETARY. The pending amendment is that of Mr. FLETCHER, on page 1, line 10, to strike out "$100,000" and to insert in lieu thereof "$150,000."

The PRESIDING OFFICER. The pending question is upon the amendment offered by the Senator from Florida [Mr. FLETCHER] to increase the appropriation from $100,000 to $150,000.

Mr. KING. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Henderson	New	Smith, S. C.
Borah	Johnson, Cal.	Norris	Smoot
Calder	Johnson, S. Dak.	Nugent	Sterling
Culberson	Jones, N. Mex.	Overman	Sutherland
Cummins	Jones, Wash.	Penrose	Swanson
Curtis	Kellogg	Pittman	Thomas
Dillingham	Kendrick	Poindexter	Thompson
Fall	Kenyon	Pomerene	Trammell
Fletcher	King	Ransdell	Underwood
France	Lenroot	Reed	Vardaman
Frelinghuysen	Lewis	Shafroth	Wadsworth
Gerry	McCumber	Sheppard	Watson
Gore	McKellar	Simmons	Williams
Gronna	McNary	Smith, Ariz.	
Guion	Martin	Smith, Ga.	
Hale	Myers	Smith, Md.	

Mr. CURTIS. I desire to announce the unavoidable absence of the junior Senator from Ohio [Mr. HARDING], and will let this announcement stand for the day.

Mr. McKELLAR. I wish to announce the unavoidable absence of my colleague [Mr. SHIELDS] on account of illness and of the Senator from Arkansas [Mr. KIRBY] on official business.

Mr. JONES of Washington. The junior Senator from Michigan [Mr. TOWNSEND] is necessarily absent on account of illness in his family. I will allow this announcement to stand for the day.

Mr. LEWIS. I desire to announce the absence of the Senator from Montana [Mr. KENDRICK] and of the Senator from Kentucky [Mr. BECKHAM] because of official business, and also the absence of the Senator from Kentucky [Mr. JAMES], caused by personal illness.

The PRESIDING OFFICER. Sixty-one Senators have answered to their names. There is a quorum present.

FRANK BARBER.

Mr. FRELINGHUYSEN. Mr. President, out of order I ask leave to make a report from a committee. On behalf of the Committee on Military Affairs I report the bill (S. 4790) for the relief of Frank Barber, with an amendment, and I ask unanimous consent that the bill be now considered.

The PRESIDING OFFICER. Is there objection?

Mr. McCUMBER. Mr. President, I think, if the motion of the Senator from New Jersey were agreed to, it would displace the unfinished business, would it not, unless it were accompanied with the request that the unfinished business be temporarily laid aside? I do not want the unfinished business to be displaced.

Mr. FRELINGHUYSEN. I make the request that the unfinished business be temporarily laid aside.

The PRESIDING OFFICER. The Senator from New Jersey asks unanimous consent that the unfinished business be temporarily laid aside.

Mr. GRONNA. Reserving the right to object, I want to say to the Senator from New Jersey that I am anxious to see the bill which he has just reported passed, but if it leads to any discussion I hope the Senator will not insist on going on with the bill.

Mr. FRELINGHUYSEN. I shall yield to the Senator and give way if it takes any time.

Mr. GRONNA. Very well.

Mr. FRELINGHUYSEN. Mr. President, this bill provides for compensation for Lieut. Frank Barber, of the English Army, in the amount of $100 per month, the amount allotted under the war-risk insurance act for officers of similar rank in the United States Army.

Lieut. Barber was an English officer assigned to the United States for the purpose of giving artillery instruction at Camp Wheeler. While instructing officers of the American Army he lost the sight of both his eyes from an accident due to no fault of his. Lieut. Barber is a married man and is dependent upon his pay as an officer. I understand he has two children. Under the English act he will receive £70 a year, or $350. This bill has been suggested and approved by Gen. Gorgas, and also by the Secretary of War, who says:

> I am told that Lieut. Barber is a married man, dependent upon his pay as a soldier, and that his disability pay under the army regulations of Great Britain can not be large. I earnestly recommend the passage of this bill, not only as a graceful act of international courtesy but as an act of justice to this gallant officer, who has become disabled in our military service.

Mr. KING. May I ask the Senator from New Jersey a question?

Mr. FRELINGHUYSEN. Yes.

Mr. KING. Will not the passage of this bill establish a precedent that will come home to plague us or to bless us as the days go by? I can conceive of many cases during the progress of the war where French or English officers may serve with American troops and may receive wounds or may be killed. Can the Senator from New Jersey state that this will not be a precedent which might require that we should make compensation in such cases?

Mr. FRELINGHUYSEN. The amendment which has been reported by the committee to the bill provides that this appropriation of $100 per month shall be in lieu of all demands or claims. I do not know whether the passage of the bill will establish a precedent or not, and I do not care. This English officer has lost the sight of both eyes in the service of this country. I know there will not be many English officers serving here. I think, as an act of grace, that it is our duty to pass this claim and to pay this officer for the loss that has been caused him while serving in this country.

Mr. KING. For how long will this sum be paid?

Mr. FRELINGHUYSEN. For the officer's life.

The PRESIDING OFFICER. Unanimous consent is asked that the unfinished business be temporarily laid aside for the purpose of considering the bill which has been reported by the Senator from New Jersey [Mr. FRELINGHUYSEN]. Is there objection? The Chair hears none. The Secretary will read the bill.

The Secretary read the bill, as follows:

> *Be it enacted, etc.*, That the Secretary of the Treasury be, and he hereby is, authorized and directed, out of any moneys not otherwise appropriated, to pay to Frank Barber, a first lieutenant of the Dorset Regiment of Infantry of the British Army, who lost the sight of both eyes and became totally blind by reason of a premature explosion on February 14, 1918, while acting as an instructor of United States troops at Camp Wheeler, Ga., as compensation for disability resulting therefrom, such sums of money as by the act of Congress approved October 6, 1917, entitled "An act to amend an act entitled 'An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department,' approved September 2, 1914, and for other purposes," is provided to be paid as compensation for disability to an injured person who has lost both eyes or become totally blind from causes occurring in the line of duty in the service of the United States; and such compensation shall be payable and be paid as of and from the 14th day of February, 1918, and under and according to the terms, conditions, and basis of computation in said act provided.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The PRESIDING OFFICER. The Secretary will state the amendment reported by the committee.

The SECRETARY. At the end of the bill it is proposed to add the following:

> And such sum shall be in full of all claims, legal or equitable, of the said Frank Barber, his heirs, representatives, or assigns.

Mr. KING. Mr. President, I should like to ask the Senator from New Jersey what compensation would be paid to American officers of like grade who received injuries of the same character as those from which this British officer suffers?

Mr. FRELINGHUYSEN. The same as is provided in this measure.

Mr. KING. Is there an existing law that gives them $100 per month for life?

Mr. FRELINGHUYSEN. No; it is limited to a period of years; it is not for life, as I understand.

Mr. KING. The Senator means in the case of American officers?

Mr. FRELINGHUYSEN. In the case of American officers, and in this bill the payment is limited to the same period as in the case of an American officer.

Mr. KING. I understood the Senator a moment ago, in answer to my interrogatory, to state that the payment was to be made for life.

Mr. FRELINGHUYSEN. I did; but I have been informed that it is limited to a period of about 20 years.

Mr. SMITH of Georgia. Mr. President, I ask what is the status of this bill?

The PRESIDING OFFICER. Unanimous consent has been asked for temporarily laying aside the unfinished business for the purpose of considering this bill, and, no objection appearing, it was granted. Now the question is upon the amendment reported by the committee.

Mr. SMITH of Georgia. When was the bill reported?

The PRESIDING OFFICER. It was reported a few moments ago.

Mr. SMITH of Georgia. Then I object to its consideration to-day.

Mr. McCUMBER. Mr. President, I submit that after the bill has been taken up by unanimous consent objection can not be made to its consideration.

Mr. SMITH of Georgia. The unanimous consent was to lay aside the unfinished business.

Mr. McCUMBER. Yes; and that was granted.

The PRESIDING OFFICER. The Chair understood that it was granted.

Mr. SMITH of Georgia. I did not really hear the request.

Mr. FRELINGHUYSEN. I do not think the Senator from Georgia was in the Chamber at the time.

Mr. SMITH of Georgia. I do not know that I would object to the bill at all if I could have an opportunity to examine it. I am a member of the Subcommittee of the Finance Committee especially charged with matters growing out of war-risk insurance legislation, and it is for that reason that I feel that we should give some careful attention to a bill of this character.

Mr. FRELINGHUYSEN. Mr. President, I think the Senator from Georgia will withdraw his objection when he understands what this bill is. An English officer lost the sight of both of his eyes while instructing American officers at Camp Wheeler. He is a married man, with two children. Under the English law he receives £70 per year, or $350. This bill provides that he shall have an allowance of $100 per month for 20 years for the damages caused and the injuries suffered by him while in the American service.

Mr. SMITH of Georgia. There is no legislation in the measure at all beyond that one provision?

Mr. FRELINGHUYSEN. There is no other legislation connected with it, except that it calls attention to the fact that the compensation shall be the same as that allowed under the war-risk insurance act for similar injuries suffered by American soldiers.

Mr. SMITH of Georgia. Very well, I withdraw the objection.

Mr. KING. Mr. President, may I ask the Senator a question? I suggested a moment ago that before the war is over unquestionably there will be a large number of French and English officers employed in the training of our troops who will receive injuries, and perhaps some may be killed. Speaking for myself, I would feel that compensation should be paid them or their families. But it strikes me that the subject is so important as to call for a general and comprehensive bill. Instead of taking these cases up piecemeal as they are presented from time to time, it seems to me that there should be enacted a general measure under which the board that is administering the war-risk insurance act would be authorized to pay certain compensation to English or French officers receiving injuries under such conditions.

Mr. McCUMBER. Mr. President——

Mr. KING. I yield.

Mr. McCUMBER. Mr. President, the Senator does not think that over in France, on the battle line, American soldiers would be officered by English officers?

Mr. KING. Oh, no.

Mr. McCUMBER. Here is a case in which this Government, not having a sufficient number of officers to give technical instruction along certain lines necessary in France, requested that Great Britain furnish certain instructors. Great Britain furnished those instructors from among her best officers; and they therefore became practically volunteers in the American Army to give instruction. This officer was injured while he was serving the United States as an officer, although a British officer, and all the bill seeks to do is to give him just exactly what our law would give to an American officer under exactly the same circumstances.

Mr. KING. Mr. President, if the Senator will pardon me——

Mr. McCUMBER. Just a moment. When I recall that the people of the allied nations over there have been fighting our battles for four long years, and when I remember the enormous losses which they have suffered during that time and how they must bear the brunt of the battle for at least another year, I think we ought to be just as gracious as we can be in matters of this kind.

Mr. KING. Mr. President, if the Senator will pardon me, I shall join with him in praise of the heroism and valor of England and of the English soldier. Great Britain and France have been fighting the battles of all civilized nations. They have during the dark and sanguinary years since August, 1914, been fighting that freedom might survive and that this Republic might endure. We owe them a debt of gratitude. We are now repaying it and aiding the great contest which will end in the overwhelming defeat of Germanism and in a peace which will heal and bless the world. But I am suggesting a plan that will deal with the question presented by the bill under consideration in a general and comprehensive way. I would like to see a measure adopted that would take care of the officers who serve us as this officer did; a bill that would authorize immediate payment after injuries are sustained by the War Risk Board while teaching Americans. A special act for each case is not the way to deal with the question. I have learned that several officers loaned to us by England and Canada for service in training our aviators have been killed, and I have no doubt that others will be injured or killed. These unfortunate accidents may occur here or in our training camps in England and France. There should be some provision made to meet these cases when they arise. Personally I should like to see a general bill reported that will care for cases of that character, as well as for the case now before us, instead of having to legislate in each specific instance. I am not objecting to this bill. I am only pointing out the propriety of dealing with the question in a broad and proper manner.

Mr. REED. Mr. President, I appreciate the fact that the Congress will be overwhelmed with pension legislation. That is an incident inherent in war, and it may also be added that the Congress is very likely at times to be swept off its feet by waves of sentiment and go further than it ought to go. I also recognize the fact that there will be many British and French officers injured when cooperating with our troops, and there will be likewise many American troops injured when cooperating with French and British troops, but I think this particular case is to be differentiated from the class of cases to which I have just referred. The cases last referred to have to do with the cooperation of the forces in the field where the chances of war are involved, and where each man takes those chances as a part of the war risk; but this case, if I understand it correctly—and if I do not I hope the Senator from New Jersey will correct me—is bottomed upon this state of facts, that this British officer came to the United States at the request of our authorities to assist in teaching our troops, so that they might be fitted to become soldiers upon the field of battle, and in the performance of that duty he was injured by a premature explosion which was caused by no fault of his. There can not be many cases of that particular kind. This officer was serving our people, assisting us in getting ready for war, and in that situation was injured, and injured through a fault that can not be laid at his feet. Under those circumstances I do not believe the case would be reached by a general law; neither do I think that we have yet sufficient information to pass a general law.

I am not sure that I have seen this man, but I did see, a few days ago, as fine a looking speciman of manhood as I ever saw being led around by a little woman. This man wore the uniform of a British officer, and both eyes were gone. With that picture before me, I can not vote against a bill of this kind.

Mr. SMOOT. Mr. President, just a moment. In order that the record may be straight, there having been some conflict in the statements made, I desire to say that I have read the bill carefully, and I find that it really provides for the payment of the compensation now provided by law, as the bill says, in the case where a soldier has become totally blind. The war-risk insurance act provides:

> That for the loss of both feet or both hands or both eyes, or for being totally blind or helpless and permanently bedridden from causes occurring in the line of duty in the service of the United States the rate of compensation shall be $100 per month.

Now, this compensation is not to continue for 20 years only; it is to continue as long as the man lives, as the war-risk insurance act provides, and I think he is entitled to it as long as he lives. I think that the bill ought to be passed immediately.

SEVERAL SENATORS. Question!

Mr. SMITH of Georgia. Mr. President, I wish to say that at the time I inquired what was the nature of this bill I had not heard it read, and I did not know at all the subject. I did so because I was not sure that it involved no amendment of our war-risk insurance legislation. As has been said, it simply extends our war-risk insurance to this officer who lost his eyes while in the line of duty in our service. Unless they receive as full compensation from their own countries as our compensation

law gives, it seems to me that we might well amend the war-risk insurance law so as to extend it to those so engaged in our country, teaching our troops here, and serving us here.

I certainly shall interpose no objection to this bill, and shall vote for it.

Mr. GORE. Mr. President, I simply wish to say that the Senate knows that I am conservative, if not ultra-conservative, upon the subject of pensions. If this officer came to the United States upon the invitation of our Government, I think that a case is made out. I think that our obligation is established, and that it ought to be redeemed, and generously redeemed.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the committee.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EXTENSION OF APPROPRIATIONS.

The PRESIDING OFFICER. The Chair lays before the Senate the joint resolution (H. J. Res. 311)——

Mr. GORE. Mr. President——

The PRESIDING OFFICER. Making appropriations for certain necessary operations of the Government and of the District of Columbia for the month of July, 1918, and for other purposes——

Mr. GORE. Mr. President——

The PRESIDING OFFICER. And it will be referred to the Committee on Appropriations.

Mr. GORE. Mr. President, I was addressing the Chair before that announcement was made. I should like to know if I am recognized.

The PRESIDING OFFICER. The Chair recognizes the Senator from Oklahoma.

Mr. GORE. I desire to interpose an objection to the second reading of the joint resolution.

The PRESIDING OFFICER. The Chair was simply referring it to the Committee on Appropriations.

Mr. GORE. I understand, Mr. President; but it can not be referred until it has been read twice, and under Rule XIV, paragraph 3, it must be read on two different days. I object to the second reading of the joint resolution on this calendar day.

The PRESIDING OFFICER. What is the subdivision of the rule to which the Senator refers?

Mr. GORE. Paragraph 3 of Rule XIV, which provides that bills and joint resolutions coming over from the House and bills introduced by leave can not be read twice on the same day if there be objection.

Mr. SMOOT. If there is an objection, the bill goes to the committee.

Mr. GORE. No; it will be read once to-day, and it will be read the second time to-morrow. Then, after the second reading to-morrow, it can be referred, to which I do not object at all.

The PRESIDING OFFICER. The point is sustained.

INVESTIGATION OF LIGNITE COALS.

Mr. GRONNA. I ask that the unfinished business may be again laid before the Senate.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3220) authorizing the Secretary of the Interior to make investigations, through the Bureau of Mines, of lignite coals, to determine the practicability of their utilizatton as a fuel and in producing commercial products.

The VICE PRESIDENT. The pending amendment is the amendment of the Senator from Florida [Mr. FLETCHER], which will be stated.

The SECRETARY. On page 1, line 10, it is proposed to strike out "$100,000" and to insert "$150,000."

Mr. THOMAS. Mr. President, I dislike to be obliged to delay the passage of this measure, for I presume that is what my objection will amount to in substance. I dislike also to oppose a measure in which my friend from North Dakota [Mr. GRONNA] evidently has such a deep interest. He doubtless believes that it is essential to the welfare of an industry in his State, or one of its resources, and that some Government investigation regarding the character of this resource is indispensable to its proper development and utilization, else he would not have introduced the bill, and it would not have been reported. But, Mr. President, I am unable to perceive any good reason whatever for the addition of $100,000 to our annual expenditure through the enactment of this measure. The sum is a small one, I know, and the usual argument may be made that because it is a small one it will not make any appreciable difference in the amount of our expenditure; but that suggestion, though nearly always successful, is nothing but a suggestion and can not be an argument.

Let us see what this bill is designed to accomplish. It authorizes and directs the Secretary of the Interior to make experiments and investigations, through the Bureau of Mines, of lignite coals, to determine the commercial and economic practicability of their utilization in producing fuel oil, gasoline substitutes, ammonia, tar, solid fuels, gas for power and other purposes; and there is appropriated, out of the funds in the Treasury not otherwise appropriated, the sum of $100,000, or so much thereof as may be needed, to conduct such experiments and investigations, including personal services in the District of Columbia and elsewhere, and including supplies, equipment, expenses of traveling and subsistence, and for every other expense incident to this work. Mr. President, the establishment in the District of Columbia of an agency involving personal services and involving also equipment and supplies means the establishment of another bureau in the District of Columbia, and the repetition of this or greater appropriations every year from now on.

We have seldom begun to appropriate money for the investigation of material things and lived to see the end of those investigations. Once Congress is induced to begin that work with regard to any subject, it continues it as long as the United States has a dollar or can tax its people for a dollar to put into the Treasury. The more these things are investigated, the more abstruse and mysterious they become, and the more difficult and expensive, therefore, is it to continue the investigation; but they are continued, nevertheless, and the bureaus which continue them wax fat and strong. Their employees join the employees' unions and demand the right to work less than seven hours a day and are able to secure a presidential veto in the event Congress thinks otherwise. Therefore, Mr. President, apart from the merits of the bill, I dislike to see the institution of any more commissions or bureaus or agencies in the District of Columbia than we have at present unless they are absolutely indispensable; and I think this is not an indispensable measure.

Mr. President, the bill is designed to authorize the Secretary of the Interior to determine the practicability of the utilization of lignite coals in producing the very things which past investigations have shown those coals to be susceptible of producing—the things which they contain; that is to say, fuel oil, gasoline substitutes, ammonia, tar, solid fuels, and gas for power and other purposes. The report which has been filed here in the report on the bill among other things assumes to give the number of short tons of lignite in the United States. The amount is prodigious and is confined in this report to three States, with the additional statement that there are lignite fields in Alabama, Arkansas, Louisiana, Mississippi, and Montana.

There are in my State, Mr. President, literally hundreds of millions of tons of lignite coal. The northeastern part of the State is practically underlain with vast quantities of lignite, and this lignite has been a source of our fuel supply even before that section of the United States was organized as a territory. It is one of the big commercial enterprises of the State now, and has been for a long time. The school of mines of that State is one of the institutions which has tested that and all other coals, analyzed them, ascertained their constituent elements, which of them are valuable and which are of no value; and if there is anything with regard to the qualities of lignite coal which the school of mines has not developed the fact can be easily ascertained by resorting to the agencies already in existence in the city of Washington for that purpose.

I do not know, of course, to what extent these other States are equipped with the facilities of local investigation, but I am sure that they are not in any degree behind my own State. There is a school of agriculture in every State, largely supported by governmental beneficence, and presumably capable of teaching all of the exact sciences, and particularly those which relate to the welfare of the Commonwealth. The great States of North Dakota, South Dakota, and Texas possess these facilities; and I doubt not that they, too, have been called into requisition, and have determined that these components or constituents—to wit, fuel oil, gasoline substitutes, ammonia, tar, solid fuels, and gas for power and other purposes—can be obtained from these lignite coals. If not, the Bureau of Mines is equipped for this work, and endowed by Congress with appropriations, to say nothing of the Bureau of Standards, which is perhaps the best institution of the sort in the world, without going to the expense of making a special appropriation and creating a special agency for the purpose.

Mr. President, this report indicates that all these things have been done, else the report itself is based upon hearsay or upon

speculation; and certainly I can not conclude that such is the case. The report says, among other things, that—

A small experiment station was started by the College of Mining Engineering of the University of North Dakota, at Hebron, under the direction of Prof. E. J. Babcock, and a cooperation was effected on a very small scale with the Federal Bureau of Mines in order that the results might be published and thus be of benefit in the study and utilization of the lignites on the Government lands. At this experimental station, a description of which is given in Bulletin 89 of the Bureau of Mines, entitled "Economic Methods of Utilizing Western Lignites," briquets have been made which have withstood handling and weathering for six months or more in the open air. This was made from lignite which would begin weathering and disintegrating in a few days. They have also been dried and burned in a type of furnace and tried on local railroad locomotives. It is reported that 1 ton of briquets was equal to 1 ton of raw coal in keeping up steam.

The analysis of the briquets was also a part of the work of this college, because it is stated that they are—

not unlike that of the Pocahontas coals, except for slightly higher ash. The briquets are almost smokeless. The briquets which have been made have employed tar for a binder, the tar being brought from the East—

And so forth.

We come now to by-products:

In the carbonization of lignites, as demonstrated by Prof. Babcock at Hebron, N. Dak., very important by-products are produced in the carbonization of the lignites. These products vary widely with the lignite and with the degree to which carbonization is carried. The yield of gas is large for the partly dried lignite, reaching 10,000 to 12,000 cubic feet per ton, according to Prof. Babcock, which is about the same as that from a high-grade bituminous coal. Further, the evolution of gas is much more rapid. The residues may be briqueted. The gas has been tried in gas engines and tests made in comparison with standard city gas and it was found that the lignite gas was especially satisfactory. It is believed that there is a large field for the production of power through the establishment of large by-product plants.

Mr. President, if these experiments have been made and if it has been demonstrated by them that this coal is excellent for its gas-producing qualities, why should the United States Government spend $100,000 more for the purpose of determining that identical thing? Certainly, it can not be said that this experiment was made by incapable men. That would be a reflection upon the College of North Dakota and upon the Bureau of Mines. The men employed by both of these institutions are, or should be, experts in the business. They have assumed to be such, and they have produced results, and the very results which they have produced constitute some of the things for which it is said this added $100,000 is needed.

But these gentlemen do not stop with their report upon gas. They go on to say that—

Ammonia and tar are also produced in the carbonization of the coal. According to Prof. Babcock, approximately 50 pounds of tar can be recovered from 1 ton of partly dried lignite. This tar is very high in paraffin ingredients. Prof. Babcock estimates that there is produced from a ton of dried lignite coal at different temperatures 5 to 6 gallons of crude lignite oils—

Is it expected that this special commission will make that 6 to 7 gallons? Possibly their results may be disappointing, and reduce instead of increase the quantity—

2 gallons of crude benzol, 2 to 3 gallons of hard tar, 50 to 60 pounds of ammonia sulphate, and 20 pounds of tar acids. Benzol is one of the compounds used in the manufacture of dyestuffs and explosives. Prof. Babcock has produced oil which has been found to be unusually well suited in the concentration of ore by the flotation process.

Mr. President, it is because these developments have been made that this appropriation is desired, because the report declares that these investigations present—

a field for investigation which promises very much for the development of those parts of the country hitherto retarded by the lack of fuel in its various forms, and also offers the greatest possibilities through the enormous amounts of lignite in substitution for petroleum, which is intrinsically too valuable to the country to permit its use as a fuel.

Mr. President, some of the products of petroleum have been extractable from lignite coals for the past 10 or 15 years. The fact that lignite contains a very high percentage of benzol has been known for more than one-third of a century. Resort has not been had to this source for benzol because of the fact that coal tar as a by-product furnished a cheaper source of exploitation. I know a man who has experimented with lignite coal and with other coals, and who has produced not only the things mentioned here, but a material which looks very much like paint, which feels very much like paint to the touch, and which has been used in small degree and in an experimental way for paint. He has not tried to commercialize his process for the same reason—that paints can be obtained or could be obtained up to the time of the outbreak of the war more cheaply in other directions. If the owners of this coal need the formula of this gentleman, I think it can be secured.

I may say right here, Mr. President, lest I forget it, that perhaps the most extensive investigators of the qualities of coal in the United States are the Fuller Engineering Co., of Allentown, Pa. They have recently, in connection with Mr. Lindon W. Bates, solved the hitherto insolvable problem of mixing coal and oil and producing a colloidal fuel that is perhaps better than either. It is done by pulverizing coal—it makes no difference whether it be lignite or bituminous or any other kind of coal—and by mixing it, in proportions of about two-thirds to one-third, with petroleum, and by the addition of 1 per cent of the particular agency which constitutes the discovery. I consider it one of the most fundamental discoveries or inventions—and perhaps it partakes of the nature of both—that so far have been evolved by the war, because its economy in fluid fuels is almost incalculable, or will be when this process—which has been brought to the attention of the Government, but which, up to this time, it has not seen fit to accept—becomes generally used. Now, is there any necessity for expending $100,000 of our money in order to ascertain whether ignite can be used in making this colloidal fuel when the fact has already been ascertained and worked out by private enterprise?

Mr. KING. Mr. President——

Mr. THOMAS. I yield to the Senator from Utah.

Mr. KING. The proposition is $150,000, as I understand the amendment.

Mr. THOMAS. These things generally grow overnight. I thought myself that the amount was so ridiculously small that something would happen to it before I had a chance to say something about it. The chances are that by to-morrow it will be $200,000.

Mr. GRONNA. Mr. President——

Mr. THOMAS. I yield.

Mr. GRONNA. I agree with the Senator from Colorado in what he has said to the effect that the scientists have been able to discover different ingredients in lignite coal, because I know that the Senator knows so much more about lignite coal than I do. I am not a lignite-coal expert.

Mr. THOMAS. I know very little about it.

Mr. GRONNA. I will say to the Senator that I do not know anything about it; but is it not reasonable to suppose that it would not be profitable for anybody to experiment with lignite coal simply for the purpose of getting these oils and these tars? The proposition is not a single one. The idea is, in connection with extracting these valuable oils and ammonia and tar, to carbonize coal. That is the idea—to experiment with it—and it is not a commercial proposition. It is purely an experimental proposition, and the knowledge will be diffused not only to the State of North Dakota but to the entire country.

I am sure that the Senator knows of the splendid work that has been done by Director Manning in the investigation of gases. Had it not been for the work that has been done by that great man what would we have to combat the Germans with to-day on the battle field? Why, the American soldiers are just pouring those gases into the Germans. I am sure there are so many things connected with this matter that it will be valuable; and I can say that this man, Mr. Manning, who has given his testimony, is not only a scientific man, a theoretical man, but he is a practical man.

Of course, I have the greatest regard for the Senator's judgment. I know that we are extravagant in many ways; but I say to the Senator that I do not believe there is any measure pending before the Senate that is of as great importance as this one is. I am probably trespassing on the Senator's time——

Mr. THOMAS. I was about to wonder when the Senator's question was going to be completed. I am not complaining, however.

Mr. GRONNA. No; the Senator is very kind. I was going to call the Senator's attention, if he would permit me, to the great saving that this will bring about simply in transportation. It is estimated that we are using annually in the western country about 50,000 cars in the transportation of coal. The average haul has been estimated at about 1,000 miles, and that can be reduced to at least 400 miles. As I say, that will release the use of at least 30,000 cars. Why, Mr. President, what is a hundred thousand dollars if this matter can be brought about? It is a mere bagatelle; it is not a drop in the bucket, if you will pardon that language; so I hope the Senator from Colorado will see his way clear to support this measure and not oppose it.

Mr. THOMAS. Mr. President, I know, of course, the Senator is perfectly sincere in his advocacy of this bill and in his confidence that it will produce the marvelous and far-extending benefits to which he refers. Of course, if the Government by expending $100,000 can save the transportation of 30,000 or 40,000 cars of material it will make money by doing so. But I am unable, Mr. President, to conceive or to admit that the results will be as hoped for and as confidently expected by the Senator from North Dakota. We have spent a great deal of money since I have been a Member of the Senate in bills that have all been of the utmost importance, and many of them

promised many, many returns. A great many of them have been called revolving funds, I suppose because they do not revolve and never did revolve and probably never will revolve. Others have been straight appropriations. These enormous benefits, although they may come sometime, have not yet appeared very distinct above the horizon of the future.

Mr. President, I say candidly to the Senator if this were the only source of an investigation of the merits of lignite coals, or if these investigations had not been made and made very extensively, I should hesitate about opposing the measure.

The Senator referred to Mr. Manning, and I cheerfully subscribe to the tribute which the Senator has paid to that very capable official. But, Mr. President, Mr. Manning has absolute power now, and if he has not got enough money it is not because he has failed to ask for it to carry any further investigation of this subject that may be necessary. If he has not, then the local institutions, schools of mines, and the agricultural colleges of the States in conjunction with Mr. Manning do possess that power. I am very glad to see that Mr. Manning has solved the gas problem for the allies. I hope that is true. But, Mr. President, because he has done so is no reason why we should establish some agency now at the expense of $100,000 to investigate what has already been investigated and what will continue to be investigated by private sources.

The Senator refers to the great value of lignite as fuel, provided, of course, these experiments shall be as successful as he hopes them to be. Lignite is valuable as a fuel now. Mixed with oil it is as valuable as any fuel that can well be imagined. If there be any other quality, any other ingredient or element, in lignite coal which investigations up to date have not disclosed, then those which are constantly being made will disclose them.

I referred just now to the great engineering firm of Fuller & Co., or the Fuller Co., at Allentown, Pa. Those gentlemen are experimenting with coal constantly. They have a magnificent organization and equipment of the best scientists and chemists in the world for that purpose, and they are looking for coal. It is their business. They have made their money out of it. It is their pursuit to investigate and contrast and compare the fuel qualities of the various coals of the country. I am satisfied that they have experimented and will continue their experiments upon lignite; but even if that were not so, specimens may be brought here, small ones or large ones, or both, and we have ample equipment in the city of Washington for the purpose of determining that now. Consequently why make them, at this time especially, Mr. President, when we are obliged to pass an $8,000,000,000 tax bill and float a fourth liberty loan, why should we continue to be making appropriations for matters which are not indispensably necessary and for matters which up to this time have been pretty well handled by existing agencies and by private enterprises?

Mr. GRONNA. Mr. President——

Mr. THOMAS. I yield to the Senator.

Mr. GRONNA. I simply want to ask the Senator if he has read the recommendations from the Bureau of Mines?

Mr. THOMAS. Oh, yes.

Mr. GRONNA. And also the report of Secretary Lane?

Mr. THOMAS. Yes; I have read both.

Mr. GRONNA. The Senator asked why we should make the appropriation. This is an appropriation to carry on the work, I will say to the Senator, in cooperation with the very men whom he has mentioned. It is not an appropriation for any specific place. It is intended to experiment and to cooperate with these coal operators, and, of course, the knowledge will be diffused all over the country.

Mr. THOMAS. Mr. President, if I have said anything which indicates that this is a matter peculiar to North Dakota, I must apologize to the Senator. If any benefits are to result from this investigation, it will benefit my State quite as much as the Senator's; it will benefit the whole country. I freely conceed that the only thing local about it consists in the fact that perhaps the largest deposits of lignite in the United States, if not in the world, are in the State of North Dakota. Of course, that, however, is merely a fortunate thing for that State, and does not in any manner localize the operation of the act. Yes, Mr. President, I have read the report and the recommendation. I have the highest respect for Secretary Lane and for his able assistant, Mr. Manning. I know them all. I know them well. I know them intimately. But, Mr. President, anything that smacks of an investigation carrying with it an appropriation is very likely to be favorably recommended by the Interior Department or some of its bureaus. I recall some time ago the application for an appropriation to experiment with radium—a beautiful thing, a necessary thing—but I thought, and I still think, that the equipment of the Interior Department is all sufficient for that purpose, as I think it is all sufficient for this purpose.

Mr. President, the time is coming, especially if this war shall continue much longer, when the valuable contents of lignite coal will become commercially profitable, because of the increase of the demand for those elements and because of the diminution or dwindling of the sources of supply in other directions. The gasoline which lignite contains, and which it is not necessary for a further investigation to demonstrate, is not now or has not until very recently been commercially available. The same is true of its tar and its ammonia. But, as I said, the demand for these things, the dwindling in some directions of the sources of supply, and the vast dormant elements in these immense deposits of lignite, necessarily will attract the attention not only of the Government but of private agencies. There is enough known about lignite to-day, Mr. President, to make the whole thing merely a question of profitable production, and there is enough capital in the United States and enough enterprising men behind it to utilize that capital whenever there is profit in the enterprise. I think it is coming very soon.

Now, Mr. President, my attention has been called to an amendment to this bill, which I think was offered by the senior Senator from Florida [Mr. FLETCHER], and which is designed to include peat in the investigation by the addition of $25,000 to $50,000. I think what I have said about lignite coal is more applicable to peat. Peat has been a fuel from the time when the memory of man runneth not to the contrary. There may be some difference between Florida peat and Irish peat, between peat that is used across the sea and peat that flourishes here; but if there is, the people who use it will find it out, and those who believe it will be commercially profitable will utilize it.

This also, Mr. President, has been the subject of considerable private investigation, if we are to judge from a letter addressed to Mr. George F. Miles and signed by Mr. L. A. Riley, 2d, who seems to be ready to go into the question of producing peat.

Peat is a substance which also falls under the dominion of the Bureau of Mines. Peat is a substance which may be submitted for test to the Bureau of Standards. Peat is an element which I have no question but the agricultural college of the great State of Florida has investigated or will investigate. We know that it will burn if it possesses sufficient carbon and oxygen. We know that smoke will rise from it if it is too damp or too green, and we know that less smoke will result from combustion if it is dry and therefore more readily combustible. Perhaps we do not know what its chemical qualities may be, but, as I said, there are plenty of opportunities for finding them out, plenty of agencies for discovering them, without at this time appropriating $150,000 for the purpose.

Now, this gentleman, Mr. Riley, assures Mr. Miles that "our gas-producing plant"—he uses the word "our"—"is entirely capable, when working on Florida peat, of being considered solely as a plant for the manufacture of ammonium sulphates." He finds three other very favorable sources of profit from the investigation.

One is "the gas from the plant, which under the first-mentioned conditions is not considered of any value."

The second is "the tar, which under the first conditions is allowed only its value as a raw fuel. It is well known abroad, and possibly also to you, that the peat tars have some extremely rich constituents in the line of acetic acids and creosote group disinfectants, phenol and toluol and also paraffin."

There has been a very considerable investigation.

Third, "the peat ash, which in some locations in Florida contains between 1 and 2 per cent of potash."

This letter was written on the 5th day of March, 1918. It refers to some other matters, particularly some financial matters in connection with the development of the Crescent Lake property.

> I take this opportunity to confirm your verbal offer to us to the effect that the Crescent Lake property, including all physical equipment thereon, is offered to us at a price of $50,000. I understand that it consists of 1,800 acres of peat bog, together with certain other acreage, extent not stated, some of which also undoubtedly contains valuable peat.

If there is anything about that proposition or about that property which makes it questionable to the would-be purchaser, whether it is worth $50,000, I ask if it is fair for the United States to spend $50,000 in making appropriations for the purpose of satisfying, among others, this would-be purchaser and this would-be seller. They have made their own investigation and seem to be satisfied.

I may say here, Mr. President, that when any State in the Union possesses any element of sufficient value to attract capital and bring profit it will be investigated, and the Government will not have to do it. It will be investigated by the men who are of a practical turn of mind and who want to make something out of it, and that element in our American development has constituted our chief source of wealth and prosperity. Lord Goschen

once said that the confidence of the individual in himself and the respect of the State for national liberty lie at the foundation of the greatness and the wealth of nations and of people. It is true. The time was not so many years ago, since I became gray, when all through this country men and communities were prone to depend upon themselves for their development. The time was when the Government said to the citizen "Go out on the public domain and search it for the deposit of valuable material and locate and patent it when you find it." Prospectors did not come to the Government of the United States then and ask for an appropriation of $100,000 to buy picks for them and grub and ponies and to build roads.

Mr. FALL. Mr. President——

Mr. THOMAS. In just a moment. They went of their own volition, spurred by the impulses of gain. They went in droves. They discovered and developed the natural wealth of this continent and blazed the way for those subsequent streams of population which anchored upon those lands and in those Territories and developed them into the magnificent States that they have since become. I yield to the Senator from New Mexico.

Mr. FALL. I should not have risen to interrupt the Senator, but the idea that he should even suggest that it was the purpose of the Government or any of its bureaus to arm a brigade or one man with a pick and shovel for actual use in prospecting or discovering lignite or any other mineral, whether metalliferous or nonmetalliferous, was so extraordinary that I could not keep my seat.

Mr. KING. If the Senator will yield, apropos of his suggestion. He is right. Not many years ago such a thing not only would have been regarded as preposterous but as utterly useless and beyond the power of Congress to do. I have often wondered what would have been the condition of the great West, that magnificent region lying beyond the Missouri River, the land of the mountains and the plains, blessed with a rich abundance of nature's bestowing, yet for many years regarded as a desert and an inaccessible land totally unfit for Anglo-Saxon habitation—it has been sometimes a matter of speculation to me what the condition of that country would be to-day if this modern spirit of paternalism existed plus the conservation of Mr. Gifford Pinchot and his disciples. Instead of furnishing millions of dollars in money, vast quantities of munitions, and an army of magnificent soldiers it would in all probability have more resembled our neighboring Republic of Mexico.

You can not, Mr. President, develop a new country by running to Washington to get help for everything that you think may be needed. We are doing it now. If a man's family develops a new type of stomachache or backache, and if it should become in the slightest degree contagious or threaten to become contagious, Congress is invoked to come at once to the relief of that man's family. If a citizen discovers a peculiar deposit of any sort, even upon his own premises, he, of course, seeks its proper analysis; and if there be something of potential value disclosed, he at once petitions the Department of Agriculture or the Department of the Interior or the Department of Commerce, or all of them combined, to come out and look at it, to analyze it, to precipitate it, to dissolve it, to coddle it with appropriations, all for the benefit of the common country. If our climate seems to be a little bit unusual and there be too much or too little precipitation for the immediate occasion, we wonder what peculiar conditions affect the temperature, and we hasten for relief always by the good old appropriation road.

I might mention, Mr. President, by way of illustration, many other incidents showing this universal tendency, but every one of them leads straight to the doors of the Federal Treasury, and every one of them to that extent deprives individuals and communities of that initiative without which self-government is practically impossible.

Mr. President, when some of us are fortunate enough in our section of the country to discover something in these days upon the public domain which seems to possess an actual or potential value and reports the same to Washington, he can rest assured that whatever may result the Government will see that he gets none of it.

Mr. KING. If the Senator will yield, apropos of his suggestion a moment ago about the disposition to come to the Federal Treasury for money with which to develop matters which are purely within the province of the individual, there are now in this city a number of gentlemen from the West who are perfectly willing to go ahead and make experiments for the purpose of obtaining potash and other minerals and metals necessary for our needs to-day, but understanding that the plan now was for the Government to spread its beneficent wing over everybody and over every enterprise instead of going ahead and organizing a company as they intended, spending their own money and their own energies, they have come down and are knocking at the doors of the various governmental agencies for money to aid in the enterprise.

Mr. THOMAS. Why should they not? What are we here for if it is not to appropriate money? That is the only thing I have done or tried to oppose since I have been here that amounts to anything. Why do we tax the people if it is not to make these appropriations?

Mr. President, a bill was introduced some time ago and referred to the committee of which the junior Senator from Nevada [Mr. HENDERSON] is chairman, providing for an appropriation of a considerable amount for the development and encouragement of our mining industry. Since that time I have been requested to offer the Government more property, containing more elements of a metallic nature, more minerals and in greater quantity, than I supposed existed anywhere on the face of the earth. Some time ago I heard from a friend of mine whom I had not seen since 1876. His attention had been called to that bill and he hastened to inform me, writing from a distant land, that in 1875 he had discovered a splendid deposit of platinum in the northwestern section of my State. He had been unable to work it, notwithstanding the fact that it is the most valuable metal of them all and to-day perhaps in greater demand than any other because of its limited quantity. He had allowed this knowledge to remain dormant for 45 long years, but now that Uncle Sam proposed to encourage and develop the mining industry he wanted me to call the attention of the proper authorities to the existence of this platinum deposit, the existence and locality of which he would willingly disclose for 50 per cent of the amount which the Government might determine to invest in that particular property. This gentleman desired to do something for his country. He wanted to do his bit in helping to win the war and to hit the Hun, and therefore he would content himself with only 50 per cent of what otherwise would be exacted from this great paternal Government of ours.

Mr. President, that is not surprising. That is human nature. The very moment the Government enters into the particular work of development, whether it be platinum in Colorado or lignite in the Dakotas or peat in Florida, or anything else, it has taken a great big job upon its hands and always discovers that its small appropriations must necessarily be followed by larger and larger ones, the experiment ceasing to be an experiment because finally resolving itself into a permanent governmental institution. So, Mr. President, I think this bill should not be passed. I know—I am morally certain—that everything which could be acquired or done under it has either been done heretofore or can be done through well-equipped existing agencies.

I know, Mr. President, as I said before, that only $150,000 is involved, and what is $150,000 in these days when hundreds of millions and billions of dollars are being appropriated by the American Congress? What is $150,000 for a purpose like this, when only last week in one day we enacted two measures carrying appropriations of nearly $16,000,000,000? Mr. President, the amount is so insignificant that, perhaps, I ought to apologize to the Senate for taking up its time at $1,000 an hour in discussing the subject. Nevertheless, Mr. President, I have been told that we should begin to economize somewhere. I am still trying to find a point where we can begin. No microscope has yet been found sufficiently powerful to locate it. Let us hope that in the matter of $150,000 for lignite and peat we can find a certain, although perhaps a slender, anchor.

Mr. WADSWORTH. Mr. President, the Senator from Colorado [Mr. THOMAS] has seen fit to compare this appropriation of $150,000 with the aggregate appropriations of $16,000,000,000, which passed through the Senate in one day, and has thereby drawn a further inference that this appropriation of $150,000 is a matter of very little importance. As there does not seem to be anything else to be discussed before the Senate, perhaps the Senate will listen to me while I discuss it.

I shall have to confess that I know very little about lignite. I know, of course, that it burns and that the smoke goes up the chimney just the same. I know it has been used for a great many years as fuel, and I assume that it will be used for many years to come, and that its use will be developed and extended.

The thing about which I am concerned is the orgy of investigations on which the Government has already embarked and on which the Government apparently intends to continue to embark in ever-increasing degrees as time goes on, and particularly so long as the war lasts and some excuse may be offered for further investigation as a war measure.

The Senator from Colorado [Mr. THOMAS] has given us some very interesting facts as to the use of lignite and its by-products. I could not enlarge upon that recital were I to try, because I know so little about the matter; but it seems to me that the

Senate might well take into consideration some of the investigations which have been made in the past and some of those that are now proposed to be made in the immediate future. Some of those proposals, I may say, are contained in a bill which has been reported to the Senate by the Committee on Agriculture and Forestry.

I confess to a degree of discouragement when I found that some committee of the Senate other than the Committee on Agriculture had joined the cry for further investigation. I have labored under the impression, as a member of the Committee on Agriculture, that that committee had thought of every conceivable thing to investigate and had suggested such investigations.

I remember very well, Mr. President, a discussion last year about the shortage of potash in the United States and the insistent demand that was made by scientists, upon the Government pay roll, that the supply of potash should be immediately increased through an appropriation by Congress to be placed in their hands; that a seaweed which floats off the Pacific coast, which is known as kelp, was to be corralled under Government control and plants erected or leased or purchased by the Government, under the appropriations made, for the purpose of extracting potash from this remarkable kelp.

It is strange, Mr. President, how soon such investigations are forgotten and how, in the majority of instances, we never hear of the result. There is one thing, of course, we can always be certain of—that the money will be entirely expended; and the probabilities are that when it is expended they will come back to Congress and ask for more, in order, as the scientists in the department say, "to widen the scope of the investigation." Of course, I can not contend that the scientists will say that we should widen the scope of the kelp investigation, as that has for its outside limits the Pacific Ocean.

Mr. FALL. Mr. President——

Mr. WADSWORTH. I yield to the Senator from New Mexico.

Mr. FALL. I might suggest that if the supply of kelp is exhausted we have on the western plains what is known as rabbit brush, that, it is said, will produce 135 pounds of potash to every ton of ash. Nothing will eat this rabbit brush; no grass will grow where it grows; jack rabbits nibble off the ends of it. We might experiment, when the kelp is exhausted, with this rabbit brush, which, as I understand, produces almost as much potash per ton of ash as does the kelp seaweed.

Mr. WADSWORTH. I congratulate the Senator from New Mexico upon his suggestion, in that it is a new one, and has not been thought of prior to this time, apparently, by the officials of the department or been suggested to the Committee on Agriculture. The suggestion is interesting. I myself have seen the rabbit brush in all its glory and all its luxuriance, and I have no doubt that were enough of it gathered together and burned to make a ton of ashes, and if those ashes could be confined in a space protected from the winds of the Southwest for a sufficient length of time, 135 pounds of potash might be extracted from it. I have no doubt we shall hear about that sooner or later, and probably sooner. [Laughter.]

Mr. NELSON. Mr. President, will the Senator from New York yield to me?

Mr. WADSWORTH. I yield to the Senator from Minnesota.

Mr. NELSON. I recollect some years ago we had in the Northwest a remarkable case involving the activities of scientists. There was found there, as I presume there was found in the State of New York, a weed called the tumbleweed.

Mr. WADSWORTH. Yes; it knocks down fences.

Mr. NELSON. It is a weed that floats around with the wind. All at once some of the scientists christened it the "Russian thistle."

Mr. WADSWORTH. Yes; the Russian thistle.

Mr. FALL. May I suggest that that is the weed which is known by the vulgar name of tumbleweed, I think.

Mr. NELSON. Tumbleweed; that is it. Well, bulletins were prepared and published, and we were told how the Russian thistle came into the country, but we were never given any remedy for it. Somehow or other the tumbleweed gradually disappeared, and that is the last we heard of the Russian thistle.

Mr. FALL. Mr. President, it disappeared from the Northwest, I presume, but it is now infesting the plains of New Mexico, Arizona, and the Southwest generally.

Mr. NELSON. Does the Senator expect an appropriation will be asked to eradicate it?

Mr. FALL. I should like to have an amendment to this bill to try to remedy it.

Mr. McCUMBER. Mr. President——

Mr. WADSWORTH. Mr. President, I think I have the floor.

The VICE PRESIDENT. Does the Senator from New York yield?

Mr. WADSWORTH. Can I yield even for a discussion of the tumbleweed, Mr. President? [Laughter.]

The VICE PRESIDENT. Well, if there is no objection, presumably the Senator can yield for that purpose.

Mr. McCUMBER. I desire to correct the error, if anyone should think that the tumbleweed and the Russian thistle are the same thing. As a matter of fact, we in the Dakotas know something about the Russian thistle. We also fully understand about the tumbleweed, that we used to have down in Minnesota. The one is a weed that is perfectly harmless, though it would go dancing over the prairie, while the other is a real thistle in one respect; that is, it is covered with burs. When we have a good, wet season, it will not manifest itself, but whenever the season is dry, then it will get the start of the grain and it becomes a real menace. I agree, however, that nothing has been found that can eradicate it.

Mr. FALL. Mr. President, I can not allow any reflection on my agricultural knowledge to go unchallenged. I insist that the tumbleweed in the Southwest is the genuine Russian thistle in all of its pristine glory. [Laughter.] It has all the spikes and all the stickers, I think you call them, ordinarily that are ever carried by any of the varieties of thistles, and it does tumble over the prairies at the same time.

Mr. STERLING. That is just as much as to say, if the Senator from New York will excuse me——

Mr. WADSWORTH. Mr. President, I think that in good faith I should proceed.

Mr. STERLING. It is just as much as to say that the Russian thistle is a weed that tumbles like the tumbleweed, but it is a different species of weed altogether.

Mr. FALL. And the tumbleweed of the Southwest is a weed that thistles just like any other thistle. [Laughter.]

Mr. WADSWORTH. Mr. President, now that the question of tumbleweed has been settled, and there being no further demand that a remedy is necessary in order to eradicate it immediately, I beg leave of the Senate to proceed with some of my observations in connection with the orgy of investigations.

I remember that a year ago there was a great hue and cry about the grinding of wheat into flour. Apparently it had occurred to a good many people that that was a new art. To be sure, sir, I myself have secured a handful of wheat taken from the tomb of an ancient Egyptian, who was buried fifteen hundred years before Christ, and the wheat now is something like 3,900 or 4,000 years old. In the tomb there were instruments for the grinding of wheat into flour. So it is safe to say that while we last year were appropriating money to authorize the Department of Agriculture to erect experimental flour mills and to devise new and strange methods of grinding flour more efficiently than it had been done 5,000 years ago——

Mr. GRONNA. Mr. President——

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from North Dakota?

Mr. WADSWORTH. I yield.

Mr. GRONNA. I know the Senator from New York wants to be accurate, and I desire to state that the appropriation for the establishment of an experimental mill for making baking tests, was not to teach anybody how to grind flour, but it was for the purpose, I will say to the Senator, of making tests, so as to enable the Agricultural Department to fix grades based upon those tests. Of course, that is quite a different thing from going into the science of milling and the grinding of flour. The Senator from New York will agree with me on that.

Mr. WADSWORTH. Perhaps I was inaccurate to this extent: I should have added that the ancient Egyptians baked this ground wheat just as we attempt to bake it to-day, and I do not say that the art has reached its maximum of efficiency; but it is strange that, when some emergency overtakes the country, such as this great war, nearly everybody upon the Government pay roll or in the departments—and particularly in the Department of Agriculture—thinks of something by which the country can spend more money investigating. [Laughter.] It has been a repetition of one suggestion after another, one investigation after another, and, in the great majority of cases, the investigations are to be directed toward arts and sciences which have long been known to the human race.

Mr. GRONNA. Mr. President, I do not wish to disturb the Senator from New York, but I do not think anyone has hammered the Department of Agriculture any more than have I in the short time I have been here. I desire, however, to say to the Senator that I assume responsibility for the appropriation for these flouring mills. It was not because of the department asking for it; in fact, I had to plead with them for a year or two before I got them to consent to it.

Mr. WADSWORTH. Well, the Senator from North Dakota cites a remarkable exception; and if those experiments shall be finished within 10 years, I shall congratulate the Treasury of the United States.

Mr. GRONNA. I will say to the Senator from New York that the law has not yet been enacted, but the provision is in the Agricultural appropriation bill, which is still slumbering in the conference committee.

Mr. MARTIN. Mr. President, I dislike very much to interrupt the Senator, but if it is entirely agreeable to him, I should like very much to have him yield for a matter which I think will take but a few moments. I desire to report from the Committee on Appropriations the general deficiency appropriation bill. There are but few amendments, and I think its consideration will take but five minutes.

Mr. WADSWORTH. I am very glad to yield to the Senator for that purpose.

GENERAL DEFICIENCY APPROPRIATIONS.

Mr. MARTIN. I report from the Committee on Appropriations with amendments House bill 12600 (S. Rept. 542) being the general deficiency appropriation bill, and asking unanimous consent for its immediate consideration.

Mr. FLETCHER. I think the unfinished business should be laid aside.

The VICE PRESIDENT. Is there objection to the request of the Senator from Virginia? The Chair hears none.

Mr. FLETCHER. That should be done without displacing the unfinished business.

The VICE PRESIDENT. The unfinished business is displaced until the appropriation bill shall have been disposed of. The Chair does not know how long that will be.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 12600) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. MARTIN. I ask unanimous consent that the formal reading of the bill be dispensed with and that it be read for amendment, the committee amendments to be first considered.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it will be so ordered.

The first amendment of the Committee on Appropriations was, under the head of "Executive," subhead "Housing for war needs," on page 2, after line 2, to strike out:

The authorization fixed by section 8 of the act entitled "An act to authorize the President to provide housing for war needs," approved May 16, 1918, is increased from $60,000,000 to $110,000,000, and there is appropriated for the purposes thereof, including rental of offices in the District of Columbia, contingent and miscellaneous expenses, printing and binding, and personal services in the District of Columbia and elsewhere, $50,000,000, to be expended in accordance with the authority and under the conditions prescribed in the said act as amended by the deficiency appropriation act approved June 4, 1918, and to continue available during the fiscal year 1919.

The amendment was agreed to.

The next amendment was, under the head of "War Department," subhead "National Cemeteries," at the top of page 15, to insert:

Frankford Arsenal, Philadelphia, Pa.: For seawall along the Delaware River at Frankford Arsenal, $25,000: *Provided*, That the unexpended balance of the appropriation of $36,000 for a seawall along the Delaware River at Frankford Arsenal contained in the urgent deficiency act approved October 6, 1917, be made available for the fiscal year ending June 30, 1919.

The amendment was agreed to.

Mr. MARTIN. There is a slight correction that should be made on page 15. I send the amendment to the desk and ask that it be adopted.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 15, at the top of the page, it is proposed to insert the center head "Armories and Arsenals."

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head "Military Establishment," on page 26, after line 15, to insert:

MEDICAL DEPARTMENT.

For Medical and Hospital Department, for meeting obligations incurred and to be incurred by authority of the deficiency appropriation act approved June 4, 1918, $33,000,000.

The amendment was agreed to.

Mr. MARTIN. Mr. President, I send an amendment to the desk, to come in on page 32, after line 4.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 32, after line 4, it is proposed to insert the following item:

Geological Survey: For discovering, developing, protecting, and rendering more accessible springs, streams, and water holes on arid public lands of the United States, for erecting and maintaining suitable and durable monuments and signboards, and for providing convenient and ready means, apparatus, and appliances by which water may be brought to the earth's surface, $10,000.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head of "Legislative," page 37, after line 3, to insert:

SENATE.

For 16 pages for the Senate Chamber at the rate of $2.50 per day each from and including July 1, 1918, until the close of the second session of the Sixty-fifth Congress, so much as may be necessary.

The amendment was agreed to.

The next amendment was, after line 8, to insert:

For maintaining, exchanging, and equipping motor vehicles for carrying the mails, and for official use of the offices of the Secretary and Sergeant at Arms, for the fiscal year 1918, $250.

The amendment was agreed to.

The next amendment was, on page 37, after line 12, to insert:

To enable the Postmaster of the Senate to keep a constant supply of postage stamps for sale to Senators, $300.

The amendment was agreed to.

The next amendment was, on page 37, after line 14, to insert:

To pay Dennis M. Kerr for extra and expert services rendered to the Committee on Pensions during the first and second sessions of the Sixty-fifth Congress as assistant clerk to said committee by detail from the Bureau of Pensions, $1,200.

The amendment was agreed to.

The next amendment was, on page 37, after line 19, to insert:

To reimburse the Official Reporters of the proceedings and debates of the Senate for clerical expenses actually and necessarily incurred from September 1, 1917, to June 30, 1918, $4,851.67.

The amendment was agreed to.

Mr. MARTIN. I send to the desk an amendment, to come in on page 38, lines 8 and 9.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 38, lines 8 and 9, it is proposed to strike out "Committee on Elections No. 1" and to insert in lieu thereof "Committees on Elections Nos. 1 and 3," and after line 9 to insert:

Mark R. Bacon, $2,000.
Samuel W. Beakes, $2,000.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head of "Government Printing Office," on page 39, after line 19, to insert:

From and after the passage of this act the compensation of all printer-linotype operators, printer-monotype-keyboard operators, makers-up, proof readers, and pressmen employed in the Government Printing Office shall be at the rate of 65 cents per hour for the time actually employed, and that the pay of all compositors, bookbinders, and bookbinder-machine operators employed in the Government Printing Office shall be at the rate of 60 cents per hour for the time actually employed: *Provided*, That employees of the Government Printing Office whose wages are increased by the provisions of this act shall be paid at the rates provided for herein during the period of the present war and for six months after the proclamation of peace, when the wages paid such employees shall thereafter be at the rates paid at the time of the passage of this act, unless otherwise provided by law.

Mr. JONES of Washington. Mr. President, I wish to ask the chairman of the committee if the subcommittee went into this matter pretty carefully and considered the suggestions of those who are interested and came to the conclusion that this provision met the situation fairly and justly?

Mr. MARTIN. The chairman of the subcommittee is present and will explain it further, if desired, but that is exactly what we did do. We thought the amendment fairly met conditions at the Printing Office. That was the judgment of the committee.

Mr. FLETCHER. Mr. President, in that connection may I ask if the committee considered the proposed amendment offered by the Senator from Arizona [Mr. ASHURST]?

Mr. SMOOT. Mr. President, I will say to the Senator that the Committee on Printing not only considered the amendment that was offered by the senior Senator from Arizona [Mr. ASHURST], but the original amendment, which was offered by the junior Senator from Arizona [Mr. SMITH]. We held hearings and had the members of the different organizations before the committee, and the provision in the bill is in the identical wording agreed to by the Committee on Printing in a bill now on the calendar. Instead, however, of having it passed as a separate bill, which would have to go to the House and be passed there, we thought that it was absolutely necessary to put this provision upon this bill in order to have it pass before the contemplated recess. I repeat that this is, word for word, the bill that is now on the calendar.

Mr. FLETCHER. It provides for what was agreed upon by the Committee on Printing as a proper compensation?

Mr. SMOOT. The committee thinks it is proper compensation.

Mr. FLETCHER. It conforms to the bill as reported by the Committee on Printing?

Mr. SMOOT. Word for word.

Mr. UNDERWOOD. The subcommittee had both propositions before it, but the Committee on Printing, after considering the whole question, concluded that this would meet the situation, and the Appropriations Committee adopted the view of the committee that had the matter in charge.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was under the head of "Judgments, Courts of Claims," on page 41, line 16, after the number "1182," to insert "and Senate Document No. 250"; in line 19, after the words "War Department," to strike out "$48,636.36" and insert "$59,804.54"; in line 20, after the words "Navy Department," to strike out "$16,073.50" and insert "$53,196.12"; in line 21, after the words "Post Office Department," to strike out "$1,677.80" and insert "$2,409.11"; in line 23, after the words "Interior Department," to strike out "$2,269.19" and insert "$17,820.09"; and on page 42, line 2, after the words "in all," to strike out "$95,025.05" and insert "$159,598.06"; so as to make the clause read:

For the payment of the judgments rendered by the Court of Claims, reported to Congress during the present session in House Document No. 1182 and Senate Document No. 250, namely:
Under the Treasury Department, $21,297.79;
Under the War Department, $59,804.54;
Under the Navy Department, $53,196.12;
Under the Post Office Department, $2,409.11;
Under the Interior Department, $17,820.09;
Under the Department of Justice, $1,691.75;
Under the Department of Commerce, $3,378.66;
In all, $159,598.06.

The amendment was agreed to.

Mr. MARTIN. I send to the desk an amendment to come in on page 42, after line 6.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 42, after line 6, it is proposed to insert the following:

That the general deficiency appropriation act of June 30, 1906 (34 Stat. L., p. 664), so far as the said act provides for the payment of the judgment of the Court of Claims of May 18, 1905, in favor of the Cherokee Nation, with interest (Fortieth Court of Claims Reports, p. 252), be, and the same hereby is, so amended as to allow additional interest to be paid upon items 1 and 4 of said judgment, and upon the funds arising from said items 1 and 4, respectively, as follows, to wit: On the amount of the fund which arose from item 1 of said judgment as such amount was determined and paid to the Secretary of the Interior on July 2, 1906, to be by him credited to the principal of the Cherokee school fund, interest at 5 per cent per annum from July 2, 1906, to and including May 26, 1910; on the amount of the fund which arose from item 4 of said judgment, as such amount was determined and paid to the Secretary of the Interior on July 2, 1906, to be by him credited to the principal of the Cherokee national fund, interest at 5 per cent per annum from July 2, 1906, to and including May 26, 1910; on the original principal sum of item 4 of said judgment, interest at 5 per cent per annum from July 1, 1893, to July 1, 1903, and on the amount of the interest thus accruing interest at 4 per cent per annum from December 29, 1905, to May 14, 1906; and on the aggregate of the sums of the interest for the last two periods herein above mentioned, interest at 5 per cent per annum from July 2, 1906, to the date of the passage of this act; and the sum of $27,500, or so much thereof as may be necessary, to pay the interest above allowed, is hereby appropriated and authorized to be paid to the Cherokee Nation: *Provided*, That the Secretary of the Treasury is hereby authorized and directed to pay the amount arising from item 4 of said judgment, with interest thereon as herein above provided for, to the agent appointed by the Cherokee Nation acting through its principal chief to receive the same, said payment to be made immediately upon the approval of this act.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 55, after line 19, to insert:

AUDITED CLAIMS.

SEC. 3. That for the payment of the following claims, certified to be due by the several accounting officers of the Treasury Department under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the act of June 20, 1874, and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1916 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the act of July 7, 1884, as fully set forth in Senate Document No. 249, reported to the Sixty-fifth Congress, second session, there is appropriated as follows:

CLAIMS ALLOWED BY THE AUDITOR FOR THE TREASURY DEPARTMENT.

For refunding taxes illegally collected, $55,929.55.
For payment of judgments against internal-revenue officers, $7,023.59.
For furniture and repairs of same for public buildings, $250.

CLAIMS ALLOWED BY THE AUDITOR FOR THE WAR DEPARTMENT.

For pay, etc., of the Army, $43.77.
For extra-duty pay to enlisted men as clerks, etc., at Army Division and Department Headquarters, $108.50.
For transportation of the Army and its supplies, $117.92.
For headstones for graves of soldiers, $2.58.
For disposition of remains of officers, soldiers, and civil employees, 1917, $441.18.
For civilian military training camps, 1918, $229,044.35.

CLAIMS ALLOWED BY THE AUDITOR FOR THE NAVY DEPARTMENT.

For construction and repair, Bureau of Construction and Repair, $15,197.67.
For engineering, Bureau of Steam Engineering, $15,197.68.
For pay of the Navy, $8.83.

CLAIMS ALLOWED BY THE AUDITOR FOR THE INTERIOR DEPARTMENT.

For purchase and transportation of Indian supplies, 1917, $807.25.
For purchase and transportation of Indian supplies, $175.18.

CLAIMS ALLOWED BY THE AUDITOR FOR THE STATE AND OTHER DEPARTMENTS.

For contingent expenses, United States consulates, $19.
For contingent expenses, foreign missions, 1917, $133.17.
For representation of interests of foreign governments arising out of hostilities in Europe, etc., 1916 and 1917, $23,114.87.
For relief, protection, and transportation of American citizens in Europe, $42,102.65.
For fees of clerks, United States courts, 1917, $185.60.
For fees of clerks, United States courts, $1,302.20.
For supplies for United States courts, 1917, $68.09.

CLAIMS ALLOWED BY THE AUDITOR FOR THE POST OFFICE DEPARTMENT.

Rural Delivery Service, $149.43.

The amendment was agreed to.

The VICE PRESIDENT. That completes the committee amendments. The bill is before the Senate, as in Committee of the Whole, and open to further amendment.

Mr. CALDER. Mr. President, on page 2 of the bill I notice that the committee has stricken out the House provision increasing the appropriation for housing for war needs. When this subject was heretofore under discussion, after several days' consideration, an appropriation of $60,000,000 for this purpose was made, and previous to that appropriation $50,000,000 was provided, to be expended by the Shipping Board, totaling $110,000,000. At the time this matter was under discussion I stated in the Senate that I had been informed by a man connected with the department for which this money is asked that before the war was over Congress would be required to appropriate for housing its workmen at least a billion dollars. The House provision in this bill looks like the beginning of an effort to get the billion. Perhaps it may be true that this additional $50,000,000 is needed, but before it is allowed this whole matter should be subjected to the most careful scrutiny at the hands of the Senate Committee on Appropriations. I am glad, therefore, that the item has been stricken from the bill, and I trust that it will not be reinserted in conference unless the Senate conferees are convinced that it is absolutely necessary.

I know, Mr. President, that in many parts of this country where large manufacturing plants are engaged in Government work the plants themselves are providing housing facilities for their workmen, and I really believe that in practically all cases these institutions making vast profits will provide the necessary homes for their men if the Government will only insist upon it. The other day in passing through a village near Wilmington, Del., I saw a great plant—I think it was called the American Chemical Works—and I happened to meet on the road a gentleman from New York who is a builder, who told me that he was constructing for this concern 400 houses at their own expense for taking care of their own workmen.

Mr. PENROSE. Mr. President, I will state for the Senator's information they are spending over $5,000,000 of their own funds for that purpose without asking any favor of the Government.

Mr. CALDER. I am glad to have the Senator from Pennsylvania corroborate my statement in that regard. I believe, Mr. President, that there are some people engaged in this very business who believe that they can induce the Government to go into the wholesale building of homes to carry out some notion of theirs relative to housing matters. I know that the chairman of the committee is deeply concerned over this question, and it is one which should be carefully considered before we permit the commission having these matters in charge to go too far in this very important service, for I am convinced that unless we are exceedingly careful vast sums of the people's money will be wasted.

It is one thing for the Government on its own account to go into the business of building homes for its workmen and an entirely different thing for us to lend, where necessary, the money needed to those responsible to provide the houses for their own employees; the latter method is a legitimate undertaking, where the Government takes little unnecessary risk; while the former, in my opinion, unless carefully safeguarded, is sure to lead to great extravagance and waste.

The VICE PRESIDENT. If there be no further amendments to be proposed, the bill will be reported to the Senate.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

DISTRICT OF COLUMBIA APPROPRIATIONS—CONFERENCE REPORT.

Mr. SMITH of Maryland. I submit a conference report in regard to the District of Columbia appropriation bill.

Mr. GRONNA. Mr. President, I hope the Senator will not present that now.

The VICE PRESIDENT. The Senator has a right to do so under the rule.

Mr. GRONNA. I understand that, Mr. President; but I have made the announcement that I shall have to leave the Senate Chamber before 6 o'clock, and I had hoped the Senator would let us have the time that is left in which to pass this lignite bill.

The VICE PRESIDENT. The Secretary will read the report.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate, Nos. 1, 61, and 83, to the bill (H. R. 11692) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1919, and for other purposes, having met, after full and free conference have been unable to agree.

JOHN WALTER SMITH,
JOE T. ROBINSON,
J. H. GALLINGER,
Managers on the part of the Senate.

T. U. SISSON,
JAS. MCANDREWS,
C. R. DAVIS,
Managers on the part of the House.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives adhering to its disagreement to the amendments of the Senate, Nos. 1, 61, and 83, to the District of Columbia appropriation bill.

Mr. SMITH of Maryland. Mr. President, I think it desirable that the Senate should express itself upon these items in disagreement. I therefore suggest the absence of a quorum, so that we may get an expression of the sentiment of the Senate in regard to this matter.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Johnson, Cal.	Norris	Smith, S. C.
Bankhead	Johnson, S. Dak.	Overman	Smoot
Beckham	Jones, Wash.	Owen	Sterling
Calder	Kellogg	Penrose	Sutherland
Chamberlain	Kendrick	Phelan	Swanson
Dillingham	Kenyon	Pittman	Thomas
Fall	Lewis	Poindexter	Trammell
Fernald	Lodge	Pomerene	Underwood
Fletcher	McCumber	Ransdell	Vardaman
France	McKellar	Reed	Wadsworth
Gallinger	McNeary	Shafroth	Warren
Gerry	Martin	Sheppard	Weeks
Gronna	Myers	Simmons	Williams
Henderson	Nelson	Smith, Ga.	
Hollis	New	Smith, Md.	

Mr. MCKELLAR. I wish to announce the unavoidable absence of the senior Senator from Tennessee [Mr. SHIELDS] on account of illness. I will let this announcement stand for the day. I wish also to announce the unavoidable absence, on official business, of the junior Senator from Arkansas [Mr. KIRBY].

The VICE PRESIDENT. Fifty-eight Senators have answered to the roll call. There is a quorum present. The question is on agreeing to the conference report.

The report was agreed to.

Mr. SMITH of Maryland. Mr. President, the object of this roll call is to obtain a quorum. The conferees on the part of the Senate in regard to the District of Columbia appropriation bill desire to have a record vote as to how far they are sustained in their disagreement. The House seems to have had a vote, and there seem to be some rumors going around that they do not know how the Senate stands upon this disagreement on the half-and-half question, and I desire to take a vote of the Senate upon that proposition.

I move that the Senate further insist upon its amendments, and I ask for a yea-and-nay vote to show to what extent the Senate approves of that insistence.

Mr. NORRIS. Mr. President, may I ask the Senator from Maryland a question?

Mr. SMITH of Maryland. Yes, sir.

Mr. NORRIS. I wish the Senator would explain just exactly what the amendments are that are in dispute. I think there are quite a number of Senators who have not been able to give any attention to the conference report and do not know what the amendments are.

Mr. SMITH of Maryland. There are three amendments in disagreement. One is with regard to the half-and-half principle. That is amendment numbered 1. Another is the application to that principle in regard to whether the District alone shall pay for the playgrounds or whether they shall be paid for on the half-and-half plan. The other is an amendment of $3,860 with regard to Thomas Keller and wife. I will suggest that probably it would be more agreeable if we should separate the amendments for the purpose of a vote.

Mr. NORRIS. Will the Senator permit me to suggest that he take up the first two amendments, at least—the other one seems to relate to another matter—and tell us what proposition the House has instead of the half-and-half plan that the Senate amendment provides for, and then explain also which side the Senate conferees take of the question of paying for playgrounds so that we may have a definite understanding of what the dispute is?

Mr. SMITH of Maryland. In order to comply with the request of the Senator from Nebraska, I suggest that we vote first on amendments numbered 1 and 83. One is the principle itself and the other is the application of the principle. The amendment numbered 83 is the application of the principle whether the District of Columbia shall pay for these playgrounds alone or whether they shall be paid for out of the general fund on the half-and-half basis. We will vote first on those two amendments, which I consider one and the same.

Mr. NORRIS. Which side of that question do the Senate conferees take?

Mr. SMITH of Maryland. We are in favor of the half-and-half plan. If there ever was a time when that plan should prevail, it is now, when the Government is controlling and running and has charge of all the various functions. This is no time to make any change, and in my judgment the plan is right all the time.

Mr. NORRIS. The Senator did not understand my question. I wanted the Senator to state, on the question of playgrounds, which side the Senate conferees take.

Mr. SMITH of Maryland. We take the ground that they ought to be paid for out of the general fund on the half-and-half basis.

Mr. NORRIS. And the House conferees disagree to that?

Mr. SMITH of Maryland. They do.

Mr. NORRIS. They claim that they should be paid for entirely from the District taxes?

Mr. SMITH of Maryland. Entirely out of the funds of the District of Columbia.

Mr. GALLINGER. Mr. President, if the chairman of the committee will permit me, the playground proposition is the only exception that the House insists upon if the half-and-half principle prevails. In the case of no other item in the bill is it insisted by the House that the entire amount of money shall come from the treasury of the District of Columbia. It differentiates that item from all others.

Mr. SMITH of Maryland. That one item is differentiated from all others.

Mr. GALLINGER. And we feel that there is no reason for it in justice.

Mr. SMITH of Maryland. That was the judgment of the committee and the judgment of the conferees.

Mr. NORRIS. Mr. President, I should like to ask the Senator another question. What system of taxation do the House conferees suggest in place of the half-and-half system—the same one that they had before? I think the Senator ought to explain what the House proposes instead of the half-and-half system.

Mr. SMITH of Maryland. The House proposes to take whatever money the District raises by taxation, the balance to be paid by the Government.

The VICE PRESIDENT. The Senator from Maryland offers a resolution, which will be stated.

The resolution was read, as follows:

Resolved, That the Senate further insists upon its amendments numbered 1 and 83 to the bill (H. R. 11692) entitled "An act making appropriations to provide for the expenses of the Government of the District of Columbia for the fiscal year ending June 30, 1919, and for other purposes," requests a further conference with the House on the disagreeing votes thereon, and that the conferees on the part of the Senate be appointed by the Chair.

Mr. SMITH of Maryland. We are voting now simply on the question of the extent to which the Senate will sustain its conferees with regard to their action as to the various amendments in disagreement.

Mr. GALLINGER. Mr. President, I want to occupy just one minute. As I understand, the question of the half-and-half principle is involved in the vote we are about to take, is it not?

Mr. SMITH of Maryland. That is the question.

Mr. GALLINGER. Mr. President, I want to make an observation that will occupy only a minute or two.

The Senator from Maryland has very properly said that this seems an inopportune time to change the system. I need not do more than call the attention of Senators to the fact that the Government has greatly increased its holdings in the District of Columbia during the last year, and there is a very prevalent belief that the Government to-day controls and owns more than half of the property in the District of Columbia. Now, the proposition on the part of the other House is that the money taken from the people of this District by taxation, which is to-day more than one-half the expense of running the District, shall be taken by the Government, shall go into the Treasury, and the Government shall pay whatever balance is necessary, so that in the very nature of things the District of Columbia would be paying more than one-half of the expenses of the Government.

That is all there is to it.

The VICE PRESIDENT. The Senator from Maryland requests the yeas and nays on the resolution offered by him. Is the request seconded?

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. MYERS (when his name was called). I transfer my pair with the Senator from Connecticut [Mr. McLEAN] to the Senator from Tennessee [Mr. SHIELDS] and vote "yea."

Mr. WEEKS (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. JAMES], which I transfer to the junior Senator from Vermont [Mr. PAGE] and vote "yea."

The roll call was concluded.

Mr. McKELLAR. I again announce the unavoidable absence, owing to illness, of the senior Senator from Tennessee [Mr. SHIELDS], and the unavoidable absence, upon official business, of the junior Senator from Arkansas [Mr. KIRBY].

Mr. CHAMBERLAIN. I transfer my general pair with the junior Senator from Pennsylvania [Mr. KNOX] to the senior Senator from Texas [Mr. CULBERSON] and vote "yea."

Mr. UNDERWOOD (after having voted in the affirmative). I transfer my general pair with the junior Senator from Ohio [Mr. HARDING] to the senior Senator from Arkansas [Mr. ROBINSON] and will let my vote stand.

Mr. WATSON. I have a general pair with the junior Senator from Delaware [Mr. WOLCOTT]. In his absence I transfer that pair to the junior Senator from Michigan [Mr. TOWNSEND] and vote "yea."

Mr. REED (after having voted in the affirmative). I have a pair with the senior Senator from Michigan [Mr. SMITH]. A moment ago I voted without announcing the transfer. I transfer that pair to the junior Senator from Arkansas [Mr. KIRBY], and will allow my vote to stand.

Mr. GALLINGER. I desire to announce that the junior Senator from Kansas [Mr. CURTIS] is unavoidably absent. He is paired with the junior Senator from Georgia [Mr. HARDWICK]. If the junior Senator from Kansas were present, he would vote "yea."

Mr. LEWIS. I desire to announce that the Senator from New Mexico [Mr. JONES], the Senator from Nebraska [Mr. HITCHCOCK], and the Senator from Louisiana [Mr. GUION] are detained on official business.

Mr. GALLINGER. I have been requested to announce the following pairs:

The Senator from West Virginia [Mr. GOFF] with the Senator from South Carolina [Mr. TILLMAN];

The Senator from New Jersey [Mr. FRELINGHUYSEN] with the Senator from Montana [Mr. WALSH]; and

The Senator from Rhode Island [Mr. COLT] with the Senator from Delaware [Mr. SAULSBURY].

The result was announced—yeas 59, nays 4, as follows:

AYES—59.

Ashurst	Johnson, S. Dak.	Overman	Smith, Md.
Bankhead	Jones, Wash.	Owen	Smith, S. C.
Calder	Kellogg	Penrose	Smoot
Chamberlain	Kendrick	Phelan	Sterling
Dillingham	King	Pittman	Sutherland
Fall	Lewis	Poindexter	Swanson
Fernald	Lodge	Pomerene	Thomas
Fletcher	McCumber	Ransdell	Trammell
France	McKellar	Reed	Underwood
Gallinger	McNary	Shafroth	Wadsworth
Gerry	Martin	Sheppard	Warren
Gore	Myers	Sherman	Watson
Gronna	Nelson	Simmons	Weeks
Henderson	New	Smith, Ariz.	Williams
Johnson, Cal.	Nugent	Smith, Ga.	

NAYS—4.

Beckham	Hollis	Kenyon	Vardaman

NOT VOTING—33.

Baird	Guion	La Follette	Thompson
Borah	Hale	Lenroot	Tillman
Brandegee	Harding	McLean	Townsend
Colt	Hardwick	Norris	Walsh
Culberson	Hitchcock	Page	Wilfley
Cummins	James	Robinson	Wolcott
Curtis	Jones, N. Mex.	Saulsbury	
Frelinghuysen	Kirby	Shields	
Goff	Knox	Smith, Mich.	

So the resolution of Mr. SMITH of Maryland was agreed to.

Mr. SMITH of Maryland. Mr. President, I now offer a similar resolution with reference to amendment numbered 61, which authorizes the payment of Mr. Thomas W. Keller and wife for property that was taken from him, and for which he was paid nothing; and not only was he paid nothing but he was taxed to pay the owners of the property adjoining his the amount of $6,000. He got nothing for his property, but was taxed to pay for another man's property similarly taken.

I ask for a record vote on the resolution.

The VICE PRESIDENT. The Senator from Maryland offers a resolution, which will be stated.

The resolution was read, as follows:

Resolved, That the Senate further insists upon its amendment numbered 61 to the bill (H. R. 11692) entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1919, and for other purposes."

Mr. UNDERWOOD. Mr. President, I offered this amendment with reference to the Keller claim, and I will delay the Senate just a moment to state the facts in the case.

There were two tracts of land laid out in the northwest. The older tract was the tract in which the Keller property lies. Immediately adjoining his property the new tract began. On the new tract there was a broader street. The houses were put back to the parking on the broad street, but when they came up to the Keller tract they wanted to open the right of way and make the street broader all the length. There were only three lots. Two of them belonged to Mr. Keller and one to a gentleman on the corner. The two lots had about the same number of square feet in them. In the condemnation proceedings the findings in the case of the corner lot were that the owner was damaged to the extent of $6,000, and no benefits were taxed against him. There was a frame house on the property, assessed at $600, that had to be removed. The testimony showed that it was not worth more than a thousand dollars at the outside. So that the adjoining lot owner was paid $5,000 damages net, while the Keller property was not only assessed the benefits, but was not given any damages—that is, it was allowed a certain amount of damages—but the assessment of benefits far exceeded the damages; so they took Mr. Keller's property away from him without paying him for it.

I think it is a just claim. I always have thought so. Mr. Keller has a letter from the corporation counsel of the District of Columbia at that time, in which he stated that he thought this claim was really just; and I think it ought to be insisted upon.

I ask for a record vote on the resolution.

The VICE PRESIDENT. The Senator from Alabama asks for the yeas and nays on the resolution.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. MYERS (when his name was called). I announce the same transfer of my pair as on the last roll call and vote "yea."

Mr. WEEKS (when his name was called). I make the same transfer as on the previous roll call and vote "yea."

The roll call was concluded.

Mr. McKELLAR. I again announce the unavoidable absence of the senior Senator from Tennessee [Mr. SHIELDS] on account of illness, and will state that if he were present he would vote "yea." I also announce the unavoidable absence on official business of the Senator from Arkansas [Mr. KIRBY].

Mr. GALLINGER. I desire to announce again the unavoidable absence of the junior Senator from Kansas [Mr. CURTIS], and his pair with the junior Senator from Georgia [Mr. HARDWICK], and to say that if the Senator from Kansas were present he would vote "yea."

Mr. REED (after having voted in the affirmative). Announcing the same transfer of my pair as on the previous roll call, I will allow my vote to stand.

Mr. CHAMBERLAIN. Making the same transfer as on the previous vote, I vote "yea."

The result was announced—yeas 61, nays 0, as follows:

YEAS—61.

Ashurst	Dillingham	Gore	Kellogg
Bankhead	Fall	Henderson	Kendrick
Beckham	Fletcher	Hollis	King
Brandegee	France	Johnson, Cal.	Lenroot
Calder	Gallinger	Johnson, S. Dak.	Lewis
Chamberlain	Gerry	Jones, Wash.	Lodge

McCumber	Phelan	Smith, Ariz.	Underwood
McKellar	Pittman	Smith, Ga.	Vardaman
McNary	Poindexter	Smith, Md.	Wadsworth
Martin	Pomerene	Smith, S. C.	Warren
Myers	Ransdell	Smoot	Watson
Nelson	Reed	Sterling	Weeks
New	Shafroth	Sutherland	Williams
Nugent	Sheppard	Swanson	
Overman	Sherman	Thomas	
Penrose	Simmons	Trammell	

NOT VOTING—35.

Baird	Gronna	Kirby	Shields
Borah	Guion	Knox	Smith, Mich.
Colt	Hale	La Follette	Thompson
Culberson	Harding	McLean	Tillman
Cummins	Hardwick	Norris	Townsend
Curtis	Hitchcock	Owen	Walsh
Fernald	James	Page	Wilfley
Frelinghuysen	Jones, N. Mex.	Robinson	Wolcott
Goff	Kenyon	Saulsbury	

So the resolution of Mr. SMITH of Maryland was agreed to.

Mr. SMITH of Maryland. I move that the Senate further insist upon its amendments and request a further conference with the House of Representatives on the disagreeing votes of the two Houses thereon, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. SMITH of Maryland, Mr. UNDERWOOD, and Mr. CURTIS managers at the further conference on the part of the Senate.

INVESTIGATION OF LIGNITE COALS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3220) authorizing the Secretary of the Interior to make investigations, through the Bureau of Mines, of lignite coals, to determine the practicability of their utilization as a fuel and in producing commercial products.

The VICE PRESIDENT. The Senator from New York [Mr. WADSWORTH] has the floor.

Mr. WADSWORTH. Mr. President, when interrupted by more important business I was discussing the pending bill. I wish to ask the Senator in charge of the bill, or any other Senator interested in the proceedings this afternoon or to-morrow, whether it is the intention to hold the Senate in session this afternoon until a vote is reached on this measure? If an understanding may be reached that it will go over until to-morrow and a vote be had then, I would not think of holding the Senate in session this afternoon while I continued my remarks.

Mr. HENDERSON. We could not hear on this side what the Senator said.

Mr. WADSWORTH. I simply wanted to ask whether it is the intention of the Senator in charge of the bill which was under discussion before the conference reports were brought in to continue the session this afternoon or to let it go over until to-morrow and have the vote taken on it to-morrow? When the conference reports were brought in I yielded the floor with the intention of resuming it, but at this rather late hour I do not care to hold the Senate in session to listen to my remarks unless it is the purpose of the Senate to continue this afternoon the discussion of the bill and to reach a vote upon it.

Mr. HENDERSON. If it is agreeable to the Senator from Florida and the Senator from North Dakota [Mr. GRONNA], I have no objection whatever to the bill going over until to-morrow.

Mr. FLETCHER. It is only a little after 5, and it seems to me that it is too early to take a recess.

Mr. WADSWORTH. I for the moment refrain from addressing the Senate in the hope that the Senate may escape the further continuation of my remarks this afternoon.

Mr. HENDERSON. I am perfectly willing to follow whatever course the Senator from Florida wishes to pursue in the matter.

Mr. FLETCHER. I desire to submit a conference report.

The VICE PRESIDENT. The Senator from New York has the floor.

Mr. WADSWORTH. I yield for that purpose.

RIVER AND HARBOR APPROPRIATIONS—CONFERENCE REPORT (S. DOC. NO. 256).

Mr. FLETCHER. I submit a conference report and ask that it may lie on the table and be printed.

The conference report was ordered to lie on the table and to be printed, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10069) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 6, 7, 8, and 9.

That the House recede from its disagreement to the amendments of the Senate numbered 3 and 4, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: Strike out the language in the proposed amendment; also strike out the period at the end of line 20, page 18, and insert in lieu thereof a colon, and add the following words: "*Provided*, That in estimating the cost of doing the work by Government plant, including the cost of labor and materials, there shall also be taken into account proper charges for depreciation of plant and all supervising and overhead expenses and interest on the capital invested in the Government plant, but the rate of interest shall not exceed the maximum prevailing rate being paid by the United States on current issues of bonds or other evidences of indebtedness"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: In the proposed amendment change the number of the section from 9 to 8, and strike out the word "be," at the beginning of the twentieth line, and insert in lieu thereof the word "being"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: Change the number of the section from 10 to 9; and the Senate agree to the same.

The committee of conference have been unable to agree on the amendments of the Senate numbered 1 and 2.

DUNCAN U. FLETCHER,
JOSEPH E. RANSDELL,
KNUTE NELSON,
Managers on the part of the Senate.

JOHN H. SMALL,
CHARLES F. BOOHER,
C. A. KENNEDY,
Managers on the part of the House.

EXECUTIVE SESSION.

Mr. HENDERSON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, July 3, 1918, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate July 2, 1918.

PROMOTIONS IN THE NAVY.

First Lieut. Augustus Aiken to be a captain in the Marine Corps, for temporary service.

First Lieut. Austin G. Rome to be a captain in the Marine Corps, for temporary service.

First Lieut. Arthur J. Trask to be a captain in the Marine Corps, for temporary service.

Second Lieut. Donald B. Creecy to be a first lieutenant in the Marine Corps, for temporary service.

Second Lieut. George R. Jackson to be a first lieutenant in the Marine Corps, for temporary service.

Second Lieut. Clinton I. Smallman to be a first lieutenant in the Marine Corps, for temporary service.

Second Lieut. Robert E. Mills to be a first lieutenant in the Marine Corps, for temporary service.

Second Lieut. Stewart W. Chaffee to be a first lieutenant in the Marine Corps, for temporary service.

Second Lieut. William F. Brown, jr., to be a first lieutenant in the Marine Corps, for temporary service.

The following-named temporary second lieutenants to be second lieutenants in the Marine Corps for a probationary period of two years:

Judson H. Fitzgerald and
Samuel A. Milliken.

POSTMASTER.

NEW YORK.

Howard C. Kinney, Waterloo.

HOUSE OF REPRESENTATIVES.

TUESDAY, *July 2, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou great Jehovah, who hast spoken into existence all the beauty, grandeur, and glory round about us, and hast created us, Thy children, after Thine image and likeness, and hast filled our souls with longings, hopes, and aspirations which will not be stayed, lead Thou us on that we may be heroes, victors in the great battle of life, and receive at last from Thine own hand a crown of glory.

Hear us, O Lord, when we pray for poor suffering humanity. Thousands are dead. Thousands are dying. Other thousands are wounded and bleeding. Hearts are rent and torn asunder with grief.

Stay the hands, we beseech Thee, of the assassins, and crown our arms and those of our allies with victory, that the bloodthirsty fiends may be brought to their knees in supplication; and glory and honor be Thine through Christ Jesus the Lord. Amen.

The Journal of the proceedings of Saturday was read and approved.

GOVERNMENTAL CONTROL OF TELEGRAPH COMPANIES, ETC.

Mr. GORDON. Mr. Speaker, by unanimous direction of the Committee on Military Affairs, a quorum being present, I am directed to request the House to transfer House joint resolution 309, by Mr. ASWELL, "to insure the continuous operation of electrical communicating systems, to guard the secrecy of war dispatches, and prevent communications between public enemies," from the Committee on Interstate and Foreign Commerce to the Committee on Military Affairs.

The SPEAKER. What is the number of it?

Mr. GORDON. House joint resolution 309.

The SPEAKER. The gentleman asks unanimous consent, by authority of the Committee on Military Affairs, to rerefer the joint resolution 309 from the Committee on Interstate and Foreign Commerce to the Committee on Military Affairs. Is there objection? [After a pause.] The Chair hears none.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bill and joint resolution of the following titles, in which the concurrence of the House of Representatives was requested:

S. 4724. An act to incorporate the Mothers of Democracy of the United States of America; and

S. J. Res. 156. Joint resolution to suspend the requirements of annual assessment work on mining claims during the continuation of the war in which the United States is now engaged, and until midnight of December 31 of the year following that in which such war is concluded.

ENROLLED BILLS SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 3332. An act authorizing the Secretary of the Treasury to sell and convey certain land to the city of Faribault, Minn.; and

H. R. 12633. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 4724. An act to incorporate the Mothers of Democracy of the United States of America; to the Committee on the District of Columbia.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 3332. An act authorizing the Secretary of the Treasury to sell and convey certain land to the city of Faribault, Minn.; and

H. R. 12633. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes.

CORRECTION OF ERROR, ENROLLMENT OF A BILL.

Mr. GARD. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. GARD. On behalf of the Committee on the Judiciary, to offer the following privileged resolution.

The SPEAKER. What is it the gentleman desires?

Mr. GARD. I have sent to the Clerk's desk a privileged resolution from the Committee on the Judiciary seeking to correct a bill which was passed, I think, yesterday or the day before, changing the word "persons" to "person" in the bill passed for the protection of uniforms of the Army and Navy.

The SPEAKER. The gentleman from Ohio asks unanimous consent for the present consideration of the resolution which the Clerk will report.

The Clerk read as follows:

House concurrent resolution 47.

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill H. R. 11247, and entitled "An act to provide for the protection of the uniform of friendly nations, and for other purposes," the Clerk be, and he is hereby, authorized and directed to strike out the word "persons," in line 3, page 1, and to insert in lieu thereof the word "person."

The SPEAKER. The question is on agreeing to the concurrent resolution.

The question was taken, and the concurrent resolution was agreed to.

REPORT FROM COMMITTEE ON ENROLLED BILLS.

The SPEAKER laid before the House the bill H. R. 11247.

Mr. WALSH. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. WALSH. I think that act should not be laid before the House until the correction has been made in pursuance to the concurrent resolution just passed.

EXEMPTIONS FROM MILITARY DUTY, DEPARTMENT OF STATE.

The SPEAKER. The Chair has a communication here from the Secretary of State. He does not know what to do with it, except to lay it before the House.

The Clerk read as follows:

THE SECRETARY OF STATE,
Washington, July 1, 1918.

DEAR MR. SPEAKER: Mr. Gordon Auchincloss informs me that by some clerical error in the department, over which he had no control, his name was not submitted in the list of persons in the service of the Department of State who were, on June 5, 1917, between the ages of 21 and 31, for whom requests for exemption from military duty or deferred classification have been asked by the department, which was forwarded to Congress through the President on June 13. The name of Mr. G. Howland Shaw was also inadvertently omitted from this list, the request for deferred classification having been made while he was a clerk in the department. Subsequent to the filing of the request, however, Mr. Shaw was appointed a secretary in the Diplomatic Service and his appointment was confirmed by the Senate on May 3, so that at the time the list was made up Mr. Shaw was within that class of persons who are exempted by law.

Inasmuch as the President's communication above mentioned was not referred to a committee but was merely published in the RECORD, I am doubtful as to what steps I should take to correct the error so that the names of Mr. Auchincloss and Mr. Shaw may be included among those for whom the department has asked deferred classification.

I am, my dear Mr. Speaker,
Sincerely, yours, ROBERT LANSING.

The Hon. CHAMP CLARK,
Speaker of the House of Representatives.

The SPEAKER. Ordered printed in the RECORD and to lie on the table with these other communications of the same kind. It is simply supplementary to the others.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12541) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

The message also announced that the Senate had passed without amendment the following resolution:

House concurrent resolution 47.

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H. R. 11247) entitled "An act providing for the protection of the uniform of friendly nations, and for other purposes," the Clerk be, and he is hereby, authorized and directed to strike out the word "persons," in line 3, page 1, and insert in lieu thereof the word "person."

JOINT RESOLUTION CONTINUING CERTAIN APPROPRIATION BILLS (H. DOC. NO. 1231).

Mr. SHERLEY. Mr. Speaker, I ask unanimous consent for the present consideration of the joint resolution which I send to the Clerk's desk.

The SPEAKER. The Clerk will report it by title.

The Clerk read as follows:

House joint resolution (H. J. Res. 311) making appropriations for certain necessary operations of the Government and of the District of Columbia for the month of July, 1918, and for other purposes.

The SPEAKER. Is there objection?

Mr. JOHNSON of Kentucky. Mr. Speaker, reserving the right to object, I would like to ask my colleague whether or not if this resolution is agreed to it would not continue the half-and-half provision for a year?

Mr. SHERLEY. It would not. It only applies to the month of July, and would not apply that long if the appropriation bill for the District of Columbia should be passed and become a law.

Mr. JOHNSON of Kentucky. Do I correctly understand my colleague to state this applies to the District of Columbia for one month only?

Mr. SHERLEY. It does.

Mr. JOHNSON of Kentucky. If there is no other legislation before the beginning of next month, then what happens?

Mr. SHERLEY. There will have to be another joint resolution, or there will be no authority of law for continuing the District of Columbia government.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, let the resolution be read.

The Clerk read as follows:

Joint resolution (H. J. Res. 311) making appropriations for certain necessary operations of the Government and of the District of Columbia for the month of July, 1918, and for other purposes.

Resolved, etc., That the necessary operations of the Government, so far as they relate to the support of the Army and the Department of Agriculture, including food production operations heretofore provided for by law, and of the District of Columbia, as they were being carried on at the close of the fiscal year ended June 30, 1918, are hereby authorized to be continued notwithstanding that appropriations therefor for the fiscal year ending June 30, 1919, or any part of such fiscal year, have not been made by law, and there is appropriated, out of any money in the Treasury not otherwise appropriated, an amount sufficient to carry on such necessary operations during the month of July, 1918, as the same were carried on during the fiscal year 1918, and including also those operations now authorized by law and not carried on prior to July 1, 1918: *Provided*, That expenditures for the District of Columbia shall be paid one-half from the revenues of the District of Columbia and one-half from the Treasury of the United States: *Provided further*, That no greater amount shall be expended during July, 1918, than an amount equal to one-twelfth of the amount of any appropriations available for the fiscal year 1918, excepting that the rate of expenditure for the month of July, 1917, or for the month of June, 1918, if either be greater than such one-twelfth, may be continued during the month of July, 1918, and where necessary operations have been or may be authorized by law without having been carried on prior to the 1st day of July, 1918, there may be expended during the month of July, 1918, only so much as may be necessary adequately to carry on the operations so authorized: *And provided also*, That the appropriation made by this resolution for any necessary operation shall not be available beyond the date when other appropriations hereafter are made therefor and the amount which may be expended hereunder shall be in lieu of an equal amount of an appropriation for the same purposes, if there be one hereafter made, it being the purpose of this resolution that an appropriation hereafter made, for any operation for the current fiscal year, shall not be in addition to the appropriation herein made but shall be considered as the sole appropriation, so that any amount expended hereunder shall be treated as an expenditure under such appropriation for the current fiscal year.

This joint resolution shall be construed as authorizing salaries and compensation for officers, clerks, and other employees holding offices or employment for which specific salaries or compensation were appropriated for the fiscal year 1918, to continue during July, 1918, to be paid at the same rate while lawfully holding such offices or employment until the appropriations therefor have been made for the fiscal year 1919, and thereafter to be paid only at the rate provided in said appropriations.

Appropriations for the service of the fiscal year 1919 made in Acts approved since June 30, 1918, shall be available for all purposes therein provided for from and including the 1st day of July, 1918, and all obligations incurred pursuant to the terms of said acts as approved are ratified and confirmed from and including the said 1st day of July.

Mr. GARRETT of Tennessee. Reserving the right to object—or would the gentleman prefer to have the consent first?

Mr. SHERLEY. I would like to have the consent, and then I am prepared to make a statement to the House touching what the resolution is, and will state now that it was drawn after very careful consultation with the Comptroller of the Treasury and I believe accurately meets the situation that now confronts the Government.

Mr. GARRETT of Tennessee. I did not propose to object, of course, and so I will not even reserve the right at this time, but direct some inquiries I desire to make to the gentleman.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. SHERLEY. Mr. Speaker, I ask unanimous consent that the resolution may be considered in the House as in the Committee of the Whole.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that the resolution may be considered in the House as in the Committee of the Whole. Is there objection? [After a pause.] The Chair hears none.

Mr. SHERLEY. Mr. Speaker and gentlemen of the House, there remains of the annual supply bills unsigned, but passed by Congress, the pension bill, the Post Office appropriation bill, and the legislative, executive, and judicial bill. I believe those bills will receive the signature of the President to-day, though I have no right authoritatively to make that statement. There have not been passed by the Congress the Army bill, the two Agricultural appropriation bills, the District of Columbia bill, and the fortifications bill, though I understand that a complete agreement has been reached touching the fortifications bill and that it will be passed by the two Houses before the day is finished. The Diplomatic and Consular appropriation bill, the Indian appropriation bill, the Military Academy appropriation bill, the Navy appropriation bill, and the sundry civil appropriation bill are now laws. As I stated yesterday, the situation that confronts the Government this year is different from that which has confronted it in years gone by when at the end of the fiscal year there has been a failure of some of the supply bills. And that situation grows out of the fact that there has been a tremendous expansion of the Government activities both in character and in amount. So that an appropriation that would simply carry an amount equal to one-twelfth of the annual appropriation bill of the year before would neither be sufficient in many instances as to amount nor would it be sufficient as to activities that are going on and that must continue.

Realizing the difficulty of the situation and the need of accurately meeting it by legislation, I requested the Comptroller of the Treasury to come to the Committee on Appropriations yesterday, and he spent quite a number of hours in the drafting of the resolution which I referred to yesterday. After the House had adjourned, in order to make assurance double sure, I spent some two hours further with him and the clerk of the committee in checking the resolution over, so that I believe every precaution that could be taken in advance has been taken to present a resolution in proper form.

Now, the resolution undertakes to do this: It undertakes to make provision for the necessary operations in relation to the support of the Army, the Department of Agriculture, including food-production operations heretofore provided for by law, and of the District of Columbia for a month. And it provides that one-twelfth of the amount carried in such annual appropriation bills for the last year may be used for such purposes during the month of July. But it also provides that where in June, 1918, the expenditures have been at a rate in excess of one-twelfth, or July of 1917, that the amount so expended in either June, 1918, or July, 1917, may be expended in lieu of the one-twelfth. Now, the reason for that was this: As to July, 1917, it was put in on account of the District of Columbia, because their expenditures are very heavy at the beginning of a new fiscal year and are very light at the end of a fiscal year, and the one-twelfth might not meet the situation. Particularly is that true as to expenditures in connection with roads and streets and repairs, and things of that sort. As to June, 1918, it was put in in order that expenditures for the support of the Army might continue at the same rate they have continued during the month of June just passed. And in that way we take care of the situation of which I spoke, due to the increase in the expenditures of the Government. But more than that is done. There have been certain activities authorized by law which have not heretofore been activities of the Government. For instance, we have authorized the District of Columbia to take over the collection and disposition of garbage as a municipal activity, instead of it being done, as heretofore, by contract. Now, if no provision was made for such a situation the District without any contract would be in a position where it could not lawfully undertake this work, and there would be no one else to undertake it. And so gentlemen will find that this language is intended to cover that:

And including also those operations now authorized by law and not carried on prior to July 1, 1918.

Then provision is made in the joint resolution for the payment of salaries at the same rate that they were paid heretofore, in the fiscal year that is past, rather than undertake to change the salary payment. Now, that might result, and will result, touching the Post Office Department, for instance, in clerks who get increases under the new appropriation bill, in receiving their old salary for the one or two or three days that may expire before the new law goes into effect; but the result of that is very greatly to simplify the bookkeeping and the work of the department in auditing these matters.

Then it is provided that, as to appropriations which shall be made in bills that became law since the 30th of June, 1918, which would apply to the pension bill, the Post Office bill, the legislative bill, and will subsequently apply to these other

bills that have not now passed the Congress, the appropriations and authorizations therein shall be considered as applying as of the 1st of July, including that date, which is the curative provision of the joint resolution.

I appreciate that the House can not in the statement made by me follow these details; but I beg to assure the House again that the resolution has been the result of a very careful study by the comptroller. He is the legal officer of the Government, and his decision is final as to whether or not appropriations made are authorized under law or not. The resolution, I believe, accurately takes care of the situation and protects the Government in every way that it is possible to now protect it. And having had his assistance and his full concurrence in the form of the resolution, I feel warranted in asking the House to pass it without amendment.

Mr. WOOD of Indiana. Will the gentleman yield?

Mr. SHERLEY. Yes; with pleasure.

Mr. WOOD of Indiana. As to warrant for continuing appropriations, is there any warrant of law for the exception made in the provision for the payment of deficiencies?

Mr. SHERLEY. I do not know that I understand the gentleman.

Mr. WOOD of Indiana. You undertake here to continue the last year's appropriation to meet the expenses of the municipal government for the ensuing month, and not only undertake to provide for them but you also undertake to provide for the payment of additional expenditures that, as has been explained, are incident to activities here, and by the addition of the war program, and so forth.

The point I make is this: Is there any warrant of law that authorizes the Congress in a resolution of this character to anticipate a deficiency or to provide for the payment of that deficiency in addition to the appropriation provided under the last bill?

Mr. SHERLEY. I do not know that I catch yet just what the gentleman's question implies. But this is true, if he is speaking of deficiencies as such, which occurred in 1918: They are taken care of by the deficiency bill which passed the House yesterday, and which will pass the Senate, I hope, to-day or to-morrow.

Mr. WOOD of Indiana. That is the point I am trying to make. It is evident that an appropriation made last year, or the same amount of appropriation of last year, would not meet the expense of this year, or that one month's appropriation or one-twelfth of the appropriation of last year, would not pay the expense of one month for this coming fiscal year; so that the continuation of the appropriation of last year will not meet this expense.

Mr. SHERLEY. That was remedied by providing that wherever the expenditures for the month of June, 1918, or of July, 1917, was in excess of a twelfth of the expenditure of last year an equal amount to either the June, 1918, or July, 1917, expenditure could be expended during the month of July, 1918.

Mr. WOOD of Indiana. That is the point. Is there any warrant of law authorizing that character of provision?

Mr. SHERLEY. There is warrant of law in this resolution, which when it passes will have all the effect of law. A joint resolution differs in no particular from a bill, and it has to be signed by the President.

Mr. SISSON. Mr. Speaker, will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. SISSON. My understanding of the resolution—and I would like, of course, for the record to show that this construction is the correct one—is that whatever salaries are being paid now in the District of Columbia under the law on June 30 will be continued by this resolution.

Mr. SHERLEY. They will be continued for the month of July unless during the month of July there shall be an annual appropriation bill passed. Then, if that should happen, from the date of that passage there would be a change—whatever change might be carried in the law.

Mr. SISSON. In other words, no present activities of the District government would be affected if this resolution passed.

Mr. SHERLEY. Well I think not, so far as it is possible to provide for it. But this is true: There are certain street improvements where the law of the past fiscal year provided for the improvement of those named streets, and where the new law will provide for the improvement of other streets. This resolution would not enable those streets that will be specifically named to be improved, and of course if the others have been there is no need for that.

Mr. SISSON. I understand. Now, the item that is absolutely essential at this time is a new item, for the purchase of this reduction-sewerage plant by the District Commissioners. That was authorized by law, and the terms of this resolution are broad enough to permit the District Commissioners to pay for that plant?

Mr. SHERLEY. Well, the language reads that there may be expended during the month of July, 1918, only so much as may be necessary adequately to carry on the operations so authorized. That is, new operations authorized by law.

Mr. SISSON. My understanding, from the auditor of the District and the auditor of the Government, is that the language would permit them to take over that plant.

Mr. SHERLEY. As I stated, I believe, so far as it is possible by joint resolution to anticipate the needs of the Government for the month of July, we have done so in this resolution.

Mr. LONDON. Mr. Speaker, will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. LONDON. This does not dispense with the necessity of passing these appropriation bills immediately?

Mr. SHERLEY. It does not. We ought to pass them as soon as we can pass them.

Mr. LONDON. During the month of July?

Mr. SHERLEY. Not only during the month of July but during the first week of July. Mr. Speaker, I ask for a vote.

Mr. GILLETT. Mr. Speaker, will the gentleman yield me five minutes.

Mr. SHERLEY. Certainly.

Mr. GILLETT. The gentleman has concluded, I understand?

Mr. SHERLEY. I have concluded.

Mr. GILLETT. Mr. Speaker, I am in accord with the gentleman from Kentucky [Mr. SHERLEY], the chairman of the committee, on this resolution. We all appreciate, of course, that it is unfortunate to have to pass these temporary resolutions, because it is both expensive and annoying for the departments. In bookkeeping it makes a material and expensive difficulty, and it also makes uncertain the appropriations. But, of course, it must be done, and this is the only way of doing it.

But it seems to me that it was also peculiarly unfortunate that the pension bill, which went to the President last week, was not signed before July 1, and I believe it has not yet been signed; that the Post Office appropriation bill, which went to the President Saturday, was not signed before July 1, and I believe is not yet signed, and that the legislative bill, which went to the President the middle of last week, was not vetoed until yesterday. Then it went back to the President yesterday with the objectionable feature eliminated, but I understand has not yet been signed.

The result of that was, of course, that on yesterday all the clerks here in Washington were employed without warrant of law, and really in defiance of law, because the law expressly provides that they shall not be employed unless appropriations have been made for them. Therefore yesterday none were legally employed. If the bill had been acted upon by the President earlier, this embarrassing and illegal condition could have been avoided. I do not think this House could have avoided it. You heard what the gentleman from Kentucky [Mr. SHERLEY] said yesterday, that he expected there would be, and there ought to have been, a session Sunday, and I entirely agree with him in that. Then this could have been remedied, or it even probably could have been remedied yesterday, if the Senate had not so early adjourned before this resolution was introduced.

It is well for us to know where the blame belongs. But at the same time we must recognize that it is a misfortune that it should so have happened. It is a serious matter that our Government, which stands for law, should, because of carelessness, be obliged to perform all its functions even for a day or two in defiance of its own law. The Senate, I believe, or some individual Senators, have some ingenious plan in their minds by which this illegality can be set right. I confess I can not understand how it can be done. I do not see why it was not necessary that this resolution should have been passed yesterday at the latest in order that there should have been any warrant of law at all for the continuation of the Government activities yesterday. But, of course, I do not criticize the departments for continuing their work and for breaking the law. Inter arma silent leges, and when Congress has not made appropriations the departments must go on and anticipate that we will make good, as we are doing by this resolution.

Mr. GARRETT of Tennessee rose.

Mr. GILLETT. Does the gentleman from Tennessee desire me to yield?

Mr. GARRETT of Tennessee. Will it interrupt the gentleman?

Mr. GILLETT. No.

Mr. GARRETT of Tennessee. Does the gentleman happen to know what that ingenious plan is to which he referred?

Mr. GILLETT. I do not know. I have simply been told that the Senate thinks that haste about this resolution is not

necessary. My ingenuity has not been sufficient to invent any scheme which would take the place of this resolution, or which would overcome the illegality of all the executive work of yesterday.

Mr. GARRETT of Tennessee. It has just been suggested to me to inquire if, because of the fact that they run their business sometimes by unanimous consent, they think the Government can be run by unanimous consent.

Mr. GILLETT. Apparently they think that the law can be set aside and ignored.

Mr. GARRETT of Tennessee. That is a most unfortunate situation. I called attention to it on Saturday afternoon.

Mr. GILLETT. I think the Members of the House in general appreciate that.

Now, Mr. Speaker, coming to the resolution itself, I have only seen it since the House met. I do not mean by that to criticize the chairman at all. I know there was no intention not to consult the members of the committee, but the stress prevented it.

This resolution is drawn quite differently from ordinary resolutions of the kind; but of course the operations of the Government are extraordinary at present. It does certainly seem extraordinary that we should pass a provision—

That the necessary operations of the Government * * * are hereby authorized to be continued.

But although that seems rather vague language, I can not think of anything that is better, and I do appreciate also that this has been drawn with the greatest care, and that for anyone to attempt offhand to amend it or improve it would probably injure it, so I do not think we ought to tamper with it here.

Mr. SHERLEY. If the gentleman will permit me right there, in connection with his suggestion——

Mr. GILLETT. Certainly.

Mr. SHERLEY. The gentleman will note that the words—

Necessary operations of the Government—

are qualified by the language that immediately follows—

so far as they relate to the support of the Army and the Department of Agriculture, including food-production operations heretofore provided for by law, and of the District of Columbia.

Mr. GILLETT. Yes. It only applies to the three bills that are not passed.

Mr. SHERLEY. I took the liberty of suggesting to the auditor that that language ought to be written into the resolution, so as to narrow its effect.

Mr. GILLETT. Yes. That improved it. Then the very last section of the bill strikes me as singular. It seems to me as if we are appropriating double. We first appropriate originally by this act and then we also provide that payments may be made out of the other act.

Mr. SHERLEY. The gentleman will find that language is expressly used in the resolution, which says that when moneys are paid as a result of the resolution they shall not be considered in addition to the sums that shall be subsequently carried in the regular supply bills, and that that is the purpose of it. We were so careful about that that we not only provided it, but we then put an interpretation into the act, and the purpose of the last paragraph is simply to make each act retroactive, as of the 1st of July, instead of becoming a law as of the date that it is signed by the President, but not to increase the appropriations.

Mr. GILLETT. I was wondering how they would be able, in their bookkeeping, to check up and appropriate first out of this act and then when the others become laws appropriate out of them.

Mr. SHERLEY. Any moneys paid out by virtue of this joint resolution are subsequently charged to the amounts that are carried in the appropriation law, and to that extent the sums in the appropriation act are reduced.

Mr. GILLETT. That would seem to clarify it. As I said, I did not expect to offer any amendment, or imagine that I could improve the resolution. I think the appropriation meets the emergency, but I thought I ought to suggest the unfortunate predicament we are in, which might easily have been prevented, but for which this House, it seems to me, is not responsible.

Mr. SHERLEY. Mr. Speaker, I ask for the passage of the resolution.

Mr. WALSH. Mr. Speaker, will the gentleman yield before that?

Mr. SHERLEY. Certainly.

Mr. WALSH. In the copy of the resolution which I got at the desk, in line 6, there is written in pencil the word "now" after the word "operations."

Mr. SHERLEY. That is true, and it was so read, and will, therefore, be passed as a part of the resolution.

Mr. WALSH. I did not notice that it was so read.

Mr. SHERLEY. It was so read.

The SPEAKER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

On motion of Mr. SHERLEY, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

DISTRICT OF COLUMBIA APPROPRIATIONS.

Mr. SISSON. Mr. Speaker, I call up the conference report on the District of Columbia appropriation bill.

The SPEAKER. Is it a complete report?

Mr. SISSON. It is not.

Mr. STAFFORD. Has this report been presented to the House heretofore for consideration?

Mr. SISSON. This is the first time this report has been presented.

Mr. STAFFORD. Then the gentleman from Mississippi asks unanimous consent to present the report and for its immediate consideration?

Mr. SISSON. Yes.

The SPEAKER. The gentleman from Mississippi asks unanimous consent for the present consideration of the conference report, the rule about first printing in the RECORD to the contrary notwithstanding. Is there objection?

There was no objection.

The SPEAKER. The Clerk will read the conference report.

The Clerk read the conference report, as follows:

CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate Nos. 1, 61, and 83 to the bill (H. R. 11692) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1919, and for other purposes, having met, after full and free conference have been unable to agree.

T. U. SISSON,
JAS. MCANDREWS,
C. R. DAVIS,
Managers on the part of the House.

JOHN WALTER SMITH,
JOE T. ROBINSON,
J. H. GALLINGER,
Managers on the part of the Senate.

Mr. SISSON. Mr. Speaker, these are the same amendments which have been in disagreement. Your conferees were unable really to confer with the Senate conferees, because they declined to discuss the matter.

Mr. MILLER of Minnesota. Will the gentleman yield?

Mr. SISSON. Yes.

Mr. MILLER of Minnesota. I understood the gentleman's report to state—

After a full and free conference.

Mr. SISSON. That happens to be the form on which all conference reports are prepared by the clerks, and the blank has been simply filled in. I do not see that anything could be accomplished by the conferees going on any further with the conference. For that reason I move that the House adhere to its disagreement with the Senate on the three amendments Nos. 1, 61, and 83.

The SPEAKER. The gentleman moves that the House adhere to its disagreement to these three Senate amendments—Nos. 1, 61, and 83.

Mr. CRISP. Will the gentleman yield to me for a question?

Mr. SISSON. I do.

Mr. CRISP. Is not the parliamentary effect of the motion that the House adhere notice to the Senate that the House will not further consider the matter with them, and that unless the Senate yields there will be no further conference between the two Houses on the amendments?

Mr. SISSON. That is my understanding of the situation.

Mr. CRISP. That was my understanding, and I made the inquiry for the purpose of bringing the facts fully before the House, so that the House would know the effect of the motion before it votes.

Mr. SISSON. I wish to discuss the matter further.

Mr. SHERLEY. I want to suggest to the gentleman that we ought to consider these amendments separately, because the House might want to insist upon its position as to some of them and not as to the others.

The SPEAKER. The Clerk will report the first amendment.

The Clerk read as follows:

Strike out, page 1, lines 3 to 9, inclusive, and on page 2 strike out lines 1 to 5, inclusive, which read as follows:

"That the following sums are appropriated out of the revenues of the District of Columbia to the extent that they are sufficient therefor and the remainder out of any money in the Treasury not otherwise appropriated, but the amount to be paid from the Treasury of the United States shall in no event be as much as one-half of said expenses, in full for the following expenses of the government of the District of Columbia for the fiscal year ending June 30, 1919, except amounts to pay the interest and sinking fund on the funded debt of said District, of which amounts one half is appropriated out of any money in the Treasury not otherwise appropriated and the other half out of the revenues of the District of Columbia, namely"—

And insert the following:

"That one half of the following sums, respectively, is appropriated, out of any money in the Treasury not otherwise appropriated, and the other half out of the revenues of the District of Columbia, in full for the following expenses of the government of the District of Columbia for the fiscal year ending June 30, 1919, namely."

The SPEAKER. The gentleman from Mississippi moves that the House adhere to its disagreement to the Senate amendment.

Mr. RAKER. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. RAKER. Is a motion to recede and concur in the Senate amendment in order?

The SPEAKER. It is.

Mr. RAKER. I move that the House recede and concur in the Senate amendment.

The SPEAKER. The gentleman from California [Mr. RAKER] makes a preferential motion that the House recede from its disagreement to the Senate amendment and concur in the same.

Mr. SISSON. Mr. Speaker and gentlemen, I want to state briefly the position of the conferees. When the enabling act was passed many years ago the District of Columbia was in debt something like $40,000,000. There was in round numbers about 80,000 population in the District. The bonds of the District of Columbia were very much below par. Great street areas had been opened up upon which there were no houses. There was a great deal of discussion at the time about moving the Capital from the District of Columbia. The government of the District of Columbia was then in the hands of the people of the District. The result of the controversy was that a settlement was finally arrived at. Senator Blackburn, of Kentucky, introduced the original act which was passed and as a gratuity under that act the Federal Government assumed to guarantee the payment of the bonds in the District of Columbia, and they were refunded and are now called the 3.65 bonds.

The Federal Government from that day to this, under that agreement, has been paying one-half of the bonds for which the Federal Government was in no way liable until that act. The District of Columbia now seeks and contends that that gratuity given the District of Columbia at that time because it was a stench in the nostrils of all people throughout the country, that the District was in that condition—so the Republicans and Democrats, without its being a partisan measure, finally hit upon the half-and-half arrangement, and upon that arrangement the District of Columbia gave up its municipal government entirely, and from that day to this it has been run by Congress.

That as you will see was a temporary matter. Go back and read the RECORD at the time and you will see that it was only to cure that fearful condition in which the District found itself. Notwithstanding that, the business organizations of the District of Columbia are contending that the people of the District of Columbia should get one-half of the money to pay the expenses of the District out of the Federal Treasury.

What is the condition now? The auditor of the District, the auditor of the Government, states that at this time the amount of money to the credit of the District of Columbia on the books will be by next year about $8,000,000. In other words, the District of Columbia has grown from 80,000 population to a 400,000 city. We have repeatedly passed through this House by an overwhelming vote an amendment to abolish the half-and-half system.

When by an overwhelming vote we passed it twice, when Mr. Page, of North Carolina, had charge of this bill, it was then for the first time that this matter was briefly discussed by two Senators on the floor of the Senate. Even with that short consideration they were confronted with such a number of votes against the half-and-half that it looked dangerous. The gentleman from Alabama, then a Member of this House, Mr. UNDERWOOD, the majority leader, made a motion that a joint commission be appointed consisting of three Members of this House and three Members of the Senate. The three Members of the House were the gentleman from Ohio, Mr. GARD, the gentleman from Illinois, Mr. RAINEY, and the gentleman from Wisconsin, Mr. COOPER. All three of these gentlemen had consistently voted for the half-and-half, and the three Senators had consistently voted for the half-and-half.

In accordance with the resolution they met in the summer, had weeks of hearings, heard the people of the District of Columbia and their attorneys, the real estate people, and all had an opportunity to be heard. Notwithstanding that, the commission could not find a single reason for retaining the half-and-half and they made a unanimous report that there was no reason for the half-and-half. That report was made by three Senators and three Members of the House, by the men who were appointed to investigate the fiscal relations between the two governments, and they unanimously said that the thing to do was to have the money collected by a reasonable assessment upon the property owners of the District of Columbia, a reasonable rate of taxation fixed, and that that should be paid into the Treasury, and that that should end the obligation of the people of the District of Columbia. Then if the Federal Government or Congress wanted to spend any amount of money the amount paid by the people of the District was at an end and the settlement was complete.

Mr. JOHNSON of Kentucky. Will the gentleman yield?

Mr. SISSON. Certainly.

Mr. JOHNSON of Kentucky. Is it not true that in 1878 when the half-and-half plan was adopted the District of Columbia was largely in debt, and that now since the special committee, of which the gentleman has spoken, has made its report to do away with the half-and-half the District of Columbia is not only out of debt but has a surplus?

Mr. SISSON. Yes; a moment ago I said there were $6,000,000 surplus.

Mr. JOHNSON of Kentucky. I wanted to contrast the time when the half-and-half was established and the time when the committee reported.

Mr. WALSH. Will the gentleman yield?

Mr. SISSON. Yes.

Mr. WALSH. Will the elimination of the half-and-half plan eliminate appropriations from the Federal Treasury to the amount of some $6,000,000?

Mr. SISSON. It would the first of the year. At this particular time it would be tantamount to writing off a charge against the Federal Government in favor of the District of Columbia of something like $6,000,000. In other words, the bill now carries something less than $15,000,000. Now, at this particular time when the Government of the United States is needing money, at a time when the United States Treasury is bleeding at every pore, it is a time when the District of Columbia should be willing to have this money written off the books, because when the District of Columbia was overwhelmed with debt the Federal Treasury came to its relief.

Mr. CANNON. Mr. Speaker, will the gentleman yield?

Mr. SISSON. I do.

Mr. CANNON. I want to see if I understand the situation. The half-and-half principle is the law.

Mr. SISSON. That is the law now.

Mr. CANNON. This House provision which is stricken out by the Senate, the Senate restoring the half-and-half provision, as provided by law, repeals the half-and-half provision.

Mr. SISSON. It repeals the half-and-half principle.

Mr. CANNON. And it is, therefore, legislation on an appropriation bill.

Mr. SISSON. Yes.

Mr. CANNON. I ask the gentleman further, if the rule that has always been in force between the House and the Senate is not, where either body puts a rider upon an appropriation bill changing the law, for the House proposing the rider to recede in case of disagreement.

Mr. SISSON. That has usually been the custom, but it has not been a universal one, and there are many exceptions to it. Too many evils hide behind the rule. We must not recede here, because we are right.

Mr. CANNON. This money that my colleague says is for the credit of the District of Columbia, some $6,000,000——

Mr. SISSON. I am giving the round figures.

Mr. CANNON. Six million dollars in round numbers, it is anticipated, will at the end of the coming fiscal year amount to $8,000,000; but that is all in the Treasury of the United States.

Mr. SISSON. Yes.

Mr. CANNON. And it can not be taken out of the Treasury of the United States until it is appropriated by Congress. The District of Columbia is powerless to get one dollar of it.

Mr. SISSON. That is true.

Mr. CANNON. Without legislation by Congress. Is not that so?

Mr. SISSON. Yes.

Mr. CANNON. That being the case, it is subject to use, I apprehend, in the payment of any of the obligations of the Government. In other words, it is like all other money in the Treasury.

Mr. SISSON. That is true. It has gone into the Treasury like any other tax, except that there is a charge upon the Treasury books against the Government for that amount in favor of the District.

Mr. CANNON. But that is mere bookkeeping.

Mr. SISSON. Yes; but it is an indebtedness of the Federal Government, according to the contention—which I do not admit—of the attorneys of the District of Columbia.

Mr. CANNON. Oh, well; after all, that is the contention of the attorneys of the District, but no one but Congress can get one dollar of that money out of the Treasury.

Mr. SISSON. That is true.

Mr. CANNON. Is it not true that the House has already passed a joint resolution this morning, in which presumably the Senate will concur, which extends the appropriations during July unless they be otherwise provided for?

Mr. SISSON. That is true.

Mr. CANNON. So that this bill might fail in the event the Senate agrees to the joint resolution and still the half-and-half principle that my friend criticizes after July would prevail.

Mr. SISSON. That is true.

Mr. CANNON. That being the case, it is unthinkable that an irresistible force and an immovable body should meet on the 1st day of August and have another appropriation made extending or otherwise, so that if my friend will permit, the rule being that the body which proposes legislation on a general appropriation bill shall give way rather than not have the expenses of the Government paid according to existing law, does not my friend think, while it will not cost one dollar, whether the half-and-half principle is repealed at this time or not, so far as the taking of the money of the Treasury is concerned——

Mr. SISSON. Of course, I yielded to my friend for a question, not a statement.

Mr. CANNON. Does not my friend think it is the part of wisdom to agree to the motion of the gentleman from California [Mr. RAKER]?

Mr. SISSON. Mr. Speaker, I certainly do not think so. I decline to yield further.

Mr. CRISP. Mr. Speaker, will the gentleman yield?

Mr. SISSON. In a moment. I want to say to my friend the gentleman from Illinois [Mr. CANNON] that the statement which he makes in reference to the July appropriation is exactly the truth, but is not true as to the amount carried in this bill. Of course, we propose that the District government shall be conducted, but the new activities provided for in the bill, the new increases of salary provided for in the bill, are matters which we have put into the bill, and which were put in because we felt, of course, that at this time those salaries were justified, will not be paid at all. If these benefits are denied the District the Senate will be to blame. We offer them a good bill—two-platoon system for our firemen; increase for our policemen in numbers and in salary; increase for schools and increase in their salaries; in fact, if the Senate does not want the bill which we send over to them, the District will fail to get the benefit of several millions of dollars.

Every man who has served upon this committee will bear me testimony that every time an item is suggested it is demanded, whether it is needed or not, by the District of Columbia to the full extent of the half which they pay. What is the result? The District Commissioners in making up the appropriation bill make it up, as the District Commissioners themselves testify, so as to come within a few hundred dollars of twice as much as was raised by taxation in the District of Columbia, thus encouraging all sorts of extravagance. It is not a question of whether it is fair; it is a question of whether half has been taken away; and they claim that the Federal Treasury should respond in like amount, and that is the lobby which is continuously going on; that is the atmosphere that surrounds every Congressman in every hotel around the entire District of Columbia. There is not a single member of the Subcommittee on Appropriations that would deny the District every dollar to which it is entitled. I believe that every member of the committee is as sincere as men can be in appropriating every dollar they need.

Mr. CRISP. Mr. Speaker, will the gentleman yield?

Mr. SISSON. In a moment. I want to say that the Senate of the United States ought to at least discuss it, so that the Members of the Senate might understand the principle involved. They ought to discuss it as we have discussed it. They ought to discuss it freely and openly. When we first began to discuss this in the House there were not many Members of the House who understood it. Now, the Membership of the House understands it, and on every occasion, by overwhelming votes, we have voted to abolish the half-and-half principle.

The custom is to wait until the last moment of the last days and the last hour before the matter comes to a vote, and we are then confronted with the proposition that the District of Columbia appropriation bill will fail unless the House shall recede. The House has yielded too often already. Now, we all hope that the Senate will not let this bill fail, but that the Senate will yield and give the District of Columbia the best bill they have ever had.

I yield to the gentleman from Georgia.

Mr. CRISP. I understood the gentleman from Mississippi to state, and I thoroughly agree to the statement, that at the end of the next fiscal year there would be to the credit of the District of Columbia in the Treasury about $8,000,000.

Mr. SISSON. That is the statement of the auditor.

Mr. CRISP. The District appropriation bill usually carries anywhere from $14,000,000 to $15,000,000?

Mr. SISSON. Yes.

Mr. CRISP. If $8,000,000 is to the credit of the District, is it not possible, and in fact is it not the logical conclusion of the half-and-half act, that in one year, or the next succeeding fiscal year, there could be appropriated under the half-and-half——

Mr. SISSON. Sixteen million dollars.

Mr. CRISP. Sixteen million dollars for the District of Columbia without levying 1 cent of taxes upon any property within the District of Columbia?

Mr. SISSON. That is true. If the Congress should at any time consider this fund, which is gradually piling up on account of the richness of the District of Columbia now as compared to it 30 years ago, if the Congress should ever concede that their contention was a correct one, then in one year the people of the District of Columbia would go without paying any taxes. Now, I decline to yield for the moment. In my judgment to further confer would be useless. We have for three times tried to discuss these differences, but our conference has amounted to nothing. The Senate of the United States ought to recede in fairness and in justice. I want to say this: You will not get a Senator to put in the RECORD a statement of facts on which he is willing to go before the country and say that for this reason he wants the half-and-half maintained. Your commission appointed on the part of the House could not find a reason why it should be maintained, although they had always voted for it, and so had the three Senate Members. Now, feeling that after so many votes in the House, and when our Senators and friends on the other side decline to discuss it, the House has but one thing to do, and that is adhere.

I want to state to the House I am your servant, I am representing your views as they have been expressed here on repeated roll calls and repeated votes, and therefore I have not felt it to be my duty to recede, but I felt it has been my duty not to recede, and felt it was my duty to take this course and ask your judgment and instruction. It will do no good to go back into conference. It ought to be settled at this time, it ought not to be permitted to continue on and on until millions shall have been piled up in the Treasury, and then they can come and make demands on the Federal Government for it. Surely the Senate will not let this bill die, but will pass it with these amendments left off.

Mr. SISSON. Now, Mr. Speaker, I reserve the remainder of my time.

Mr. GILLETT. Will the gentleman yield me some time?

Mr. SISSON. How much time does the gentleman desire?

Mr. GILLETT. Three minutes.

Mr. SISSON. I will yield that time to the gentleman.

Mr. GILLETT. Mr. Speaker, after having listened to the impressive eloquence of the gentleman from Mississippi I am exceedingly surprised at his charge that the Senate conferees refused to listen and discuss with him this very old question. This is not a question, I believe, that can be enlightened here by anybody's discussion. In the House and Senate everybody knows what is the issue and have formed their opinion. Personally I am disposed to agree that the time has passed for the half-and-half system as equitable, but I do not think that this money that is piling up in the Treasury belongs necessarily all to the District. Congress can do with it as it pleases. But the issue is simply this: Shall we carry on this appropriation as it always has been carried on by the half-and-half system until some other system is adopted by the Government, or shall we have no District appropriation bill? The Senate says they will agree to no other District appropriation bill, and therefor the two bodies are up against each other, and if the gentleman's motion to adhere is adopted, why that means that the bill fails unless the Senate gives way. Now, the Senate will make the argument as they have year after year, that such a change as

this is a change of law and should be made by a separate bill and not on an appropriation bill, and that is what has always been agreed to by both Houses. It comes up every year, and the House, which puts on an addition changing the law, is the House that has to yield, and so consequently this year the Senate, it seems to me, is standing on their rights, so that the House has got to yield. I do not think the House ought to adhere, and irrespective of the merits, and although I believe that the time has come to abandon the half-and-half, still it ought to be done on a separate bill rather than an appropriation bill, and we ought to yield on this issue. It seems to me that the Senate is within their rights in refusing to listen to a discussion of the matter with the gentleman from Mississippi, and they are within their rights in refusing to agree. Irrespective of the merits of this one proposition the only way that we can have a District appropriation bill is for the House to recede as it always has in the past, and I think it is the part of wisdom now for the House to recede if we want to wind up this bill, as it ought to have been wound up last week.

Mr. SISSON. Mr. Speaker, I yield seven minutes to the gentleman from Indiana [Mr. WOOD], a member of the committee.

Mr. WOOD of Indiana. Mr. Speaker, assuming that all the gentleman from Mississippi [Mr. SISSON] says concerning the half-and-half proposition to be true, I am still of the opinion that the House should not insist upon its position. It is perfectly clear that the rider placed upon the original bill was made for the purpose of changing the taxing system of the District of Columbia. In all my experience, and I dare say in all the experience of the gentlemen present, never have we seen before, unless it be in this body, a scheme whereby an attempt is made to attach a plan for raising money to a bill for spending money. Suppose that each one of the appropriation bills introduced into this House also carried a rider providing the manner whereby the money to meet the appropriations should be raised. It would be just as logical for a rider to be attached to the fortification bill providing a scheme of taxation whereby the money to be appropriated should be raised as it is to take and append a rider upon this bill providing the manner in which the money shall be raised. The taxing plan is a proposition that should be considered entirely alone.

I admit, and have admitted every time this question has been up here for discussion, that the half-and-half plan possibly should be remedied; but it should be remedied when it can be considered upon its merits, and at no other time. It has no place upon this appropriation bill. And for that, and that alone, have I contended.

Now, we have had before us this morning and have passed a resolution extending the old appropriation for the period of one month. I say that that resolution, if it were tested to its uttermost, would be absolutely unconstitutional, for the reason that it does not only carry with it the appropriation of last year to meet the current expenses for this coming month, or one-twelfth of the appropriations, but it takes and provides that an additional sum may be expended, or provides for additional expenditures that were not carried in the last bill at all, and they do not make the amount that may be expended for this exigency certain at all. And there is a rule of law, absolutely incontrovertible, that appropriations must be certain, or that there must be language carried in reference to them that will make them certain.

Nobody can tell by this resolution how much money in addition to the appropriation of last year will have to be expended to meet the exigencies provided for in that resolution. It can not be made certain now. No one will test it. But suppose we fail to pass this District appropriation bill during this present month, a new resolution of this purport must come in to meet the emergency and continue throughout the whole year, perhaps.

What is the situation? We are contending here for a quibble, in my mind, and by so doing we are going to bring a very great injustice upon the District of Columbia. It is absolutely essential for some provision to be made to take care of the housing of the school children in the city of Washington. We need many school buildings here for that purpose. They could not be provided for, for various reasons suggested in the hearings, and collapsible buildings were provided in their stead, in order to meet the emergency. That is but one of the things that can not be provided for, if you please, unless this bill becomes a law in some shape or other. I point this out merely as a single example, to show the hardship that is going to be worked upon the District of Columbia, and the only excuse for it will be that we are holding here for a contention that has been of long standing. Admitting that it is right, it should be thrashed out upon its merits and not appended here. It simply looks to me that we are holding up the District of Columbia bill for the purpose of making the Senate knuckle to the demands of this House. I am in favor of standing by the proposition if it is a proposition of merit—and I dare say that it is—when it is brought before this House upon its merits, but I do not think that the House can afford to append a rider of this character to this bill when its only immediate result will bring so much of disorder and so much of injustice to the people of the District of Columbia. Therefore, I think it is proper for this House to recede from the attitude that the conferees are now taking, and that we concur in the report made by the Senate; and that the gentlemen, or some one of them, some one of this committee who had this thing in charge and made this investigation, and who were convinced, if you please, that this scheme is archaic and that some other scheme of taxation should be had, should introduce an independent measure here, so that it may become a law, and then they could not raise the objection on the Senate side that it was new law and ask us to recede because of the practice that the body that proposes new law to an appropriation bill of this character, when the other side does not consent, must recede. It will obviate a repetition of this thing in the future. It will not only save time and much wrangling, but it will settle this thing once and for all, and it will not be up here as a bone of contention with each appropriation bill.

Mr. DEMPSEY. Will the gentleman yield for a question?

Mr. WOOD of Indiana. I will.

Mr. DEMPSEY. If the tendency had been for a few years preceding the war for a half-and-half system to cure inequity, is it not a fact that since the beginning of the war private building has fallen off and public buildings have been put up in large numbers, and that the Government's holdings have increased largely since the war began?

Mr. WOOD of Indiana. That is true; and that is one of the reasons why this change should not be had at this time.

Mr. DEMPSEY. And has it not grown more equitable since the war began?

Mr. WOOD of Indiana. That is very true.

The SPEAKER. The time of the gentleman has expired.

Mr. SISSON. Mr. Chairman, I yield five minutes to the gentleman from Kentucky [Mr. JOHNSON].

Mr. JOHNSON of Kentucky. Mr. Speaker, it has just been stated that the House proposition relative to the half-and-half would change or affect the tax system in the District of Columbia. I can not very well see how that statement can be made. There is nothing in the proposition at all that changes or in any wise affects the tax system or even the tax rate.

Then it has been suggested by the gentleman from Massachusetts, who just spoke, that this money is in the Treasury and belongs to the United States. The history of the question is this: Back in the seventies a lot of public moneys in the District of Columbia were misappropriated. Congress undertook to have an accounting made, and provided in the act that nobody residing in the District of Columbia should be one of those accountants. It did not believe it could get a fair accounting without so providing, and at that time the District of Columbia had a treasurer. Congress by deliberate act did away with the treasurer of the District of Columbia, and provided that thereafter all District money should be deposited in the Treasury of the United States. So District moneys gathered by taxation are deposited in the Treasury of the United States for safekeeping. I do not believe when the time comes to take this $6,000,000 or $8,000,000—whichever it may be—and appropriate it to the United States that it will be done. Then it will be contended that that money was taken from the local people by taxation; that it is their money; and that it ought to be theirs. But to permit the old law to stand, one that was enacted when the District of Columbia was heels over head in debt, should continue when the District of Columbia has a surplus in hand, is to me totally untenable.

The surplus that is in the Treasury of the United States for safekeeping is there as a trust fund for the District of Columbia. Simply because Congress in its wisdom years ago did away with the treasurer for the District of Columbia is the only reason why it is there. To say that the United States should continue to match dollar for dollar with tax money collected in the District of Columbia, when the District of Columbia has no need for it, and because of that it is building up a surplus, is preposterous. Why the United States should continue to contribute more than is needed for the support of the District of Columbia I can not understand.

The SPEAKER. The time of the gentleman from Kentucky has expired.

Mr. WALSH. Mr. Speaker, this is a very important measure, and the arguments on it, I think, ought to be heard, and this

question ought to be settled here to-day. I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Massachusetts makes the point that there is no quorum present.

Mr. SISSON. Mr. Speaker, I move a call of the House.

The SPEAKER. Evidently there is no quorum present, and the gentleman from Mississippi moves a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will lock the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Ayers	Frear	Lehlbach	Saunders, Va.
Bacharach	Freeman	Littlepage	Schall
Baer	Gallivan	Lobeck	Scott, Iowa
Bankhead	Garland	Lonergan	Scott, Pa.
Bell	Goodall	McAndrews	Sells
Bland	Gould	McCormick	Shackleford
Britten	Graham, Pa.	Magee	Sherwood
Brodbeck	Gray, N. J.	Maher	Siegel
Burnett	Gregg	Mann	Slayden
Caldwell	Hamill	Martin	Smith, Thos. F.
Campbell, Pa.	Hamilton, N. Y.	Mason	Snyder
Carew	Haskell	Meeker	Stedman
Carter, Mass.	Hayes	Moores, Ind.	Stephens, Miss.
Clark, Fla.	Heaton	Mudd	Stephens, Nebr.
Cleary	Heintz	Neely	Sterling, Pa.
Copley	Hicks	Norton	Stevenson
Crago	Hood	Olney	Sullivan
Currie, Mich.	Houson	O'Shaunessy	Sumners
Curry, Cal.	Howard	Padgett	Switzer
Dale, N. Y.	Husted	Paige	Tague
Davidson	Hutchinson	Powers	Talbott
Dies	Ireland	Pratt	Taylor, Colo.
Donovan	James	Ragsdale	Templeton
Dooling	Johnson, S. Dak.	Rainey, Henry T.	Vare
Drukker	Johnson, Wash.	Ramsey	Venable
Eagle	Juul	Rayburn	Voigt
Elston	Kahn	Reavis	Ward
Emerson	Kearns	Riordan	Wason
Estopinal	Kehoe	Roberts	Watson, Va.
Farr	Kelley, Mich.	Rodenberg	White, Ohio
Ferris	Kennedy, R. I.	Rose	Williams
Fisher	Kiess, Pa.	Rowland	Wilson, Tex.
Fordney	Kreider	Rucker	Wingo
Foss	La Guardia	Russell	Wise
Francis	Langley	Sanford	Woodyard

The SPEAKER. On this vote 288 Members, a quorum, have answered to their names.

Mr. SISSON. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

Mr. SISSON. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. GARD].

The SPEAKER. The gentleman from Ohio is recognized for five minutes.

Mr. GARD. Mr. Speaker, the present status of the matter now under consideration is that the chairman of the committee having in charge this appropriation bill has asked that the House adhere to the House provision in effect abolishing the application of the half-and-half contribution. To that a motion has been made to recede from the House provision and concur in the Senate amendment.

I rise to oppose the recession and to advocate the adherence to the House provision.

Mr. Speaker and gentlemen, I think that the position taken by the conferees of the House is a necessary position for the thorough understanding of the question at issue. There has come from no one who has taken part in the debate on this question to-day or in the days past an assertion that the half-and-half contribution is necessary. The minority leader [Mr. GILLETT] just a few moments ago said that he is prepared to say that the half-and-half contribution is no longer necessary in the District of Columbia. Nobody contends that it is necessary in the District of Columbia. It is not necessary. It is entirely unnecessary, and simply results in the accumulation of a lot of money which is credited on paper to the District of Columbia and against the Government of the United States.

Mr. GILLETT. Mr. Speaker, will the gentleman yield for a moment?

Mr. GARD. Yes.

Mr. GILLETT. Is it any more than fair—inasmuch as the gentleman quoted me in saying that, carrying the impression that I was in favor of the Senate amendment—that the gentleman should say that I am in favor of the Senate amendment and in favor of receding from the position of the House on this question? Of course I said that, but I said at the same time that I thought we ought to recede and concur.

Mr. GARD. Of course, I understand the position that the gentleman has taken. I merely stated that the minority leader and everyone who has had this matter under consideration joins in the statement that the half-and-half principle is no longer necessary to be applied in the matter of revenues for the District of Columbia and its care through the General Government. Since I have been in Congress Mr. Fitzgerald, Mr. Page, Mr. SISSON, Mr. DAVIS, and Mr. SHERLEY have all joined in the expression that the half-and-half principle is no longer necessary and that the plan proposed in the amendment is the proper one.

Now, the criticism is made that it abolishes a system of taxation. It does not abolish a system of taxation. If the provision which the House has adopted and for which the House conferees contend is to be adhered to, it means that not a single extra penny of taxation will be levied upon any property in the District of Columbia. It means that identically the same system of taxation that we are now operating under with respect to the government of the District will be maintained, and nothing added. It simply means that instead of the appropriation providing that it shall be paid one-half from the District revenues and one-half from the revenues of the General Government, the common-sense rule in the application of all taxes shall be made, and that is that the taxes raised in the District of Columbia shall be applied for the government of the District of Columbia, and that everything necessary for proper government over and above the amount raised by taxation in the District of Columbia shall be added by the General Government. Now, I submit that there is no one here present or in any other body present who can argue that this is not a proper scheme of taxation, because it is the scheme applied in all our homes, and this general plan will operate for every proper benefit to the District of Columbia and its residents. So when we are considering the reasons why this amendment should be adhered to, I say that it is agreed to by everybody upon both sides of this floor who has spoken that it is no longer necessary as a political or economical measure; secondly, that there is no increase in taxation; third, that there is no change in the system of taxation, because the same system of taxation under which the District of Columbia is now working will be continued.

The SPEAKER. The time of the gentleman has expired.

Mr. SISSON. Mr. Speaker, I yield five minutes to the gentleman from Georgia [Mr. CRISP].

Mr. CRISP. Mr. Speaker and gentlemen of the House, I had not intended to say anything on this motion. My very distinguished friend [Mr. CANNON], the ex-Speaker, stated that it is customary when legislation is put on an appropriation bill for the House proposing the legislation to recede if the two Houses can not agree. That is true, as a rule, but every rule has its exceptions, and there have been exceptions to this rule.

This is not a new matter before this House. It is not a rushed matter. The parties interested have had a full hearing before a joint commission appointed for that purpose, and that commission has reported unanimously against this system. Three times the House has passed a provision of law abrogating the half-and-half principle, on the idea that it was no longer necessary, and the other legislative body, acting purely within its right, has seen fit to refuse to concur in that action. I have no criticism whatever to make of the Senate. Now, the motion of the gentleman from Mississippi brings the matter to a head. It means no disrespect to the other legislative body. It is simply notice to the other coordinate body that this House has considered and weighed this proposition carefully, has passed it three times, and is determined to stand by its action or let the bill fail.

The only argument I have heard proposed by anyone who is opposing the abrogation of the half-and-half principle is that it leaves the District of Columbia without any plan of taxation to take the place of the half-and-half. Gentlemen, that position is untenable. If this amendment passes, it in no wise leaves the District without a taxable plan. It in no wise adds one cent of tax burden to the people of the District. They will pay exactly the same taxes if this amendment prevails that they pay to-day, and there is no city of approximately the same size anywhere in the United States that pays as low a rate of taxation. There is a tax rate here of $1.50 per $100 on real estate assessed at two-thirds of its value, which means a tax rate of $1 a hundred on the value of real estate. You recognize that there is no county or State tax here, but this one tax alone prevails. Now, on intangible personal property there is a low tax rate of three-tenths of 1 per cent, and everyone is given an exemption in the neighborhood of $1,000 on household and kitchen furniture. I have no complaint to make because the tax rate is low. If we can conduct the affairs of the government of the District and give its citizens a low tax rate, I am in favor of it; and if this amendment prevails, it will in no wise increase the tax burden of the people of the District. It will simply mean that they will continue to pay the same taxes that they are now paying, that these taxes will be expended

for the District, and Congress will yearly appropriate out of the Federal Treasury whatever money beyond that is necessary. That is the whole case. [Applause.]

Mr. CANNON. Mr. Speaker, I ask unanimous consent for five minutes.

Mr. SISSON. Mr. Speaker, I think I have three or four minutes remaining.

The SPEAKER. The gentleman has five minutes.

Mr. SISSON. I should like to accommodate the gentleman from Illinois. I yield him three minutes of my remaining time.

Mr. CANNON. Mr. Speaker, I think that is time enough. This is perfectly plain and simple. It is a proposition to legislate on an appropriation bill. In order to legislate the two Houses must agree. Now, this is a proposal to let this bill fail unless the Senate agree to the legislation. Gentlemen discuss about the merits of it. I am not discussing the merits. If we set this precedent, perchance the Senate will send a bill back to us and say, "This bill will fail unless you agree to the rider changing the law." The best way is to observe the customs between the two Houses. I might feel differently about it, and I presume the Senate might feel differently about it, if this was a plain legislative proposition without appropriations, but this is an appropriation bill.

Gentlemen say taxation can not be changed. It can be changed. We have plenary power to double or treble the taxation in the District of Columbia, provided the Senate and the House pass the bill and the President approves it.

Mr. CRISP. Mr. Speaker, will the gentleman yield?

Mr. CANNON. Yes.

Mr. CRISP. Of course I agree readily that Congress can change the tax rate. I simply contended that if you adopt this amendment it does not change the tax rate within the District.

Mr. CANNON. Precisely not. Nor if you adopt this amendment does it take away from Congress the power to let this money remain in the Treasury. It takes legislation to take it out, and the District gets nothing by it. It is there.

Mr. LINTHICUM. Does the District receive any income from this fund?

Mr. CANNON. Not a cent.

Mr. LINTHICUM. Then it is a mere matter of bookkeeping?

Mr. CANNON. It is a mere matter of bookkeeping; and I would not have opened my mouth about it if the motion had not been made to adhere and let the bill fail in the event that the Senate did not agree to the legislation proposed by the House; but I do not want to set a precedent, so that the Senate could plead this in justification if they should put on an appropriation bill some legislation changing existing law, and then say, "If you do not agree to it, we will stop the wheels of Government in whole or in part." [Applause.]

Mr. SISSON. Mr. Speaker, did the gentleman from Illinois use his three minutes?

The SPEAKER. The gentleman used all the time he had.

Mr. SISSON. Mr. Speaker, in the two minutes remaining I want to say that the District of Columbia will not suffer, because in addition to the streets provided for in the deficiency bill there was appropriated last year $315,000. This is carried in the concurrent resolution. Now, the reason they did not spend the money during the last year or the last months was because they could not spend it; they could not get the material, they could not get the labor. So much for that. Shall we continue from year to year to be thus thwarted in that which is just, in that which is right, in that which is fair, a proposition which this House has many times passed by overwhelming votes and a matter which has never been voted on in the Senate but once, and that after a short discussion; and then when they found they were likely to be defeated they came back to the House and asked that this commission be appointed. Mr. UNDERWOOD made the motion to appoint the commission. The Speaker appointed the commission, men who, every one of them, voted for the half and half, and the Senate did the same thing. That commission reported that the provision in this bill was fair and just and ought to be carried. I do not believe that the Senate is going to let this bill fail. It is one of the best bills that was ever passed, so far as this District is concerned. I do not believe that they are going to let the bill fail if the House will stand for that which is just, for that which is right, and for that which is fair. [Applause.] Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The vote will be taken on the preferential motion made by the gentleman from California [Mr. RAKER], that the House recede from its disagreement to Senate amendment No. 1 and concur in the same.

The question was taken; and on a division (demanded by Mr. RAKER) there were—ayes 64, noes 84.

Mr. RAKER. Mr. Speaker, I make the point that no quorum is present.

The SPEAKER. The gentleman from California makes the point of no quorum. Evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 128, nays 167, answered "present" 2, not voting 133, as follows:

YEAS—128.

Anderson	Fairfield	McArthur	Rogers
Anthony	Fess	McCulloch	Rowe
Austin	Flood	McFadden	Sanders, Ind.
Beakes	Focht	McKinley	Sanders, N. Y.
Beshlin	Francis	McLaughlin, Mich.	Sanford
Bowers	French	McLaughlin, Pa.	Slemp
Burroughs	Fuller, Ill.	Magee	Smith, Idaho
Butler	Gallagher	Mecker	Smith, Mich.
Campbell, Kans.	Gillett	Merritt	Smith, C. B.
Cannon	Good	Miller, Wash.	Snell
Carlin	Gould	Mondell	Steenerson
Chandler, N. Y.	Gray, N. J.	Montague	Stiness
Clark, Pa.	Greene, Mass.	Morgan	Strong
Classon	Griest	Morin	Sweet
Coady	Griffin	Mott	Swift
Cooper, Ohio	Hadley	Nelson	Tilson
Cooper, W. Va.	Hamilton, Mich.	Nolan	Timberlake
Costello	Harrison, Va.	Osborne	Tinkham
Dale, Vt.	Hawley	Parker, N. J.	Towner
Dallinger	Hersey	Parker, N. Y.	Treadway
Darrow	Holland	Peters	Vestal
Dempsey	Hollingsworth	Phelan	Voigt
Denison	Hull, Iowa	Platt	Volstead
Dill	Humphreys	Porter	Wason
Dillon	Johnson, Wash.	Price	Watson, Pa.
Dunn	Kennedy, Iowa	Purnell	Wheeler
Dyer	Kiess, Pa.	Raker	White, Me.
Edmonds	Knutson	Ramseyer	Williams
Elliott	La Follette	Rankin	Winslow
Ellsworth	Linthicum	Reed	Wood, Ind.
Esch	Little	Robbins	Woods, Iowa
Fairchild, B. L.	Lufkin	Roberts	Zihlman

NAYS—167.

Alexander	Dixon	Jones	Sabath
Almon	Dominick	Keating	Sanders, La.
Ashbrook	Donovan	Kettner	Saunders, Va.
Aswell	Doolittle	Key, Ohio	Scott, Mich.
Ayres	Doremus	King	Scully
Barkley	Doughton	Kraus	Sears
Barnhart	Drane	Larsen	Shallenberger
Bell	Dupré	Lazaro	Shouse
Black	Eagan	Lea, Cal.	Sims
Blackmon	Eagle	Lee, Ga.	Sinnott
Blanton	Evans	Lesher	Sisson
Booher	Fisher	Lever	Small
Borland	Flynn	Lobeck	Snook
Brand	Foster	London	Stafford
Browne	Frear	Lundeen	Steagall
Brumbaugh	Fuller, Mass.	Lunn	Steele
Buchanan	Gandy	McAndrews	Stephens, Miss.
Burnett	Gard	McClintic	Sterling, Pa.
Byrnes, S. C.	Garner	McKeown	Taylor, Ark.
Byrns, Tenn.	Garrett, Tenn.	McLemore	Thomas
Candler, Miss.	Garrett, Tex.	Madden	Thompson
Caraway	Glass	Mansfield	Tillman
Carter, Okla.	Godwin, N. C.	Mapes	Van Dyke
Cary	Goodwin, Ark.	Mays	Venable
Chandler, Okla.	Gordon	Miller, Minn.	Vinson
Church	Graham, Ill.	Moon	Waldow
Claypool	Gray, Ala.	Nicholls, S. C.	Walker
Cleary	Hamlin	Nichols, Mich.	Walsh
Collier	Hardy	Oldfield	Walton
Connally, Tex.	Harrison, Miss.	Oliver, Ala.	Watkins
Connelly, Kans.	Hastings	Oliver, N. Y.	Weaver
Cooper, Wis.	Haugen	Overmyer	Webb
Cox	Hayden	Overstreet	Welling
Cramton	Heflin	Park	Welty
Crisp	Helm	Polk	Whaley
Crosser	Hensley	Pou	Wilson, Ill.
Davis	Hilliard	Quin	Wilson, La.
Decker	Huddleston	Rainey, J. W.	Wilson, Tex.
Delaney	Hull, Tenn.	Randall	Wright
Denton	Igoe	Romjue	Young, N. Dak.
Dewalt	Jacoway	Rouse	Young, Tex.
Dickinson	Johnson, Ky.	Rubey	

ANSWERED "PRESENT"—2.

Browning	Sumners

NOT VOTING—133.

Bacharach	Davidson	Garland	Howard
Baer	Dent	Glynn	Husted
Bankhead	Dies	Goodall	Hutchinson
Bland	Dooling	Graham, Pa.	Ireland
Britten	Dowell	Green, Iowa	James
Brodbeck	Drukker	Greene, Vt.	Johnson, S. Dak
Caldwell	Elston	Gregg	Juul
Campbell, Pa.	Emerson	Hamill	Kahn
Cantrill	Estopinal	Hamilton, N. Y.	Kearns
Carew	Fairchild, G. W.	Haskell	Kehoe
Carter, Mass.	Farr	Hayes	Kelley, Mich.
Clark, Fla.	Ferris	Heaton	Kelly, Pa.
Copley	Fields	Heintz	Kennedy, R. I.
Crago	Fordney	Helvering	Kincheloe
Currie, Mich.	Foss	Hicks	Kinkaid
Curry, Cal.	Freeman	Hood	Kitchin
Dale, N. Y.	Gallivan	Houston	Kreider

LaGuardia	Olney	Russell	Sullivan
Langley	O'Shaunessy	Schall	Switzer
Lehlbach	Padgett	Scott, Iowa	Tague
Littlepage	Paige	Scott, Pa.	Talbott
Lonergan	Powers	Sells	Taylor, Colo.
Longworth	Pratt	Shackleford	Temple
McCormick	Ragsdale	Sherley	Templeton
McKenzie	Rainey, H. T.	Sherwood	Vare
Maher	Ramsey	Siegel	Ward
Mann	Rayburn	Slayden	Watson, Va.
Martin	Reavis	Sloan	White, Ohio
Mason	Riordan	Smith, T. F.	Wingo
Moore, Pa.	Robinson	Snyder	Wise
Moores, Ind.	Rodenberg	Stedman	Woodyard
Mudd	Rose	Stephens, Nebr.	
Neely	Rowland	Sterling, Ill.	
Norton	Rucker	Stevenson	

So the motion of Mr. RAKER was rejected.

The following pairs were announced:

Until further notice:

Mr. FERRIS with Mr. RODENBERG.

Mr. OLNEY with Mr. HICKS.

Mr. HOUSTON with Mr. DRUKKER.

Mr. ESTOPINAL with Mr. HUSTED.

Mr. HOOD with Mr. FOSS.

Mr. WATSON of Virginia with Mr. CURRY of California.

Mr. DIES with Mr. CARTER of Massachusetts.

Mr. TALBOTT with Mr. BROWNING.

Mr. SUMNERS with Mr. REAVIS.

Mr. HAMILL with Mr. HEATON.

Mr. GALLIVAN with Mr. HAMILTON of New York.

Mr. BANKHEAD with Mr. GEORGE W. FAIRCHILD.

Mr. RUCKER with Mr. WARD.

Mr. WINGO with Mr. LANGLEY.

Mr. HOWARD with Mr. MCKENZIE.

Mr. LITTLEPAGE with Mr. MASON.

Mr. STEPHENS of Nebraska with Mr. KENNEDY of Rhode Island.

Mr. KEHOE with Mr. SWITZER.

Mr. SHERWOOD with Mr. BACHARACH.

Mr. DALE of New York with Mr. BLAND.

Mr. FIELDS with Mr. FARR.

Mr. GREGG with Mr. GLYNN.

Mr. BRODBECK with Mr. GRAHAM of Pennsylvania.

Mr. DOOLING with Mr. COPLEY.

Mr. HELVERING with Mr. ELSTON.

Mr. KELLY of Pennsylvania with Mr. BRITTEN.

Mr. KINCHELOE with Mr. DOWELL.

Mr. CALDWELL with Mr. DAVIDSON.

Mr. LONERGAN with Mr. EMERSON.

Mr. MAHER with Mr. FREEMAN.

Mr. MARTIN with Mr. CARTER of Massachusetts.

Mr. CAMPBELL of Pennsylvania with Mr. GARLAND.

Mr. NEELY with Mr. GOODALL.

Mr. DENT with Mr. KAHN.

Mr. O'SHAUNESSY with Mr. HASKELL.

Mr. PADGETT with Mr. CRAGO.

Mr. CANTRILL with Mr. HAYES.

Mr. RAGSDALE with Mr. HUTCHINSON.

Mr. HENRY T. RAINEY with Mr. WOODYARD.

Mr. RAYBURN with Mr. IRELAND.

Mr. CAREW with Mr. JAMES.

Mr. RIORDAN with Mr. FORDNEY.

Mr. ROBINSON with Mr. KEARNS.

Mr. RUSSELL with Mr. KELLEY of Michigan.

Mr. SCHALL with Mr. KREIDER.

Mr. SHACKLEFORD with Mr. LONGWORTH.

Mr. STEDMAN with Mr. STERLING of Illinois.

Mr. TAGUE with Mr. PAIGE.

Mr. SHERLEY with Mr. MOORE of Pennsylvania.

Mr. TAYLOR of Colorado with Mr. LEHLBACH.

Mr. THOMAS F. SMITH with Mr. MUDD.

Mr. WHITE of Ohio with Mr. CURRIE of Michigan.

Mr. STEVENSON with Mr. SNYDER.

Mr. WISE with Mr. TEMPLE.

Mr. SULLIVAN with Mr. SIEGEL.

Mr. BROWNING. Mr. Speaker, I have a pair with the gentleman from Maryland, Mr. TALBOTT. I voted "aye." I withdraw that vote and answer "present."

The result of the vote was then announced as above recorded.

A quorum being present, the doors were opened.

CORRECTION.

Mr. PHELAN. Mr. Speaker, I ask unanimous consent to have a correction made in the RECORD and in the Journal. Yesterday on roll call No. 198, the vote upon the so-called Borland amendment, I am recorded, as appears in the RECORD, as having voted "yea" to pass the legislative, executive, and judicial appropriation bill, the objection of the President of the United States to the contrary notwithstanding. As a matter of fact, I was not present at the time that vote was taken. I was at the navy yard, but if I had been present I would have voted nay, as I have already twice voted against the so-called Borland amendment.

The SPEAKER. Without objection, the correction will be made in the Journal and in the RECORD in accordance with the statement of the gentleman from Massachusetts.

There was no objection.

DISTRICT APPROPRIATION BILL.

Mr. SISSON. Mr. Speaker, I take it the question now is upon my motion to adhere.

The SPEAKER. The Chair would think that a motion to recede and concur having been voted down would make a vote upon the gentleman's motion unnecessary.

Mr. CRISP. Mr. Speaker, if the Chair will indulge me for a moment, I think undoubtedly the voting down of the motion to concur is tantamount to insistance, but it is not tantamount to the gentleman's motion to adhere.

The SPEAKER. The Chair thinks the gentleman from Georgia is correct, upon reflection. The question is on the motion of the gentleman from Mississippi to adhere to the disagreement of the House to Senate amendment No. 1.

The motion was agreed to.

Mr. SISSON. Mr. Speaker, there are two other amendments, but I suppose there will be no controversy about those. I ask that the vote be taken upon those two amendments.

The SPEAKER. What motion does the gentleman make?

Mr. SISSON. I move to adhere as to the other two amendments—61 and 83.

Mr. WALSH. Mr. Speaker, I rise to ask if it is not in order to amend the motion of the gentleman to adhere by moving as a substitute therefor that the House further insist upon the two amendments; and if so, I make that motion.

The SPEAKER. The Chair thinks that is in order.

Mr. SISSON. Mr. Speaker, I have no objection to those other two matters going back into conference, but the Keller matter is one which I am sure not a single Member of the House will agree to. No Member of the House has ever agreed to it. In the Keller matter the courts in a condemnation proceeding in a perfectly regular way condemned some of Mr. Keller's property for street purposes. He went into court and contested the first award, and the courts decided the issue against him. Mr. Keller then paid the award and did not appeal. He does not come now and ask that he be given back the amount of money, six or seven hundred dollars, but he is asking now for an appropriation of, I think, $3,800, and the House has not for one moment offered to entertain the idea of paying him, because if we do it opens up at least a thousand cases, so I am informed by District officials, that are on all fours with this, and they do not know just where the thing would end. The other amendment is an amendment where the Senate seeks to repeal the law in reference to the playgrounds in the District of Columbia. When the playgrounds were created in the District it was provided that all of the expenses of the playground association should be paid out of the District treasury, and your conferees have insisted that that money should be paid, as heretofore paid, wholly out of the District funds. Those are the two items.

Mr. WALSH. Mr. Speaker, I withdraw my motion to further insist.

The SPEAKER. The gentleman from Massachusetts withdraws his motion, and the question is on the motion of the gentleman from Mississippi to adhere to the disagreement of the House to Senate amendments numbered 61 and 83.

The motion was agreed to.

On motion of Mr. SISSON, motions to reconsider the votes by which the House agreed to adhere on the disagreement of the House to Senate amendments numbered 1, 61, and 83 were laid on the table.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. LONERGAN for the balance of the week, on account of important business.

GOVERNMENT CONTROL OF TELEGRAPH COMPANIES, ETC.

Mr. SIMS. Mr. Speaker, by authority of the Committee on Interstate and Foreign Commerce, I move to reconsider the action of the House in the rereference of House joint resolution 309, to insure the continuous operation of the electrical communicating systems, to guard the secrecy of war dispatches, and to prevent communications between public enemies, from the Committee on Interstate and Foreign Commerce to the Committee on Military Affairs.

Mr. WALSH. Mr. Speaker, I reserve a point of order on the motion.

Mr. SIMS. I would like to make a statement before any action is taken.

The SPEAKER. It is not debatable.

Mr. SIMS. I ask unanimous consent to proceed for five minutes.

The SPEAKER. Is there objection?

Mr. GORDON. Mr. Speaker, reserving the right to object, I wish to have coupled with that a request that I may proceed also for five minutes.

The SPEAKER. The gentleman from Ohio hitches onto that proposition that he shall have five minutes. Is there objection?

Mr. MADDEN. Mr. Speaker, it is understood, of course, that the point of order against the motion is pending while this debate is going on.

Mr. SIMS. Oh, certainly.

Mr. GARRETT of Tennessee. Why not dispose of the point of order now?

The SPEAKER. That is correct. If the point of order is going to be made, it better be made now.

Mr. WALSH. Mr. Speaker, I make the point of order that, under clause 2, Rule XVIII, this motion is not in order. Clause 2 of Rule XVIII provides:

No bill, petition, memorial, or resolution referred to a committee or reported therefrom for printing and recommitment shall be brought back into the House on a motion to reconsider.

Mr. SIMS. This is a motion for a rereference.

The SPEAKER. Unless the gentleman wants to be heard, the Chair is ready to rule and overrules the point of order. [Applause.]

Mr. SIMS. Has the question of unanimous consent for five minutes on a side been acted upon?

Mr. GILLETT. Mr. Speaker, I raise the point of order that this is not privileged.

Mr. SIMS. Nobody said it was——

The SPEAKER. Of course, it is privileged; he has a right to file at any time within two days.

Mr. GILLETT. But the Chair I am sure would not rule that a Member can get up at any time, at any hour of the day, and take it up at any time during the day.

The SPEAKER. No; the Chair would not rule anything of the sort. If there is something else of higher privilege, that would be taken up.

Mr. MADDEN. It seems to me the time to take it up is immediately after the reading of the Journal to-morrow morning.

Mr. STAFFORD. If the gentleman will hear me on the question raised by the gentleman from Massachusetts, I wish to direct the attention of the Chair to the precedents. Under Rule XVIII, clause 1, which relates to reconsiderations and the order in which they may be considered, I find this note:

When it—

Referring to the motion to reconsider—

relates to a bill belonging to a particular class of business, consideration of the motion is in order only when that class of business is in order. (Citing Vol. V, Precedents, 5677-5681.)

Of course, Mr. Speaker, this is not the proper time, under the order of business of the House, to consider the rereference of bills. I do not question but what to-morrow the gentleman could be recognized to enter a motion to reconsider; but the business on the Speaker's table having been taken up and considered, we are not now in the position to consider even a motion to reconsider under the precedents to which I have just called attention.

Mr. GARRETT of Tennessee. I did not catch clearly the reading of the precedent, there was so much confusion about me; but what the gentleman from Tennessee is proposing to do now, as I understand, is to enter a motion to reconsider.

Mr. STAFFORD. That is the very question, whether it can be entered at this time. It could undoubtedly have been entered immediately following the motion made by the gentleman from Ohio, but as intervening business has taken place, that under the rules of the House and order of business, the business on the Speaker's table, such as conference reports, disposition of conference reports, and so forth, has taken place, the gentleman is not at present privileged to enter a motion to reconsider. After he enters it, then it is his privilege to take it up at any time; but he has not under this precedent the privilege of even entering it at this moment. He can not rise at this time, because it is not the regular order of business——

Mr. SIMS. I have been recognized.

The SPEAKER. In the very nature of things a motion to reconsider is not made part of the order of business. If the House was not in a hurry, the Chair would be glad to hear gentlemen on both sides of this question, but he has his mind made up and might as well make the decision:

When a motion has been made and carried or lost, it shall be in order for any Member of the majority, on the same or succeeding day, to move for the reconsideration thereof, and such motion shall take precedence of all other questions except the consideration of a conference report or a motion to adjourn, and shall not be withdrawn after the said succeeding day without the consent of the House, and thereafter any Member may call it up for consideration—

And so forth.

That is Rule XVIII in reference to reconsideration, and while it may not be in these precedents—I do not know whether it is or not—the Chair remembers very distinctly that Mr. Speaker CANNON ruled the same way as the Chair is going to rule, that this is in order, on a motion made by the gentleman from Kentucky [Mr. JOHNSON] here once.

Mr. STAFFORD. Do I understand it is the privilege of the gentleman not only to enter a motion at the present time but to have it considered at the present time?

The SPEAKER. If there is no conference report, if there is no gentleman who wishes to offer a conference report ready here, the Chair will recognize the gentleman.

Mr. STAFFORD. I wish to direct the attention of the Chair to paragraph 5677, Hinds' Precedents, which is as follows:

When a motion to reconsider relates to a bill belonging to a particular class of business—

And I assume this applies to a class of business which is only in order immediately following the Journal—

the consideration of the motion is in order only when that class of business is in order.

The SPEAKER. Why, this rule I read here is clear as crystal.

Mr. STAFFORD. These precedents are interpreting that rule.

The SPEAKER. The Chair knows, but the rule has precedence and importance over any judgment of any Speaker or anybody else.

Mr. SIMS. Has unanimous consent been granted for five minutes on a side?

The SPEAKER. Is there objection to giving the gentleman from Tennessee five minutes and the gentleman from Ohio five minutes? [After a pause.] The Chair hears none.

Mr. SIMS. Mr. Speaker, on the 27th this resolution——

Mr. MADDEN. Of what?

Mr. SIMS. Twenty-seventh of June, this resolution was introduced and referred to the Committee on Interstate and Foreign Commerce, but I as chairman did not see it until on the morning of the 28th. I saw it was an important resolution. I knew that a recess was contemplated and that there was a great deal of important business to be transacted before the 1st of July with reference to appropriation bills and conference reports. Therefore I sent a copy of the resolution with a letter to the Secretary of War, to the Secretary of the Navy, the Postmaster General, and the President of the United States, and asked each of them specifically to make comment as to its desirability of passage or any opposition that either might have to the passage of the resolution. I immediately received letters from all of them indorsing the resolution and immediate action in respect to its passage.

Mr. MADDEN. Will the gentleman yield for one question? Now, if this was so important why did not the President of the United States indicate that fact to the Congress——

Mr. SIMS. He did; I am part of it as chairman of the committee.

Mr. MADDEN (continuing). Without anybody asking it?

Mr. SIMS. I referred the resolution for information and got it. I then called the Committee on Interstate and Foreign Commerce together, and we considered the resolution on Saturday very fully, and upon order of the committee a hearing was set for to-day at 10.30, and I was directed by a resolution of the committee to ask said Secretaries to come or send some one to represent them.

They all came. The Secretary of War, the Secretary of the Navy, and the Postmaster General have testified before the committee to-day. We were in session at the very moment this unanimous-consent request was made, and not a member of the committee was on the floor of the House. We are ready to act, as the hearings are closed. It was a proper reference in the first place. It is a question touching the interstate commercial facilities of this country as to the telegraph and telephone service. The object of the proposed taking over is due to war conditions, but its operation will not be exclusively military. The resolution is not to take over, but simply authorizes the President to exercise such power if he shall determine the necessity exists. The committee has done its duty. I have no reflection to make upon the gentleman from Ohio [Mr. GORDON] or on his committee. Now, in order to get prompt action on this resolution, it ought not to be referred to any other committee, as we have considered it and are ready to act on it. I yield the balance of my time to the gentleman from Wisconsin [Mr. ESCH], who is a member of the Committee on Interstate and Foreign Commerce.

Mr. Speaker, how much time have I left?

The SPEAKER. Two minutes.

Mr. SIMS. I yield two minutes to the gentleman from Wisconsin [Mr. ESCH].

Mr. ESCH. The matters relating to telegraph and telephone and wireless and cable systems have always been in the jurisdiction of the Committee on Interstate and Foreign Commerce. The war emergency should not change that jurisdiction. There is no more reason why the Committee on Military Affairs should take jurisdiction of this bill, which relates also to the Post Office and to the Navy Departments, than that the Committee on the Post Office and Post Roads and on Naval Affairs should take jurisdiction. The Committee on Interstate and Foreign Commerce should have and retain jurisdiction of a measure that relates to communication by telegraph, telephone, cable, wireless, or by any other means. We have already assumed that jurisdiction. We have had hearings thereon. We are perhaps about ready to report. There is no reason why there should be a change of reference. The motion would not have prevailed, I believe, in this House had a member of the Committee on Interstate and Foreign Commerce been present when the gentleman from Ohio [Mr. GORDON] made his motion for reference. Because we were in committee engaged in hearings on this very resolution, we were not able to protect the rights of our committee.

Mr. ALEXANDER. Will the gentleman yield for a question?

Mr. ESCH. Yes.

Mr. ALEXANDER. I wish to say that the act regulating radio communication was from the Committee on the Merchant Marine and Fisheries, and if this bill relates to that subject should it not go to that committee?

Mr. ESCH. The radio communication is so inconsequential a part of the total amount of communication covered by this resolution that I think the Committee on Interstate and Foreign Commerce should retain jurisdiction over it.

Mr. ALEXANDER. Under the radio act the Government has already exercised complete power over radio telegraph.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired. The gentleman from Ohio [Mr. GORDON] is recognized for five minutes.

Mr. GORDON. Mr. Speaker, all that has been said upon this subject is interesting, but it is not important. It has no relevancy to the question before the House. Here is a proposition that is most sweeping—to take over in time of war private property. Now, a bill authorizing the taking over of the telegraph and telephones has been pending in the Committee on Military Affairs since June 4, introduced by a member of that committee, referred without objection to that committee, and we are now awaiting a report in writing from the Secretary of War.

Private property can not be seized, even in time of war, except as a war measure. This joint resolution that has been rushed through here and rushed into this Committee on Interstate and Foreign Commerce proposes to take these properties without first providing for compensation. And it is not a matter that pertains to the Committee on Interstate and Foreign Commerce at all. It pertains to our committee. The original bill was drawn by a member of our committee, introduced into this House, as I have said, and referred to our committee without objection, where it is now pending. Our committee has been very busily engaged——

Mr. COOPER of Wisconsin. Will the gentleman permit one question?

Mr. GORDON. I will.

Mr. COOPER of Wisconsin. The gentleman says they are proposing to take this property without compensation. Does not the resolution specifically provide that it shall be taken upon the same terms practically on which the Government took the railroad systems?

Mr. GORDON. And, of course, that bill to take the railroads came from our committee, as a matter of fact and history. The Committee on Military Affairs on the 29th of August——

Mr. COOPER of Wisconsin. Will the gentleman permit a question?

Mr. GORDON. Yes.

Mr. COOPER of Wisconsin. Just on the question of compensation.

Mr. GORDON. That is not in either of these bills.

Mr. COOPER of Wisconsin. The gentleman touched on it a little while ago.

Mr. GORDON. I decline to yield.

This rests exactly upon the same legal proposition and basis that the railroads do. The authority under which the President took over the railroads is contained in a bill reported to this House by the Committee on Military Affairs and which was signed by the President on August 29, 1916. Now, when you come to providing for pay for the railroads, their compensation and for their use and occupation, very properly a bill providing for that and providing facilities for the civil population, was referred to the Committee on Interstate and Foreign Commerce. And when we get ready to pay for the use of these telephone and telegraph lines and to provide for their uses and their accommodation to the public, that bill will also be referred to the Committee on Interstate and Foreign Commerce, just exactly as the railroad bill was. But the authority to take these properties, to seize them, and to take them by the Government, is purely and distinctly a war measure. Nobody pretends that you have a right to go around here indiscriminately and take property without compensation. You must first make compensation before you can take private property, under the fifth amendment to the Constitution, except under the great exigency of war, which now exists, and it is absolutely and entirely because of that great exigency that it is proposed to confer this great power.

Mr. BARKLEY. Under that reasoning, why should not the shipping bill and the espionage act have been referred to the Committee on Military Affairs?

Mr. GORDON. That is not the question at all. Those bills did not propose to seize private property.

Mr. BARKLEY. Under the shipping act it was done.

Mr. GORDON. Certainly not.

Mr. DECKER. Will the gentleman yield?

Mr. GORDON. Yes; what do you want?

Mr. DECKER. Does the gentleman contend that this contemplates the seizure of property that is exclusively within the jurisdiction of the Military Committee?

Mr. GORDON. Not necessarily. But I say this resolution is within the jurisdiction of the Committee on Military Affairs, just exactly as that conferring authority to take over the railroads was in the exclusive jurisdiction of the Committee on Military Affairs.

Mr. BARKLEY. Was not that a rider to the Army appropriation bill and put on as a matter of precaution? If originally a bill had been introduced to take over the railroads that would have gone to the Committee on Interstate and Foreign Commerce instead of to the Committee on Military Affairs.

Mr. GORDON. Not unless it had been previously provided for by law. Nobody ever attempted to authorize the Commander in Chief to go and seize private property except through authority of law reported by the Committee on Military Affairs. That is the exclusive committee in this House that is authorized to report pure and simple war legislation of that character.

Mr. BARKLEY. We did that in the case of the alien-property act, which authorizes the seizure of property. That bill was reported by the Committee on Interstate and Foreign Commerce, instead of the Committee on Military Affairs.

Mr. GORDON. That was merely for a trusteeship for property of alien enemies. It did not propose to appropriate the property or the use of it. This bill is simply to appropriate the use of telegraph and telephone systems for the period of the war. This resolution applies to matters within the sole jurisdiction of our committee. The motion to reconsider should be voted down.

Mr. DECKER rose.

The SPEAKER. For what purpose does the gentleman from Missouri rise?

Mr. DECKER. To ask unanimous consent to proceed for five minutes.

Mr. MADDEN. Mr. Speaker, if the gentleman is going to get consent to speak, I will insist that people on this side shall have the right to speak?

The SPEAKER. Does the gentleman object?

Mr. MADDEN. I object.

Mr. DECKER. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. ESCH] on that side be given five minutes.

Mr. MADDEN. I object to the gentleman designating the person on this side who is to speak.

The SPEAKER. The gentleman from Illinois objects. The question is on the motion of the gentleman from Tennessee [Mr. SIMS] to reconsider the vote whereby House joint resolution No. 309 was taken from the Committee on Interstate and Foreign Commerce and referred to the Committee on Military Affairs.

Mr. DYER. I demand the yeas and nays, Mr. Speaker.

The SPEAKER. The gentleman from Missouri demands the yeas and nays. Those in favor of taking this vote by the yeas and nays will rise and stand until they are counted.

Mr. DENISON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DENISON. If the yeas and nays are not demanded now, can they be demanded after a standing vote is had?

The SPEAKER. Of course. Eight gentlemen have risen in favor of taking the vote by yeas and nays, not a sufficient number. The question is on the motion to reconsider.

The question was taken; and the Speaker announced that the noes seemed to have it.

Mr. BARKLEY. A division, Mr. Speaker.

The SPEAKER. The gentleman demands a division.

The House divided; and there were—ayes 84, noes 83.

Mr. GORDON. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The Chair will count.

Mr. GORDON. The Chair just did count.

The SPEAKER. Oh, no. That is not a count to see if there is a quorum. Half of them may not have stood up. [After counting.] One hundred and ninety-one gentlemen are present, not a quorum. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. Those in favor of reconsideration will, when their names are called, answer "yea"; those opposed will answer "nay."

The question was taken; and there were—yeas 187, nays 107, answered "present" 1, not voting 135, as follows:

YEAS—187.

Alexander	Esch	Lesher	Sanders, La.
Almon	Evans	Lever	Sanders, N. Y.
Aswell	Fairchild, B. L.	Linthicum	Sanford
Austin	Fairchild, G. W.	Little	Scott, Mich.
Ayres	Foster	London	Scully
Barkley	Francis	Lufkin	Sears
Beshlin	Frear	McAndrews	Sherley
Blanton	French	McArthur	Shouse
Borland	Fuller, Ill.	McFadden	Sims
Bowers	Fuller, Mass.	McKeown	Sinnott
Brand	Gandy	McLaughlin, Pa.	Sisson
Brodbeck	Gard	McLemore	Slemp
Browne	Garrett, Tenn.	Magee	Smith, Idaho
Burroughs	Gillett	Mapes	Smith, Mich.
Butler	Good	Mays	Smith, C. B.
Byrns, Tenn.	Goodwin, Ark.	Miller, Minn.	Snell
Carlin	Gould	Montague	Snook
Carter, Okla.	Gray, Ala.	Moon	Steagall
Cary	Gray, N. J.	Moores, Ind.	Steele
Church	Green, Iowa	Mott	Sterling, Ill.
Clark, Fla.	Hamilton, Mich.	Nichols, Mich.	Sterling, Pa.
Coady	Hardy	Nolan	Stiness
Connelly, Kans.	Harrison, Miss.	Oliver, Ala.	Sumners
Cooper, Ohio	Hastings	Overmyer	Sweet
Cooper, W. Va.	Haugen	Overstreet	Swift
Cooper, Wis.	Heflin	Padgett	Taylor, Ark.
Crisp	Helm	Park	Thompson
Crossr	Helvering	Parker, N. J.	Tillman
Dallinger	Hensley.	Parker, N. Y.	Tinkham
Davis	Hersey	Peters	Treadway
Decker	Holland	Phelan	Vinson
Dempsey	Hollingsworth	Platt	Volstead
Denton	Huddleston	Porter	Walker
Dewalt	Hull, Tenn.	Pou	Walton
Dickinson	Igoe	Purnell	Wason
Dill	Jacoway	Rainey, J. W.	Watkins
Dillon	Johnson, Ky.	Randall	Weaver
Dixon	Jones	Rankin	Welling
Dominick	Keating	Reed	Welty
Doolittle	Kelly, Pa.	Roberts	Whaley
Doremus	Kincheloe	Robinson	White, Me.
Doughton	Kinkaid	Rogers	Wilson, La.
Dowell	Knutson	Romjue	Winslow
Dunn	La Follette	Rouse	Wright
Dupré	Larsen	Rubey	Young, N. Dak.
Dyer	Lazaro	Sabath	Zihlman
Eagan	Lee, Ga.	Sanders, Ind.	

NAYS—107.

Anderson	Eagle	Kettner	Ramseyer
Ashbrook	Edmonds	Key, Ohio	Rowe
Barnhart	Elliott	Kiess, Pa.	Saunders, Va.
Beakes	Ellsworth	King	Sloan
Black	Fairfield	Kraus	Small
Booher	Fess	Lea, Cal.	Stafford
Buchanan	Flood	Lobeck	Steenerson
Burnett	Focht	Lundeen	Stephens, Miss.
Byrnes, S. C.	Gallagher	Lunn	Strong
Campbell, Kans.	Garland	McCulloch	Temple
Candler, Miss.	Garrett, Tex.	McKenzie	Thomas
Cannon	Glass	McKinley	Tilson
Caraway	Godwin, N. C.	Madden	Timberlake
Chandler, Okla.	Gordon	Mansfield	Towner
Clark, Pa.	Graham, Ill.	Meeker	Van Dyke
Claypool	Graham, Pa.	Merritt	Vestal
Cleary	Griest	Miller, Wash.	Waldow
Connally, Tex.	Griffin	Moore, Pa.	Walsh
Costello	Hadley	Morgan	Watson, Pa.
Cox	Hamlin	Morin	Wheeler
Cramton	Harrison, Va.	Nicholls, S. C.	Williams
Dale, Vt.	Hayden	Oliver, N. Y.	Wilson, Ill.
Darrow	Hilliard	Osborne	Wilson, Tex.
Delaney	Hull, Iowa	Polk	Wood, Ind.
Denison	Humphreys	Price	Woods, Iowa
Donovan	Johnson, Wash.	Quin	Young, Tex.
Drane	Kennedy, Iowa	Raker	

ANSWERED "PRESENT"—1.

Browning

NOT VOTING—135.

Anthony	Britten	Chandler, N. Y.	Dale, N. Y.
Bacharach	Brumbaugh	Classon	Davidson
Baer	Caldwell	Collier	Dent
Bankhead	Campbell, Pa.	Copley	Dies
Bell	Cantrill	Crago	Dooling
Blackmon	Carew	Currie, Mich.	Drukker
Bland	Carter, Mass.	Curry, Cal.	Elston
Emerson	Howard	Mondell	Shackleford
Estopinal	Husted	Mudd	Shallenberger
Farr	Hutchinson	Neely	Sherwood
Ferris	Ireland	Nelson	Siegel
Fields	James	Norton	Slayden
Fisher	Johnson, S. Dak.	Oldfield	Smith, T. F.
Flynn	Juul	Olney	Snyder
Fordney	Kahn	O'Shaunessy	Stedman
Foss	Kearns	Paige	Stephens, Nebr.
Freeman	Kehoe	Powers	Stevenson
Gallivan	Kelley, Mich.	Pratt	Sullivan
Garner	Kennedy, R. I.	Ragsdale	Switzer
Glynn	Kitchin	Rainey, H. T.	Tague
Goodall	Kreider	Ramsey	Talbott
Greene, Mass.	LaGuardia	Rayburn	Taylor, Colo.
Greene, Vt.	Langley	Reavis	Templeton
Gregg	Lehlbach	Riordan	Vare
Hamill	Littlepage	Robbins	Venable
Hamilton, N. Y.	Lonergan	Rodenberg	Voigt
Haskell	Longworth	Rose	Ward
Hawley	McClintic	Rowland	Watson, Va.
Hayes	McCormick	Rucker	Webb
Heaton	McLaughlin, Mich.	Russell	White, Ohio
Heintz	Maher	Schall	Wingo
Hicks	Mann	Scott, Iowa	Wise
Hood	Martin	Scott, Pa.	Woodyard
Houston	Mason	Sells	

So the motion to reconsider was agree to.

The Clerk announced the following additional pairs:

Until further notice:

Mr. BELL with Mr. REAVIS.

Mr. BANKHEAD with Mr. BRITTEN.

Mr. HOWARD with Mr. ELSTON.

Mr. CAMPBELL of Pennsylvania with Mr. CRAGO.

Mr. STEDMAN with Mr. KEARNS.

Mr. WISE with Mr. ANTHONY.

Mr. BLACKMON with Mr. GREENE of Massachusetts.

Mr. BRUMBAUGH with Mr. CHANDLER of New York.

Mr. COLLIER with Mr. GREENE of Vermont.

Mr. FISHER with Mr. MCLAUGHLIN of Michigan.

Mr. FLYNN with Mr. PRATT.

Mr. GARNER with Mr. HAWLEY.

Mr. KITCHIN with Mr. MANN.

Mr. MCCLINTIC with Mr. RAMSEY.

Mr. WEBB with Mr. SELLS.

Mr. OLDFIELD with Mr. MONDELL.

Mr. VENABLE with Mr. RAMSEY.

Mr. SHALLENBERGER with Mr. ROBBINS.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will unlock the doors. The House determines to reconsider. The question is on the motion to take this resolution away from the Committee on Interstate and Foreign Commerce and rerefer it to the Committee on Military Affairs.

The question being taken, the Speaker announced that the ayes appeared to have it.

Mr. SIMS. Mr. Speaker, I understood that the motion was to take this resolution from the Committee on Interstate and Foreign Commerce and refer it to the Committee on Military Affairs, and the Speaker announced that the ayes seemed to have it.

The SPEAKER. The Chair announced it the way he heard it.

Mr. SIMS. I demand a division.

Mr. GARRETT of Tennessee. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARRETT of Tennessee. The motion to reconsider having prevailed, the question is now, I respectfully submit, on the original motion made by the gentleman from Ohio [Mr. GORDON].

The SPEAKER. Yes.

Mr. GARRETT of Tennessee. That is to take it from the Interstate and Foreign Commerce Committee and refer it to the Committee on Military Affairs.

The SPEAKER. That is precisely the way the Chair announced it. The question is on the motion made by the gentleman from Ohio to take this joint resolution, 309, away from the Interstate and Foreign Commerce Committee and rerefer it to the Committee on Military Affairs.

The question being taken, Mr. GORDON demanded a division.

The House divided; and there were—ayes 61, noes 96.

Accordingly the motion of Mr. GORDON was rejected.

FORTIFICATIONS.

Mr. BORLAND. Mr. Speaker, I present a conference report on the disagreeing votes of the two Houses on H. R. 12541, the fortifications appropriation bill, and ask unanimous consent for its present consideration.

The SPEAKER. The Clerk will report it by title.

The Clerk read the title of the bill (H. R. 12541) making appropriations for fortifications and other works of defense,

for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

The SPEAKER. The gentleman from Missouri asks unanimous consent for the present consideration of the conference report, the rule about printing to the contrary notwithstanding. Is there objection?

There was no objection.

Mr. BORLAND. Mr. Speaker, I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman asks that the statement be read in lieu of the report. Is there objection?

There was no objection.

The Clerk read the statement.

The conference report and statement of the House conferees are as follows:

CONFERENCE REPORT (NO. 737).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12541) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 7, 9, and 12.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 5, 8, and 10, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,960,000"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment amended to read as follows: "$200,000 for contingent expenses incident to the construction of seacoast fortifications and their accessories"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$9,924,540.19"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "For purchase and installation of searchlights for the defenses of most important harbors in the Hawaiian Islands, $20,000"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert the following: "$342,888.85"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,025,788.85"; and the Senate agree to the same.

WM. P. BORLAND,
JOSEPH W. BYRNS,
JAMES W. GOOD,
Managers on the part of the House.

O. W. UNDERWOOD,
JOHN WALTER SMITH,
W. L. JONES,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on amendments of the Senate to the bill (H. R. 12541) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report as to each of said amendments, namely:

On No. 1: Provides, as proposed by the Senate, that the unexpended balances of appropriations for searchlights for anti-aircraft defenses shall be available for searchlights for anti-aircraft defenses, sound-ranging equipment, searchlights for seacoast defenses, and electric light and power plants.

On No. 2: Provides that $1,960,000 instead of $1,995,000, as proposed by the House, and $1,900,000, as proposed by the Senate, of the unexpended balances of the appropriations heretofore made for construction of land defenses in the United States shall be covered into the Treasury.

On No. 3: Provides that $200,000 instead of $400,000, as proposed by the House, of the unexpended balances of the appropriation for contingent expenses incident to the construction of seacoast fortifications shall be covered into the Treasury.

On No. 4: Corrects a total in the bill.

On No. 5: Increases, as proposed by the Senate, from $6,300,000 to $8,480,000 the appropriation for additional facilities for the proof and test of ordnance matériel.

On No. 6: Appropriates $20,000, as proposed by the Senate, instead of $10,000, as proposed by the House, for searchlights for harbors in the Hawaiian Islands, and strikes out the appropriation of $33,000, proposed by the Senate, for searchlights for harbor defenses in the Philippine Islands.

On No. 7: Strikes out the appropriation of $17,000, proposed by the Senate, for electric light and power plants for seacoast defenses in the Hawaiian Islands.

On No. 8: Appropriates $30,000, as proposed by the Senate, for an engineer wharf at Honolulu, Hawaii.

On No. 9: Appropriates $210,000, as proposed by the House, instead of $553,700, as proposed by the Senate, for the construction of seacoast batteries for fortification of the Panama Canal.

On No. 10: Appropriates $155,000, as proposed by the Senate, for the purchase of land for the defenses of the Panama Canal.

On No. 11: Appropriates $342,888.85 instead of $345,888.85, as proposed by the Senate, for fire-control stations on the Canal Zone.

On No. 12: Strikes out the appropriation of $1,000,000, proposed by the Senate, for an aviation station on the Canal Zone.

On No. 13: Corrects a total in the bill.

WM. P. BORLAND,
JOSEPH W. BYRNS,
JAMES W. GOOD,
Managers on the part of the House.

Mr. BORLAND. Mr. Speaker, this conference report represents a complete agreement of the conferees. In fact, there was no amendment of the Senate to any of the major items of the bill. The House will observe that the amendments of the Senate, with the exception of an addition to the proving-ground facilities, relate entirely to our insular possessions.

I do not think there are any items in the statement that require explanation, but I do want to make a brief statement in regard to the so-called Bannerman guns.

When the bill was under debate before the House I made the statement that Mr. Bannerman, of New York, had offered to the Government, or had undertaken to sell to the Government at a price of $15,000 per gun, some thirty 6-inch naval guns of an obsolete pattern; that these guns had cost originally the manufacturer about $6,000 apiece; that similar guns had been offered to the Army by the Navy at $5,000 apiece; and that Mr. Bannerman had acquired the guns, some of them for about $78 apiece and others at a price a little less than $200 apiece; and I denounced that offer of Mr. Bannerman's as an instance of profiteering. Since that time Mr. Bannerman's counsel, a gentleman by the name of Richards, has called upon me, and he insists that Mr. Bannerman made no such offer to the Government. I want to do Mr. Bannerman the full justice of stating to the House exactly what he has brought to my knowledge since then. Mr. Bannerman contends through his representative that he at no time made any specific offer of these guns prior to the hearings before the Committee on Fortifications. The statement is that on April 26, 1917, soon after the declaration of war, Mr. Bannerman, being a dealer in naval and military supplies and having a large quantity of such supplies on hand, including some rifles, cartridges, naval guns, and other material, sent his catalogue to the War Department with the request that they select what material they chose to purchase, and they did select some knapsacks and other material, but not these guns. He further contends that his catalogue listed these guns at $5,000 apiece for certain of the guns that were unmounted, and $7,500 apiece for certain of the guns that were mounted, and that that was the only offer he made at any time to the Government prior to the hearings before our committee; but that since the hearings before our committee an offer has been made to him by the officers of the Government of $5,000 apiece for his guns. He also contends that he had an offer from

the Republic of Cuba of $5,000 for a part of the guns and of $7,500 for certain other of the guns, and that that offer could not be accepted on account of the war regulations of our own Government. Now, I want to do Mr. Bannerman the justice to place before the House his declaration that he made no offer of $15,000 apiece, and I want to go further and in the interest of fairness to say that there was no testimony before our committee as to whether he did or did not make any such offer, except the fact that an estimate was put in for $15,000 apiece for these guns. That an estimate was put in at that price for these identical guns is not denied. I am still at a loss to understand how that estimate could have originated except under an offer from the owner of the guns. But inasmuch as Mr. Bannerman shows by record correspondence that his offer was confined to the price in his catalogue, I am very glad indeed to give him the credit of this public statement.

Mr. COX. Will the gentleman yield?

Mr. BORLAND. I yield to the gentleman from Indiana.

Mr. COX. That leaves the matter in my mind very much in doubt yet. If Mr. Bannerman did not make this offer to the Government to sell these guns at $15,000 apiece, then what man in the War Department made that estimate of $15,000 apiece for these guns?

Mr. BORLAND. There is absolutely no evidence yet as to who make that estimate and no explanation of it. As I understand the functions of the Appropriations Committee, we are not an investigating committee. It is not our province to hold investigations into all the various interesting side lines that come before the committee. We are a committee that deals with live topics and must decide on appropriations of public money. If the evidence does not justify us as to the wisdom and propriety of the appropriations, it is our duty to deny them without pursuing endless investigations. I am firmly of the opinion that in this case evidence ought to be introduced as to where the estimates came from and who is responsible before we make appropriations for these guns.

Mr. COX. Has the gentleman taken up, by witnesses or correspondence, the matter of finding out who it was that made the estimates?

Mr. BORLAND. Only to this extent: The gentleman in charge of this department is Col. Hughes. He told me that the matter did not originate with him, but with a younger officer who he said had afterwards been ordered into active duty.

Mr. COX. Who was this younger officer?

Mr. BORLAND. He did not give me the name, and I did not inquire. Col. Hughes is the responsible head of the department. He has been informed that the committee will not authorize the purchase of these guns unless there is a proposition which meets the views of the committee.

Mr. COX. If no one else does it I propose to introduce a resolution to find out who it was that made up the estimates.

Mr. BORLAND. I think the gentleman will be within his rights.

Mr. COX. Undoubtedly; it looks as if there had been an attempt at profiteering between the officer and Mr. Bannerman. It looks as if there was something shrouded in mystery.

Mr. PLATT. Will the gentleman yield?

Mr. BORLAND. Yes.

Mr. PLATT. On page 315 of the hearings it is stated that these guns, including those that came from the Navy to the Army, were worth $15,000 apiece, but he put in an estimate for the whole lot, not only Mr. Bannerman's guns but all the rest. It looks as if the Navy was trying to get $15,000 for its guns, and in order to make good they put Mr. Bannerman's guns in with them.

Mr. BORLAND. I stated that the estimates included 77 guns, and they were listed at $15,000 each in the estimates. It appeared in the hearings that 47 guns were turned over from the Navy and 30 guns from Mr. Bannerman, all being listed at $15,000. When the Chief of the Ordnance of the Navy was called before the committee he stated that he had estimated the 47 guns he was furnishing at $5,000, and on my calling his attention to the discrepancy he said that the estimate of $15,000 for 47 naval guns had not originated with him and he had made no estimate of $15,000, but an estimate of $5,000 only. Mr. Bannerman says that he made no estimate of $15,000, and that his only estimate was $5,000. At the instance of my good friend from New York I will do Mr. Bannerman the credit of saying that his statement is borne out by the record correspondence that he made and the offer by catalogue of $5,000.

Mr. PLATT. I think the statement of the gentleman from Missouri is fair and just. Gen. Dickson estimated them all at $15,000, although the naval ordnance officer says they were $5,000.

Mr. BORLAND. Some one in the Ordnance Department made a gross error.

Mr. PLATT. It might have been a clerical error.

Mr. BORLAND. I hardly think it was a clerical error, because the amount checked up 77 guns at $15,000 each.

Mr. SHALLENBERGER. Will the gentleman yield?

Mr. BORLAND. Yes.

Mr. SHALLENBERGER. Has the Government acquired the guns?

Mr. BORLAND. The Government has acquired the guns. As soon as I discovered the discrepancy in price I took steps to see that the Government got the guns, because it was important that the Government should have them. They are available for land purposes, although they might be obsolete for use at sea. There was a controversy about the price. We wanted the guns then if we wanted them at all. I took steps to see that the Army got the guns. We took them, and they are under possession of the United States at The Bronx. They have not been removed from Mr. Bannerman's place. The proper notification was sent to the export board that no export license be issued for the guns. So they can not be sold. The only question in controversy is the question of price, which will be adjusted, I have no doubt.

Mr. KNUTSON. Will the gentleman yield?

Mr. BORLAND. Yes.

Mr. KNUTSON. I read a newspaper account of this transaction with reference to Mr. Bannerman's guns. Had the guns been discarded by the Government some time previously and sold to Mr. Bannerman; and if so, what profit did Mr. Bannerman make on the transaction?

Mr. BORLAND. The guns were taken off certain cruisers known as the *Newark* type. They are 6-inch guns, 30-caliber length, short range, and no longer available for use in the American Navy, because they are too short range. They were discarded as obsolete guns and were sold as scrap steel to Mr. Bannerman in 1913, a year and a half before the outbreak of the war in Europe. Eighteen guns were sold to Mr. Bannerman and the remaining 12 guns to Lewis Bros., Pittsburgh. These guns were sold at scrap-steel prices or perhaps a little better. Undoubtedly Mr. Bannerman bought them for purposes of selling them to some Latin-American country, or some country, whichever paid the best price for them. How long he would have to hold them would be problematical. He claims that in April, 1917, when war broke out, he had on hand those guns, a large number of cartridges, muskets, and other military stores at his place in New York. There was some doubt as to whether he ought to have this material, as a temptation to evilly disposed persons who might want to seize them. Finally they were taken in charge by officers of the Navy, and since this controversy the officers of the Navy have turned them over to the officers of the Army, and they are now under control of certain guards.

Mr. KNUTSON. I would like to ask one more question. What is the difference in the price received by the Government and the price paid by the Government for the guns?

Mr. BORLAND. For 18 of them he paid a little less than $1,500 and for the other 12 a little over $2,400.

Mr. KNUTSON. What did we pay?

Mr. BORLAND. That makes approximately $3,900 that the Government received for the 30 guns, and it appeared to the committee like he was asking $450,000. That was the estimate put on them before us.

Mr. KNUTSON. He wants to make 1,000 per cent.

Mr. BORLAND. That is what it appears, but he denied that. He says he wanted only $150,000.

Mr. SHALLENBERGER. Mr. Speaker, will the gentleman yield?

Mr. BORLAND. Yes.

Mr. SHALLENBERGER. It appears that these guns were at one time sold because they were useless. Is the gentleman's committee satisfied that we have got guns now that are going to be effective in this war, or have we purchased the guns again that are practically obsolete and inefficient for this war?

Mr. BORLAND. The evidence was conclusive before us that these guns, while obsolete for naval purposes on account of their short range, were not useless guns, were not worn-out guns, but were serviceable guns. The only objection to them was the shortness of range, which made them unavailable for naval purposes, but they were said to be extremely available for use on land, because the short-range guns would be just as useful in throwing a high-explosive shell on land as a longer-range gun.

Mr. SHALLENBERGER. Are these 6-inch guns similar to those that we have mounted on improvised mounts at Newport News ready for shipment?

Mr. BORLAND. I could not say.

Mr. SAUNDERS of Virginia. Mr. Speaker, will the gentleman yield?

Mr. BORLAND. Yes.

Mr. SAUNDERS of Virginia. I want to ask this question, why these guns were ever disposed of as junk? It appears they were all the while suitable for field purposes in the Army, though not suitable for the Navy. That being so, why did not the Navy turn them over to the Army instead of disposing of them as junk?

Mr. BORLAND. I am not an expert, but it seems to me that the gentleman's inquiry opens up a question of policy that is legislative in its character, not belonging to the Appropriation Committee, but a very broad one. Undoubtedly those guns, although short-range guns, would have been available for coast-defense purposes to repel landing parties at short range. They might also have been available for other purposes in connection with the Army, and just exactly why we have permitted these guns to be condemned and disposed of as obsolete simply because they do not happen to fit into a particular policy of the Navy at the moment is perhaps a question that we ought to answer; but that is a legislative question, I take it, for this House to dispose of. We seem to have permitted it to be done right along.

Mr. McKENZIE. Mr. Speaker, will the gentleman yield?

Mr. BORLAND. Yes.

Mr. McKENZIE. The gentleman from Missouri has repeatedly made the statement that these guns were short-range guns and therefore obsolete in the Navy. That statement, perhaps, is true, and a correct statement when speaking of naval guns, but it is not a correct statement to make when thinking of field guns for the Army, for these would be long-range guns in the Army and would shoot much farther than our 3-inch guns or many of the guns that we use in the field. For the Army they would be long-range guns.

Mr. BORLAND. I think the gentleman's statement is pertinent. That is the reason why the guns are being acquired at this time; but the gentleman is a member of the Committee on Military Affairs and, I take it, could have brought in the necessary legislation and I hope will do so.

Mr. LOBECK. Mr. Speaker, will the gentleman yield?

Mr. BORLAND. Yes.

Mr. LOBECK. The gentleman says we have taken these guns over. At what price?

Mr. BORLAND. No price has been agreed upon. It seems that an attempt was made by some officer to agree upon a price, but having no authority the matter went over. No appropriation has been made. We are waiting for an offer from Mr. Bannerman. If no satisfactory offer is made the guns will be commandeered.

Mr. GOOD. Mr. Speaker, will the gentleman yield some time to me?

Mr. BORLAND. How much time does the gentleman want?

Mr. GOOD. Five or eight minutes.

Mr. BORLAND. I yield eight minutes to the gentleman from Iowa [Mr. GOOD].

Mr. GOOD. Mr. Speaker, in another body, which the rules of the House forbid me to name, the statement was made a couple of days ago by a very distinguished gentleman that the correspondence in the matter of the sale by the Navy and the purchase by Mr. Bannerman of thirty 6-inch guns was a mixture of tragedy and comedy. I admit that the correspondence shows a tragedy, but where the comedy comes in I am at a loss to know. It may be a comedy to some for the United States Navy to sell thirty 6-inch guns for $3,902.94 to an individual and for that individual to sell them back to the Government for $450,000, but it is not a comedy to the taxpayers and the purchasers of Government bonds. To them such action is a real tragedy. What are the facts with regard to these guns? I am aware of the fact a statement is made here that Mr. Bannerman has been greatly injured by disclosures in Congress. That he is greatly wrought up because he has been denounced as a profiteer I presume is true, but I want to make inquiry right now as to how much profit a man can make on things that he buys from the Government and sells back to the Government and still escape the charge of profiteering. In this case the record shows that the Navy sold these thirty 6-inch guns for $3,902.94. Mr. Bannerman purchased 18 directly from the Government and 12 from Luria Bros. So it is safe to assume that the 30 guns cost Mr. Bannerman something in excess of $3,902.94. Mr. Bannerman says that he offered to sell the guns back to the Government that were mounted at $7,500 each, and those that were not mounted at $5,000. Suppose they were all mounted, then he wanted $225,000 for guns which the United States Navy sold for less than $4,000. Suppose none of them were mounted, then he asks the Government $150,000 for guns that the Government had sold for $3,902.94. But in this connection it is fair to say that Mr. Bannerman made at the outset a very liberal and patriotic offer to the Government, an offer which should have been accepted by the Secretary of War. I quote the following from Mr. Bannerman's letter:

Upon the entrance of the United States into the war I was prepared to give the Government the benefit of anything that I had that could be of any service in the war. I saw Col. Mitcham, commanding officer of the New York Arsenal, and told him that the Government was welcome to anything I had on any terms that they saw fit to make. He said that he was not in a position to tell me what was needed, but advised me to send lists of my stock to the various Government departments. I thereupon prepared lists as suggested and sent them to the various Government departments. The lists included the 30 cannon now in question. In a letter to the Quartermaster General of April 11, 1917, I said: "If your department can use any of these items, the prices will be arranged to your satisfaction." The replies which I received from these departments were to the effect that they were not interested in any of my stock, with the exception of certain haversacks.

Just think of it! The Secretary of War was offered these guns by Mr. Bannerman at the time we entered the war at the Government's price. He wrote:

If your department can use any of these items, the prices will be arranged to your satisfaction.

I trust Mr. Bannerman will still stand by his original proposition to the Government and will not insist on the position assumed by him as stated in the concluding paragraphs of the letter as found on page 8495 of the CONGRESSIONAL RECORD. That he has a legal right to take that position no one can deny, but if he takes that position I submit he lays himself liable to the charge of profiteering. His record is too clean and his patriotism too lofty to now make his action amenable to such a charge.

Now, what are the real facts regarding the sale by the Navy and the attempted purchase by the War Department of these guns? I read from the testimony of Admiral Earle, Chief of Ordnance of the Navy, with regard to these guns. This is the note on page 431 of the hearing.

NOTE.—On March 28, 1913, Francis Bannerman, of New York, purchased eighteen 6-inch 30-caliber guns. The price paid for these guns was based on weight of steel and ranged from 53 cents to 71 cents a hundred pounds, and in the case of 11 of the guns from $12.66 a gross ton to $13.02 a gross ton. The total weight of the guns sold to Mr. Bannerman, including the foregoing, as well as two 8-inch guns, was 246,914 pounds. In other words, the price paid by Mr. Bannerman for 6-inch 30-caliber guns was in the neighborhood of $78.67. This was bought by him as scrap value only.

The Luria Bros., of Reading, Pa., on May 14, 1914, purchased 12 other obsolete 6-inch guns at a total price of $2,386.88. It is quite probable that Mr. Bannerman did purchase these guns from the Luria Bros., although the department has no record as to such a transaction. The guns in the latter case were purchased for less than $200 apiece.

But, Mr. Speaker, I do not rise so much to criticize Mr. Bannerman for this transaction as I rise to criticize the officers of the Navy and of the Army in this disgraceful transaction. [Applause.] They, not Mr. Bannerman, are responsible. Mr. Bannerman, it is true, may be criticized for striking a good bargain and for selling guns for $5,000 that he only paid $78.68 apiece for. Criticism may be made against that kind of a transaction in this time of war, but, mind you, Mr. Bannerman had a legal right to make such a contract. What was the condition of these guns when the Navy sold them? They were not obsolete guns. The sights had never been taken out of the boxes from the time they were placed in there and shipped to the Navy of the United States when the Secretary of the Navy ordered these guns—new guns.

Here is Mr. Bannerman's description of the guns:

The guns are all in excellent condition and very little used. The 12 mounted guns had been altered up to the model of 1912 at the Washington Gun Factory, and had accompanying them breech blocks and sights still in their original boxes.

Think of it! Just before selling these guns as junk the Secretary of the Navy had altered them into 1912 models. Comedy or tragedy, I call it inefficiency, and I would write the word in capitals. Talk about the guns being obsolete! They are now to be used as field guns and will have a range of something like 7 or 8 miles. They were valuable for the Army, and yet they were sold as scrap immediately after having been altered at Government yards, and there is not a word of testimony here as to why the Government sold them, why the Navy sold them, except the statement of Admiral Earle that some of these guns were obsolete. Yet they had just been altered into 1912 model and their sights had not been taken out of the boxes in which they were packed when manufactured. Either the Secretary of the Navy made a great mistake in buying those guns for $6,000 apiece or he made a very great mistake in selling them for $78.68 apiece. Why equip them with 1912 model just before he sold them for junk? You can not escape the conclusion——

Mr. OLIVER of Alabama. Will the gentleman yield?

Mr. GOOD. I will.

Mr. OLIVER of Alabama. Is the gentleman informed as to when the guns were purchased?

Mr. GOOD. I do not know whether that is stated in the testimony or not. They certainly could not have been purchased

very long before, because Mr. Bannerman says that the sights had not been taken out of the boxes.

Mr. OLIVER of Alabama. Is it a fact the sale was at public auction to the highest bidder or were they sold privately——

Mr. GOOD. Well——

Mr. OLIVER of Alabama. I will state to the gentleman it was to the highest bidder.

Mr. GOOD. I know they were advertised as junk by the Secretary of the Navy, and the Secretary of the Navy ought to have been on speaking terms with the Secretary of War with regard to those guns to have found out whether or not in an emergency they might be a useful piece for the Army of the United States.

Mr. BORLAND. If the gentleman will permit, in reply to the gentleman from Alabama, the testimony of Admiral Earle was that those guns had been forged in 1892 or 1893. Whether they were used or not for the Navy——

Mr. OLIVER of Alabama. The testimony showed at the time they were sold they were not the pattern in use for the Navy at that time.

Mr. BORLAND. In 1892 or 1893, at the time they were forged, they were the pattern in use in the Navy.

Mr. OLIVER of Alabama. At the time they were sold?

Mr. BORLAND. At the time they were sold, in 1913, they were not the pattern used by the Navy, but whether they were ever used by the Navy in the meantime I have no knowledge.

Mr. GOOD. When they were sold as junk they had been altered at the navy yards and were the 1912 model. Now, Mr. Speaker, the testimony in this matter before the subcommittee took place about the 1st of June, 1918, and a representative of the War Department who knows about these things appeared before the subcommittee on fortification. I quote from the testimony, and in order not to give any information to the enemy, as to the number of these guns, where required, and so forth, the number of the guns was left blank in the hearing. I quote.

Mr. BORLAND. That Bannerman item is not here?

Gen. DICKSON. It is included in it. They are naval guns. There are ——— from Bannerman and ——— from the Navy, making a total of ——— 6-inch guns in this lot. We had previously gotton ——— 6-inch guns from the Navy.

Mr. BORLAND. Are the Bannerman guns 6-inch guns?

Gen. DICKSON. Yes, sir.

Mr. BORLAND. What are they worth?

Gen. DICKSON. We are estimating $15,000 on them. So if you make the Navy give us those guns do not forget to give us ——— times $15,000, so that we can get the Bannerman guns.

Mr. BORLAND. ——— worth of guns——

Gen. DICKSON (interposing). From Bannerman only.

It was thirty times $15,000, or $450,000, that the Secretary of War was estimating for. Thereunder the Speaker had sent to the House under the provisions of law an estimate to this Congress for $450,000 to buy guns that the Secretary of the Navy had sold in 1913 and 1914 for $3,900.

The SPEAKER. The time of the gentleman has expired.

Mr. GOOD. May I have two minutes more?

Mr. BORLAND. I yield two minutes more to the gentleman.

Mr. KNUTSON. Will the gentleman yield for one question?

Mr. GOOD. I will.

Mr. KNUTSON. The gentleman stated the sights of these guns had never been unboxed?

Mr. GOOD. In some of them.

Mr. KNUTSON. The inference one would draw from that is that they had never been fired.

Mr. GOOD. I think all the guns had been fired, because we test all guns we accept from the manufacturer or navy yard, and they must be fired in testing guns, but it is not necessary to put the sights on when the guns are tested. They were practically new guns; some of them were new and some modernized to 1912 model.

Now, Mr. Speaker, what are the cold facts? First. Between March 28, 1913, and May 14, 1914, the Secretary of the Navy sold as junk thirty 6-inch guns for $3,902.94. Second. Mr. Bannerman, having acquired these guns, offered them to the War Department when we entered the war at any price the Government might think was just, and subsequently offered to sell the mounted guns at $7,500 each and the unmounted ones at $5,000. This is the highest price ever placed on the guns by Mr. Bannerman. Third. The Secretary of War, acting in accordance with the mandates of law, sent his estimates to Congress, and in those estimates he included an item of $450,000 for the 30 Bannerman 6-inch guns.

Mr. Speaker, in acting on these enormous estimates we must rely on some one. I do not know whether our system of making appropriations is right or wrong. There are two sides to that question, but I do know that when Congress says to an executive officer of the United States that he must make true estimates of his requirements and send them to Congress on the 1st day of December that Congress has a right to rely implicitly upon the soundness and correctness of those estimates, and at all times to assume that the estimates are free from fraud. Here is an estimate for $450,000 for 30 guns which were necessary, according to the statement of the Secretary of War; $15,000 apiece to buy them from Mr. Bannerman, and Mr. Bannerman said he never asked any such price. He says he never asked half of that amount for those guns. He asked $5,000 for the guns, which were not mounted, and only $7,500 apiece for the guns mounted.

When this Congress errs in a matter of this kind, the Members admit their error, but if we make mistakes, relying upon estimates from the Secretary of War, what can we do but refer the error right back to the author. We must go back to the very fountainhead from which the estimates come. I am not willing to throw the responsibility for this gross inefficiency on some poor bureau chief or some subordinate officer. I will place the responsibility now where it belongs, where Congress placed it in enacting the law. First, the Secretary of the Navy had no business to sell those guns for this ridiculous price. If he was intending to sell them for junk in 1913 and 1914, it was not necessary for him to equip them with the modern 1912 model. He should not have sold those guns at all.

Second, the Secretary of War either did not know what he was doing when he made the estimates for $450,000 for guns that the Navy had recently sold for $3,902, and the law placed upon him the obligation of knowing all about it before he made that estimate, or he attempted to mislead the Congress of the United States in having them appropriate $450,000 for items that could be purchased for somewhere between $150,000 or $225,000, if we paid the price which Mr. Bannerman asked.

Mr. BORLAND. Mr. Speaker, I yield three minutes to the gentleman from Indiana [Mr. Cox].

Mr. COX. Whether the Appropriation Committee should have turned itself into a ferreting or investigating committee or not, I am of the opinion the subcommittee ought to have gone further into this matter and found out, if it could, who the real responsible party was in the War Department. From my viewpoint this thing smacks of much more than profiteering. It smacks of fraud pure and simple; if not fraud, a case of barefaced, inexplainable carelessness on the part of some one in the War Department. Is it possible that behind this scene is collusion and fraud on the part of some one in the War Department. With Bannerman, I would hate to think so, yet the facts are peculiar. They are surrounded and shrouded in mystery. The estimates are made up by various Cabinet officers, and by them transmitted to the Secretary of the Treasury, who transmits them to the Congress. In the very nature of things it is hardly possible for the Secretary of War to scan each and every item as put up to him by some subordinate in the department. But under him there is a responsible person, that ought to know what is contained in each item in the estimate.

Mr. GOOD. Will the gentleman yield right there?

Mr. COX. For a question.

Mr. GOOD. This estimate was involved in an estimate for all 6-inch guns, totaling three million seven hundred thousand and odd dollars. Does the gentleman mean to say to this House that the Secretary of War ought not to scrutinize even to the minutest detail?

Mr. COX. No; I do not mean to say that. He ought to scrutinize. He should thoroughly analyze it before he approves it and sends it to the Secretary of the Treasury to be by him transmitted to the Congress. There seems to be a "nigger in the woodpile" somewhere. Mr. Hughes apparently knew a little about it—not much—but the man that knew something about it was "shunted" to France; and who is this man that was so suddenly sent to France? I mean the man that made the estimate on the Bannerman guns for $15,000 and which Bannerman had bought from the Navy Department for less than $100 per gun. Nobody seems to know him. His name seems to be a profound secret. Hence the mystery. Who is the responsible party that made up this doubtful estimate? Is it the Secretary of War? If it is, he owes it to the country to come out in a public statement and make it plain that he knew or did not know about the estimate. If it is an inferior or subordinate officer, the Secretary of War owes it to Congress and to the people of the country to come out and place the responsibility where it belongs. For one, if the House will pass a resolution, I intend to find out, because I intend to introduce a resolution calling for the name of the person and his occupation, together with his connection with the War Department, and find out who made the estimate of $15,000 per gun from a man who had bought these guns from the Government at scrap-iron prices. This dirt shall not be covered up here if there is

dirt in it, and the country shall know, if the facts are obtainable at all from the Secretary of War, about this Bannerman gun affair. The time has come when these things can not go unnoticed. I care not where the responsibility is. I care not if it hits the Secretary of War or the Secretary of the Navy. Let it hit them. If it hits some little fellow, let it hit him; but let us find out whether or not there is fraud, corruption, something covered up here, and whether or not the man who has been sent to France is in this deal and has gotten a part of the swag if there was any swag in it.

Mr. BORLAND. Mr. Speaker, I yield four minutes to the gentleman from New York [Mr. PLATT].

Mr. PLATT. Mr. Speaker, Mr. Bannerman is a very interesting, a thoroughly honest, a very generous, and a very patriotic man. He takes this controversy very seriously, and considers the charges of profiteering, and so forth, a serious reflection on him. Now, the whole matter presents to me an irresistibly serio-comic aspect. Anybody who has read the letter that Mr. Bannerman wrote to me, and which was inserted in the RECORD by Senator WADSWORTH, because the matter had passed out of the hands of the House, will be struck by the humorous situation. Mr. Bannerman has done absolutely nothing wrong and has sought to be of service, and has, in fact, been of much service. Mr. Bannerman went to an auction. He was sent advertisements describing certain articles the Navy Department wanted to sell in 1913 and 1914, and he bid on and got some of them; and other things he did not get. Among the articles on which his bids were highest were some cannon. They were good guns, though out of date for the Navy. He tells us he protested against their sale, but the Navy thought it knew what it was doing, told him the guns were no good except for junk, and so he got them and paid for them. He disagreed with the Secretary of the Navy as to the value of the guns, went to considerable expense to keep them in order and to transport them, and built a heavy concrete dock at his arsenal on the Hudson River to hold them. By his foresight he saved those thirty 6-inch guns from destruction, so that now the Government can obtain them for Army use at a critical time, instead of waiting until new guns can be made at a much higher cost. Why he should not get a fair price for them I do not see.

He had them listed in his catalogue at $5,000, and sent the catalogue to the Government. With that catalogue before them, how the Ordnance officers of the Army came to make an estimate for those guns and ask an appropriation three times greater than Mr. Bannerman's price, his catalogue price, I am sure I can not understand. If that is the way the War Department generally does business it needs an overhauling from the Secretary down. Where the $15,000 estimate came from I have not yet found out. Perhaps it was just a blunder, due to confusing them with the cost of new guns.

Mr. MADDEN. Will the gentleman yield?

Mr. PLATT. It was evidently a mistake to estimate the guns that were coming from the Navy at $15,000, as Gen. Dixon did, when Admiral Knight says they were to be turned over to the Army at $5,000. The thing seems to be on all fours all the way through. Gen. Dixon asked for $15,000 each for the 47 guns to be obtained directly from the Navy as well as for the 30 to be obtained from Mr. Bannerman, three times what they were valued at in each case. No; I do not think there was any graft about it, but what a commentary on government operation. It is really laughable.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. PLATT. Yes.

Mr. MADDEN. Does the gentleman think it is a serio-comic matter to have the Navy advertise things at auction that sell for $78.68 apiece and then have the Army buy those same things at $5,000 or $10,000 apiece? Is that serio-comic?

Mr. PLATT. Oh, yes. It shows the incompetency and the inefficiency of Government officers as compared with private business. One of the branches of the Government does not know what the other branches are doing, and does not make any effort to find out. Each officer has his own little business to look after and does not look further. All bureaucracies work in the same way, whether it is in Russia or in the United States; whether an Emperor or a Czar or a President is at the head of them. When the Navy advertises guns for sale the Army does not go to the auction. Why did they not go to the auction and bid the guns in? They ought to know that such guns, even if obsolete in the Navy, can be used by the Army. Doubtless they did know, but they were not paying attention. They had "something else to do." They have nothing to do with the Navy. That is the size of it.

In the letter Senator WADSWORTH put in the RECORD you will find that the Navy sent an expedition some months up the Hudson River to capture Mr. Bannerman's arsenal, and really acted outrageously, treating Mr. Bannerman as an enemy, when they might just as well have had his full cooperation and been decent about it. The Navy then seemed a little ashamed of its exploit and turned the island and the arsenal over to the Army, which is now maintaining a guard there costing $75 to $100 a day. What for? It was under guard first by deputy sheriffs of Dutchess County. Mr. Bannerman had long before asked for a Federal guard, and he was turned down. Then he appealed to Gov. Whitman, of New York, for a State guard, and Gov. Whitman would not give it to him. Then some of his men were made deputy sheriffs of the county to guard the property. He was willing to do anything reasonable. He had sent the Government a list of his goods, but reasonable action seems to have been tabooed. So the American Navy, in a submarine chaser, was sent up the Hudson to capture the island. It was a great and glorious event. [Laughter.] Mr. Bannerman's arsenal is now absolutely under the guard of the Army, but just why nobody seems to know. The theory seems to be that enemy aliens might capture it, and, having armed themselves with its obsolete arms, might march upon and capture New York or perhaps Washington.

Now, just a word as to the charge that Mr. Bannerman was "profiteering"—a very much overworked word. If the ordnance officers of the Army did not like his catalogue prices, why did not they ask a reduction or a discount instead of placing a value on the guns three times higher than Mr. Bannerman's catalogue price? Is not the whole thing serio-comic—or just plain comic?

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

Mr. BORLAND. Mr. Speaker, I wish to make a brief reply to two statements that have been made concerning this matter. One is that these guns ought to have been transferred from the Navy to the Army. That is a proposition that is necessarily brought forward in this House. This committee after considering that question has taken upon itself to put this provision in the bill:

> Such naval ordnance and ordnance material as the Secretary of War and the Secretary of the Navy may determine necessary is authorized to be transferred from the Navy Department to the War Department: *Provided*, That if such ordnance and ordnance material is obsolete for naval purposes the transfer shall be made without reimbursement and payment to the Navy for other ordnance and ordnance material transferred hereunder shall be made only after estimates shall have been submitted to Congress and a specific appropriation for such payment shall have been made.

In other words, we provide that if there is any material in the hands of the Navy that the Army wants—material that is obsolete for naval purposes—it shall be transferred to the Ordnance Department of the Army without expense. But if the Navy will transfer to the Army Ordnance Department material that is new and that is taken out of its reserve stock—a thing which is being done in some cases—then we will reappropriate to the Navy so much as will make good their original reserve stock.

We have two classes of guns. For those that the Navy is taking out of their reserve stock for current use, simply because they have a surplus supply and can furnish the guns without the delay of manufacture, they are to be reimbursed. But where the Navy condemns the guns as obsolete they are to transfer those guns without expense to the Army. That is the policy that has been adopted under the leadership of this committee.

Mr. SHALLENBERGER. Mr. Speaker, will the gentleman yield?

Mr. BORLAND. Yes.

Mr. SHALLENBERGER. Can the gentleman tell whether there is a provision in this bill authorizing this to be done with respect to all of the $5,000,000,000 worth of property provided for in this bill? Is any provision made for Army officers to dispose of every part of the material covered by this bill?

Mr. BORLAND. No.

Mr. SHALLENBERGER. That language is in the Army bill, but is it not in your bill?

Mr. BORLAND. It is not. That provision is in the Army bill giving the Army the right to dispose of material, but——

Mr. SHALLENBERGER. I opposed it in my committee for the reason that I was afraid that what occurred on that subject in your committee would occur in ours.

Mr. BORLAND. There is no provision giving the Ordnance Bureau the right to dispose of armament belonging to the United States. So far as the investigation referred to by the gentleman from Indiana [Mr. Cox] is concerned, I do not regard that as one of the proper functions of the Committee on Appropriations. That committee has to decide on live problems, and to appropriate money to carry on the war now in progress.

It can not engage in the investigation of every line of inquiry that might suggest itself. It is the function of this House to do that, and this committee is not usurping any functions which do not belong to it. I have no reason in the world to fail in seconding in any way the suggestion of my colleague from Indiana to prosecute any investigation which he sees fit to suggest. It is not our intention to do that, but it is only fair that any question raised by any committee should be fully investigated by the House.

Mr. Speaker, I call for a vote on the conference report.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

USELESS PAPERS IN EXECUTIVE DEPARTMENTS.

Mr. TALBOTT, from the Joint Select Committee on the Disposition of Useless Papers in the Executive Departments, submitted a report (H. Rept. 739) on a letter from the Acting Secretary of Commerce (H. Doc. 921, 65th Cong., 2d sess.), transmitting a list of executive papers not needed or useful in the transaction of current business of the Department of Commerce and having no permanent or historic interest.

The report, with the accompanying document, was ordered to be printed.

MEDICAL SOCIETY OF THE DISTRICT OF COLUMBIA.

Mr. WALSH. Mr. Speaker, I desire to direct the attention of the Chair to the reference of the bill (S. 2653) to amend an act entitled "An act to incorporate the Medical Society of the District of Columbia." This is a measure to grant articles of incorporation to a medical society, the activities of which apparently are not confined to the District of Columbia. I understand, under the rules of the House——

The SPEAKER. If the gentleman will let that matter stand over until morning and will furnish a copy of the bill to the Chair, he will examine it and recognize the gentleman the first thing after the reading of the Journal to-morrow.

RIVER AND HARBOR APPROPRIATIONS.

Mr. SMALL presented the conference report on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10060) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, for printing under the rule.

FOURTEENTH DECENNIAL CENSUS.

On motion of Mr. HELM, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses, with Mr. FOSTER in the chair.

The Clerk read as follows:

SEC. 33. That the Director of the Census be, and he is hereby, authorized, at his discretion, upon the written request of the governor of any State or Territory or of a court of record, to furnish such governor or court of record with certified copies of so much of the population or agricultural returns as may be requested, upon the payment of the actual cost of making such copies and $1 additional for certification; and that the Director of the Census is further authorized, in his discretion, to furnish to individuals such data from the population schedules as may be desired for genealogical or other proper purposes, upon payment of the actual cost of searching the records and $1 for supplying a certificate; and that the Director of the Census is further authorized to furnish transcripts of tables and other records and to prepare special statistical compilations for State or local officials, private concerns, or individuals upon the payment of the actual cost of such work: *Provided, however*, That in no case shall information furnished under the authority of this act be used to the detriment of the person or persons to whom such information relates. All moneys hereafter received by the Bureau of the Census in payment for labor and materials used in furnishing transcripts of census records or special statistical compilations from such records shall be deposited to the credit of the appropriation for collecting statistics.

Mr. HERSEY. Mr. Chairman, I move to strike out the last word.

The debate is about to close on this census bill, and I assume that the bill will pass this House in its present form. At the proper time I intend to offer a motion to recommit the bill with instructions to report the same back forthwith, with an amendment restoring to the bill the provisions of the present law as far as the appointment of supervisors and enumerators is concerned.

I do this for two reasons: First, to exhaust every resource to defeat this change in the law that will always be looked upon by the people as a political scheme to use the census for party purposes; and, second, that I may thereby show by the record that Republicans do not favor such legislation, and that this is simply a partisan measure. All through this debate the Democratic side have earnestly protested that they did not intend to play politics with this legislation. If that is true, this vote will give an opportunity to the Democrats to prove their statements. If there is any sincerity in the appeal of the majority party that politics should be adjourned during this war, then this open and shameless attempt to stir up party strife as set forth in this bill should be rebuked by the Democrats themselves and the fair and nonpartisan law enacted 10 years ago should not now be changed in this particular.

While the census bill of 1910 was under consideration in the House Mr. Hay, of Virginia, a Democrat, obtained the floor and said:

I desire to call the attention of the gentleman from Indiana [Mr. Crumpacker] to the provisions for the appointment of supervisors. On page 9, line 25, it provides that "the supervisors shall be appointed by the President." In the bill which was passed by this House in the last Congress it was provided that the supervisors shall be appointed by the President by and with the advice and consent of the Senate, and I should like to know why that was left out of this bill (to wit, the approval of the Senate).

The Republican leader, Mr. Crumpacker, made no explanation, but simply allowed that it was the opinion of the majority on the committee, which was then Republican, that the change should be made, and that was all that was necessary to explain.

The bill as thus reported from the committee passed that House by the strength of a party vote. It went to the Senate, and a Republican Senate without a dissenting vote restored the law to its present form and the House concurred.

History is now repeating itself. A Democratic committee and a Democratic House refuse to give any reasonable explanation why they not only cut out the Senate but refuse to give to the President the power of appointment, and this present Democratic committee and Democratic House now attempt to force through this measure by mere party strength.

It will now go to the Senate. Does any Member of this House believe for one moment that a single Member of the Senate will consent to take the approval of the supervisors away from the President and surrender the privileges and prerogatives of the Senate in the approval of these appointments, which should be nonpartisan? Now, why should the majority party in this House deliberately attempt to bring about a conflict at this time between the two Houses over this bill? I have deprecated these recent conflicts between the House and the Senate on matters where the House has shown, in my opinion, a disposition to provoke and continue a quarrel.

Only a few days ago on a disagreement between the two Houses on the District of Columbia rent or profiteering bill, so called, the chairman of the House committee, the gentleman from Kentucky [Mr. JOHNSON], a member of the conference committee, used language reflecting upon the integrity of certain Members of the Senate. His language in public and in the press was such as to cause the Senate conferees to refuse to sit with him in conference or to associate with him or to extend the courtesies of the Senate to him, and the result was the defeat of the bill.

Yesterday the gentleman from Mississippi [Mr. SISSON], from the conference committee on the District appropriation bill, reported to the House that the conferees on the part of the Senate declined to discuss the amendment in dispute, that they had argued it at length, but that the Senate conferees said that further conference on the subject was useless, and refused to discuss the matter further, and he proceeded, in violation of the rules of the House, to detail what had taken place in the conference room. He also requested that the House instruct its conferees to further insist after the Senate had refused to yield or discuss the matter further.

The CHAIRMAN. The time of the gentleman from Maine has expired.

Mr. WILLIAMS. Mr. Chairman, I ask unanimous consent that the gentleman may have five minutes additional.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the time of the gentleman from Maine be extended five minutes. Is there objection?

There was no objection.

Mr. HERSEY. Where the House attempts to change the existing law in regard to the District of Columbia, and where under the rules and customs of legislation it was the part of the House to yield to save the bill, but it would not, the result must be the defeat of necessary legislation.

I mention these matters at this time because I feel that the time has come when this House ought not to put matters up to the Senate like this change in the census law, where it is well known that the Senate can not possibly agree with the House. I know there is not much use made of the golden rule in politics, but it seems to me that we ought to ask ourselves as Members of the House what we would do if we were Members of the Senate. Would we consent to this change in the census law? Would we throw distrust upon the President of the United

States? Would we avoid our responsibility as Senators in the approval of supervisors and go home to our people and tell them that we consented to have no voice in the appointment of the supervisors; that we had abdicated our responsibility and no longer represent the people of our State?

It is no justification for this political move on the part of the Democrats that the Republicans in the House 10 years ago attempted in a small way to change this law for political purposes, which move was defeated by a Republican Senate. It is no justification that 10 years ago the Republican Party sought to remove the appointees in the Census Office from under the civil-service law and were defeated by a veto of a Republican President. Let the people know and feel that Congress is here to do business and not to pass legislation to provide for political patronage and party advantage. Politics should be adjourned in Congress. [Applause.]

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

Mr. RAKER. Mr. Chairman, I move to strike out the last two words. I call the attention of the chairman of the committee [Mr. HELM] to some provisions of section 33, and I believe that he will consent to have them amended. In the first part of the section the Director of the Census is authorized, in his discretion, to furnish the governor of any State or Territory, or any court of record, with certified copies of certain statistics. It is left in his discretion. Then, beginning in line 18, on page 28, we find this provision:

And that the Director of the Census is further authorized to furnish transcripts of tables and other records and to prepare special statistical compilations for State or local officials, private concerns, or individuals upon the payment of the actual cost of such work.

That is not in the discretion of the Director of the Census, while the furnishing of the other statistics to the States or to the courts is left in his discretion.

In the first two provisions a charge of $1 is made for the certificate. In the last provision, which is a new one and not in the former act which this attempts to amend, there is no charge for the certificate. Further, in the last proviso there is a change of the original law, providing that—

All moneys hereafter received by the Bureau of the Census in payment for labor and materials used in furnishing transcripts of census records or special statistical compilations from such records shall be deposited to the credit of the appropriation for collecting statistics.

That is without being reappropriated or disposed of by Congress.

Now, I want to call the attention of the committee in particular to the new provision commencing with the word "*Provided*," in line 22, page 28. I am satisfied that the committee do not desire to carry out the intent of this proviso.

Provided, however, That in no case shall information furnished under the authority of this act be used to the detriment of the person or persons to whom such information relates.

That is the new provision in this law that was not in the prior bill directing the former census to be taken.

Mr. HELM. Does the gentleman think that the information that is obtained by the bureau ought to be published concerning the work of business concerns?

Mr. RAKER. That is not the intent of this. I want to further call the attention of the committee to this matter.

Mr. HELM. The language is plain—

In no case shall information furnished under the authority of this act be used to the detriment of the person or persons to whom such information relates.

Mr. RAKER. I will answer the gentleman. Under section 32 of the former act that was not in the law. It has worked well. The very purpose of providing that the governors of the States and Territories may obtain certified copies, that the court, not even the judge of the court, could obtain it or the district attorney, but must get an order of the court to obtain the certified copy of the record, and then it is within the discretion of the Director of the Census to issue it. Now, you nullify the effect of the certified copy that may be absolutely necessary in a proper criminal transaction. Under this the court trying the case would be compelled to exclude the evidence, because it would be detrimental to the party on trial. Your provision says—

In no case shall information furnished under the authority of this act be used to the detriment to the person or persons to whom such information relates.

In other words, a man testifying as to his age testifies that his age is so-and-so; that he was born at a certain time. Now, information furnished by the Director of the Census under this act would have to be excluded because, if offered in evidence, notwithstanding his oath and the trial or some other oath, this could not be introduced.

Mr. ALEXANDER. What is the gentleman's suggestion?

Mr. RAKER. That you strike out that provision. I stand as the gentleman from Missouri [Mr. ALEXANDER] stood in the committee. The gentleman from Missouri [Mr. ALEXANDER] was against this provision in the committee, and so stated. He gave cogent reasons why this provision should not be included.

Now, I am simply calling attention of the committee reporting this bill to the fact that this was not in the prior bill. It was not found necessary. Why put in a provision here authorizing officers to secure this information and then in the bill put in an inhibition upon it because if the court should admit it in evidence, under this act undoubtedly the higher court would reverse the judgment, because it says it shall not be used to his detriment. I know the committee does not intend to carry a provision in the bill like that. If it is right, it should receive the evidence that has been presented and can be used, and then, clearly, you do not want a provision in the act saying it can not be used in any case anywhere at any time where it might be desired to be used.

Therefore, Mr. Chairman, I move to strike out this provision, beginning on page 28, line 22, after the word "work," down to and including the word "relates" in line 25.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 28, line 22, beginning with the word "provided" strike out all to and including the word "relates," in line 25.

Mr. STAFFORD. Mr. Chairman, I have followed the discussion quite closely and I believe that the amendment offered by the gentleman from California should go further in striking out and should include the provision after the word "certificate," in line 18, page 28, down to the word "relates," which is included in the amendment pending.

This is new matter. Under the existing law certified copies of statistics of the census can be furnished only for population and agriculture. Under the new language you are opening up to anyone the privilege of demanding a certified copy of statistics of manufactures. It has never been the policy of the Congress to allow a competitor to gain private information as to the business affairs of his rival. I wish to ask the attention of the committee to what I believe the language which I will move to strike out, when I am in order, covers that very privilege. This is new language introduced for the first time:

And that the Director of the Census is further authorized to furnish transcripts of tables and other records and to prepare special statistical compilations for State or local officials, private concerns, or individuals upon the payment of the actual cost of such work: *Provided, however*, That in no case shall information furnished under the authority of this act be used to the detriment of the person or persons to whom such information relates.

The designation "and other records" would grant the privilege to any individual to have a certified copy of the census returns of any manufacturer. When the corporation tax was first authorized we especially provided that those returns should not be the subject of search on the part of the public, and yet here in this new phraseology you are going to allow any person to ask the Census Office for the amount of business and all of the details that a man is compelled to return under the tabulations that are required by the Census Bureau.

Mr. RAKER. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. We do not intend any such policy as that. I yield to the gentleman.

Mr. RAKER. In addition to what the gentleman has said, that provision has left it out of the discretion of the Director of the Census.

Mr. STAFFORD. I noted the point made by the gentleman in his debate that this was not left within the discretion of the director, but that it was mandatory, so that any person could command these statistics. I do not believe the members of the committee intend any such authority to be vested in individuals to get returns of manufacturing statistics.

Mr. ALEXANDER. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. ALEXANDER. My objection to this provision at the time was that it limited the power of the courts to use legitimate testimony for legitimate purposes in civil or criminal cases, but this provision says that in no case shall information furnished under the authority of this act be used to the detriment of any person or persons to whom such information relates. If it once is given, I do not know how the Census Bureau is going to prevent its being so used.

Mr. STAFFORD. That is the idea. The proviso does not furnish any protection at all to the person whose statistics are being furnished to the third party.

Mr. ALEXANDER. And for that reason I did not favor that provision.

Mr. STAFFORD. Does the gentleman further agree with me that these statistics of manufactures should not be furnished at the request of any individual?

Mr. ALEXANDER. Because I think it is liable to be abused.

Mr. STAFFORD. Not only abused but you would not be able to get exact returns from the manufacturers if they knew that their statistics were going to be subject to review of outsiders. It would be an inducement to them not to furnish returns. As far as statistics of population and agriculture are concerned, provided for in the forepart of the section, which is current law, there can be no objection to that. I hope the chairman of the committee will see his way clear to accept the suggestion that I have made.

Mr. HELM. Mr. Chairman, has the gentleman observed the statement of the director at the bottom of page 170 of the hearings?

Mr. STAFFORD. No; I have not.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. STAFFORD. I have merely read the explanation at the bottom of the report of the committee on page 35.

Mr. HELM. If the gentleman will permit me, in his time——

Mr. STAFFORD. Certainly.

Mr. HELM. I will read what the director says:

Mr. ROGERS. I have but one case in mind right now. Take the individual whose name appears on our population schedule. He informs me of his father and mother, his age, and where he was born, and where he lived at a certain time. Now, in the draft he is questioned both about his age, his nationality, and his identity. That man is to be prosecuted upon the statement that he made to the Bureau of the Census. It is the basis of the honesty of the statement that he makes before the court. I would refuse to give information to anyone other than to the local constituted authority for the annoyance or prosecution of that man. If the court were to issue an order to the effect that the State's interests are involved, or the interests of the Government in this case are involved, and it is my duty to certify the record as it was given at a particular time, I would do so. Sometimes, Judge, that same kind of a question as to marital conditions comes up in connection with an estate, and the census does not want to be used in the courts to the prejudice of any man who made a confidential statement. If he wants to use it, he is at liberty to get it from us, or his counsel, or anyone representing him. We do not think it is fair to him to give it to whosoever applies for it.

Mr. STAFFORD. That virtually confirms what I was saying. What the gentleman read from does not at all relate to the furnishing of certified copies of the manufacturing statistics. I hope the gentleman will appreciate the argument that I made, that if you are going to allow any person to get a certified copy of the statistics——

Mr. HELM. That is the very purpose of this proviso, that he shall not get it.

Mr. STAFFORD. Why, no.

Mr. HELM (reading)—

Provided, however, That in no case shall information furnished under the authority of this act be used to the detriment of the person or persons to whom such information relates.

Mr. STAFFORD. I do not think it furnishes protection at all. How is it going to be known in advance whether it is to be used to the detriment of the person or not?

Mr. HELM. If that does not protect the business secrets of the manufacturer, it has no purpose at all.

Mr. STAFFORD. Can the gentleman conceive of any case where manufacturing statistics furnished in confidence to the Bureau of the Census should be given to any individual?

Mr. HELM. It is not the purpose of this committee and it is not the purpose of the director to disclose business secrets.

Mr. STAFFORD. Then, will the gentleman have any objection to striking out the new language, as suggested, after the word "certificate," in line 18, and ending with the word "work," because that is the language which covers the furnishing of certificates of manufacturers.

Mr. HELM. I think both the gentleman from Wisconsin and the gentleman from California misunderstand the purpose of the language. It is the intention of the committee, it was the purpose of the bureau and those connected with framing the bill, to safeguard the business interests of people who are compelled to give information to the Census Bureau. If it does not do so—but I think it does—I am perfectly willing to have it stricken out.

Mr. STAFFORD. Does the gentleman realize——

Mr. HELM. I think it safeguards all business concerns.

Mr. STAFFORD. Does the gentleman agree that this language in line 19, "to furnish transcripts of tables and other records and to prepare special statistical compilations"——

Mr. HELM. I did not hear the gentleman.

Mr. STAFFORD. Does not the gentleman agree that this new language in line 19, "to furnish transcripts of tables and other records," is broad enough to include manufacturing statistics?

Mr. HELM. Why, certainly it is; and the proviso is to protect against it being used for any harmful purposes.

Mr. STAFFORD. I question whether that proviso will protect, and I do not believe it should apply to manufacturing statistics.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California.

Mr. STAFFORD. Is it in order—which I question—to offer as a substitute a motion to strike out additional matter in the paragraph? I would like to offer a motion to strike out the language after the word "certificate" down to the word "work," or down to the word "relate," which includes the amendment offered by the gentleman from California.

Mr. RAKER. I accept the amendment.

Mr. STAFFORD. The gentleman says he will accept the amendment.

Mr. HELM. I will accept the amendment, and the matter can be adjusted——

Mr. STAFFORD. I withdraw the parliamentary inquiry.

Mr. HELM (continuing). And it can be arranged in conference.

Mr. STAFFORD. The gentleman accepts the amendment; and I now desire to offer the amendment to strike out, after the word "certificate," all down to the word "relates," in line 25.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 38, line 18, strike out all the language, beginning with the word "and," line 18, down to and including the word "relates," in line 25.

The CHAIRMAN. The question is on the amendment by way of a substitute.

The question was taken, and the amendment was agreed to.

Mr. RAKER. Mr. Chairman, I move to strike out the last word. It is not intended as a criticism, but I desire to call the attention of the Chair to the last two lines of this section:

Shall be deposited to the credit of the appropriation for collecting statistics.

Now, the former law was—

And amounts so received shall be covered into the Treasury of the United States, to be placed to the credit of and in addition to the appropriations made for taking the census.

Is it the gentleman's theory that this will work better than for the money to be covered into the Treasury of the United States and then appropriated as other appropriations?

Mr. HELM. I think it is a very negligible sum, so represented, and it seems it would be simply a question of bookkeeping.

Mr. RAKER. In other words, most all legislation provides that wherever there is any money collected it is covered into the Treasury of the United States and then appropriated as the exigencies may demand. The gentleman from Kentucky, the chairman of the committee, thinks this is so small, and as it would assist the bureau in having a revolving fund for doing this work, that it is better than covering it into the Treasury of the United States?

Mr. HELM. I think so.

Mr. RAKER. I withdraw the pro forma amendment.

Mr. GARRETT of Tennessee. Mr. Chairman, just one moment. Referring to the vote on the Raker-Stafford amendment, the Chair stated that the question was on the amendment by way of a substitute. The vote was taken on that, and that was agreed to. I suggest the vote ought to have been taken then on the amendment as amended.

The CHAIRMAN. The gentleman is correct. The question is on the amendment as amended.

The question was taken, and the amendment as amended was agreed to.

The Clerk resumed and concluded the reading of the bill.

Mr. HELM. Mr. Speaker, I move the committee do now rise and report the bill to the House with the recommendation that the amendments be agreed to, and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. FOSTER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 11984 and had instructed him to report the same to the House with sundry

amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. HELM. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? [After a pause.] If not, the Chair will put them in gross.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

Mr. GILLETT. Mr. Speaker, before that is taken, I would ask of the gentleman if he is not willing that this should go over until to-morrow and have the vote taken at some other time?

Mr. HELM. Mr. Speaker, we will have to have a roll call.

Mr. GILLETT. Yes.

Mr. HELM. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HELM. Will this bill be the first thing after the reading of the Journal, the unfinished business?

The SPEAKER. It will not unless we do away with Calendar Wednesday.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask unanimous consent that the business in order to-morrow may be dispensed with.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to dispense with Calendar Wednesday business for to-morrow. Is there objection? [After a pause.] The Chair hears none.

Mr. WALSH. Mr. Speaker, I demand the reading of the engrossed bill. That will make it in order to-morrow, I suppose.

The SPEAKER. It would be in order, anyway. The Clerk will have the engrossed bill ready.

Mr. WALSH. They have not voted on the third reading yet.

Mr. HELM. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HELM. Has the vote been taken on the third reading of the bill?

The SPEAKER. No. The gentleman from Massachusetts notified the Chair that he would demand the reading of the engrossed copy of the bill, and the Chair——

Mr. ALEXANDER. That does not prevent putting the motion for engrossment.

Mr. SAUNDERS of Virginia. The question would be on the engrossing of the bill and reading it the third time.

The SPEAKER. I wanted it understood that the Clerk should have the bill here.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The passage of the bill is deferred because of the demand of the gentleman for the engrossed copy.

EXTENSION OF REMARKS.

Mr. HUDDLESTON. Mr. Speaker, I ask unanimous consent to extend my remarks on the subject of the Federal Trade Commission and profiteering.

The SPEAKER. The gentleman from Alabama asks unanimous consent to extend his remarks on the subject of profiteering and the Federal Trade Commission, and so forth. Is there objection? [After a pause.] The Chair hears none.

Mr. GOOD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD on the fortification bill.

The SPEAKER. The gentleman from Iowa asks unanimous consent to revise and extend his remarks in the RECORD on the fortification bill. Is there objection? [After a pause.] The Chair hears none.

Mr. GILLETT. Mr. Speaker, in an extension I made a day or so ago a few names were omitted. I ask unanimous consent to correct the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CONFERENCE REPORT—STANDARDIZATION OF SCREW THREADS.

Mr. ASHBROOK. Mr. Speaker, I desire to present the conference report on the bill H. R. 10852, a bill providing for the appointment of a commission to standardize screw threads, and I desire to ask unanimous consent that the report be considered at this time without being printed.

The SPEAKER. The gentleman asks unanimous consent to consider a conference report, the rule to the contrary notwithstanding. Is there objection?

Mr. WALSH. Mr. Speaker, it has been some time since we have seen this measure——

The SPEAKER. Is there objection?

Mr. WALSH. I object.

The SPEAKER. The gentleman objects. The gentleman from Ohio will send his report up, and the Clerk will read it by title.

The Clerk read as follows:

Conference report on the bill (H. R. 10852) to provide for the appointment of a commission to standardize screw threads.

The SPEAKER. The conference report will be printed under the rules.

PENSIONS.

Mr. ASHBROOK. Mr. Speaker, I desire to ask unanimous consent to consider at this time two small omnibus pension bills from the Senate. Last Friday was the day for considering them.

The SPEAKER. Conference reports for pension bills?

Mr. ASHBROOK. Pension bills passed by the Senate, and the Senate is very urgent to have them passed.

The SPEAKER. The gentleman asks unanimous consent for the present consideration of two small omnibus pension bills.

Mr. SISSON. What are they?

Mr. ASHBROOK. They are two small omnibus bills. They are not large.

Mr. SISSON. How many are there of them? How many pensions in each bill?

Mr. ASHBROOK. I have not counted the number of items in the bills. There are not many.

Mr. SISSON. I have no objection to the consideration of them if we know what we are doing.

Mr. ASHBROOK. The bills have been reported. They are on the calendar, and we have been trying for three or four weeks to get them through.

I would like to say to the House, Mr. Speaker, that this cleans up the slate as to pension bills for this session. There is one House bill pending in the Senate. We would like to get these two bills passed by the House and have conferees appointed on them.

Mr. SISSON. Were these bills passed by the House?

Mr. ASHBROOK. They were passed by the Senate and referred to our committee.

Mr. STAFFORD. Mr. Speaker, I think these things can be taken up to-morrow morning. We have no pressing legislation on the calendar for consideration to-morrow. I object.

The SPEAKER. The gentleman from Wisconsin objects.

EXTENSION OF REMARKS.

Mr. RAKER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the question of whether the civil courts are adequately dealing with hostile sabotage and espionage, or whether there should be a law passed transferring the jurisdiction of such offenses to courts-martial.

The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks in the RECORD on the question of whether the civil courts are adequate to dispose of espionage and sabotage cases; and if not, whether there ought to be a new law passed fixing pains and penalties. Is there objection?

Mr. WALSH. Reserving the right to object, Mr. Speaker, when did the gentleman from California discover this? Are these the gentleman's own remarks? [Laughter.]

Mr. RAKER. Part of them will be my own remarks. This is an important matter. Much has been said in regard to the civil courts not having enforced these laws. I have had it up with the Attorney General for some time. I have a letter from him stating what has been done and the number of cases tried and the number of accused persons convicted.

Mr. WALSH. The gentleman mentions courts-martial. Is it the purpose to court-martial the courts that are not dealing with the cases properly? [Laughter.]

Mr. RAKER. I believe not.

Mr. WALSH. I will not object. We may get a new angle on this problem from the gentleman's remarks.

The SPEAKER. Is there objection?

There was no objection.

ENROLLED BILLS SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 12541. An act making appropriations for fortifications and other works of defense, for the armament thereof, for the

procurement of heavy ordnance for trial and service, and for other purposes; and

H. R. 11247. An act providing for the protection of the uniform of friendly nations, and for other purposes.

ADJOURNMENT.

Mr. GARRETT of Tennessee. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 25 minutes p. m.) the House adjourned until to-morrow, Wednesday, July 3, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the chairman of the Board of Commissioners of the District of Columbia, transmitting the balance sheets of public-service corporations in the District of Columbia for the year 1917 (H. Doc. No. 914), was taken from the Speaker's table, referred to the Committee on the District of Columbia, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. GOULD, from the Committee on the District of Columbia, to which was referred the bill (H. R. 12549) authorizing and directing the Secretary of War to appoint a commission to investigate and report upon the available sources of water supply for the District of Columbia, reported the same without amendment, accompanied by a report (No. 734), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CARAWAY, from the Committee on the Judiciary, to which was referred the bill (S. 714) providing for an additional judge for the district of Arizona, reported the same without amendment, accompanied by a report (No. 735), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. PADGETT: A bill (H. R. 12647) to regulate and control the manufacture, distribution, storage, use, and possession in the time of war of apparatus used in radio communication, and for other purposes; to the Committee on Naval Affairs.

By Mr. MEEKER: A bill (H. R. 12648) to amend section 4875 of the Revised Statutes, to provide a compensation for superintendents of national cemeteries; to the Committee on Military Affairs.

By Mr. PARKER of New Jersey: A bill (H. R. 12649) to provide revenue to defray war expenses, and for other purposes; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BESHLIN: A bill (H. R. 12650) granting an increase of pension to Thomas Rennard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12651) granting an increase of pension to Edward O'Flaherty; to the Committee on Invalid Pensions.

By Mr. BRUMBAUGH: A bill (H. R. 12652) granting a pension to Carrie L. Stealey; to the Committee on Invalid Pensions.

By Mr. CLARK of Missouri: A bill (H. R. 12653) granting a pension to Florence G. Tuttle; to the Committee on Invalid Pensions.

By Mr. HAYDEN: A bill (H. R. 12654) granting a pension to Cruz Rubi; to the Committee on Invalid Pensions.

By Mr. PETERS: A bill (H. R. 12655) for the relief of Albert Greenlaw; to the Committee on Claims.

By Mr. RUBEY: A bill (H. R. 12656) granting a pension to Mary J. Martin; to the Committee on Invalid Pensions.

By Mr. WHITE of Maine: A bill (H. R. 12657) granting a pension to Allen Y. Boggs; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of Missouri State Medical Association, St. Louis, Mo., favoring passage of a bill for rank for Medical Corps of the Army; to the Committee on Military Affairs.

Also (by request), petition of Chamber of Commerce of United States of America, favoring appropriation for United States Employment Service; to the Committee on Appropriations.

Also (by request), petition of Federation of Women's Clubs, against the zone postal system; to the Committee on Ways and Means.

Also (by request), memorial of Iowa State Equity Society and South Dakota Farmers' Union, asking suspension of all immigration laws during period of the war; to the Committee on Immigration and Naturalization.

Also (by request), petitions of General Federation of Women's Clubs of Missouri, favoring passage of a national bone-dry law; to the Committee on the Judiciary.

By Mr. BROWNING: Petition of citizens of Paulsboro, N. J., urging nation-wide prohibition during the period of the war; to the Committee on the Judiciary.

By Mr. CARY: Resolution of the Chamber of Commerce of the United States, urging adequate appropriations for the Employment Service of the United States; to the Committee on Appropriations.

Also, petition of R. J. Caldwell, of New York City, suggesting that the United States pursue the same policy with regard to Russia that she did with regard to Cuba; to the Committee on Foreign Affairs.

By Mr. ESCH: Petitions of sundry citizens of the State of Wisconsin, urging prohibition during the period of the war; to the Committee on the Judiciary.

By Mr. FLYNN: Resolution of the New York State Bankers' Association, against the passage of Senate bill 4426; to the Committee on Banking and Currency.

Also, resolution of the New York State Bankers' Association protesting against the curtailment of the railway postal-car service; to the Committee on the Post Office and Post Roads.

By Mr. FULLER of Illinois: Petition of Local Union No. 4 of the Amalgamated Lithographers of America, asking for postponement of the second-class postage provisions of the war-revenue act until after the war; to the Committee on Ways and Means.

Also, petition of A. J. Johnson, president of the Iowa State Equity Society; H. A. Fuller, vice president of the American Society of Equity; J. Weller Long, secretary-treasurer of the American Society of Equity; and S. W. Ricords, president of the South Dakota Farmers' Union, asking Congress to suspend all immigration laws restricting or interfering with labor coming into the United States during the period of the war; to the Committee on Immigration and Naturalization.

Also, petition of the California Grape Protective Association protesting against the proposed prohibitory amendment to the agricultural bill; to the Committee on Agriculture.

By Mr. GOULD: Petitions of the Woman's Christian Temperance Union of Keuka Park and other citizens of the State of New York, favoring war prohibition; also the petition of the Central Labor Union of Auburn, N. Y., opposing the enactment of prohibition measures during the war; to the Committee on the Judiciary.

By Mr. LUNDEEN: Petition of Minneapolis Trades and Labor Assembly, protesting against the emergency war prohibition bill; to the Committee on the Judiciary.

Also, petitions of H. A. Steindorf, E. E. Wickland, Elmer Gustafson, Albert Carlson, and Bernard Herr, all of Minneapolis, Minn., and others, asking that clerks employed in the military branch post office be given the same transportation and privileges now accorded to field Army clerks; to the Committee on Interstate and Foreign Commerce.

By Mr. OSBORNE: Memorial of the Baptist ministers' conference, urging war prohibition; to the Committee on the Judiciary.

Also, memorial of the Antelope Valley Chamber of Commerce, Los Angeles, Cal., relative to extending aid of War Finance Corporation to projects for irrigation; to the Committee on Ways and Means.

By Mr. PLATT: Petitions of many citizens of the State of New York, favoring prohibition during the period of the war; to the Committee on the Judiciary.

SENATE.

WEDNESDAY, *July 3, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, Father of Spirits, make us sensible of the glory that awaits the continued performance of duty day by day as we, a great Nation, address ourselves to the tasks of the day. Thou hast ever been moving through the channels of our national history. Generation after generation Thou hast called men to the standards of righteousness and peace and justice. Thou art moving with the mighty tides of the ocean. Thou dost call the faithful, the brave, and the true to Thine own standards that Thou hast raised for the gathering of the nations. O God, keep us faithful to the trust committed to our hands. We pray that as we come to the day upon which we celebrate the birth of our Nation we may have a rebirth of Thy spirit of truth and of righteousness and that we may have a reconsecration of a united Nation to the great ideals of the gospel of Thy Son.

As we gather together in this Chamber this morning our hearts are saddened at the news of the passing of one of the stalwart and brave and true men in national affairs in our day. O God, Thou art teaching us how quickly in the tide of time we are passing on to the great Assizes. Keep us watchful and faithful. We thank Thee for the performance of duty on the part of those who have lived among us. We pray that their going out may be filled with men equally brave and true. Hear us. Forgive our sins. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. SMOOT and by unanimous consent, the further reading was dispensed with and the Journal was approved.

NAMING A PRESIDING OFFICER.

The VICE PRESIDENT. The present occupant of the chair was led to believe that there would be a recess of the Senate and arranged to leave the city. On consultation with certain Senators, he is informed that there is no reason why he should not go. The President pro tempore is now away from the city on important business, and he left a note this morning designating JOHN H. BANKHEAD, Senator from Alabama, to occupy the chair during his absence. By unanimous consent, the senior Senator from Alabama will occupy the chair until the return of the President pro tempore. Is there any objection to that course being pursued? The Chair hears none.

ESTIMATE OF APPROPRIATIONS (S. DOC. NO. 257).

The VICE PRESIDENT laid before the Senate a communication from the Acting Secretary of the Treasury, transmitting a letter from the Secretary of War submitting a supplemental estimate of appropriation in the sum of $767,597.29, required by the Quartermaster Corps of the Army for continuing construction of barracks, quarters, etc., for the accommodation of troops stationed in the Canal Zone, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

EXTENSION OF APPROPRIATIONS.

Joint resolution (H. J. Res. 311) making appropriations for certain necessary operations of the Government and of the District of Columbia for the month of July, 1918, and for other purposes, was read the second time by its title and referred to the Committee on Appropriations.

WALSTON H. BROWN.

Mr. McCUMBER, from the Committee on Finance, to which was referred the bill (S. 4460) for the relief of Walston H. Brown, sole surviving partner of the firm of Brown, Howard & Co., and of The Philadelphia & Reading Coal & Iron Co., reported it without amendment and submitted a report (No. 543) thereon.

AGRICULTURAL APPROPRIATIONS—CONFERENCE REPORT.

Mr. GORE. Mr. President, I ask unanimous consent to submit a report of the committee of conference on the amendment to House bill 9054, the Agricultural appropriation bill, in disagreement between the two Houses.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9054) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1919, having met, after full and free conference have agreed to report to their respective Houses that they are unable to reach an agreement on Senate amendment numbered 44.

T. P. GORE,
E. D. SMITH,
A. J. GRONNA,
HOKE SMITH,
G. W. NORRIS,
Managers on the part of the Senate.

A. F. LEVER,
GORDON LEE,
E. S. CANDLER,
G. N. HAUGEN,
J. C. MCLAUGHLIN,
Managers on the part of the House.

The VICE PRESIDENT. The report will be agreed to without objection.

Mr. GORE. I move that the Senate further insist on its amendment numbered 44.

Mr. POMERENE. Do I understand that that is the amendment referring to the price of wheat?

Mr. GORE. Yes, Mr. President; that is the amendment, and I make this motion out of deference to the sentiment expressed by the Senate day before yesterday in order to facilitate action.

The VICE PRESIDENT. The question is on the motion of the Senator from Oklahoma that the Senate further insist on its amendment and request a further conference.

Mr. GORE. I did not ask for a further conference with the House but moved to insist on the amendment.

Mr. POMERENE. I move as a substitute that the Senate instruct its conferees to recede.

Mr. GORE. I make a point of order that the Senate has acted upon that question.

The VICE PRESIDENT. The Chair could not sustain that point of order, but the Chair would hold that the substitute motion is not in order.

Mr. GORE. That question was voted on.

Mr. POMERENE. I think perhaps I did not fully appreciate the parliamentary status.

The VICE PRESIDENT. The Chair perhaps did not understand the motion. What is the Senator's motion?

Mr. POMERENE. I want to modify the motion and move that the Senate recede from its amendment.

The VICE PRESIDENT. That motion is in order, because it is calculated to bring the two Houses together.

Mr. GORE. I think the motion is in order.

Mr. NORRIS. Mr. President, since we thrashed out this question just the other day, I do not believe the Senator from Ohio ought to make his motion now. We had a roll-call vote on it day before yesterday, and the whole question was thrashed out. It was the theory of the conferees both of the House and Senate that that action of the Senate was to be accepted until the House had an opportunity to act on it. The report is made to the Senate because the Senate has the papers, and it is necessary under the parliamentary situation for the Senate to act before the House acts. That course is agreeable to the House conferees. They understand that, and I do not think we ought to take up the time of the Senate now to go through with it all again when we have just been through with it. This is carrying out the wish of the House conferees as well as the Senate conferees. It is the only way under the parliamentary situation that the House itself can get an opportunity to act. We have to act first. We have to go through that formality. As soon as we have acted, our action will be messaged over to the House, and then the House will take it up. It will give the membership of the House an opportunity to thrash it out as we have already thrashed it out here. When the House acts, then we can act intelligently.

It does not seem to me that the Senator from Ohio ought to insist on his motion now and bring on a debate and probably a roll call that will take a great deal of time and do it all over again. It is not the wish of those who are opposed to this amendment that the Senate should take it up and debate it again. It is the only form in which the House can be given an opportunity to act.

Mr. POMERENE. Mr. President, I had no intention of discussing this matter at all, but I thought that the motion in the form I made it best represented my view of the situation. I am quite willing for the Senate to vote upon it now.

The VICE PRESIDENT. The question is on the motion of the Senator from Ohio.

The motion was rejected.

The VICE PRESIDENT. The Senate adheres to its amendment and agrees to the conference, and the Chair appoints the same conferees.

Mr. GORE. I did not include the appointment of conferees in my motion that the Senate insist on the amendment.

The VICE PRESIDENT. The Chair assumed that the Senator would have the same conferees appointed.

Mr. GORE. I do not want to have the conferees appointed.

The VICE PRESIDENT. A different conference?

Mr. GORE. No; I want to have no conferees appointed at all.

Mr. NORRIS. Let me ask the Senator does he not want a further conference?

Mr. GORE. No, sir.

Mr. NORRIS. Why?

Mr. GORE. The House may agree to the amendment.

Mr. NORRIS. The Senator either does not get the right idea or I do not.

Mr. GORE. If the House agrees to the amendment, that ends it.

Mr. NORRIS. The House may have an opportunity to agree to it; but suppose the House agrees to it with an amendment and there is going to be a contest?

Mr. GORE. Then that will come back, and we shall probably agree to the amendment. There is no occasion for a further conference at this juncture.

Mr. NORRIS. I should like to make a parliamentary inquiry of the Chair, so that we may have no misunderstanding in reference to the subject. If we take no further action than simply to agree to the conference report——

The VICE PRESIDENT. It has been agreed to.

Mr. NORRIS. What is the Senator's motion?

The VICE PRESIDENT. The motion is that the Senate adhere to its amendment.

Mr. GORE. Not adhere, but insist.

Mr. NORRIS. Does not that require the House either to recede or to stand by its original action? That may result in no action being taken.

Mr. GORE. I should like to say that the motion is not to adhere, but to insist, which raises a very different situation. The motion is to insist, I will say to the Senator from Nebraska, and if the House, when the papers get there, concur in the amendment, that ends it. If they amend the amendment, it will come back to the Senate for further action upon their amendment. If they do, one House will ask for a further conference. If the House makes the request, of course the Senate will consent.

Mr. NORRIS. Assuming that the House agrees to the amendment with an amendment, and it comes back, will it then be in order in the Senate to agree to a conference?

Mr. GORE. The Senate should then ask for a conference, if not willing to accept the House amendment.

Mr. NORRIS. It would be in order then to ask for a conference?

The VICE PRESIDENT. Certainly.

EXTENSION OF APPROPRIATIONS.

Mr. MARTIN. From the Committee on Appropriations I report back faovrably without amendment the joint resolution (H. J. Res. 311) making appropriations for certain necessary operations of the Government and of the District of Columbia for the month of July, 1918, and for other purposes, and I ask unanimous consent for its present consideration.

Mr. GORE. Mr. President, I feel obliged to interpose an objection to the present consideration of the joint resolution.

Mr. MARTIN. Under the rule, of course the Senator can carry it over one day by his objection.

DEATH OF SENATOR BENJAMIN RYAN TILLMAN.

Mr. SMITH of South Carolina. Mr. President, it is with profound sorrow that I have to announce to the Senate the death of the senior Senator from South Carolina, Senator BENJAMIN RYAN TILLMAN, who died this morning at 4.20 o'clock. Senator TILLMAN had a slight stroke of paralysis on Thursday. It kept progressing, and he lapsed into a state of unconsciousness on Sunday, from which he did not again recover, and he died this morning.

I shall not at this time, Mr. President, attempt to recall to the Senate the work of Senator TILLMAN and its character. We all know the sturdy character of the man, the splendid ruggedness of his nature. We did not always agree with him in the positions that he took, but we admired the manhood with which he backed the positions which he did take.

Senator TILLMAN had been in continuous service as a Senator for approximately 24 years. At the end of his term he would have rounded out the 24 years. He steadily improved in the estimation of the people of his State as well as of the Nation. They mistook the manner of the man at the beginning for the intent and purpose of his splendid character.

Mr. President, at a future time I shall have more to say about the character of my deceased colleague, but at present I submit the following resolutions and ask for their adoption.

The VICE PRESIDENT. The resolutions will be read.

The resolutions were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of the Hon. BENJAMIN RYAN TILLMAN, late a Senator from the State of South Carolina.

Resolved, That a committee of 12 Senators be appointed by the Vice President to take order for superintending the funeral of Mr. TILLMAN, to be held in the city of Trenton, S. C.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives.

The VICE PRESIDENT, under the second resolution, appointed as the committee on the part of the Senate Mr. SMITH of South Carolina, Mr. SWANSON, Mr. GALLINGER, Mr. LODGE, Mr. PENROSE, Mr. OVERMAN, Mr. NELSON, Mr. SMOOT, Mr. POMERENE, Mr. FERNALD, Mr. PHELAN, Mr. STERLING, Mr. OWEN, Mr. TRAMMELL, and Mr. MCKELLAR.

Mr. SMITH of South Carolina. Mr. President, I offer the following resolution.

The VICE PRESIDENT. It will be read.

The resolution was read, as follows:

Senate resolution 273.

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now adjourn until 12 o'clock noon, Friday, July 5, 1918.

The resolution was unanimously agreed to; and (at 12 o'clock and 15 minutes p. m.) the Senate adjourned until Friday, July 5, 1918, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *July 3, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, we thank Thee that amid the terrible conditions which confront us, and which have divided the world into two hostile camps, on the one hand to uphold and sustain liberty and justice, on the other to beat down liberty and justice and bring mankind under the brutal forces of those who would destroy the most sacred rights of men, that religion lives among the entente powers and is taking a deeper, firmer hold on the hearts of men.

The cry is, What of God? Is He indeed the Father of mankind or a King ruling with the scepter of might his subjects?

We thank Thee that the old conceptions of God, creeds, dogmas, which have divided men into innumerable sects, are passing away, giving place to the essentials—God, right, justice, mercy, love, the immortality of the soul, the eternal verities, disclosed by the Master on the Hill of Calvary.

Our hearts go out in sympathy this morning to the colleagues, friends, and those who are dear and near to the veteran Senator who has done a great work for his State and for his Nation and has passed on to the glories which await the faithful. Amen.

The Journal of the proceedings of yesterday was read and approved.

LEAVE OF ABSENCE.

Mr. BLACK, by unanimous consent, was granted leave of absence for two weeks, on account of illness in his family.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed with amendments the bill (H. R. 12600) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes, in which the concurrence of the House of Representatives was requested.

The message also announced that the Senate had passed the following bills, in which the concurrence of the House of Representatives was requested:

S. 4790. An act for the relief of Frank Barber;

S. 3079. An act to fix the salaries of the clerks of the United States district courts and to provide for their office expenses, and for other purposes;

S. 3529. An act to repeal the act entitled "An act to incorporate the National German-American Alliance," approved February 25, 1907;

S. 2088. An act to consolidate certain forest lands within the Cache National Forest, Utah, and to add certain lands thereto;

S. 2120. An act for the relief of the Wisconsin Band of Pottawatomie Indians, and for other purposes;

S. 4722. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War, and certain widows and dependent relatives of such soldiers and sailors; and

S. 4723. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors.

The message also announced that the Senate had passed without amendment the bill (H. R. 10021) granting the consent of Congress to the county commissioners of Trumbull County, Ohio, to construct, operate, and maintain a bridge and approaches thereto across the Mahoning River, in the State of Ohio.

The message also announced that the Senate had passed with amendments the bill (H. R. 11283) to amend and reenact sections 4, 11, 16, 19, and 22 of the act approved December 23, 1913, and known as the Federal reserve act, and sections 5208 and 5209, Revised Statutes, in which the concurrence of the House of Representatives was requested.

The message also announced that the Senate had passed with amendments bills of the following title, had requested a conference with the House of Representatives, and had appointed Mr. WALSH, Mr. THOMPSON, and Mr. SMOOT as the conferees on the part of the Senate:

H. R. 12211. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

H. R. 12229. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

The message also announced that the Senate had further insisted upon its amendments Nos. 1, 61, and 83 to the bill (H. R. 11692) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1919, and for other purposes, had asked a further conference with the House on the disagreeing votes of the two Houses thereon and had appointed Mr. SMITH of Maryland, Mr. UNDERWOOD, and Mr. CURTIS as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9054) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1919, had further insisted upon its amendment No. 44 to the said bill still in disagreement.

The message also announced that the Senate had passed the following resolutions:

Senate resolution 273.

Resolved, That the Senate has heard with profound sorrow the announcement of the death of the Hon. BENJAMIN RYAN TILLMAN, late a Senator from the State of South Carolina.

Resolved, That a committee of 12 Senators be appointed by the Vice President to take order for superintending the funeral of Mr. TILLMAN, to be held in the city of Trenton, S. C.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives.

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now adjourn.

SENATE BILLS REFERRED.

Under clause 2, Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 2088. An act to consolidate certain forest lands within the Cache National Forest, Utah, and to add certain lands thereto; to the Committee on the Public Lands.

S. 2120. An act for the relief of the Wisconsin Band of Pottawatomie Indians, and for other purposes; to the Committee on Indian Affairs.

S. 4723. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors; to the Committee on Pensions.

S. 4722. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War, and certain widows and dependent relatives of such soldiers and sailors; to the Committee on Invalid Pensions.

S. 3529. An act to repeal the act entitled "An act to incorporate the National German-American Alliance," approved February 25, 1907; to the Committee on the Judiciary.

S. 3079. An act to fix the salaries of the clerks of the United States district courts and to provide for their office expenses, and other purposes; to the Committee on the Judiciary.

LEAVE TO EXTEND REMARKS.

Mr. LITTLE. Mr. Speaker, I ask leave to extend my remarks in the RECORD with regard to attacks on the integrity of the legislative branch of the Government.

The SPEAKER. The gentlemn from Kansas asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

SWEARING IN OF A MEMBER.

Mr. MONTAGUE. Mr. Speaker, I ask unanimous consent that Mr. SCHUYLER OTIS BLAND, who was yesterday, without opposition, elected successor in Congress of the late Hon. WILLIAM A. JONES, may be sworn in pending the arrival of his certificate of election.

The SPEAKER. Is there objection?

Mr. GILLETT. Reserving the right to object, when was he elected?

Mr. MONTAGUE. He was elected yesterday without opposition.

Mr. GILLETT. And the gentleman assures the House that there is no question about his election?

Mr. MONTAGUE. I make that assurance to the House.

The SPEAKER. Is there objection?

There was no objection.

Mr. BLAND of Virginia appeared at the bar of the House and took the oath of office.

FOURTEENTH DECENNIAL CENSUS.

The SPEAKER. The question is on the third reading of the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses. The gentleman from Massachusetts [Mr. WALSH] on yesterday demanded the reading of the engrossed copy.

Mr. WALSH. Mr. Speaker, has the engrossed copy of the bill come from the Printing Office?

The SPEAKER. It is right here.

Mr. WALSH. I withdraw my demand.

The SPEAKER. The gentleman withdraws his demand. The question is on the third reading.

The bill was ordered to a third reading, and was accordingly read the third time.

Mr. HERSEY. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. The gentleman will send it up.

The Clerk read as follows:

Mr. HERSEY moves to recommit the bill to the Committee on the Census, with instructions to report the same back forthwith with the following amendment: Page 10, line 11, after the second "the," strike out the words "Secretary of Commerce, upon the recommendation of the Director of the Census," and insert in lieu thereof the following: "President, by and with the advice and consent of the Senate," so that the same will read: "The supervisors shall be appointed by the President, by and with the advice and consent of the Senate."

Mr. HELM. Mr. Speaker, on that motion I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question being taken, on a division (demanded by Mr. GILLETT) there were—ayes 59, noes 78.

Mr. GILLETT. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Massachusetts makes the point of order that there is no quorum present. Evidently there is not. The Sergeant at Arms will notify the absentees and the Clerk will call the roll. Those in favor of this motion to recommit the census bill, when their names are called, will answer "yea"; those opposed will answer "nay."

The question was taken; and there were—yeas 128, nays 158, answered "present" 3, not voting 142, as follows:

YEAS—128.

Anderson	Denison	Good	Knutson
Anthony	Dillon	Graham, Ill.	Kraus
Browne	Dowell	Green, Iowa	La Follette
Browning	Dunn	Greene, Vt.	Langley
Burroughs	Dyer	Griest	Little
Butler	Edmonds	Hadley	Longworth
Campbell, Kans.	Elliott	Hamilton, Mich.	Lufkin
Cannon	Ellsworth	Haugen	Lundeen
Cary	Esch	Hersey	McArthur
Chandler, Okla.	Fairchild, B. L.	Hicks	McCulloch
Classon	Fairfield	Hollingsworth	McKenzie
Cooper, W. Va.	Fess	Hull, Iowa	McKinley
Cooper, Wis.	Focht	Johnson, Wash.	McLaughlin, Mich.
Cramton	Fordney	Kahn	McLaughlin, Pa.
Dallinger	Francis	Kelly, Pa.	Madden
Darrow	French	Kennedy, Iowa	Magee
Davis	Fuller, Ill.	Kless, Pa.	Mapes
Dempsey	Gillett	Kinkaid	Mecker

Merritt	Purnell	Smith, Idaho	Vestal
Mondell	Ramseyer	Smith, Mich.	Voigt
Moore, Pa.	Rankin	Snell	Volstead
Moores, Ind.	Robbins	Stafford	Waldow
Morgan	Roberts	Steenerson	Wason
Morin	Rodenberg	Sterling, Ill.	Watson, Pa.
Mott	Rogers	Stiness	Wheeler
Nichols, Mich.	Rowe	Strong	White, Me.
Osborne	Sanders, Ind.	Sweet	Williams
Parker, N. J.	Sanders, N. Y.	Switzer	Wilson, Ill.
Parker, N. Y.	Sanford	Temple	Winslow
Platt	Scott, Mich.	Timberlake	Woods, Iowa
Porter	Slemp	Tinkham	Young, N. Dak.
Pratt	Sloan	Treadway	Zihlman

NAYS—158.

Alexander	Dewalt	Johnson, Ky.	Raker
Almon	Dickinson	Jones	Randall
Ashbrook	Dill	Keating	Robinson
Aswell	Dixon	Kettner	Romjue
Ayres	Doolittle	Key, Ohio	Rouse
Barkley	Doremus	Kincheloe	Rubey
Barnhart	Doughton	King	Sanders, La.
Beakes	Drane	Kitchin	Saunders, Va.
Bell	Dupré	Larsen	Scully
Beshlin	Evans	Lazaro	Sears
Blackmon	Fields	Lea, Cal.	Shallenberger
Bland, Va.	Fisher	Lee, Ga.	Sherley
Blanton	Foster	Lesher	Shouse
Booher	Gallagher	Lever	Sims
Borland	Gandy	Linthicum	Sisson
Brand	Gard	Lobeck	Small
Brodbeck	Garner	London	Smith, C. B.
Brumbaugh	Garrett, Tenn.	McAndrews	Snook
Buchanan	Garrett, Tex.	McClintic	Steele
Burnett	Glass	McKeown	Stephens, Miss.
Byrnes, S. C.	Godwin, N. C.	McLemore	Sterling, Pa.
Byrns, Tenn.	Goodwin, Ark.	Mansfield	Taylor, Ark.
Candler, Miss.	Gordon	Mays	Thomas
Cantrill	Gray, Ala.	Miller, Wash.	Thompson
Carlin	Griffin	Montague	Tillman
Carter, Okla.	Hamlin	Moon	Van Dyke
Church	Hardy	Neely	Venable
Clark, Fla.	Harrison, Va.	Nicholls, S. C.	Vinson
Cleary	Hastings	Oldfield	Walker
Coady	Hayden	Oliver, Ala.	Walton
Collier	Heflin	Oliver, N. Y.	Watkins
Connally, Tex.	Helm	Overmyer	Weaver
Connelly, Kans.	Helvering	Overstreet	Webb
Cox	Hensley	Padgett	Welty
Crisp	Hilliard	Park	Wilson, La.
Crosser	Holland	Polk	Wingo
Decker	Huddleston	Pou	Wright
Delaney	Hull, Tenn.	Quin	Young, Tex.
Dent	Igoe	Rainey, H. T.	
Denton	Jacoway	Rainey, J. W.	

ANSWERED "PRESENT"—3.

Frear	Sumners	Walsh

NOT VOTING—142.

Austin	Farr	Kelley, Mich.	Sabath
Bacharach	Ferris	Kennedy, R. I.	Schall
Bacr	Flood	Kreider	Scott, Iowa
Bankhead	Flynn	LaGuardia	Scott, Pa.
Black	Foss	Lehlbach	Sells
Bland, Ind.	Freeman	Littlepage	Shackleford
Bowers	Fuller, Mass.	Lonergan	Sherwood
Britten	Gallivan	Lunn	Siegel
Caldwell	Garland	McCormick	Sinnott
Campbell, Pa.	Glynn	McFadden	Slayden
Caraway	Goodall	Maher	Smith, T. F.
Carew	Gould	Mann	Snyder
Carter, Mass.	Graham, Pa.	Martin	Steagall
Chandler, N. Y.	Gray, N. J.	Mason	Stedman
Clark, Pa.	Greene, Mass.	Miller, Minn.	Stephens, Nebr.
Claypool	Gregg	Mudd	Stevenson
Cooper, Ohio	Hamill	Nelson	Sullivan
Copley	Hamilton, N. Y.	Nolan	Swift
Costello	Harrison, Miss.	Norton	Tague
Crago	Haskell	Olney	Talbott
Currie, Mich.	Hawley	O'Shaunessy	Taylor, Colo.
Curry, Cal.	Hayes	Paige	Templeton
Dale, N. Y.	Heaton	Peters	Tilson
Dale, Vt.	Heintz	Phelan	Towner
Davidson	Hood	Powers	Vare
Dies	Houston	Price	Ward
Dominick	Howard	Ragsdale	Watson, Va.
Donovan	Humphreys	Ramsey	Welling
Dooling	Husted	Rayburn	Whaley
Drukker	Hutchinson	Reavis	White, Ohio
Eagan	Ireland	Reed	Wilson, Tex.
Eagle	James	Riordan	Wise
Elston	Johnson, S. Dak.	Rose	Wood, Ind.
Emerson	Juul	Rowland	Woodyard
Estopinal	Kearns	Rucker	
Fairchild, G. W.	Kehoe	Russell	

So the motion to recommit was rejected.

The following pairs were announced:

Until further notice:

Mr. SUMNERS with Mr. REAVIS.

Mr. BANKHEAD with Mr. CURRY of California.

Mr. CALDWELL with Mr. ELSTON.

Mr. EAGAN with Mr. BACHARACH.

Mr. ESTOPINAL with Mr. DAVIDSON.

Mr. BLACK with Mr. CURRIE of Michigan.

Mr. FLYNN with Mr. COSTELLO.

Mr. EAGLE with Mr. BOWERS.

Mr. CAMPBELL of Pennsylvania with Mr. FARR.

Mr. GALLIVAN with Mr. EMERSON.

Mr. DALE of New York with Mr. Mr. BRITTEN.

Mr. HAMILL with Mr. FOSS.

Mr. CARAWAY with Mr. DALE of Vermont.

Mr. HOOD with Mr. GARLAND.

Mr. DIES with Mr. CHANDLER of New York.

Mr. CAREW with Mr. GLYNN.

Mr. DOMINICK with Mr. COOPER of Ohio.

Mr. HOUSTON with Mr. GOULD.

Mr. DOOLING with Mr. CLARK of Pennsylvania.

Mr. CLAYPOOL with Mr. FREEMAN.

Mr. HOWARD with Mr. GRAHAM of Pennsylvania.

Mr. GREGG with Mr. COPLEY.

Mr. DONOVAN with Mr. FULLER of Massachusetts.

Mr. FLOOD with Mr. CRAGO.

Mr. HUMPHREYS with Mr. GRAY of New Jersey.

Mr. OLNEY with Mr. MUDD.

Mr. RAGSDALE with Mr. LEHLBACH.

Mr. PRICE with Mr. ROSE.

Mr. RAYBURN with Mr. HUTCHINSON.

Mr. KEHOE with Mr. MASON.

Mr. RIORDAN with Mr. KEARNS.

Mr. RUCKER with Mr. PAIGE.

Mr. MAHER with Mr. HUSTED.

Mr. SCHALL with Mr. RAMSEY.

Mr. LITTLEPAGE with Mr. KELLEY of Michigan.

Mr. RUSSELL with Mr. IRELAND.

Mr. THOMAS F. SMITH with Mr. SELLS.

Mr. O'SHAUNESSY with Mr. MCFADDEN.

Mr. SHACKLEFORD with Mr. TILSON.

Mr. LUNN with Mr. KREIDER.

Mr. SABATH with Mr. MILLER of Minnesota.

Mr. SULLIVAN with Mr. SIEGEL.

Mr. PHELAN with Mr. PETERS.

Mr. SLAYDEN with Mr. TOWNER.

Mr. STEAGALL with Mr. WOOD of Indiana.

Mr. STEVENSON with Mr. GEORGE W. FAIRCHILD.

Mr. STEDMAN with Mr. WARD.

Mr. TAYLOR of Colorado with Mr. HAWLEY.

Mr. TAGUE with Mr. WOODYARD.

Mr. WATSON of Virginia with Mr. HAYES.

Mr. WELLING with Mr. HEATON.

Mr. WHITE of Ohio with Mr. HAMILTON of New York.

Mr. WISE with Mr. HASKELL.

Mr. SHERWOOD with Mr. REED.

On this vote:

Mr. NOLAN (for) with Mr. STEPHENS of Nebraska (against).

Mr. AUSTIN (for) with Mr. FERRIS (against).

Mr. GREENE of Massachusetts (for) with Mr. TALBOTT (against).

Mr. GOODALL (for) with Mr. MARTIN (against).

Mr. SWIFT (for) with Mr. WHALEY (against).

Mr. KENNEDY of Rhode Island (for) with Mr. LONERGAN (against).

Mr. HARRISON of Mississippi (for census) with Mr. WALSH (against).

Mr. WALSH. Mr. Speaker, I voted "yea." I am paired with the gentleman from Mississippi, Mr. HARRISON. I therefore withdraw my vote and answer "present."

The result of the vote was then announced as above recorded.

A quorum being present, the doors were opened.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the bill was passed.

On motion of Mr. HELM, a motion to reconsider the vote whereby the bill was passed was laid on the table.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted Mr. TOWNER for three days, on account of making a Fourth of July speech in Guilford Court House, N. C.

CONSTRUCTION OF PRIVATE CONDUIT.

Mr. JOHNSON of Kentucky. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill S. 3929, for the construction of a private conduit across Michigan Avenue NE., in the District of Columbia. It merely gives permission to the Catholic University to lay a conduit for the transmission of power under Michigan Avenue to the Sulpician College. If the construction is delayed much longer, it will be too late before winter approaches.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The Clerk read the bill, as follows:

A bill (S. 3929) for the construction of a private conduit across Michigan Avenue NE., in the District of Columbia.

Be it enacted, etc., That the Commissioners of the District of Columbia be, and they are hereby, authorized to grant permission to the Catholic University of America to lay a conduit for the transmission of power from their power house under and across Michigan Avenue NE. between Harewood Road and Brookland Avenue, in the District of Columbia, into and upon the property of the associated professors of St. Mary's Seminary, of Baltimore, Md., known as the Sulpician College, under the regulations and subject to the limitations prescribed in the act entitled "An act regulating permits for private conduits in the District of Columbia," approved May 26, 1900.

SEC. 2. That Congress reserves the right to alter, amend, or repeal this act.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. JOHNSON of Kentucky, a motion to reconsider the vote whereby the bill was passed was laid on the table.

CONFERENCE REPORT—AGRICULTURAL APPROPRIATION BILL.

Mr. LEVER, chairman of the Committee on Agriculture, presented a conference report on the bill (H. R. 9054) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1919, for printing under the rule.

EXTENSION OF REMARKS.

Mr. DENT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing correspondence between the Military Committee and the Secretary of War, showing the accomplishments of the War Department since war was declared, and particularly since we went to France.

The SPEAKER. Is there objection to the request of the gentleman from Alabama? [After a pause.] The Chair hears none.

RIVER AND HARBOR BILL—CONFERENCE REPORT (NO. 736).

Mr. SMALL. Mr. Speaker, I call up conference report on the river and harbor bill.

The SPEAKER. The Clerk will report the title.

The Clerk read as follows:

A bill (H. R. 10069) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. SMALL. Mr. Speaker, I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman from South Carolina asks unanimous consent that the statement be read in lieu of the report. Is there objection?

There was no objection.

The Clerk read the statement.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10069) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 6, 7, 8, and 9.

That the House recede from its disagreement to the amendments of the Senate numbered 3 and 4, and agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: Strike out the language in the proposed amendment; also strike out the period at the end of line 20, page 18, insert in lieu thereof a colon, and add the following words: "*Provided*, That in estimating the cost of doing the work by Government plant, including the cost of labor and materials, there shall also be taken into account proper charges for depreciation of plant and all supervising and overhead expenses and interest on the capital invested in the Government plant, but the rate of interest shall not exceed the maximum prevailing rate being paid by the United States on current issues of bonds or other evidences of indebtedness"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: In the proposed amendment change the number of the section from 9 to 8 and strike out the word "be" at the beginning of the twentieth line and insert in lieu thereof the word "being"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: Change the number of the section from 10 to 9; and the Senate agree to the same.

The committee of conference have been unable to agree on the amendments of the Senate numbered 1 and 2.

JNO. H. SMALL,
CHAS. F. BOOHER,
C. A. KENNEDY,
Managers on the part of the House.

DUNCAN U. FLETCHER,
JOS. E. RANSDELL,
KNUTE NELSON,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10069) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, submit the following written statement explaining the effect of the action agreed upon:

The rivers and harbors bill as it passed the House carried cash appropriations in the sum of $21,427,900, and one continuing contract authorization in the sum of $82,700. The amount added by amendment in the Senate was $2,344,000 in cash appropriations, making the total of the bill as it passed the Senate $23,771,900 in cash appropriations and a continuing contract authorization for $82,700. As a result of the conference the amount involved in the Senate amendments has not been changed. One amendment, however (No. 1), involving an increase of $140,000, has not as yet been agreed to.

The following statement shows the action taken by the conference on each of the Senate amendments:

ACTION OF CONFERENCE.

On amendments Nos. 1 and 2, page 8: Mobile Harbor and Bar, Ala. Items increase amount appropriated in House bill for improvement work from $200,000 to $340,000. The committee of conference have been unable to agree.

On amendment No. 3, page 13: Fox River, Wis. Item eliminates language in House bill appropriating $22,500 for maintenance and improvement work and provides that the funds shall be applied to maintenance work only. House conferees recede.

On amendment No. 4, page 14: Los Angeles Harbor, Cal. Item adopts new project for the construction of a channel through the West Basin into the southwestwardly arm to the site of a proposed large floating dry dock and appropriates the full estimated cost of said channel. House conferees recede.

On amendment No. 5, page 18: Section 4, providing that no contracts for river and harbor work shall be entered into hereafter if the contract price is more than 25 per cent in excess of the estimated cost of doing the work by Government plant. Item provides that overhead expenses, depreciation, and interest on capital invested properly chargeable to such work shall be taken into consideration in estimating the cost of executing the work by Government plant. House conferees recede with an amendment changing the phraseology and specifically setting forth that the rate of interest charged on the cost of Government plant shall not exceed the maximum prevailing rate being paid by the United States on current issues of bonds or other evidences of indebtedness.

On amendment No. 6, page 18: Pollution of navigable waters of the United States. Item adds new section making it unlawful to discharge or deposit from any source whatever any free acid or acid waste in any form into any navigable water of the United States or into any tributary of any navigable water above tidewater, and provides penalties to be applied on conviction for violation of the provisions of this section. Senate conferees recede.

On amendments Nos. 7, 8, and 9, pages 19, 20, and 21: Items renumbering sections of House bill. Senate conferees recede.

On amendment No. 10, page 22: Modification and readjustment of terms of uncompleted contracts for work of river and harbor improvement. Item adds new section providing that if the Secretary of War shall determine that contracts for work of river and harbor improvement entered into prior to April 6, 1917, and uncompleted, have become inequitable and unjust on account of increased costs of material and labor and other unforeseen conditions arising out of the war, he is authorized to modify and readjust the terms of said contracts in a just and equitable manner, such modifications and readjustments to apply only to work under said contracts remaining to be done hereafter, and any such sum as may be necessary to provide for the increased cost of the contracts due to said modifications and readjustments, not exceeding the sum of $2,000,000, is appropriated by the new section. It is also provided that

as a condition of any such contract being so modified that the Secretary of War shall have the right, at the end of any fiscal year, until the contract is completed, to make such further modifications as in his judgment shall be advantageous to the United States and just to the contractor. House conferees recede with verbal amendment, substituting the word "being" for the word "be" in line 10, page 23, and changing the number of the section.

On amendment No. 11, page 23: Item adopts the following section:

"SEC. 10. That hereafter when the expenses of persons engaged in field work or traveling on official business outside of the District of Columbia and away from their designated posts of duty are chargeable to appropriations of the Engineer Department, a per diem of not exceeding $4 may be allowed in lieu of subsistence when not otherwise fixed by law."

House conferees recede, with an amendment changing the number of the section.

JOHN H. SMALL,
CHAS. F. BOOHER,
C. A. KENNEDY,
Managers on the part of the House.

Mr. LEVER. Mr. Speaker, I ask unanimous consent to proceed for two minutes.

The SPEAKER. The gentleman from South Carolina asks unanimous consent to proceed for two minutes. Is there objection?

There was no objection.

Mr. LEVER. Mr. Speaker, I hope, under the peculiar circumstances, of which the gentleman from North Carolina is advised, he will withdraw this conference report at this time.

Mr. KITCHIN. Will the gentleman from South Carolina yield to me to make a unanimous-consent request as to adjournment?

Mr. LEVER. I will.

Mr. KITCHIN. I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. on Friday.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. on Friday. Is there objection?

Mr. HELM. I object.

Mr. LEVER. Mr. Speaker, I hope, under the circumstances, that the gentleman from North Carolina [Mr. SMALL] will withdraw the conference report for the present.

Mr. SMALL. Mr. Speaker, the gentleman from South Carolina puts me in rather an embarrassing position. I am sorry that he felt constrained to do so. I wish he had withheld the motion or resolution which he intends to present until we concluded the consideration of this conference report on the river and harbor bill. But under the circumstances, Mr. Speaker, I do not see how I can decline to yield to his request, with the understanding, however, that when the House meets again the first thing in order will be the conference report on the river and harbor bill.

The SPEAKER. Of course, the conference report will come up almost automatically.

Mr. SMALL. I withdraw the conference report for the present.

DEATH OF SENATOR TILLMAN.

Mr. LEVER. Mr. Speaker, I present the following resolutions.

The Clerk read as follows:

House resolution 410.

Resolved, That the House has heard with profound sorrow of the death of the Hon. BENJAMIN R. TILLMAN, a Senator of the United States from the State of South Carolina.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased Senator.

Resolved, That a committee of 18 Members be appointed on the part of the House to join with the committee appointed on the part of the Senate to attend the funeral.

The resolutions were unanimously agreed to.

The Chair announced the following committee: Mr. LEVER, Mr. BYRNES of South Carolina, Mr. RAGSDALE, Mr. WHALEY, Mr. NICHOLLS of South Carolina, Mr. DOMINICK, Mr. STEVENSON, Mr. PADGETT, Mr. VINSON, Mr. BUTLER, Mr. CANNON, Mr. WALSH, Mr. FESS, Mr. ELLIOTT, Mr. MORGAN, Mr. LANGLEY, Mr. WILLIAMS, Mr. AUSTIN, and Mr. FRENCH.

The Clerk read as follows:

Resolved, That as a further mark of respect the House do now adjourn.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was unanimously agreed to; accordingly (at 1 o'clock and 7 minutes p. m.) the House adjourned until to-morrow, Thursday, July 4, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of War, suggesting proposed draft of legislation to amend section 110 of an act entitled "An act making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916 (H. Doc. No. 1215), was taken from the Speaker's table, referred to the Committee on Military Affairs, and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII,

Mr. SIMS introduced a resolution (H. Res. 411) providing for the consideration of Senate bill 1419, entitled "An act to amend an act entitled 'An act to regulate the construction of dams across navigable waters,' approved June 21, 1906, as amended by the act approved June 23, 1910, and to provide for the improvement and development of waterways for the uses of interstate and foreign commerce"; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURROUGHS: A bill (H. R. 12658) granting an increase of pension to Elizabeth E. Edgerly; to the Committee on Invalid Pensions.

By Mr. LINTHICUM: A bill (H. R. 12659) granting a pension to William B. Burkhead; to the Committee on Pensions.

Also, a bill (H. R. 12660) granting a pension to John H. Warren; to the Committee on Pensions.

By Mr. SEARS: A bill (H. R. 12661) granting a pension to George W. Chandler; to the Committee on Invalid Pensions.

By Mr. HAYDEN: A bill (H. R. 12662) granting a pension to Cruz Rubi; to the Committee on Invalid Pensions.

By Mr. WILSON of Texas: A bill (H. R. 12663) for the relief of Milton W. Cunningham; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. HAMILTON of New York: Resolutions of public meetings held at Machias and at Wellsville, N. Y., favoring the adoption of an amendment to the Constitution which will prohibit the practice of polygamy and polygamous cohabitation; to the Committee on the Judiciary.

Also, petition of members of the Women's Club of Cassopolis, Mich., asking for the repeal of the law establishing postal zones for magazines and newspapers; to the Committee on Ways and Means.

By Mr. HOLLINGSWORTH: Affidavits in support of House bill 12630, for increase of pension of Peter K. Wagoner; to the Committee on Invalid Pensions.

By Mr. KEY of Ohio: Petitions of civilian employees of the Ordnance Department, urging Congress to pass before recess House bill 11256, granting free transportation during leave of absence to and from their home towns for soldiers, sailors, and civil employees; to the Committee on Interstate and Foreign Commerce.

By Mr. LINTHICUM: Petition of John D. Leckron and Francis P. Case, of Hagerstown, Md., favoring the Spanish War widows' pension bill; to the Committee on Pensions.

Also, petition of the Annapolis Bank, of Annapolis, Md., against House bill 11283; to the Committee on Banking and Currency.

Also, memorial of Personal Liberty League of Maryland and of the Marine and Railroad Pipe Fitters' and Helpers' Union of Walbrook, Md., protesting against the passage of war-emergency prohibition; to the Committee on the Judiciary.

Also, petition of the Musical Union of Baltimore City, Baltimore, Md., urging the passage of House bill 11980, for increasing the efficiency of Army bands; to the Committee on Military Affairs.

By Mr. RAKER: Letter from the Woman's Christian Temperance Union of Gridley, Cal., protesting against the zone system and urging its repeal; to the Committee on Ways and Means.

By Mr. RANDALL: Resolution of Farm Bureau Presidents, Sacramento Valley, Cal., United States Department of Agriculture, recommending that in the interest of food production and food conservation that all saloons in the United States be closed as a war measure; to the Committee on the Judiciary.

By Mr. SANFORD: Petitions of residents of Albany County, N. Y., favoring war prohibition; to the Committee on the Judiciary.

By Mr. SNYDER: Petition of the pastor and members of the Methodist Episcopal Church, Ava, N. Y., favoring the enactment of the Barkley bill for war prohibition; to the Committee on the Judiciary.

By Mr. TEMPLE: Petition of 104 citizens of Beaver County, Pa., for a bill to provide for the substitution of the oath required of enlisted men for the oath required of officers in order to relieve those who object on conscientious grounds to the oath prescribed by law for officers; to the Committee on Military Affairs.

Also, petitions for war-time prohibition, as follows: Mrs. Robert Grandey, president Woman's Christian Temperance Union, and Mr. D. D. Cunningham, burgess of the borough; of V. O. Potter, Thomas P. Hamilton, T. A. Preston, William P. Vogan, W. F. McClain, H. M. Beighley, J. L. Moser, W. S. Wallace, and Mrs Annie Elmore, all of Ellwood, in the State of Pennsylvania; to the Committee on the Judiciary.

HOUSE OF REPRESENTATIVES.

THURSDAY, *July 4, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in Heaven, the inspiration of every generous impulse, every high and noble aspiration, we thank Thee from our heart of hearts for the "Spirit of '76," which gave to us the immortal Declaration of Independence, which led on to victory and the formation of our Glorious Republic, which has not only been the wonder but the admiration of all the world. We thank Thee for the day which will be celebrated with more than usual interest throughout the length and breadth of the land. The native born and the naturalized citizen will vie with each other in making it memorable.

For the first time in its history it will be celebrated by our sister nations, who are engaged with us in fighting for the same principles for which our forefathers fought, in a world-wide war for humanity, liberty, justice, and equal rights for all mankind.

May it furnish new inspiration to us and our allies, which will bring victory to their arms; then an everlasting peace; to the glory and honor of Thy Holy Name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate by Mr. Tulley, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

An act (S. 4017) for the relief of Catherine Grace.

An act (S. 2715) to authorize an exchange of lands with the State of Montana in connection with Muddy Creek Reservoir site, Sun River project, and Nelson Reservoir site, Milk River project, and for other purposes.

An act (S. 2176) for the relief of George B. Hughes.

An act (S. 56) for the relief of John T. Eaton.

An act (S. 641) for the relief of Mary C. Mayers.

An act (S. 2474) for the relief of the widow of Rudolph H. von Ezdorf, deceased.

An act (S. 4541) for the relief of Lynette Dean Maxwell, and for other purposes.

An act (S. 4467) to validate the homestead entry of the heirs of Victoria A. Thomson.

S. 1003. An act to reimburse the First National Bank of Owatonna, Minn., for revenue stamps stolen or lost in transit.

S. 1477. An act for the relief of Jacob Nice.

S. 164. An act for the relief of Adolph F. Hitchler.

S. 1478. An act for the relief of John F. Kelly.

S. 3011. An act for the relief of Winfield S. Solomon.

S. 4727. An act to authorize the payment to the Government of France of $13,511.13 as an indemnity requested in behalf of Madame Crignier for losses sustained by her as the result of a search for the body of Admiral John Paul Jones.

LEAVE OF ABSENCE.

By unanimous consent Mr. YOUNG of North Dakota was granted leave of absence for six weeks on account of important business.

Mr. STAFFORD. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. KITCHIN. If the gentleman will withhold that——

The SPEAKER. Will the gentleman withhold that in order to send a bill to conference?

Mr. STAFFORD. I will be glad to withhold it in order to get a bill to conference.

PENSIONS.

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 12229, to disagree to the Senate amendments, and agree to the conference asked.

The SPEAKER. The gentleman from Ohio asks unanimous consent to take from the Speaker's table the bill H. R. 12229, to disagree to all Senate amendments, and agree to the conference asked by the Senate. Is there objection? (After a pause.) The Chair hears none.

The Clerk will report the bill by title.

The Clerk read as follows:

H. R. 12229. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

The SPEAKER. The Clerk will announce the conferees.

The Clerk read as follows: Messrs. ASHBROOK, SHOUSE, and LANGLEY.

Mr. LANGLEY. Mr. Speaker, I ask unanimous consent to have inserted in the RECORD a patriotic resolution which I have introduced, and which is House concurrent resolution No. —.

The SPEAKER. But the gentleman from Wisconsin makes the point of order of no quorum.

Mr. LANGLEY. But the gentleman withheld it to enable me to make this request. I was included in his reservation. My resolution reads as follows:

Resolved by the House of Representatives (the Senate concurring), That on this day so sacred in American history, the anniversary of the birth of liberty and of republican government in the western world, while American patriots are fighting and dying to perpetuate the principles then established that governments derive their just powers from the consent of the governed, and that government of the people, by the people, for the people shall not perish from the earth; and while Americans, together with the whole civilized world, are suffering unspeakable anguish we, the representatives of a free people, dedicated to the cause of liberty and the freedom and equality of all mankind, do hereby arraign before the bar of history the German Emperor and his associates as the assassins of civilization, feigning partnership with the Deity while they violate every law, both sacred and profane, and preaching peace while preparing for war; that we denounce them as archconspirators against the peace and happiness of the world and responsible for the sacrifice of untold millions of human beings; that we express our devout belief and trust that the Supreme Ruler of the Universe will, in His own time and in His own way, aid us in the destruction of Prussianism and in the restoration of mankind to an abiding and righteous peace—and to the consummation thereof we hereby rededicate our lives, our fortunes, and our sacred honor.

Mr. STAFFORD. I withheld it in order to enable the gentleman from Kentucky, the gentleman from Ohio, and the gentleman from North Carolina to make requests for unanimous consent.

THE DECLARATION OF INDEPENDENCE.

Mr. GORDON. Mr. Speaker, I ask unanimous consent to insert in the RECORD a document by one T. Jefferson, entitled "The Declaration of Independence."

The SPEAKER. The gentleman from Ohio asks unanimous consent to insert in the RECORD a document written by Thomas Jefferson, entitled "The Declaration of American Independence." Is there objection? (After a pause.) The Chair hears none.

DECLARATION OF INDEPENDENCE.

In Congress July 4, 1776.

The unanimous declaration of the thirteen United States of America. When in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed, that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate that governments long established should not be changed for light and transient causes; and accordingly all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former systems of government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these States. To prove this, let facts be submitted to a candid world.

He has refused his assent to laws, the most wholesome and necessary for the public good.

He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operation till his assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other laws for the accommodation of large districts of people, unless those people would relinquish the right of representation in the legislature, a right inestimable to them, and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved representative houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.

He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the legislative powers, incapable of annihilation, have returned to the people at large for their exercise; the State remaining in the meantime exposed to all the dangers of invasion from without, and convulsions within.

He has endeavored to prevent the population of these States; for that purpose obstructing the laws for naturalization of foreigners; refusing to pass others to encourage their migrations hither, and raising the conditions of new appropriations of lands.

He has obstructed the administration of justice, by refusing his assent to laws for establishing judiciary powers.

He has made judges dependent on his will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of new offices, and sent hither swarms of officers to harass our people, and eat out their substance.

He has kept among us, in times of peace, standing armies without the consent of our legislature.

He has affected to render the military independent of and superior to the civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his assent to their acts of pretended legislation:

For quartering large bodies of armed troops among us:

For protecting them, by a mock trial, from punishment for any murders which they should commit on the inhabitants of these States:

For cutting off our trade with all parts of the world:

For imposing taxes on us without our consent:

For depriving us in many cases, of the benefits of trial by jury:

For transporting us beyond seas to be tried for pretended offenses:

For abolishing the free system of English laws in a neighboring province, establishing therein an arbitrary government, and enlarging its boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these colonies:

For taking away our charters, abolishing our most valuable laws, and altering fundamentally the forms of our governments:

For suspending our own legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated government here, by declaring us out of his protection and waging war against us.

He has plundered our seas, ravaged our coasts, burnt our towns, and destroyed the lives of our people.

He is at this time transporting large armies of foreign mercenaries to complete the works of death, desolation and tyranny, already begun with circumstances of cruelty and perfidy, scarcely paralleled in the most barbarous ages, and totally unworthy the head of a civilized nation.

He has constrained our fellow-citizens, taken captive on the high seas to bear arms against their country, to become the executioners of their friends and brethren, or to fall themselves by their hands.

He has excited domestic insurrection amongst us, and has endeavored to bring on the inhabitants of our frontiers the merciless Indian savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes, and conditions.

In every stage of these oppressions, we have petitioned for redress in the most humble terms; our repeated petitions have been answered only by repeated injury. A prince, whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of a free people.

Nor have we been wanting in attentions to our British brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which would inevitably interrupt our connections and correspondence. They, too, have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity which denounces our separation, and hold them, as we hold the rest of mankind, enemies in war, in peace friends.

We, therefore, the representatives of the United States of America, in general Congress, assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the name, and by authority of the good people of these Colonies, solemnly publish and declare, that these United Colonies are, and of right ought to be, FREE AND INDEPENDENT STATES; that they are absolved from all allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as free and independent States, they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent States may of right do. And for the support of this Declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our lives, our fortunes, and our sacred honor.

JOHN ADAMS,
SAMUEL ADAMS,
JOSIAH BARTLETT,
CARTER BRAXTON,
CHARLES CARROLL,
SAMUEL CHASE,
ABRAHAM CLARK,
GEORGE CLYMER,
WILLIAM ELLERY,
WILLIAM FLOYD,
BENJAMIN FRANKLIN,
ELBRIDGE GERRY,
BUTTON GWINNETT,
JOHN HANCOCK,
LYMAN HALL,
BENJ. HARRISON,
JOHN HART,
JOSEPH HEWES,
THOS. HEYWARD, JR.,
WM. HOOPER,
STEPH. HOPKINS,
FRANCIS HOPKINSON,
SAM'L HUNTINGTON,
THOS. JEFFERSON,
RICHARD HENRY LEE,
FRANCIS LIGHTFOOT LEE,
FRANCIS LEWIS,
PHILIP LIVINGSTON,
THOS. LYNCH, JR.,
THOS. M'KEAN,
ARTHUR MIDDLETON,
LEWIS MORRIS,
ROBERT MORRIS,
JOHN MORTON,
THOS. NELSON, JR.,
WILLIAM PACA,
ROBERT TREAT PAINE,
JOHN PENN,
GEORGE READ,
CAESAR RODNEY,
GEORGE ROSS,
BENJAMIN RUSH,
EDWARD RUTLEDGE,
ROGER SHERMAN,
JAMES SMITH,
RICHARD STOCKTON,
THOS. STONE,
GEO. TAYLOR,
MATTHEW THORNTON,
GEORGE WALTON,
WILLIAM WHIPPLE,
WILLIAM WILLIAMS,
JAMES WILSON,
JOHN WITHERSPOON,
OLIVER WOLCOTT,
GEORGE WYTHE.

GENERAL DEFICIENCY APPROPRIATIONS.

The SPEAKER. The gentleman from Wisconsin withheld his motion for three specific purposes, and the gentleman from Kentucky is one of them.

Mr. SHERLEY. Mr. Speaker, I desire to take from the Speaker's table the general deficiency bill (H. R. 12600), to disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Kentucky [Mr. SHERLEY] asks unanimous consent to take from the Speaker's table the bill H. R. 12600, disagree to the Senate amendments, and ask for a conference. Is there objection? (After a pause). The Chair hears none. The clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 12600) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes.

The SPEAKER. The Clerk will announce the conferees.

The Clerk read as follows: Mr. SHERLEY, Mr. EAGAN, and Mr. CANNON.

Mr. JOHNSON of Washington. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. JOHNSON of Washington. Has a Member the right to make the point of no quorum and then hold it up for a specific purpose?

The SPEAKER. Oh, that has been done thousands of times.

Mr. STAFFORD. And as a free American citizen I also have the privilege of withdrawing it.

Mr. MOORE of Pennsylvania. Mr. Speaker, I make the point of order that there is no quorum present. The Declaration of Independence is sufficient for the day.

The SPEAKER. Does the gentleman make the point?

Mr. MOORE of Pennsylvania. I reserve it only for a motion by the gentleman from North Carolina [Mr. KITCHIN].

Mr. SIMS. Mr. Speaker——

Mr. KITCHIN. Mr. Speaker——

The SPEAKER. The gentleman from Pennsylvania makes the point of no quorum, but reserves it for the benefit of the gentleman from North Carolina.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 a. m. to-morrow.

Mr. MADDEN. Mr. Speaker, reserving the right to object, I simply want to call attention to the fact that the gentleman from Kentucky [Mr. HELM] who caused this meeting to be held to-day is not here. It seems he was not as much interested in the transaction of public business as he indicated.

The SPEAKER. It is not debatable.

The gentleman from North Carolina asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 a. m. to-morrow. Is there objection?

Mr. JOHNSON of Kentucky. Mr. Speaker, reserving the right to object, I wish to say for quite a while now the subcommittee which was sent to East St. Louis to investigate the riot out there has been ready to report and it has been——

Mr. MOORE of Pennsylvania. Mr. Speaker, I renew my point of no quorum.

Mr. JOHNSON of Kentucky. It is a privileged matter——

The SPEAKER. The gentleman from Pennsylvania makes the point of order that there is no quorum present.

Mr. JOHNSON of Kentucky. I want to ask the gentleman if he would not agree that that may come up to-morrow.

Mr. MOORE of Pennsylvania. Mr. Speaker, I renew the point of no quorum and insist on it. The Declaration of Independence is now in the RECORD.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 14 minutes p. m.) the House adjourned until to-morrow, Friday, July 5, 1918, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. SIMS, from the Committee on Interstate and Foreign Commerce, to which was referred the joint resolution (H. J. Res. 309) to insure the continuous operation of electrical communicating systems, to guard the secrecy of war dispatches, and prevent communications between public enemies, reported the same with amendment, accompanied by a report (No. 741), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred, as follows:

By Mr. YOUNG of North Dakota: A bill (H. R. 12664) to increase the limit of cost of the United States public building at Jamestown, N. Dak.; to the Committee on Public Buildings and Grounds.

By Mr. FULLER of Illinois: A bill (H. R. 12665) to authorize Fred D. Breit to construct a dam across the Fox River in the State of Illinois, at or near Dayton, Ill.; to the Committee on Interstate and Foreign Commerce.

By Mr. FOSTER: A resolution (H. Res. 412) authorizing the payment of $500 to August J. Buehne for extra services rendered the Members of the House of Representatives during the first and second sessions of the Sixty-fifth Congress; to the Committee on Accounts.

By Mr. LANGLEY: Concurrent resolution (H. Con. Res. 48) relative to an abiding and righteous peace; to the Committee on Foreign Affairs.

By Mr. ESCH: Memorial of the Legislature of the State of Louisiana, favoring liberal appropriations for the use of the Federal Trade Commission; to the Committee on Appropriations.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. DALE of Vermont: Petition of Baptist Bible School Convention, of Windham County, Vt., favoring war prohibition; to the Committee on the Judiciary.

By Mr. ESCH: Resolution of the Union Label Trades Department of the American Federation of Labor urging the repeal of the second-class postage provisions of the war-revenue act; to the Committee on Ways and Means.

By Mr. FULLER of Illinois: Petition of 34 members of the Red Cross Unit of Winooka, Ill., protesting against the zone system for second-class mail; to the Committee on Ways and Means.

By Mr. MAGEE: Petition of Bessie W. Gay and other residents of Warner, N. Y., favoring war prohibition; to the Committee on the Judiciary.

Also, petition of Mrs. Roscoe Case and other residents of Fabius (Apulia), N. Y., favoring war prohibition; to the Committee on the Judiciary.

Also, petition of Mr. W. E. Mathews and other residents of Warner, N. Y., favoring war prohibition; to the Committee on the Judiciary.

Also, petition of Mr. Charles E. Zimmerman and other residents of Cicero, N. Y., favoring war prohibition; to the Committee on the Judiciary.

Also, petition of Mr. C. W. Bellows and other residents of Lysander, N. Y., favoring war prohibition; to the Committee on the Judiciary.

Also petition of Mr. O. J. Purington and other residents of Warner, N. Y., favoring war prohibition; to the Committee on the Judiciary.

Also petition of Mr. Albert C. Isbell and other residents of Warner, N. Y., favoring war prohibition; to the Committee on the Judiciary.

By Mr. HARRY H. PRATT: Resolution adopted at a public meeting, held in Addison, N. Y., urging that the Federal Constitution shall be amended so as to prevent the existence of polygamy within the United States.

SENATE.

FRIDAY, *July 5, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, our hearts beat high with hope because we have seen once more the outward and visible expression of a united people battling for the highest and best in national and personal life. We have celebrated the achievements of our fathers, who gave to us a Government pledged to the task of guaranteeing and perpetuating the rights of all men. We feel the courage that comes out of the expression of the unity of our life and faith and the determination of a people that this Government shall not perish from the earth. We pray Thee, O God, to so lead us that we who have received such a rich inheritance of the past may hold it, may glorify it with our lives, and pass it on to future generations. For Christ's sake. Amen.

NAMING A PRESIDING OFFICER.

The Assistant Secretary (Henry M. Rose) read the following communication:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
July 5, 1918.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JOHN H. BANKHEAD, a Senator from the State of Alabama, to perform the duties of the Chair during my absence.

WILLARD SAULSBURY,
President pro tempore.

Mr. BANKHEAD thereupon took the chair as Presiding Officer.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Henderson	New	Simmons
Bankhead	Hitchcock	Norris	Smith, Ariz.
Beckham	Johnson, Cal.	Nugent	Smith, Ga.
Borah	Johnson, S. Dak.	Overman	Smith, Md.
Brandegee	Jones, Wash.	Owen	Smoot
Chamberlain	Kellogg	Penrose	Sterling
Culberson	Kendrick	Phelan	Sutherland
Cummins	King	Pittman	Thomas
Dillingham	Knox	Ransdell	Thompson
Fletcher	Lenroot	Reed	Underwood
France	McCumber	Saulsbury	Vardaman
Gore	McKellar	Sheppard	Walsh
Hale	Martin	Sherman	Warren
Harding	Myers	Shields	Williams

Mr. McKELLAR. I wish to announce that the Senator from Arkansas [Mr. KIRBY] is detained on official business. I ask that this announcement may stand for the day.

Mr. BECKHAM. My colleague, the senior Senator from Kentucky [Mr. JAMES], is detained by illness.

Mr. KING. I desire to announce that the Senator from South Carolina [Mr. SMITH], the Senator from Virginia [Mr. SWANSON], the Senator from Minnesota [Mr. NELSON], the Senator from Florida [Mr. TRAMMELL], the Senator from Ohio [Mr. POMERENE], and the Senator from Maine [Mr. FERNALD] are detained on official business.

Mr. CHAMBERLAIN. I desire to state that my colleague [Mr. MCNARY] has had to return to Oregon on account of the death of his wife.

Mr. SUTHERLAND. I wish to state that my colleague [Mr. GOFF] is absent on account of illness.

The PRESIDING OFFICER. Fifty-six Senators have answered to their names. There is a quorum present. The Journal of the proceedings of the preceding session will be read.

The Secretary proceeded to read the Journal of the proceedings of Wednesday last, when, on request of Mr. MCKELLAR and by unanimous consent, the further reading was dispensed with and the Journal was approved.

THE PRESIDENT'S ADDRESS AT MOUNT VERNON (S. DOC. NO. 258).

Mr. OWEN. Mr. President, on yesterday, July 4, at the tomb of George Washington, the President of the United States delivered an address in the presence of the representatives of over 30 nations, but submitted in sober truth to the representatives and the peoples of all nations.

It was a glorious declaration of the principles, motives, hopes, and purposes of the American people. It was the voice of the mightiest Republic on earth. It was a call to all men of every nation, of every people, to recognize justice, righteousness, and humanity in the governments of men. It was a blazing light illuminating the straight and simple pathway to human peace, security, and happiness throughout the earth. Every Senator, I am sure, heartily approves the noble principles announced and will be glad to have the address set forth in our permanent records.

Mr. President, I ask unanimous consent to have the address printed in the CONGRESSIONAL RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. PENROSE. What is the request?

Mr. OWEN. To print in the CONGRESSIONAL RECORD the address made by the President at Mount Vernon yesterday.

Mr. PENROSE. Very well.

The PRESIDING OFFICER. The Chair hears no objection.

Mr. OWEN. And I ask that it also be made a public document.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The address is as follows:

ADDRESS OF PRESIDENT WILSON, DELIVERED AT MOUNT VERNON, JULY 4, 1918.

Gentlemen of the Diplomatic Corps and my fellow citizens, I am happy to draw apart with you to this quiet place of old counsel in order to speak a little of the meaning of this day of our Nation's independence. The place seems very still and remote. It is as serene and untouched by the hurry of the world as it was in those great days long ago when Gen. Washington was here and held leisurely conference with the men who were to be associated with him in the creation of a nation. From these gentle slopes they looked out upon the world and saw it whole, saw it with the light of the future upon it, saw it with modern eyes that turned away from a past which men of liberated spirits could no longer endure. It is for that reason that we can not feel, even here, in the immediate presence of this sacred tomb, that this is a place of death. It was a place of achievement. A great promise that was meant for all minkind was here given plan and reality. The associations by which we are here surrounded are the inspiriting associations of that noble death which is only a glorious consummation. From this green hillside we also ought to be able to see with comprehending eyes the world that lies about us and should conceive anew the purposes that must set men free.

It is significant,—significant of their own character and purpose and of the influences they were setting afoot,—that Washington and his associates, like the barons at Runnymede, spoke and acted, not for a class, but for a people. It has been left for us to see to it that it shall be understood that they spoke and acted, not for a single people only, but for all mankind. They were thinking, not of themselves and of the material interests which centered in the little groups of landholders and merchants and men of affairs with whom they were accustomed to act, in Virginia and the colonies to the north and south of her, but of a people which wished to be done with classes and special interests and the authority of men whom they had not themselves chosen to rule over them. They entertained no private purpose, desired no peculiar privilege. They were consciously planning that men of every class should be free and America a place to which men out of every nation might resort who wished to share with them the rights and privileges of free men. And we take our cue from them,—do we not? We intend what they intended. We here in America believe our participation in this present war to be only the fruitage of what they planted. Our case differs from theirs only in this, that it is our inestimable privilege to concert with men out of every nation what shall make not only the liberties of America secure but the liberties of every other people as well. We are happy in the thought that we are permitted to do what they would have done had they been in our place. There must now be settled once for all what was settled for America in the great age upon whose inspiration we draw to-day. This is surely a fitting place from which calmly to look out upon our task, that we may fortify our spirits for its accomplishment. And this is the appropriate place from which to avow, alike to the friends who look on and to the friends with whom we have the happiness to be associated in action, the faith and purpose with which we act.

This, then, is our conception of the great struggle in which we are engaged. The plot is written plain upon every scene and every act of the supreme tragedy. On the one hand stand the peoples of the world,—not only the peoples actually engaged, but many others also who suffer under mastery but can not act; peoples of many races and in every part of the world,—the people of stricken Russia still, among the rest, though they are for the moment unorganized and helpless. Opposed to them, masters of many armies, stand an isolated, friendless group of governments who speak no common purpose but only selfish ambitions of their own by which none can profit but themselves, and whose peoples are fuel in their hands; governments which fear their people and yet are for the time their sovereign lords, making every choice for them and disposing of their lives and fortunes as they will, as well as of the lives and fortunes of every people who fall under their power,—governments clothed with the strange trappings and the primitive authority of an age that is altogether alien and hostile to our own. The Past and the Present are in deadly grapple and the peoples of the world are being done to death between them.

There can be but one issue. The settlement must be final. There can be no compromise. No halfway decision would be tolerable. No halfway decision is conceivable. These are the ends for which the associated peoples of the world are fighting and which must be conceded them before there can be peace:

I. The destruction of every arbitrary power anywhere that can separately, secretly, and of its single choice disturb the peace of the world; or, if it cannot be presently destroyed, at the least its reduction to virtual impotence.

II. The settlement of every question, whether of territory, of sovereignty, of economic arrangement, or of political relationship, upon the basis of the free acceptance of that settlement by the people immediately concerned, and not upon the basis of the material interest or advantage of any other nation or people which may desire a different settlement for the sake of its own exterior influence or mastery.

III. The consent of all nations to be governed in their conduct towards each other by the same principles of honour and of respect for the common law of civilized society that govern the individual citizens of all modern states in their relations with one another, to the end that all promises and covenants may be sacredly observed, no private plots or conspiracies hatched, no selfish injuries wrought with impunity, and a mutual trust established upon the handsome foundation of a mutual respect for right.

IV. The establishment of an organization of peace which shall make it certain that the combined power of free nations will check every invasion of right and serve to make peace and justice the more secure by affording a definite tribunal of opinion to which all must submit and by which every international readjustment that cannot be amicably agreed upon by the peoples directly concerned shall be sanctioned.

These great objects can be put into a single sentence. What we seek is the reign of law, based upon the consent of the governed and sustained by the organized opinion of mankind.

These great ends cannot be achieved by debating and seeking to reconcile and accommodate what statesmen may wish, with their projects for balances of power and of national opportunity. They can be realized only by the determination of what the thinking peoples of the world desire, with their longing hope for justice and for social freedom and opportunity.

I can fancy that the air of this place carries the accents of such principles with a peculiar kindness. Here were started forces which the great nation against which they were primarily directed at first regarded as a revolt against its rightful authority but which it has long since seen to have been a step in the liberation of its own people as well as of the people of the United States; and I stand here now to speak—speak proudly and with confident hope—of the spread of this revolt, this liberation, to the great stage of the world itself! The blinded rulers of Prussia have roused forces they knew little of—forces which, once roused, can never be crushed to earth again; for they have at their heart an inspiration and a purpose which are deathless and of the very stuff of triumph!

CORPORATE EARNINGS AND GOVERNMENT REVENUES (S. DOC. NO. 259).

The PRESIDING OFFICER. The Chair lays before the Senate the following communication from the Secretary of the Treasury, which will be read and, with accompanying papers, referred to the Committee on Finance and ordered to be printed.

The communication is as follows:

TREASURY DEPARTMENT,
Washington, July 5, 1918.

Hon. THOMAS R. MARSHALL,
President of the United States Senate.

MY DEAR MR. PRESIDENT: I have the honor to refer again to Senate resolution 253, receipt of which was acknowledged by my letter of June 8. The resolution reads as follows:

"*Resolved*, That the Secretary of the Treasury be, and he is hereby, directed to furnish the Senate with the following information:

"First. Any and all facts, figures, data, or information now in possession of the Treasury Department relative to profiteering which would in any way enable Congress to deal with the matter either through the present proposed revenue legislation or through enactment of more effective criminal statutes. That such report shall contain a list of all corporations, with the amount of their earnings, which have earned in excess of 15 per cent on their capital stock, as shown by their returns to the Internal-Revenue Bureau for the calendar year 1917, accompanied by such statement as will show net earnings of the same corporation for the calendar year 1916.

"Second. The figures showing the amount of money which the Government has raised up to this time since the beginning of the war by taxation and the amount which it has raised by loans."

The information submitted herewith in response to the first paragraph of the resolution was obtained from the income and excess-profits returns of 31,500 of a total of approximately 55,000 corporations in the United States which, in the calendar year 1917, earned 15 per cent or more on their capital stock. The corporations included in the list are believed to be representative, as some are included from each of the major groups and most of the minor groups, representing the various recognized industries, trades, and occupations, comprising the business activities of the country.

The information called for by the second paragraph of the resolution is printed on pages 387–388.

Respectfully,
W. G. MCADOO,
Secretary.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the bill (S. 3929) for the construction of a private conduit across Michigan Avenue NE., in the District of Columbia.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H. R. 12600) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SHERLEY, Mr. EAGAN, and Mr. CANNON managers at the conference on the part of the House.

The message further announced that the House disagrees to the amendments of the Senate to the bill (H. R. 12229) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. ASHBROOK, Mr. SHOUSE, and Mr. LANGLEY managers at the conference on the part of the House.

The message also announced that the House had passed a bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses, in which it requested the concurrence of the Senate.

The message also transmitted to the Senate resolutions (H. Res. 410) on the death of Hon. BENJAMIN R. TILLMAN, late a Senator from the State of South Carolina.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the President pro tempore:

H. R. 11247. An act providing for the protection of the uniform of friendly nations, and for other purposes; and

H. R. 12541. An act making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

DEFICIENCY APPROPRIATIONS.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 12600) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. MARTIN. I move that the Senate insist upon its amendments and agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Presiding Officer appointed Mr. MARTIN, Mr. UNDERWOOD, and Mr. WARREN conferees on the part of the Senate.

WOMAN SUFFRAGE.

Mr. CUMMINS. I present a telegram in the form of a resolution adopted by the Iowa State Bar Association, in convention assembled at Des Moines, Iowa, urging upon Congress, upon the Senate of the United States especially, favorable action on the proposed amendment to the Constitution granting equal suffrage.

The PRESIDING OFFICER (Mr. BANKHEAD). It will lie on the table.

REPORTS OF COMMITTEES.

Mr. SMITH of Georgia. From the Committee on Finance I report back favorably, with amendments, House bill 11048, to amend an act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, as amended by the act approved June 12, 1917, and I submit a report (No. 548) thereon. This is a bill to extend the time of the operation of our marine war-risk insurance. It is essential that the bill should be passed now, as, if we take a recess, the war-risk insurance period would lapse, I understand. I shall call it up immediately after the close of the routine morning business. I would ask for its immediate consideration, but my own view has been that we ought to let the morning business be finished and then ask for the consideration of measures. I shall ask for its immediate consideration on the close of the morning business.

The PRESIDING OFFICER. The bill will be placed on the calendar.

Mr. SMITH of Georgia. From the Committee on the Judiciary I report back favorably with amendments the bill (H. R. 8938) to equip the United States Penitentiary, Atlanta, Ga., for the manufacture of supplies for the use of the Government, for the compensation of prisoners for their labor, and for other purposes, and I submit a report (No. 547) thereon. I shall ask also this morning a little later on for the consideration of this bill. I have a letter from the President to the chairman of the subcommittee, the Senator from North Carolina [Mr. OVERMAN], pointing out why it is especially important that the bill should be passed at once.

The PRESIDING OFFICER. The bill will be placed on the calendar.

Mr. MYERS, from the Committee on Public Lands, to which were referred the following bills, reported them each without amendment, and submitted reports thereon:

A bill (S. 4679) to provide for the disposition of abandoned lighthouse and life-saving stations (Rept. No. 544); and

A bill (S. 4742) for the relief of the Yosemite Stone Co. (Rept. No. 545).

Mr. SUTHERLAND, from the Committee on Military Affairs, to which was referred the bill (S. 560) for the relief of John Murphy, reported it with amendments and submitted a report (No. 546) thereon.

He also, from the same committee, to which was referred the bill (S. 3601) for the relief of Christian M. Otto, reported adversely thereon, and the bill was postponed indefinitely.

NOONDAY PRAYER.

Mr. BECKHAM. From the Committee on the Library I report back favorably without amendment the joint resolution (S. J. Res. 164) requesting the President to commend by proclamation to the people of the United States observance of the practice of prayer at noon each day for victory in the war, and I ask for its immediate consideration.

Mr. SMOOT. Let it be read.

The PRESIDING OFFICER. The joint resolution will be read for information.

The Secretary read the joint resolution, as follows:

Joint resolution (S. J. Res. 164) requesting the President to commend by proclamation to the people of the United States observance of the practice of prayer at noon each day for victory in the war.

Whereas what is called the angelus, the practice of prayer for one minute at noon each day for the success of our country in the existing war, is being observed in the District of Columbia and some other parts of the United States; and

Whereas it is the desire of some good citizens that it be observed generally throughout the country to the end of the war; and

Whereas the sentiment is in accord with the traditional spirit and sentiment of this country and recognizes the overruling power of the Almighty: Therefore be it

Resolved, etc., That the President is requested to commend by proclamation to the people of the United States observance in their homes and elsewhere, until the end of the war, of the practice of prayer to God for at least one minute at noon each day for victory for our cause in the existing war.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

Mr. THOMAS. Mr. President, when this resolution was offered on Tuesday last I asked to have it go over under the rules, hence it went over until this morning. I shall not again object to it because I do not want to occupy the position of being the only Member of this body openly opposed to such a resolution.

However, Mr. President, I do not think it is appropriate that this body should legislate upon every conceivable subject merely because we are engaged in war. Those who feel that prayer will bring us victory do not need the stimulus of a Federal statute or a congressional resolution to inspire their action, nor, indeed, would they be persuaded from resort to prayer though we should enact prohibitory legislation, so that I do not perceive that the passage of this resolution will either promote or prevent the exercise of that reverent spirit which the great majority of our people possess, and which leads them to invoke spiritual aid when in trouble in the hope that it may prove efficacious.

But, to my mind, prayer for victory presents in large view a somewhat peculiar and inconsistent spectacle. All of the nations engaged in this war, on both sides, are praying to God for victory, and expect their prayers to be answered, the central empires as well as the entente allies. In Turkey the Mohammedans pray also for victory, and pray to the god which they worship.

The Omniscient Being, who presides over the destinies of the world, and who is said to be all powerful and all seeing, who knows everything that will occur, who knows that it must occur and when it will occur, must have foreseen the terrible calamity now afflicting His earthly children. Being omniscient and omnipotent, He permitted it to occur because of some hidden purpose of His own. If that be so, it must be equally certain in His wisdom that He will continue it until that purpose shall have been subserved. I do not perceive, therefore, that universal prayer by the contesting nations could do more at best than embarrass the Almighty Power if He shall pay due heed to the conflicting entreaties of friend and foe.

We shall win this war, Mr. President, by utilizing and mobilizing every active physical, economic, and social agency against our enemies and by persistent effort. All the prayers of all the peoples on earth in our behalf will be impotent if we fail to exercise our very best efforts in all directions for victory. It is an old but true saying that God helps those who help themselves. Others must shift for themselves and pray in vain for aid.

Napoleon said that the Almighty was on the side of the heaviest artillery, and that truth has been emphasized in every war that has been fought since mankind has been upon earth. He will be found on the side of the strongest and best equipped, the best trained, the best organized of those who make the best use of their best elements in the struggle. The Almighty is on that side which has the most deadly gas, the most effective artillery and artillerists, the best soldiers—and we have them—and, above all, which possesses that indomitable resolution to win that has ever been characteristic of Anglo-Saxon peoples, which has placed them in the van of progress and of civilization, and which will keep them there.

So while we are to obtain prayer by legislation, let us not forget that we, the American people, shall win this war or we shall lose it as we shall conduct ourselves in waging it.

Mr. PHELAN. Mr. President, it is said that in ecclesiastical discussions in other centuries, in order to bring out a full and a fair statement of a case, they appointed a "devil's advocate." The Senator from Colorado [Mr. THOMAS] has eloquently served in that capacity. He has precipitated a discussion in which I shall not indulge, nor would the Senate, I think, be edified by a discussion of the Divine interposition in human affairs. I think a discussion of that kind belongs to another tribunal.

But I simply desire to state that in the old home of the late Senator Bard, Hueneme, Ventura County, Cal., is a society of women who have their boys at the front. It is a representative American situation. They decided one day upon every Friday to write letters to the boys, and the boys responded with so much gratitude and appreciation, believing that they were thought of while they were away on perilous duty, that a second idea was proposed, and that was to have a daily moment of prayer. From that small meeting this idea has spread over the country gradually; it has been adopted in part by Alabama, by Montana, by California, and recently by the District of Columbia; and now we find people agreeing upon an hour and a moment at midday for prayer for the safety of our boys and for the success of our arms, for victory and peace.

The boys, hearing of this, will feel heartened and cheered, because, I would say, most of them believe in the efficacy of prayer, and the mothers and the sisters will feel consoled, knowing that they are making their contribution. It is sufficient that they believe that they are making a contribution; it is sufficient that they believe that their appeals are heard; it is sufficient, as well, that the boys believe that prayer will, like the inspiration of Joan of Arc, help them in fighting for the freedom of the world.

It may be the Divine will to scourge a nation for a useful purpose. The world was once overwhelmed by a flood; it may have been intended to chasten the population. His ways are inscrutable; I will not presume to question them; but it is sufficient that these good men and women throughout the land will feel consoled by this practice and that the boys believe it is helping them.

The object of the resolution was simply to have a uniformity of the practice. This good lady, the president of the society, Mrs. Gertrude Dodds Treher, came to Washington, interviewed the President, and left with him a written request, giving the papers which show the interest of the communities throughout the land, and, through his secretary, the President writes:

"MRS. GERTRUDE DODDS TREHER,
"Hueneme, Cal.

"DEAR MRS. TREHER: I desire to acknowledge the receipt of your papers, explaining more fully than you did in conversation with the President and myself the interesting proposal which, I understand, originated with yourself, to have a moment at noon set aside by popular consent for heartfelt prayer every day during the war for the success of our arms, the safety of our men, and for victory and peace.

"The President thinks your idea a very beautiful one, but what may be done now to promote its general acceptance I am not prepared to say. I am told that many States have already acted in the matter and that Congress considers taking it up with a view of having uniformity of action. Therefore permit me to congratulate you on the success of your patriotic propaganda.

"I am,
"Very truly, yours, J. P. TUMULTY,
"Secretary."

The very purpose of the resolution is to have uniformity of action. I therefore trust there will be no objection to its passage.

I ask unanimous consent to insert one or two articles in the RECORD bearing upon this subject, because, if the resolution shall be adopted, the information contained in those articles will be valuable to those who desire to take up the idea and encourage voluntarily its general acceptance. There is no compulsion about it.

Mr. THOMAS. Mr. President——

Mr. SMITH of Arizona. Mr. President, if the Senator from Colorado will permit me, I should like to say that, in my opinion, the somewhat voluminous statement of the Senator from California [Mr. PHELAN] is sufficient, without the letters to which he has referred being printed in the RECORD.

Mr. PHELAN. I only ask to have inserted two short articles.

Mr. SMITH of Arizona. Very well.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The matter referred to is as follows:

MOMENT OF PRAYER FOR OUR BOYS.

"The whole world to-day is either participants or witnesses of the most brutal, bloody warfare that has ever been fought upon the face of the earth. The minds of millions upon millions of suffering humanity are struggling through a pitiful state of confusion.

"The once glorious land of Europe is covered with the shadow of death.

"And the end is not yet.

"'How long, Oh, God, how long?' is the heart-rending cry that goes up from tortured souls, and He alone can give the answer, and He will give the answer when His children (in a body) lift their thoughts from this valley of tears and put them in tune with the great Infinite Being who rules the universe.

"Be he Jew or Gentile is of no moment. The hour of prayer is here and the children of God must turn their voices to Him in supplication.

"The lips of the Jewish mother, as well as the Gentile mother, press the farewell kiss upon the soft flesh of her boy's tender lips and her dear eyes smile the loving encouragement which strengthened him in his moment of parting, while the heart under her trembling bosom was being torn with grief as she bravely sent forth her son to an alien land.

"And so the work is akin to this terrible hour of sorrow, and together we should turn our thoughts to God in prayer.

"After all it is a small thing to do to lift our thoughts to God now that we need Him so. But it is a human trait to forget, and we need a constant reminder, and the ringing of our bells will be a lovely one.

"In every city and town of our country public bells of all description and church bells of every denomination should be rung at high noon to remind a busy people to raise their thoughts to God in supplication for the spiritual welfare of our liberty boys and their country. These bells should be rung for the length of one minute, and business and traffic should be suspended during that time. All the world is abroad at high noon, and the little school children going homeward will hear the bells and continue on their way with prayer in their hearts and upon their lips. And heads that never before were bowed will bow, and millions of them will continue to bow long after peace is declared.

"There is a great psychological reason for this request of a national movement of prayer, and the people of the town of Hueneme, Cal., have proven to their great satisfaction that the saying of prayers for the soldier boys holds a great power for good by letters we have received from our home-town boys.

"When our boys were conscripted they were called away from their home and its care-free indulgent environments and placed in cantonments with their splendid, though rigid, discipline. The first condition this produced was a desperate loneliness. And this was a psychological moment, and we took advantage of the fact to at once send the word forth to our boys that the home town had pledged itself in a body to back them with loving letters, gifts, and prayers.

"This produced a great effect upon our boys, and we obtained the very result we desired. And the following two quotations will suffice to show how well our boys understood just what the moral support of the home-town backing meant to them:

"'It's the spirit of such women as you that puts the "pep" into the boys behind the guns.'

"'You can not imagine how it affected me when I received your letters with their loving thoughts, carrying with them their great spiritual influence and loving reminders that the home town is back of me. It puts a new spirit into me and a great desire to make good.'

"We are going to have another call for our men to give up the home ties and go forth for the protection of womanhood and democracy, and the psychological moment will come again to plant the same knowledge in the mind of every liberty boy, while the whole mentality is in the throes of the unsettled conditions this patriotic call to war produces, that every soul in this great United States is gladly backing him with their loving thoughts, their finances, their sacrifices, and their prayers, and watch the force of the power they thereby receive and which they will recognize will be with our boys when they go to meet the Hun in 'No Man's Land.'

"It is a simple matter to make an indelible impression upon the human mind if you do so at the psychological moment, if we can get our country's people in a body, turning to God for help, and all making the same definite pleas that God's power be with our boys when they go to the trenches, our boys will receive it and go forth with a power of which God alone has the giving.

"But for our boys to receive it we must ask for it.

"All the world is awakening to the knowledge of the power of the unseen forces.

"All the world feels the forces behind the Kaiser.

"Our senses tell us that that which destroys, tears down, crushes, demoralizes, and murders is not of good, for good does not do these atrocious things.

"There was a Master sent to this world over nineteen hundred years ago, and His name was Christ.

"He came to teach the world the new law, and He came to teach the world how to use the power for good; and these are the things He told us to do to bring the power of the unseen forces for good to us:

"He told us to pray, and He said, 'When ye pray, pray thus,' and He gave us the Lord's Prayer.

"He also said, 'Where two or three are gathered together in my name, there am I in the midst of them,' proving that when many pray together it brings the Christ power to their midst.

"And He said, 'And all things whatsoever ye shall ask in prayer, believing, ye shall receive.'

"Our boys have gone to the trenches of France to fight the material battle of brains, science, and metal against brains, science, and metal, but their people at home should follow the teachings of the Master who came to enlighten the world in the knowledge of how to bring to their midst the power of the unseen forces for good. We are a God-loving Nation and we believe in the God power, and if we ever needed His help we need it now in this dreadful day of the brutal butchery of His children.

"So let the American people bring to their midst this great power of the unseen forces in this tragic hour of need by asking God in the words of the Lord's Prayer, 'Deliver us from evil,' or each person pray according to his own dictates.

"Throughout the country loyal Americans stand bareheaded for the length of five minutes while they pay their tribute to the music of our Star-Spangled Banner.

"'Tis a beautiful thought that California, the paradise of our country, has her mission bells from one end of her State to the other, silent symbols of by-gone prayers, her musical sentinels lining the great highway from the south to the north. And, where it is practical that they could be rung, it would be a glorious thing to hear as one speeds along the smooth surface of the broad roadway, the melody of the bells with their musical plea to the loyal Americans to lift their thoughts to the unseen power and bring it to their midst. Every sister State will follow our example and the peal of the liberty bell will reecho the melody of the California bells from the great Pacific to the broad Atlantic, calling to a sorrowing Nation to lift her thoughts to God in prayer.

"It is a psychological fact that where many are holding the same thought the result of that thought is obtained.

"Therefore, let us ask God-power to be given us, which shall deliver us from the evil which threatens the very destruction of the human race and, believing, ye shall receive it.

"Stop and look at this picture with me. A whole nation with heads bowed in prayer. Our people are communicating with God. I can see the hand of God raised over our country as if in benediction, and hear a voice from the heavens saying: 'Peace be with you.'

"GERTRUDE DODDS TREHER,
"*Hueneme, Cal.*"

THE ANGELUS.

Writing in Sunday morning's Los Angeles Times, John S. McGroarty, father of the Mission Play, and an ardent worker for the retention and restablishment of the old missions and the "El Camino Real" route, contributes the following article in support of a suggestion advanced by Mrs. J. A. Treher, of Hueneme, who is now sojourning in Los Angeles:

"Down from the little sun-harbored town of Hueneme, on the golden coast of glory, where the purple Ventura hills keep watch above the sunset sea, comes a woman with a dream.

"It is a place for dreams—Hueneme (Y-nay-me)—snuggled amid lush meadows and the golden apples of Hesperides. The tides haunt it with endless voices. It is warm with sun and welcome. Morning canopies it with unrivaled dawns of gold and crimson and the exquisite tones of every color. Wandering clouds gather there at the close of day, as gypsies, to a rendezvous, and float like isles of amethyst upon azure skies.

"The woman is Gertrude Dodds Treher. I think you should know her name and where to reach her that you may share the dream with her and warm your heart in its fire.

"And this is her dream: That the mission bells on the King's Highway, in California, all the way from San Diego's Harbor of the Sun to Sonoma, in the Valley of the Seven Moons, shall be rung once each day at a given hour in remembrance of our soldiers in the trenches 'over there' in the alien lands.

"Moreover, it is hoped that all the bells in California—bells of every church, of whatever denomination, and bells in town halls and schoolhouses—indeed, wherever there is a bell—that it may be rung at this hour every day, and that, when they hear it the people will stop and say, 'God save our boys in the battles; keep them safe, O Lord, within the shadow of Thy wing.'

"There could be nothing more beautiful than this. And, if what we believe be true, there can be nothing more effective. The great God of the ages has never failed to hearken when the people cried to Him with uplifted hearts.

"It is easy to believe that if this were done in California it would be done as well in every State of the Union. The idea is infectious. The echo of our bells would set other bells to ringing throughout all the land.

"The very soul thrills at the thought of a thing like this—a whole nation standing with bowed heads, once every day, at the stroke of the hour; a hundred million lips speaking in prayer; the soul of America storming the gates of God.

"And what would it mean to them over there in the trenches and in the flame of battle? God pity the Hun, anyway; but how far more futile would he be to withstand the soldiers of a free land who fought with the armor of prayer upon them!

"But this is not all. At the stroke of the hour their heads would be bared, too, and they would say, 'They are thinking of us now at home. Our country is speaking with God. No sword can conquer us.'

"It may be that this is a dream and nothing more, this that has come to us out of beautiful Hueneme. But, however it be, it is yet something to warm us. It will never wholly fade. The stroke of the hour can not now pass without the music of a bell somewhere rung in remembrance and a bowed head and a soul that shall keep tryst with them who have crossed the seas to fight for liberty."

Mr. THOMAS. Mr. President, when in a discussion like this one descends to the use of epithets and of reflections upon the motives of his adversary it is fair to presume that he does so either through a desire to create religious prejudice or because he is destitute of legitimate argument. Because I have suggested that legislation is not necessary to the exercise of prayer and of devotion I am stigmatized as the "devil's advocate."

Mr. PHELAN. Mr. President, will the Senator permit me to interrupt him?

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from California?

Mr. THOMAS. I yield.

Mr. PHELAN. I certainly made no reflection upon the Senator's motives. I thought it was a nice bit of humor—I may have a wrong conception of what humor is—to refer to the Senator as a "devil's advocate." I believe in ecclesiastical societies learned churchmen are appointed as "devil's advocates" for the very purpose of bringing out the truth, so as not to have ex parte hearings upon matters of grave importance. I hope the Senator will not take the matter seriously. It was far from my thought to presume to reflect on the Senator. He is no "devil's advocate" in the sense that he advocates anything that the devil proposes, but he is a "devil's advocate" in this body every day for the purpose of eliciting the truth. If there is the least idea in the Senator's mind that I said anything uncomplimentary to him, I sincerely beg his pardon. I believe the Senator from Colorado is actuated by the highest motives in his critical comment on this and all other matters.

Mr. THOMAS. Mr. President, with the definition which the Senator has placed upon his characterization, I am, of course, more than satisfied; but I think that the effect of his statement upon others was precisely that which was made upon my own mind.

Now, Mr. President, one word more, and I will take my seat. In what I have said I have not intended to do, and I hope I have not done, injury to the religious sensibilities of any Member of this body or of any person in the United States. I believe that the good men and women, the fathers and the mothers, the brothers and the sisters, the wives and the sweethearts of the million Americans across the sea will pray for the protection and safety of their loved ones just as fervently and just as frequently as though Congress had not stepped aside and by resolution practically required them to do so. If I thought that something of this kind were essential to awaken a spiritual feeling in the minds and the hearts of the American people, and particularly those who are directly connected by kin with those across the sea, I certainly would have not been heard against it, whatever my own convictions regarding its essential character.

Mr. VARDAMAN. Mr. President, the subject matter of the resolution will hardly admit of extended discussion. The purpose of its introduction, the reason and necessity for it are self-evident. I will be permitted, I trust, to say, however, that I still have within my heart the lessons taught by my good mother in my youth, and my faith that the "effectual fervent prayers of a righteous man availeth much" has not been shaken in the least by the developments of recent years. I can not see any possible objection to the adoption of this resolution by the Senate and I hope that it may be agreed to.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. MYERS. Mr. President, having been requested to introduce this resolution, and having assented to the request, because it is in accord with my sentiments, beliefs, and views, I will say that I greatly deplore that its introduction has brought about any dissension or difference of opinion in this body. I had supposed that it would not take more than 10 seconds to adopt it unanimously, and that no time would be wasted upon objections to it or criticism of it. I do not purpose now saying anything further except that having cheerfully introduced the resolution by request in a measure I stand sponsor for it and I am not willing silently to pass by any implication that might be derived from utterances heard to-day on this floor that there is no higher power over the affairs of this world than the material and human forces of the world. I must dissent from any such inference. I am glad to say a large majority of the people of this country do not believe that; I do not believe it; and I simply take this occasion and method to express my dissent from any such implied or expressed materialistic view.

I am as much in favor of a vigorous, hearty, unrelenting material prosecution of this war, with all material forces at our command, to a victorious finish as anybody in the United States can be; but I believe there are other and higher forces involved, and I believe this simple resolution expresses the best sentiment and the firm belief of an overwhelming majority of the people of this country as it expresses my sentiment and belief. I believe its adoption would be most fitting and appropriate.

Mr. OWEN. Mr. President, I am in favor of the angelus. I do not feel any disposition to offer any apology in asserting that I firmly and devoutly believe in prayer. I believe it is a great spiritual, moral, and material force. I will not now take the time to analyze its psychology or its religious aspects, and I agree, at the same time, that the marshaling of gigantic material forces of men, ships, supplies, cannon, and aeroplanes is essential to win this war.

The laws of God, as they manifest themselves day by day to men, are the laws of cause and effect, and from those laws men derive the rules by which they are governed. By wise deduction from the laws of God and of cause and effect men write the laws of men, which sometimes are often devoutly spoken of as the laws of God; but the laws of men are derived from the laws of cause and effect. One of the gigantic causes which enable men to win battles is a resolute determination to win, a fixed purpose to victory, and the ringing of the angelus at 12 o'clock every day, calling every man and woman of this land to pray to God for victory will fix victory and the idea of victory and the purpose of victory in the American heart even more strongly and broadly than it is now fixed—a consummation devoutly to be wished. The angelus is a force by which to win this war. I am in favor of the angelus as a war measure, but I believe devoutly in the principle of prayer, regardless of peace or war.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

TELEGRAPH AND TELEPHONE CONTROL.

Mr. CUMMINS. I ask unanimous consent for the withdrawal of Senate joint resolution 163, to insure the continuous operation of electrical communicating systems, to guard the secrecy of war dispatches, and prevent communications between public enemies, from the Committee on Military Affairs and its reference to the Committee on Interstate Commerce. This is agreeable both to the author of the joint resolution and the chairman of the Committee on Military Affairs. I think nothing further need be said about it.

Mr. BRANDEGEE. If the Senator will permit me, I should like to ask him what is the title of the joint resolution, or what is the subject matter?

Mr. CUMMINS. It is the joint resolution proposed by the Senator from Texas [Mr. SHEPPARD] granting authority to the President to take over the telephones and the telegraphs.

Mr. BRANDEGEE. I think it should properly go to the Committee on Interstate Commerce.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Iowa? The Chair hears none, and the joint resolution is referred to the Committee on Interstate Commerce.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CULBERSON:

A bill (S. 4794) to amend section 53 of the Judicial Code; to the Committee on the Judiciary.

By Mr. McKELLAR:

A bill (S. 4795) to amend section 3 of Public Act No. 41 of the Sixty-fifth Congress, approved August 10, 1917, encouraging the production, conserving the supply, and controlling the distribution of food products and fuel; to the Committee on the Judiciary.

By Mr. SMOOT:

A bill (S. 4796) granting an increase of pension to George Moir (with accompanying papers); to the Committee on Pensions.

By Mr. DILLINGHAM (for Mr. PAGE):

A bill (S. 4797) granting a pension to Ida V. Haskins (with accompanying papers); to the Committee on Pensions.

By Mr. JONES of Washington:

A bill (S. 4798) granting an increase of pension to Henry R. Boynton (with accompanying papers); to the Committee on Pensions.

VENTILATION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE.

Mr. HALE. I introduce a joint resolution, which I send to the desk and ask to have read.

The PRESIDING OFFICER. The Senator from Maine introduces a joint resolution, which will be read.

The joint resolution (S. J. Res. 165) to appoint a joint committee to consider the question of ventilation of the House of Representatives and the Senate was read the first time by its title and the second time at length, as follows:

Resolved, etc., That a joint committee of seven be appointed to consider the question of ventilation of the House of Representatives and the Senate, three members of said committee to be appointed by the Speaker of the House of Representatives and three members to be appointed by the Presiding Officer of the Senate, and Elliott Woods, Superintendent Capitol Building and Grounds, to be the seventh member of said committee.

Mr. HALE. I ask unanimous consent for the present consideration of the joint resolution.

Mr. JONES of Washington. Mr. President, was not a committee of this same character provided for some time ago, with reference to the Senate?

Mr. HALE. Mr. President, I think in 1913 such a committee was appointed. They investigated the matter, but took no action. I have talked with the chairman of that committee, the Senator from Missouri [Mr. REED], and he tells me that he has no objection to my going ahead with another committee. They are not doing anything on the subject.

Mr. PENROSE. Mr. President, I should like to ask the Senator whether it is customary to investigate the ventilation of the House of Representatives. Would it not be sufficient for us to investigate our own ventilation?

Mr. HALE. I think, Mr. President, the appropriation ought to be a joint one if anything is done. I have taken up the matter already with Members of the House, and they are very anxious, in case we go ahead, that something should be done at the same time with regard to the House.

Mr. PENROSE. Have the preceding efforts at securing ventilation, made in the last 70 or 80 years without success, applied to the Senate alone or to both branches of Congress?

Mr. HALE. I can not say.

Mr. PENROSE. I was only seeking information as to the precedents.

Mr. BRANDEGEE. Mr. President, I should like to have the joint resolution read.

The PRESIDING OFFICER. The Secretary will again read the resolution.

The Secretary again read the joint resolution.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

GENERAL DEFICIENCY APPROPRIATIONS—CONFERENCE REPORT.

Mr. MARTIN. I submit the conference report on the general deficiency appropriation bill and move that the Senate proceed to its consideration.

The PRESIDING OFFICER. The Senator from Virginia submits a conference report, which will be read.

The Secretary proceeded to read the conference report. During the reading,

Mr. GORE. Mr. President, I understood the Senator from Virginia to ask for the present consideration of this report. I did not hear the Chair inquire if there was objection.

The PRESIDING OFFICER. The Senator from Virginia had the right to submit the report at any time.

Mr. GORE. Yes, sir. The question then will be as to its consideration.

The Secretary resumed and concluded the reading of the conference report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12600) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4 and 20.

That the House recede from its disagreement to the amendments of the Senate numbered 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 21, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with amendments as follows: Restore the matter stricken out amended as follows: On page 2 of the bill, line 7, strike out the sum "$110,000,000" and insert in lieu thereof "$100,000,000," and in line 11 of the same page strike out the sum "$50,000,000" and insert in lieu thereof "$40,000,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In line 4 of the matter inserted by said amendment, before the sum "$25,000," insert the following: "fiscal year 1919"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: Transpose the matter inserted by said amendment to follow line 5, on page 26 of the bill; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In line 2 of the matter inserted by said amendment, after the word "Senators," insert the following: "fiscal year 1919"; and the Senate agree to the same.

THOMAS S. MARTIN,
O. W. UNDERWOOD,
F. E. WARREN,
Managers on the part of the Senate.

SWAGAR SHERLEY,
JOHN J. EAGAN,
J. G. CANNON,
Managers on the part of the House.

The PRESIDING OFFICER. The question is, Shall the Senate proceed to the consideration of the conference report?

Mr. GORE. I object to the present consideration of the report.

Mr. MARTIN. As I recall the rule, the question has to be submitted to the Senate and acted upon without debate.

Mr. GORE. Mr. President, if this is a report from a committee, it has to go over one day if there be objection.

The PRESIDING OFFICER. The Senator from Virginia was recognized and moved to take up the report for consideration.

Mr. GORE. Was the report on the table or did the Senator from Virginia just make the report from the committee this morning?

The PRESIDING OFFICER. It was just reported this morning.

Mr. GORE. If it was reported this morning, then it has to be taken up by unanimous consent.

Mr. MARTIN. Oh, no; not a conference report.

The PRESIDING OFFICER. A conference report can be taken up on motion. The Senator from Virginia moves that the Senate proceed to the consideration of the conference report.

The motion was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

LEAGUE OF NATIONS.

Mr. SAULSBURY. I submit a resolution which I ask to have read and lie over until a future day, when I shall ask an opportunity to submit some remarks upon it.

The PRESIDING OFFICER. The Secretary will read the resolution.

The resolution (S. Res. 275) was read, as follows:

Resolved, That it is opportune for the Governments of the United States, Japan, and Great Britain now allied in war against the powers of central Europe to enter into lasting agreements to render it inexpedient for any one and impossible for said central powers to enter upon, engage in, or pursue a course of warfare, or use methods of warfare on the Pacific Ocean not justified or warranted by the laws of war as heretofore accepted and construed by this Government and its allies.

Such agreements should include provisions—

(1) That the Chinese Republic and the Russian people also, when able to establish a sufficiently strong and stable government, and any other government on the Pacific littoral, prepared to contribute to the common purpose reasonable proportions of sea power, may be admitted as signatories;

(2) That no warships or other armed vessels of any power which has heretofore or shall hereafter pursue an unwarranted course of warfare, or use illegal methods of warfare on the high seas, shall be permitted to have, hold, or obtain ports, harbors, possessions, or landing places on the Pacific Ocean when such warfare may be waged or which may be used as bases of offense or places of refuge; and

(3) Binding such allied nations to enforce such agreements by their united sea power and such auxiliary forces as may be necessary.

The PRESIDING OFFICER. The resolution will lie on the table and be printed. The morning business is closed.

TUBE LINES BETWEEN NEW YORK AND NEW JERSEY.

Mr. MARTIN. I ask unanimous consent for the present consideration of House joint resolution 311, which came over from the House, continuing the appropriations in regard to certain departments of the Government.

Mr. GORE. Mr. President——

Mr. CUMMINS. Mr. President, will the Senator from Virginia yield to me for a moment? I was on my feet to call up a resolution submitted by the senior Senator from New Jersey [Mr. FRELINGHUYSEN] on last Tuesday morning, and which went over for the day. On Wednesday last we had no session. I think there will be no objection whatever to it. It is a resolution directing the Committee on Interstate Commerce to inquire into certain features of taking possession of some of the suburban lines about New York City. As I said, I think there will be no objection at all to it.

Mr. MARTIN. The joint resolution that I have called up is in exactly the same position. It came over in the same way; but still, I will yield to the Senator from Iowa. The Commissioners of the District of Columbia can not pay their employees unless this joint resolution passes before to-morrow night. However, I yield to the Senator from Iowa.

Mr. CUMMINS. I think this resolution will be adopted by unanimous consent. I ask for the adoption of the resolution, which has already been read.

Mr. KING. I ask to have the resolution read, Mr. President.

The PRESIDING OFFICER. The Secretary will read the resolution.

The Secretary read the resolution (S. Res. 272) submitted by Mr. FRELINGHUYSEN on the second instant, as follows:

Whereas the United States Railroad Administration, operating under the provisions of the act of March 21, 1918, has assumed jurisdiction over the railroad systems of the country for and during the continuance of the war, "to meet conditions growing out of war"; and

Whereas it was the purpose of the act in question to take over only those transportation lines which engage in general traffic, passenger and freight, and not roads engaged solely in local, urban, or interurban passenger business; and

Whereas the Director General of Railroads has assumed jurisdiction over the so-called "tube" lines running under the Hudson River, between the New York terminal and the cities of Jersey City and Newark, N. J., a class of traffic having no relation whatever to war conditions; and

Whereas by order of the Director General of Railroads, the rate of fare between Jersey City and New York was increased 100 per cent, which increase was subsequently annulled; and

Whereas the rate of fare between New York and Newark, a purely local business, has been increased from 17 cents to 27 cents, or 60 per cent, though the traffic over said lines has no relation to war conditions: Therefore be it

Resolved, That the Committee on Interstate Commerce of the Senate be instructed to inquire into the conditions above set forth, with a view to ascertaining why these purely local lines were taken over; whether such taking over was in accordance with the spirit and letter of the act in question; why the order was issued increasing from 5 to 10 cents the fare between New York and Jersey City and why said order was canceled; why the fare between New York and Newark has been increased 60 per cent.

Mr. CUMMINS. The remaining part of the resolution, I think, was stricken out, or the resolution was amended so as to omit the last paragraph, relating to the payment of expenses out of the contingent fund of the Senate.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was agreed to.

PHOSPHATE ROCK.

Mr. SHIELDS. Mr. President——

Mr. MARTIN. I yield to the Senator from Tennessee. The Senator thinks the matter he has in hand will take only a minute. I will yield to him temporarily.

Mr. SHIELDS. I offer a resolution, which I ask to have read, and then I shall ask for its present consideration.

The PRESIDING OFFICER. The Secretary will read the resolution.

The resolution (S. Res. 274) was read, as follows:

Resolved, That the Secretary of Agriculture be, and he is hereby, directed to furnish to the United States Senate all the information available to the Department of Agriculture concerning phosphate rock, commonly called floats, found in the United States, and the use of the same in the manufacture of fertilizers in particular, as follows:

First. The location of the beds or deposits of phosphate rock found in the several States, and probable extent and the quality of the several deposits.

Second. The quantity of phosphate rock mined and used in the United States or exported annually, and the average or ordinary cost of the same per ton.

Third. The quantity or proportion of the entire phosphate rock mined in the United States that is used in the manufacture of commercial fertilizers, and that which is used for fertilizing purposes in the raw state.

Fourth. What experiments have been made by the Department of Agriculture and those of the several States of the Union in the use of raw, ground phosphate rock as a fertilizer, the various crops to which it has been applied, and the results of those experiments.

Fifth. The value and necessity of phosphorus for the production of the grain, vegetable, and cotton crops commonly produced in the United States.

Mr. SHIELDS. Mr. President, food must win the war for America and our allies. Without it the people at home can not exist and the armies in the field can not fight. Arms, munitions, aircraft, and ships come after food and are useless without it. Food comes first and is a fundamental necessity in peace and war. The United States must furnish it for this war. This great burden and responsibility has been placed upon the shoulders of the American farmer, and they have met it and will continue to discharge this patriotic duty with the full measure that all other classes of workers are doing their part. They must produce food for our people at home and our armies in France and also for our allies and their armies. They must, however, be fairly treated and protected from all exorbitant demands for supplies necessary for agricultural production. Commercial fertilizers are necessary in many of the States for the production of an average crop and beyond all question for such as will meet the present emergency, and everything possible should be done to furnish more fertilizers and cheaper fertilizers to the farmers of the country. The constituent elements of a well-balanced fertilizer are nitrogen, phosphorous, and potash in quantities in the order stated. Chilean nitrate of soda since the war begun has arisen in price so great as to make the use of it almost prohibitory, and Congress has appropriated millions of dollars for the purpose of manufacturing air nitrogen to take its place, the great plant for this purpose being constructed at the Muscle Shoals, in the Tennessee River, a project which I took great interest in and the success of which, I think, I contributed something. Congress has also provided for the development and utilization of the great potash deposits in the far West—the Pittman bill being enacted for that purpose—and every indication is that we will soon have an ample supply from this source. There has been no provision for increasing the supply of phosphorous or reducing its cost, which is now far greater than it should be when we consider the great deposits of it in the United States.

The object of this resolution is to ascertain the extent and value of those deposits and give publicity to them, so that proper legislation may be enacted to furnish phosphorous to the farmers of the country in greater quantities and at less cost.

I ask for the immediate considerartion of the resolution, that this information may be obtained for the benefit of the farmers of the country not only during the war but for all time to come.

Mr. KING. Will the Senator yield?

Mr. SHIELDS. I do.

Mr. KING. Probably the question I was about to ask would be better propounded after the resolution is taken up for consideration. I merely wish to direct the attention of the Senator to the fact that it seems to me the Geological Survey or the Interior Department possesses this information to a greater degree than the Agricultural Department. The Geological Bureau, to my knowledge, have been making very extensive investigations as to phosphate and other products, and I think some leaflets have been printed that are rather elaborate on the subject.

Mr. SHIELDS. I understand that investigations have been made by that bureau, but this information I am confident is also available to the Agricultural Department, where some investigations have been made with a view of the manufacture of fertilizer. I am satisfied that all that is necessary for the present purpose can be obtained there. If not, of course, resort will be had to other sources.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. WALSH. I do not object to the present consideration of the resolution, but I wish to make a suggestion to the Senator from Tennessee.

The Senate by unanimous consent proceeded to consider the resolution.

Mr. WALSH. I suggest to the Senator from Tennessee that the language of the resolution, "commonly called float," might very properly be eliminated. The Senator from Tennessee is undoubtedly aware of the fact that phosphate exists in two forms—first, in the form of float, and, second, in the form of rock in place. The deposits of rock in place far surpass in extent, so far as our present information goes, the float deposits. So I am afraid the restrictive language would not give us the comprehensive information the Senator undoubtedly desires to get.

Mr. SHIELDS. I think the resolution is so drawn to cover the whole subject, but I will agree to any amendment that will amplify it and accomplish the purposes desired.

Mr. WALSH. I ask that the amendment may be stated.

The SECRETARY. Strike out the three words "commonly called float" after the words "phosphate rock."

Mr. SHIELDS. I have no objection to the amendment.

The amendment was agreed to.

Mr. WALSH. I have another suggestion to make. I suggest that the Secretary also be asked what legislation is necessary to make available deposits of phosphate upon the public domain.

Mr. SHIELDS. I have no objection to such an amendment. I want all available information upon this important matter.

Mr. WALSH. I will say to the Senator in this connection that this body passed some four or five months ago a bill the purpose of which was to open to appropriation the deposits of phosphate rock upon the public domain. There is there an almost limitless supply of this essential of fertilizer so much needed for the agricultural development of the country, as suggested by the author of the resolution. That bill went to the House and was passed by the House in the form of a substitute. I understand the matter is now in conference. I should be very glad to hear from some member of the Public Lands Committee as to the probability of a speedy report upon that bill.

Mr. MYERS. What bill is it?

Mr. WALSH. The bill dealing with phosphate lands.

Mr. MYERS. Oh, the general land-leasing bill. The Senator from Nevada [Mr. PITTMAN] is the senior conferee on the part of the Senate on that bill. He is in charge for the Senate of the conference on it. He is in the Chamber and can enlighten Senators as to the progress of the conference. I ask him to make a statement about it.

Mr. SHIELDS. I wish, before the Senator from Montana takes his seat, to inquire whether or not a report upon the subject of legislation required for the development of phosphate deposits on the public lands would cause any great delay in getting this information. There is no legislation required in regard to phosphate deposits that have been mined and utilized for years in Tennessee, Florida, and South Carolina, where the present supply comes from. I know of those vast deposits in the West on the public lands and elsewhere, but heretofore, as I understand, the cost of transportation has made them unavail-

able to the Southern States, where 70 per cent of the fertilizers are used, especially when they have great deposits right in their own borders. If it will not delay the inquiry further, I have no objection to the amendment; but the demand for fertilizer for the crop next year is imperative, if we are to have more than an ordinary crop in this great emergency. I think there ought to be no delay in giving the greatest publicity to the supply of this necessary element of fertilizer.

Mr. WALSH. I feel able to assure the Senator from Tennessee that no delay can possibly ensue. I simply propose to ask the Secretary of Agriculture to express his view as to what legislation is necessary, and that, of course, could not involve much delay. It was my idea that he would either suggest the approbation of the bill to which I have referred or would outline his views as to what other legislation might be deemed necessary.

Mr. SHIELDS. The apprehension of delay was suggested to me by the Senator stating that there is some legislation now pending on the subject over which there is some trouble.

Mr. WALSH. There is; but that would not, as it seems to me, and as I think the Senator from Tennessee will recognize, cause any delay whatever in getting a report from the Secretary of Agriculture giving us his opinion simply as to what legislation is necessary.

Mr. SHIELDS. The Senator has in mind legislation which is necessary for the western deposits, and I would be very glad in any way to expedite their development, for we need phosphates and need them badly.

Mr. WALSH. Mr. President, just one word further. In view of the suggestion made by the Senator that deposits are not available because of their remoteness from the section in which the fertilizer would be used, I am able to apprise the Senator from Tennessee, and I know he will be glad to have the information, that in the same locality where these deposits exist there is a possibility of the manufacture of sulphuric acid in unlimited quantities, and that by a treatment of the phosphate rock with sulphuric acid it may be reduced to such a concentrated form as to make it possible to transport the commercial product to almost any of the agricultural sections of the United States. It was with a view to expedite if possible a realization of that source of supply that I suggested the amendment to the Senator from Tennessee.

Mr. SHIELDS. Sulphuric acid is now used for reducing phosphate rock to a soluble or plant food condition, and one of the great objects of the development of water power of the country is that it can be reduced by an electric furnace at one-half the cost of sulphuric acid. Of course, if the raw material is treated in the West it will greatly reduce the cost of transportation, and make a greater supply available for the country needs. The farmers and planters whom I represent, and those in other Southern States, use, as I have said, 70 per cent of fertilizer manufactured in this country and will of course be greatly benefited by an increased supply, and I am anxious to do anything possible to contribute to such increase. The Congress can not possibly render a greater service to the country than emancipate the farmers from the oppression and extortion of those controlling the manufacture and sale of commercial fertilizers. The country needs more fertilizer and cheaper fertilizer during the war and when peace comes to us.

The PRESIDING OFFICER. The amendment proposed by the Senator from Montana will be read.

The SECRETARY. Add, at the end of the resolution:

Sixth. What legislation is necessary to make available deposits of phosphate rock on the public domain.

The amendment was agreed to.

The resolution as amended was agreed to.

Mr. WALSH. I trust we may now be informed by the Senator from Nevada [Mr. PITTMAN], who has come into the Chamber.

Mr. PITTMAN. Mr. President, the bill regarding which inquiry was made has been in conference for about six weeks. The bill I am referring to is the one concerning which inquiry was made by the Senator from Montana [Mr. WALSH], known as the general leasing bill, which includes legislation for the development of oil, gas, phosphate, coal, and sodium on Government lands. The managers on the part of the Senate have been ready at all times for a conference with the managers on the part of the House. The House managers have been so notified. It has been impossible, however, to get the committee together by reason of the fact that several of the managers on the part of the House were engaged as conferees on the so-called water-power bill, and it has consumed all their time.

We have had two full meetings of the committee. We were to determine, if there is a recess, whether or not we would sit during the recess. That, of course, depends upon the engagements of the various members of the conference.

I wish to say that I believe it is going to require several weeks of very close work to arrive at an agreement between the Senate conferees and the House conferees. I state that by reason of the present indication from the first two meetings had; I am perfectly confident, however, that an agreement will be reached unless it is prevented by outside influence, and if it is prevented by outside influence I am perfectly confident that this is the last time this character of legislation will ever again get as far as a conference committee.

Mr. JONES of Washington. Mr. President, I should like to suggest to the Senator, I think the conferees ought to act upon the theory that we are not going to have any recess. There has been no official action taken by either body, and I believe the conferees ought to act on that theory. We may have a recess, but this is very important legislation, and the Senator's last statement simply emphasizes the importance of action. I hope that the Senate conferees at any rate will proceed on the theory that there is going to be a continuous session until we dispose of the important business before us.

Mr. PITTMAN. The committee was acting on the theory that there will be no recess, but I think there is no member of the committee who believes that will be a fact. I think every member of the committee has had sufficient experience in this body and in the House of Representatives to believe that when the entire Senate has a violent desire of sufficient intensity to recess they generally recess and that the objection of one or two Members to the contrary notwithstanding has never prevented a recess.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed the following acts and joint resolution:

On July 2, 1918:

S. 2104. An act to amend sections 4402, 4404, and 4414 of the Revised Statutes of the United States; and

S. J. Res. 86. Joint resolution authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point, Aurelio Collazo, a citizen of Cuba.

On July 3, 1918:

S. 1553. An act to give effect to the convention between the United States and Great Britain for the protection of migratory birds concluded at Washington August 16, 1916, and for other purposes; and

S. 4127. An act to authorize the W. M. Ritter Lumber Co., a corporation, to construct bridges across the branches and tributaries of the Big Sandy River and their tributaries, in the counties of Buchanan and Dickenson, in the State of Virginia.

HOUSE BILL REFERRED.

H. R. 11984. An act to provide for the Fourteenth and subsequent decennial censuses, was read twice by its title and referred to the Committee on the Census.

EXTENSION OF APPROPRIATIONS.

Mr. MARTIN. I submit a motion that the Senate proceed to the consideration of the joint resolution (H. J. Res. 311) making appropriations for certain necessary operations of the Government and of the District of Columbia for the month of July, 1918, and for other purposes.

Mr. GORE. Mr. President, the object of the——

Mr. MARTIN. The motion is not debatable. I make the point of order that the motion is not debatable. I will say——

The PRESIDING OFFICER. Does the Senator from Virginia make a point of order that the motion is not debatable?

Mr. MARTIN. I do.

The PRESIDING OFFICER. The Chair sustains the point of order.

Mr. GORE. I make the point of no quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Hitchcock	Overman	Smith, Md.
Beckham	Johnson, S. Dak.	Penrose	Smoot
Borah	Jones, Wash.	Phelan	Sterling
Chamberlain	King	Pittman	Sutherland
Culberson	Lenroot	Ransdell	Thomas
Fletcher	McKellar	Saulsbury	Thompson
France	Martin	Sheppard	Vardaman
Gore	Myers	Sherman	Walsh
Hale	New	Shields	Williams
Harding	Norris	Simmons	
Henderson	Nugent	Smith, Ariz.	

Mr. CHAMBERLAIN. I wish to announce again the necessary absence of my colleague [Mr. MCNARY] for the reason I have stated. I ask that this announcement may stand until his return.

The PRESIDING OFFICER. Forty-two Senators have responded to their names. There is not a quorum present. The Secretary will call the names of absent Senators.

The Secretary called the names of absent Senators, and Mr. JONES of New Mexico, Mr. KELLOGG, and Mr. POMERENE answered to their names when called.

Mr. KENDRICK, Mr. WARREN, and Mr. SWANSON entered the Chamber and answered to their names.

The PRESIDENT pro tempore (Mr. SAULSBURY). Forty-eight Senators have answered to their names. There is not a quorum present.

Mr. MARTIN. I move that the Sergeant at Arms be instructed to request the attendance of absent Senators.

Mr. GORE. Mr. President, I move that the Senate adjourn.

The PRESIDENT pro tempore. The Senator from Oklahoma moves that the Senate adjourn.

Mr. GORE. I ask for a division, Mr. President.

The question being put, on a division Mr. GORE'S motion was rejected.

The PRESIDING OFFICER. The Senator from Virginia [Mr. MARTIN] moves that the Sergeant at Arms be instructed to request the attendance of absent Senators.

Mr. GORE. I ask for a division on that, Mr. President.

The question being put, on a division Mr. MARTIN'S motion was agreed to.

Mr. NELSON entered the Chamber and answered to his name.

The PRESIDENT pro tempore. Forty-nine Senators are now present. A quorum of the Senate is in attendance. The question is on the motion of the Senator from Virginia to proceed to the consideration of House joint resolution No. 311.

Mr. BORAH. Mr. President, am I to understand that the Senate is now to vote upon this resolution?

Mr. MARTIN. Oh, no; the motion is to take up the joint resolution for consideration.

Mr. BORAH. Simply to take up the resolution?

Mr. MARTIN. Yes.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Virginia [Mr. MARTIN] to proceed to the consideration of the joint resolution.

Mr. GORE. I ask for a division on that, Mr. President.

The question being put, on a division it was agreed to.

The Senate, as in Committee of the Whole, proceeded to consider the joint resolution (H. J. Res. 311) making appropriations for certain necessary operations of the Government and of the District of Columbia for the month of July, 1918, and for other purposes.

Mr. GORE. I ask that the joint resolution be read.

The PRESIDENT pro tempore. The Secretary will read the joint resolution.

The Secretary read the joint resolution, as follows:

Resolved, etc., That the necessary operations of the Government, so far as they relate to the support of the Army and the Department of Agriculture, including food production operations heretofore provided for by law, and of the District of Columbia, as they were being carried on at the close of the fiscal year ended June 30, 1918, are hereby authorized to be continued notwithstanding that appropriations therefor for the fiscal year ending June 30, 1919, or any part of such fiscal year, have not been made by law, and there is appropriated out of any money in the Treasury not otherwise appropriated, an amount sufficient to carry on such necessary operations during the month of July, 1918, as the same were carried on during the fiscal year 1918, and including also those operations now authorized by law and not carried on prior to July 1, 1918: *Provided*, That expenditures for the District of Columbia shall be paid one-half from the revenues of the District of Columbia and one-half from the Treasury of the United States: *Provided further*, That no greater amount shall be expended during July, 1918, than an amount equal to one one-twelfth of the amount of any appropriations available for the fiscal year 1918, excepting that the rate of expenditure for the month of July, 1917, or for the month of June, 1918, if either be greater than such one-twelfth, may be continued during the month of July, 1918, and where necessary operations have been or may be authorized by law without having been carried on prior to the 1st day of July, 1918, there may be expended during the month of July, 1918, only so much as may be necessary adequately to carry on the operations so authorized: *And provided also*, That the appropriation made by this resolution for any necessary operation shall not be available beyond the date when other appropriations hereafter are made therefor and the amount which may be expended hereunder shall be in lieu of an equal amount of an appropriation for the same purposes, if there be one hereafter made, it being the purpose of this resolution that an appropriation hereafter made, for any operation for the current fiscal year, shall not be in addition to the appropriation herein made but shall be considered as the sole appropriation so that any amount expended hereunder shall be treated as an expenditure under such appropriation for the current fiscal year.

This joint resolution shall be construed as authorizing salaries and compensation for officers, clerks, and other employees holding offices or employment for which specific salaries or compensation were appropriated for the fiscal year 1918, to continue during July, 1918, to be paid at the same rate while lawfully holding such offices or employment until the appropriations therefor have been made for the fiscal year 1919, and thereafter to be paid only at the rate provided in said appropriations.

Appropriations for the service of the fiscal year 1919 made in acts approved since June 30, 1918, shall be available for all purposes therein provided for from and including the 1st day of July, 1918, and all obligations incurred pursuant to the terms of said acts as approved are ratified and confirmed from and including the said 1st day of July.

The PRESIDENT pro tempore. The joint resolution is before the Senate as in Committee of the Whole and open to amendment.

Mr. MARTIN. Mr. President, I have a number of amendments to offer, all for the same purpose. The joint resolution continues the appropriations only for the month of July, and I wish the joint resolution amended so as to include August as well as July. That will require a change wherever the word "July" appears. I send the first amendment to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 2, line 3, strike out the words "month of July" and insert the words "months of July and August."

The PRESIDENT pro tempore. Without objection, the amendment is agreed to.

Mr. BORAH. Mr. President, may I ask the Senator what is the necessity of inserting another month?

Mr. MARTIN. The object of it, Mr. President, is that in case of a recess Congress might determine to make it longer than for the month of July, and it is desired in that event to provide that the appropriations shall go on and that the Government be carried on without compelling a more limited recess than Congress might desire. The House passed the joint resolution providing for the continuation of the appropriations only for July, but the chairman of the House committee stated that the developments of the situation were not satisfactory and that the House would like to have the joint resolution made to cover August as well as July. I am offering the amendment, therefore, simply in case the three appropriations bills as yet unacted on are not passed during the month of July that the continuing of the current appropriations will last for the month of August as well as for the month of July.

Mr. BORAH. The entire theory of the amendment, then, is that we are going to take a recess during July and a part of August?

Mr. MARTIN. Not entirely, because, although we may not take a recess, the deadlock upon these bills may last longer than July. There seems to have been reached an impossible situation; and there is no certainty at all, even if Congress should remain in session, that the difficulties will be adjusted during the month of July. It is certainly safer to allow the margin of July and August, so that there may be a recess longer than for the remainder of July, if Congress desires, and certainly to provide for these appropriations longer than July in case Congress does not pass the appropriation bills during the month of July, whether we take a recess or not.

Mr. BORAH. Mr. President, may I ask the Senator what is the program, if there is any, with reference to considering a bill to take over the telegraph service prior to a recess?

Mr. MARTIN. I do not know of any program. I do not know what will be done; but this measure is important regardless of that, because even now the departments covered by the joint resolution have been operating without authority of law for a week, and the District Commissioners advise me there is a large pay roll to-morrow which they can not meet unless the joint resolution passes to-day.

Mr. BORAH. That brings me to another point. Why is it necessary to incorporate the appropriations for the District of Columbia and for the Agricultural Department in one joint resolution? Could they not be separated?

Mr. MARTIN. They could have been separated, but the House sent the joint resolution here in its present form to provide for carrying on certain departments of the Government during the month of July. The House committee framed the resolution, it was passed by that body, they sent it over here, and it is before the Senate to dispose of it as it sees fit. I see no reason why it should not be acted on as it is. We ought not to discontinue the services in one department more than in the others. I believe it vitally important that the wheels of Government shall revolve and that people who work for the Government shall be paid, and they can not be paid unless this joint resolution passes to-day. There is a large pay roll to-morrow in all the departments.

Mr. NORRIS. Mr. President, I want to take this opportunity to say to the Senator from Virginia that, as I understand, the principal argument, so far as any damage to anyone by reason of delay is concerned, will be in the payment of the employees of the District of Columbia. I certainly would not want to interfere with that, and if the joint resolution were confined to appropriations for the District of Columbia I would have, so far as I am concerned, no objection whatever to the passage of the joint resolution, and I would have no occasion——

Mr. MARTIN. If the Senator will excuse me, there is a large pay roll in the other departments; the difficulty is not limited to the District of Columbia.

Mr. NORRIS. I would have no objection to including the Army.

Mr. MARTIN. There is a large pay roll in the Agricultural Department.

Mr. NORRIS. The chairman of the Committee on Military Affairs told me just a few moments ago that he thought there would be an agreement on the Army appropriation bill before 3 o'clock this afternoon.

Mr. MARTIN. If the Senator will excuse me, I will tell him that that does not relieve the situation, for they already have been going on for a week without authority of law and without money.

Mr. NORRIS. Yes; the Senator, of course, could apply that to other matters, and there may be some reason for it in that aspect; but I was about to say when the Senator interrupted me that, so far as I am concerned, I would have no objection to including the Army. Here, however, we have a condition in the Agricultural Department that is different. We had a fair, honest contest in the Senate the other day, as we had in April, when the bill was before us, with regard to the minimum price of wheat. That question was fought out fairly, and by a very large majority the Senate not only fixed the price of wheat as it is now in the bill that passed the Senate, the Agricultural appropriation bill, but it declined to instruct its conferees to recede. Since that vote of 46 to 19, I think it was—I refer to the vote taken just a few days ago—the conferees, in order to get that bill again into the House, agreed to report a disagreement. That report was adopted by the Senate and is before the House of Representatives now, having been reported there the other day, and under the rules of that body it is in order to take it up to-day and pass it there.

If this joint resolution is passed, we might just as well face the situation that will develop. The result that is going to happen will be that, so far as amendment numbered 44 is concerned, regarding wheat, it is dead, because when Congress reconvenes in August or September part of the wheat will be in flour.

It seems to me it is only fair, when the House is right on the eve of acting on that proposition, that, so far as the appropriations for the Agricultural Department are concerned, they should be excluded from this joint resolution. If that were done, so far as I am concerned, there would be no further opposition to it, and I do not know of any other Senator who would be opposed to it; but it seems hardly fair, Mr. President, when a matter has been fought out twice, as the wheat amendment has been, after a full and open debate and fair consideration, and a decision arrived at, that this indirect way should be taken to nullify the will of the Senate. If the House acts and refuses to agree to any compromise, then we shall have a different proposition before us.

It seems to me that it is hardly fair, under all the conditions, that right on the eve of the settlement of that question one way or the other by a contest in the House, we should pass a joint resolution that will practically put it over to a time when, in the very nature of things, nothing of any avail can be done.

Mr. President, there is another reason, although it is not nearly so imperative as that, why it seems to me the agricultural part of the joint resolution should be omitted, and that is this other bill that has on it the so-called war prohibition amendment. That will go over. It seems to me we ought to pass that bill before we recess. Personally, I do not believe we ought to recess at all; but certainly I think the Senate ought not to recess with these conference reports just on the eve of being finished. Just as important now as at any time is the legislation before the Congress. Particularly we ought not to pass at this time a joint resolution which will nullify the action of the Senate in regard to amendment No. 44 to the general agricultural bill.

As I said before, it seems to me to be hardly the right thing to do. If the House takes up that matter and acts on it, and gets a fair vote on it, and the House by a considerable majority refuses to make any compromise, my opposition to this procedure, as far as that part of it is concerned, will disappear. I concede that a time might come when it would be necessary for the Senate simply to back down, even though it might be unanimous; but since April the House of Representatives never has had an opportunity to have before it the Agricultural bill containing amendment No. 44.

Mr. STERLING. Mr. President——

Mr. NORRIS. I yield to the Senator from South Dakota.

Mr. STERLING. May I ask the Senator from Nebraska if amendment No. 44 is the prohibition amendment?

Mr. NORRIS. No; it is the wheat amendment.

Mr. STERLING. I understood the Senator to say that this joint resolution affected also the prohibition matter.

Mr. NORRIS. Yes; assuming that we take a recess, it will be postponed until after the recess. Of course, that would not necessarily be fatal to that matter. That is only a postponement.

Mr. STERLING. It is not directly involved in the joint resolution?

Mr. NORRIS. No; but the wheat amendment is directly involved, because everybody knows that the postponement of that for six weeks means its death, and that is not the right way to kill it. If it is to be killed, let it be killed squarely, and let the men who kill it be responsible for its demise. If the House acts as it usually does under its rules, that matter will be disposed of to-day in the House of Representatives. If a compromise proposition comes back here, it may be agreed to before we adjourn to-day. It does not seem to me that it is right, under those circumstances, to pass a joint resolution that would enable some conferees simply to sit back and say, "We will do nothing for a few days, and by that means we will nullify the action of the Senate."

Mr. CHAMBERLAIN. Mr. President, may I ask the Senator a question?

Mr. NORRIS. I yield to the Senator from Oregon.

Mr. CHAMBERLAIN. I am inclined to believe that the Army appropriation bill will be agreed upon in conference this afternoon; but in case it should not be, does not the Senator believe that the continuation of the appropriations for last year for the support of the Army would not be a drop in the bucket? For instance, the pending appropriation bill amounts to about $12,000,000,000 as necessary to care for the Army, whereas the bill of last year, while I do not recall the amount, was very much smaller.

Mr. NORRIS. I am very much obliged to the Senator for that suggestion. I am glad he has made it. It recalls to my mind another important thing that I think we ought to take into consideration with reference to this recess.

As the Senator has said, the appropriations of last year that this joint resolution would extend in the case of the Army and the Navy would not be a drop in the bucket. That is another reason why there ought to be no recess until the conference report on the Army bill is agreed to, although I would have no objection to extending the time as to the Army bill. But we ought to be here ready to take up that conference report when it comes in; and the minute we pass this joint resolution, if we pass it now, those who are fighting on any of these propositions, knowing that the old law is going to continue, will continue their fight a great deal harder than they would if they knew that the carrying on of the Government was dependent upon their doing something and doing it right away.

Mr. MARTIN. Mr. President, so far as the Army appropriation bill is concerned, I have not seen a Senator or a Member of the other House who contemplates a recess until that bill is passed. So far as I have been able to ascertain, all of us realize that that bill is of such vital importance, and the necessary expenditure would be so poorly cared for by a continuation of last year's appropriations, that it would be little short of criminal for us to leave here until we pass the Army appropriation bill, and nobody contemplates doing it. But, Mr. President, if we pass it, this joint resolution is absolutely necessary for the Army, because they have been carrying on operations for a week without money and without authority of law. This joint resolution takes care of the expenditures which have been incurred during that week. It is essential for the War Department, as for all the other departments, whether the Army appropriation bill passes or not, that this continuing resolution shall pass, for on its face it takes care of the past as well as the future.

Mr. President, the Senator says a good deal about indirection—that this is an indirect method of getting at the wheat business. The only indirection that I have discovered comes from the Senator and those who are associated with him in this contest. If a denial of the passage of this joint resolution is the judgment of the Senate, it is solely to put the House under duress, with the idea that by that indirect method you can compel them to do something that they do not want to do.

Mr. NORRIS. Mr. President, will the Senator yield?

Mr. MARTIN. I yield.

Mr. NORRIS. I should like to call the attention of the Senator to the fact that under the rules of the House to-day is the first time they have had an opportunity to vote on this matter.

Mr. MARTIN. That may be; but it has been before them for three months, and they have not utilized that time to act on it. The conferees on the part of the Senate came to me more than a week ago and told me that they had reached an impassable barrier, and asked me to introduce a joint resolution in-

structing the Senate conferees to yield, because it was impossible ever to accomplish anything with the House conferees; and that condition continues now. So far as I can ascertain, there is no hope of an agreement. The House conferees on yesterday said they had not the slightest idea of yielding an iota.

Mr. McCUMBER. Mr. President——

Mr. NORRIS. But it is in the House now.

The PRESIDENT pro tempore. Does the Senator from Virginia yield, and if so to whom?

Mr. MARTIN. I yield. I believe the Senator from North Dakota first rose.

Mr. McCUMBER. I simply wanted to suggest to the Senator from Virginia that since this bill passed, the Senate has twice voted as to whether it would sustain the conferees of the Senate. It has voted by a very heavy majority both times to sustain the action of the Senate conferees. Inasmuch as this bill passed the House only by a very small majority, and about one-third of the Members of the House did not vote upon it at all, does not the Senator think, as a matter of courtesy, that the House ought to have the opportunity to vote again upon it—once at least—to see whether or not it sustains its conferees? That is all that we are asking—that the House vote upon it again. Then, if there is a deadlock we undoubtedly will find some way to settle it.

Mr. MARTIN. Mr. President, that contest can go. The passage of this joint resolution has nothing in the world to do with it. Nobody is asking to interfere with that contest. It has been on since the 5th of April, and it can go on as long as the conferees of the respective Houses, and the respective Houses themselves, desire it to go on; but the question is, Will you deny supplies for carrying on the Government while that controversy goes on? That is all there is to it.

Mr. McCUMBER. I was going to suggest also that we can get out of a part of the difficulty by just striking out the Agricultural Department from this joint resolution and passing it with reference to the Army bill and all other matters that are in arrears.

Mr. MARTIN. If the Senate thinks it can put the House under duress by denying supplies to the Agricultural Department and chooses to adopt an amendment for that purpose, it is its privilege. I have nothing to say about it. Let the Senate do it.

Mr. McCUMBER. I do not want to put them under duress. I simply want the House to vote on it.

Mr. MARTIN. They will vote on it whether this joint resolution is passed or not. There is no virtue in that except to put them under duress. That is all there is to it; and I do not think it will be operative for that purpose.

Mr. McCUMBER. The Senator understands there is something else to it.

Mr. GORE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Virginia yield to the Senator from Oklahoma?

Mr. MARTIN. I do.

Mr. GORE. I think the Senator from Virginia, without intending to be inaccurate, has not accurately stated the issue. He has stated two different issues as the only issue. First, he stated that the only issue was as to whether or not we would deny the Government supplies pending a controversy between the House and the Senate touching $2.50 wheat. He again stated as the sole issue the question as to whether or not the Senate proposed to put the House under duress concerning $2.50 wheat.

Now, Mr. President, neither one of those is the real issue. The Senator is entirely in error if he understands my position to be either one of those two propositions. I feel certain that he misunderstands the position of the Senator from Nebraska [Mr. NORRIS] and the Senator from North Dakota [Mr. MCCUMBER], both of whom have just interrupted the Senator. I should like to state just what the issue is.

Mr. MARTIN. I yield the floor to the Senator. I do not desire to stand here and listen to a long speech; but I will give up the floor, and the Senator can speak as long as he wants to, and then I will complete the remarks that I commenced some time ago.

Mr. GORE. I will not interrupt the Senator.

Mr. MARTIN. Go ahead. I am perfectly willing to have the Senator occupy the floor just as long as he wants to, if it is all day.

The PRESIDENT pro tempore. The Senator from Oklahoma is recognized.

Mr. GORE. Mr. President, I think it is well enough at this juncture to state exactly what the issue is.

As just suggested by the Senator from North Dakota, the Senate on three different occasions has expressed its advocacy of and commitment to $2.50 wheat. That question was voted on early in April by the House. They rejected, by a slender majority, the proposition to pay $2.50 for wheat for the current crop. They did not vote on any other proposition—to fix the price, say, at $2.45, at $2.40, at $2.35, or at $2.30. The formal vote was taken on Monday last. The Senate voted, by a majority of 46 to 19, to refuse to instruct its conferees to recede from amendment numbered 44, that being the wheat amendment.

In order to facilitate the final action of the House on this measure I had prearranged a conference to take place immediately after the vote was announced on last Monday afternoon. As soon as the announcement was made from the Chair, I undertook to get into communication with the chairman of the House Committee on Agriculture. I was not able to locate him in his office or anywhere else. The conference, therefore, necessarily failed. Perhaps I ought to say, in behalf of the conferees of the House, that the vote in the Senate was not taken until about 5.30, and it proved impossible to hold a conference that afternoon or evening.

When I found that it was impossible to do so I called a meeting of the conferees for 11 o'clock Tuesday morning. Before the conference was to convene the chairman of the House committee called me up and requested that I postpone the conference until 4 o'clock Tuesday evening. I expressed a reluctance to do so, desiring the reports to be filed during the morning hour on Tuesday. The House chairman was insistent and suggested that he had special reasons for making the request. I asked him if his reasons related to the conference and the $2.50 limit. He answered that they did. Of course, I assured him then that I felt obliged to comply with his request.

The conference assembled at 4 o'clock Tuesday afternoon, and the request of the House chairman was renewed. He had not arrived at any proposition to tender the conference, but expressed some hope that he might be able to do so at 11 o'clock Wednesday morning without holding out any promise. It was merely a request for the further time. Out of deference to his request the Senate conferees felt obliged to adjourn until 10.30 Wednesday morning. Just before 10.30 Wednesday morning the chairman of the House committee, being obliged to attend the funeral of Senator TILLMAN, requested that the conference be again postponed. He suggested, however, that a disagreement was the only thing in sight. I then suggested, in view of that statement, that the other House conferees meet with the Senate conferees and that we report a disagreement. I was not willing to have any delay occur that could possibly be avoided. That action was taken, and on Wednesday we reported to the Senate a disagreement, and the Senate further insisted upon its adherence to amendment numbered 44. The papers were then messaged to the House, and it is in order to-day for the House to consider the $2.50 amendment.

I will say to the Senator that I have no disposition to withhold from the Government supplies for the Agricultural Department, the District of Columbia, or any other department. The Senator suggests, however, that he has heard no Senator or Congressman propose that we should recess before the Army conference report had been acted upon; that everybody appreciated the necessity of passing that bill. I assume, then, that the opposition has relation either to the Agricultural appropriation bill or to the District of Columbia appropriation bill. The Senator indicated that he had heard a proposal to recess, not without passing the Army bill, but——

Mr. MARTIN. Mr. President, I am compelled to interrupt the Senator to say that that is absolutely incorrect. I have said nothing of the sort, thought nothing of the sort, and heard nothing of the sort.

Mr. GORE. Very well. Of course, I accept the Senator's statement. I inferred it only from his statement that he had heard no Senator suggest that Congress should recess without passing the Army appropriation bill.

Mr. MARTIN. The Senator deduces from that that they will adjourn without passing the others. I said nothing of the sort.

Mr. GORE. Not at all; I certainly hope not, and they will not adjourn without passing the others if I can help it. That is exactly what I want. I want them to pass the Army appropriation bill, and, as suggested by the Senator, it would be criminal not to do so. I want them to pass the Agricultural appropriation bill. I do not mean to withhold supplies from the Government, however, even if they do not pass the Agricultural appropriation bill.

The amendment offered by the Senator requires this joint resolution to return to the House. I have previously suggested that the Agricultural bill be eliminated. There was, of course, the answer that that would occasion delay, as it would oblige the joint resolution to go back to the House. The joint resolution must go back to the House now. The Senator suggested indirection. I think the imputation was not well founded. If there is no indirection anywhere, then let us eliminate the Agricultural appropriation bill from this joint resolution, and if we

reach an impasse between the two Houses, which we have not yet reached. I shall be as anxious as the Senator from Virginia to pass the continuing resolution to enable the Department of Agriculture to proceed with its essential operations. We can not afford to recess without that; but, Mr. President, it is not necessary to act this minute, nor to act this day, upon the pending joint resolution in order to supply the Agriculture Department.

The Senator says that we are guilty of some indirection, for this wheat controversy can proceed, I suppose, ad infinitum.

Now, Mr. President, in the abstract that might seem to be correct, but as a matter of fact it is not correct. The Senator has just moved to include this $2.50 wheat in this continuing resolution. The farmers and the dealers in wheat must know what is to be the price or else one of two things will happen, either wheat will not move in anticipation that possibly the two Houses may advance the price or if it does move and we have July and August passing by us, then when we meet on the 1st of December the wheat in several States will have been harvested and will have been sold in all probability. Those who are opposed to this resolution will then say we passed an amendment fixing the price at $2.50 when the crop had been harvested. I know, and the Senator from Virginia knows, that this contest will shrivel up in the shell if we are obliged to wait until the 1st of September for action. It is vital that we should act now.

Instead of being guilty of indirection, instead of a desire to withdraw supplies from the Government, instead of a desire to put the House under duress all we want is this: The House is in a situation to act to-day, certainly to-morrow. They can act to-day if they desire. Now, then, they must agree to one of three things. They can agree to $2.50; they can agree upon some price less than $2.50 to-day or to-morrow and message the papers back to the Senate. I believe the Senate would agree to any reasonable compromise. On the other hand, the House may refuse to make any concession whatever; it may insist upon its disagreement, and message that disagreement back to the Senate. The Senate can then take appropriate action; it can agree to the conference or it can move to adhere to its previous action guaranteeing $2.50 wheat. That is all I want. I want this thing to reach some act of final decision, which certainly can be arrived at to-day or to-morrow. It is final action that I want, and if we can not reach final action and the Senate shall move to adhere and the bill shall go back to conference to reach an agreement upon that proposition, I will join the Senator in passing a continuing resolution. I am as sensible as he is that we can not afford to adjourn without making provision for the Department of Agriculture. I think it is only a reasonable request when 46 out of 96 Senators expressed their position on this question, when we made every effort to secure an early report, when action can be had to-day or to-morrow, unless there is a filibuster against it, either to let this continuing resolution go over until to-morrow or for the Senator to agree to have the Agricultural appropriation bill to be stricken out of the joint resolution. If he will do that, so far as I am concerned, I shall interpose no further opposition to it, and will join him to-morrow when the impassé is reached in passing a continuing resolution, if no other solution be found for the present situation.

Now, I think that is a reasonable request. I appreciate the Senator's desire to pass the joint resolution now and to make provision for the Government. Unfortunately I may seem to be obstructing that, but I have here a matter which I know can be attended to to-morrow if it is not unreasonably obstructed. I am only asking for that time. I think that is a reasonable request. In any event, when the worst comes to the worst and there is no other way out, then I shall not object to a continuing resolution; but until every resource is exhausted to secure some final action on the wheat amendment, I do not think this resolution ought to pass including the Agricultural appropriation bill. That is the real issue between us.

Mr. MARTIN. Mr. President, I may be mistaken, but I will ask the Senator a question. For three months this matter of the price of wheat was in conference. The Senator complained that they never could get a vote in the House. I am told that the reason why they could never get a vote in the House was because the Senate conferees would not sign the report of a disagreement. They could not get a report of the two Houses until a report came in.

Mr. GORE. Mr. President——

The PRESIDENT pro tempore. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, Senate bill 3220, which will be stated.

The SECRETARY. A bill (S. 3220) authorizing the Secretary of the Interior to make investigations, through the Bureau of Mines, of lignite coals, to determine the practicability of their utilization as a fuel and in producing commercial products.

Mr. MARTIN. I ask unanimous consent that the unfinished business may be laid aside until we dispose of the joint resolution.

Mr. McCUMBER. I object.

Mr. MARTIN. I move that the Senate proceed to the consideration of House joint resolution 311.

The PRESIDENT pro tempore. The Senator from Virginia moves that the Senate proceed to the consideration of House joint resolution 311.

Mr. GORE. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Beckham	Johnson, S. Dak.	Norris	Simmons
Borah	Jones, N. Mex.	Nugent	Smith, Ariz.
Chamberlain	Jones, Wash.	Overman	Smith, Md.
Culberson	Kellogg	Owen	Smoot
Cummins	Kendrick	Penrose	Sterling
Dillingham	King	Phelan	Sutherland
Fletcher	Knox	Pittman	Swanson
France	Lenroot	Poindexter	Thomas
Gore	Lewis	Pomerene	Thompson
Hale	McCumber	Ransdell	Trammell
Harding	McKellar	Saulsbury	Underwood
Henderson	Martin	Sheppard	Vardaman
Hitchcock	Nelson	Sherman	Warren
Johnson, Cal.	New	Shields	Williams

Mr. JONES of Washington. I desire to announce that the junior Senator from Michigan [Mr. TOWNSEND] is necessarily absent on account of illness in his family. I will allow this announcement to stand for the rest of the day.

The PRESIDENT pro tempore. Fifty-six Senators have answered to their names. There is a quorum present. The question is on the motion of the Senator from Virginia.

Mr. FLETCHER. I believe the motion is debatable, but I am not going to debate it. I merely want to say that we are right in the midst of the consideration of a bill with only one amendment, I believe, to be acted upon, and it can be shortly finished. There was one amendment pending, and that was the only amendment that was to be offered, as I understand it. That amendment was under discussion when we adjourned. I do not believe it will take over 30 minutes—perhaps very little more time than that—to pass the bill. I believe it will pass and that we can get action on it quite soon. I should like very much if we could finish that bill. I do not want to oppose the important resolution which has been before the Senate. I realize its importance, and yet I wish the Senator from Virginia could see his way clear to let it go over until to-morrow, as has been suggested by the opponents of the resolution. I think it would facilitate matters really and we would get rid of the unfinished business.

Mr. McCUMBER. Mr. President, I think the argument of the Senator from Florida is very conclusive. Undoubtedly, if the Senator from Virginia will consent that his motion to take up the joint resolution may be temporarily laid aside, we can dispose of the unfinished business to-day.

Mr. MARTIN. Mr. President, my sole attitude in this matter is to discharge the public duty. There are three departments of the Government without a dollar of money. There is a large pay roll in all three of them. They have got to have it to-morrow or employees will go without money to do their week's marketing. This appropriation bill is vitally important, continuing the appropriations. I brought the joint resolution in here from a sense of duty. It is before the Senate, and the Senate will have to dispose of it just as the Senate sees fit. If the Senator wants to put it aside to take up a bill of much less consequence to the country, the responsibility is with the Senate. I submit the motion for the judgment of the Senate. If we do not wish to proceed to consider this vitally important matter, it is all right.

Mr. VARDAMAN. May I ask the Senator from Virginia if the appropriations have been made, passed by the House and Senate, for the departments covered by the joint resolution?

Mr. MARTIN. They have; and the bills are in conference.

Mr. VARDAMAN. What objection can there possibly be to the passage of the joint resolution?

Mr. MARTIN. I can not understand it.

Mr. VARDAMAN. The appropriations have already been made.

Mr. MARTIN. It is to put the other House under duress and to deny supplies to the Government until they agree to $2.50 wheat. The only effective result I can conceive of is to withhold supplies with the idea that the House in order to get supplies will yield its convictions in reference to the price of wheat.

Mr. McCUMBER. The Senator is mistaken if he thinks there is any purpose of duress on the part of Senators who are advocating a rise in the price of wheat. All we are asking for is that the House shall have an opportunity to express its voice upon the subject, and that the conferees on the part of the House will allow the House to do it. I want the Senator to remember that the House has never by a majority vote rejected this amendment.

Mr. MARTIN. The Senate conferees could have had a vote three months ago if they had desired it, I am sure.

Mr. McCUMBER. There is no reason why the conferees should prevent the House from having a vote. Remember, the Senate has voted three times, and twice at least by a majority of all the Senators. The House has never voted a majority against the Senate amendment.

Mr. MARTIN. It is withholding the supplies from the Government, stopping the pay of employees of the Government. This will not interfere with that, but it can go on and the House can have its vote regardless of the passage of this continuing resolution.

Mr. McCUMBER. I think the House will vote on it to-day or to-morrow.

Mr. MARTIN. They can vote just as well whether the joint resolution is passed or not. The passage of this joint resolution will not interfere with that opportunity. The House can vote as it sees fit. If the Senate does not wish to furnish the supplies to the Government in order that they may be carried on in an orderly way and those who work for it buy their marketing next Saturday, that is for the Senate to determine.

Mr. FLETCHER. I realize the importance of the joint resolution, and I am only suggesting that within 30 minutes or such a matter we will have the unfinished business out of the way, so that there will be unlimited time to deal with the joint resolution. If, however, the Senator from Virginia insists on his motion, all I can say is that if the unfinished business is displaced by the joint resolution I think in all fairness the Senate ought to return to the unfinished business next, and I shall ask to have that done.

Mr. McCUMBER. Mr. President, I was hoping that we could find a solution of this matter, so that we could go on with the Senate's business. This is a motion after 2 o'clock to lay aside the unfinished business and proceed with the consideration of the joint resolution. That is open to full debate for any length of time. Undoubtedly it will take all the afternoon to debate that one motion whether it shall even be taken up. Then it will take hours again, undoubtedly, to debate the matter upon its merits. Much time could be saved, if we are attempting conscientiously to save time, by proceeding with the unfinished business and disposing of it, and possibly by the time we get a few bills disposed of the House will have acted upon this legislation and there will be no necessity for any further debate.

Mr. MARTIN. Of course, the debate can be prolonged in the nature of a filibuster. There is nothing to prevent it.

There is really nothing to debate. It is in the palm of your hand. Everybody knows what it is and everybody has his opinion about it. There is no occasion for debate. It is free from objection, but Senators can debate it interminably. I felt it was my duty to present this matter to the consideration of the Senate, so that the Government might have the money necessary to carry on its business. I think those who work for the Government during this week ought to have the money to-morrow at whatever hour the employees are paid. It is vital in all three departments.

The District Commissioners called me over the phone and said they were in a terrible fix about it, and they are all in the same fix. They all need the money to-morrow to meet their pay roll. The question is, Will the Senate give it to them or hold it up with the idea of compelling the House to vote on the price of wheat? That is all the controversy, and there is nothing else that can be gained by it.

Mr. NORRIS. May I ask the Senator for information about the pay of employees? Were they not paid at the end of the fiscal year, and will it not be the middle of the month before there will be another pay day for these employees?

Mr. MARTIN. I think a great many of them are paid weekly. Commissioner Brownlow called me up and told me he was in a serious condition on account of it.

Mr. NORRIS. They are not paid by the week.

Mr. MARTIN. I do not know; but Commissioner Brownlow told me that they have a pay roll to-morrow, and he wants the money and has not got it.

Mr. NORRIS. The clerks mostly are paid by the month. Some laborers may be paid weekly.

Mr. MARTIN. I do not know what it is. He said he had a pay roll to meet to-morrow and he had not the money and no way to meet it unless the joint resolution is passed.

Mr. NORRIS. Would the Senator object to changing the joint resolution as to the Agricultural Department, at least, because I do not believe there is anyone in that department who is paid except twice a month, and the next payment will be the middle of July?

Mr. MARTIN. That is for the Senate to determine. If the Senate wants to strike out the Agricultural Department from the joint resolution, it is its privilege to do it. I have nothing in the world to say about it except to cast my vote.

Mr. BORAH. If there is a pay roll to-morrow and it is not paid, if there is no money to pay it, it will be by reason of the fact that the pay roll for the District of Columbia has been harnessed up with a wholly different proposition, and those who are not willing for the other proposition to pass without some discussion will not assume any responsibility for that proposition. They can take the District of Columbia matter and pass it in 15 minutes.

Mr. MARTIN. It is up to the Senate to provide for the departments—three of them, two of them, one of them, or none of them, just as it chooses.

Mr. BORAH. It is up to the Senate to settle that, of course; but there is no reason why these three propositions should be inseparably connected. There is no pay roll, so far as the Agricultural Department is concerned, until the 15th of July.

Mr. MARTIN. I do not know about that. I have heard nothing from the Agricultural Department.

Mr. BORAH. Of course, I am not positive about that, but that is my understanding. But the other pay roll, which comes to-morrow night, can be disposed of in a very few minutes.

Mr. POMERENE. Mr. President——

The PRESIDENT pro tempore. Will the Senator from Virginia yield?

Mr. MARTIN. I yield.

Mr. POMERENE. If I may ask for information, this resolution involves the Agricultural bill, the District of Columbia bill, and, I understand, the Army appropriation bill?

Mr. MARTIN. That is correct.

Mr. POMERENE. May I not further ask, Does not the bill involve the payment for supplies as well as pay rolls?

Mr. MARTIN. It does.

Mr. POMERENE. And has the Senator information as to when it may be necessary to pay these bill for supplies?

Mr. MARTIN. The only information I have is a telephone message from Commissioner Brownlow that unless this resolution is passed to-day they will be very much embarrassed to-morrow for want of the money.

Mr. POMERENE. Mr. President, if I may say a word, evidently there is a controversy on between the Senate and the House. If we will sweep our own doorsteps, I think we ought to permit the House to sweep its doorsteps. The House has passed this joint resolution in view of what they believe to be a contingency. Reference has been made to the provision in the Agricultural bill with respect to the price of wheat. It is not necessary to discuss that. The Senate has passed upon that, and I regret the Senate has taken a position which I do not approve; but for the time being that has been settled so far as the Senate is concerned. Certain legislation has come over from the House with respect to the Agricultural bill, the District of Columbia bill, and the Army bill. This is the attitude of the Senators who are opposing this resolution: They are not willing that the resolution shall pass upon its merits.

They are holding it up for the purpose of forcing the House to take action. Let us be perfectly plain about this matter. That is the situation, and there is no use in attempting to camouflage it. The purpose is to force the House to do something. Whether they are acting rightly or wrongly I do not know and I do not care, so far as the merits of this resolution are concerned. The passage of the resolution is not going to hurt anybody. The question with respect to the price of wheat will remain to be determined later, but it would seem from the course of the debate here that certain Senators are to hold up this very meritorious resolution in order that they can force action to their liking. That is the situation.

Mr. BORAH. Mr. President, I desire to repeat that those of us who are interested in the part of the resolution which has to do with the Agricultural bill have no desire whatever to retard the passage of the resolution which would provide for the payment of employees or for any supplies which may be necessary for the District of Columbia. It is not a matter about which there need be any particular excitement. The resolution

could be separated in five minutes instantly, and those matters which are not to be debated and no one desires to debate, and which really ought to be disposed of at once, could be disposed of immediately.

As to the other matter, if we should choose to take a couple of hours to express our views upon certain features of it I believe no harm will come from it, because the money under that appropriation bill will not be utilized, no part of it, for 10 or 15 days at most.

So, Mr. President, we are not interfering with anything which is important at all. We are perfectly willing that that which is pressing shall be disposed of. That which is not so pressing and not so necessarily urgent we want to express some views in regard to. That is the situation precisely.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Virginia to proceed to the consideration of House joint resolution 311.

Mr. McCUMBER. Mr. President, before that motion is put I want to ask the Senator from Virginia again if he will not consent, so as to avoid any lengthy debate, that we shall eliminate the Agricultural Department from the resolution, and thereby dispose of the other two matters. That could be done in a very few moments. If the Senator would do that I do not think there would be any objection to taking it up immediately. But of course if there is an intent and purpose to choke us into submission by maneuvering so as to carry this wheat amendment over until September, until the wheat is thrashed and a great portion of it is sold at the present prices, the Senator can understand that we who have our convictions would be recreant to our duty if we allowed a thing of that purpose to be accomplished.

We could dispose of the other matter to-day; and I believe by to-morrow we would be able to dispose of the agricultural proposition. Then we would have two things determined without any possible question, and if there was still left this other question at least there would not be the same inconvenience.

Mr. MARTIN. Mr. President, it is a matter for the Senate to determine. I am not going to discriminate against the Agricultural Department. I am not going to ask that that be thrown down and turned out of doors and denied money to carry on its business. If the Senate wants to do that they have the opportunity. I am not going to ask that that be done, because I do not think it is right. I think we ought to supply the necessary funds for all the departments to carry on their ordinary operations, and that is what this resolution does.

Mr. McCUMBER. Mr. President, it is not a discrimination against the Agricultural Department. The Senator from Ohio [Mr. POMERENE] suggested that these departments have certain purchases they would have to make. I doubt if there are considerable purchases on the part of the Agricultural Department. I can not now think of anything that it must purchase. Certainly such purchases amount to very little.

With reference to the other department, the Department of War, of course there will be money paid for purchases as well as probably daily and weekly pay rolls, but there will be nothing to be paid by the Agricultural Department before the 15th day of July. Then, why not take this department out of the resolution and dispose of it?

Mr. MARTIN. Surely, the Senator does not mean to say that any department of the Government can run 15 days without a dollar of money. I have not had an accounting made, and I do not know what they will need in the Agricultural Department, but every other department needs money every day in the year, and I thought as they have not since the 1st of July been able to draw a warrant on the Treasury and have had no money we ought to provide that money.

Mr. McCUMBER. They have gotten along five days without it.

Mr. MARTIN. I think this debate on the price of wheat can go on, but I do not see any wisdom in the Senate putting the House under duress to compel the price of wheat. It is a question of denying money to carry on the Government. I can not see the justice of it, but it is for the Senate to determine. I have no interest in it more than any other Senator. I am going to vote my convictions, and every other Senator can do the same. If the Senate wants to deny money for the Agricultural Department, all right.

Mr. McCUMBER. The Senator thinks, then, that is duress and we are attempting to compel the House to do something they do not want to do?

Mr. MARTIN. I do; by denying the appropriation——

Mr. McCUMBER. That is a separate proposition.

Mr. MARTIN. By denying the appropriation you compel them to vote your views on the wheat question.

Mr. McCUMBER. I can not see anything in our objections to this resolution which compels the House to vote. The Senate has voted, and it has voted three times on the proposition, and voted by a very heavy majority in favor of $2.50 as the price of wheat. The House has never voted by a majority vote on that subject.

Mr. MARTIN. I have been assured that the reason why the House did not vote was that the Senate conferees refused to sign a report of a disagreement. It was the Senate conferees who refused to give them the opportunity that the House now has. It is said that by signing the report of a disagreement they could have had the report a month ago in the House.

Mr. McCUMBER. Does the Senator mean to tell me that the House can not vote on this to-day, if it wishes to do so?

Mr. MARTIN. They can do so now, because the report of disagreement has been sent to them; but it could not have been done until to-day.

Mr. McCUMBER. Yes; but it can be done now.

Mr. MARTIN. And they may have done it. I do not know. We are not responsible for them; we are responsible for our own action, and I think we ought to supply the Government what it needs to carry on its business.

Mr. McCUMBER. But, of course, the House can express itself on that question now.

Mr. MARTIN. Well, let them do it.

Mr. McCUMBER. They can do it to-day; they can do it to-morrow. The Senator from Virginia says, "Let them do it." That is what I want to do—to let them do it; but the Senator from Virginia wishes to prevent their doing it by passing the joint resolution here providing that we will accept their rejection of the amendment made some three or four months ago.

Mr. MARTIN. No, Mr. President; the Senator from North Dakota misstates my position.

Mr. McCUMBER. I think not.

Mr. MARTIN. I say the House can vote whenever it can reach the question; but we should not simply deny the supplies to carry on the Government in order to compel the House to do it when they do not want to do it.

Mr. McCUMBER. Well, Mr. President, we are simply insisting that they shall have the privilege of voting on this matter. Now, the Senator from Virginia would forestall that privilege by having the Senate back down from a position that it has voted upon three times, and voted by a majority vote of the Senate, while the House has never rejected the proposition by a majority of the Members of that body. That does not seem to me to be just; it certainly is not fair to the Senate, and is less fair to the country.

Mr. LENROOT. Mr. President——

The PRESIDING OFFICER (Mr. SMITH of Georgia in the chair). Does the Senator from North Dakota yield to the Senator from Wisconsin?

Mr. McCUMBER. I yield.

Mr. LENROOT. I should like to have the Senator from North Dakota explain how the passage of this joint resolution would deprive the House of the privilege of voting upon the question.

Mr. McCUMBER. If there is a question in conference, and if the House has passed upon it at one time and rejected the Senate amendment, and the Senate now carries the matter over until such time as the Senate amendment will be no good to us, while you have not deprived the House of passing on it, at the same time you have rendered the matter unnecessary.

Mr. LENROOT. Will the Senator yield to me further?

Mr. McCUMBER. I yield to the Senator.

Mr. LENROOT. The matter of disagreement is before the other House at the present time, and the House can or can not, irrespective of this joint resolution, vote to-day or to-morow, or at any time it sees fit, upon that disagreement.

Mr. McCUMBER. Mr. President, the Senator from Wisconsin has been in Congress sufficiently long to fully understand every purpose of every step that has been taken in this case. When this matter was before us last spring, we stated on the floor that there would be an attempt to continue this matter over until the wheat was sowed, and then the opponents would come back at us with the argument, "Now you have got in all the wheat you are going to get in anyway, and there is no necessity for us to advance your price in order to secure the acreage." That was attempted; and I think a great many of the farmers, after the Senate had passed upon the proposition favorably to give them $2.50 a bushel for their wheat, felt that their cause was so very just that there would be little danger of its being defeated, and they proceeded to increase the acreage to the limit of their ability.

Hence, now, any delay until the middle of August or September may have its effect upon many of the Members, although

probably not enough in the Senate to make any difference, who reason, as they intended we should reason, that inasmuch as we have got all the crop now that we can possibly get there is no occasion for the Government paying any more than it paid for the last year's crop. Well, there is rank injustice in that.

But, Mr. President, if the Senate is determined that we have got to take the three propositions together, that it will not eliminate the Department of Agriculture, of course we shall have to accept the gage of battle and do what we can to prevent the passage of this joint resolution at this time, because we know, the Senator from Wisconsin knows, and I know just exactly what it means and what its purpose is.

Mr. KING. Mr. President, will the Senator yield to me?

Mr. McCUMBER. With pleasure.

Mr. KING. Does not the Senator from North Dakota see in the position which he has just taken, and particularly in the reply to the question propounded by the Senator from Wisconsin [Mr. LENROOT], that the Senator is trying to use the Senate as a club to compel the House of Representatives to accept $2.50 per bushel for wheat, and that the position of the Senator, should it succeed, must be regarded as an affront to the dignity of the House of Representatives?

Mr. BORAH. Mr. President——

Mr. McCUMBER. I see nothing of the kind whatever. I now yield to the Senator from Idaho.

Mr. BORAH. I was going to say that we do not apprehend for a moment that there will be any votes changed in the other House by reason of our action, but we do hope to have a vote in the other House. We think from every standpoint that it is proper that the matter should be voted upon. The House, as I understand, in all probability will reject the amendment, and of course anything we do here will not change a vote there, but they have it there before them to-day. We ask that this matter go over until such time as the House of Representatives shall have expressed themselves.

Mr. KING. Will the Senator from North Dakota pardon me for just a moment?

Mr. McCUMBER. Certainly.

Mr. KING. I do not see how the Senator from Idaho can couple our action with the action of the other House, other than as indicated by the question which I propounded to the Senator from North Dakota, namely, we are trying to use the method suggested by the Senator from North Dakota as a club to effectuate some legislation there which perhaps the House does not desire to enact.

Mr. BORAH. No, sir; it has nothing to do with that matter at all. The matter is now before the other House, and they will likely dispose of it to-day. We ask that this matter go over until they shall have disposed of it. We shall not control their action. It is there for action, and the probabilities are that they will take it up and dispose of it; but we say until that is done this joint resolution is not necessary to be passed upon in the Senate.

Mr. McCUMBER. Mr. President, the Senator from Utah [Mr. KING] is probably aware of the fact that the chairman of the Committee on Agriculture of the House is absent attending the funeral of the late Senator TILLMAN, and that probably nothing will be done until he returns. I assume that he will return at some time to-day, if he has not already returned.

Mr. GORE. I will say to the Senator that I am just advised by the Sergeant at Arms of the Senate, who came back with the chairman of the House Committee on Agriculture, that he is in the city. I have just been talking to Members of the other House who were not aware that the chairman had returned. I do not know that it is my business to account for that, but if there is no disposition to mark time anywhere, the matter can be acted upon in the House to-day.

Mr. McCUMBER. Certainly, Mr. President; but the chairman of the committee would undoubtedly not want it taken up in his absence. If he has returned to-day, I see no reason why the House could not take the matter up to-day and dispose of it.

The Senator from Utah [Mr. KING] has suspicions that are not at all justified by the facts in this case. We are not attempting to coerce the other House into voting upon the question. I think the Senator must agree with me, however, that when the House failed only by a bare plurality of those present and probably a third or more not voting at all, the House never having expressed itself upon the Senate amendment by any majority vote, we have a right to ask, in view of the fact that the Senate has so positively expressed itself in favor of the amendment, that the House at least do us the courtesy to vote upon it again and see whether or not the House will stand by its conferees, or whether under the changed conditions it deems it best to yield upon its part. The matter has come to the Senate twice since it was in the hands of the conference committee. May it not go to the House once and be voted upon by the House? There is no use of Senators attempting to put us in the wrong position, for every Senator knows we are in the right upon our proposition. We have got the sentiment of the Senate in favor of it by nearly three to one.

Mr. LENROOT. Mr. President——

Mr. McCUMBER. I yield to the Senator from Wisconsin.

Mr. LENROOT. I will say to the Senator from North Dakota that my inquiry was prompted by the fact that it was my understanding that the House would vote upon this proposition either to-day or to-morrow, irrespective of what may happen to this joint resolution; but if this joint resolution should not pass it might have a coercive effect upon the House, as to the way they should vote. In any event, however, it is not my understanding that the passage of this joint resolution will have any effect upon the question of whether or not the House shall vote, though it may have some effect upon the way the House may vote.

Mr. McCUMBER. Of course, it does not compel the House to vote or not to vote.

Mr. GORE. Mr. President——

Mr. McCUMBER. I yield to the Senator from Oklahoma.

Mr. GORE. The Senator put it in a nutshell, then. What I want is for the House to vote. We have no power to coerce the House and no disposition to do so, and could not do so if we tried.

The Senator knows that we can not make the House agree to $2.50 wheat if it does not want to do so, but that is not an open question. What we want, however, is a vote one way or the other.

When we reach an impassable barrier I think everybody will recognize it, and we shall act accordingly. If there is anybody in this Chamber who can give us the assurance that the House will vote on this $2.50 a bushel wheat amendment if this continuing resolution passes now before a recess is taken, and that the Senate will be in a mind to vote to consider whatever the House does, for my part this fight is over. I am afraid there is a disposition somewhere to pass this joint resolution and to let the wheat amendment die, to hold it over until the wheat crop is harvested and sold, or a large part of it. I do not want that to happen. I do not mean that that is the purpose of the Senator from Virginia; I do not think it is; but if the leader, the Senator from Virginia, can give us the assurance, or if anybody can give us the assurance, that the House will vote on the $2.50 wheat amendment before a recess is taken and that the Senate will be given a chance to vote on whatever they do, I think every advocate of the $2.50 wheat amendment will stop this contest now. That is all we want—a vote.

Mr. HITCHCOCK. Mr. President, will the Senator from North Dakota permit me to ask a question of the Senator from Oklahoma, the chairman of the committee?

Mr. McCUMBER. I yield.

Mr. HITCHCOCK. The Senator from Virginia [Mr. MARTIN] has stated that the reason the House has not had an opportunity to vote on the question of $2.50 wheat is due to the refusal of the Senate conferees to give that opportunity. Now, what has the Senator to say in reply to that?

Mr. MARTIN. If the Senator will excuse me, so that I may not be at all misquoted, I said I had information to that effect, and that I had asked the question at least four or five times upon the floor of the Senate without getting an answer.

Mr. GORE. Mr. President, the Senator will get an answer now. If the Senator means that he has information that the Senate conferees would not agree to report a disagreement, his information is correct, and his informant was entirely accurate. The answer is very simple; there is no mystery about it. The Senate suspended the rules to attach this amendment to the regular appropriation bill. Then it adopted the amendment, after suspending the rules, by a majority of 49 to 18. The majority of the Senate conferees not only were in favor of the amendment but they felt irrevocably bound by the solemn action of the Senate, an almost unprecedented action, involving a suspension of the rules and the adoption of the amendment by an overwhelming majority. A majority of the Senate conferees—and I was among them, and I take the responsibility—were not willing, after the solemn action of the Senate, to report back a disagreement, and by that action seem to invite an instruction to recede. The Senate had the power to instruct its conferees, and the leader of the majority in the Senate made a motion to instruct the Senate conferees to recede, but the Senate declined to do so. If the Senate had taken that action, of course, the conferees would have deferred to the Senate as their master, as they were obeying their master in refusing to recede; but, speaking for myself, and I believe for a majority of the Senate conferees, we were not willing to bring back a report of disagreement and by that means seem to invite the Senate to in-

struct us to recede. I may say that of course if I had known the Senate would adhere to its former action, I should have brought back such a report long ago; but I could not tell. The opinion was expressed that the Senate would instruct us to recede; that opinion was entertained by some at least, and I for one was not willing to invite instruction. Of course, as I have said, I should have obeyed the instruction if the Senate had given it.

Mr. MARTIN. Mr. President, let me ask the Senator a question. I should like to ask him if he and the Senator from South Carolina [Mr. SMITH] did not come to me and request me to introduce a resolution instructing the conferees to recede?

Mr. GORE. I will say that I did not request it, but I suggested it to the Senator as probably——

Mr. MARTIN. If there is any difference in that connection between "request" and "suggest" I never heard of it. Two of the conferees came to me, and, as I construed it, made a distinct request of me. I said, "You ought to do it; the Senate is not in a position to act upon it in the way proposed," but they had reached an impassable barrier and they wanted me to do it.

Mr. GORE. We had reached an impassable barrier so far as reaching an agreement was concerned, or so far as reporting a disagreement was concerned. The Senate conferees would not report a disagreement, and I concurred in their decision. I shall not play upon the difference between the word "suggest" and the word "request," but I did say to the Senator from Virginia that I thought such a motion was probably the only way out of it, or the only way out that I could see. I did not know but that the Senate would give the instructions and that would end it. If it had, we would have been through long ago; but I never was in favor of and never had any intention of voting for such a motion, and the Senator, of course, never thought that I had. I was not for it and did not vote for it, and any action looking to the rejection of $2.50 wheat must be made over my protest. That is not only my position now, but it has been my position all along. That is the reason I would not report back a disagreement. I did not know but that the Senate might instruct us to recede; and I was not going out of my way to invite such an instruction or to make it possible. I wanted the Senate to do it on its own account and in accordance with such a motion as that made by the Senator from Virginia here the other day, if it were to be made at all; a motion, of course, to which I objected. I thought then that it was the duty of the Senator from Virginia, as a majority leader, to make the motion; I think so now. It was his duty as a majority leader to set the machinery in motion to get some sort of action on the Agricultural appropriation bill. I am glad that he acted upon my suggestion, and, while I suggested the making of the motion, I had no purpose at any time, of course, of supporting the motion. The Senator from Virginia and the Senate perfectly understand my position in that regard.

Mr. McCUMBER. Mr. President, I think we understand the parliamentary situation. After all, it is one touching the merits of the question. Those who are determined that the farmer shall be discriminated against, of course, would naturally vote for the proposition of the Senator from Virginia. We who believe that the farmer should be treated at least with a degree—a very little degree—of consideration, and that, after having fixed his price at about 30 or 40 per cent lower than it was under market conditions, we ought not at least further to discriminate against him, are opposed to the position of the Senator from Virginia.

All that those who represent farming communities have ever asked for the farmer is that you let him alone and let him take his chances; and if you drive the labor price up 300 per cent, so that it costs him 300 per cent more for his help, that at least you would do him the courtesy of allowing him to secure the market price for his product. That is all we have asked. You do not grant that; you do not give any consideration to that plea. You force him to fight for his life, to fight for his prosperity during this war, during the period in which you are sending the price of everything else skyward, and then with a legislative sledge hammer driving the price of his product downward.

Mr. President, I received a telegram, dated July 1, from a section of my own State, which reads as follows:

Hon. P. J. McCUMBER,
United States Senate, Washington, D. C.:

Morning press reports deadlock on fixing price of wheat. On account of drought, our crop will not average more than seven or eight bushels, and must have rain soon to get that; which does not pay expenses. We believe that this is the condition in a large area of the State. Would suggest a fair investigation before final action. Notify other members of North Dakota delegation.

We have been hearing from the Agricultural Department that we will have an exceeding large crop of wheat. I have never known a time when the Agricultural Department did not overestimate the yield. I will not say that there may not have been times when they did not overestimate it, but if there have been such times they have never come to my knowledge.

I repeat, it is suggested that we will have an enormous crop this year. Why, Mr. President, the spring-wheat crop has not yet reached that state of maturity when the slightest guess can be made as to what it is going to yield. We know if we have not the straw we are not going to get the grain, but even when we have the straw we do not know that we are going to get the grain. Three days of a southwest wind coming from the warm sections of Texas will burn our crop up so as to make it worthless. Already we have had heat there as high as 102 degrees, but it happened to be at that period in the development of the grain when it did little damage. That, however, is no indication at all that there may not be very much damage done if another one or two or three such days should come during the month of July or before the crop is harvested. This same section has had two almost complete crop failures. I think they are entitled to some consideration, notwithstanding the fact of those failures; and when the Senate passed a bill saying to them, "Go ahead and put in your crop and we will see that you get $2.50 a bushel," when they pay $3.50 for the seed wheat, and when the legislature had to meet in order to pass a law that would enable the counties to bond themselves and take a seed-grain lien upon the crop, and the counties did bond themselves, and these enormous prices were paid and the grain was put in, I submit to the Senate that we ought not further to legislate against the interest of those who have, under such circumstances and conditions, responded to the call of the Government for an increased acreage and, if possible, an increased crop.

That is not all. I have here notices sent out by the Government calling the labor from the farm, asking for unskilled labor to come to the city and secure employment, promising them wages which would be fabulous compared to the wages the farmer's son could earn upon the farm. By offering those wages and by adopting a practice which allowed the contractor to get his profit on a cost-plus basis, which authorized him to make wages just as high as he wanted to make them, and thereby increase his profits, you have demoralized and disorganized the labor of the country and invited it away from the farm.

Some sections of the country may not have suffered particularly, but we are suffering to-day in the Northwest for the lack of farm labor. Our boys are being taken for the Army, and no one is coming to take their places. We can not give employment the year round, but we need a great number of laborers during the months of July, August, September, and October; but we can not get them short of $4 and $5 a day; and when they are hired for the harvest at that rate they spring upon us the rule the Government has adopted of eight hours, and say, "We will not work longer than eight hours; and, if you don't like that, pay us; we will lose a few days and go to the next man and get a few days' labor," although in the meantime the crop may be rotting in the shocks.

I wish that Senators could fully realize the real situation in the Northwest to-day so far as crops are concerned. We never can anticipate with any degree of accuracy there, as I have stated, what the farm product will be. We may get a fair crop or may not get a quarter of a crop. The farmer has everything in nature to contend against—tornadoes and hail, wind and storms, hot weather and wet weather, frosts and the heat, the chinch bug and the grasshopper, French weed and cactus, wild mustard and quack grass, and a thousand other enemies. Mr. President, he is compelled to battle against them all. If he succeeds, if victory crowns his vigilance, along comes the Government with its legislative hammer and drives his prices down 80 cents per bushel. The laborer will get his pay at the end of the week; the farmer may or may not get his. I can not go down and buy groceries and flour without paying for them; the merchant, the retailer, is sure of getting his pay; everyone is sure except the farmer, and he must take all the chances.

He is satisfied with taking all of the chances provided you give him the final chance of the open market. You answer, "We will not do that. There are more votes in the city than there are in the country; we will play to the ultimate consumer, and say: 'We are keeping down the prices of your meat and your bread; we are protecting you against the avaricious farmer'"; and possibly some of them may be lulled into satisfaction by these declarations. I can not imagine how they can be, however, when they pay their weekly bills for flour and meat, the price of which is affected so little by the price of the raw product of the farmer.

The Senator from Ohio [Mr. POMERENE] thought it was a crime to raise the price of wheat 30 cents a bushel to these

ultimate consumers. Oh, what an offense that is! Thirty cents a bushel! That means, at 4½ bushels to the barrel, $1.35 difference upon a barrel of flour. One man consumes a barrel of flour a year. That is the per capita consumption in the United States. That means 11 cents a month. That means one-thirtieth of 11 cents, or about 3 mills, a day. Now, this man who is to pay 3 mills more a day for his flour is receiving to-day $10 where he received $3.50 before the war, and he does not work as many hours or as hard as he did before the war; and I want to put it up to this ultimate consumer: "Do you not honestly believe that under conditions in which the price of your labor has been increased 300 per cent, you can afford to pay 15 per cent more for your flour?" Mr. President, I think he can; and I think it is unjust, worse than unjust, for us under conditions of this kind to take the farmer by the throat and say: "Notwithstanding the fact that we have increased the cost of the production of wheat from 100 to 300 per cent, nevertheless we refuse to allow you to raise your prices even 15 per cent."

The Government as it is constituted to-day has repeatedly declared through the administration that it proposes to see that every business man shall have a full, fair opportunity to make a reasonable profit. It declares that it will see to it that every laborer shall have employment, and at exceptionally high wages. Am I asking too much, then, if I ask the Government to say: "Inasmuch as we have guaranteed the higher profits and the higher wage to every one and every line of business, we will allow you, the farmer, to raise the price of your product to such an extent that you may meet these extra costs which you are compelled to incur in producing your wheat?" That is all that the farmer is asking.

Mr. President, I know that the farmer has been regarded simply as a sort of a necessary factor in the economic world. It is thought by a great many that the Lord created him in order that he might furnish food for the rest of humanity, and that if he furnished that he ought to be satisfied with the good he is doing in the world. So we flatter him concerning his vocation. "What an independent and beautiful vocation it is, out in the sunshine, under the blue sky, surrounded by singing birds, perfectly independent of everybody and everything!" "Well," he says, "possibly, then, if I am so independent, you will not object to paying me 15 cents more a bushel for my wheat, so that I may have a few dimes to spend for the moving pictures the same as you have." "Oh, no; we can not grant you such privileges as that. You are a farmer only. You are not expected to have the opportunities that we in the urban districts enjoy. You go right ahead as a good fellow and produce what we want to eat and be satisfied that you are allowed to live in this world."

That has been the attitude of the American people of the urban districts toward the rural districts, and we have plodded along in our slow and easy way, carrying the burden of the world. We have fed the sluggard and we have fed the industrious, and we have been allowed to make a very bare living. Now, I have been pleading for years with the Government, whose function and whose duty it is so to legislate as to give every important vocation an equal opportunity, to take into consideration the interests of the farming public. It has failed to do it so far, Mr. President.

Does any Senator deny the fact that farming in the United States ought to be sufficiently prosperous so that the farmer could conduct his business exactly the same as the merchant or the banker conducts his business? Does any one deny the fact that if the banker will pay his son $150 a month for clerking in his bank and his daughter $100 a month as his stenographer the farmer ought to be allowed at least to pay his son $50 a month to work 16 hours a day and that his wife, who does more work than any cook in the United States ever attempted to do, should be allowed the little sum of $20 a month and her board—less than you pay any colored cook in the city of Washington? Does any one deny that the farmer's business ought to be so prosperous that he could pay his daughter for helping the mother at least $10 or $15 a month? And yet, Mr. President, up to the present time if the farmers of the United States should pay for their help what you have to pay here in the city of Washington or elsewhere, or even one-half of it, there would not be one of them that would not be bankrupt at the end of the year.

There was a little opportunity that the farmer might secure something approaching justice during this war, which has created an exceptionally strong demand for his products. You foresaw that, however, and the war had no sooner begun than your first effort was to get the farmer by the throat and hold his prices down, while the prices of everything around him increased. His labor price soared from 200 to 300 per cent, his machinery from 150 to 200 per cent, and every shirt and every suit of clothes that he buys has increased 200 per cent.

Mr. President, the farmer is not asking very much in reference to this joint resolution. He is simply asking that those Members of the House, more than 150 of whom did not vote at all upon the question of whether or not his price might be raised by the Government 30 cents a bushel, shall be allowed to vote before you finally pass judgment against him. He wants you to defer your execution until there has been submitted to the House again the justice of his demand. Why, since the House voted upon this subject the price of labor has increased more than 25 per cent, and everything that the farmer must buy has increased more than 40 per cent. Why not, then, allow the House to pass judgment as to whether it believes that the farmer should have a 25 per cent raise upon what the Government has seen fit to offer him for his product?

I know a great many will say that the farmer does not spend as much as the man in the city, and therefore he does not need to earn as much. That is just where the pernicious ingredient creeps into this proposition. Why does not the farmer spend as much? Because he has not got it to spend. You can go to a dentist, and if he charges you a hundred dollars to look after one tooth, you get it looked after. The farmer can not pay such prices; he has to pull his tooth out if it aches. You can pay big prices for doctors' bills. The farmer has to carry his appendix, pain or no pain, because he has not got the two or three thousand dollars to pay for a specialist. You can pay $4 a seat to go to the theater to listen to a grand opera. The farmer can not afford to pay 50 cents to go. Now, Mr. President, I wish that we could so disarrange present conditions that the farmer could take his family to a moving-picture show or to the theater, the same as you and I can take ours if we see fit; and I think it is an unjust discrimination, when conditions point in that direction, for you to say: "No; that will cost our people too much. It will cost some of them 11 cents a month, and possibly it would keep them one night away from the moving pictures; and we can not stand for any such infringement upon the rights of our urban population."

I wish Senators understood the real farming situation throughout the grain-raising sections of the country. Mr. President, in 1912, the Secretary of Agriculture made a report of the net farm earnings throughout the United States, and he took each farm, and after making allowances which he thought were proper he arrived at the conclusion that each farm paid, net, $318; that is, over the actual expenses. Now, there are an average of five—that is, five persons on the average—who are doing the work of adults, because, as I have stated before, the girl 13 years old upon the farm performs about as much labor as her mother. The boy 15 years old will follow the binder, shocking all day long, and keep up with his father. Now, on the basis of five for each farm, you will find that the average earnings were about $5 a month. That meant 20 cents a day, and with that net of 20 cents a day the farmers and the farm wives and the farm children must buy all of their clothes, must support their churches, must pay their doctors' bills, and all of the thousand other little expenses upon 20 cents a day. They are not making any more to-day, if you will make due allowance for the cost of help and the higher cost of everything that the farmer must purchase.

Mr. GORE. Mr. President——

Mr. McCUMBER. I yield to the Senator from Oklahoma.

Mr. GORE. Would it interrupt the Senator if at this juncture I had read two letters which will shed a good deal of light on that subject?

Mr. McCUMBER. I shall be very glad to have them read.

Mr. GORE. Mr. President, I send to the desk a letter, which I ask to have read.

The PRESIDING OFFICER. Is there any objection to its being read? The Chair hears none, and it will be read.

The Secretary read as follows:

ENID, OKLA., *June 29, 1918.*

Hon. T. P. GORE.

DEAR SENATOR: I see you are still endeavoring to get the price of wheat raised to $2.50 per bushel, so I inclose cutting from yesterday's Enid Daily News. You will please note wheat is quoted at $1.95, corn at $2, and oats $1.10. These are our country's three leading cereals, and before the war generally sold at a ratio of 1, 2, 3, which would make wheat now worth about $3.50. I can not see the reason for anyone to oppose your $2.50 price. Can not our Government be more reasonable and fair with the wheat grower? Is it reasonable or just for the Government to ask or expect the wheat grower to sell wheat at a less price than corn and then buy corn to feed his stock to save the wheat for human use?

When the price of wheat was cut a year ago, the wheat raiser had to take less than $2 for wheat, and if he used it for feed it cost $2.50 per bushel. As a result corn went on the table and wheat in the

trough. I do not believe that a just man would ask or expect a wheat raiser to sell wheat at a price less than corn and buy corn to feed his stock, yet it seems that is what the wheat grower is expected to do.

Yours, respectfully,

——— ———.

Mr. GORE. I will ask the Secretary kindly to omit the name. It is a perfectly proper letter, but there is no need of putting the name in the RECORD.

I now send to the desk another letter to which I invite the especial attention of the Senate. It is a farmer's cost sheet, prepared with a great deal of care.

The PRESIDING OFFICER (Mr. ASHURST in the chair). The Senator from Oklahoma asks unanimous consent to have a letter read by the Secretary. Is there objection. There being no objection, the Secretary will read as requested.

The Secretary read as follows:

THE LUCKNOUGH ORCHARD CO.,
Sandy Spring, Md., July 3, 1918.

DEAR SIR: The farmers of Montgomery County, Md., take the view that wheat can not be produced at a profit if sold at the price set by the Government. In bearing out this contention, we submit figures showing that the advanced cost of labor, seed, fertilizer, harvesting, and other incidental expenses entering into the production of this crop fully warrant consideration for increasing the price of wheat to at least $2.50 a bushel. Our estimates show conclusively that wheat in this State cost on an average of $1.80 per bushel to produce.

Representatives of the Farmers' Club of Sandy Spring, the Enterprise Club, the Montgomery Club, and Olney Grange, comprising the ownership of about 100 of the most fertile farms in Maryland, recently held a meeting and compiled estimates of the average cost of raising wheat per bushel to the acre. The average yield in this section has been 20 bushels to the acre.

COST OF PRODUCTION PER ACRE.

Plowing	$5.00
Preparing land	2.50
Seeding with drill	.85
Seed wheat (1½ bushels)	3.90
Fertilizer (500 pounds per acre at $36 per ton; one-half charged to wheat crop)	4.50
Hauling fertilizer from station	.50
Cost of lime applied once in four-year rotation ($6 per acre charged to wheat)	1.50
Cutting and shocking	2.00
Binding twine	.50
Hauling to barn	1.50
Thrashing	2.40
Marketing	2.00
Interest on land valued at $100 per acre	6.00
Insurance (fire)	.16
Taxes on land	.46
Interest and taxes on equipment	2.50
Total cost of production per acre	36.20

In estimating the cost of production at $1.80 per bushel, no charge was made for the time of owner or manager, nor allowance for damage.

In presenting the foregoing figures the representatives of the above-named farmers' organizations respectfully invite your earnest consideration of the subject, and urge that you use your influence to secure such legislation as will warrant the production of this important food crop at a price which will at least be fair and reasonable to both producer and consumer.

WILLIAM FRANCIS THOMAS.

Mr. McCUMBER. That comes from one of the very best counties in the State of Maryland, a county that has always been noted for its excellent productivity year after year. There are some sections of the country where the cost would be considerably more, and some of them where it probably would be less, per acre. In my own State, of course, the cost per acre would be less, but the yield would be very much less than the estimate from this county in Maryland.

Here is the situation that has been created: The price of all products depends mainly upon the cost of labor used in their production. In some instances the cost of the raw material is equal to, and in some instances it is a little more than, the cost of the labor; but as a rule labor makes about 65 to 70 per cent of the cost. Now, you raise the price of labor, and that necessarily raises the price of the product. If that product is one that all the people must purchase, including the labor, that will increase the cost of living. The increase of the cost of living requires you again to raise the price of labor, and that again increases the cost of living; and so with this jackscrew process we have been pressing the price of commodities upward and upward and upward, and it has affected everything but the product of the farm. Now, the farmer says: "Inasmuch as you, by this process of increasing the cost of production, are always raising wages, and with the wages raising the cost of the thing that I must buy, I ask the opportunity to raise the price of my product to correspond." But along comes the Government, and says: "No; we can not allow you to do that. That will be too much of a burden upon our consumers."

Mr. President, I do not think the Senate is doing itself justice in allowing 33,000,000 of the American people to be discriminated against in this way. All we are asking of the ultimate consumer is this: Are you willing that we shall have an advanced price for our product that will measure the advanced price of the labor which you furnish which is necessary for that product? I think we ought to do it, Mr. President. I do not think the Senator from Virginia ought to press this joint resolution upon the Senate at this time.

Mr. President, we are talking all the time about the "back to the farm" movement, and we have appointed commissions that were to investigate the subject and see how they could make farm life more attractive. They investigated everything but the right thing. There is just one way to make farm life more attractive, and that is to make farm life more remunerative. Give the farmer the opportunity to earn more, and he will find a way of making his life more attractive on the farm, just exactly as you do in the city. The only way to allow him to make more is, in this war period at least, to give him the free world market in which to sell his product.

The Senator called attention in one of the letters just read to the fact of oats being worth $1.10 a bushel. Wheat is worth, then, about, we will say, $2.20 a bushel. Will any of you philosophers kindly explain to me why it is that with oats at $1.10 a bushel you have got to pay higher for your oat flour than you have to pay for your wheat flour at $2.20 a bushel, or just double? Yet that is exactly what you are doing. With your corn selling generally about two-thirds of the price of wheat, you are paying very much more for corn meal than you are paying for wheat flour. Will one of the Senators who understand the working of the Food Administration explain to me how this is possible?

Mr. GORE. Mr. President——

Mr. McCUMBER. I yield to the Senator.

Mr. GORE. I will say to the Senator the letter which he referred to has a newspaper clipping attached from the Enid News, Okla., which quoted corn the day the paper was published at $2 a bushel and wheat at $1.95 a bushel. Yet for 30 years corn has averaged 61 per cent the price of wheat.

Mr. McCUMBER. Mr. President, taking it altogether, it seems that we have labored diligently in order to discriminate against the wheat producer, and we have succeeded wonderfully well. We are not complaining. We have been used to this treatment for a good many years and have labored through in some way. But we believe that you have about reached the limit of your injustices, and you are not going to put a further injustice upon us without at least a struggle upon our part that those of the House who represent farming communities may have one opportunity in the month of July to vote upon the proposition as to whether or not the House shall agree or the Senate shall recede from its $2.50 wheat proposition. That is all I have to say on the motion.

The PRESIDING OFFICER. The question is on the motion of the Senator from Virginia to proceed to the consideration of House joint resolution 311.

Mr. GORE. I make the point of no quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hitchcock	Martin	Smith, Ariz.
Chamberlain	Hollis	Myers	Smith, Ga.
Culberson	Johnson, Cal.	New	Smith, Md.
Cummins	Johnson, S. Dak.	Norris	Smoot
Dillingham	Jones, N. Mex.	Nugent	Sterling
Fernald	Jones, Wash.	Overman	Sutherland
Fletcher	Kellogg	Phelan	Swanson
France	Kendrick	Pittman	Thomas
Gore	King	Poindexter	Thompson
Guion	Lenroot	Pomerene	Trammell
Hale	Lewis	Ransdell	Underwood
Harding	McCumber	Saulsbury	Vardaman
Henderson	McKellar	Sheppard	Williams

The PRESIDING OFFICER. Fifty-two Senators have answered to their names. There is a quorum present.

Mr. STERLING. Mr. President, I hardly expected to occupy any further time of the Senate in the discussion of this question, but it is of such vital importance to the wheat growers of the Northwest and my own State that I can not forego adding something to what has already been said very ably by the Senator from North Dakota [Mr. MCCUMBER] and by the Senator from Oklahoma [Mr. GORE], the Senator in charge of the Agricultural appropriation bill.

I was struck by what was said by the Senator from North Dakota in connection with the telegram which he had read relative to the damage already done to the wheat crop in his State by the dry, hot weather. I am in receipt of a letter this morning from a constituent living in the western part of my State—that is, in that western part which is yet east of the Missouri River—in which he described the unfavorable conditions of the last few days prior to the writing of the letter.

From reports that I had previously received from South Dakota there was a prospect of the greatest wheat crop in the history of the State, but, according to this letter, the weather

conditions have been so adverse during the last few days that the crop is cut short materially already, and it is yet a few weeks until harvest time for that section of the State. I have looked at the map of my State to see what other regions or counties were probably affected by like weather conditions as those described in the letter received. I find, Mr. President, that there are 12 counties lying, for the most part, west of the ninety-ninth meridian west longitude and east of the Missouri River, all of which are very likely to be similarly affected to the county in which my correspondent lives. That, Mr. President, is vital to the very question we are discussing. Instead of a prospect of 20 or 25 bushels per acre of wheat the prospect to-day, some weeks before the harvest time in that district, is for not more than 7 or 8 bushels per acre.

Take into consideration, now, the cost of producing it. That cost is as great for the production of 8 or even 5 bushels per acre as it is for the production of 20 or 25 bushels per acre. The cost of harvesting is just as great, of course, because there would be practically the same yield of straw, the same amount of straw to handle, as though the yield of wheat had been greater, and yet in all this cost, which is a greatly increased cost over the cost of prior years, the farmer will produce a half or less than half of the crop.

So from the mere standpoint of the farmer's returns, and as to whether he will be able to live and prosper or not, or live, let alone prosper, the question is a serious one under these conditions.

That is the one great difficulty in regard to the wheat crop. Up until the binder is ready to go into the harvest field it is largely speculative, and it may not be determined until the very eve of harvest as to whether there will be much to harvest or not.

Mr. President, I want to comment a little upon the price of wheat as guaranteed by the law of 1917, the so-called food-control act. Do you know, Mr. President, that when the administration fixed $2.20 per bushel for wheat, as it has done for the 1918 crop as against a guaranteed price of $2 per bushel, that it was not a concession to the farmer upon the part of the Government over and above the minimum price which had been fixed by statute? It would, however, be a great concession on the part of the farmer to accept and take $2.20 per bushel. And why is that so, Mr. President? It is so for the simple reason that with a guarantee of $2 per bushel as the minimum price there went the implied guarantee of all that the market would give or all the farmer might receive under the law of supply and demand over and above that $2 per bushel.

Mr. President, we have heard it stated many times, and I do not think there is any question in regard to it, that the market price of wheat now if not interfered with by law or by the Food Administration would be far in excess of $2.50 per bushel, and would probably be $3 per bushel.

So, Mr. President, conceding that the farmers of the country are satisfied with the $2.50 per bushel as provided by the Gore amendment to the Agricultural appropriation bill, that is a concession under the law on the part of the wheat producers of the United States. Any price which they say will be satisfactory to them below the market price of wheat to-day is a concession on the part of the wheat grower, and this because of the effect of the guaranty under the law.

It is true, Mr. President, that section 14 of the law of 1917 gives the President the power to fix and name a guaranteed price for wheat for the purpose of stimulating the production of wheat, but that guaranteed price the President is authorized to prescribe is a guaranteed minimum price. But that guarantee of a minimum price which the President is authorized to make does not pertain to the 1918 crop. The minimum price as fixed for that crop by Congress was $2 per bushel, and I can not help but think, Mr. President, that any attempt to fix the price to the farmer less than the market price is, though not intentional, of course, like a breach of faith upon the part of the administration, simply because it violates the plainly implied guaranty.

Mr. President, as I had occasion to say the other day, wheat at the price of $2.50 per bushel is about the cheapest commodity on the market, at least among the commodities which may under the food-control law be classed as necessaries. It is the great essential necessary produced on the farm to supply our own needs and the needs of our allies and it was to stimulate the production of this necessary that we passed this legislation authorizing in general terms the fixing of a guaranteed price by the President, but ourselves fixing the guaranteed minimum price of $2 per bushel for the 1918 crop, which guaranty extends until May 1, 1919.

Mr. President, we have been attempting by the Gore amendment to fix the price for the crop of 1918 notwithstanding the plain implication that the farmer and wheat grower should receive the market price over and above the minimum price thus fixed, and in view of the market price we are making a great concession. We fixed the 1917 price, or the Food Administration did, at $2.20 per bushel. That may be said to have been done under the first part of section 14, which authorized the President for the purpose of stimulating the production of wheat to from time to time seasonably and under specified conditions fix a reasonable guaranteed price for wheat, but that pertains alone to the 1917 crop, and the 1917 crop has been disposed of, and the price fixing for that crop can no longer be a question at issue. We are limited in our inquiry to-day and upon this bill to what may be justly done in the matter of price for the 1918 crop. In other words, what price less than the market price will or ought to be acceptable to the wheat growers of the United States? It was to this condition and situation I wish to direct attention.

Mr. MARTIN. Mr. President, I did not wish to interrupt the Senator unless it was agreeable to him to discontinue, but I was going to make a request for unanimous consent.

Mr. STERLING. I yield to the Senator from Virginia for the purpose of making the request.

Mr. MARTIN. It is perfectly manifest that it will be impossible to get a vote on the joint resolution this evening, perhaps not until after the House votes. At any rate, it will be impossible to get a vote this evening; I am satisfied of that, and I think it is useless to hold on under those circumstances. It is just annoying Senators without accomplishing any result. I ask unanimous consent that the joint resolution be laid aside until 12 o'clock to-morrow, and that it be then taken up and proceeded with. I will put it in that shape because it is not now before the Senate. There is a motion to proceed to its consideration, and I want the unanimous consent to cover making it the business before the Senate at 12 o'clock noon to-morrow. I ask unanimous consent that that order may be made.

Mr. GORE. Mr. President, according to my advices the House will vote on this proposition early to-morrow after they assemble. There is certainly no reason why they should not do so. All I desire is to have a vote before this matter comes to final action in the Senate. I am anxious to facilitate the business of the Senate. There are only two limitations implied in connection with the present possibility of having a vote on the wheat amendment in the House and action here. I am willing to cooperate with the Senator from Virginia and others for the purpose of speeding the legislation.

The PRESIDING OFFICER. The Senator from Virginia asks unanimous consent that the pending motion shall be considered at 12 o'clock to-morrow.

Mr. MARTIN. That it be laid aside and the joint resolution be taken up to-morrow when the Senate convenes at 12 o'clock and be proceeded with.

Mr. STERLING. In view of what we have heard to-day in regard to the House taking up the matter and voting on it, would not the Senator put the hour to take it up later than 12 o'clock?

Mr. MARTIN. I would not object to making it 1 o'clock.

Mr. STERLING. Would not the Senator make it 2 o'clcok?

Mr. MARTIN. I think the House will act on it this evening, or as soon as they assemble to-morrow. That is my information.

Mr. McCUMBER. Would not the Senator be willing to make it 2 o'clock, and then we would know more definitely, at least?

Mr. MARTIN. I think if Senators who have occupied the time need any further time to-morrow they can occupy it then. I want to be ready to proceed as early as possible to-morrow and vote on it. I do not see any occasion for occupying the time. Of course we understand that there is a filibuster.

Mr. McCUMBER. I do not understand that.

Mr. MARTIN. I suggest 1 o'clock, and the Senate can take it up at 1 o'clock and proceed with its consideration.

The PRESIDING OFFICER. Is there objection to the request?

Mr. GORE. Mr. President, I listened to a conversation between two Senators, and I do not want this to get into a situation where it may not be debated to-morrow. I understand the motion of the Senator from Virginia is to take up the joint resolution to-morrow and proceed with it. It would then be subject to debate and consideration as it is now.

The PRESIDING OFFICER. It would be subject to debate just as it has been.

Mr. MARTIN. Of course.

The PRESIDING OFFICER. There is nothing in the request for unanimous consent that contemplates any suspension or curtailment of debate whatever. Is there objection to the request of the Senator from Virginia?

Mr. STERLING. I suggest as a compromise between 1 o'clock and 2 o'clock that the hour be made 1.30.

Mr. MARTIN. I was acting on the idea that Senators wanted to recess to-morrow evening, and I was trying to get an oppor-

tunity to dispose of business and have a recess. It is of no consequence to me personally. I have no particular desire to recess; I am so near my home that it is entirely immaterial; but in deference to the wishes of Senators favorable to a recess to-morrow for perhaps 30 days I was trying to prepare the way for that situation, and I thought that the House would perhaps act when it meets to-morrow.

Mr. STERLING. Of course I do not pretend to speak for others, but my impression is that there will be very little debate when the joint resolution is submitted.

Mr. MARTIN. The joint resolution will lead to further debate?

Mr. STERLING. Yes, sir.

Mr. MARTIN. Then the debate ought to go on this evening. I was proceeding on the idea that the debate was over.

Mr. JONES of Washington. I think the Senator from Virginia misunderstood the Senator from South Dakota. He said there would be very little debate.

Mr. MARTIN. I thought he said there would be considerable debate.

Mr. STERLING. No; very little debate to-morrow when the resolution is taken up.

The PRESIDING OFFICER. Is it understood that it shall be taken up at 12 o'clock?

Mr. MARTIN. I am willing to make the hour 1 o'clock.

Mr. SMOOT. Do I understand that this is simply a notice, or is a unanimous-consent agreement asked?

Mr. MARTIN. A unanimous-consent agreement that to-morrow at 1 o'clock the joint resolution shall be taken up and proceeded with.

Mr. SMOOT. It would require then a roll call.

The PRESIDING OFFICER. No; the Chair thinks not.

Mr. MARTIN. It is just to take up the joint resolution for consideration.

The PRESIDING OFFICER. It does not propose to fix a time for a vote.

Mr. GORE. It does not come within the rule requiring a roll call.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the unanimous-consent agreement is made.

INVESTIGATION OF LIGNITE COALS.

Mr. FLETCHER. Mr. President, I desire now to have the unfinished business laid before the Senate.

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3220) authorizing the Secretary of the Interior to make investigations, through the Bureau of Mines, of lignite coals, to determine the practicability of their utilization as a fuel and in producing commercial products.

The PRESIDING OFFICER. The pending amendment proposed by the Senator from Florida [Mr. FLETCHER] will be stated.

The SECRETARY. On page 1, line 10, it is proposed to strike out "$100,000" and to insert "$150,000."

The PRESIDING OFFICER. The question is on the amendment.

Mr. THOMAS. Mr. President, when this measure was before the Senate prior to our adjournment the Senator from New York [Mr. WADSWORTH] was addressing the Senate in opposition to it. He has not answered to the roll call to-day. I am not calling this matter to the attention of the Senate because of that fact, but the junior Senator from Utah [Mr. KING] desires to discuss this bill and is suffering this afternoon from a very severe headache, to which he is occasionally subject. Under the circumstances, I shall ask the Senate to adjourn.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from North Carolina?

Mr. THOMAS. I yield.

Mr. SIMMONS. I hope we shall not adjourn, because, if the unfinished business is laid aside, I desire to have the bond bill taken up, although I do not desire to antagonize the unfinished business.

Mr. THOMAS. Then I suggest to the Senator to ask that the unfinished business be temporarily laid aside.

Mr. FLETCHER. I object to that, Mr. President. We ought to go on with the unfinished business. It was agreed the other day when we took the adjournment that this bill would be disposed of the next day. The Senator from New York said at the time that he only desired a few minutes more in which to discuss it. He is not in the city to-day, but that is not any reason for postponing action on the bill, and the Senator does not ask it.

Mr. THOMAS. I have not asked a postponement for that reason, but I know of no agreement that the bill should be taken up and a vote had upon it on the next day. If there were such an agreement it has not been carried out, because we adjourned the next day for an unfortunate reason.

Mr. FLETCHER. The unfortunate death of the late Senator TILLMAN caused us to adjourn, that is all; but I think the Senator from Utah [Mr. KING] will not insist on having the matter postponed.

Mr. THOMAS. Of course, the Senator from Utah is here to speak for himself; but I am satisfied he is not in proper condition to address himself to this measure or to any other measure this afternoon.

Mr. KING. Mr. President——

Mr. THOMAS. If, however, he wants to go on, of course I have no objection.

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Utah?

Mr. THOMAS. I yield to the Senator.

Mr. KING. When this matter was up for consideration, I think the day before the death of Senator Tillman was announced, the Senator from New York was occupying the floor. I stated at that time to the Senator from Florida that, so far as I was concerned, I had no desire to prevent the Senate voting upon this measure after it had been fully considered; that I knew of no one who desired to speak, except the Senator from New York and myself; that there might be others, but I could not state; that, so far as I was concerned, I would submit what observations I cared to submit on the following day; and that after I had concluded I should be willing to vote. Of course, I could not speak for others. I will say, however, to the Senator from Florida that it would be almost impossible for me to proceed to-day because of my physical condition. I should be very glad if the Senator from Florida would consent that the Senator from North Carolina should have the bond bill taken up, which is quite important, and upon the conclusion of the bond bill that this measure then receive attention. I know there is no disposition on the part of anybody to filibuster or to prevent a vote upon the pending measure. Of course, if the Senator refuses, I can only submit.

Mr. THOMAS. I think the request of the Senator from Utah is very reasonable, and, if it is granted, I certainly shall interpose no further objection to a vote upon the bill. I therefore, Mr. President, ask unanimous consent that the unfinished business go over until to-morrow.

The PRESIDING OFFICER. The Senator from Colorado asks unanimous consent that the unfinished business be temporarily laid aside until to-morrow.

Mr. JONES of Washington. Why not merely lay it aside temporarily and, when we get through with the other bill, take it up again?

Mr. THOMAS. Because that would not meet the difficulty.

Mr. FLETCHER. I understand the request of the Senator from Utah to be that the bill be temporarily laid aside, in order to dispose of the bond bill, and I regret exceedingly to be put in that position, because we lost the opportunity to have action on the unfinished business the other day by consenting to an adjournment earlier, with the understanding that we would dispose of it the next day.

Then intervened the providential occurrence for which, of course, nobody is responsible, and we were deprived of the opportunity to take the bill up on that day. We have laid the bill aside from time to time to consider other matters. It is really an important measure, and I should like to have it disposed of.

I am, of course, in sympathy with the condition in which the Senator from Utah finds himself, and out of deference to that situation, in the hope that the bond bill will take only a short time, and that we can then resume and dispose of the unfinished business to-day, if possible, or as soon as we can, I am willing to lay it aside temporarily for the purpose of considering the bond bill.

Mr. THOMAS. Mr. President, I can assure the Senator from Florida that we will make progress by granting the request which the Senator from Utah has made.

Mr. STERLING. Mr. President, will the Senator from Colorado yield to me?

Mr. THOMAS. I yield.

Mr. STERLING. I merely wish to say that as one who is very much interested in the lignite-coal bill I should be delighted to see it taken up and considered now, but I do not want to press it against a matter of inability of some Senator to proceed. I did not quite understand the situation that led to the asking that the bill be laid aside temporarily.

Mr. THOMAS. The Senator from Utah [Mr. KING], who desires to address himself to the bill, is physically unable to do

so. He is suffering from a severe headache and is unable to proceed this afternoon.

Mr. FLETCHER. I do not understand that the Senator from Utah requests that the bill be laid aside for the entire afternoon, but that it be laid aside until the bond bill is disposed of, and that by that time the Senator hopes he will be able to proceed, and I also hope so.

Mr. STERLING. I merely desire to say, Mr. President, that it is impossible to resist a request such as that which has been made by the Senator from Utah [Mr. KING] under the circumstances in which he makes it.

Mr. JONES of Washington. I simply desire to say that when I made the suggestion I really did not understand what had been stated by the Senator from Utah. I should not, of course, under those circumstances have desired the bill to be proceeded with until the Senator is ready to address himself to it.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Colorado [Mr. THOMAS] that the unfinished business be temporarily laid aside? There being no objection, the bill is temporarily laid aside.

FOURTH LIBERTY BOND ACT.

Mr. SIMMONS. Mr. President, I move that the Senate proceed to the consideration of House bill 12580, being what is known as the fourth liberty bond bill.

Mr. JONES of Washington. I suggest that the Senator from North Carolina ask unanimous consent to take the bill up, because if it be taken up on motion and not disposed of to-day it might be held to displace the unfinished business; and I do not think that is the intention of the Senator.

The PRESIDING OFFICER. If the bill were taken up on motion and remained under consideration at the close of the session, it would undoubtedly displace the unfinished business.

Mr. SIMMONS. It is not my intention that it shall displace the unfinished business. I thought, however, that the unfinished business had been temporarily laid aside.

Mr. JONES of Washington. I suggest to the Senator from North Carolina that I think he does not mean to make a motion to proceed to the consideration of the bill.

Mr. SIMMONS. If that would have the effect to displace the unfinished business, under the circumstances suggested by the Chair, and the Chair thinks it would have that effect, then I ask unanimous consent that we proceed to the consideration of the bill I have named.

The PRESIDING OFFICER. Is there objection to the request of the Senator from North Carolina?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 12580) to authorize an additional issue of bonds to meet expenditures for the national security and defense and for the purpose of assisting in the prosecution of the war, to extend additional credit to foreign Governments, and for other purposes.

The Secretary read the bill, as follows:

Be it enacted, etc., That section 1 of the second liberty bond act, as amended by the third liberty bond act, is hereby further amended by striking out the figures "$12,000,000,000" and inserting in lieu thereof the figures "$20,000,000,000."

SEC. 2. That section 2 of the second liberty bond act, as amended by the third liberty bond act, is hereby further amended by striking out the figures "$5,500,000,000" and inserting in lieu thereof the figures "$7,000,000,000."

SEC. 3. That notwithstanding the provisions of the second liberty bond act, as amended by the third liberty bond act, or of the war-finance corporation act, bonds and certificates of indebtedness of the United States payable in any foreign money or foreign moneys, and bonds of the War Finance Corporation payable in any foreign money or foreign moneys exclusively or in the alternative, shall, if and to the extent expressed in such bonds at the time of their issue, with the approval of the Secretary of the Treasury, while beneficially owned by a nonresident alien individual, or by a foreign corporation, partnership, or association, not engaged in business in the United States, be exempt both as to principal and interest from any and all taxation now or hereafter imposed by the United States, any State, or any of the possessions of the United States, or by any local taxing authority.

SEC. 4. That any incorporated bank or trust company designated as a depositary by the Secretary of the Treasury under the authority conferred by section 8 of the second liberty bond act, as amended by the third liberty bond act, which gives security for such deposits as, and to amounts, by him prescribed, may, upon and subject to such terms and conditions as the Secretary of the Treasury may prescribe, act as a fiscal agent of the United States in connection with the operations of selling and delivering any bonds, certificates of indebtedness, or war savings certificates of the United States.

SEC. 5. That the short title of this act shall be "fourth liberty bond act."

Mr. SIMMONS. Mr. President, I do not consider it necessary to make any extended statement with reference to this bill. If the bill shall be passed, it will make the fourth of such bills that we have passed. The bill has been read from the Secretary's desk and is easily understood.

I wish simply to say that my information is that the bill was reported to the other House by a unanimous vote of the Ways and Means Committee, and that it passed the House without a dissenting vote. It was referred to the Finance Committee of the Senate, and comes back with a unanimous report from that committee. We have not recommended any amendment to the bill as it passed the House.

The provisions of the bill are very simple. It merely increases the amount of liberty bonds heretofore authorized from $12,000,000,000 to $20,000,000,000. It also provides that such bonds, when purchased by a nonresident alien individual or by foreign corporations, associations, or copartnerships not doing business in the United States, shall be exempt from taxation either by the Federal Government or by any State or municipal division of any State.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Colorado?

Mr. SIMMONS. I yield.

Mr. THOMAS. I desire to ask the Senator from North Carolina what the provision of the law is with reference to the taxation of bonds which are held by foreign nonresidents?

Mr. SIMMONS. The present law imposes the same tax upon bonds owned by nonresident aliens that it does upon bonds owned by citizens of this country.

Mr. THOMAS. I was unable to attend the meetings of the Finance Committee having consideration of this bill, and I therefore would like to be informed why the change is now proposed whereby this exemption is to take effect?

Mr. SIMMONS. The Senator from Colorado will recall that in the last liberty-bond bill we inserted a provision authorizing the issuance of a certain number of those bonds payable in foreign money or moneys. That was done for the purpose of stabilizing exchange and for the additional purpose of furnishing an inducement or incentive to foreign investors to buy those bonds. The testimony before the Ways and Means Committee showed that it was impracticable to induce foreigners to invest in these bonds if they were subject to Federal and State taxation, and if we were to secure such purchasers for these bonds from abroad it would be necessary to relieve them from taxation.

Mr. THOMAS. May I ask whether any of the former issues were purchased with foreign money or by foreign investors?

Mr. SIMMONS. I think not; but I understand none were so sold.

Mr. THOMAS. In other words, the purpose of section 3 is to place all bonds upon an equality with regard to the exemption feature?

Mr. SIMMONS. All bonds sold to nonresident aliens, so long as the oeneficial interest in the bond is owned by them—so it is a corporation.

Mr. THOMAS. As well as those which are to be authorized by this bill?

Mr. SIMMONS. Yes. The bonds that are authorized by this bill to be paid for in foreign money and sold to foreigners, to nonresident aliens, would not be subject to taxation at all, while the bonds sold in our own markets are subject to the surtax and the inheritance tax.

Mr. THOMAS. Then, if I understand the Senator, this is a retroactive provision?

Mr. SIMMONS. It applies also to those bonds which have been issued or authorized. There are about $4,000,000,000 of those bonds which have heretofore been authorized, but have not up to this time been sold, and this applies to those $4,000,000,000 of bonds as well as to the additional $8,000,000,000 of bonds authorized by this bill.

Mr. SMOOT. It would also apply to any bonds that have already been issued, where they have been sold to alien nonresidents. It is retroactive so far as they are concerned.

Mr. SIMMONS. Yes; it applies to all bonds heretofore sold or authorized; but, as I have stated, none of these bonds have been sold to nonresident aliens.

Mr. President, there is just one other provision in the bill to which I desire to refer, and that is an authorization to the Secretary of the Treasury to designate any duly authorized depository bank as a fiscal agent of the Government in connection with the sale of these bonds.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from North Dakota?

Mr. SIMMONS. I yield.

Mr. McCUMBER. Before the Senator takes his seat I think he should make some explanation as to the reason for authorizing only $8,000,000,000 of bonds at this time. This authorization is based upon an estimate that we shall expend during this fiscal year about $24,000,000,000, $4,000,000,000 of which——

Mr. SIMMONS. I will make the statement, if the Senator desires.

Mr. McCUMBER. I merely wish to finish this statement—$4,000,000,000 of which are taken care of in the last liberty loan act, leaving $20,000,000,000 to be provided for, of which it is proposed to raise $8,000,000,000 by taxes. That would leave $12,000,000,000 more to be raised by bonds, while this bill provides only for the raising of $8,000,000,000. Some of us did not agree with the Secretary of the Treasury that we should not proceed immediately to raise the full $12,000,000,000, because we felt that before the ink was fairly dry on this bill we should be called upon for another $4,000,000,000 loan. I thought it would be well perhaps for the Senator to explain that to the Senate.

Mr. SIMMONS. Mr. President, as the Senator has said, it is estimated that we will require $24,000,000,000 to meet the expenses of the fiscal year 1919. Under the second liberty loan act and the amendments thereto $12,000,000,000 of bonds could be issued. About $4,000,000,000 of that amount have not been issued up to this time. In addition to that $12,000,000,000 the pending bill authorizes $8,000,000,000 more, which, added to the $4,000,000,000 heretofore authorized and not yet issued, would make $12,000,000,000 of bonds which the Secretary of the Treasury may hereafter sell. That, added to the $8,000,000,000 estimated from taxes already levied and expected to be levied, would amount to $20,000,000,000, or $4,000,000,000 less than we will require if our 1919 expenditures shall reach the amount estimated, namely, $24,000,000,000.

Mr. SMITH of Arizona. Will the Senator permit me a question, if he is through with that matter?

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Arizona?

Mr. SIMMONS. I will yield in a moment. Inquiry has been made why we should not now authorize the additional $4,000,000,000, instead of waiting for a later time. We have pursued the policy heretofore of authorizing a less amount of bonds than was believed to be necessary, added to the other receipts of the Government, to meet expenditures. That policy has been adopted because, in the condition in which we find ourselves, it is utterly impossible for the Treasury Department, or the heads of the different departments of the Government, safely to estimate what will be ultimately required to meet expenses, and we have left the matter open, so that in the future we may add to the additional amount necessary whatever unforeseen expenditures have to be provided for. None of us knows how much the expenditures will be during the fiscal year 1919. It now seems to the departments that $24,000,000,000 will be sufficient, but we have just entered upon this fiscal year, and before winter or before next spring it may be found necessary to issue a much larger amount of bonds to meet expenditures. That will depend upon conditions and developments. It is the same policy that we have pursued with reference to other authorizations, and the Secretary of the Treasury thought that it would be wiser to leave the matter open, so as to provide later whatever amount the future might disclose to be necessary. I think that answers the suggestion of the Senator from North Dakota.

I now yield to the Senator from Arizona.

Mr. SMITH of Arizona. On entering the Chamber I heard a colloquy as to the exemption from taxation of bonds bought with foreign money.

Mr. SIMMONS. Bonds payable in foreign money.

Mr. SMITH of Arizona. I understand that bonds payable in foreign money are exempt from taxation?

Mr. SIMMONS. Yes; bonds payable in foreign money and purchased either by nonresident alien individuals or by nonresident alien corporations not doing business in this country.

Mr. SMITH of Arizona. Does that exemption—and this is the point I wish particularly to have settled in my own mind—apply to the bonds already sold?

Mr. SIMMONS. Yes; it is retroactive.

Mr. SMITH of Arizona. Is there any estimate as to the amount of bonds that we are thus relieving from taxation?

Mr. SIMMONS. I do not think any of these bonds have been sold to nonresident alien individuals and corporations.

Mr. SMITH of Arizona. Then, so far as the bonds already sold are concerned, this provision would be practically negligible in its effect upon the collection of revenue?

Mr. SIMMONS. Yes. We have not been able to sell them abroad, because the foreigner will not buy our bonds if he understands that they are liable not only to pay a fixed tax to the Government, but liable to be taxed by the States an indefinite and unascertained amount.

Mr. BANKHEAD. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Alabama?

Mr. SIMMONS. I yield to the Senator from Alabama.

Mr. BANKHEAD. I wish to ask, Is there any provision in this bill that prevents the transfer of these bonds to an American citizen after they have been bought by foreigners?

Mr. SIMMONS. No; there is no specific provision to that effect.

Mr. BANKHEAD. Then I wish to ask the Senator if it is not quite likely that Americans who desire to buy bonds in large amounts will execute their purchases through a foreign corporation or a foreign citizen and thus avoid the tax?

Mr. SIMMONS. There might be a possibility of that.

Mr. BANKHEAD. Is it not highly probable that such will be the case?

Mr. SIMMONS. No; because the act provides against that.

Mr. BANKHEAD. How does the act provide for it, I will ask the Senator?

Mr. SIMMONS. In this way—I will read the provision:

SEC. 3. That notwithstanding the provisions of the second liberty bond act, as amended by the third liberty bond act, or of the war-finance corporation act, bonds and certificates of indebtedness of the United States payable in any foreign money or foreign moneys, and bonds of the War Finance Corporation payable in any foreign money or foreign moneys exclusively or in the alternative, shall, if and to the extent expressed in such bonds at the time of their issue, with the approval of the Secretary of the Treasury, while beneficially owned by a nonresident alien individual, or by a foreign corporation, partnership, or association, not engaged in business in the United States.

So the bonds are exempt from taxation only so long as they are beneficially owned by a nonresident alien individual or by a foreign corporation.

Mr. BANKHEAD. Then, Mr. President, the Senator from North Carolina construes that language to mean that bonds purchased by a foreign corporation or an alien nonresident could not be transferred to an American citizen and thereby enable that citizen to benefit from the tax-exemption feature? Is that the Senator's construction?

Mr. SIMMONS. That is my construction of it. The bond must be beneficially owned by the nonresident in order to escape the tax. The moment the bond ceases to be beneficially owned by the foreign resident it will become liable to the tax; that is my construction of it.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Utah?

Mr. SIMMONS. I yield to the Senator from Utah.

Mr. SMOOT. I want to say to the Senator from Alabama that the reason why the residents of the United States would not purchase these bonds through a corporation or a partnership or an association or an alien individual of a foreign country is that it is true that the tax, as far as the Government of the United States is concerned, could be avoided in that way; but the individual who would do that, if he were a citizen of the United States, would be taxed according to the tax laws of the country in which those bonds were sold; or if it were a corporation, it would have to pay the excess-profits tax. No corporation is going to hold those bonds for an individual in the United States and pay the tax unless the individual in the United States is charged up with it, and ordinarily the tax there is about as great as it is in the United States, so he would not undertake that kind of business.

Mr. BANKHEAD. I doubt it very much.

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Minnesota?

Mr. SIMMONS. I yield.

Mr. KELLOGG. The explanation made by the Senator from Utah would be true, undoubtedly, so far as England, France, Italy, or the other belligerent countries are concerned.

Mr. SMOOT. They are the only ones that are affected.

Mr. KELLOGG. And I think there is no question that it is only while the bonds are so owned in foreign countries that they are exempt from taxation; but there is one other question, and that is this: Is there anything in this bill to prevent an American citizen from organizing a corporation in any South American country or any nonbelligerent country where the taxation is not high, where it is less than it is in this country, or in a belligerent country, and the stock being held by American citizens? Those bonds, while held in such foreign countries by this foreign corporation with American stockholders, I am inclined to think, would be exempt. I should like to ask the Senator from North Carolina if that can be protected by the Treasury Department by a provision in the bond itself?

Mr. SIMMONS. I have no doubt that it can be. I think the intent and purpose of the exemption is very, very clear, and I think the Treasury Department would have ample authority so to draft the bond as to carry out that intent and afford protection against such an evasion as that referred to by the Senator.

Mr. KELLOGG. The bill provides that these bonds payable in foreign money—

Shall, if and to the extent expressed in such bonds at the time of their issue, with the approval of the Secretary of the Treasury, while beneficially owned by a nonresident alien individual, or by a foreign corporation, partnership, or association, not engaged in business in the United States, be exempt both as to principal and interest from any and all taxation now or hereafter imposed by the United States, any State, or any of the possessions of the United States, or by any local taxing authority.

I have not examined this, but it would seem as though American citizens, if they were so disposed, might organize a corporation in foreign countries where the rate of taxation was less than it is in this country, and that such a corporation could hold Government bonds exempt from our taxation. I simply suggest that with a view of avoiding any such frauds if it opens the door for them.

Mr. SIMMONS. I do not know, of course, what may be the provisions of the laws of different foreign countries in reference to the organization of corporations by nonresidents. I assume that while a nonresident might in most countries be a stockholder in a domestic corporation at least a majority of the stock in such corporation would have to be owned by citizens of the country of incorporation. I do not suppose it is the purpose and intent to deny this exemption to a foreign corporation because a fraction of its stock might be held by citizens of this country, but if the case presented by the Senator developed, if it should be made to appear to the Secretary of the Treasury that the law was being evaded by taking advantage of the liberal incorporation laws of some particular country, the Secretary could, I think, protect the Government by declaring the right of exemption forfeited because of a failure of beneficial interest on the part of the holder. Not only that, but the bond could be so drawn as to provide against the exemption in such a case as that stated by the Senator from Minnesota.

The original liberty-bond act, of which this is an amendment, gives the Secretary of the Treasury the amplest and the broadest authority with reference to the terms and conditions of the bonds that may be issued, practically the only thing fixed beyond his discretion being the rate of interest and the taxation imposed. The other stipulations are left to the judgment and discretion of the Secretary of the Treasury.

Mr. KELLOGG. Mr. President——

Mr. SIMMONS. If the Senator will pardon me, here is the broad declaration in this bill that the nonresident alien individual or the foreign corporation not doing business in this country shall not enjoy this exemption unless and only so long as he or it remains beneficially the owner of the bonds. In the light of that declaration of purpose on the part of Congress, I think the Secretary of the Treasury would have ample authority, and I might say unlimited authority, in drafting the bonds to provide against any evasion of the purpose of Congress such as is apprehended by the Senator.

Mr. KELLOGG. The point I wished to guard against was, as I stated, so that American citizens could not organize corporations in these foreign countries to buy these bonds. Of course, I do not expect that it would be done to any great extent. I doubt if these bonds will be purchased to a very large extent in foreign countries; certainly not in the belligerent countries. They might be in some others.

Mr. SIMMONS. Does the Senator think that the Secretary of the Treasury would sell these bonds to a corporation of the character he indicates, although it might be nominally a foreign corporation?

Mr. KELLOGG. He certainly would not if he knew it, of course.

Mr. SMOOT. Mr. President, I had hoped that this bill would go over until to-morrow morning, but I shall not ask it. I had a good deal that I expected to say upon this bill and other subjects kindred to it. It is so late in the day, however, that it would be unwise for me to proceed to say now what I had intended to say upon this subject. I shall occupy but a little of the time of the Senate, and then I shall be content to vote upon the bill. I might as well say out of order what I had intended to say upon section 3, since it has already been discussed by the chairman of the committee and the few other Senators who are present and interested in it.

Section 3 in ordinary times would simply mean that a foreigner purchasing United States Government bonds purchases them upon a better basis than a citizen of the United States can purchase them. I will admit that that has been done by foreign countries in order that foreign money may be brought to the country issuing the bonds, but I am frank to say that I have never approved of such a policy, and certainly I could not approve of it so far as the United States is concerned, because her obligations are the best of those of any country in all the world. We do not have to go to foreign countries to seek money in order to dispose of United States bonds. During the war I do not think there will be such advantage as complained of to citizens of the United States through buying United States bonds designated in foreign money and drawing an interest rate similar to that provided by the bonds in the United States, for the reason that nearly every country where such bonds would be purchased imposes taxes to-day approximating the taxes imposed upon the individual in this country who would purchase bonds through foreign sources.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Ohio?

Mr. SMOOT. I yield to the Senator.

Mr. POMERENE. Is the Senator able to state how many of these bonds or certificates of indebtedness of the United States have been sold which are payable in foreign money or foreign moneys?

Mr. SMOOT. Not a dollar.

Mr. POMERENE. Is the Senator able to state to what extent it is believed that it would encourage foreign investors?

Mr. SMOOT. To a very limited extent.

Mr. POMERENE. Is the Senator able to state to what extent it might interfere with investment in these bonds by domestic purchasers if those provisions were in the bill?

Mr. SMOOT. It will not interfere in any way unless the citizen of the United States can receive some advantage by reason of the purchase.

Mr. POMERENE. This bill has just been called to my attention and I am asking for information——

Mr. SMOOT. I understood that, Mr. President.

Mr. POMERENE. Not as indicating what views I may have, because my views on the subject are not matured; but is it likely that if these bonds, which are payable in foreign funds, were sold to foreign investors they might, after having been sold in that way free of this tax provision, be repurchased by domestic investors?

Mr. SMOOT. If they were repurchased by a domestic corporation or partnership or citizen of the United States, the interest on the bond would immediately become taxable, because section 3 provides that to be nontaxable the bond must be beneficially owned by an alien individual or by a foreign corporation or a foreign partnership.

Mr. McCUMBER. Mr. President, if the Senator will pardon me, there is no question that that provision would give the foreigner an advantage over the American purchaser; but the slight advantage that would inure to the foreigner would be far more than overcome by the fact that the foreigner would be subject to taxes upon that income in his own country.

Mr. SMOOT. That I called attention to before, and I think we can rely upon that to be a fact at least as long as the war lasts; and the result will be that there will be no citizens of the United States investing in these bonds through corporations of a foreign country.

Mr. President, I did not offer any amendment to this bill——

Mr. SIMMONS. Mr. President, let me answer the Senator by calling attention to the fact that in foreign countries these bonds will not be sold by advertisement, as they are in this country. They will be sold as the result of private arrangement between the Secretary and the purchasers, and in that transaction the Secretary can advise himself as to the bona fides of the purchase.

Mr. SMOOT. Of course, if a foreign corporation or an alien individual or association make application for the purchase of bonds as provided for in section 3 of this bill, they are going to get the bonds if they conform to the provisions of section 3, no matter whether we advertise or do not advertise the sale of them.

Mr. President, I stated that I offered no amendment to this bill when it was before the committee, and I am not going to offer any amendment to the bill while it is under consideration by the Senate. If I had had my way I would have had the amounts named in this bill conform to the obligations that we really know we have got to meet for the fiscal year ending June 30, 1919.

Take section 2 of the bill. Section 2 provides an increase of $1,500,000,000 to purchase the obligations of foreign countries. There is none of us but knows that that amount of increase over and above the authorization to-day will not be sufficient to meet the requirements of our allies for the present fiscal year. For the fiscal year ending June 30, 1918, we purchased obligations of foreign Governments to the amount of $4,738,029,750.

Mr. GORE. Was that for the last fiscal year?

Mr. SMOOT. That was for the last fiscal year; or, in other words, a little less than $5,000,000,000. With this bill a law we provide, for the full fiscal year of 1919, $2,000,000,000, and we know that that is not what we must advance to our allies. So as soon as Congress meets in December, or shortly thereafter, or perhaps even before then, we shall have to pass another bill increasing the amount again at least $2,000,000,000 more. Why not do it now, and let the American people understand exactly what they have to meet and what we have to raise by taxation?

I think it is better by far to do that than pass legislation by piecemeal. You can not deceive the American people. You are not going to blind the eyes of the business men of this country until after election. They know as well as you know that this amount is not sufficient. I would have liked to see it made $2,000,000,000 more; but, as the Senator says, piecemeal legislation has been the policy in the past, and I suppose we shall have to follow it in the future.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from North Carolina?

Mr. SMOOT. Yes.

Mr. SIMMONS. The Senator knows that when we passed the last bond bill, in which we undertook to provide for the Government's domestic needs only for the balance of the fiscal year 1918, we provided a billion and a half dollars to be loaned to the allies during the months of July, August, and September of the fiscal year 1919. The Senator knew then, as he knows now, that we would need for the fiscal year 1919 much more than a billion and a half dollars. He knows that we need much more than the additional billion and a half dollars; but we do not know, and the Secretary of the Treasury did not know, and it was impossible for him to know, to what extent the requirements of the allies might increase at any time, and therefore I think he thought it as wise policy not to anticipate the entire requirements of the allies any more than he anticipated the entire requirements of the Federal Government.

Mr. SMOOT. Mr. President, if the statement made by the Senator is entirely correct—and I concede that that is the policy that has been pursued—it would make no difference to the Treasury if we had increased it $2,000,000,000; not one dollar of it would be spent in the purchase of foreign obligations unless it is absolutely necessary. The amount that we are providing for in the pending bill will only provide money for the purchase of these obligations up until about the 1st day of December.

Mr. SIMMONS. That is right; about the 1st day of December.

Mr. SMOOT. That is, if we do not purchase these obligations to any greater extent than we are doing to-day.

Mr. President, I was about to say that our direct appropriations for the fiscal year 1919 will amount in round numbers to $19,000,000,000, and in connection with the direct appropriations there are authorized appropriations for this fiscal year of $5,000,000,000 in round numbers, making the appropriations for the fiscal year ending June 30, 1919, $24,000,000,000. That does not take into account what we may advance to our allies; and if we advance to our allies $5,000,000,000, about the same as we advanced for the fiscal year 1918, our appropriations would amount to about $29,000,000,000 for the fiscal year ending June 30, 1919.

Senators will remember that the appropriations for the fiscal year 1918 amounted to over $19,000,000,000, and the authorized appropriations to a little over $2,000,000,000. I stated to the Senate at the time the appropriations were made that it was a physical impossibility for the country to produce that amount of goods during that fiscal year; and I want to say now that it is a physical impossibility, with all the additional preparations made, to produce $24,000,000,000 worth of goods in this country during the coming fiscal year. It can not be done and provide the necessary munitions of war and the necessary orders that will have to be filled for our allies. We are not prepared to make the goods within the fiscal year.

Why, Mr. President, what were our expenses for the fiscal year ending June 30, 1918, notwithstanding the appropriations made? I had better name them to the Senate and the amount of each subdivision, so that they will see just what they do amount to.

Our ordinary expenses were $7,684,643,047.77.

The interest on public debt was $189,733,277.14.

We paid on account of the Panama Canal $19,268,099.30.

We purchased of obligations of foreign Governments $4,733,029,750.

We purchased of the Federal farm-loan bonds, principal $64,160,000, and accrued interest $858,296.93.

Making a total expenditure for the fiscal year ending June 30, 1918, of $12,696,702,471.14.

Mr. LEWIS. Mr. President——

Mr. SMOOT. I yield to the Senator.

Mr. LEWIS. Knowing how very well informed on financial matters the Senator from Utah is, I beg to ask, Am I misinformed in the assumption that we did not buy foreign securities, but that we merely exchanged the securities of America for foreign securities?

Mr. SMOOT. No, Mr. President, we purchased the obligations of foreign countries.

Mr. LEWIS. And paid for them with the money of America?

Mr. SMOOT. And paid for them by shipping those countries munitions of war and goods that were absolutely necessary, such as wheat, powder, shells, steel, automobiles, and a thousand other items.

Mr. LEWIS. May I ask the Senator, Am I wrong in the assumption that what we did was merely to make an exchange of their securities for our properties and other securities of our own? Am I wrong in that?

Mr. SMOOT. No; the Senator is right. The situation is virtually this: Whatever the balance of trade against one of our allies may be, the United States has to purchase its obligations to cover that balance. If the balance is $5,000,000,000 the coming year, the Government of the United States will purchase their obligations to the extent of $5,000,000,000. If it is $10,000,000,000, the Government of the United States will purchase ten billions of their obligations, because I want to say to the Senator now that our allies have not the gold to pay for their balances. It does not exist in the world, and the only way in which those balances can be adjusted is just the way we are doing.

Mr. LEWIS. I thank the Senator.

Mr. GERRY. Mr. President, how much of that amount does the Senator estimate is raised by taxation, not counting, of course, our loans to our allies?

Mr. SMOOT. I am just figuring it roughly in my head. I will say that the United States raised about 36 per cent of the ordinary expenses of the Government for the fiscal year ending June 30, 1918, from taxation. A detail of those expenses I have already given to the Senate.

Mr. GERRY. Is it not a higher percentage than that?

Mr. SMOOT. No; and I will say to the Senator the total expenditures were $12,696,702,471.14; and in connection with that I now suggest what he and I both as members of the Finance Committee have stated time and time again before that committee, that the ordinary expenses of the Government for the last year would not exceed $13,000,000,000.

Mr. GERRY. If the Senator will yield further, I understand that over four and a half billion dollars of that sum was loaned to the allies, which makes about $8,000,000,000.

Mr. SMOOT. I wish to say to the Senator I misunderstood his question.

Mr. GERRY. I thought the Senator misunderstood me.

Mr. SMOOT. I understood the Senator to say including that advanced to the allies.

Mr. GERRY. No; excluding it.

Mr. SMOOT. Then I would say that we raised by direct taxation over 50 per cent of the ordinary expenses for the fiscal year ending June 30, 1918.

Mr. GERRY. That is my understanding of the situation.

Mr. SMOOT. I ask the Senator to excuse me. I misunderstood his first question.

Mr. SIMMONS. The Senator means, of course, to say that the $13,000,000,000 we expended last year includes the amount we loaned our allies.

Mr. SMOOT. It did. The $12,696,000,000 included $4,730,000,000 advanced, that is, the obligations of foreign countries that we purchased.

Mr. SIMMONS. The Senator understands that the $24,000,000,000 estimated includes the amount we propose to loan our allies.

Mr. SMOOT. No; the Senator is wrong there. I can tell the Senator the amount of every appropriation bill we have passed this session, and they amount to about $24,000,000,000.

Mr. SIMMONS. The Senator understands the estimated expenditures of appropriations and the appropriation bills are two entirely different and distinct things. The estimated expenditures never equal the amount appropriated.

Mr. SMOOT. I can not agree with the Senator there. My experience before the beginning of the present war is that the expenditures have always been more than the appropriations, because there has never been a time when we have not had to pass urgent deficiency appropriation bills. I recognize the fact that the appropriations made last year were made with a view of meeting every unseen condition that might

arise, and they were made larger than it was possible for the country to absorb with goods manufactured in this country.

Mr. SIMMONS. Every estimate that has been made by the Treasury Department in the last year has been based not only upon the amount of money that would probably be spent for domestic purposes but upon the amount of money that would likely be spent in supplying the needs of our allies. I have here in my hand now the estimate of the Treasury Department made when we passed the last bond bill. That was on the 29th day of March. It was estimated then that the expenditures for the year 1917 would be $16,116,000,000, but that included a supposed expenditure upon account of our loans to our allies of $6,190,000,000. So the bill here includes not only what it is estimated we will expend during the fiscal year 1919 for domestic purposes but what we will expend for our allies. I think the Senator is entirely mistaken about that. I have not the statement; none has been furnished at this time with reference to the itemized estimate; but we have a statement of the itemized estimate in the last bond bill, and it shows the fact I am stating now, that although we appropriated $21,000,000,000 for 1919 and 1918, the expenditures were $16,000,000,000, and it was estimated in March $6,000,000,000 of that would be for our allies.

Mr. SMOOT. The Senator certainly did not hear what I had to say or he would not question it. I stated exactly in effect what he has just stated, that the appropriations for last year amounted to over $19,000,000,000, with $2,000,000,000 authorizations, making $21,000,000,000, and instead of spending the $21,000,000,000 we expended only $12,696,702,000. But when the Senator says that the appropriations made this session, of $24,000,000,000, cover what we intend to advance to the allies for the present fiscal year he is mistaken.

Mr. SIMMONS. What I say is that the $24,000,000,000 estimated expenditures includes what it was estimated we would spend for our own purposes and what we will spend in advances to the allies.

Mr. SMOOT. I say now to expend it for this year is an absolute impossibility, for the simple reason that we have not the capacity of production in this country to reach it.

Mr. SIMMONS. If the Senator will pardon me, I am not disagreeing with him about that. I think in 1918 we would have spent the full amount appropriated if we had been able to expend it.

Mr. SMOOT. Certainly.

Mr. SIMMONS. But there was a limitation upon the amount the Government could expend, and under that limitation they were not able to expend much more than half what was appropriated. I agree with the Senator that the probabilities are this year that those limitations will not be as great as they were last year, but they still will operate as a limitation upon the amount we can possibly expend. I doubt whether it is possible to expend the amount that is estimated.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). Does the Senator from Utah yield to the Senator from Ohio?

Mr. SMOOT. I yield.

Mr. POMERENE. A moment ago the Senator from Utah made a statement that the ratio between the money raised by taxation and that expended was about 50 to 50.

Mr. SMOOT. Over that, that is for the past fiscal year.

Mr. POMERENE. Do I understand the Senator correctly to mean that that was the ratio between the money actually raised by taxation and that which was actually expended and not that which was actually appropriated?

Mr. SMOOT. The Senator is right. It was the ratio between the money that was actually raised by taxation and the actual expenditures of the Government for the fiscal year ending June 30, 1918.

Mr. POMERENE. There have been constant representations made here on the floor of the Senate by certain Senators to the effect that the amount of money raised was very much less than that indicated. That is what I wanted to make perfectly clear.

Mr. SIMMONS. I do not think there ought to be any confusion about that. The amount we raised by taxation was about four billion dollars. It was a little over that, but in round numbers about four billion dollars. The actual expenditures were in round numbers something about thirteen billion dollars. That included, as has been stated, the amount that we advanced to our allies. The money that we advanced to our allies was money that we have raised by the sale of American bonds. If you include that money in the estimate of expenditures, then we raised by taxation only something less than 33⅓ per cent, but if you eliminate that, then we raised by taxation over 50 per cent.

Mr. POMERENE. I understand that, but it is not fair to represent to the public that a loan to the allies is an expenditure. That is a different account. We hope to get that back some day.

Mr. SIMMONS. I am inclined to agree with the Senator in reference to that, but what I say is that we should have a clear understanding as to what is included in these estimates, the relative amount raised by taxation and the relative amount raised by bonds. The relative amount raised by taxation and by bonds is a little less than 33⅓ per cent, if you include the bonds that we have sold to raise the money that we have loaned to our allies.

Mr. SMOOT. There is no need of having any misunderstanding about it.

Mr. SIMMONS. I hope not.

Mr. SMOOT. The ordinary expenses of the Government for the year ending June 30, 1918, including that which we advanced to our allies, amounted to $12,696,702,471.14. Of that $12,696,702,471.14 we purchased of the obligations of our foreign allies $4,738,029,750. So deducting that from the total of $12,696,702,471.14 leaves $7,958,672,721.14.

So the actual expenses of the Government, not taking into consideration the amount of obligations that we purchased from foreign countries, is $7,958,672,721.14, and we collected by taxation in round numbers $4,300,000,000, or 54 per cent.

Mr. POMERENE. May I ask the Senator a question there?

Mr. SMOOT. Certainly.

Mr. POMERENE. In response to a resolution passed by the Senate some time ago the Secretary of the Treasury made a report as to what the revenues would amount to, but he made the statement also at that time that there were a great many returns which had not yet come in. My information was at the time that the revenues would in fact amount to approximately $300,000,000 more than the estimate contained in the report by the Treasury Department. I am not giving the exact figures when I so state, but that was the substance of my information.

Mr. SMOOT. The Senator is correct, and I want to say the estimate of the department is correct. Therefore, I say instead of the estimate made of $4,000,000,000 the amount will be about $4,300,000,000.

Mr. POMERENE. Is that information complete now or is it in part still estimated?

Mr. SMOOT. It is complete up to the collections that were made to June 30, 1918, but I will say to the Senator there are still collections to be made, and we can not say exactly to the dollar what the amount of taxes will be. But there is no question that they will be over $4,000,000,000.

Mr. POMERENE. There is no doubt about that.

Mr. GERRY. Will the Senator yield?

Mr. SMOOT. I yield.

Mr. GERRY. Under those circumstances the amount raised will be over 50 per cent.

Mr. SMOOT. As I said, it will be 54 per cent.

Mr. GERRY. Twice as high as any other country in the world.

Mr. SMOOT. Twice as high as any other country in the world. Twenty-six and one-eighth per cent is the highest ever raised by any country.

Mr. THOMAS. What country is that?

Mr. SMOOT. England.

Mr. McCUMBER. The Senator states that we raised this sum by direct taxation. I suppose that included all we raised from all sources of taxation?

Mr. SMOOT. Yes; in other words, it includes every tax imposed by the Government upon business and individuals.

Mr. McCUMBER. It includes our tariff as well.

Mr. SMOOT. Our tariff and our revenue tax and every tax imposed.

Mr. McCUMBER. I do not think the Senator meant to say it was by direct taxation, but that it included all taxation.

Mr. SMOOT. I thought I had on my desk a complete statement of the taxes that have been collected up to July 1 showing the amount collected in each collection district. I think it would be very interesting to the Senators who are interested in the subject to get a copy of that statement from the Internal-Revenue Bureau and study it carefully and see where the taxes are collected and see from what source.

In this connection, Mr. President, I want to say that the business interests of the country do not object to necessary taxation. They are perfectly willing to pay high rates of taxation during this war. What they object to is a law that is discriminatory and which imposes taxes unjustly upon one concern and another one escape just taxation.

Mr. POMERENE. Mr. President, I indorse what the Senator says with respect to the willingness of the business public to pay these taxes. I hope the Finance Committee will bear that fact in mind and make these taxes hereafter payable in installments and not take all of this money from the taxpayers at one time.

Mr. SMOOT. The Senator is correct in his position. Taxes ought to be paid in installments. I think that will be provided for. The Senator will remember that I offered an amendment to the bill when it was being considered in the Senate making those payments at three or four different periods, but in conference it was changed.

Mr. SIMMONS. If the Senator will pardon me, I wish to state to him that I have in my possession a communication from the Commissioner of Internal Revenue in which a recommendation is made that the taxes in the next bill be made payable in six equal installments.

Mr. SMOOT. I think the recommendation is a wise one, and I have no doubt, I will say to the Senator from Ohio, it will be agreed upon.

Mr. POMERENE. There was a light that they saw on the way from Damascus.

Mr. SMOOT. I will say to the Senator from Ohio that I have no doubt when the bill is reported there will be a provision to that effect in the next revenue law.

Mr. THOMAS. Mr. President, the Senator just expressed a hope that Senators would secure the official information regarding the distribution of taxes over the United States as shown by the reports and collections in the Treasury Department and acquaint themselves with the facts that those reports disclose. I ask the Senator to look around the Chamber and note that while we are considering a bill which will, when passed, increase the potential indebtedness of the people of the United States by eight or nine billion dollars it seems to be a subject of comparative indifference, if we may judge from the lack of attendance, and I ask him whether he thinks Senators care sufficiently about the subject to acquaint themselves with the information to which he refers? My experience is that when we are voting for revenues our attendance is comparatively small, but when we are voting for appropriations many of us are interested in those appropriations and are always on hand.

Mr. SMITH of Georgia. If the Senator will allow me, I wish to say that I find in that an expression of confidence in the Finance Committee of the Senate.

Mr. SMOOT. What I wanted to say is this, that I do not believe Senators expected this bill to be brought up for consideration at this late hour in the day, and I see I have been on the floor for an hour, when I did not expect to occupy the floor for more than 15 minutes. But the subject is a broad one, and when you start out on one line you hardly know just where you can stop. I think the best thing for me to do is to stop right now, and let us vote upon the bill.

Mr. THOMAS. I am afraid that if the Senator should attempt to comment upon the present revenue law his language might not be parliamentary.

Mr. SMOOT. I will admit, Mr. President, that I have written letters about the law that I should dislike to have published in the CONGRESSIONAL RECORD.

Mr. SHERMAN. Mr. President, I anticipated that the Senator from Utah [Mr. SMOOT] was about to yield the floor, and I wish to make an inquiry and also a statement before he concludes.

This bill was reported to the Senate from the Committee on Finance on the 29th day of June. That was last Saturday—not in time, of course, for action on that day. The following Monday was July 1. We had July 1 and July 2 and July 3. The death of the late lamented Senator Tillman was not a day for legislation. July 4 was yesterday, and this practically has been the first day on which this bill could be called up for any parliamentary procedure. While the appropriation bills and bills of this character are always in order, and every Member of this body must take parliamentary notice and be in his seat, yet I wish to state not only these preliminary facts, but the further fact that this afternoon, in this short time, it provides for the creation of an immense public debt.

Now, I want to inquire of the Senator from Utah, keeping in mind that our maximum amount of money available for all purposes, public and private, in this country does not exceed $6,000,000,000, as a liberal estimate, and $6,000,000,000 must be so utilized as to provide for all this immense expansion of credit, for a probable collection, before the next fiscal year ends, of not $4,000,000,000 but of $8,000,000,000.

This expansion of credit and the great increase in taxation will require a dollar of United States money to move with greater nimbleness than was ever known in the history of any country in its financial transactions. I desire to ask if all this is not something that should cause us to reflect very soberly upon such legislation?

Then, I wish to inquire further of the Senator, especially in view of a very potential fact that he has mentioned here—that our manufacturing ability will not suffice to absorb this immense proportion of credit that we are providing here—whether there is any reason for this great expansion of credit at this time; whether there is any reason for the expansion provided in this bill, in view of our potential manufacturing ability; whether, in other words, we could not take some experience to heart from the expenditures of the last fiscal year and provide for some more prudent husbanding of our resources?

Mr. SMOOT. Mr. President, in answer to the Senator from Illinois, I will say that if we covered all of the estimates of the departments, or even if we covered the appropriations that have been made at this session, instead of being $8,000,000,000 increase it would be $12,000,000,000 increase, and instead of being $20,000,000,000 authorization it would be $24,000,000,000.

I am not one who shies whenever the word "inflation" is uttered. I know that there is going to be inflation of the currency of the United States.

Mr. THOMAS. There is inflation.

Mr. SMOOT. I know that there is inflation, and I know that there will be greater inflation before the war is over. I know our currency or Federal bank notes will not have a gold reserve such as we have always insisted upon in the past. Our paper dollars will be secured with all the gold that we now hold, which is only about $3,000,000,000—one-quarter of all the gold in the world—but back of them are the immense resources and credit of the greatest Government on earth, and the latter is what is going to keep our paper money at par.

Mr. SHERMAN. Mr. President, I desire to inquire of the Senator, again with the Senator's permission, whether to-day we ought not, in the Senate Chamber, to consider that we are no longer on a gold-paying basis, but are to-day traveling on a credit basis?

Mr. SMOOT. There is no question about it, Mr. President. I do not hesitate in saying it—all the people of the world know it. If they do not know it, it is because the knowledge would have no significance to them. However, you can not fool the business men of this country or of the world. They know how much gold we have; they know what our circulation is; they also know what our obligations are. The business men of foreign countries follow the changes in our financial conditions just as closely as we follow them.

Mr. THOMAS. Mr. President——

Mr. SMOOT. I yield to the Senator from Colorado.

Mr. THOMAS. Does not the Senator also know that we have been upon a credit basis practically ever since our declaration of war?

Mr. SMOOT. The Senator from Colorado is virtually correct, although I should say that for the first six months of the war, with the immense gold reserve which we had, and the further fact that the war for the three years preceding had brought an additional billion dollars of gold to our country, and with that extra billion of dollars and the paying of our foreign obligations by the shipment of goods and the purchase of American bonds held in foreign countries placed us upon a wonderful financial basis; but our present currency, if issued in ordinary times, would be considered bordering upon inflation. When I say that I do not mean to say that it even approaches that of Germany, or of England, or of France; but I call the attention of the Senate to the fact that as the war proceeds the difference will grow less, for we know that every soldier we put into the field costs the Government of the United States eight times as much as a soldier costs the French Government and ten times as much as every soldier which Germany has fighting for her.

Mr. THOMAS. It costs fourteen times as much.

Mr. SMOOT. The Senator from Colorado says it costs fourteen times as much. I have seen that statement made time and again, and have tried to figure it out from the number of men that Germany has in the field on the best reports that I could get, together with the obligations that the German Government is reported to have issued, and I can only make it about ten times the amount we pay for each soldier we put in the field. However, I am sure that I am within reason when I say the cost is ten times as much. So, if this war continues another year or two years more, I want to say to Senators that we need not worry about currency inflation, for it will be with us in full bloom. We are going to keep every dollar of gold we have; there is no doubt about that; and I should have liked, if it had been possible for us to do so, to have kept every ounce of silver we possessed at the beginning of the war in this country.

When the war is over the time will come when we shall have to protect our paper money. We shall have to meet the competition of the world; then we shall have to have a credit, not based upon paper alone, but upon something back of it that the world will accept. Every unnecessary expenditure ought to be avoided. We ought to scrutinize our appropriations most carefully.

I will admit, Mr. President, that for the first year of the war I paid little attention to appropriations asked for. I did not care what the departments requested by way of appropriations. I felt that it was to be given to them. I felt that way this year also, and I desire now to state that so far as I am concerned, if it becomes necessary for the Government to take every cent that I own on earth to win this war, most cheerfully will I give it. What good would money be to me if the war is won by Germany?

I would rather die, and I was going to say I would rather see every child of mine in the grave, than to see Germany dominate this world; and if she wins this war, that is what she will do. So whatever is required to bring success to our cause must be furnished, and whatever demand is made upon the people by way of the payment of taxes or the purchase of bonds is going to be met.

Mr. President, so far as I am concerned I would rather have seen this bill provide for what we know we are going to need, for it would not make one cent of difference to the Treasury of the United States to have done so. We do not incur an obligation until the bonds of the Government are issued; we do not have to raise the money for the purchase of obligations of foreign countries until the necessity arises; and if the war should cease in three months, it would make no difference whether this bill authorized $1,500,000,000 more or $5,000,000,000 more; it would not be used if not required. So I think the best way to deal with the American people and with American business men is to tell them plainly what we are going to do, and let them prepare for it.

I promise you to-day there is not a business man in the United States who will object to taxation or to any demand made by our Government, provided he knows that when he is taxed his competitors shall be taxed in the same way and on the same basis. I indulge the hope, Mr. President, that when the next revenue bill comes to the Senate it will be based upon that principle, carried out irrespective of what section of the country or whom it may hit; that the burdens will fall evenly upon all based upon actual profits made.

It is late and I must close.

Mr. KELLOGG. Mr. President, I shall not detain the Senate to discuss this bill at any length, but I should like to call the attention of the Senate to section 3, which provides an exemption of these bonds from taxation in the hands of nonresident alien individuals, foreign corporations, partnerships, or associations not engaged in business in the United States.

I presume it is true that England, France, Italy, and Russia also, I imagine, have been selling their bonds in this country under provisions exempting them from taxation under those Governments, and, of course, it would seem on its face to be fair that we should do the same as to our bonds. I am not familiar with their laws providing for such exemption, but our positions are different. There is not any possibility of selling our bonds to the belligerent countries for they are straining their financial resources to the limit to take their own bonds and provide for their own expenses. One of the weaknesses of Great Britain and of France is that they have been compelled to go to foreign countries to borrow money to secure provisions and supplies. The strongest position we can be in in this war is to finance the war ourselves by our own bonds, sold to our own people, and by taxation. Then when the war closes we will have no foreign accounts to settle.

I do not believe that any considerable number of the bonds proposed to be issued could be placed in neutral countries. It is possible that that might be done, but I do not believe it can be done. I am not advised, as the Finance Committee undoubtedly are, as to the reasons for placing this clause in the bond bill to stabilize foreign exchange. If the Finance Committee has valid reasons given by the Treasury Department why we should have this clause in the bill in order to sell bonds in foreign countries so as to stabilize exchange, I should like to hear them, and should undoubtedly give great weight to their opinion; but I am afraid that some of the provisions of this clause may be used for escaping just taxation.

It is perfectly true that it would be impossible for us to sell those bonds to Great Britain or France if they were subject to taxation here and also subject to taxation there; but under this provision a foreign corporation may purchase these bonds and they may be exempt not only now but after the war closes, although their stockholders may be American citizens and American corporations. I presume a proper construction of this provision would permit the Secretary of the Treasury, if it is called to his attention, to place some clause in the bond which would prohibit that; but it is a question whether it is wise for us to permit foreign corporations, without any regulation as to whom their stockholders shall be, to buy these bonds and hold them exempt from any taxation. I am aware of the fact, of course, that if we were compelled to go to foreign countries to borrow money, or if there were any great reason why we should do so, we would have to make the bonds exempt.

I do not wish to move an amendment which the Finance Committee does not approve, but I do desire to call to the attention of the Finance Committee the danger of this provision.

Mr. SHERMAN. Mr. President, before the Senator concludes, will he permit me to inquire if some gentleman from Illinois or Minnesota might not go to Honduras or any other Central American republic and organize a corporation for any particular purpose, for shipping tropical fruits or for agriculture, and buy those bonds and have them remain in the hands of a foreign corporation, people living in Bogota or Sao Paulo, and escape taxation entirely?

Mr. KELLOGG. I should say that could be done, provided the laws of Honduras permitted corporations to be organized there with foreign stockholders. I have every reason to believe that most foreign countries permit such organizations. We do in almost all of the States. We may organize corporations in most of the States of the Union where all of the stockholders are foreign stockholders, except enough stock to qualify certain local directors. There are varying provisions or regulations covering this subject; but, generally speaking, corporations may be organized here with foreign stockholders; and although I have not looked up the provisions of the particular countries, I have no doubt that such is the case in most, if not all, foreign countries.

Mr. SHERMAN. I will say to the Senator that citizens of my State are engaged in business all over Central America. I do not know of a country there that does not have some of my constituents doing business in it—generally incorporated, too—and it is by the consent of the laws of those countries. It is the easiest thing in the world, because their charters are not so specific as ours. You can get a charter from a Central American republic that will allow you to engage in the banking and insurance business and run a sawmill at the same time, if you want to, or anything else that you can think of, or buy bonds and go into the bond-brokerage business.

Mr. KELLOGG. I am not desirous of preventing the Treasury Department from selling these bonds to foreign citizens or corporations of foreign countries. If it is deemed advisable to do so and they have sufficient reasons for making such sales, I do not wish to prevent them; but I do wish to call attention to the danger that there is in this clause of the bill.

Mr. SIMMONS. Mr. President, if the Senator will pardon me, the provision with reference to the sale of bonds to citizens of foreign countries payable in foreign money was put in the third liberty-bond act, as I recall, upon the floor of the Senate, and was subsequently approved by the Secretary of the Treasury. No amount of bonds for this purpose is authorized. The purpose, as stated in the debate at the time the Senate adopted this provision with reference to bonds payable in foreign money, was solely to stabilize the rate of exchange between the country in which they are sold and this country, that condition having been very greatly disrupted by the war.

I wish to read to the Senator the provision of that act. It is not brought forward in this bill because this bill is but an amendment to the second liberty-bond act and the amendments thereto. Here is the provision:

> That any of the bonds or certificates of indebtedness authorized by this act may be issued by the Secretary of the Treasury payable, principal and interest, in any foreign money or foreign moneys, as expressed in such bonds or certificates, but not also in United States gold coin, and he may dispose of such bonds or certificates in such manner and at such prices, not less than par, as he may determine, without compliance with the provisions of the third paragraph of section 1. In determining the amount of bonds and certificates issuable under this act the dollar equivalent of the amount of any bonds or certificates payable in foreign money or foreign moneys shall be determined by the par of exchange at the date of issue thereof, as estimated by the Director of the Mint, and proclaimed by the Secretary of the Treasury, in pursuance of the provisions of section 25 of the act approved August 27, 1894, entitled "An act to reduce taxation, to provide revenue for the Government, and for other purposes." The Secretary of the Treasury may designate depositaries in foreign countries, with which may be deposited as he may determine all or any part of the proceeds of any bonds or certificates authorized by this act, payable in foreign money or foreign moneys.

So stabilization of exchange was the one object and purpose sought to be accomplished. The amount of bonds that the Secretary should issue for this purpose was not fixed, but he was

authorized, as I understand—and I think that is the proper interpretation of it—only to issue such amount of these bonds as might be necessary for the accomplishment of that specific purpose.

Mr. KELLOGG. Did the former bond bill contain the exemption clause, the same as this?

Mr. SIMMONS. No; it did not.

Mr. KELLOGG. Does the Secretary think it is necessary that it should be placed in this bill?

Mr. SIMMONS. The Secretary thinks it is absolutely necessary if he is to sell any of these bonds at all in this way, because he has not been able to sell any of the bonds authorized under the former act, and is not able to sell them, because they are subject to both National and State taxation.

Mr. KELLOGG. And he thinks it is necessary to sell some in order to stabilize exchange?

Mr. SIMMONS. To stabilize exchange; the facts being that in many of the South American countries, in Spain, and other countries, the American dollar is now below par, and as a result our merchants and traders are losing large sums of money, and they will continue to lose money, because of this disparity. This is the only means of stabilization that has been suggested up to this time. Of course, we could accomplish this result by shipping our gold, but we are not under present conditions going to do that. We might control our purchases and remedy it in that way; but that would involve a curtailment of our sales.

Mr. KELLOGG. There is no question that the American dollar is at a discount in many countries, and that it is costing the people of this country millions and millions of dollars. I have no doubt of that, and I have no doubt that everything possible should be done to stabilize the exchange. If this will do it, I do not wish to object to it.

Mr. SIMMONS. If the Senator will pardon me, I was going to say I assume that the Secretary will not issue and sell any greater amount of these bonds than he thinks is necessary for this purpose; and as his power with reference to the matter is plenary—that is, whether he sells or does not sell, the conditions upon which he sells, and to whom he shall sell—unless he is satisfied that the purchase is a bona fide purchase and is not made for the mere colorable purpose of evading taxation, I assume he will not dispose of them. If any of these bonds are purchased for that purpose and that situation is disclosed, the bonds will become subject to the same conditions with reference to taxation as any other bonds issued under this act.

Mr. KELLOGG. Of course it goes without saying that we can not sell these bonds if they are subject to local taxation or any taxation we may hereafter place upon them. That goes without saying; and if it is necessary or advisable to sell them in order to stabilize exchange or to get money, we must put in a clause of this kind. I do not know, of course, how important it is to have the privilege of selling those bonds to foreign countries.

Mr. SIMMONS. I think, if the Senator will pardon me, that the Senator from Oklahoma [Mr. OWEN], who very strenuously advocated this provision as chairman of the Committee on Banking and Currency, brought the situation to the attention of the Senate and very strongly urged this as a way and perhaps the most feasible to accomplish this very desirable purpose.

Mr. SMOOT. Mr. President, I simply want to say that the laws of exchange are just as binding upon the business of the world as the laws of health are binding upon the individual living in the world. We can pass all the laws we want to, and by so doing we will never stabilize foreign exchange unless the condition of the world's trade is such that transfers of credits can be made to settle trade balances. The Senator from Oklahoma can talk himself black in the face, and he can suggest all sorts of panaceas, but I want to say that whenever the trade of the world is in the condition that it is to-day, where every country in the world says that what gold it holds shall continue to be held, there is no law that we can pass that is ever going to stabilize foreign exchange.

If I had the time, I would go into the question and tell the Senator from Minnesota why the American dollar to-day is at a discount. I can take the balance of trade against us of every country, and as that balance of trade increases in millions, so the price of the American dollar decreases, unless transfers of credits can be arranged and we refuse to allow gold to go to the creditor country to pay the balance. We might just as well understand the situation as it is, and not try to do something that can not be done.

Mr. SIMMONS. Mr. President, I do not know whether the Senator is antagonizing the provisions or whether he is merely expressing a doubt as to whether it will accomplish the purpose in view.

Mr. SMOOT. I have not made a motion that the section be eliminated. I am simply saying, however, that if either the Treasury Department or the Senator from Oklahoma [Mr. OWEN] expects that section 3 of this bill is going to stabilize the American dollar he is going to wake up in the near future and be greatly disappointed. All that it could possibly do would be this: If the balance of trade was against us and in favor of Spain, we will say, or any other country—I do not care what country it is—and that country should purchase bonds to the extent of the balance, then, of course, our American dollar would be higher than if the purchase had not been made.

Mr. SIMMONS. Mr. President, if I understand the views of the Senator from Utah, who has expressed himself with his usual emphasis and confidence, he thinks it is impossible except by the use of gold to stabilize the exchange markets of the world.

Mr. SMOOT. Oh, no; the Senator is mistaken when he says that.

Mr. SIMMONS. That is what I understand the Senator to mean.

Mr. SMOOT. The Senator is mistaken there. There is another way, and that is the way that is always resorted to by every country in the world; namely, they must either furnish the gold or they must stop the balance of trade between the two countries by purchasing less from one or the other, as the case may be.

Mr. SIMMONS. They can only stabilize it, according to the view of the Senator from Utah, by stopping trade or by the use of gold; one of the two?

Mr. SMOOT. Yes.

Mr. SIMMONS. Mr. President, I do not know, and I do not suppose anybody knows definitely, whether we can stabilize exchange by the method proposed in this bill or any other method except the method mentioned by the Senator of stopping trading with the balance of the world. Certainly we are not going to stop trading with the balance of the world, so that sovereign remedy is denied us.

Now, I do not understand that the original author of the scheme embraced in the bill, the chairman of the Banking and Currency Committee of this body, was absolutely certain that this scheme would stabilize exchange. I do not understand that the Treasury Department, which heartily indorsed this scheme for the achievement of this purpose, felt absolutely sure that it would stabilize exchange; but the Senator from Oklahoma and the Secretary of the Treasury and the able Assistant Secretaries of the Treasury who cooperated with the committees of the House and of the Senate in this matter believed it a promising means of accomplishing that purpose. They had enough confidence in it to come to Congress and ask authority that they may try it out, and we had enough confidence in it to give the authority. It is now proposed to so amend the original grant of authority as to make the scheme workable.

We have not said to the Secretary of the Treasury, "You shall issue so many bonds of this character," but we have said, "Issue as many as in your judgment may contribute to the accomplishment of this purpose. Try it. If after you have tried it it does not accomplish the purpose, then stop it."

There is nothing mandatory about the provision. It merely gives the Secretary of the Treasury discretion and authority to try what some people—although the Senator from Utah does not agree with them—of considerable vision and financial experience and ability think may contribute to this end.

So far as any injury resulting to the country as a result of this action is concerned, I believe that the authority of the Secretary of the Treasury over this matter is sufficient to protect and safeguard the interests of the Government.

The PRESIDING OFFICER. If there be no amendment to be proposed, the bill will be reported to the Senate.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10069) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The message also announced that the House recedes from its disagreement to the amendments of the Senate numbered 1 and 2 to the bill (H. R. 10069) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, and agrees to the same.

RIVER AND HARBOR APPROPRIATIONS—CONFERENCE REPORT.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives agreeing to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10069) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, and receding from its disagreement to the amendments of the Senate numbered 1 and 2 to the bill, and agreeing to the same.

Mr. FLETCHER. The House having agreed to the report of the committee of conference on the river and harbor appropriation bill, and having receded from its disagreement to the amendments of the Senate numbered 1 and 2 to the bill, I ask that the conference report submitted by me a few days ago be taken up for consideration.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

NORTH ATLANTIC COAST CANALS.

Mr. SAULSBURY. Mr. President, I desire to offer a very short resolution, simply asking for information from the Secretary of Commerce regarding some important matters, and I ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the resolution will be read to the Senate.

Mr. FLETCHER. With the understanding that it does not displace the unfinished business.

The resolution (S. Res. 277) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary of Commerce is hereby directed to furnish for the use of the Senate such information as is available concerning the advantage and value to the commerce of the country of the acquisition, construction, and maintenance of the canals connecting Chesapeake Bay with the Delaware River, that river by a canal across the State of New Jersey with New York Harbor, and the canal connecting Massachusetts Bay with Buzzards Bay, such report to include, so far as available, estimated costs of purchase and development of same, respectively, as deep sea-level canals, what relief will be thereby afforded to lines of existing rail transportation, and the extent to which such canals would probably be utilized by the commerce of the country, and the incidental value thereof as assisting the national defense.

ARMY APPROPRIATIONS—CONFERENCE REPORT (S. DOC. NO. 260).

Mr. CHAMBERLAIN. Mr. President, as the chairman of the Military Affairs Committee of the Senate I desire to state that the conferees of the House and Senate have agreed upon a report, and, while the House has the papers, and therefore will have to act on the report first, in order that the Senate may be advised about it I simply present the report, not for action, but that it may be printed for the information of the Senate.

The PRESIDING OFFICER. Without objection, that action will be taken.

SOLDIERS' MAIL IN FRANCE.

Mr. SUTHERLAND. I ask unanimous consent to offer the resolution which I send to the desk, and ask for its present consideration.

The PRESIDING OFFICER. Without objection, the resolution will be read to the Senate.

The resolution (S. Res. 276) was read, as follows:

Whereas the regular dispatch and delivery, so far as it is humanly possible under present war conditions, of letter mail or other necessary mail matter to and from those who are in any capacity a part of the American Expeditionary Force on foreign soils has much to do with the morale of our troops abroad, and contributes immensely toward the peace of mind of relatives and friends in the United States; and

Whereas the complaints here and abroad are persistent that the mail deliveries, both abroad and in this country, to our soldiers there and to their friends and relatives here are wretchedly inadequate, much of the mail failing to reach its destination: Therefore be it

Resolved, That the Secretary of War and the Postmaster General be, and hereby are, directed to make a report to the Senate at the earliest practicable moment, each covering the operations of his department as to the movements of the mails to and from our troops and auxiliaries abroad, and what steps are being taken to improve the service.

Mr. SMITH of Georgia. Mr. President, what is the nature of that paper?

The PRESIDING OFFICER. It is a resolution, and unanimous consent is asked for its immediate consideration.

Mr. SMITH of Georgia. I object.

The PRESIDING OFFICER. Objection being made, the resolution goes over for one day.

Mr. FLETCHER. I move that the Senate proceed to the consideration of executive business.

Mr. SMITH of Georgia. Mr. President, is that a Senate resolution?

The PRESIDING OFFICER. A Senate resolution.

Mr. SMITH of Georgia. Then I object to its presentation to-day, Mr. President. Unanimous consent has not been given for its presentation to-day. We are entitled to a statement of what the matter is, and then the question should be submitted to the Senate of permitting presentation out of order. The Chair did not ask the Senate for unanimous consent. I was on my feet all the time trying to find out what it was.

Mr. SUTHERLAND. I asked unanimous consent for the present consideration of the resolution and understood that it was given.

Mr. SMITH of Georgia. That question was not submitted to the Senate. I do not think unanimous consent was given to the presentation of the resolution. I was waiting to hear it submitted because I wanted to know what it was.

My objection is this: If it is presented to-day, unless we recess it is open to discussion to-morrow. I am objecting to having any part of to-morrow taken up with it when there are other measures to be considered. If the Senator will refer it to the proper committee for consideration, I have no objection; but I do object to a resolution getting before us to-morrow that we are to consume time upon and that will prevent action upon bills which have been passed by the House.

If the Senate will stay here several days longer and finish all the pressing business, I have not the slightest objection to the presentation of this resolution now, but if we are to recess to-morrow I think we ought to dispose of other measures that have been acted upon by the House, some of which are important.

While I am upon my feet, I think it is a good time for me to explain two of the bills I have in mind. One is the House bill amending the war-risk insurance legislation, especially with reference to marine insurance. It provides, first, authority for the Shipping Board where they charter neutral vessels, and to American citizens where they charter neutral vessels, to use our war-risk insurance to insure the vessels. It provides, second, authority for the Secretary of the Treasury to make settlement of claims growing out of either our marine insurance or our war-risk insurance. It provides, third, for the extension of our marine insurance until the close of the war. This measure is deemed very important by that branch of the Treasury Department which has charge of war-risk insurance.

The other measure to which I desire to direct the attention of the Senate, and while I have the floor I do so now—I may not get another good opportunity—is a House bill providing for placing machinery in certain buildings already constructed by the Government at an expense of about $200,000 in the Government penitentiary located at Atlanta. After a very thorough investigation recommendations were made that these buildings should be constructed, and they were constructed, to be used by the Government for weaving heavy duck, so much needed now by the Government in connection with war necessities.

I have a letter from the President urging the prompt passage of this House bill, which authorizes purchase of the machinery and the weaving of duck in the penitentiary at the city of Atlanta.

Mr. JOHNSON of California. May I inquire if the Senator believes that those measures may interfere with the passage of this very necessary resolution?

Mr. SMITH of Georgia. I do not know. If we recess to-morrow, I do not know what we are to do.

Mr. JOHNSON of California. If there is any possibility of that, why recess?

Mr. SMITH of Georgia. I am opposed to a recess until necessary measures are considered.

Mr. JOHNSON of California. So am I.

Mr. SMITH of Georgia. While we have any important measure before us that needs attention we should not recess.

Mr. JOHNSON of California. Mr. President, if the Senator will permit me, there is not any more important measure that can be before us than the resolution which has been introduced by the Senator from West Virginia. He seeks an inquiry into what are the most outrageous and shameful mail facilities that we now have with our boys who are in France, and he asks by the resolution, respectively, of the Secretary of War and of the Postmaster General, that they advise us why it is that the boys who are over there can not receive letters for a given month when during that month many, many letters are written to them.

Mr. SUTHERLAND. I call the Senator's attention to the fact——

Mr. SMITH of Georgia. It was impossible for me to hear the resolution as it was read, and I really did not understand what it is. I only gathered that it was a resolution that would provoke interest and might take time.

Mr. JOHNSON of California. It is a resolution, if the Senator will pardon me, looking to better mail facilities for our boys in France.

Mr. SMITH of Georgia. If there is no objection to the resolution by any other Senator, I withdraw my objection and consent to its immediate consideration. Let us pass it and get it out of the way. My only object in objecting was to prevent that consumption of time which I think we ought to use before we leave on a recess to pass certain measures that I think should be disposed of, and the two I have referred to which are intrusted to my charge I am very desirous of having acted upon.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

The resolution was considered by unanimous consent and agreed to.

EXECUTIVE SESSION.

Mr. FLETCHER. I move that the Senate proceed to the consideration of executive business. I will state further that after the executive session it is the purpose to move a recess until 11 o'clock to-morrow.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

RECESS.

Mr. MARTIN. I move that the Senate take a recess until 11 o'clock to-morrow morning.

The motion was agreed to; and (at 6 o'clock and 10 minutes p. m.) the Senate took a recess until to-morrow, Saturday, July 6, 1918, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate July 5, 1918.

PROMOTIONS IN THE NAVY.

Lieut. Owen Bartlett to be a lieutenant commander in the Navy from the 1st day of July, 1917.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 7th day of March, 1918:

Elmer D. Langworthy.
Robert E. Bell.
Spencer S. Lewis.
William A. Richardson.
Murphy J. Foster.
Valentine N. Bieg.
Howard A. Flanigan.
Herbert O. Roesch.
Romuald P. P. Meclewski.
Joseph F. Crowell, jr.
Robert M. Griffin.
Harry L. Merring.
Harry W. Hill.
Bernard H. Bieri.
Scott D. McCaughey.
Lyell S. Pamperin.
Frank E. P. Uberroth.
Jenifer Garnett.
Wallace B. Phillips.
Van Leer Kirkman, jr.
Alfred S. Wolfe.
Howard F. Kingman.
Calvin H. Cobb.
Robert B. Simons.
Howard D. Bode.
Morton L. Deyo.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 8th day of June, 1918:

Lawrence P. Bischoff.
John P. Dalton.
Robert A. Lavender.
Heister Hoogerwerff.
George W. D. Dashiell.
Charles K. Osborne.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 5th day of June, 1918:

Leverett S. Lewis.
Alexander G. Hatch.
Daniel W. Armstrong.

Boatswain Frank J. Mayer to be a chief boatswain in the Navy from the 19th day of February, 1918.

Machinist William H. Muelhause to be a chief machinist in the Navy from the 17th day of January, 1918.

Lieut. Commander William P. Cronan to be a commander in the Navy from the 1st day of July, 1917.

Pay Clerk William C. Colbert to be a chief pay clerk in the Navy from the 20th day of May, 1918.

The following-named assistant surgeons to be passed assistant surgeons in the Navy, with the rank of lieutenant from the 22d day of April, 1918:

Robert A. Torrance.
Clarence W. Ross.
Carleton I. Wood.
William A. Brams.
Cecil S. O'Brien.

HOUSE OF REPRESENTATIVES.

FRIDAY, *July 5, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O God, our heavenly Father, our hearts go out to Thee in gratitude and love for the splendid, fervent, and glorious tributes poured out for our Independence Day, not only by our own people but by the peoples associated with us in defense of that liberty handed down to us and all the world by our fathers, a splendid heritage, which all the liberty-loving people are fighting for, praying for, in this hour.

May the tributes of yesterday be an inspiration to us and our allies in the mighty struggle.

In Thee we trust that at last liberty and justice shall be established for all the world, and pæans of praise we will give to Thee in the name of the Prince of Peace and Righteousness. Amen.

The Journal of the proceedings of yesterday was read and approved.

THE PRESIDENT'S INDEPENDENCE DAY ADDRESS AT MOUNT VERNON.

Mr. GILLETT. Mr. Speaker, I ask unanimous consent that there be printed in the RECORD the splendid address delivered yesterday by the President at Mount Vernon, which by both its substance and its rhetoric demonstrates again that he is an ideal spokesman for the American people in this momentous crisis. [Applause.]

The SPEAKER. The gentleman asks unanimous consent to extend his remarks by printing the President's Mount Vernon Fourth of July address. Is there objection? [After a pause.] The Chair hears none.

TEMPORARY CLERK.

The SPEAKER laid before the House the following communication:

HOUSE OF REPRESENTATIVES,
July 3, 1918.

Hon. CHAMP CLARK,
Speaker of the House of Representatives.

DEAR SIR: Desiring to be temporarily absent from my office, I hereby designate D. K. Hempstead, enrolling clerk of the House of Representatives, to sign any and all papers for me which he would be authorized to sign by virtue of this designation and the rules of the House.

Very respectfully,

SOUTH TRIMBLE,
Clerk of the House of Representatives.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed bills of the following titles:

On July 1, 1918:

H. R. 12441. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes; and

H. R. 10854. An act making appropriations for the naval service for the fiscal year ending June 30, 1919, and for other purposes.

On July 2, 1918:

H. R. 12000. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1919, and for other purposes;

H. R. 12599. An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes;

H. R. 7634. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 8496. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 9160. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 9612. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 10027. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 10477. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 10850. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 11364. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 11663. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

S. 2104. An act to amend sections 4402, 4404, and 4414 of the Revised Statutes of the United States; and

S. J. Res. 86. Joint resolution authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point, Aurelio Collazo, a citizen of Cuba.

On July 3, 1918:

H. R. 3332. An act authorizing the Secretary of the Treasury to sell and convey certain land to the city of Faribault, Minn.;

H. R. 12633. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes;

H. R. 9506. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 9641. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 10843. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 10924. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 11658. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

S. 1553. An act to give effect to the convention between the United States and Great Britain for the protection of migratory birds concluded at Washington August 16, 1916, and for other purposes; and

S. 4127. An act to authorize the W. M. Ritter Lumber Co., a corporation, to construct bridges across the branches and tributaries of the Big Sandy River and their tributaries, in the counties of Buchanan and Dickenson, in the State of Virginia.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed joint resolutions of the following titles, in which the concurrence of the House of Representatives was requested:

S. J. Res. 165. Joint resolution to appoint a joint committee to consider the question of ventilation of the House of Representatives and the Senate; and

S. J. Res. 164. Joint resolution requesting the President to commend by proclamation to the people of the United States observance of the practice of prayer at noon each day for victory in the war.

SENATE JOINT RESOLUTIONS REFERRED.

Under clause 2 of Rule XXIV, Senate joint resolutions of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. J. Res. 164. Joint resolution requesting the President to commend by proclamation to the people of the United States observance of the practice of prayer at noon each day for victory in the war; to the Committee on Military Affairs.

S. J. Res. 165. Joint resolution to appoint a joint committee to consider the question of ventilation of the House of Representatives and the Senate; to the Committee on Rules.

ENROLLED BILLS SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 10021. An act granting the consent of Congress to the county commissioners of Trumbull County, Ohio, to construct, operate, and maintain a bridge and approaches thereto across the Mahoning River in the State of Ohio.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 4017. An act for the relief of Catherine Grace;

S. 2176. An act for the relief of George B. Hughes;

S. 56. An act for the relief of John T. Eaton;

S. 641. An act for the relief of Mary C. Mayers;

S. 2474. An act for the relief of the widow of Rudolph H. von Ezdorf, deceased; and

S. 1003. An act to reimburse the First National Bank of Owatonna, Minn., for revenue stamps stolen or lost in transit; to the Committee on Claims.

S. 1477. An act for the relief of Jacob Nice;

S. 164. An act for the relief of Adolph F. Hitchler;

S. 1478. An act for the relief of John F. Kelly; and

S. 3011. An act for the relief of Winfield S. Solomon; to the Committee on Military Affairs.

S. 4727. An act to authorize the payment to the Government of France of $13,511.13 as an indemnity requested in behalf of Madame Crignier for losses sustained by her as the result of a search for the body of Admiral John Paul Jones; to the Committee on Foreign Affairs.

S. 2715. An act to authorize an exchange of lands with the State of Montana in connection with Muddy Creek Reservoir site, Sun River project, and Nelson Reservoir site, Milk River project, and for other purposes;

S. 4541. An act for the relief of Lynette Dean Maxwell, and for other purposes; and

S. 4467. An act to validate the homestead entry of the heirs of Victoria A. Thomson; to the Committee on the Public Lands.

QUESTION OF PERSONAL PRIVILEGE.

Mr. CROSSER. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. CROSSER. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes on a question of personal privilege. I do not care to consume an hour for that purpose.

The SPEAKER. The gentleman asks unanimous consent to address the House on a question of personal privilege.

GOVERNMENT CONTROL OF TELEGRAPHS AND TELEPHONES.

Mr. SIMS. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Tennessee rise?

Mr. SIMS. I do not want to interfere with the question of personal privilege, but I want to ask unanimous consent that the House joint resolution 309 be taken up and considered under the general rules of the House. It is possible to pass it to-day. The resolution is to authorize the President during the war to take over the telegraphs and telephones.

Mr. MADDEN. Mr. Speaker, I object.

Mr. SIMS. Will not the gentleman withhold the objection for a moment?

Mr. MADDEN. No.

QUESTION OF PERSONAL PRIVILEGE.

The SPEAKER. The gentleman from Ohio [Mr. CROSSER] is recognized for 10 minutes.

Mr. CROSSER. Mr. Speaker, I am afraid I can not say in 10 minutes all I have to say, and therefore I ask unanimous consent to extend and revise my remarks.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. CROSSER. Mr. Speaker, the Members of this House and the people whom we represent believe in justice and fair play, and are glad to listen to the exposure and rebuke of those who would wantonly destroy another's good name.

The publishers of the Cleveland Plain Dealer have directed against me a tirade of malignant abuse, to show the falsity of which, I consider a duty to myself and to the public.

In an editorial dated June 5, 1918, the Plain Dealer referred to me in the following language:

* * * CROSSER * * * obstructing the Government program. The Government has never been able to count on the support * * * of * * * CROSSER for any measure intended to push America's war against Prussianism.

In an editorial dated June 15, 1918, the following language will be found:

* * * CROSSER * * * an obstructionist in Congress, so far as questions of war efficiency are concerned.

Many other libelous statements as to myself are made in other issues of that paper.

These statements are unqualifiedly false. The records of Congress show nothing of the kind, and in making these statements the publishers of the Plain Dealer convict themselves of willful slander.

The records of Congress show that Congress has passed 134 war measures since the United States entered the war. I favored all of these except the draft. I believed in and advocated the volunteer plan for raising an army.

I have not in any way obstructed the passage of any legislation since the declaration of war or before, either by making dilatory motions, points of no quorum, or by making frequent or irrelevant speeches.

Every Member of the House knows these to be the facts.

Notwithstanding these facts, and in spite of the official record, the persons who publish the Plain Dealer have shown themselves so wanting in honor as to advertise me as disloyal.

But this is not all. The publishers of this paper, these men who have shown such a total lack of the sense of justice, these assassins of men's reputations have, true to their unfair methods, even charged me with playing into the hands of the enemy. They have not the manhood to go before the same audience with me to repeat these falsehoods.

Referring to the McLenmore resolution, President Wilson, on March 20, 1918, in a letter to Hon. Joseph W. Davies, who was a candidate for the United States Senate, said:

The McLemore resolution, the embargo issue, and the armed-neutrality measure presented the first opportunities to apply the "acid test" in our "country to disclose true loyalty and genuine Americanism."

In the same letter the President also said:

May I also add a word of thanks for your steadfast loyalty and patriotism during that trying period before we were thrust into the war, while, to avoid becoming involved therein, every effort was being made aggressively to assert and fearlessly to maintain American rights.

The Plain Dealer justified and supported the exact principles of the McLemore resolution. This it did in an editorial on February 15, 1916, a week before Congressman MCLEMORE introduced in the House his resolution, the effect of which would have been to prevent American citizens from exercising a legal right to travel on the high seas.

Doubtless it was arguments made by such papers as the Plain Dealer that induced Mr. MCLEMORE and others to support the McLemore resolution.

Tried, therefore, by the "acid test" laid down by the President, does it not inevitably follow that the Plain Dealer is disloyal and un-American? Alas! Alas! can it be that these "holier-than-thou" publishers are disloyal and have failed to show "genuine Americanism"?

I agreed with the views of the President on these questions, as my votes will show.

By the test stated by the President in his letter, the "acid test," I have a perfect record for "true loyalty and genuine Americanism."

If, however, I had followed the suggestion of the Plain Dealer in its editorial of February 15, 1916, I would not have passed with a clear record the "acid test."

With its record of failure to pass the "acid test," is it not a matter for wonder that the Plain Dealer, by its publishers, "pledges its best efforts" to defeat a Member of Congress who has stood perfect on the "acid test" of true loyalty and genuine Americanism?

Those who understand the game of the publishers of the Plain Dealer know that they have not continued to rant against me because I favored the volunteer plan for raising an army.

The publishers of the Plain Dealer are hostile to any man who opposes the special interests. They sit in the rooms of the millionaire clubs of Cleveland and sneer and slur and speak with contempt of those who dare champion the cause of the men who labor and sweat and struggle for a decent living for their wives and children. These worshipers of the golden calf swear vengeance upon and vow to destroy any Congressman who dares to defend, who tries to secure justice for, the laboring man. They want men in Congress who will do what they are told by the Plain Dealer.

In addition to this the proprietors and publishers of the Plain Dealer have been bitter against me because they did not succeed in defeating me in the primary election of 1914. My opponent at that election was Mr. R. J. Bulkley, a near relative of the principal owner of the Plain Dealer. I uttered not one unkind word against Mr. Bulkley in any speech, nor have I done so against any of my opponents. Mr. Bulkley was defeated, however, and it was enough that the owners and publishers of the Plain Dealer had failed to accomplish their purpose. From that time until now they have in mad frenzy sought my defeat.

Mr. CHURCH. Will the gentleman yield?

Mr. CROSSER. Yes.

Mr. CHURCH. In claiming that you have supported Germany in this House, when, as a matter of fact, you have voted for every measure, as you state, that is considered a war measure at all, and voted favorably on it, with the exception of conscription, have not the editors of this paper made themselves liable to an action for criminal libel?

Mr. CROSSER. I do not think there is any doubt about it at all, but I do not care to trouble the House with a discussion of my plans in regard to that feature of the matter. I think, however, that the gentleman is entirely right in his conclusion.

I am not, however, the only man whom the publishers of the Plain Dealer have misrepresented and slandered. Indeed, Mr. Bulkley, their relative, has been the only Democrat in Congress from the twenty-first district, and, in fact, from Cleveland during the last 25 years, who has not been opposed by the publishers of this paper.

In 1894 Tom L. Johnson represented the twenty-first district in Congress and was a candidate for reelection. The Plain Dealer at that time, claiming intense devotion to the Democratic Party, printed scores of abusive and insulting editorials against Tom Johnson.

Let me read from a few of these editorials:

[From the Cleveland Plain Dealer, Oct. 18, 1894.]

He is a fake statesman without a policy, a fake politician without a party, and a fake prophet without a country. Tom Johnson is no more allied to Cleveland and its business than he is to the Democracy. He has betrayed both. * * * He will turn over his hand for nobody but himself. His smile is the smile of Judas and back of it lies treachery. He has proved a trickster and traitor on every public question and the interests of his district he has utterly ignored. His damnation lies in his own public record.

Tom Johnson plays the baby act when he complains that "personal attacks" are being made upon him. He ought to congratulate himself that he has thus far escaped as well as he has.

He has been inefficient as a representative of this great industrial and commercial city in procuring appropriations for public buildings.

[From the Cleveland Plain Dealer, Oct. 26, 1894.]

There is not a measure fought for by him that is not foreign to the spirit of American institutions. There is not one "reform" proposed by him that is not revolution. He is a political privateer who sails under a stolen flag hoisted only to deceive. He is a little fakir with two fads—both borrowed. There is not one of the doctrines he advocates which he originated or which he understands. With a superficial knowledge of economic subjects, he is seeking to turn to advantage the widespread socialistic spirit, and with the cheap tricks of the charlatan he caters to the crazy whims of the rabble.

[From the Cleveland Plain Dealer, Nov. 3, 1894.]

We attack the personality of Tom Johnson only so far as that is an issue in this canvass. He is not a Democrat and has no claim upon Democratic support.

To elect Johnson would elevate and strengthen Democracy's deadliest enemy and most arrant traitor in Cleveland.

The principles of Democracy are immortal. Tom Johnson, who arrays himself against them, will pass away—and he can't pass any too soon.

[From the Cleveland Plain Dealer, Nov. 5, 1894.]

A vote for Johnson is a vote for single tax, shinplaster science, and political faking.

[From the Cleveland Plain Dealer, Nov. 5, 1894.]

SOLELY FOR SELF.

Tom Johnson's canvass has been a personal one. * * * From first to last he has tooted his own horn. * * * He is willing to sacrifice all else for himself. * * * He is as much a traitor to the party in his canvass as he is in Congress. * * * The one in all the land to take the hand of the traitor here was a traitor from New York. * * * Tom Johnson stands before the people of Cleveland as the representative of all that is most contemptible in politics. * * * He has covered up from the crowd his ignorance by juggling and faking, and he has feigned deep learning through the flippant use of high-sounding phrases which he has stolen and does not understand. Cheap demagogue that he is, covered as he is with the contempt of the well informed and laughed at and despised as he is by his confreres in Congress, he is yet dangerous. * * * The election of Johnson would be an indorsement of his insult to President Cleveland, of his refusal to act with the Democrats in Congress. * * * It would be a defeat of all that Democracy holds to be for the best interest of the country and a triumph of treachery, cunning, and corruption.

After having said all this, the Plain Dealer, in closing its campaign against Tom Johnson, made the following sanctimonious statement on November 5, 1894, the day before election:

It is a crime against humanity to deceive the people.

Great Jehovah, what saints!

I shall not read further, but shall insert in the RECORD excerpts from some of these editorials.

Ah, Mr. Chairman, no more contemptible outrage could be committed on any man.

Some of you men in this House served here with Tom Johnson. You knew his lovable character, his lofty purpose to free the men who toil from the chains of injustice; you knew how unselfishly he fought to bring a better day to those who are weary worn with toil and care. Only a few of you now here, however, saw that valiant man in the battle for human rights; but there are thousands, yes, tens of thousands, of his loving and appreciative friends in Cleveland who knew him and saw him battle bravely and bravely die to liberate the great mass of the people who were crushed under the iron heel of special privilege.

And yet Tom Johnson, the champion of human rights, this man who was one of the noblest men and greatest officials I ever met; this untiring friend of the humble man, was hounded and tortured by the owners of the Plain Dealer as if he were the worst criminal in all the land. You ask why? Because he refused to do their bidding. [Applause.]

A few years ago the Plain Dealer denounced political bosses, but to-day its publishers are working hand in hand with the political bosses.

What the Plain Dealer wants is that we stand by the Plain Dealer; that we do its bidding; that we serve its special interests. We are to have no right to do any thinking for ourselves; we are not to question whether a thing is right or wrong. What the Plain Dealer and its friends, the bosses, want is a candidate for Congress who might be described in a paraphrase of the opera "Pinafore" about as follows:

He always voted at the bosses' call,
And never thought of thinking for himself at all.
He thought so little they rewarded him
By making him a slave to the bosses' whim.

[Applause.]

If the Plain Dealer had made its false statements because it did not have the opportunity to know the truth I might overlook them, although even then there would have been no excuse for its abuse. But the Plain Dealer had full opportunity to know the facts, and, notwithstanding, published the falsehoods. Men guilty of such acts are the meanest of all beings, whatever be their business or position in life.

No man in this House has been more anxious than I to see the United States successful in this awful struggle, not only because of my desire to see the flag of the United States wave triumphant over land and sea, as the emblem of a free people, ever the symbol of justice, never the sign of oppression, but also for the sake of the brave boys who fight to make government by consent of the people safe forever.

I know, and knew in the beginning, what would be the sufferings and sacrifices of our brave soldiers, and at every opportunity I have done my best to see that they are well provided for and well equipped. I eagerly helped to pass an amendment to the draft bill raising the soldiers' pay from $15 to $30 per month. The Plain Dealer said not one word in support of this amendment.

I voted for the soldiers' insurance bill and expect to vote for every bill that will make the lot of the soldier better. I have voted for every dollar asked for to carry on the war, and expect to continue to do so.

The Members of the House know these facts, and I mention them only to show the extent of the outrage committed by the persons who publish the Plain Dealer.

I know the Plain Dealer's purpose; I know its publisher's desires. Selfish as these are, I would not be impatient if they sought their accomplishment in a manly way. I did not during the campaign of 1914 utter in any speech any harsh criticism of the Plain Dealer. I knew that they were trying to elect their relative, Mr. Bulkley, and conceded their right to do so. But when the publishers of this paper, to help their interests, undertake to blacken my reputation, I shall strain every nerve to expose their unfair methods to the people. I have no wealth to leave when I quit this earthly scene, but I have always striven to leave a reputation which would be in every way honorable. Until this hour no man has ever dared in my presence to charge me with conduct dishonorable in public or private life. My life is an open book, and I defy them.

The publishers of the Plain Dealer, however, seem to act on the theory that if they repeat a falsehood often enough the people will believe it, because those whom they slander have no means of answering them. A few may thus be deceived, but honest and earnest men will become the more indignant when they learn the truth.

Wesley says:

Slanderers in ancient times have been marked in the forehead with a hot iron.

If the same punishment were administered to-day, the foreheads of the publishers of the Plain Dealer would be badly scorched.

I have said that all this slander in the name of patriotism is but a pretext. Those who publish the Plain Dealeer know, as we all know, that the people are devoted to the cause of their country. These designing men seeing, however, the enthusiasm of the people, seek to turn to their own advantage this patriotic zeal. They oppose men who antagonize private interests, and hope to discredit them by falsely making it appear that they are indifferent, if not opposed, to their country's welfare.

Special-privilege newspapers like the Plain Dealer hope by trying to monopolize the flag to destroy others by questioning their patriotism. You will notice, however, that the men whom they always attack are those who have been fighting against special privilege and for justice for the man who toils. Their purpose is plain. They hope when the war is over to have in Congress men who will do the bidding of special privilege and big business.

The Members of this Congress have had upon them the gravest responsibilities. The problems arising from this war have been extremely difficult indeed. Most of the men here have had long experience in Congress. Their experience and ability have been sorely tried by the problems and cares which have been put upon them since the war begun. And yet, midst these problems, during our death grapple with the enemy across the sea, the publishers of papers like the Plain Dealer have been barking and snapping at the heels of every man who, in order to defend the toiler against the wolves of special privilege, has had the courage to defy their threats and slanders.

If the day comes when, because of the threats and bullying of newspapers like the Plain Dealer, Members of Congress are afraid to speak and vote their honest convictions, then will the liberties of the people be lost.

The people will be helpless against the special-privilege crew, if, in order to serve their own interests, such men as the publishers of the Plain Dealer succeed in bulldozing public officials into obeying their orders.

Let us fight—yes, let us struggle to the utmost—to defeat the purpose of the enemy's powerful military machine, but let us also be ever watchful and constantly on guard against those men who, under pretext of helping to win the war, are trying to destroy those who oppose their efforts to enrich themselves from the toil of others. [Applause.]

I call attention to the following excerpts from the Plain Dealer:

[Tuesday, Oct. 2, 1894.]

AN ORGAN WORTHY THE FAKER.

It is quite fitting that Tomjohnson's only organ should be a cheap faker. It is natural, too, that the organ of one who announces far and wide through hired hands that he has "made the name of Cleveland known throughout the country" should do no little tooting of its own horn concerning its phenomenal enterprise and marvelous reliability as a news gatherer.

Of course, the conceited boasting of the organ should be kept up to the level of that of the great chief faker himself. Tomjohnson borrows his fads, and it is not surprising that his organ emulates his example to the extent of borrowing its news features. This the faker organ, the Puny Press, does constantly, making up its pages daily from the morning Plain Dealer.

[Thursday, Oct. 18, 1894.]

FOR NEITHER DEMOCRACY NOR THE TWENTY-FIRST DISTRICT.

The Democrats of the twenty-first congressional district are without a candidate. Johnson is no more a representative of the Democrats than he is of the Republicans or the Populists. He is an Individualist, whose political creed is made up of the rag-tag doctrines of all parties and the cardinal principles of none. All that he advocates is impractical and revolutionary, and all that has been shown in the experience of this and all other civilized nations to be wise and safe he opposes.

He is a fake statesman without a policy, a fake politician without a party, and a fake prophet without a country. He is as much out of place as a candidate in the twenty-first district as he is in the Democracy.

* * * * * * *

Tom Johnson is no more allied to Cleveland and its business interests than he is to the Democracy. He has betrayed both. He is an individualist in business as he is in politics. He will turn over his hand for no one but himself. His smile is the smile of Judas and back of it lies treachery. He has proved a trickster and a traitor on every party question, and the interests of his district he has utterly ignored. His damnation lies in his own public record.

Tomjohnson plays the baby act when he complains that "personal attacks" are being made upon him. He ought to congratulate himself that he has thus far escaped as well as he has. * * *

[Friday, Oct. 26, 1894.]

THE INDIVIDUALIST.

Tomjohnson stands on his own platform, made to his order by his hired hands. There is not a single principle advocated by him that is not directly antagonistic to the principles of Democracy. There is not a measure fought for by him that is not foreign to the spirit of American institutions. There is not one "reform" proposed by him that is not revolution. He is a political privateer who sails under a stolen flag, hoisted only to deceive.

He is a little faker with two fads—both borrowed. There is not one of the doctrines he advocates which he originated or which he understands. With a superficial knowledge of economic subjects he is seeking to turn to his advantage the widespread socialistic spirit, and with the cheap tricks of a charlatan he caters to the crazy whims of the rabble.

To the discontented element, spawned in ignorance, intemperance, and laziness, to this element in Cleveland Tomjohnson has become a god. These are too ignorant to perceive that he is a god of brass, that his stuffing is only cheap bran, and that the fake halo at his head is but a wheel.

[Monday, Oct. 29, 1894.]

According to the Two Fads Fakir democracy wasn't in that contest at all. The principles of Jefferson, Madison, Jackson, Tilden, and Cleveland counted for nothing whatever. Henry George and Tomjohnson did it. Henry's book was the "most telling agency" and our own hefty hunk of conceit on end supplied the rest. At any rate that is Tomjohnson's opinion.

[Wednesday, Oct. 31, 1894.]

A MOST AWKWARD KICK.

The peanut editor of the Puny Press shows little grace and gratitude in abusing the Plain Dealer because we oppose Tomjohnson. The peanut editor must know that Tomjohnson said he wanted the opposition of the Plain Dealer.

* * * * * * *

Tomjohnson should love us. He should give us a vote of thanks. We submit to an impartial public the sincere proposition that Tomjohnson, in instructing his hired hands to call the Plain Dealer's obliging compliance with his wish a "senseless warfare" and a "personal difference" and "slandering" and to call the Plain Dealer a "moribund sheet" and call us a "journalistic cur" proves him an ingrate who betrays them that befriend him and is a traitor to them that trust him.

* * * * * * *

Since Tomjohnson desired the opposition of the Plain Dealer, and we are graciously disposed to give it to him, what has the Wild Ass of Seneca Street to do in it? Though he may realize that Tomjohnson made a most serious mistake, there are no dollars for the peanut editor in making a public confession of the fact.

[Thursday, Nov. 1, 1894.]

DEMOCRACY V. TOMJOHNSONISM.

The chief and self-sufficient reason why Democrats should not vote for Tom Johnson lies in the simple fact that he does not represent the principles of the party.

* * * * * * *

The Plain Dealer is for Democracy—American money and American taxation; Tomjohnson is for Tomjohnsonism—English money and Chinese tax. For a half century and more the Plain Dealer has been unwavering in its devotion to Democracy and asked nothing in return; to-day Tomjohnson thrusts himself into brief notoriety, spits on the platform, and asks election to Congress.

The party has not a more deadly enemy in the twenty-first district than this man who asks its suffrage. He gloats publicly over a claimed prospect of its dissolution. The power he hopes to have given him he will turn against it, as he has done in the past. This is the clean-cut issue between Democracy and Tomjohnsonism, and it can be settled only at the polls.

[Saturday, Nov. 3, 1894.]

To elect Tomjohnson would be to elevate and strengthen Democracy's deadliest enemy and most arrant traitor in Cleveland.

The principles of Democracy are immortal. Tomjohnson, who arrays himself against them, will pass away—and he can't pass any too soon.

We attack the personality of Tom Johnson only so far as that is an issue in his canvass. He is not a Democrat and has no claim upon Democratic support. * * *

The people of the twenty-first district will hardly indorse a man whose mouth is his platform.

[Monday, Nov. 5, 1894.]

SOLELY FOR SELF.

Tomjohnson's canvass has been a personal one, zealously conducted in his own personal interest. From first to last he has tooted his own horn. The spirit of his platform made to his order by his hired hands is this:

"Whereas I am, in my own estimation, wiser and greater than Democracy; and

"Whereas I have insulted the Democratic President, denounced the Democratic Congress, and condemned the Democratic tariff; and

"Whereas I advocate single tax, free trade, and a gold standard, in direct antagonism to Democratic principles: Therefore

"Resolved, That I am a brass God before whom the Democracy of Cleveland shall fall upon its knees with gratitude and worshipful adoration."

That his miserable fake methods and his unworthiness of support are recognized abroad as well as at home is proved in the fact that not a single Democratic leader in the whole country of loyalty and ability has come to help him. Those stanch Democrats and practical tariff reformers, Mills and McMillin, who have helped him heretofore, are working elsewhere, defending Democracy and advocating all that Judas Johnson is denouncing. The only man of reputation that has come is Thomas G. Shearman, who has divided his efforts for the last month between advocacy of Johnson in Cleveland and opposition to David B. Hill at home. The one in all the land to take the hand of the traitor here was a traitor from New York.

Tomjohnson stands before the people of Cleveland as the representative of all that is most contemptible in politics. He has no principles that are practical; he has not thoroughly discussed a single proposition of importance to the people; he has covered up from the crowd his ignorance by juggling and faking; and he has feigned deep learning through the flippant use of high-sounding phrases which he has stolen and does not understand.

Cheap demagogue that he is, covered as he is with the contempt of the well informed and laughed at and despised as he is by his confreres in Congress, he is yet dangerous. * * *

* * * He certainly is not gifted with good common sense if he believes these doctrines that he is preaching.

JOHNSON THE JUGGLER.

That Tomjohnson is a cheap demagogue whose "brilliancy" is mere outer show, like tinsel, to dazzle the ignorant, is shown in many of his public utterances. He talks of "scientific money" as though he has reduced the grave monetary problem to fixed laws and all that were needed to insure a money millennium is his reelection.

* * * * * * *

As a matter of fact Johnson has no thoroughly settled views on any question. He does not think for himself, and all his speeches in Congress and on the stump are but the parrotlike repetition of theories picked up from Henry George and others of his ilk. He can not reason from cause to effect or from effect to cause. His show of profound learning on economic questions is assumed to conceal his ignorance of fundamental principles. He was cut out too small by half for a statesman, even of the mediocre sort.

[Tuesday, Nov. 6, 1894.]

THE POLITICAL QUACK.

Tom Johnson has proved himself an unsafe political doctor.

* * * * * * *

In this emergency the quack decides that good, old-fashioned Democracy is to strong for the public stomach, hence he prepares and presents a political "hell broth," composed of cranks' brains, wild cats' heads, vampires' claws, gudgeons' eyes, pennyroyal, and mullein, which he has administered in copious doses from his field hospital, but the pains have increased and the medicine has continued to work both ways, like the old lady's peach tree bark—"either way, owin' to how ye scrape the bark, up 'er down."

Remember that Johnson has been thoroughly tried and found thoroughly unfaithful.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12600) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1918, and prior years, on account of war expenses and for other purposes, had insisted upon its amendments disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. MARTIN, Mr. UNDERWOOD, and Mr. WARREN as the conferees on the part of the Senate.

LEAVE OF ABSENCE.

The SPEAKER laid before the House the following communication:

HOUSE OF REPRESENTATIVES,
Washington, July 3, 1918.

Hon. CHAMP CLARK,
Speaker House of Representatives, Washington, D. C.

DEAR MR. SPEAKER: I request consent to be excused for one week on account of sickness in my family.

Yours, truly, HENRY A. CLARK.

The SPEAKER. Without objection, the request will be granted.

There was no objection.

PENSIONS FOR WIDOWS AND MINOR CHILDREN, SPANISH WAR SOLDIERS.

Mr. KEATING. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Colorado rise?

Mr. KEATING. I desire to ask unanimous consent for the consideration of the bill S. 4444, with the understanding that it will not be permitted to interfere with the consideration of conference reports and other matters of immediate moment.

This bill, I want to say to the House, is a bill to pension the widows and minor children of the officers and enlisted men who served in the War with Spain. On three different occasions it has passed the House, namely, in the Sixty-second, Sixty-third, and Sixty-fourth Congresses. On the last occasion it passed without a roll call. The chairman of the Committee on Pensions is very anxious that it should be considered before we take a recess.

The SPEAKER. The gentleman from Colorado [Mr. KEATING] asks unanimous consent for the present consideration of the bill to which he refers.

Mr. GARNER. Mr. Speaker, I object.

The SPEAKER. The gentleman from Texas objects, and that is the end of it.

Mr. COOPER of Wisconsin. Will the gentleman withhold his objection?

Mr. GARNER. Ordinarily I would be glad to withhold it for any statement that any gentleman desires to make, but it is a matter calling for immediate attention, and it does not meet my opinion in the premises. I will withhold it for a statement, however.

Mr. COOPER of Wisconsin. I wish the gentleman would withhold it.

Mr. GARNER. I will withhold it for two minutes.

Mr. COOPER of Wisconsin. Mr. Speaker, the gentleman from Texas says he will withhold for two minutes.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent for two minutes. Is there objection?

There was no objection.

Mr. COOPER of Wisconsin. It is true, as the gentleman from Colorado [Mr. KEATING] says, that the chairman of the committee [Mr. KEY], who can not be here to-day, is exceedingly anxious that the bill shall be acted upon before we take a recess. I saw him yesterday, and he so told me. Also, as the gentleman from Colorado says, this bill has passed the House three times, and three times has it been stopped in the Senate. But now it comes here by a unanimous vote of the Senate. It is a bill that will do justice to a lot of deserving women. It will not apply to those who marry Spanish War veterans after the bill becomes a law. It is in every way meritorious, and inasmuch as the House has three times passed it and now the Senate has passed it, it does seem to me that no gentleman should now object to its fair consideration on its merits on this floor. I regret exceedingly that the gentleman from Texas [Mr. GARNER] should interpose an objection to so just a measure.

The SPEAKER. Is there objection?

Mr. GARNER. Mr. Speaker, may I have just a moment?

The SPEAKER. Yes.

Mr. GARNER. This is one pension bill that is neither partisan nor sectional in its nature. The Spanish-American War veterans come from all over the United States. But I do not believe it is a war measure, and I have persistently and consistently voted against every proposition, except one local in its character, that Congress has considered since the war began. I believe that this Congress ought to confine itself to measures for war purposes, and that is the reason why I object to this, and shall object to other measures that are not war measures.

Mr. COOPER of Wisconsin. Will the gentleman answer this question: Why should not the widow of a man who fought for our flag in the Spanish-American War be pensioned as is the widow of a man who fought in the War with Mexico or in the Civil War? Justice demands that she have this recognition and the Congress ought to grant it. [Applause.]

Mr. SMALL. Mr. Speaker, I call up the conference report on the river and harbor bill.

Mr. MOORE of Pennsylvania. I make the point of order that there is no quorum present.

Mr. COOPER of Wisconsin. The gentleman from Texas did not renew his objection, Mr. Speaker. I hope he will not renew it.

The SPEAKER. Yes; he objected when he made his speech.

Mr. MOORE of Pennsylvania. I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Pennsylvania makes the point of order that there is no quorum present. Evidently there is not.

CALL OF THE HOUSE.

Mr. SMALL. I move a call of the House, Mr. Speaker.

The SPEAKER. The gentleman from North Carolina moves a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. This roll call is to get a quorum, and the answer is "present."

The Clerk called the roll, and the following Members failed to answer to their names:

Anthony	Browning	Chandler, N. Y.	Cramton
Austin	Brumbaugh	Chandler, Okla.	Crisp
Bacharach	Burnett	Clark, Fla.	Crosser
Baer	Byrnes, S. C.	Clark, Pa.	Currie, Mich.
Barkley	Caldwell	Claypool	Curry, Cal.
Black	Campbell, Pa.	Collier	Dale, N. Y.
Bland, Ind.	Cannon	Cooper, Ohio	Dale, Vt.
Borland	Caraway	Cooper, W. Va.	Davidson
Bowers	Carew	Copley	Delaney
Britten	Carter, Mass.	Costello	Dies
Dillon	Heintz	Morgan	Shallenberger
Dominick	Helm	Morin	Sherwood
Donovan	Hensley	Mudd	Siegel
Dooling	Hood	Neely	Slayden
Doolittle	Houston	Nelson	Smith, Idaho
Doughton	Howard	Nicholls, S. C.	Smith, T. F.
Dowell	Husted	Nolan	Snell
Drane	Hutchinson	Norton	Snyder
Drukker	Ireland	Olney	Stedman
Edmonds	James	O'Shaunessy	Stephens, Nebr.
Elliott	Johnson, S. Dak.	Overmyer	Sterling, Pa.
Elston	Jones	Overstreet	Stevenson
Emerson	Juul	Padgett	Sullivan
Estopinal	Kearns	Paige	Sweet
Evans	Kehoe	Peters	Switzer
Fairchild, G. W.	Kelley, Mich.	Phelan	Tague
Farr	Kelly, Pa.	Porter	Talbott
Ferris	Kennedy, R. I.	Powers	Taylor, Colo.
Flood	Kettner	Price	Templeton
Flynn	Key, Ohio	Purnell	Thompson
Focht	Kiess, Pa.	Ragsdale	Tillman
Foss	Kincheloe	Rainey, H. T.	Tilson
Francis	Kreider	Rainey, J. W.	Towner
Freeman	La Follette	Raker	Van Dyke
Gallivan	LaGuardia	Ramsey	Vare
Gard	Larsen	Rankin	Voigt
Garland	Lee, Ga.	Rayburn	Walsh
Glynn	Lehlbach	Reavis	Walton
Godwin, N. C.	Lever	Riordan	Ward
Good	Littlepage	Roberts	Watson, Pa.
Goodall	Lonergan	Rose	Watson, Va.
Gould	Lundeen	Rowland	Welling
Graham, Pa.	Lunn	Rubey	Welty
Gray, N. J.	McCormick	Rucker	Whaley
Greene, Mass.	McCulloch	Russell	Williams
Griest	McFadden	Sabath	Wilson, Ill.
Hamill	McKenzie	Sanders, Ind.	Wilson, Tex.
Hamilton, N. Y.	McKeown	Sanford	Wingo
Harrison, Miss.	McLaughlin, Pa.	Schall	Woods, Iowa
Haskell	Maher	Scott, Iowa	Woodyard
Hastings	Mann	Scott, Pa.	Young, N. Dak.
Haugen	Mansfield	Scully	Zihlman
Hayes	Mason	Sells	
Heaton	Moores, Ind.	Shackleford	

The SPEAKER. On this roll call 218 gentlemen, a quorum, have answered to their names.

Mr. SHERLEY. Mr. Speaker, I move to suspend further proceedings under the call.

The SPEAKER. The gentleman from Kentucky moves to suspend further proceedings under the call. The question is on agreeing to that motion.

The motion was agreed to.

EXTENSION OF REMARKS.

Mr. SINNOTT. Mr. Speaker, I desire to ask unanimous consent to extend my remarks in the RECORD by printing an article by Secretary Lane entitled "The answer of the foreign-born"—a very beautiful thing.

The SPEAKER. What is it? A poem or a speech, or what?

Mr. SINNOTT. It is a prose poem by Secretary Lane; lofty and patriotic in thought, in chaste and simple diction.

The SPEAKER. The gentleman from Oregon asks unanimous consent to extend his remarks in the RECORD by printing an article by Secretary Lane. Is there objection?

There was no objection.

ARMY APPROPRIATION BILL.

Mr. DENT rose.

The SPEAKER. For what purpose does the gentleman from Alabama rise?

Mr. DENT. I rise for the purpose of asking unanimous consent to print in the RECORD to-morrow morning the conference report on the Army appropriation bill (H. R. 12281), in the event the conferees agree after the House adjourns this afternoon.

The SPEAKER. The gentleman from Alabama asks unanimous consent to print in the CONGRESSIONAL RECORD the conference report on the Army appropriation bill any time between now and midnight. Is there objection?

There was no objection.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. SMALL. Mr. Speaker, I now call up the conference report on the river and harbor bill (H. R. 10069).

The SPEAKER. The gentleman is recognized for an hour.

Mr. SMALL. The report represents an agreement upon all the Senate amendments except Nos. 1 and 2, which increase the appropriation for Mobile Harbor and Bar.

Mr. GRAY of Alabama. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Alabama rise?

Mr. GRAY of Alabama. I have a preferential motion.

The SPEAKER. The time has not come to make that motion.

Mr. GRAY of Alabama. I thought the gentleman from North Carolina had made his motion.

The SPEAKER. If so, the Chair did not hear it.

Mr. SMALL. I made no motion, Mr. Speaker.

The SPEAKER. The Chair will let the gentleman from Alabama know.

Mr. SMALL. There are 11 Senate amendments, and the conference report represents an agreement on all these amendments except Nos. 1 and 2. Senate amendments Nos. 1 and 2 apply simply to one project, an increased appropriation for Mobile Harbor. Unless some gentleman desires to ask some question about these amendments about which there is an agreement, I shall move to adopt the conference report as to those particular amendments.

The SPEAKER. The Chair will inquire how many amendments are still outstanding.

Mr. SMALL. Only amendments 1 and 2.

Mr. ROBBINS. Mr. Speaker, I understand that the provision relating to the excluding of mine water from navigable streams and the tributaries thereof has been eliminated entirely from the bill. Will the gentleman in charge of the bill inform me whether that understanding is correct?

Mr. SMALL. The Senate receded from that particular amendment, so that it will not appear in the bill.

Mr. ROBBINS. Will the gentleman yield me a few moments to speak on the bearing that that provision had on bituminous-coal production?

Mr. MADDEN. I hope the gentleman will not take the time of the House now.

Mr. SMALL. What is the least time the gentleman will be satisfied with?

Mr. ROBBINS. Five minutes.

Mr. SMALL. I suggest that the gentleman get the consent of the House at another time.

Mr. TREADWAY. May I ask the chairman of the committee one question?

Mr. SMALL. I yield to the gentleman from Massachusetts.

Mr. TREADWAY. I understood the gentleman, in answer to the question of the gentleman from Pennsylvania [Mr. ROBBINS] to say that all reference to the amendment relative to mine water has been eliminated from the bill; that is, that there will be no investigation by the Secretary of War authorized on that subject.

Mr. SMALL. The gentleman is correct.

Mr. ROBBINS. I ask unanimous consent to extend my remarks in the RECORD on the subject of coal and of mine drainage.

The SPEAKER. The gentleman asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. OLIVER of Alabama. Will the gentleman yield for a question?

Mr. SMALL. I yield to the gentleman from Alabama.

Mr. OLIVER of Alabama. In the statement presented by the conferees and printed in the RECORD in reference to the conference report no reasons are given why they could not agree with the Senate on the items relative to Mobile Bay. Will the gentleman make a brief statement to the House about that?

Mr. SMALL. I would like first to dispose of the amendments as to which there is an agreement.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

The SPEAKER. The Clerk will report amendment No. 1.

The Clerk read as follows:

Amendment No. 1: Page 8, line 8, strike out "$200,000" and insert in lieu thereof "$340,000."

The SPEAKER. Is that the Mobile item?

Mr. SMALL. That is the Mobile item.

Mr. GRAY of Alabama. Mr. Speaker, I move that the House recede and concur in this Senate amendment.

Mr. SMALL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SMALL. I think I have the floor.

The SPEAKER. Of course the gentleman has the floor.

Mr. SMALL. I have not made any motion about this amendment. When I do the gentleman from Alabama [Mr. GRAY] can submit his motion.

The SPEAKER. He has already made his motion.

Mr. SMALL. That, I understand, is a preferential motion.

The SPEAKER. Yes. The Chair will state the motion of the gentleman from Alabama [Mr. GRAY]. He moves that the House recede from its disagreement to Senate amendment No. 1 and concur in the same.

Mr. SMALL. Amendments Nos. 1 and 2 both relate to the same matter.

The SPEAKER. Do they both have reference to Mobile Harbor?

Mr. SMALL. They do.

The SPEAKER. They can both be considered at once, then.

Mr. SMALL. I would like the attention of the House while I make a brief statement regarding these Senate amendments 1 and 2 which increase the appropriation for Mobile Harbor. There was appropriated in the river and harbor bill as it passed the House a total of $360,000 for Mobile Harbor and Bar, $160,000 for maintenance and $200,000 for further improvement. The further improvement is based upon a new project carried in the last river and harbor act, which new project will increase the depth in Mobile channel from 27 feet to 30 feet, and the depth over the bar from 30 feet to 33 feet. The bill as it passed the House carried $200,000 toward that improvement. The Senate increased that sum to $340,000, so that the total appropriation is increased from $360,000 to $500,000.

The controlling fact about the appropriations for Mobile Harbor is this, that the sum of $360,000 appropriated in the House bill is all that was recommended by the Chief of Engineers and is all that he can use, and if any amount additional to $360,000 is given it will be unasked for, with no estimate submitted for it, and it can not be used.

Mr. MADDEN. What is the purpose of this $140,000 increase? What is it said to be proposed to be used for?

Mr. SMALL. It is said it is to be used for the improvement, but it might as well have been increased to $600,000 or $1,000,000. One would be just as consistent as the other. The Rivers and Harbors Committee gave prolonged consideration to this project of the maintenance and improvement of Mobile Harbor. An increased appropriation was insisted upon. A delegation of intelligent citizens from the city of Mobile appeared before the committee urging that the appropriation be increased, and the committee were liberal and courteous in affording every opportunity to our colleague upon the committee who represents the Mobile district [Mr. GRAY] and to every other person interested in an increased appropriation, in order that they might submit any substantial reason why the appropriation should be increased. They went to the Shipping Board with the approval of the committee, and with the statement that if the Shipping Board would represent an increased appropriation to be a war necessity and so recommend to the Secretary of War, and if it had his approval the committee would give favorable consideration to an increased appropriation; but after some correspondence a letter was submitted by Mr. Edward F. Carry, director of operations, United States Shipping Board, who said that he could not recommend it as a war necessity.

Mr. LONGWORTH. Will the gentleman yield for a question?

Mr. SMALL. I yield to the gentleman from Ohio.

Mr. LONGWORTH. Are there any other items in this bill that appropriate more money than is recommended by the engineers?

Mr. SMALL. There is not a single appropriation in the bill which exceeds the estimate submitted by the Chief of Engineers. I may say at this moment that there appeared before the committee a number of distinguished Members of this House and a number of delegations from various sections of the country who had for one reason or another come to the conclusion that the estimates submitted by the Chief of Engineers was not adequate, and asked the committee to give an increased appropriation, and even a larger number came to the chairman of the committee, and to each of them was made the statement that it was the policy of the committee to consider the estimates submitted by the Chief of Engineers as presumptively correct and as being all that could profitably be expended, and that the burden was on them to show the contrary. Every one of these gentlemen submitted to this policy of the committee and, as we supposed, the policy of Congress, except the gentlemen advocating this increased appropriation for Mobile Harbor.

Mr. BENJAMIN L. FAIRCHILD. Will the gentleman yield?

Mr. SMALL. Yes.

Mr. BENJAMIN L. FAIRCHILD. What depth is provided by this appropriation of $360,000?

Mr. SMALL. We adopted in the last river and harbor act a new project for Mobile Harbor increasing the depth in the channel from 27 feet to 30 feet and on the bar from 30 to 33 feet.

Mr. BENJAMIN L. FAIRCHILD. Does the increased appropriation contemplate any increase in depth?

Mr. SMALL. No.

Mr. LAZARO. Will the gentleman yield?

Mr. SMALL. Yes.

Mr. LAZARO. If I understand the chairman, when the bill was framed and went before the House the House followed the policy of the War Department that we should enact war measures only, but the Senate adopted another view of it and went outside and attached this proposition to the bill. Is it not a

fact that a good many projects on this side which were considered worthy were turned down by the committee and by the House on the ground that the gentleman had indicated that they were not war measures?

Mr. SMALL. The gentleman is correct.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. SMALL. I will.

Mr. GREEN of Iowa. How long will it take to finally complete the project the best that can be done?

Mr. SMALL. That depends on how rapidly the work can proceed and how much shall be appropriated each year.

Mr. GREEN of Iowa. My understanding was that there was no possible way to finish it so that it would be of benefit at any time during the time that the war is expected to last.

Mr. SMALL. Let us take a period of one year. It is in evidence from the Chief of Engineers that if Congress should appropriate all the money to complete the project within a year, even if it were possible to do so, it would cost twice as much as the original estimate, and they did not know where they would get dredges and other appliances to do the work. The condition is this: This is all the money which can be spent during the next fiscal year.

Coming back to the suggestion that there is no other project in the bill carrying in excess of the estimates of the engineers I may illustrate by citing the case of Brunswick Harbor. The gentleman who represents Brunswick Harbor, Mr. WALKER, came before the committee and before the chairman, and when he was told what the policy of the committee was, and that Brunswick Harbor would be given the appropriation which was estimated could be profitably used and no more, he yielded, just as other Members of the House had yielded, to that wise policy of the committee, and as I take it, of the House. This amendment increasing this appropriation came before the Committee of the Whole when the bill was under consideration. The committee declined to increase the appropriation and so it is not a new proposition.

Mr. WHEELER. Will the gentleman yield?

Mr. SMALL. Yes.

Mr. WHEELER. Did the Senate conferees give any good reason why this increased appropriation should be embodied in this bill?

Mr. SMALL. I may say, if I can with propriety, that no reason has been submitted to the conferees for this increased appropriation. I may say also, because it is a public matter, that in the printed hearings of the Senate Committee on Commerce in their preparation of this bill the opinion of the representative of the Chief of Engineers, Col. Newcomer, about the necessity of an increased appropriation was not asked.

Mr. TREADWAY. Will the gentleman yield?

Mr. SMALL. Yes.

Mr. TREADWAY. Did the delegation that waited on the River and Harbor Committee from Mobile designate for what purpose this increase would be used if granted? In view of the fact that it is stated that $360,000 is the limit that can possibly be used before the preparation of another river and harbor bill, I think the use that the additional $140,000 might be put to would be illuminating if the gentleman could state it.

Mr. SMALL. This work must be done by Government dredges. It is impossible to have it done by contract, because it will cost 100 per cent more if any contract could be obtained, which is improbable. Unless the cost by contract can be brought within 25 per cent in excess of what it would cost by Government plant it comes within the inhibition of the law and could not be done by contract. So that it being as certain as anything can be that the work must be done by Government plant and it being impossible to obtain Government dredges to expend more than this amount of money, any increased appropriation could not be used. It is certainly bad policy to appropriate money which can not be used during the fiscal year.

I might say, since the gentleman from Massachusetts asked the question, that in the last bill we adopted a new project for Boston Harbor at the same time we adopted the new project for the Mobile Harbor, and in the wisdom of the engineers they did not submit an estimate of one penny toward the new project, and yet Boston is not here protesting and seeking to amend the bill. And there were numerous other projects throughout the country to which the same statement might be applied.

Mr. OLIVER of Alabama. Will the gentleman yield?

Mr. SMALL. Yes.

Mr. OLIVER of Alabama. The $200,000 appropriated in the bill is for deepening the channel, is it not?

Mr. SMALL. Yes.

Mr. OLIVER of Alabama. And any amount added thereto would be for the same purpose?

Mr. SMALL. I suppose so.

Mr. OLIVER of Alabama. So any addition to this appropriation would be used for the same purpose as the $200,000 now carried by the bill is intended to be used for. May I ask another question? The gentleman stated with some degree of positiveness that private dredge companies could not be depended on to do any work of this kind for the Government. I will ask if the appropriation carried by the bill is not liberal enough to justify contracts being awarded hereafter to private dredge companies in which you say they shall be allowed 25 per cent increase over what the Government estimates it could do the work for, and all permanent investments on the part of the Government are to be taken into account, interest charges placed thereon, to determine what it costs the Government for doing the work?

Mr. SMALL. The gentleman probably did not hear the statement I made a moment ago. The Chief of Engineers stated that it is impossible to do this work by contract because it will cost more than 25 per cent in excess of the cost by Government plant; that the work must be done by Government plant; and that he can not spend more than $360,000 in the work of improvement by Government plant. That is the controlling fact in the matter.

Mr. FREAR. Mr. Speaker, will the gentleman yield?

Mr. SMALL. Yes.

Mr. FREAR. Was it not stated before the committee that, providing the gentleman from Mobile could offer any private contract, the committee would take that under advisement and do whatever they could to expedite matters, and that the whole proposition was ignored, and no one ever appeared before the committee, and is it not equally true that at least 30 or 40 projects equally meritorious were presented to the committee and were turned down because they were new projects and not war measures?

Mr. SMALL. The gentleman is correct. Ample opportunity has been given the gentlemen interested in this improvement to bring any further evidence of that character before the committee.

Mr. GRAY of Alabama. Mr. Speaker, will the gentleman yield?

Mr. SMALL. Yes.

Mr. GRAY of Alabama. The gentleman does not mean to say that this is a new project? Was not this project adopted in the last river and harbor appropriation bill?

Mr. SMALL. Nothing I have said would lead to the inference that this is a new project, because I said several times that it was adopted in the last river and harbor appropriation act.

Mr. FREAR. But for the first time in all history it was adopted without one dollar being appropriated, as we all know.

Mr. SMALL. Mr. Speaker, in the report recommending this project which we adopted in the last river and harbor act, there was a condition imposed that provided that no work could be done under the new project until local interests have established pilotage charges and port regulations satisfactory to the Secretary of War and had submitted acceptable plans for the development of adequate terminal facilities and had given assurance to the Secretary of War that these terminal facilities would be provided within a reasonable time. As the bill passed the House at the last session, it passed with those conditions, but when it went to the other body that body adopted an amendment striking out those conditions and against the judgment of your conferees at that time, in order to get a river and harbor bill, we yielded to the conferees of the other body and this project was adopted in the last river and harbor act with those conditions eliminated.

It was not right that they should have been eliminated at a time when everyone with any knowledge of river and harbor improvements realized that they are made for the purpose of promoting commerce, and that commerce can not be promoted without adequate terminal facilities; and now, when we come with an appropriation for this project in this bill—and I am not speaking unkindly but am simply stating facts—we have another amendment seeking to differentiate Mobile Harbor from every other project within the country.

Mr. MOORE of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. SMALL. Yes.

Mr. MOORE of Pennsylvania. When this bill was before the House, I recall distinctly one or two efforts were made to secure appropriations upon the ground that they were or were not approved by the President or the Secretary of War as war measures. The committee, as I recall, adhered to the policy of putting nothing in the bill that was not approved by the Secretary of War as a war measure. Is there any evidence

before the committee that the President or the Secretary of War approved of this appropriation, advanced from $360,000 in the House bill to $500,000 as proposed by the Senate, which would justify that raise upon the ground of war necessity?

Mr. SMALL. Absolutely nothing from the War Department; and in that connection I would like to make this statement: On Friday last, I think it was, the Secretary of War sent a phone message to me to the effect that he wished further consideration of the river and harbor bill by the conferees held up until he could see the chairman of the House committee. At a later time the Secretary requested me to call upon him, which I did; and at that time he stated that the distinguished gentleman, Mr. DENT, chairman of the Committee on Military Affairs, and the distinguished gentleman, Mr. GRAY of Alabama, had been to him insisting that he should give approval to this increased appropriation. He said to me that he had made careful investigation of the matter and wished to say to me that he could not give his approval, and he gave me a copy of a letter which he said he had mailed on July 2 to the gentleman from Alabama [Mr. GRAY], which letter I shall now read to the House:

WAR DEPARTMENT,
Washington, July 2, 1918.

MY DEAR MR. SMALL: I beg to inclose you copy of letter which I have sent to Representative OSCAR L. GRAY.

Cordially, yours,
NEWTON D. BAKER,
Secretary of War.

Hon. J. H. SMALL,
House of Representatives, Washington, D. C.

—

WAR DEPARTMENT,
Washington, July 2, 1918.

Hon. OSCAR L. GRAY,
House of Representatives.

MY DEAR MR. GRAY: After your call on me the other day, Gen. Black reported to me that upon careful consideration the engineers were satisfied that they could not profitably use in Mobile Harbor and Bay the moneys provided by the Senate amendment increasing the appropriation for continuing the improvement there from $360,000 to a total of $500,000. I have therefore felt constrained to say to Mr. SMALL that the War Department did not recommend the added amount. My situation in this regard I am sure you will realize from the fact that the War Department and the House Committee have cooperated to restrain the appropriations for rivers and harbors to those amounts which could be profitably expended and to be properly regarded as war measures. Many very useful projects have under these restrictions been negatived, and a strict adherence to the rules which have guided us in the consideration of other projects is the only fair course for us to take, with regard to the amounts of those projects which in some degree we are satisfied ought to be considered at this time.

Cordially, yours,
NEWTON D. BAKER,
Secretary of War.

Before that letter came to me I also called up the Chief of Engineers, and asked him if any conditions had recently arisen which would justify this increased appropriation for Mobile Harbor, and I have letter from him dated July 3, which I shall now read to the House:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, July 3, 1918.

Hon. JOHN H. SMALL,
House of Representatives.

MY DEAR MR. SMALL: In response to your oral inquiry concerning the increase made by the Senate in the item for Mobile Harbor in the pending river and harbor bill, I have the honor to state that this increase was not based on any estimate submitted by me. The amount that could be used to advantage in this harbor during the coming year was given very careful consideration when the river and harbor bill was being prepared by your committee, and the sum of $360,000, finally recommended, was included in the bill as it passed the House. This amount was estimated to provide for the maximum use that it was expected could be made of Government dredges on the channels of Mobile Harbor until the next annual river and harbor appropriations should become available. With the present extraordinary demand for dredging in connection with the various war activities, there is no prospect of being able to do any of this work by contract under the legal limitation that the cost of contract work shall not be more than 25 per cent in excess of the cost of doing the work with Government plant. There are other operations, indeed, in Mobile Harbor that are not subject to this limitation that are unable to secure private dredges.

2. Since the above estimate of $360,000 was made the changes in the situation are not such as to indicate any probability that more than this amount will be needed. It has been found necessary to divert one of the Government dredges to some necessary work at one of the shipbuilding plants, and the Emergency Fleet Corporation has just made an urgent request that a Government dredge also do about 600,000 cubic yards of additional dredging that is required in connection with the yard that the corporation is going to establish at Mobile for the construction of concrete ships. These other operations, of course, are not at the expense of river and harbor funds. They are even more essential than greater depth in the channel and they very materially reduce the time that the dredges can be employed on the Government channel work. Moreover, the delay in passing the river and harbor bill has materially shortened the time that might have been available for the expenditure of the funds that it carries.

3. In view of these conditions and of the policy adopted by the department of reducing its estimates to the lowest limits deemed compatible with a due regard to the essential interests to be served during the war, I do not feel warranted in recommending an arbitrary increase from $360,000 to $500,000 in the appropriation for Mobile Harbor.

Yours, very truly,
W. M. BLACK,
Major General, Chief of Engineers.

Mr. Speaker, I have only this to say in addition: I have no disposition in the slightest to disparage Mobile Harbor. I could say something on that subject if any comparisons are desired, but I do not wish to do so. I have the very kindliest sentiment for this harbor. It has my good wishes for the promotion of its commerce. Perhaps it is fortunate that this is a southern project, because no charge of sectionalism can be brought against me for my opposition to this increased appropriation. I am making a presentation to you solely from a sense of duty, believing this increased appropriation ought not to be added to this bill. I and the other members of your committee are but the servants of the House. It is for the House to say, under the circumstances, whether they will vote for this increased appropriation. If they do so, it is well to reiterate this: They will make an increased appropriation that is not asked for, that can not be used, that will be unjust to every other project in the United States. [Applause.] Mr. Speaker, I reserve the remainder of my time.

The SPEAKER. The gentleman has an hour. Does he desire to yield to any gentleman?

Mr. SMALL. I am ready to yield to the gentleman from Alabama [Mr. GRAY].

The SPEAKER. How much times does the gentleman yield?

Mr. SMALL. I yield to the gentleman from Alabama—how much time?

Mr. GRAY of Alabama. Mr. Speaker, I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GRAY of Alabama. Am I not entitled to an hour under my motion?

The SPEAKER. Yes; the Chair believes the gentleman is.

Mr. SMALL. How much time—I have not yielded the floor, Mr. Speaker.

The SPEAKER. The Chair knows the gentleman has not yielded the floor.

Mr. SMALL. Then I move the previous question if no gentleman wishes time——

The SPEAKER. No; the gentleman is entitled to his time.

Mr. SMALL. I am going to yield to the gentleman.

The SPEAKER. How much time does the gentleman wish?

Mr. FOSTER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FOSTER. Is a Member who makes a motion to concur in an amendment entitled to an hour, the same as the Member who has charge of the bill?

Mr. MOORE of Pennsylvania. Mr. Speaker, I desire to make a further parliamentary inquiry.

The SPEAKER. Let us get through with one at a time. The Chair thinks the gentleman from Alabama is entitled to an hour if he wants it.

Mr. SMALL. If the Speaker will hear me——

Mr. MOORE of Pennsylvania. Mr. Speaker, a parliamentary inquiry.

Mr. CANNON. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Illinois rise?

Mr. CANNON. Mr. Speaker, my recollection of the rule is, as this is a conference report, that the chairman of the conference committee, in this instance the gentleman from North Carolina [Mr. SMALL], is entitled to an hour and to move the previous question at any time within that hour; otherwise the previous question could not operate if, as a matter of right, the gentleman on the other side was recognized for an hour. I think I am not mistaken in my recollection that that is the rule.

The SPEAKER. The general rule is that a man in charge of a bill has an hour. The general practice is that he yields a reasonable part of his time to the opposition, but he controls the situation.

Mr. MOORE of Pennsylvania. Mr. Speaker, a parliamentary inquiry.

Mr. GARNER. Mr. Speaker, if the Chair heeded entirely what the gentleman from Illinois suggested to the Chair, the result of the ruling just made by the Chair——

The SPEAKER. The Chair did not make any ruling; he said he thought so.

Mr. GARNER. I am glad to hear the Speaker say he has not.

Mr. MOORE of Pennsylvania. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. MOORE of Pennsylvania. To ask the Chair if the Chair is sure he recognized the gentleman from Alabama [Mr. GRAY]?

The SPEAKER. If the Chair is certain he did what?

Mr. MOORE of Pennsylvania. If the Chair is sure that he recognized the gentleman from Alabama [Mr. GRAY].

The SPEAKER. He is sure that he did not recognize him except to ask for what purpose he rose.

Mr. MOORE of Pennsylvania. Would not that answer the question whether Mr. GRAY had an hour in his own right? The rule is that the chairman of the committee has an hour and can move the previous question within that time.

Mr. MADDEN. Mr. Speaker, if I may be allowed, my understanding is that the gentleman from North Carolina in charge of the conference report yielded to the gentleman from Alabama to make a motion to recede and concur but did not yield the floor except for that purpose.

Mr. CANNON. He has a right to make that motion.

The SPEAKER. The gentleman from North Carolina never lost the floor.

Mr. MADDEN. Then the gentleman from Alabama has no time.

The SPEAKER. How much time is the gentleman from North Carolina willing to yield to the gentleman from Alabama?

Mr. SMALL. If I can get the gentleman's attention, I desire to ask him how much time he desires.

Mr. GRAY of Alabama. First, I want the Speaker to rule whether or not I am not entitled to an hour in my own right.

Mr. SMALL. Mr. Speaker, I do not yield to the gentleman unless to make a parliamentary inquiry.

The SPEAKER. The gentleman from North Carolina has an absolute right to make the motion for the previous question at any time within his hour.

Mr. GRAY of Alabama. Mr. Speaker, is it not a fact that my motion to concur is a preferential motion?

The SPEAKER. Of course it is or the gentleman could not have made it.

Mr. GRAY of Alabama. As a matter of right, am I not entitled to speak upon my motion?

The SPEAKER. Why, all that the Chair cares about it one way or the other is to get through with it, and the gentleman from North Carolina is willing to yield time to the gentleman, if that is enough.

Mr. SMALL. Mr. Speaker, how much time does the gentleman desire? Mr. Speaker, how much of the hour have I remaining?

The SPEAKER. The gentleman has 35 minutes remaining.

Mr. SMALL. I am willing to yield part of that time.

The SPEAKER. How much time does the gentleman yield?

Mr. GRAY of Alabama. I would like to have at least an hour. Several gentlemen want to speak on it.

Mr. SMALL. Mr. Speaker, I yield 15 minutes to the gentleman.

Mr. OLIVER of Alabama. Will the gentleman yield me 10 minutes?

Mr. SMALL. Yes; I will yield to the gentleman from Alabama [Mr. OLIVER] 10 minutes.

The SPEAKER. The reason the Chair took the liberty of making the suggestion is this: Of course, everybody understands the situation we are in here. Members want to get home, and Members are going home, recess or no recess, and we know on this last roll call we just barely did escape through with an exact quorum, and under those circumstances the Chair felt that he was entitled, without hurting anybody's feelings, to suggest that we hurry up with these things.

Mr. OLIVER of Alabama. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. OLIVER of Alabama. I recall that the other day, when we had up the naval conference report, the gentleman from Pennsylvania [Mr. BUTLER] made the motion to nonconcur, and the Chair ruled that Mr. BUTLER had an hour on his motion.

The SPEAKER. The Chair knows he did.

Mr. OLIVER of Alabama. I know that has been done on several occasions, and I simply was anxious to know what the ruling of the Chair was.

The SPEAKER. The Chair will suggest a way out of it. The Chair does not desire to make an offhand ruling. While the gentleman from Alabama [Mr. GRAY] is proceeding with his 15 minutes, in the meantime the Chair will examine the matter—it is rather a delicate one and a rather important one, too—and then, if it turns out that the gentleman is entitled to his hour, the Chair will take this 15 minutes which has been yielded him by the gentleman from North Carolina and give it back to the gentleman from North Carolina.

Mr. GRAY of Alabama. Mr. Speaker and gentlemen of the House, it will be necessary to go back just a little and review this matter so that you may understand it.

When the Mobile item came up before our committee it was known that the Board of Army Engineers had originally recommended $850,000 for Mobile Harbor; that is, $850,000 on a new 30-foot project. We adopted the 30-foot project that was in the last bill, carrying no appropriation, as has been stated by the chairman of the Committee on Rivers and Harbors. Not a dollar was appropriated, and there is scarcely any balance now to the credit of the fund for maintenance or improvement of the harbor. When we came to consider the bill and the item which is now under consideration at this session the Board of Army Engineers had recommended $250,000 for Mobile. Now, understand that we had declared in the last bill, which became the law, that it was a war emergency. There is no question about that. And the Mobile item is before you now as a war emergency, declared so by the Board of Army Engineers.

They had completed their work; they had surveyed this channel; they had come to Congress with their report, and said: "Your project is a worthy one"; they said it was a war emergency; and now, gentlemen, it seems to me we ought to have something to say as to how much money we ought to appropriate.

It is a war emergency, and since we considered it in committee things have occurred at Mobile of vast importance at this time. I was directed by the committee of which I have the honor to be a member, when this matter came up for consideration, and the chairman remembers it well, to go to certain activities, like the Shipping Board and others, and if I could get from them certain recommendations this would be considered favorably by the committee. And it was intimated strongly, in fact it was said absolutely, that if we got these recommendations the increased appropriation would be given. I did as was suggested, and went to these various activities of the Government.

Others who are interested in this project sought to get recommendations and to see whether or not this was really a war emergency and if it was necessary to spend more money on the project at this time. I have here a letter addressed to the Chief of Engineers signed by Cyrus Garnsey, jr., Assistant United States Fuel Administrator, which I will embody in the RECORD. He thinks it is very necessary that this channel should be deepened quickly to a depth of 30 feet:

WASHINGTON, D. C., *May 29, 1918.*

CHIEF OF ENGINEERS,
United States Army, Washington, D. C.

DEAR SIR: Our attention has been called to the great importance of speedy improvement of harbor and channel at Mobile, Ala.

We are also advised that the Government is preparing to take over the Black Warrior River and put a fleet of coal barges on for the purpose of carrying large quantities of coal on the river from the Birmingham district to the port of Mobile.

Large quantities of first-class bunker coal, as well as steam coal, can thereby be transported over the river. There are three private shipping yards in operation besides the very large shipping yard being built by the steel corporation.

We understand that in the last few days Mobile has been selected as a point for the establishment of a concrete-shipping yard, and we regard Mobile as one of the best ports on the Gulf or on the Atlantic for the establishment of a large coaling station, with the view of bunkering ships and exporting coal.

Through the harbor of Mobile New Orleans will receive a supply of bunkering and steam coal, and Cuba needs a large tonnage of coal in order to carry on its sugar-refining business.

I express the hope that the engineering department will see their way clear to suggest to the conferees, who are now considering the river and harbor bill, that the speedy improvement of harbor and deepening of channel at Mobile is urgent.

Very truly, yours,

CYRUS GARNSEY, Jr.,
Assistant United States Fuel Administrator.

Also one from the chairman of the Shipping Board:

UNITED STATES SHIPPING BOARD,
Washington, June 7, 1918.

Hon. OSCAR L. GRAY,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: Referring to our interview in regard to the port of Mobile.

It is a fact that since we last discussed this port there has been a change in the activities pertaining to it. The Fuel Administration will use Mobile to a greater extent than heretofore and much coal will go from that port.

I understand that the Railroad Administration plans to utilize Mobile to relieve the congestion in other ports, and if that is the case there is no question about the wisdom of dredging the channel of Mobile to a depth of 30 feet, so that most any ship in the South American or West India trade, or even the trans-Atlantic service, can enter the harbor of Mobile with cargo.

Deepening the channel would remove the necessity of picking out, as it were, ships suitable for this harbor.

I have ignored the shipbuilding activity and have touched only upon the more vital necessities.

Very truly, yours, EDWARD N. HURLEY, *Chairman.*

You will observe Mr. Hurley says it is necessary for the Government to pick out, as it were, vessels suitable to enter that harbor. There may be others convenient carrying 30 feet, and yet they must go somewhere else; they must pass Mobile by, because they can not get into that harbor at this time.

I have a communication from Mr. Le Blanc, who is manager of two large shipping concerns in Mobile. The telegram says:

MOBILE, ALA., *July 2, 1918.*

Hon. OSCAR L. GRAY,
House Office Building, Washington, D. C.:

Yours of date. Very hard to tell number vessels drawing 30 feet that could not enter Mobile Harbor during past year, owing to fact they were not sent to Mobile, because they could not load full here; but that this is true is evidenced by letter of May 22 from Harrison Line, Liverpool, reading: "We are sorry we could not put a June steamer forward for Mobile, but will try to find one for July. There would be less difficulty in doing this if Mobile Channel were deeper." This is sample of what other owners are experiencing. Out of 44 vessels in Leyland Line fleet, only 14 can load full cargoes at Mobile, owing to draft and impossibility of supplying tonnage, even. Out of 14 is shown by their having sent 3 vessels here that had to complete elsewhere, owing draft loaded. About same proportions apply Harrison Line fleet, 50 vessels. *Nubian*, which just sailed, not only had to load 1,000 tons cargo elsewhere, but also 600 tons bunkers, and drew 26 feet 10 inches, anyway.

MOBILE LINERS.

In other words, these great steamship companies can not get into this harbor, although they are clamoring to do so, and are trying to do so every day.

I will read from the United States Railroad Administration, directly under W. G. McAdoo, Director General, a communication from Mr. Buxton, assistant director:

UNITED STATES RAILROAD ADMINISTRATION,
Washington, June 24, 1918.

Hon. OSCAR L. GRAY,
House of Representatives.

MY DEAR MR. GRAY: Referring to your favor of the 24th, inclosing copy of a letter from Chairman Hurley, of the United States Shipping Board, relative to the importance of dredging the channel at Mobile, Ala.

Since last fall Mr. Chambers has insisted that the Gulf and South Atlantic ports be used to a greater extent for export shipments. Our own Government and the allies have cooperated in doing this to relieve the congested situation at the northern range of Atlantic ports.

Mobile, as one of the more important Gulf ports, has been used to a degree, but was limited on account of inability to take care of ocean-going vessels drawing more than 27 feet. There is no question but that the port of Mobile would be used to a greater extent if the contemplated improvements would accommodate vessels of a greater draft, and, naturally, the sooner this is accomplished the better it will be for the port.

For your information at the present time the following tonnage is at Mobile for export:

Five hundred and fifty-seven cars for United States Government.
Five hundred and ninety-six cars for British Government.
Three hundred and eighty-six cars for commercial export.
This exclusive of grain in elevators.

I have referred your letter to the Exports Control Committee, the personnel and object of which is fully explained in the attached circular. They will hold their initial meeting in Washington, Wednesday, the 26th.

Yours, very truly, C. B. BUXTON,
Assistant Director.

I have in my hand the personnel of that exports control committee, and among the members is Mr. P. A. S. Franklin, the same gentleman inquired about some time ago, and he is representing the shipping control committee. He is already committed to this project of 30 feet as being a war necessity, as you will see from the CONGRESSIONAL RECORD of June 7, 1918.

Now, gentlemen, I am informed that a letter has been written by the Secretary of the Navy to my distinguished colleague [Mr. OLIVER], who will present that matter. This letter states in substance that it is very necessary from a naval standpoint that this harbor be opened rapidly at this time because of the fact that submarines are hiding and lurking along and near the Atlantic coast, and it might soon become necessary for our shipping to be transferred to the Gulf.

Ah, gentlemen, we ought not to quibble with this question of $140,000. Do you know this bill has been absolutely held up for days on account of an increased appropriation of that amount for this splendid port?

Mr. LONGWORTH. Will the gentleman yield for a question?

Mr. GRAY of Alabama. Yes, sir.

Mr. LONGWORTH. I am interested in what the gentleman says. I have no personal knowledge of the situation, but it occurs to me that all the letters that the gentleman cites do not answer the objection of the chairman of the committee, that even if that money was available it could not be spent.

Mr. GRAY of Alabama. I am glad the gentleman mentioned that. I went down a few days ago and had a personal interview with Col. Newcomer, the Army Engineer who has really had this matter in charge, and who sat with the committee and by it at nearly all the hearings. He stated that he had heard of some dredges that may be obtained from the Canal Zone, but it was probable that they might have to be used at other ports. Now, that was a mere speculation. He admitted the proposition that we might be able to get these dredges.

And, gentlemen, if we can get them, we ought to have the money to expend for this improvement. Now listen: If you do not appropriate the money and you can get the dredges, you can not have the work done, and you know it. If you appropriate the money, and you do not get the dredges, no harm is done at all. It is just simply appropriating $140,000 more, making the total $500,000, when originally $850,000 was recommended for this improvement. The chances are that we can get the dredges, and we are simply asking this House in all fairness to agree to this proposition as a war emergency, which the Government through different activities says is necessary. We are simply asking you to appropriate $140,000 more than was asked for by this committee.

Now, gentlemen, events have occurred in the last few months that Gen. Black seemingly does not know about, while he may be a man of learning and ability and technical knowledge. Some things have happened recently at Mobile and along the Gulf coast that he, perhaps, does not know anything about. Because of recent developments there are some things that our committee, when they were considering this proposition, did not know. The Government is preparing to utilize that great canalized river with 17 locks built into the coal fields of Alabama. A few days ago Judge Prouty openly stated that we should not even stop there. He believed that we ought to build another lock and go right into the heart of the best coal on earth. He says that after fair and deliberate consideration. The Government has determined to try out and to use the river. I mention this to show gentlemen here that practically every activity of the Government that has to do with shipping has emphasized the importance of deepening this channel, and doing it right now.

The idea of quibbling at a time like this; the idea of men getting up here and quibbling over $140,000 in a million dollar project when our country is at war! [Applause.]

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. GRAY of Alabama. Yes.

Mr. WALSH. If this appropriation fails, would the State of Alabama spend $140,000 to complete the project?

Mr. GRAY of Alabama. There is no law granting such a right.

Mr. WALSH. There is nothing to prevent them if they wanted to do it?

Mr. BURNETT. There is no authority to do it.

Mr. BENJAMIN L. FAIRCHILD. Of course, there is something to prevent it. The Constitution has something to say about it.

Mr. BURNETT. Under our Constitution it could not be done, anyhow.

Mr. GRAY of Alabama. I think the gentleman is correct about that. That is not a question to be considered. The plain, simple question before this House—and I present it to you as fair men—is whether or not you are going to quibble over $140,000 and hold up this measure longer. Why not say to Mr. SMALL and the other gentlemen who compose the conferees of this House—why not instruct them to go back and accept this amendment, and thus get this important measure behind us? It is nothing but right that this should be done. It does not establish a bad precedent.

Let me tell you something. Listen: Out of all the projects about which there was a controversy none remains to be settled in conference except as to this one project at Mobile.

The SPEAKER. The time of the gentleman from Alabama has expired.

Mr. GRAY of Alabama. I would like to have unanimous consent for five minutes more.

The SPEAKER. The only way to do that is to ask to have the time extended, and you can have five minutes, and the Chair will consider that request as having been made.

Mr. SISSON. I ask unanimous consent, Mr. Speaker, that the time of the gentleman from North Carolina [Mr. SMALL] be extended five minutes, so that his time shall be one hour and five minutes, and the extra five minutes shall go to the gentleman from Alabama [Mr. GRAY].

The SPEAKER. Is there objection?

There was no objection.

Mr. SMALL. I yield to the gentleman five minutes more.

The SPEAKER. The Chair will settle this question which three or four gentlemen have raised. It is true that a week or two ago, when we had a very angry debate, the Chair, without studying it, recognized the gentleman from Pennsylvania [Mr. MOORE] for an hour under circumstances like those now prevailing. The Chair made an error. The attention of the Chair had never been called to that particular state of affairs until that day. Nobody raised a point of order.

I will first read an opinion here that really is not very pertinent, but it throws a little light on the question. Then I will read one that is exactly in point. I quote from section 1459 of volume 2 of Hinds' Precedents:

A Member having obtained the floor to make a preferential motion may not thereupon demand the previous question to the exclusion of the Member in charge of the bill. On the calendar day of March 3, 1901, but the legislative day of March 1, the House was considering

Senate amendments to the sundry civil appropriation bill, and a motion to recede and concur in the amendment making provisions for expositions at Buffalo, St. Louis, and Charleston had been decided in the negative.

Thereupon Mr. James S. Sherman, of New York, moved that the House recede and concur with a certain amendment, and on that motion demanded the previous question.

The Speaker, Mr. Henderson, said:

The Chair will state that he regards the motion of the gentleman from New York [Mr. Sherman] as in order; but he declines to entertain from the gentleman from New York a demand for the previous question, as the gentleman from Illinois [Mr. CANNON], who has charge of this bill, can not be taken from the floor in that way—

That is, about the previous question, which is the highest function that a gentleman can exercise about a bill or conference report.

Now, here is one exactly in point, by Speaker Carlisle, section 1460:

A Member may not, by offering a motion of higher privilege than the pending motion, deprive the member of the committee in charge of the bill of the floor. On February 28, 1889, the House was considering the Senate amendments to the District of Columbia appropriation bill. On the day before the gentleman in charge of the bill, Mr. Judson C. Clements, of Georgia, had moved that the House insist upon its disagreement to a certain amendment, and on that motion had demanded the previous question.

Thereupon Mr. Samuel Dibble, of South Carolina, made a motion to recede, and thereupon took the floor and claimed the right to debate for one hour.

The House having adjourned, when it met on the following day Mr. Samuel J. Randall, of Pennsylvania, made the point of order that the recognition of the gentleman from South Carolina would dispossess the gentleman from Georgia from the control of the bill, although there had been no adverse vote of the House so far as that control was concerned.

The Speaker, Mr. Carlisle, said:

The Chair thinks that it was undoubtedly correct to recognize the gentleman from South Carolina [Mr. Dibble] for the purpose of making the motion to recede from the disagreement, notwithstanding the fact that the gentleman from Georgia had at the time pending a proposition insisting on the disagreement and had demanded the previous question. But the Chair, upon reflection, feels disposed to say that the gentleman from Georgia, under the practice heretofore prevailing in the House, was still entitled to the floor for the purpose of controlling the matter, having charge of the general subject, there having been no adverse action, and therefore the Chair thinks that the gentleman from South Carolina was not then entitled, under this usage, to recognition for the purpose of debate, but the Chair actually recognized the gentleman from South Carolina, and he yielded to the gentleman from Kentucky five minutes.

While the Chair thinks now this action was not strictly in accordance with the practice, the gentleman states that he will not occupy more time than would be allowed if the previous question was ordered, and the Chair will not undertake to reverse the action taken, but the Chair desires that the action taken yesterday shall not be a precedent.

There were three ex-Speakers mixed up in that squabble. While the parliamentary clerk was hunting up these decisions the Chair turned this thing over in his mind and came to the same conclusion before he found out that any of these Speakers had ever decided the question that way. Here is the situation: The gentleman in charge of the conference report has an hour. He makes a motion to insist. Then any gentleman has a right to make the preferential motion that the gentleman from Alabama [Mr. GRAY] made, and he does not have to ask the consent of the gentleman in charge of the bill. He asks the consent of the Speaker. The Speaker recognizes him for one specific purpose, and that is to make his preferential motion. A good many gentlemen have been under the impression that if a man is recognized at all he is recognized for all purposes, which is not true. The late Hon. Augustus P. Gardner always insisted that there were two recognitions, and finally he convinced me of the truth of that; and that is the reason that the Chair asks a gentleman for what purpose he rises. There was a tremendous hullabaloo here once about the Speaker asking that question. When I became Speaker I started in with the intention not to propound that inquiry, and the first thing I knew I was in deep water and in a good deal of trouble.. After seeing how it worked out I concluded that Speaker CANNON had been right in demanding "For what purpose does the gentleman rise?" I have carried out that practice ever since. If the gentleman from Alabama [Mr. GRAY] in this case got possession of the floor in his own right for the purpose of debating, he would undoubtedly take the floor away from the gentleman from North Carolina [Mr. SMALL] for the purpose of debating, because it is utterly impossible that two men should have the right to the floor at the same time. There are two ways of getting around it, whenever the House wants to do it. Of course, the House can do as it pleases at any time. The gentleman in charge of the conference report or somebody else may ask that the hour be extended. Of course, if it is extended, the extension of time goes to the gentleman in charge of the conference report. If that is not done and the House wants to debate the thing some more, the proper thing to do is to vote down the motion for the previous question. The Chair knows that some Members think they are bound all the time to vote for the previous question. They are no more bound to vote for that than they are to vote for anything else. So the gentleman from North Carolina [Mr. SMALL] is in charge of the time, and yields five minutes to the gentleman from Alabama [Mr. GRAY].

Mr. STAFFORD. Mr. Speaker, if the Chair will permit me, in view of his exhaustive ruling——

The SPEAKER. Yes.

Mr. STAFFORD. Should not the gentleman from North Carolina [Mr. SMALL], in order to be entitled to the hour, have made some motion?

The SPEAKER. It was the fault of the Chair that he did not. The gentleman from North Carolina was going to make a motion to insist, and the Chair considered that as already made. Of course, he should have made that motion.

Mr. STAFFORD. The motion was not made, however, and to entitle him to the hour he should have made that motion.

Mr. LONGWORTH. The gentleman from North Carolina made a motion to agree to the conference report, and he was entitled to an hour on that.

Mr. STAFFORD. But that is out of the way.

The SPEAKER. That was disposed of.

Mr. LONGWORTH. But he had an hour to debate that.

Mr. STAFFORD. Yes; but the time under that hour is at an end when the conference report is adopted.

The SPEAKER. The gentleman from Alabama [Mr. GRAY] is recognized for five minutes, and the time of the gentleman from North Carolina [Mr. SMALL] is extended five minutes.

Mr. GRAY of Alabama. Gentlemen, something has been said here about establishing a precedent. You remember that several weeks ago we voted upon a measure here in this House that had not been recommended by the Board of Army Engineers. I refer to the Key West item. At that time we voted to put into the bill a certain appropriation, regardless of the engineers, because this House considered that it was a worthy project and the time had come when the money ought to be appropriated for it, and the House had a right to do it. I want to say to you gentlemen that if you are going to adopt the policy of letting the Army engineers say what every project shall be and then let them say just how much money shall be appropriated from year to year and just how much shall be spent, you might as well abandon the present policy and appropriate a lump sum and say to them, "Here is the money. Take it and spend it just as wisely as you know how." You might as well do that, because it is what you are doing here to-day if you fail to instruct or if the proposition for an increased appropriation of $140,000 is defeated. Now, the argument of the gentleman is that it will establish a bad precedent. I want to say to you again that this is the only proposition that has come up in this bill where the War Department has failed to recede and change from the original recommendations. I understand that the engineers receded and made certain recommendations on the Key West proposition after it got to the Senate; that they took it under consideration after the House had acted. You had said you wanted Key West in the bill. They, as stated, did finally recede and some kind of a recommendation was made by them while the matter was being considered in conference or at least after it had left the House.

Mr. OLIVER of Alabama. The Army engineers changed their opinion?

Mr. GRAY of Alabama. They changed their opinion, and they changed it after we had acted in the matter. I do not think this will be disputed by any Member of this House. So I say to you, gentlemen, here is a proposition that is a worthy one. Here is a project that the board of engineers say is a worthy one; here is a project that they say is a war emergency. I do not believe there is a man on the floor of the House who doubts it. Then why should you refuse to give the extra $140,000? I know what some gentlemen will say: "Well, you can't use it; you can't get the dredges." No man here can say that. The War Department engineers do not because they can not say it. All we are asking you to do is to give us $500,000 for this emergency proposition; and if we can not get the dredges, if we can not supply the means, we will not use the money. But, in all candor, I believe a way to have this work done will be found. It will be the duty of the engineers to find a way. It is the province and the duty of this House to say whether or not it will make the appropriation. [Applause.]

Mr. SMALL. Mr. Speaker, I yield 10 minutes to the gentleman from Alabama [Mr. OLIVER].

Mr. OLIVER of Alabama. Mr. Speaker, I think it well that the position of the Army Engineers be restated in reference to the deeping of Mobile Channel to 30 feet. They have given their unqualified approval to this important measure and estimate the final cost of completion to be between $850,000 and $1,000,000. This bill carries the initial appropriation to deepen

and widen the channel in accordance with the engineers' approval of this project. The very fact that the House committee inserted in this bill an appropriation for this purpose conclusively shows that the committee and Congress consider it an emergency measure, because it is understood that the House committee will now recommend only appropriations for emergency work. The only possible question, then, now at issue is whether dredges can be secured at this time to do more work than the $200,000, carried in the first draft of the bill, provides for.

Some days ago I submitted to the chairman of the Rivers and Harbors Committee a statement from a reliable gentleman that two dredging companies, on or about May 7, had given assurance that, within four or five months from that date, they would be able to do the dredging required at Mobile if it was considered an emergency measure. The names of these companies are the Southern Dredging Co. and the Gulf & Pacific Dredging Co., and my information is they will be prepared at such time to do this work if called on by the Government.

The question then recurs, Is the port of Mobile of sufficient importance at this time to warrant speeding up the work of deepening and broadening the channel there? I will call attention later to some facts, which clearly demonstate the absolute necessity of doing this work speedily. If it is a work which this House feels can be safely delayed, I would not insist on an additional appropriation. Another body, enjoying the same powers that we do and equally as interested in the public good, have thought that $140,000 additional could be wisely used at Mobile before another appropriation can be made. I think that they were right, and that the distinguished gentleman from North Carolina [Mr. SMALL] is entirely in error, and that the fear of the Army engineers that dredges can not be secured for the work is likewise without foundation.

I have personally talked with Col. Newcomer, who is the engineer really in charge of this work, and I know the gentleman from North Carolina has. Col. Newcomer will not undertake to say that dredges can not be procured, but simply that he is not now informed where they can be had. He recognizes fully the importance of this dredging, and certainly any additional money appropriated will be wisely used in deepening the channel or it will remain unexpended. Unless you appropriate now a sufficient amount to guarantee the continuance of work at Mobile until another appropriation bill passes the House, it will be difficult to secure from private companies dredges for this work. If, however, private companies can be shown that this work will be continued, and speedily pushed to final completion, I feel sufficient dredges can be provided for that purpose. This bill fixes a liberal allowance to private companies for work of this kind, and I am confident that, on the basis of Government cost as fixed in this bill, private companies can be found who will undertake this work.

The people of Mobile have always and still are showing their faith in the importance of that port by freely spending their own money in its development. The Railroad Director, the Fuel Administrator, the Shipping Board, and the Navy Department have all given letters showing interest in speeding up the work of deepening the channel at Mobile. The steel company is expending over $12,000,000 in the construction of a thoroughly up-to-date shipbuilding plant, capable of caring for ten 10,000-ton ships at one time. In addition to this large sum they are also expending many millions to extend and improve their plant at Fairfield, near Birmingham, Ala., so that they may speedily provide the materials for constructing ships at their plant in Mobile. This same company is building a city near Mobile to provide comfortable homes for their employees. The 10,000-ton ships which they will build can not be loaded to their deadweight capacity at Mobile unless the channel is deepened. Can it be possible that Congress would deny this additional appropriation now called for by the Senate amendment, in view of the absolute need of a deeper channel to enable the large vessels soon to be constructed at Mobile to fully load and carry important and ever-increasing cargoes to our Army and those of our allies? The expenditure of $12,000,000 in this shipbuilding plant is a certain guaranty of faith and interest in the importance of this harbor by its people.

The Shipping Board have authorized and contracted for the immediate construction of a 10,000-ton floating dry dock at Mobile. Why provide a dry dock of this size to be completed during December next unless you take immediate steps to deepen the channel so as to readily admit ships of heavy draft to come in and go out fully loaded? The Shipping Board has also authorized the immediate construction of a 2,500-ton floating marine railway for Mobile. I think the contracts for the dry dock and for the floating marine railway have been let since the House committee first acted on this bill.

The Railroad Director, in a few days, I think, will take over water transportation on the Warrior, a river canalized at an expenditure by the Government of more than $9,000,000. This river will thus carry to Mobile for export and other uses large quantities of bunker coal, cargo coal, lumber, steel, and iron.

Mr. GREEN of Iowa. Mr. Speaker, will the gentleman yield?

Mr. OLIVER of Alabama. Yes.

Mr. GREEN of Iowa. Can the gentleman tell me what authority the Railroad Director has to take over water transportation?

Mr. OLIVER of Alabama. Under the authority given by a bill passed by this Congress.

Mr. GREEN of Iowa. Oh, I disagree with the gentleman.

Mr. DEMPSEY. I suppose it is the same authority as that under which he took over the Erie Canal.

Mr. OLIVER of Alabama. Exactly the same.

Mr. GREEN of Iowa. Which is no authority at all.

Mr. OLIVER of Alabama. The gentleman may not think so, but there are few, if any, who will agree with him in the opinion expressed. The Director has already exercised the authority conferred on him and will doubtless continue to wisely do so. I have simply alluded to this for the purpose of showing that Mobile Harbor is now and will continue to grow as an important distributing port for bunker and cargo coal, steel, and timber. On the banks of the Warrior River, available for shipment by water and within 200 miles of Mobile, more than 3,000,000 feet of lumber is being daily cut, and bunker and cargo coal are likewise found on this same river in inexhaustible quantities.

Mr. BANKHEAD. Mr. Speaker, will the gentleman yield?

Mr. OLIVER of Alabama. Yes.

Mr. BANKHEAD. Our colleague from Alabama [Mr. GRAY] made some reference to a letter from the Secretary of the Navy.

Mr. OLIVER of Alabama. Yes; I will refer to that in a few moments. There will soon be transported by river from the coal fields of Alabama more than half a million tons of bunker coal.

Mr. SISSON. Is that every day or every week or every month?

Mr. OLIVER of Alabama. That at present is the estimate for a year. This estimate will be rapidly increased when additional barges and boats for transporting it are added to the present river equipment. From mines now in operation near and adjacent to the river it is estimated four or five million tons a year can be shipped to Mobile by water if sufficient equipment is provided. New Orleans, Pensacola, and some of the ports on the Texas coast are dependent on the Alabama fields for their coal. There has recently arisen a large demand at the Gulf ports for cargo coal for Panama and the West Indies. The Fuel Administrator, in a letter submitted by my colleague [Mr. GRAY of Alabama], points out how heavy the demand will be for coal at the port of Mobile.

Many of the important ship companies, like the Leyland Line, are unable to send ships of heavy draft to Mobile, since the shallow channel of 27 feet prevents their being loaded to full capacity. On June 26 of this year the *Nubian*, a vessel owned by the Leyland Line, was at Mobile. She drew, when loaded, about 30 feet, and consequently could only be partially loaded at Mobile, and thus was forced to call at another port to complete her cargo. This is not of infrequent occurrence. Numerous instances have been cited to me where ships with 28 and 30 foot draft, loaded, were anxious to come to Mobile and were unable to do so because the 28-foot channel could not accommodate them.

If the appropriation added to this bill by the Senate is now approved by the House I am very hopeful that before the completion, in December, of the large dry dock ordered by the Shipping Board we will have deepened the channel sufficiently to accommodate many of the large steamers that are now knocking for admission to the port of Mobile. The Leyland Line, out of 44 ships, has only 11 at present that can load to full capacity at Mobile.

Mr. GRAY of Alabama. Mr. Speaker, will the gentleman yield?

Mr. OLIVER of Alabama. I will say to my colleague I am coming to the letter from Secretary Daniels in a moment. The activities of the Navy are intimately connected with the activities of the Fuel Administration, the Railroad Director, the Shipping Board, and Emergency Fleet Corporation. Letters have been submitted by my colleague [Mr. GRAY of Alabama] from these Government agencies urging the deepening of Mobile Channel, and this naturally led me to inquire about the matter from a naval viewpoint.

The appearance of submarines on the eastern coast, while not greatly alarming, yet at times may occasion some temporary

cessation or lull in shipments from certain eastern ports, and since the Navy has shown such wise foresight in providing against every eventuality, I felt confident they had given heed and consideration to the question of using all ports, not only on the Atlantic coast, but also on the Gulf. Nothing could be more confusing to submarines that may occasionally be lurking off our coast than the knowledge that we are not dependent on any one, two, or three ports for exporting our cargoes abroad. Unquestionably every port on the Atlantic and on the Gulf, now provided with loading facilities and convenient for the assembling of food, munitions, and other war materials, should from a naval standpoint be speedily put in condition to accommodate both large and small ships. I was glad to find that the Navy is so keenly alive to the importance of this matter. Admiral Benson, chief of naval operations, recognizes fully the importance of Mobile Harbor as a distributing point, and the necessity of deepening the channel to the Gulf. The Secretary of the Navy, after consultation with Admiral Benson, who had given close study to this matter, wrote me this letter on the importance of deepening the channel at Mobile.

The SPEAKER pro tempore (Mr. CHARLES B. SMITH). The time of the gentleman from Alabama has expired.

Mr. HICKS. Mr. Speaker, the discussion of the gentleman is interesting and instructive, and I ask unanimous consent that the time of the gentleman from North Carolina [Mr. SMALL] be extended for five minutes, and that such additional time be given to the gentleman from Alabama [Mr. OLIVER].

Mr. WALSH. Mr. Speaker, I object.

Mr. OLIVER of Alabama. May I ask for time sufficient to read the letter from the Secretary of the Navy?

Mr. SMALL. I ask unanimous consent that the time of the gentleman be extended one minute in order that he may have time.

Mr. SISSON. Mr. Speaker, I ask unanimous consent that the gentleman be permitted to read the letter, whatever time it may take, without taking it out of the hour.

The SPEAKER pro tempore. Is there objection? There was no objection.

Mr. OLIVER of Alabama. Mr. Speaker, the following is the letter from the Secretary of the Navy:

THE SECRETARY OF THE NAVY,
Washington, June 27, 1918.

SIR: With reference to the operations in the Caribbean, it would be highly desirable from a naval point of view to make arrangements to deepen the water connection between the city of Mobile and the Gulf.

The appearance of enemy submarines along our eastern coast will necessitate the exercise of care in the transportation of coal to bunkering points in the West Indies, such as Kingston, and also probably to the Panama Canal. This coal could be routed through the Gulf and Caribbean waters and would be, therefore, safer than if transported through the Atlantic.

Furthermore, the very large number of vessels now under construction by the Shipping Board will be ready for the transportation of the over-sea Army and the cargoes for many of these vessels must necessarily be loaded in southern ports, one of which will probably be Mobile.

In addition, there are considerable quantities of steel manufactured in the Birmingham district for export abroad, and all of this material could be provided with easy shipment through this port.

The military situation is such that, therefore, I would recommend the deepening of the waterway from Mobile to the sea.

Sincerely, yours,

JOSEPHUS DANIELS.

Hon. WILLIAM B. OLIVER, M. C.,
House of Representatives, Washington, D. C.

[Applause.]

Mr. SMALL. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. GALLAGHER], a member of the committee.

Mr. GALLAGHER. Mr. Speaker, no question has come before the Committee on Rivers and Harbors since I have been a member of it that has been given so much time for consideration as has this Mobile Harbor project.

Now, I want it to be understood that wherever a Member of this House has a project in his district, I am in favor of giving him all the consideration I can, and to help him get through his project if possible, and I am not bashful about saying so. I believe if a Member of this House has a project in his district that has been favorably recommended that he ought to be able to get an appropriation in our committee and from this House, but if the committee turns it down it is not fair for the Member to have that project brought out at the other end of this Capitol and tacked on a bill. [Applause.] Now, the gentleman representing the Mobile district will not hesitate to tell you that the Committee on Rivers and Harbors was exceptionally considerate in regard to this proposition on his account. We gave him every opportunity to try and convince the engineers that they should make these improvements that he desired, and they told us flatly that they could not do it, and it was on the strength of the statement of the engineers that we refused to make the appropriation that is now asked for. That is the exact situation. Now, he comes in here with a great bunch of letters to prove that this money ought to be appropriated; perhaps the most important letter in the bunch was from Mr. Hurley, of the Shipping Board. Well, he may know something about the building of ships, but I do not think he knows much about the harbors of the country, because in Mobile they have a sufficient depth of water for present purposes. I want to call attention to this fact, that of all the vessels in the over-sea business before the war not 10 per cent of them drew 27 feet of water, and they have 27 feet of water now in Mobile Harbor. Now, Mr. Hurley says that for the purpose of transporting coal, and so forth, that we ought to make these improvements. I do not think any of the boats he is building draw over 27 feet. Gen. Keller came before the Committee on Rivers and Harbors and told us that on the Black Warrior River, where we have spent upward of $10,000,000 on that river, which is really tributary to and part of Mobile Harbor, that little or no coal is being transported from the mines upon the Black Warrior River to Mobile, because the coal there is in such great demand at the mines that they would not ship it, and the other mines were so far distant from the Black Warrior River that it would not pay to haul the coal from the mines to the river and send it to Mobile Harbor in boats, and they have but few boats. Now, we are asked to put on this bill $150,000 additional because it was asked for at the other end of this Capitol.

I am willing to be as favorable to any Member of this House as I can when he has a project, but I do not believe it is good business for us to appropriate $150,000 for a project when the engineers and the Secretary of War say it is not necessary simply for the purpose of bolstering up the political fortunes of any individual. I do not believe it is good judgment, and we have the letters that you have listened to from the Secretary of War saying that they could not use the money, from the Chief of Engineers that says there are no dredges to do the work, that they can not make the improvements. Still, in the face of that testimony, men stand here and tell you that the engineers do not know what they are talking about, that there are improvements going on down there that engineers do not know anything about. Now, is not that the statement they make to you here? I am willing to help every Member of this House who has a project——

Mr. HARDY. Will the gentleman yield for a question?

Mr. GALLAGHER. I will.

Mr. HARDY. As the gentleman's only objection to this increase is that the money can not be spent, what hurt is there in appropriating it if it can not be spent?

Mr. GALLAGHER. What is the use of appropriating $150,000 when the Secretary of War says that he can not use the money?

Mr. HARDY. But they say that good and intelligent men think they can, and what harm is there in making the appropriation if it gives them a chance?

Mr. GALLAGHER. I think we ought to put a little reliance on the intelligence of the Secretary of War and the Chief of Engineers.

Mr. FORDNEY. Mr. Speaker, I ask unanimous consent that the gentleman have one minute in order to answer a question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan? [After a pause.] The Chair hears none.

Mr. FORDNEY. Is it not good judgment at a time when we are at war with Germany and the people of this country are being taxed to their fullest limit for money that the Congress of the United States should judiciously spend the money that is collected from the people and not appropriate just simply because somebody says they would like to have it appropriated to help some man in Congress out in his district?

Mr. GALLAGHER. I think it is.

Mr. FORDNEY. In the extent of $150,000, and but few men in this House are worth $150,000 out of the people's pockets.

Mr. GALLAGHER. I think the best way I can answer the question of the gentleman from Michigan is to leave it to the intelligence of the House whether it is good business policy or not. [Applause.]

Mr. SMALL. Mr. Speaker, I yield one minute to the gentleman from Alabama [Mr. HEFLIN].

Mr. HEFLIN. Mr. Speaker, the gentleman from Illinois [Mr. GALLAGHER] has failed utterly to answer the able and convincing argument of my colleague, who represents the Mobile district. He has shown beyond all doubt and cavil that this is not only a meritorious project but an emergency war measure. Gentlemen, you can not afford to vote against his motion to concur in the Senate amendment when you consider the report of the Army engineers, the letter of the chairman of the Shipping Board, and the letter of the Secretary of the Navy.

The gentleman from Illinois is in error about this matter. The amount of produce going through Mobile Bay is by no means confined to that which comes down the Black Warrior River. Through this gateway to the coal and iron fields of Alabama passes the produce that comes to Mobile by railroad and by boat down the Alabama and Warrior Rivers.

Gentlemen, we are engaged in war with the arch enemy of mankind, and here is an agency at Mobile that can be made very useful to the whole country, and I trust that you gentlemen will support it. [Applause.]

Mr. SMALL. Mr. Speaker, at the end of four minutes, which I think I have remaining, I shall move the previous question. I desire, in conclusion, simply to make this supplemental statement. I had the honor of stating to the House when I was first on my feet that we had appropriated already in the sum of $360,000, all that was asked for and all that can be used for Mobile Harbor and bar during the fiscal year. That proposition has not been in the slightest degree controverted. Are gentlemen willing to assume the responsibility of appropriating money unnecessarily which can not be used? But, Mr. Speaker, the gentlemen who advocate this increased appropriation have read some letters from several officials outside the War Department who refer to the commerical importance of Mobile Harbor and who express the opinion that the channel should be deepened. They have sought the aid of some amiable gentlemen who had no jurisdiction and therefore no official responsibility. Among them was a distinguished citizen of my State, the Secretary of the Navy, who gave a letter to the gentleman from Alabama [Mr. OLIVER], who is a member of the Committee on Naval Affairs. There is no navy yard or base or other naval activity at Mobile. The War Department has exclusive jurisdiction of the improvements of rivers and harbors both for commercial and naval purposes. The Navy Department has no jurisdiction and can not know all the facts.

The Helm Commission made an investigation of Mobile as to its desirability for a naval base, and reported against it. I have before me testimony before the Committee on Appropriations of Gen. Goethals with reference to the Gulf ports for use in transporting over-sea products, and he uses these words:

> The Gulf ports have been eliminated on account of the additional time required to go there and back, the time lost being as much as seven days.

But Mobile has 27 feet, as the gentleman from Illinois [Mr. GALLAGHER] says. There is not 10 per cent of the ships engaged in our over-sea trade that have a loaded draft of more than 27 feet. I have before me here a communication from the Emergency Fleet Corporation, in which they state that they are not building a ship, nor have they given a contract for a ship which will have a loaded draft of more than 27 feet. And of all the ships they have commandeered only 12 per cent have a loaded draft of more than 27 feet. And I have a statement here of the great port of New York, which shows that for six months, from January 1 to July 1, 1914, just before the European war, of the ships that arrived and departed, only 12.4 per cent had a loaded draft of more than 27 feet. I have the figures here from Galveston, Tex., the great port on the Gulf, and of all the vessels that departed from that port for the year 1916 only 5 per cent went out with a loaded draft of more than 27 feet. So that Mobile, with its 27 feet, can accommodate, of all the ships engaged in the over-sea trade, all but about 10 per cent of them. And yet they bring letters from the Railroad Administration and from the Secretary of the Navy and attempt to use them as evidence to set aside the recommendations of the Secretary of War and the Chief of Engineers. I refrain from further comment.

Mr. GREEN of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman's time be extended 10 minutes in order that we may have 10 minutes over here.

The SPEAKER. The gentleman asks unanimous consent that the time of the gentleman from North Carolina [Mr. SMALL] be extended 10 minutes, to be yielded to gentlemen on that side. Is there objection?

Mr. HEFLIN. Mr. Speaker, reserving the right to object, this will make about two-thirds of the time that the gentlemen have used against those who have favored this project.

Mr. LINTHICUM. Mr. Speaker, I object.

The SPEAKER. The gentleman from Maryland objects.

Mr. SMALL. Mr. Speaker, I move the previous question.

The SPEAKER. The gentleman from North Carolina [Mr. SMALL] moves the previous question. The Chair wishes to state before he puts it that somehow, or somehow else, the gentleman from North Carolina [Mr. SMALL] never made a motion to insist. So the Chair will consider that as pending, and the motion for the previous question covers both that motion and the preferential motion of the gentleman from Alabama [Mr. GRAY]. The question is on ordering the previous question.

The previous question was ordered.

Mr. MOORE of Pennsylvania. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. MOORE of Pennsylvania. To ask just what the question is.

The SPEAKER. The question is on the preferential motion made by the gentleman from Alabama [Mr. GRAY] to concur in Senate amendments 1 and 2, which are practically the same thing. The question is on the motion of the gentleman from Alabama [Mr. GRAY].

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. GREEN of Iowa. Mr. Speaker, I demand a division.

Mr. SMALL. Mr. Speaker, I demand the yeas and nays.

Mr. MOORE of Pennsylvania. Mr. Speaker, I make the point of no quorum.

The SPEAKER. The gentleman from Pennsylvania [Mr. MOORE] makes the point there is no quorum present, and evidently there is not. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. The vote is on the motion to concur.

The question was taken; and there were—yeas 111, nays 103, answered "present" 5, not voting 212, as follows:

YEAS—111.

Almon	Dill	Knutson	Sanders, La.
Ashbrook	Eagan	Langley	Saunders, Va.
Aswell	Eagle	Lazaro	Sears
Ayres	Fairchild, B. L.	Lesher	Sherley
Bankhead	Fields	Linthicum	Sims
Beakes	Fisher	Lobeck	Sisson
Bell	Garrett, Tenn.	McAndrews	Smith, C. B.
Blackmon	Garrett, Tex.	McLemore	Steagall
Bland, Va.	Glass	Martin	Steele
Brand	Goodwin, Ark.	Meeker	Stenerson
Brodbeck	Gray, Ala.	Miller, Minn.	Stephens, Miss.
Buchanan	Griffin	Montague	Sumners
Burnett	Hardy	Moon	Swift
Butler	Harrison, Va.	Mott	Taylor, Ark.
Byrnes, Tenn.	Heflin	Nicholls, S. C.	Temple
Candler, Miss.	Helm	Oldfield	Thomas
Cantrill	Helvering	Oliver, Ala.	Venable
Carlin	Hilliard	Oliver, N. Y.	Vinson
Carter, Okla.	Holland	Padgett	Waldow
Church	Hollingsworth	Park	Walker
Coady	Huddleston	Platt	Wheeler
Connally, Tex.	Hull, Iowa	Polk	White, Ohio
Crago	Humphreys	Pou	Wilson, La.
Decker	Igoe	Quin	Wise
Dempsey	Jacoway	Randall	Wood, Ind.
Denison	Johnson, Ky.	Robinson	Wright
Dent	Kahn	Rodenberg	Young, Tex.
Dewalt	Keating	Rouse	

NAYS—103.

Alexander	Dupré	Hersey	Reed
Anderson	Dyer	Johnson, Wash.	Robbins
Barnhart	Elliott	Kennedy, Iowa	Roberts
Beshlin	Ellsworth	King	Rogers
Blanton	Esch	Kinkaid	Romjue
Booher	Fairfield	Kraus	Rowe
Borland	Fess	Lea, Cal.	Sanders, N. Y.
Bowers	Fordney	Little	Scott, Mich.
Browne	Foster	Longworth	Sinnott
Burroughs	Frear	McKinley	Sloan
Byrns, S. C.	French	McLaughlin, Mich.	Small
Campbell, Kans.	Fuller, Ill.	Madden	Smith, Idaho
Cannon	Fuller, Mass.	Magee	Smith, Mich.
Classon	Gallagher	Mapes	Snook
Cleary	Gandy	Mays	Stafford
Connelly, Kans.	Gillett	Merritt	Stiness
Cooper, Wis.	Good	Miller, Wash.	Strong
Cox	Gordon	Moore, Pa.	Tinkham
Crosser	Graham, Ill.	Morgan	Treadway
Dallinger	Green, Iowa	Nichols, Mich.	Vestal
Darrow	Griest	Osborne	Volstead
Denton	Hadley	Parker, N. J.	Walsh
Dickinson	Hamilton, Mich.	Parker, N. Y.	White, Me.
Dixon	Hamlin	Pratt	Wilson, Ill.
Doremus	Hawley	Ramseyer	Winslow
Dunn	Hayden	Rankin	

ANSWERED "PRESENT"—5.

Garner	McArthur	Shouse
Hicks	McClintic	

NOT VOTING—212.

Anthony	Chandler, Okla.	Delaney	Farr
Austin	Clark, Fla.	Dies	Ferris
Bacharach	Clark, Pa.	Dillon	Flood
Baer	Claypool	Dominick	Flynn
Barkley	Collier	Donovan	Focht
Black	Cooper, Ohio	Dooling	Foss
Bland, Ind.	Cooper, W. Va.	Doolittle	Francis
Britten	Copley	Doughton	Freeman
Browning	Costello	Dowell	Gallivan
Brumbaugh	Cramton	Drane	Gard
Caldwell	Crisp	Drukker	Garland
Campbell, Pa.	Currie, Mich.	Edmonds	Glynn
Caraway	Curry, Cal.	Elston	Godwin, N. C.
Carew	Dale, N. Y.	Emerson	Goodall
Carter, Mass.	Dale, Vt.	Estopinal	Gould
Cary	Davidson	Evans	Graham, Pa.
Chandler, N. Y.	Davis	Fairchild, G. W.	Gray, N. J.

Greene, Mass.	LaGuardia	Porter	Sterling, Ill.
Greene, Vt.	Larsen	Powers	Sterling, Pa.
Gregg	Lee, Ga.	Price	Stevenson
Hamill	Lehlbach	Purnell	Sullivan
Hamilton, N. Y.	Lever	Ragsdale	Sweet
Harrison, Miss.	Littlepage	Rainey, H. T.	Switzer
Haskell	London	Rainey, J. W.	Tague
Hastings	Lonergan	Raker	Talbott
Haugen	Lufkin	Ramsey	Taylor, Colo.
Hayes	Lundeen	Rayburn	Templeton
Heaton	Lunn	Reavis	Thompson
Heintz	McCormick	Riordan	Tillman
Hensley	McCulloch	Rose	Tilson
Hood	McFadden	Rowland	Timberlake
Houston	McKenzie	Rubey	Towner
Howard	McKeown	Rucker	Van Dyke
Hull, Tenn.	McLaughlin, Pa.	Russell	Vare
Husted	Maher	Sabath	Voigt
Hutchinson	Mann	Sanders, Ind.	Walton
Ireland	Mansfield	Sanford	Ward
James	Mason	Schall	Wason
Johnson, S. Dak.	Mondell	Scott, Iowa	Watkins
Jones	Moores, Ind.	Scott, Pa.	Watson, Pa.
Juul	Morin	Scully	Watson, Va.
Kearns	Mudd	Sells	Weaver
Kehoe	Neely	Shackleford	Webb
Kelley, Mich.	Nelson	Shallenberger	Welling
Kelly, Pa.	Nolan	Sherwood	Welty
Kennedy, R. I.	Norton	Siegel	Whaley
Kettner	Olney	Slayden	Williams
Key, Ohio	O'Shaunessy	Slemp	Wilson, Tex.
Kiess, Pa.	Overmyer	Smith, T. F.	Wingo
Kincheloe	Overstreet	Snell	Woods, Iowa
Kitchin	Paige	Snyder	Woodyard
Kreider	Peters	Stedman	Young, N. Dak.
La Follette	Phelan	Stephens, Nebr.	Zihlman

So the motion was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. HARRISON of Mississippi (for) with Mr. COSTELLO (against).

Mr. HASTINGS (for) with Mr. MCCLINTIC (against).

Mr. WHALEY (for) with Mr. SHOUSE (against).

Until further notice:

Mr. TALBOTT with Mr. BROWNING.

Mr. TILLMAN with Mr. DOWELL.

Mr. DOUGHTON with Mr. GREENE of Massachusetts.

Mr. THOMPSON with Mr. ELSTON.

Mr. OLNEY with Mr. HICKS.

Mr. STEVENSON with Mr. REAVIS.

Mr. BARKLEY with Mr. ANTHONY.

Mr. BLACK with Mr. AUSTIN.

Mr. BRUMBAUGH with Mr. BACHARACH.

Mr. CALDWELL with Mr. BLAND.

Mr. CAMPBELL of Pennsylvania with Mr. BRITTEN.

Mr. CARAWAY with Mr. CARTER of Massachusetts.

Mr. CAREW with Mr. CARY.

Mr. DALE of New York with Mr. CHANDLER of Oklahoma.

Mr. CLAYPOOL with Mr. COSTELLO.

Mr. DELANEY with Mr. CLARK of Pennsylvania.

Mr. CLARK of Florida with Mr. COOPER of West Virginia.

Mr. DIES with Mr. COPLEY.

Mr. CRISP with Mr. CHANDLER of New York.

Mr. COLLIER with Mr. CRAMTON.

Mr. DOMINICK with Mr. COOPER of Ohio.

Mr. RIORDAN with Mr. LEHLBACH.

Mr. RUBY with Mr. PAIGE.

Mr. SCHALL with Mr. SANFORD.

Mr. PHELAN with Mr. MASON.

Mr. SCULLY with Mr. PETERS.

Mr. RUCKER with Mr. MOORES of Indiana.

Mr. RUSSELL with Mr. SANDERS of Indiana.

Mr. LITTLEPAGE with Mr. MORIN.

Mr. POLK with Mr. KENNEDY of Rhode Island.

Mr. SABATH with Mr. LUFKIN.

Mr. LONDON with Mr. PORTER.

Mr. JOHN W. RAINEY with Mr. KIESS of Pennsylvania.

Mr. MCKEOWN with Mr. MCARTHUR.

Mr. OVERSTREET with Mr. KREIDER.

Mr. LONERGAN with Mr. RAMSEY.

Mr. PRICE with Mr. MUDD.

Mr. NEELY with Mr. SELLS.

Mr. HENRY T. RAINEY with Mr. MCCULLOCH.

Mr. LUNN with Mr. MONDELL.

Mr. RAGSDALE with Mr. NOLAN.

Mr. RAKER with Mr. KELLEY of Michigan.

Mr. MAHER with Mr. MCFADDEN.

Mr. OVERMYER with Mr. PURNELL.

Mr. RAYBURN with Mr. SIEGEL.

Mr. MANSFIELD with Mr. MCKENZIE.

Mr. O'SHAUNESSY with Mr. SLEMP.

Mr. SHACKLEFORD with Mr. SNELL.

Mr. LEE of Georgia with Mr. KEARNS.

Mr. DONOVAN with Mr. FRANCIS.

Mr. HOWARD with Mr. HEATON.

Mr. FERRIS with Mr. GEORGE W. FAIRCHILD.

Mr. HOUSTON with Mr. HAYES.

Mr. DOOLING with Mr. GOULD.

Mr. LEVER with Mr. HAUGEN.

Mr. GREGG with Mr. FREEMAN.

Mr. HOOD with Mr. GRAHAM of Pennsylvania.

Mr. GALLIVAN with Mr. DALE of Vermont.

Mr. HENSLEY with Mr. HUSTED.

Mr. DOOLITTLE with Mr. GLYNN.

Mr. HAMILL with Mr. EDMONDS.

Mr. GODWIN of North Carolina with Mr. HAMILTON of New York.

Mr. KEHOE with Mr. FARR.

Mr. DRANE with Mr. GRAY of New Jersey.

Mr. KELLY of Pennsylvania with Mr. DAVIDSON.

Mr. GARD with Mr. HASKELL.

Mr. FLOOD with Mr. GOODALL.

Mr. KETTNER with Mr. GARLAND.

Mr. ESTOPINAL with Mr. FOSS.

Mr. JONES with Mr. HUTCHINSON.

Mr. KEY of Ohio with Mr. DAVIS.

Mr. FLYNN with Mr. GREENE of Vermont.

Mr. EVANS with Mr. IRELAND.

Mr. KINCHELOE with Mr. FOCHT.

Mr. LARSEN with Mr. JAMES.

Mr. SLAYDEN with Mr. SNYDER.

Mr. STEDMAN with Mr. STERLING of Illinois.

Mr. STEPHENS of Nebraska with Mr. SWEET.

Mr. STERLING of Pennsylvania with Mr. SWITZER.

Mr. SULLIVAN with Mr. TILSON.

Mr. TAGUE with Mr. TIMBERLAKE.

Mr. TAYLOR of Colorado with Mr. TOWNER.

Mr. VAN DYKE with Mr. VOIGT.

Mr. WATKINS with Mr. WARD.

Mr. WALTON with Mr. WASON.

Mr. WATSON of Virginia with Mr. WATSON of Pennsylvania.

Mr. WEAVER with Mr. WILLIAMS.

Mr. WELLING with Mr. WOODYARD.

Mr. WELTY with Mr. YOUNG of North Dakota.

Mr. WINGO with Mr. ———.

Mr. WEBB with Mr. ZIHLMAN.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present, and the Doorkeeper will open the doors. The motion to concur is agreed to.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. CRAMTON, indefinitely, on account of official business.

To Mr. KELLY of Pennsylvania, indefinitely, on account of official business.

GOVERNMENT CONTROL OF TELEGRAPH AND TELEPHONE COMPANIES.

Mr. POU. Mr. Speaker, I present a privileged report (H. Rept. 743) from the Committee on Rules.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 414.

Resolved, That immediately upon the adoption of this resolution the House shall resolve itself into Committee of the Whole House on the state of the Union for the consideration of House joint resolution 309, "to insure the continuous operation of electrical communicating systems, to guard the secrecy of war dispatches, and prevent communications between public enemies"; that there shall be not to exceed two hours of general debate, one-half to be controlled by the gentleman from Tennessee [Mr. SIMS] and one-half by the gentleman from Wisconsin [Mr. ESCH.] At the conclusion of such general debate the resolution shall be considered for amendment under the five-minute rule. After the resolution shall have been perfected in the Committee of the Whole House on the state of the Union the same shall be reported to the House with such recommendation as the committee may make, whereupon the previous question shall be considered as ordered upon the resolution and all amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The question is on agreeing to the resolution.

Mr. POU. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution embodying the rule.

Mr. POU. Mr. Speaker, it is possible that some gentlemen may want to consume a little time.

Mr. MADDEN. Does not that allow 40 minutes' debate—the previous question?

The SPEAKER. Yes; if somebody wants it. The gentleman from North Carolina is recognized for 20 minutes if he wants to debate it.

Mr. POU. So far as I am concerned, Mr. Speaker, I do not desire to debate this resolution. It speaks for itself, and I think that every Member of the House is sufficiently advised as to the necessity of the resolution to vote upon it without debate. I move the previous question.

Mr. MOORE of Pennsylvania rose.

The SPEAKER. For what purpose does the gentleman from Pennsylvania rise?

Mr. MOORE of Pennsylvania. To ask the gentleman if he will yield for a question?

Mr. POU. I will.

Mr. MOORE of Pennsylvania. Has the Committee on Rules received any information from the President of the United States that this legislation is desirable?

Mr. POU. I will say to the gentleman from Pennsylvania that I talked with Mr. Tumulty, the Secretary to the President, and asked him the direct question whether or not the President felt that it was essential that this resolution should be acted upon before the proposed recess commenced. After a conference with the President he called me over the phone.

Mr. MOORE of Pennsylvania. Who? The President?

Mr. POU. No; Mr. Tumulty. I said that, after conferring with the President, Mr. Tumulty called me over the phone and stated that the President felt that it was very necessary that this resolution should be acted upon at as early a date as possible.

Mr. MOORE of Pennsylvania. I wish to state to the gentleman that it has been reported in the papers—and I think some Members have given credence to the report—that the President himself was of the opinion that this legislation might well stand over until after the recess, knowing that if it were pressed at this time it would lead to delay; that is to say, it would occasion discussion in another body if it was not discussed much here, and that so far as the President himself was concerned there was no immediate intent to hasten the legislation in view of the large interests involved.

Mr. POU. I will say to the gentleman that the House is entitled to all information in that respect which I can give.

Mr. KITCHIN and myself were discussing the advisability of presenting this rule to-day, and he and I decided that it was desirable, in view of the fact that the recess had been so much talked about, to get direct information; and at his suggestion I went to the phone and in his name as well as my own submitted the inquiry whether the President deemed it necessary that this resolution should be acted upon before adjournment, and, as I stated, the answer came back in the affirmative.

Mr. MOORE of Pennsylvania. From Mr. Tumulty?

Mr. POU. From Mr. Tumulty, speaking after he had conferred with the President.

Mr. MOORE of Pennsylvania. May I ask the gentleman this: The taking over of the telegraph and telephone lines of the United States means the taking over of perhaps 50,000 employees into the Federal service. It involves the private rights of all parties concerned. It involves the question of the privacy of business messages and telegrams. It is a matter of momentous importance for the people of the United States. Does not the gentleman think that if the President of the United States desired this thing done he should at least tell Congress so in a message?

Mr. POU. I do not think that is necessary when the President has indicated his views with respect to the matter to various Members of the House, as I understand it, and also by letter to the chairman of the Committee on Interstate and Foreign Commerce.

Mr. MOORE of Pennsylvania. Has the chairman of the Committee on Interstate and Foreign Commerce a letter from the President of the United States advocating this legislation now?

Mr. SIMS. I certainly have.

Mr. MOORE of Pennsylvania. That answers the question that I put to the gentleman from North Carolina [Mr. POU].

Mr. LONGWORTH. I did not understand from the gentleman's first statement that the President had affirmatively, definitely, answered the question as to whether it should be passed before recess but only that it was important and should be passed as speedily as possible.

Mr. POU. Before any recess was taken. I put that question to Mr. Tumulty: "Did the President deem this resolution important?"

Mr. SMALL. We can not hear the gentleman on this side.

Mr. POU. I said I submitted this question to Mr. Tumulty: "Whether the President deemed this resolution of such importance that it ought to be acted upon before the recess was taken?" That was to-day. He conferred with the President, came back, and called me over the phone and answered in the affirmative, speaking, as I understood, for the President.

Mr. LONGWORTH. That was not the statement the gentleman first made, and I wanted to understand the statement.

Mr. POU. It was the statement "the gentleman" intended to make, but probably did not make as clearly as he hoped he did.

Mr. GILLETT. Will the gentleman yield?

Mr. POU. Yes.

Mr. GILLETT. Can the gentleman tell us why it has become necessary that this should be passed before 30 days when no intimation of its need has been made until very recently?

Mr. POU. I can only answer the gentleman from what information he has, as well as I have. I imagine that conditions which have recently arisen emphasize the necessity of the legislation. That, however, is merely my own individual opinion.

Mr. SLOAN. Will the gentleman yield?

Mr. POU. I yield to the gentleman from Nebraska.

Mr. SLOAN. Does the gentleman think that if this matter were delayed twenty-four hours we could receive a message from the President of the United States on this important subject, setting out the real necessity for it, and about which views of the President there would be no dispute, and the regularity of it, of course, would be recognized? It is a rather important matter. One might think that possibly there might be a message coming to Congress on this subject.

Mr. POU. As I stated a while ago, the gentleman from Tennessee (Mr. Sims), the chairman of the Committee on Interstate and Foreign Commerce, has a letter from the President which I understand gives the views of the President. I do not know how much in detail.

Mr. BARNHART. If the gentlemen will yield, why not take the short cut to it and have this letter read in the gentleman's own time?

Mr. POU. I am perfectly willing, and I yield to the gentleman from Tennessee to read the letter now if he desires to do so.

Mr. SIMS. Will the gentleman permit me to make a statement before I read it?

Mr. POU. I will.

Mr. SIMS. Mr. Speaker, a resolution was introduced by the gentleman from Louisiana [Mr. ASWELL] on the 27th of June. It came to the Committee on Interstate and Foreign Commerce on the 28th, and in order to be sure that I understood the attitude of the administration I wrote four letters, one to the President, one to the Secretary of War, one to the Secretary of the Navy, and one to the Postmaster General, for the reason that I supposed the execution of that power, if it was given, would be through some one or more of these three Secretaries. The next morning I received letters from all of them, Mr. Burleson going into some detail, also a letter from Secretary Daniels, a letter from Secretary Baker, and a letter from the President, referring specifically to Mr. Burleson's letter, and favoring the resolution.

Mr. BARNHART. The gentleman ought to have that letter read.

Mr. SIMS. I will, but let me get through with my statement. I then called the committee together immediately, and the committee decided it was of such importance that we ought to have a hearing, and to have the said three members of the Cabinet called before the committee. The hearing was had and all three came and were interrogated at great length. There was absolutely no doubtful opinion expressed by any one of them, but it was stated emphatically by the Secretary of War, the Secretary of the Navy, and the Postmaster General that this power might be needed at any moment, and all they asked for was that the President be clothed with the power, so that he might exercise it if the emergency arose.

Mr. MADDEN. Will the gentleman yield?

Mr. SIMS. In a moment. Then the committee went ahead and considered the resolution for a whole day and agreed to a complete substitute, even to the title, and it was reported by a unanimous vote of the committee, and now it is before you; a short resolution similar in all respects to the power conferred on him carried in the military bill with reference to the taking over of the railroads in 1916.

Mr. MADDEN. Did the committee think it worth while to invite the owners of these properties to come before the committee, so that they might find out what the owners thought about it, or did the committee think that the owners had any interest in the property?

Mr. SIMS. I have not the letters here with me. They are up in the committee room. When the resolution was passed empowering the President to take over the railroads in 1916, the owners of the railroads were not called before the Committee on Military Affairs, nor was a word said to them about that. If this resolution is passed and it becomes necessary to exercise the authority, as a matter of course, there will be supple-

mental legislation similar to that which followed the taking over of the railroads, but at this time there is a reason that may be a very potential reason. A great many Members seem to be of the opinion—they are not all of that mind—that we have necessarily got to take a recess.

Mr. MADDEN. I do not think so.

Mr. SIMS. That we have got to take a recess very soon, and it has been talked about so much that the legislative morale of the House is affected by it, and if a recess is taken this legislation ought to be passed, and it ought to be passed before to-morrow night.

Mr. BUTLER. There will not be a quorum here to-morrow morning.

Mr. SIMS. I am speaking so far as the House is concerned. This is our opportunity to get through with it this afternoon, and we are not responsible for what the other body does or does not do.

Mr. LONGWORTH. Can the gentleman state when this resolution was first introduced?

Mr. SIMS. A resolution similar to this, but not in all respects, was introduced in January by the gentleman from Louisiana [Mr. ASWELL]. On June 4 a resolution similar to the one introduced on June 27 was introduced and sent to the Committee on Military Affairs.

Mr. LONGWORTH. Was it introduced by the gentleman from Louisiana [Mr. ASWELL] on his own responsibility or on request?

Mr. SIMS. It was on his own responsibility, as I understand. He had introduced the first one on his own responsibility, but that resolution has not been reported and is not before the House. The resolution is now before the House, by way of a substitute, that removes every question and every doubt as to Government ownership, and continues the control only during the existence of the war.

Mr. MADDEN. I wish the gentleman would read the President's letter.

Mr. SIMS. It is in my committee room. I will send for it and put it into the RECORD.

Mr. CAMPBELL of Kansas. Mr. Speaker, the minority members of the Committee on Rules did not oppose bringing this matter before the House at this time. There is a question, however, as to the wisdom of doing that thing. If, as has been stated in the press and rumored about the corridors of the Capitol, that the President was insisting on this legislation at this time, because a very grave emergency—a war emergency—made it necessary is true, no Member of this House would refuse to consider the subject and vote for the law giving the President the power to take over these utilities. But Government ownership of the telegraph and telephone is so apparent that it is at the back of the head of every Member of the House and almost every citizen of the country. The question of Government ownership of telegraph and telephones is not a new one. It has been discussed as an academic question for many years. The question is now made an emergency measure, because it is stated that the employees of the telegraph companies are about to go on a strike, and that to avert such a calamity it is necessary to take over these utilities.

Mr. Speaker, I do not believe the employees of the telegraph companies of the United States are about to go on a strike or that they will go on a strike and cripple these important utilities at this crucial time in our history. The patriotism of the people so employed is not below the level of the high average of the patriotism of all the people of the United States. I do not believe that it is necessary that this important step should be taken to avert the calamiity of a strike by the employees of the telegraph companies.

If, however, the President needs these utilities as a war measure and has given reasons therefor that have not been disclosed to the public, this measure should be considered by Congress and the law passed, but the question decided upon—the question of military necessity or an emergency that may now confront us is of a military nature. But if the effort is now made under the pretext of an emergency or a war measure to force Government ownership or control of these utilities at this hour in the session of this Congress it is most unwise to take it up and undertake to settle such an important question in a few hours.

The gentleman from Tennessee [Mr. SIMS] has said that Congress has lost its morale. I do not believe that; but it is true that Congress has been on the eve of a recess for the last three or four days, and it is now apparent that "There ain't going to be no recess," to use the vernacular of the street.

Mr. BUTLER. But do we not expect to pass this resolution this afternoon—put it through in two hours?

Mr. CAMPBELL of Kansas. The whole thing depends on whether or not the President requests this as a war emergency. If it is true, as suggested, that the secrets of the Government have been getting into the hands of the enemies of the country, if it is true that anything has been wanting in the operation of these utilities by the present owners and managers that can be materially improved upon as a war measure by taking over the wires of the country by the Government, it ought to be considered in that light and the authority conferred by this bill given at once to the President.

Mr. LONGWORTH. Will the gentleman yield?

Mr. CAMPBELL of Kansas. Yes.

Mr. LONGWORTH. I observe that the chairman of the committee has just come in bearing a voluminous document, which may throw some light on the question that the gentleman is talking about.

Mr. CAMPBELL of Kansas. The gentleman from Tennessee [Mr. SIMS] will have time of his own, I have no doubt. I now yield five minutes to the gentleman from Illinois [Mr. MADDEN] and reserve the rest of my time.

Mr. OLIVER of Alabama and Mr. GALLAGHER, by unanimous consent, were given leave to revise and extend their remarks in the RECORD on the Mobile Harbor amendments.

Mr. MADDEN. Mr. Speaker, under the Constitution of the United States the President of the United States is required to report to the Congress the state of the Union from time to time, and if this is not a case where the state of the Union is affected I do not know of such a case. It seems to me that if there is an emergency such as the gentleman from Tennessee indicates there is, the President could do no less than to send a message to the Congress indicating what the emergency is. I undertake to say that there is no emergency that calls for legislation on this subject at this time. I undertake to say that if legislation is to be enacted upon this subject, that it ought to be enacted with due deliberation. It ought not to be brought in here and passed under whip and spur on the demand of the chairman of the Committee on Interstate and Foreign Commerce, and an insistence that it shall be enacted into law within an hour or two. It involves the investment of, I do not know how many billion dollars of private capital, and it seems to me that this private capital has some rights that even the Congress of the United States ought to respect. At all events the President of the United States has never objected to giving his views on war measures when he thought the time was propitious and the emergency sufficiently important. But we have no such statement from him on this occasion. We have simply a resolution introduced by the gentleman from Louisiana, referred to the Committee on Interstate and Foreign Commerce, the chairman of which in his enthusiasm wrote four letters of inquiry immediately in connection therewith as to whether or not we should not as an emergency matter give it immediate consideration. He received in reply communications from four men, at least three of the four—the Secretary of War, the Secretary of the Navy, and the Postmaster General—are Government ownership men, who believe in such laws and who would take over private property for the purpose of bringing about Government ownership. What the attitude of the President on the question of Government ownership is I do not know, but I do know that even the President of the United States has no right to demand, through the chairman of the Committee on Interstate and Foreign Commerce, the enactment of legislation of this importance without communicating with the Congress itself. We have some rights and those rights should be respected. No man here will go further to uphold the hand of the President of the United States in his conduct of the war than I, and no man has gone further than I.

Mr. DOREMUS. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. Yes. I am not afraid to answer any question the gentleman wishes to ask.

Mr. DOREMUS. Will the gentleman inform the House whether in 1916, when we gave the President authority to take over the railroads, we did it in response to a special request from the President?

Mr. MADDEN. Yes; we did it in response to a personal request. He said then, if I recall, that he ought to have the power to take over the railroads. He said that in a message to the Congress of the United States, read from the rostrum of the House. There can not be any question about that.

Mr. DOREMUS. The authority was conferred in 1916, in August, as a rider to the military appropriation bill. Does the gentleman mean to inform the House that that was done after the President had addressed a special message to Congress?

Mr. MADDEN. The President addressed a message to the Congress saying it might be necessary to take over the transportation facilities of the United States in order that he might be able successfully to conduct the war. Yes; I do say it. I reassert it, and nobody will deny it. The records will show.

Mr. DOREMUS. The gentleman is wrong about that.

Mr. MADDEN. No; I am not.

Mr. MOORE of Pennsylvania. Did not the President issue a proclamation, and was not a bill prepared and sent here to the Congress urging the taking over of the railroads?

Mr. MADDEN. I have no objection now, if the President will send a message to Congress saying that the emergency exists, to doing anything that he wants, in order that he may be able, as Commander in Chief of the Army, to fully conduct the war; but I maintain, as a Member of the House, that there is no such emergency, and if perchance it may appear that the emergency may exist on account of a proposed strike, in God's name, is it to be the policy of the Government of the United States every time we have a strike anywhere that the Government must take over the property of the owners who are involved, in order that the Government itself will not be compelled to get into an embarrassed situation in the adjustment of the strike?

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Speaker and Members of the House, I was not free to oppose reporting this resolution from the Committee on Rules because of the manner in which it was submitted to the committee. If it had been a policy of Government ownership, I should have opposed it, for I am not in favor of Government ownership where the work can be carried on effectively by private ownership. I need not here and now enumerate my reasons for this position. If there is anyone back of a resolution like this in order that we may enlarge the field of Government ownership, I am not in sympathy with that. On the other hand, if the resolution comes before the House because we want to avoid a strike that is threatened, I have no sympathy with that, because I fully agree with what the gentleman from Illinois [Mr. MADDEN] just said, that it is not wise every time somebody makes a threat for the Government to surrender. I think that the most marked national humiliation that this House ever underwent was when we made the surrender on the Adamson bill which has been applauded in various parts of the country and by certain elements of our citizenship. I would vote, however, to give the President authority, in case the employer and the employee can not come together, to say that while he has no interest in the contention of either the employee or the employer for the sake of either, he is interested in the operation of the telegraph and the telephone for the sake of the public, and that if they can not come together, he will take them over and for the time being operate them for the Government. I would be willing to do that; but, Mr. Speaker, it was reported to us that the President wants this done in the interest of the efficiency of the war.

Mr. LONGWORTH. Mr. Speaker, will the gentleman yield?

Mr. FESS. Yes.

Mr. LONGWORTH. How was that report made?

Mr FESS. It was made to the committee by the chairman of the committee, the gentleman from Tennessee [Mr. SIMS], after consultation that extended to the White House.

Mr. LONGWORTH. The gentleman refers to the statement made to the House a few moments ago?

Mr. FESS. A statement that went a little further in extenso, made to us in the committee room. I could not vote against the resolution upon the statement to the committee, for that was to the effect that the efficiency of the prosecution of the war was back of the suggestion. I voted to authorize the President to commandeer the shipyards. I voted for measures that are positively bewildering to me, involving an extension of executive authority that is appalling and which gives me cold chills when I think of it. But the President is Commander in Chief of the Army and the Navy, and we are in the most gigantic struggle the world ever knew, and every resource of this Nation must be utilized, and we will hold the President responsible for the utilization of every resource, and if he says to me that it is necessary to have the railroads under the direction of the Government, although I have always opposed Government ownership of railroads and Government operation of them, I shall defer to his judgment and vote to give him that authority, for the employment of which we will hold him responsible, and I think I can do no less in the matter of the telegraph and the telephone.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. FESS. Yes.

Mr. MADDEN. Of course, the gentleman will not go further than I on that. If the President says to the House that he wants any power that will enable him to successfully conduct the war, there is no man in the House who will not vote to give it to him.

Mr. FESS. I fully agree with my friend that there is a reason for complaint upon the part of the House that the statement has not been so specifically made to all Members, including members of the Committee on Rules, that makes it entirely clear.

Mr. LONGWORTH. That is the question I want to ask. I agree with the gentleman that if the President, as the Commander in Chief, asks for this power we ought to give it to him unanimously. But does the gentleman understand, as a member of the Rules Committee, that that power has been asked by the President as Commander in Chief?

Mr. FESS. I would answer my friend frankly——

Mr. BUTLER. Why does not the gentleman from Tennessee read the letter?

Mr. FESS (continuing). That is the understanding I have from the representation made to the Committee on Rules.

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield two minutes to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE of Pennsylvania. Mr. Speaker, I wish to utilize those two minutes in requesting the gentleman from Tennessee to read the letter from the President of the United States urging Congress to pass this legislation at this session. I understand he did not have that letter a little while ago, but since then he has had time to get it.

Mr. SIMS. I will read the letter if I can have time to do it in.

Mr. MOORE of Pennsylvania. I have two minutes, and I will allow the gentleman to use that time.

Mr. SIMS. That is not sufficient. When I read the President's letter I must also read another letter, to which it refers.

Mr. MOORE of Pennsylvania. The gentleman knows the Congress of the United States is entitled to know whether the President approves of this legislation at this time.

Mr. SIMS. There is no question about that.

Mr. MOORE of Pennsylvania. The gentleman from Tennessee has been very urgent in having this resolution passed. He knows as well as any man in this House that if the President has said it is necessary as a war measure that the House unquestionably will approve of the passage of the resolution, but if the matter is of so little importance that the gentleman from Tennessee can not get the letter of the President and will not read it to the House, the House ought to know that.

Mr. SLOAN. Mr. Speaker, I desire to read section 3 of the Constitution——

Mr. MOORE of Pennsylvania. I did not yield to the gentleman to read section 3 or any other section. I am still upon my feet, within my own time, asking the gentleman from Tennessee to produce the letter which he says the President wrote him upon this subject. As the gentleman from Tennessee has not read that letter——

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. I now again call upon him to do so.

Mr. LONGWORTH. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee be permitted at this time to read this letter, notwithstanding the time it will take.

The SPEAKER. The gentleman from Ohio [Mr. LONGWORTH] asks unanimous consent that the gentleman from Tennessee read the letter in controversy, notwithstanding the rule about 20 minutes to a side. Is there objection? [After a pause.] The Chair hears none.

Mr. SIMS. Mr. Speaker, as I said a few minutes ago——

SEVERAL MEMBERS. Read the letter!

Mr. SIMS. I was given unanimous consent to read, then?

The SPEAKER. The gentleman has unanimous consent to read the letter, not to make a speech.

Mr. SIMS. I am not wanting to make a speech. There is plenty of time for that. The President, in his letter of June 28 to me, says:

THE WHITE HOUSE,
Washington, 28 June, 1918.

MY DEAR MR. SIMS: Thank you for consulting me about the enclosed. I endorse entirely the enclosed letter from the Postmaster General, which I herewith return, and think that the reasons are stated by him truly and comprehensively.

Cordially and sincerely, yours, WOODROW WILSON.

Hon. THETUS W. SIMS,
House of Representatives.

First I will read the letter which I wrote the President:

HOUSE OF REPRESENTATIVES,
Washington, D. C., June 28, 1918.

DEAR MR. PRESIDENT: I beg to call your attention to the inclosed House joint resolution, introduced by Mr. ASWELL, which resolution speaks for itself.

Will you kindly give me your opinion as to the desirability and advisability of immediate passage of this resolution. If you will kindly

give me in detail your reasons for supporting the resolution, or for opposing it, if you are opposed to its passage, I shall be glad to have you do so.

Very truly, yours,

T. W. SIMS,
Chairman.

THE PRESIDENT,
White House.

The following is a letter from Mr. Burleson, so you will understand what the President's letter means, as it refers to Mr. Burleson's letter.

Mr. MADDEN. I knew that Mr. Burleson was in favor of it.

Mr. SIMS. The President referred to it and indorsed it.

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., June 28, 1918.

Hon. THETUS W. SIMS,
Chairman Committee on Interstate and Foreign Commerce,
House of Representatives.

MY DEAR MR. CHAIRMAN: Answering your inquiry requesting my "opinion as to the desirability and advisability of the immediate passage" of the Aswell joint resolution (H. R. 309) giving the President power, "if in his discretion it is deemed desirable," to assume control of the communicating systems by electricity "in order to insure their continuous operation" during the occasion of war and "to guard the secrecy of military and governmental communications or to prevent communication by spies and other public enemies," I beg to say that such power and discretion to act seems imperative to safeguard public interests.

At this moment the paralysis of a large part of the system of electrical communication is threatened with possible consequences prejudicial to our military preparations and other public activities that might prove serious or disastrous. We are reminded that there is not a nation engaged in the war that intrusts its military or other communications to unofficial agencies.

I deem it, therefore, my duty not merely to approve but to urge the passage of the resolution, in order that the President may act, if necessary, to safeguard the interests of the country during the prosecution of the war.

Respectfully,

A. S. BURLESON,
Postmaster General.

Mr. MEEKER. Will the gentleman yield for a question?

Mr. SIMS. The letter of the Secretary of the Navy is as follows.

Mr. MEEKER. Will the gentleman yield for a question?

Mr. SIMS. Let me read the letter first. I have only been given time to read these letters.

Mr. MEEKER. Does this refer to the Aswell resolution?

Mr. SIMS. This is the Aswell resolution reported by substitute. This is from the Secretary of the Navy:

THE SECRETARY OF THE NAVY,
Washington, June 27, 1918.

Hon. THETUS W. SIMS, M. C.,
Chairman Committee on Interstate and Foreign Commerce,
House of Representatives.

MY DEAR MR. CHAIRMAN: I have received your letter of June 28 asking my opinion as to the desirability and advisability of the immediate passage of House joint resolution No. 309 "to insure the continuous operation of electrical communicating systems, to guard the secrecy of war dispatches, and prevent communications between public enemies." I believe that such resolution is of high military importance and that during this period of war the Commander in Chief of the Army and Navy ought to have the power to take possession and control of any telegraph, telephone, marine cable, or radio systems and operate the same subject to those conditions of law, so far as applicable, which are in force as to steam railroads while under Federal control.

It was found absolutely necessary early in the war to take control of radio systems, and I think it is almost as important that the President should have the power to control all methods of communication.

Sincerely, yours,

JOSEPHUS DANIELS.

This is a letter from Mr. Baker, Secretary of War, written July 1, as he was not here when my letter was sent:

WAR DEPARTMENT,
Washington, July 1, 1918.

DEAR MR. SIMS: I thought it both expedient and wise that the President should have conferred upon him the powers which he is given under the provisions of House joint resolution No. 309.

Cordially, yours,

NEWTON D. BAKER,
Secretary of War.

Hon. THETUS W. SIMS,
House of Representatives, Washington, D. C.

These are the letters, and after that the three Secretaries were before the committee and were examined at great length for a whole day.

Mr. GILLETT. Will the gentleman yield?

Mr. SIMS. Yes.

Mr. GILLETT. I understand these letters were written in response to the letters which the gentleman wrote them?

Mr. SIMS. Yes; they were.

Mr. GILLETT. I understand a similar resolution was introduced by the same gentleman some months ago?

Mr. SIMS. No; the resolution introduced by Mr. ASWELL in January was not a war-time proposition.

Mr. GILLETT. It was to take over these utilities?

Mr. SIMS. It was not confined to the operation of the war, and therefore never considered by the committee.

Mr. GILLETT. Well, I wondered why the gentleman did not write to these secretaries then just as well as now?

Mr. SIMS. I will tell the gentleman. There was much talk of an early recess, and I knew there was but little time in which to act on the resolution.

Mr. LINTHICUM. Mr. Speaker, I thought that unanimous consent was only given to read the letter.

The SPEAKER. The gentleman from Maryland [Mr. LINTHICUM] demands the regular order, and that is to confine this to the reading of these letters.

Mr. SIMS. They have been read.

Mr. CAMPBELL of Kansas. Mr. Speaker, I have some time left, I believe.

The SPEAKER. The gentleman has three minutes remaining.

Mr. CAMPBELL of Kansas. I yield two minutes to the gentleman from Nebraska [Mr. SLOAN].

Mr. SLOAN. Mr. Speaker, in regard to this round-robin correspondence which has just been read, a key to which would be a valuable asset of the House, I desire to read section 3, which was smiled at a little while ago. It is from a document by some considered obsolete, but for which I have still a good deal of respect. Section 3 of Article II of the Constitution of the United States reads as follows:

He shall from time to time—

Referring to the President—

give to the Congress information of the state of the Union and recommend to their consideration such measures as he shall judge necessary and expedient.

It is mandatory on the President, as I understand, where there is a measure judged necessary, especially a war measure, or expedient, that he confer with Congress and not with an isolated individual, even though he be chairman of a committee; that he shall communicate in the usual method to Congress by formal message stating what he deems necessary or expedient legislation. If he does not so communicate to Congress, the legislation ought to be understood as ordinary legislation originating in the House and considered in the House absolutely independent of the wish or the thought or the judgment of any branch of this Government except what is represented in this House. A war measure should at least deserve an ordinary message from the President, so that the Members may know whether it is a real war measure. Thus far no man can tell whether it is or not. If in the debate it appears even strongly probable that it is a war measure, I shall vote for the resolution.

The SPEAKER. The gentleman from Kansas [Mr. CAMPBELL] has one minute remaining.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield one minute to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. During that one minute, Mr. Speaker, I will undertake to say that there is not a word in either of the four letters read by the gentleman from Tennessee [Mr. SIMS] indicating that there is any emergency existing requiring the immediate passage of the legislation. The gentleman from Tennessee in his anxiety for legislation, in order that he might be able to come to the floor of the House as chairman of the committee and report a great bill, writes to the President of the United States and asks him whether there is any reason why this report should not be considered now, and the President says that he agrees with the language expressed by the Postmaster General, who has written him a letter on some other topic, in which he includes the possibility of taking over the telegraph and telephone. Everybody knows the Postmaster General is a "bug" on Government ownership, and that he has tried to take over the Alaskan telegraph and telephone systems and wanted to buy the Hawaiian telegraph and telephone systems and wanted to buy the cable system between Hawaii and Alaska; and the Post Office Committee after consideration turned down the foolish proposition.

The SPEAKER. The time of the gentleman has expired. All time has expired. The question is on agreeing to the rule.

The question was taken and the rule was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the House joint resolution 309, with Mr. JOHNSON of Kentucky in the chair.

The CHAIRMAN. The Clerk will report the resolution.

The Clerk read as follows:

Joint resolution (H. J. Res. 309) to insure the continuous operation of electrical communicating systems, to guard the secrecy of war dispatches, and prevent communications between public enemies.

Resolved, etc., That the President, if in his discretion it is deemed desirable, in order to insure their continuous operation, or to guard the secrecy of military and governmental communications, or to prevent communication by spies and other public enemies thereon, or for other military or public reasons, shall have power to take possession and control of any telegraph, telephone, marine cable, or radio systems, and operate the same subject to those conditions of law, so far as applicable, which are in force as to steam railroads while under Federal control.

Also the following committee amendment was read:

Committee amendment: Strike out all after the enacting clause down to and including the word "control," in line 4, page 2, and insert in lieu thereof the following:

"That the President in time of war is authorized and empowered to supervise or to take possession and assume control of any telegraph, telephone, marine cable, or radio system or systems, or any part thereof, and to operate the same in such manner as may be needful or desirable for the duration of the war, which supervision, possession, control, or operation shall not extend beyond the date of the proclamation by the President of the exchange of ratifications of the treaty of peace: *Provided*, That just compensation shall be made for such supervision, possession, control, or operation."

Mr. SIMS. Mr. Chairman, I yield to the gentleman from Louisiana [Mr. ASWELL].

Mr. ASWELL. Mr. Chairman and gentlemen, the day we entered this war I believed earnestly that the Government should promptly take charge during the war of all its means of electrical communication. I discussed it many times with leaders of the administration and with gentlemen of both branches of the Congress. I believed the wires should be taken over with the railroads. On January 4 last I introduced House joint resolution No. 206, looking to this end. A short time ago the situation seemed not only more serious, but growing desperate. After consulting the President and others I revised my original resolution and introduced the one made the basis of the pending committee report. The exigency is too great, the crisis too grave, to quibble over the form of the language or the pride of authorship. The amended resolution does not go as far as I would like, but it gives the authority sought, and I am for it exactly as it came from the committee, my only thought and purpose being to give the President needed authority now.

The fear of permanent Government ownership resulting from this legislation to meet the acute military crisis is ill founded. Those who oppose Government ownership must be insincere or selfish if they are afraid to have it tried out. Those who favor Government ownership should be equally glad to have a trial, but permanent Government ownership is not involved. By reading my original resolution or the later one now pending any man whose grade of intelligence ranks above the "chinquapin caliber" will readily observe that permanent Government ownership was not intended to be involved and is not now involved. It is easy to speculate on what may happen, but speculation is not here involved.

Mr. Chairman, regardless of its policy in time of peace, no nation at war in the world except the United States has neglected to safeguard and protect its interests by controlling and operating its means of electrical communication. When a country is at war its electrical wire system is its mouthpiece; its tongue of fire; its strong right arm that gives power and victory. Why should we continue to let that mighty arm of our Government lie limp and withered in time of war because of inadequacy or inefficiency? Not to act now is inexcusable and indefensible, if not disloyal.

In France, in England, in Germany alike the government occupies exclusively the great central electrical exchange offices where no private agency dares to enter and where sworn and trusted government officials have first hand, constant, and intimate touch with every detail of the situation. In an instant they can reach with masterful efficiency any activity or agency in the country, including those at the battle fronts. The government literally has its fingers on every detail. In European countries they do not have to intrust official business or war secrets to doubtful private agencies; nor do they find it necessary because the telegraph wires are overtaxed to permit the sending of important government telegrams by railroad train in handbags or suitcases, which inefficiency in this country has recently brought a blush of shame to every American patriot.

If the telegraph wires are inadequate, the telephone systems have plenty of wires over which telephone and telegraph messages may be sent alternately or simultaneously. The country now needs to utilize every resource. Every existing wire should serve the country at full capacity in time of war. Mr. Theodore N. Vail, president of the American Telephone & Telegraph Co., in his annual report of 1911, presents the following illuminating facts: First, a telephone trunk line of 40 wires, being one of a number of such trunk lines joining two large metropolitan areas 250 miles apart and serving intermediate cities, towns, and rural districts, when used for the telephone exclusively, furnishes 30 telephone circuits reaching 700,000 telephone stations; second, a telegraph trunk line of 40 miles of the same length and under same conditions, when used for telegraph exclusively, gives 80 telegraph circuits reaching 300 stations at which telegraph messages may be sent and received; third, these same two trunk lines worked in cooperation so as to provide both telephone and telegraph service upon each simultaneously give a total of 160 through telegraph circuits, a gain of 80, and a total of 60 through telephone circuits, a gain of 30, over the combined facilities of the two lines when one is used only for the telephone and the other only for the telegraph. The number of stations where telegrams may be received and sent is increased from 300 to 700,000.

Mr. Vail states:

To have uniformity and cooperation there must be common interest under common control, either through ownership of property, ownership of controlling interest, combination, or agreement; whichever way it is, it must be sufficiently strong to constitute practically one system, intercommunicating, interdependent, universal.

* * * * * * *

The existing wire mileage of the present telephone toll circuits and telegraph plants brought up to standard construction, with some provision for deficiencies or extensions, if "composited" or used jointly, would for all practical purposes be the equivalent of two plants each of the same mileage, one for telephone and one for telegraph; or, to put it another way, the wire mileage necessary to give the same service need be about half the combined wire mileage of the two systems separately operated as now.

The annual gross revenue from either a telephone or a telegraph system would be approximately 33 per cent of the total cost of or the investment in plant. If in two systems of equal size one plant were eliminated and both services were performed over the other, the percentage of joint revenue to plant would be substantially doubled, or 65 per cent. To put it another way, the maintenance of a wire plant costs about 30 per cent of the annual gross revenue from that plant. The simultaneous use of a plant for both purposes would mean maintenance of one wire system against the double revenue from both services, or a decrease in maintenance alone of about 15 per cent of the gross revenue. In addition to these savings, there would be the savings of the capital charges and of taxes on plant which would be made unnecessary. This brings within the realm of possibility a reduction of from 20 per cent to 25 per cent in the gross charges or gross revenue without affecting the profits of the business.

In order to avoid confusion it must be distinctly borne in mind that the telephone service referred to here is the toll, or long-distance service, and not the circuits of the exchange service, which could not be used for any other purpose. The toll, or long-distance service, is so intimately interwoven and interdependent both in operation and use with the telephone-exchange service that it could not be separated, but the operation of the toll circuits in connection with the exchange circuits would not interfere with their use for telegraph purposes by a regularly organized telegraph staff.

These are the possibilities, fraught with all sorts of advantage to the public.

There are in the United States, including about 50,000 miles of independent toll pole lines, altogether 225,000 miles of telephone pole lines, and 2,500,000 miles of toll telephone wire, not including the exchange service wires, which can be composited with telegraph wires to carry telegrams. There are 202,000 miles of Western Union pole lines with 1,442,000 miles of wire; 67,000 miles of Postal Telegraph pole lines with about 500,000 miles of wire.

The valuation of all wire lines is about $1,500,000,000, of which the telegraph wires represent less than $200,000,000.

The Bell (telephone) system's net outstanding capitalization is about $918,000,000, the efficiency of which working capital, if the telephone lines were composited with the telegraph lines, would be doubled in the interest of the public and the market value of the stock, according to Mr. Vail, would be increased by 25 per cent.

The Bell's gross receipts last year were	$302,000,000
The Bell's net receipts last year were	72,000,000
The gross receipts of the telegraph companies, including cables, were	98,000,000
The net receipt of telegraph companies, including cables, about	20,000,000
Net receipts of independent companies, not known, but estimated at	25,000,000

So, it is observed that these wire systems, all together, are now earning annually, net, not less than $117,000,000.

Moreover, the three systems (the Bell, the Western Union and the Postal) triplicate one another and thus lose greatly in value and efficiency. When combined or composited for simultaneous telegraph and telephone purposes the capacity of the wires of the three systems will each be increased by 100 per cent.

The present pressing military necessity makes the immediate passage of this resolution urgent and compelling, while the economic facts show that its passage, if put into action, will increase the money value of the wires and give better service to the public. [Applause.]

Mr. SIMS. Mr. Chairman, will the gentleman from Wisconsin [Mr. ESCH] now use some of his time?

Mr. ESCH. Mr. Chairman, I am for this resolution, and one thing which has induced me to support it is the fact that it was initiated by a Member of the House and did not come here inspired by any administrative agency of the Government. I have heard on this floor on more than one occasion criticisms, and more particularly coming from this side, to the effect that legislation nowadays is all inspired and framed in the departments, handed to the Congress, and ratified by it, without any action on the part of Congress in the initiation. It is therefore with

a feeling of satisfaction that I greeted this resolution, which was not initiated in the departments, but came from a Member of this House. Our committee gave it due consideration and judged it by its merits irrespective of whether it had administration indorsement or not. I think we would come to a sorry pass in this House if we judged measures merely by the strength of the Government indorsement and not by the strength and the merit which a resolution or a bill itself contained. We considered the proposition. We felt as a war necessity that we should give this power to the Chief Executive. We made a careful investigation of the statutes and of the decisions of the courts, and came to the conclusion that there was no existing statue which gave to the President the power to take over, to possess, or to operate any of these lines of communication. And fearing that during this crisis an emergency might arise we wished to safeguard the hands of the President and the administration and give him the power which this resolution gives.

I trust the gentlemen of this House will read its language carefully. We give him during the war the right to supervise, to take possession of, to control, or to operate. That would mean that the President, in his discretion, if he saw fit, would not have to take physical possession of any of these lines of communication, but he could merely content himself with supervision, as before the declaration of war he took over the supervision of wireless-telegraph stations along the Atlantic coast.

This is a vast subject for consideration. There ought to be, no doubt, more time for its consideration, but the emergency still exists, and the Secretary of War said in his testimony before us that this immediate moment may not indicate the emergency but the next minute might. That is a reason why our committee felt constrained to give favorable consideration to this resolution at this time.

As it originally came before us there was no limitation. We insisted that it should be for the duration of the war and until the proclamation of the treaty of peace made by the President. This deprives it of the charge of a Government-ownership proposition, for at the end of the period of the proclamation of peace it will be for Congress to determine its subsequent status. We put in, in order to make it constitutional in the opinion of some of us, a provision for just compensation. I will supplement that with an amendment which I propose to offer, that will clarify that situation, and I trust will be accepted by the House.

Mr. MILLER of Minnesota. Will the gentleman submit to the House what the amendment is?

Mr. ESCH. I shall offer the language which is contained in the urgent deficiency act approved June 15, 1917, where we gave the President the power of taking over shipyards and ships and plant equipment, and so forth, adding these words—and let me read the last sentence, so that you will get the context. The resolution is as follows:

Provided, That just compensation shall be made for such supervision, control, or operation—

And this is the amendment—

to be determined by the President; and if the amount thereof, so determined by the President, is unsatisfactory to the person entitled to receive the same, such person shall be paid 75 per cent of the amount so determined by the President and shall be entitled to sue the United States to recover such further sum as, added to said 75 per cent, will make up such amount as will be just compensation therefor, in the manner provided for by section 24, paragraph 20, and section 145 of the Judicial Code.

That has stood the test of both Houses and is now the law. Under its operations over $400,000,000 or $500,000,000 of ships and shipyards and contracts have been taken over, and not one contest, as I am informed, has gone to the courts.

It seems to me, Mr. Chairman, we ought to put that sort of a provision in here in order that the small independent lines might know their status now, and in order that we may not put them in the same precarious position as the short-line railroad companies have been put. Under the Federal-control act we have not yet entered into contracts with trunk lines, notwithstanding that act was passed on the 21st of March, 1918. We do not put the 8,000 telephone companies of the United States, operating 15,000 exchanges, in such a position as that.

Mr. MEEKER. Mr. Chairman, will the gentleman yield for a question?

Mr. ESCH. Yes.

Mr. MEEKER. As to the policy adopted by the administration of handing back the small railroads, the short lines, is it the judgment of the gentleman to take all the telephones—all the small plants and little telephone lines—scattered over the country?

Mr. ESCH. The language of the resolution is "in the discretion of the President." If he thinks they are necessary in a war emergency he shall take them. It is difficult, if not impossible, to circumscribe in this respect the discretion of the Chief Executive, but I think, if the gentleman will allow me, that this amendment which I suggest will remove any doubt as to the condition and the financial status of the small independent telephone lines, and by its terms we will not jeopardize them, as the short-line railroads have been jeopardized under the Federal railroad act—not from the fault of Congress, because I think we expressed our intent clearly enough, but as the result of interpretation.

Mr. SISSON. If I caught the gentleman's amendment——

Mr. ESCH. It came from the gentleman's own committee and was incorporated in the deficiency act.

Mr. SISSON. Does the gentleman think his amendment is sufficiently broad to cover the small so-called independent telephone companies?

Mr. ESCH. Yes; and unless that is put in your short telephone lines would not have any right to go to the Court of Claims. We give them here a status, and we protect them, and they ought to be protected.

Mr. Chairman, I wish to reserve the balance of my time, because I have large demands. [Applause.]

Mr. SIMS. Mr. Chairman, how much time has the gentleman used?

The CHAIRMAN. The gentleman has used nine minutes.

Mr. SIMS. Mr. Chairman, I yield 15 minutes to the gentleman from Pennsylvania [Mr. DEWALT].

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 15 minutes.

Mr. DEWALT. Mr. Chairman and gentlemen of the House, had this measure been proposed to the Committee on Interstate and Foreign Commerce clearly and succinctly as a measure for Government control and ownership of telegraph and telephone lines, I should have been opposed to it. My opposition would not only have been continued in the committee itself, but all the efforts of my mind would have continued on the floor of the House against any such unwise and, as I deemed it, almost revolutionary process. It may be that I am wrong. I very frequently am. But I believe that I am right in asserting that we have proceeded along the line of Government control, supervision, and almost ownership of public utilities to the extremity, and we have done it under the guise of what we call war necessity.

I therefore deemed it to be my duty in the committee to voice my opposition against any measure of this sort unless it clearly expressed the intention of the legislature that it was only a war measure, and should be in existence only during the period of the war.

That was one of the matters in dispute before the committee, and I am revealing no confidence when I make that statement. It was then determined that the Aswell resolution should be reframed and re-formed in such manner as we now have the Sanders resolution, namely, that it should clearly and definitely state, beyond the peradventure of a doubt, that this resolution and this power conferred upon the President of the United States was for the duration of the war and for no longer period, thereby clearly making it a war measure.

The next doubt that arose in the minds of some of the members of the committee was this: For what length of time shall this power be exercised? Shall it cease immediately upon the termination of the war, or shall it, as we provided in the railroad act, continue the power for, perhaps, 6 months, or, as in that instance, for 21 months, after the declaration of peace? There were certain gentlemen in the committee, well founded in their belief, who believed that these "scrambled eggs," as they called them, could not be "unscrambled" unless there was a definite period of time granted. Some of the gentlemen thought 12 months; others, again, suggested 6 months; and, I believe, there was a suggestion of 3 months. Others, again, thought that in order to make the matter clearly a war measure, and in order to limit the power of the Executive beyond the shadow of a doubt, we should say definitely and determinately that the power over these great utilities should cease—when? Immediately on the declaration of peace and the affirmation of the proclamation thereof. Therefore that dispute was settled as against any continuation of power beyond that definite time.

Now, the third matter that engaged the attention of the committee was this question of compensation. The Aswell resolution provided that all laws or parts of laws in reference to taking over railroads that were applicable to this situation should be applied to the taking over of these telegraph and telephone lines.

In my judgment that was very inapt, and at the same time very inartistic phrasing, to say that all parts of a law applicable to this situation should be applied to the situation because it had been applied to a previously existing condition. There-

fore I disagreed with that, and it was finally determined that some provision in regard to compensation should be placed in the act, but that no form or process definitely determined should be placed in the act, and that that should be left to future legislation by Congress, for the reason that this contemplates only the taking over and does not accomplish the taking over. In other words, it gives the power to take over but does not actually at the same time make present the condition of taking over.

In the committee the point was raised, and I was one of those who raised it as a lawyer, that no legislative enactment of this kind would be valid and constitutional unless the act itself provided, in the body thereof, that there must be some means definitely set forth in the act for the determination of compensation. I was very sincere in that. I argued the question at considerable length, possibly much to the weariness of some of the gentlemen on the committee. A great number of citations were given to the committee, and by a very close vote, in fact by a divided vote—and again I am not violating the confidence of the committee—finally this clause was put in as a compromise:

Provided, That just compensation shall be made for such supervision, possession, control, or operation.

The amendment that was suggested in the committee was that the compensation should be determined by arbitration if possible, by agreement if possible; but if not possible by either one of these two means, that the parties should respectively submit their claims to the Court of Claims of the United States. That was the amendment suggested by a member of the committee, and this finally was adopted in place thereof. I say now that no man is more willing to retreat from a position which he has once taken if he discovers that he is wrong than I am, and I am frank to say that although I gave the matter careful investigation I am now convinced that there is no necessity for putting in any provision as to compensation. I believe that it would perhaps be the course of wisdom so to do. My colleague upon the committee [Mr. ESCH] has proposed an amendment. I believe that it would be wise to incorporate such a provision. I believe it would have been wise to incorporate the provision that I suggested in the committee; but I assert now that under the decisions as I have found them there is absolutely no necessity for either process. Now, why do I say so? If my colleague [Mr. ESCH] will examine the Judicial Code on page 86, he will find that the Court of Claims has this jurisdiction—I read from section 145:

All claims (except for pensions) founded upon the Constitution of the United States or any law of Congress upon any regulation of an executive department, upon any contract, express or implied, with the Government of the United States, or for damages, liquidated or unliquidated, in cases not sounding in tort, in respect of which claims the party would be entitled to redress against the United States either in a court of law, equity, or admiralty if the United States were suable.

Now, that being the jurisdiction of the Court of Claims, one of the provisions thereof says a claim founded upon the Constitution of the United States. Certainly this claim is founded upon the Constitution of the United States, because the Constitution expressly says that no property shall be taken for public purposes without just compensation. Second, a claim founded upon an act of Congress. We have here a resolution of Congress providing for the taking over of private property for public use. So that if this property is taken over, it four-squares with both these provisions, to wit, that it is founded upon the Constitution of the United States, which provides that just compensation shall be made for property taken, and, second, it is founded upon an act or resolution of Congress.

Third, upon any contract, express or implied, with the Government of the United States, for damages in cases not sounding in tort, in respect of which claims the party would be entitled to redress against the United States either in a court of law, equity, or admiralty if the United States were suitable.

It follows as clear reasoning that when the United States takes the property of another party against the will of that party, if you please, or even with the consent of that party, or if it exercises, as in this case, that which is tantamount to the right of eminent domain, there follows clearly and inevitably this conclusion, that there is an implied contract that the United States will pay. Why? Because when you take from another that which belongs to him and use the same, even with his consent, there is an implied contract upon your part, if you enjoy the fruits thereof, that you will compensate the owner for such use or such taking.

Mr. GOODWIN of Arkansas. In that event, the right of compensation would follow?

Mr. DEWALT. The right of compensation would have to be determined by the facts as submitted to the Court of Claims. Now, am I right in that? So many of the membership of this committee are lawyers that I know you will be interested in this matter——

Mr. SMITH of Michigan. Will the gentleman yield at this point?

Mr. DEWALT. Certainly.

Mr. SMITH of Michigan. The rule that the gentleman has explained applies in time of war and under the necessity of war in taking over property, just the same as it would in time of peace?

Mr. DEWALT. Yes. I take the basic position, my friends, that the exercise of this power even at this time by the President of the United States without legislation is very, very doubtful. I take that position, not as a constitutional lawyer, because that seems to be a pet phrase of a great many of us, but as a lawyer who has read the decisions. I am very doubtful whether the President would have the right to take over this property unless he was so authorized by a specific act or resolution. But be that as it may, we now have the resolution before us empowering him so to do; and that being a resolution of Congress, and the Constitution proclaiming that a man must be compensated for the taking of his private property, there is no question in my mind that the remedy is here by which people can obtain restitution and damages for the taking. Therefore it is unnecessary to include it in the act itself. Am I right in that? In the United States *v.* Great Falls Manufacturing Co., One hundred and twelfth United States, at page 656, the court in its opinion said:

It seems clear that these property rights have been held and used by the agents of the United States under the sanction of legislative enactments by Congress, for the appropriation of money specifically for the construction of the dam from the Maryland shore to Conns Island was, all the circumstances considered, equivalent to an express direction by the legislative and executive branches of the Government to its officers to take this particular property for the public objects contemplated by the scheme for supplying the Capital of the Nation with wholesome water. The making of the improvements necessarily involves the taking of the property; and if, for the want of formal proceedings for its condemnation to public use, the claimant was entitled at the beginning of the work to have the agents of the Government enjoined from prosecuting it until provision was made for securing in some way payment of the compensation required by the Constitution—upon which question we express no opinion—there is no sound reason why the claimant might not waive that right, and, electing to regard the action of the Government as a taking under its sovereign right of eminent domain, demand just compensation. (Kohl *v.* United States, 91 U. S., 367, 374.) In that view we are of opinion that the United States having by its agents, proceeding under the authority of an act of Congress, taken the property of the claimant for public use, are under an obligation, imposed by the Constitution, to make compensation. The law will imply a promise to make the required compensation where property to which the Government asserts no title is taken, pursuant to an act of Congress, as private property to be applied for public uses.

Such an implication being consistent with the constitutional duty of the Government, as well as with common justice, the claimant's cause of action is one that arises out of implied contract within the meaning of the statute which confers jurisdiction upon the Court of Claims of actions founded "upon any contract, express or implied, with the Government of the United States."

And in this taking over of the property of the Great Falls Manufacturing Co. there was nothing except the passage of the appropriation bill for the expenditure of money looking toward an improvement.

Mr. DEMPSEY. Will the gentleman yield?

Mr. DEWALT. I will.

Mr. DEMPSEY. With the resolution as it is you are going to be in this position: That the whole question of compensation will be open for proof, whereas if you had adequate or proper language provided, as we did in the railroad bill, you would narrow it to specific proof to make compensation in accordance with that proof.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ESCH. I yield to the gentleman one minute more.

Mr. DEWALT. In answer to the gentleman's question, I thoroughly agree with the basic idea, and I agree with my colleague from Wisconsin [Mr. ESCH] what I was insisting upon in committee, that we should provide for such a remedy definitely stated; but I still maintain, after reading the decisions, that it is absolutely unnecessary.

Now, in the case of Knote against United States, reported in Ninety-fifth United States, the Supreme Court, says:

There is another view of this case, which must lead to an affirmance of the judgment of the Court of Claims. The jurisdiction of that court is limited to claims founded upon a law of Congress, or upon a regulation of an executive department, or upon a contract, express or implied, with the Government. The claim here presented rests upon a supposed implied contract to pay to the claimant the money received as the proceeds of the forfeited property.

And therefore the claim is sustained. With that argument in regard to compensation in the bill, I leave it to you to determine whether when the amendment is proposed by my colleague, the gentleman from Wisconsin, we deem it expedient to incorporate it or not. Personally, I will support an amendment or that kind

if phrased in accordance with the gentleman's views. [Applause.]

Mr. SIMS. Mr. Chairman, I yield to the gentleman from Missouri [Mr. DECKER] 10 minutes.

Mr. DECKER. Mr. Chairman and gentlemen of the committee, most of our debate in the committee was on the question as to whether or not it was necessary, in order to make the bill constitutional, to provide for a method or means of ascertaining what was a just compensation for taking the telegraph and telephone lines. The time was so short that we did not have time to settle that legal proposition, but I want to compliment the gentleman from Pennsylvania [Mr. DEWALT] in getting the authorities which do settle it. That question being settled as to its not being necessary to make this provision in the resolution at this time, I desire to address myself most earnestly to the proposition that if the resolution is to be passed in the House this afternoon, that nothing be put in the bill fixing the methods of ascertaining what is a just compensation, and I hope I may have the attention of the committee for just a minute on that.

My reason for that contention is this: I do not think there is a man in this House that has given sufficient consideration to the question—and with no disrespect to the intelligence of the Members of this House—I do not believe you can make up a fair decision as to what is the best way to ascertain a just compensation for taking over the great property at this time and doing it in two hours.

I most seriously and earnestly object to the amendment which will be offered by the distinguished and able gentleman from Wisconsin [Mr. ESCH]. I am not prepared to say that his method of ascertaining what is a just compensation is not right, but I do doubt his ability, and I doubt the ability of the rest of us, to settle in two hours what is the right way to figure up what is a just compensation for taking over a billion or more of the property of the people of the United States.

Why not proceed in this case exactly as we did in the railroad situation in which in a short clause, in a rider on an appropriation bill, we gave the President the power to take over the railroads when in his judgment he deemed it an essential war measure? Now, then, why not leave the resolution as the committee has written it, which does exactly the same thing with relation to the telegraph and telephone lines in this country. Reposing confidence in the President of the United States and in his judgment, this committee has given him the power to take possession and take control and supervision of the telegraph and telephone lines. Just compensation is provided by the Constitution of the United States and by the law which gives the man whose property is taken for public use the right to go into the Court of Claims. If Congress wishes to fix some other means of ascertaining what is a just compensation, like that in the railroad bill, why not take the necessary time to consider it faithfully, as we did in the railroad bill?

I do not believe there is a man in this House who is not ready to vote, and vote now, on the resolution as it is written, which simply says that if the President under his responsibility deems it necessary to take over the telegraph and telephone lines during the continuance of the war, we are willing to give him that power. There is much more involved in the amendment of the distinguished gentleman from Wisconsin.

Who this afternoon in this House can tell how much is the capitalization of the telephone and telegraph lines? Who in this House this afternoon can tell how much watered stock there is in them, whether they are worth more than the par value of their stock? Who is there in this House who has had time or opportunity to figure out how much they have been making in the last two or three or four or five years? Are we ready and willing this afternoon to lay down a scheme for investigating how much they should have and to pass upon it by a solemn vote this afternoon as to what is the best way of ascertaining that?

The gentleman from Pennsylvania [Mr. DEWALT], as he says, in the Committee on Interstate and Foreign Commerce put in a provision for arbitration, that it should be settled by arbitration or agreement. That settles nothing. Who will appoint the arbitrators? How many are to be appointed by one side and how many by the other side, and who will represent the side of the Government as arbitrators? By agreement? Agreement between whom? That settles nothing. For my own part, if I were writing it on the spur of the moment, from what information I have, I would suggest that we leave to the Interstate Commerce Commission to figure it up and say what is fair and just, and then if they did not want to take that, to allow them to go into court and settle it, but that might not suit the rest of you. Every man in the House might have within his limit of opportunity for investigation some theory as to what is the best way to ascertain what is just compensation. But why settle that this afternoon in two hours? There is danger of doing an injustice to the owners, and there is even greater danger of paying them a great deal more for their property than they are entitled to receive. Why not let this go like the railroad bill went, give the President power to take them over, and then if the President in his discretion sees fit to take them over and does take them over, let the Congress, when it has time, after careful investigation by our committee or some other committee, bring in a bill providing what is the best way to settle the matter.

Mr. GOOD. Why does the gentleman say that we only have two hours in which to decide this great and monentous question?

Mr. DECKER. I say that because the House by solemn vote has agreed that there shall be only two hours of general debate upon this question.

Mr. GOOD. But that is only general debate.

Mr. DECKER. And there is but one paragraph in the resolution, and you can not have very much debate under the five-minute rule.

Mr. GOOD. There may be a great many amendments offered.

Mr. DECKER. I do not care how many amendments are offered, I want to say this, and say it solemnly: There has been no investigation by our committee; we have never given a hearing to the men who own the telegraph and telephone lines; we have heard nothing as to the compensation they should receive from the Secretary of the Navy, or the Secretary of War, or the Postmaster General. They all said before our committee that they did not know what was the best way, and had not given careful thought to that phase. Is there any harm in my calling attention to the fact that that important question has not been considered by anyone before our committee, and why should we settle it here in two hours, or a day, for that matter?

Mr. GOOD. The gentleman is aware of the fact that it is universally conceded by the membership here that this resolution will lie in the committee over in the Senate for about three weeks before it is reported out. Why should we not discuss this matter?

Mr. DECKER. I do not say that we should not discuss it.

Mr. GOOD. And solve the problem.

Mr. DECKER. All right, if you want to let it lie over there for three weeks and look up the matter, that suits me. I say, if we had the time to investigate, that it would be wiser to put in a provision for compensation, but I am opposed to settling it offhand.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. ESCH. Mr. Chairman, I yield five minutes to the gentleman from Indiana [Mr. WOOD].

Mr. WOOD of Indiana. Mr. Chairman, in my opinion it is not enough that this law, if it becomes a law, should cease with the expiration of the war. It should not be invoked during the war unless there is public necessity for it, and it should be made a part of the law that it shall not be invoked unless there is public necessity demanding it. It is an easy matter for this House in two hours to give the Government the right to take over millions and millions of dollars' worth of property, but when it comes to the administration of that property another proposition arises. We gave the Government the right to take over the railroads some time ago, thinking it to be a public necessity, and now, after months of experience, so far as the practical results are concerned, there is a very serious question whether or not we did any good by that act.

We do know we accomplished this result, that we have raised the freight rates and passenger fares on every line in this country. The railroads had been appearing before the Interstate Commerce Commission and asking for years that they be given an increase of 15 per cent on freight rates and stating that would be amply sufficient to pay all the increase of labor cost and to pay all the additional upkeep required by their roads. It was not granted to them, but when the Government took these railroads over it immediately proceeded to raise the freight rates 25 per cent, 10 per cent more than ever asked by the roads, and at the same time it has raised the passenger rates more than 50 per cent. Now, that is what has come as a result of that legislation so far as the dear people are concerned——

Mr. DENISON. And in many instances they have raised the freight rates 50 per cent.

Mr. WOOD of Indiana. As suggested by the gentleman from Illinois, in many instances they have raised the freight rates 50 per cent. There are a great many people in this country who believe that if the railroads had been permitted to remain in the hands of the men who have been trained throughout a lifetime in the business of running railroads that we would not have had the congestion that we had last winter, and a great

many men who are in a position to know whereof they speak declare that the millions and millions of bushels of corn that rotted and were not saved to the country at all would have been saved if the railroads had remained in the hands of the men who knew systematically how to operate them. So I say that unless there is a necessity for the taking over of these telephone and telegraph lines, a great public necessity, it should not be done. It is inconceivable to my mind that the thousands and thousands of independent telephone companies throughout this country should be taken over by this Government. It is inconceivable that there will public necessity arise for these independent telephones to be taken over; but in the event that they are taken over, what is going to happen? The same thing will happen that has already happened in regard to the railroads. There will be an increased wage paid to the employees; there will be an increase, if you please, of the charge for the telegraph. There will be an increased charge for telephone accommodations. We have not had anything presented here, I submit, that warrants our passing this law as a public necessity. Three Cabinet officers, I am informed, appeared before the committee. None of them, so far as we are informed in this body, gave any immediate necessity for this action. All three of them are advocates of Government ownership. Two of them did not base their opinion upon the Government taking over the telegraph and telephone companies upon the existence of an impending or threatened strike. Only one gave that as a possible excuse for taking them over. So I say, so far as this body is concerned, it has no warranted excuse to offer why these public utilities should be taken over. It should be embodied in this proposed law that these telephone and telegraph companies should not be taken over unless there is a public necessity then demanding it, growing out of the necessities of war.

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. WOOD of Indiana. I will.

Mr. GRAHAM of Illinois. I want to ask the gentleman what in his opinion will happen to the telephone companies in the country, the small telephone companies, if they are given the same treatment as the short-line railroads have been given by the Railroad Administration?

Mr. WOOD of Indiana. The same thing will happen that has happened to them, but in a far greater degree; it will put them out of business. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. ESCH. Mr. Chairman, I yield five minutes to the gentleman from Massachusetts [Mr. GILLETT].

Mr. GILLETT. Mr. Chairman, if it is necessary to take over this property, if the telegraph or telephone companies or their employees have in any way done anything to interfere or hamper the prosecution of this war, I and every Member of this House will, of course, eagerly vote for this proposition. I do not know in my own experience whether it is necessary for us to take these companies over. All the information we have on the subject is what has been given in this debate, and I am sorry to say that information is not as explicit as I would desire. At the same time the chairman of the committee and the chairman of the Committee on Rules tell us that in the opinion of the President this legislation is necessary. He knows what I do not about the executive necessities, and therefore I expect to vote for it. However, I wish to submit that it seems to me in a proposition of this kind we ought to have more definite and explicit information than the committee has given us, and I am somewhat skeptical about the urgency of this legislation, because the chairman of the Committee on Interstate and Foreign Commerce has, as we all know, for some time been pressing for the legislation from his committee to be taken up by the House. Now, we all of us are apt to think that the legislation of our own committees is of supreme importance, and we are not to be blamed for that because it indicates a proper zeal for our own work. But the gentleman has been pressing his committee legislation. And then when this proposition very recently came up he volunteered letters to certain heads of the departments obviously to get their certificate of urgency. It is well known that the Secretary of War and the Postmaster General are most eager advocates of General Government ownership, and whether this was necessary for the war or not, of course they would write letters favoring it. When the telephone company here in Washington some time ago gave us wretched service, I remember that the Postmaster General rushed forward and volunteered to take it over, though I do not think any impartial person, in view of the service rendered by the Post Office Department, would have selected that as an agency for improved telephone service.

Mr. LONGWORTH. Will the gentleman yield for a question?

Mr. GILLETT. Certainly.

Mr. LONGWORTH. Did the gentleman understand, as I understood, that the resolution submitted to these gentlemen by the committee was not the resolution we are considering to-day, but the original Aswell resolution?

Mr. SIMS. The subject matter was the same.

Mr. GILLETT. It was the original Aswell resolution.

Mr. LONGWORTH. In other words, none of these gentlemen has indorsed the resolution we have here to-day.

Mr. GILLETT. I confess the resolution we have to-day is, to my mind, a great improvement over the original proposition, and just to the extent it is an improvement I presume the gentlemen to whom he referred the original would dislike it and prefer the original.

Mr. SIMS. And I have received word from some of them saying that they approve of the amendment.

Mr. GLASS. If the gentleman will permit, as to its being passed without amendment, it seems to me it ought not to be. It does not reserve to the States, for example, the right of taxation of these corporations, as was done in respect to the railroads, and that certainly ought to be taken care of.

Mr. GILLETT. I think there are several lines along which amendments should be made.

There is a rule of this House that communications from the heads of departments intended to be considered by committees should be sent to the Speaker of the House. I think it would be well if that rule had been adhered to here. I think, too, it would be well that we should not be informed of conclusions of the President indirectly over the telephone, through his secretary, or by personal letters. It is undignified and leaves room for question. And I think in a momentous matter of this kind, where we as individuals have no means of knowing the necessity, it would be well if we were informed by the highest authority—by the President—how much he may have been hampered, if at all, by the operations of these companies and how necessary they are to the prosecution of the war. I think we have a right to expect that we should receive such information to justify us in voting for this resolution. I am fundamentally opposed to Government ownership when unnecessary, because I think generally it renders poorer service at a higher cost, and the only excuse for this measure, to my mind, is war necessity. I regret that the committee, in its haste, has not given us more reliable information about that.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. ESCH. Mr. Chairman, I yield three minutes to the gentleman from Michigan [Mr. FORDNEY].

Mr. FORDNEY. Mr. Chairman and gentlemen, I can say but very little in three minutes about such an important measure. There has been no reason given so far to me why the Government should take over these 20,000 telephone exchanges. I assume the President of the United States feels that his son-in-law can manage them better than the 20,000 superintendents can manage them. Mark what I say: If the President decides, as the bill says, and nobody decides but the President, that it is advisable that he take those systems over, he will appoint Mr. McAdoo to direct them, although I have no criticism to make of Mr. McAdoo, who is an able gentleman, a highly respected man, very courteous, and a very dear friend of mine. We generally agree, except politically.

Mr. MOORE of Pennsylvania. The gentleman is sure it will not be Mr. Burleson?

Mr. FORDNEY. I do not know. But it does not make any difference who it is. Nobody in the city of Washington can direct the management of 20,000 telephone exchanges in this country as well as can the 20,000 trained men situated in the localities where the telephone systems are located. Fifteen thousand of those telephone exchanges are independent. Mark what I say, and I measure my words: I have as much right to my own opinion as I have to take that of some other man, and it is only the opinion of one man that is provided for in that law to be exercised, but if the Government of the United States takes over these telephone exchanges and telegraph lines, you will find they will be used to the greatest political advantage of the Democratic Party in controlling the votes of the men employed by these exchanges, just as they have managed the railroad business.

Mr. QUIN. Does the gentleman believe that in this great emergency such a thing as that will be done?

Mr. FORDNEY. Oh, "great emergency!" I become nauseated with that expression, "great war measure." What is there about taking over the telephone exchange in the city of Washington or in any other city in this land that has any connection with this war? Tell me, and give me some reason, and I will vote with you. But none has been given. I am becoming angered over this thing. My goodness alive! a pension bill

was presented here the other day as a war measure. Everything has war connected with it. What reason has any man given why the Government of the United States should control our telephone and our telegraph lines? Give me some reason, will you, and then, maybe, I can agree with you. I am becoming prejudiced in the matter, I fear, because I see so much political trickery going on. [Applause.]

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. ESCH. Mr. Chairman, I yield to the gentleman from New York [Mr. HICKS] half a minute to make a request.

Mr. HICKS. Mr. Chairman, as I am paired with the gentleman from Massachusetts [Mr. OLNEY], probably I shall not have the opportunity to express by my vote my opinion in regard to this measure. I am absolutely opposed to Government ownership of the telegraph and telephone systems of this country; but as this is a war-emergency measure, for military efficiency in the prosecution of the conflict, desired by the Commander in Chief of the Army and Navy, I am in favor of its passage. [Applause.]

The CHAIRMAN. The Clerk will report the bill for amendment.

Mr. SIMS. Mr. Chairman, I yield to the gentleman from Ohio [Mr. SNOOK], a member of the committee, seven minutes.

The CHAIRMAN. The gentleman from Ohio is recognized for seven minutes.

Mr. SNOOK. Mr. Chairman and gentlemen of the committee, I want to say that I am just as much opposed to Government ownership of the telephone and telegraph systems as the gentleman from Michigan [Mr. FORDNEY], who has just addressed the House. I expressed my opinion on that subject when we had before us the railroad legislation, and I said then, and I want to repeat it now, that I think there are plenty of men in this country big enough and honest enough and capable enough to operate the railroads or the telegraph or telephone systems of this country to the best advantage of the people of the country.

But I do not look at this resolution in the light that the gentleman from Michigan does. I do not apprehend that the President will take over all the telephone systems of the country, but I do apprehend that it may become necessary as a war emergency for him to take over some of the toll lines and trunk lines, and possibly it may be necessary to take over the telegraph lines. You see this resolution was amended, and for that particular purpose.

Mr. COX. Will the gentleman yield for a question for information?

Mr. SNOOK. Yes.

Mr. COX. Under this provision would the President have the power to take over a little independent line in a county—say a line owned by farmers?

Mr. SNOOK. I think the President would have the power under this bill to take over any telephone or telegraph line that he might think a public necessity in time of war, and he could take over a whole system or a part of a system.

Mr. BANKHEAD. Mr. Chairman, will the gentleman yield?

Mr. SNOOK. Yes.

Mr. BANKHEAD. There is a matter that has not been touched on in general debate, and that is a practical proposition—the regulation of rates and tolls to be charged in the event the President should see fit to take them over. What did the committee have in mind along that line?

Mr. SNOOK. I will be glad to answer the gentleman. The committee had in mind treatment of that subject as we treated the railroad situation. This is simply a resolution to empower the President in case the necessity arises to take over the telegraph and telephone systems. Then if he does that, Congress will exercise the power that it did in the railroad matter, and fix the rates and determine the way in which the matter should be handled.

Mr. WALSH. What is the necessity that might arise?

Mr. SNOOK. I was just coming to that. I want to reach that. Now, of course, this matter has probably been handled in a hurried manner, but we had before our committee—and that has not been discussed very much—the Secretary of War, the Secretary of the Navy, and the Postmaster General.

Mr. JOHNSON of Kentucky. Why did you have those three Cabinet members and not the rest of them?

Mr. SNOOK. I am going to try to answer this other question, and that was put up to these men. This measure was proposed as a war measure, and it was thought necessary to have before our committee at least the Secretary of War and the Secretary of the Navy. It has been said in the debates here many times that the Secretary of War is a Government-ownership man, and that the Postmaster General is a Government-ownership man, and I think that is so. But the Secretary of War and the Secretary of the Navy, in discussing this matter before our committee, disclaimed any wish to take over these systems for that reason, and were particular to bring before the committee the fact that they would disdain to take advantage of the situation at this time to try to get the President to take over these systems because they believed in Government ownership. The Secretary of the Navy said to the committee that he had already—although there was very much doubt as to his power—taken over all the radio systems, and they were now being operated under governmental control; that he found such action absolutely necessary for the safe conduct of the war, and that in his opinion it was just as necessary that the President should have the power to take over the telegraph systems and the trunk-line telephone systems of the country as it was to take over the radio systems.

Mr. GILLETT. Mr. Chairman, will the gentleman yield?

Mr. SNOOK. Wait a moment until I answer the other question. You have not had an answer to that yet. In his opinion he thought it would be necessary, if we continued in the war, that the Government should have a right to exercise a control over the people who were sending these messages, the employees of the telegraph companies; otherwise there might be danger of secrets or plans by which the Government was carrying on the war leaking out and being disclosed.

Now, I will answer the gentleman's question.

Mr. GILLETT. I will ask whether there was not just as much power to take over the telegraph and telephone systems as the radio systems, and then why is not that in the bill?

Mr. SNOOK. I am not a great constitutional lawyer, as some Members of the House claim to be, but I am inclined to think that the President has the power, and the Secretary of the Navy was inclined to that opinion. But we thought that the President ought to be authorized by law, so that there would be no question on that subject. I think he said, as I remember, that they had consulted the Department of Justice on that question at the time the radio systems were taken over, but they still felt some doubt on the matter.

Mr. GILLETT. Did they say that cases had arisen where difficulties had been avoided?

Mr. SNOOK. I would not put it that strong. The hearings are not yet printed.

Mr. GILLETT. That is the trouble. We can not get access to the hearings.

Mr. SNOOK. The Secretary of War and the Secretary of the Navy both clearly indicated that such a crisis might arise. I do not say that it has arisen as to telegraphs and telephones; but as to the question of the radio system, they clearly indicated that such a certain crisis had arisen.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. SNOOK. Yes.

Mr. LONGWORTH. Is it not true that the Government censors all telegraph messages?

Mr. JOHNSON of Washington. Mr. Chairman, the debate is becoming exceedingly interesting, and I think we should have a quorum here. I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Washington makes the point of order that there is no quorum present. The Chair will count. [After counting.] Fifty-two Members present; not a quorum. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The Clerk called the roll, when the following Members failed to answer to their names:

Ashbrook	Costello	Fairchild, G. W.	Hayes
Austin	Cramton	Farr	Heaton
Bacharach	Currie, Mich.	Ferris	Heintz
Baer	Curry, Cal.	Flood	Helvering
Barkley	Dale, N. Y.	Flynn	Hensley
Black	Dale, Vt.	Focht	Hilliard
Bland, Ind.	Davidson	Foss	Hood
Britten	Delaney	Francis	Houston
Browning	Dent	Freeman	Howard
Brumbaugh	Dies	Gard	Husted
Caldwell	Dillon	Garland	Hutchinson
Campbell, Pa.	Dominick	Glynn	Ireland
Caraway	Donovan	Godwin, N. C.	Jacoway
Carew	Dooling	Goodall	James
Carter, Mass.	Doolittle	Gould	Johnson, S. Dak.
Carter, Okla.	Doughton	Graham, Pa.	Juul
Chandler, N. Y.	Dowell	Gray, N. J.	Kahn
Chandler, Okla.	Drane	Greene, Mass.	Kearns
Clark, Fla.	Drukker	Hamill	Kehoe
Clark, Pa.	Dyer	Hamilton, N. Y.	Kelley, Mich.
Claypool	Edmonds	Hardy	Kelly, Pa.
Connelly, Kans.	Elston	Harrison, Miss.	Kennedy, R. I.
Cooper, Ohio	Emerson	Haskell	Kettner
Cooper, W. Va.	Estopinal	Hastings	Key, Ohio
Copley	Evans	Haugen	Kiess, Pa.

Kincheloe	Nelson	Rucker	Sweet
King	Nolan	Russell	Switzer
Kreider	Norton	Sabath	Tague
La Follette	Olney	Sanders, Ind.	Talbott
LaGuardia	O'Shaunessy	Sanford	Taylor, Colo.
Larsen	Overmyer	Schall	Templeton
Lee, Ga.	Overstreet	Scott, Iowa	Thompson
Lehlbach	Paige	Scott, Pa.	Tillman
Littlepage	Peters	Scully	Tilson
Lonergan	Phelan	Sears	Towner
Lundeen	Polk	Sells	Treadway
Lunn	Porter	Shackleford	Van Dyke
McCormick	Pou	Shallenberger	Vare
McFadden	Powers	Sherley	Volgt
McKenzie	Price	Sherwood	Ward
McKeown	Purnell	Siegel	Watson, Pa.
McKinley	Ragsdale	Sisson	Watson, Va.
McLaughlin, Pa.	Rainey, H. T.	Slayden	Webb
Maher	Rainey, J. W.	Slemp	Welling
Mann	Raker	Smith, T. F.	Welty
Mansfield	Ramsey	Snell	Whaley
Martin	Rayburn	Snyder	Williams
Mason	Reavis	Stedman	Wilson, Tex.
Moores, Ind.	Riordan	Stephens, Nebr.	Woods, Iowa
Morin	Roberts	Sterling, Pa.	Woodyard
Mudd	Rowland	Stevenson	Young, N. Dak.
Neely	Rubey	Sullivan	Zihlman

The committee rose; and the Speaker having resumed the chair, Mr. JOHNSON of Kentucky, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration House joint resolution 309, found itself without a quorum, whereupon he caused the roll to be called, when 223 Members answered to their names, and he reported the names of the absentees to be printed in the Journal and RECORD.

Mr. BURNETT. Mr. Speaker, by request of the Congressman from the Trenton, N. J., district, I ask unanimous consent to extend my remarks by printing a speech that I made yesterday——

The SPEAKER. That request is not in order at this time. A quorum is present. The committee will resume its sitting.

The committee accordingly resumed its session, with Mr. JOHNSON of Kentucky in the chair.

Mr. ESCH. Mr. Chairman, I yield two minutes to the gentleman from Missouri [Mr. MEEKER].

Mr. MEEKER. Mr. Chairman, I think every man in this House has been thinking for months over the question as to the advisability of the Government taking control of the telegraph and telephone lines. There is no man here more positively opposed to Government ownership of these public utilities than I, and I would not have voted for a bill with such a proposal in it. I do believe, as a matter of military precaution, that the Government should have taken control of all these avenues of communication at the very outbreak of the war. It is not a question of expense. It is not a question of how the companies or the employees would like what is done. It is a question of giving the Government absolute management of all the avenues of communication which we may have at our disposal. We have been too lax and loose in safeguarding the governmental business by leaving these telegraph and telephone lines to be operated as they have been. But I want to say that the employees have been as loyal as any employees could be, but it is not good Government business in such a crisis as this. It is for that reason, and that reason only, I shall very gladly support this measure, whether the President asks for it or not. [Applause.]

Mr. ESCH. Mr. Chairman, I yield six minutes to the gentleman from New Jersey [Mr. PARKER].

Mr. PARKER of New Jersey. Mr. Chairman, it has been well noted by the gentleman from Massachusetts that there is no doubt now of the power of the President in case of need to do all that is granted by this resolution, he being the judge of whether there is real need therefor.

I confess that I am a little afraid always in the passage of any such resolution lest in the drawing of sentences we may either limit or enlarge the war power. That war power has been exerted by the Secretary of the Navy. The Secretary of the Navy found these great avenues of the air, filled with wireless messages all over the United States, under no control, that often had no offices that he could find out anything about, and he was forced to take possession and control. He did it in the right way, that I think ought to be provided in this bill, by providing for the taking control of the wireless companies, receiving all the tolls of the business and paying the expenses in trust for the companies. Where there were two companies claiming the same system of wireless he is piling up the profits for the one really entitled. It is a great pity that we have not that evidence before this House. I may say without breach of confidence that we were promised all that evidence on the day of the hearings—statements of the special arrangements and contracts—but they have not come yet, and that was four days ago.

Mr. ESCH. The gentleman knows that yesterday was the Fourth of July and the Printing Office was closed.

Mr. PARKER of New Jersey. I do not want any printed matter. The copy has not come in. The written evidence has not come in.

Mr. ESCH. I am rather surprised at that.

Mr. PARKER of New Jersey. The copies or statements of the arrangements or contracts have not been sent to the committee clerk. One secretary has gone away, all are busy, and we have not got them. We would have liked to have had them.

Now, Mr. Chairman, there was also a cable company, which is nothing but a telegraph company, although a more dangerous one, because it goes across the Atlantic, and that cable company the United States have not taken possession of, but have put officers in the various offices of the cable company to censor the dispatches, and to see what is sent and received, and that is all that is needed—supervision. That is all that ought usually to be needed as to the various telegraph companies in this country. It was in that view that, at my suggestion, the word "supervise" was introduced into the resolution, so that two courses are open, either for the President to supervise the various systems of telegraph or to take possession of them. That supervision should, of course, go through the war, but it is hard to see why possession should be taken unless there is a strike or some other special emergency. I believe really we ought to change the words "for the duration of the war" to "for the duration of any special emergency," because even if we take possession for a strike, we ought to hold for the benefit of the companies and then return the systems, subject to supervision, the moment that special emergency is over. If it is not necessary to take the cables it is not necessary to take the telegraphs, and much less the other smaller things, the telephone companies. We should so express this that there would be no doubt about the President's power. The resolution should be put through in such form as will do what we want to do, and not bind the President to go beyond the emergency and take for the whole duration of the war. In this case there is no breakdown to force us to do as we did in the case of the railroads—take all of the receipts for ourselves and only pay a rent. It is not necessary here.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. ESCH. Mr. Chairman, I yield five minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Chairman, the President of the United States has authority to supervise, to control, to take over all of the telegraph and all of the telephone systems of the United States if, in his judgment, it is necessary to do that for the national security and defense, for successful prosecution of the war, or any purpose necessary or essential to the conduct of the war. That being true, a resolution such as suggested is not, in my opinion, essential, and I doubt if it is wise. I do not feel disposed, the question having been brought before the House, to vote to withhold from the President authority to take over telegraph and telephone lines if he deems it essential so to do. I doubt the wisdom or necessity of having the matter brought before the House. Having been presented to the House, I regret it was not presented in the form of the resolution as offered by the gentleman from Louisiana [Mr. ASWELL], who presented it in the form of authorization based upon military necessity. The resolution we have before us is not based primarily upon military necessity. It is such a resolution as might be presented by any believer in State socialism, with a desire to take advantage of war conditions in order to have the Government embark in enterprises that ought to be left in the hands of individuals unless their taking over is essential to the prosecution of the war.

Mr. MONTAGUE. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. MONTAGUE. Did I understand the gentleman to say that the Aswell resolution presented the matter upon grounds of war necessity?

Mr. MONDELL. Yes.

Mr. MONTAGUE. If the gentleman will examine the resolution he will find that there is not one word or line basing it upon war necessity or war purposes.

Mr. MONDELL. Is not this the Aswell resolution that we have before us, as amended by the committee? I read:

> Mr. ASWELL introduced the following joint resolution, etc.:
> *Resolved*, That the President, if in his discretion it is deemed desirable, in order to insure their continuous operation, or to guard the secrecy of military and governmental communications—

And so forth.

Mr. MONTAGUE. Those things can be guarded in time of peace as well as in time of war.

Mr. MONDELL. As I view it, that resolution bases the taking over entirely of war necessities.

Mr. MONTAGUE. Will the gentleman permit me further?

Mr. MONDELL. I have only five minutes, and for the sake of argument I shall agree to any view that the gentleman takes.

Mr. MONTAGUE. The gentleman may be right, but the gentleman from Louisiana [Mr. ASWELL] has disclaimed the construction of the resolution the gentleman now imputes to him.

Mr. MONDELL. Then he did not understand the purport of his resolution. Possibly he did not draft it himself, because his resolution is clearly based upon military necessity, as it should be. What I fear is that this resolution will be taken and considered as an expression of opinion upon the part of the House as to the wisdom of taking over these lines. So far nothing has developed to indicate the wisdom of our doing so. The resolution should be amended so as to provide that the lines can only be taken over if necessary for the national security and defense.

It seems to me we have already taken over about as much of business of the country as we can for the time being properly conduct. We are not making a very great success of our railroad operation, and, it seems to me, it would be well to demonstrate the wisdom and success of that operation before we go further unnecessarily in ventures of this sort.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ESCH. I yield the gentleman one more minute.

Mr. MONDELL. Mr. Chairman, if we are to pass the resolution I am not in favor of amending it at all, unless it be to make it clear these agencies are only to be taken over if necessary in the prosecution of the war. Any legislation added to this authorization will be interpreted to carry with it congressional approval of the taking over of the lines. If we legislate in regard to compensation, with regard to State taxation and other matters, we are legislating as though we expected the taking over of the lines. I prefer leaving the resolution in the form of simple authorization based on military necessity. I do not think the provision with regard to compensation is necessary, because under the Constitution there must be compensation in any event if the lines are taken over, and the Congress can provide the necessary legislation if the lines are taken over and when they are taken over.

Mr. SIMS. Mr. Chairman, I yield five minutes to the gentleman from Virginia [Mr. MONTAGUE], a member of the committee.

Mr. MONTAGUE. Mr. Chairman, I regret that the distinguished gentleman from Wyoming, whose ability we all recognize, should go so far afield in the construction of the resolution offered by the gentleman from Louisiana as to conclude that that resolution is based upon war considerations. I beg to suggest to the committee with great sincerity of conviction that there is not a line in it or word in it that would not authorize the President to take over the telephone and telegraph systems of this country in time of peace as well as in time of war. That resolution, so far as it has any military aspect or purpose is disclosed in these words:

To guard the secrecy of military or governmental communications—

We have military and naval communications in time of peace as well as in time of war. And these military and governmental communications are subject to safeguarding in time of peace, and are so guarded—

or to prevent communications by spies and other public enemies.

Such laws exist practically in all nations, and are as appropriate to peace as to war. I think we already have laws applicable to spies and public enemies, and for the protection of our Government in times of peace against spies and enemies. It was for that reason I could not support the resolution of the gentleman from Louisiana, for I think, stripped of some little surplusage, its plain meaning and legislative purpose is to empower the President to exercise governmental control and possession of these public utilities in time of peace; certainly it so authorizes the President in peace as well as in war.

Mr. MONDELL. If that is the gentleman's view, and I am in harmony with the view, why does not the resolution itself expressly base the power on military necessity and not——

Mr. MONTAGUE. I think it does.

Mr. MONDELL. It says that the control can be only exercised in time of war, and there is not a word in the resolution basing the authorization on military necessity.

Mr. MONTAGUE. If it can be only exercised in time of war, then of necessity it can not be exercised in time of peace; and if only to be exercised in time of war its exercise of necessity rests only upon war considerations; that is, its exercise must of necessity be connected with military operations or administration for war purposes.

Mr. MONDELL. If the committee thought the amended Aswell resolution was put on war necessity I fear the committee did not accomplish what they set out to do.

Mr. MONTAGUE. The committee undertook not to improvise. It undertook to follow the precedent of Congress based on the knowledge and purpose of this House in dealing with Federal railroad control and operation for war purposes, and for those purposes alone.

Mr. DENISON. Will the gentleman yield?

Mr. MONTAGUE. I have but a moment.

Mr. DENISON. I was going to ask the gentleman—I have not heard any members of the committee state it—whether there was shown to the committee in the hearings anything that indicated that the telegraph companies have disclosed any military secrets to the injury of the Government in any way?

Mr. MONTAGUE. I think not; I do not recall any such leakages or disclosure. I rose, however, because I did not wish this committee to be inadvertently misled by the observation which the gentleman from Wyoming has made, and therefore I addressed my opening remarks more particularly to his observation.

Mr. Chairman, I now wish to say that I shall submit to the committee at the proper time the amendment contained in the railroad-regulation act respecting taxation by the several States of these properties. This bill undertakes only to grant to the President certain powers. It does not undertake to regulate the exercise of these powers, presumably anticipating that later, if these properties are taken over, we would undertake regulatory legislation, as was done in case of the railroads. But out of abundant caution the Committee on Interstate and Foreign Commerce made an addition which is perhaps unnecessary, namely, that just compensation be made for the lines taken over, in order that the law might exhibit in terms its compliance with the Constitution and the moral conscience of the Nation upon this subject.

I think we should go one step further and provide, and to that end I shall ask at the appropriate time the amendment found in section 11 of the bill, providing for the operation of the railroads, approved March 21, 1918, mutatis mutandis, be adopted in the present measure. The amendment I propose is—

That nothing in this act shall be construed to amend, repeal, empower, or affect existing laws or powers of the State in relation to taxation or the lawful police regulations of the several States, except wherein such laws, powers, or regulations may affect the transmission of Government communications on the issue of stocks and bonds.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SIMS. Will the gentleman from Wisconsin yield some of his time now?

Mr. ESCH. I yield three minutes to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE of Pennsylvania. Mr. Chairman, if it was clear that the President of the United States approved this resolution for war purposes, I would have no hesitation in supporting it, but I do not think that question has been settled yet to the satisfaction of the House. What the letters introduced by the gentleman from Tennessee [Mr. SIMS] referred to was a resolution introduced by the gentleman from Louisiana [Mr. ASWELL]. They had no reference to this resolution whatever. This resolution came up from the committee. The letters that have been read, including the letter from the President, which indorsed a letter from the Postmaster General, referred to another resolution altogether. There is absolutely nothing before the committee to show that the President of the United States approves this specific resolution.

Now, this resolution is a dangerous resolution, a very dangerous one. If the President undertakes to exercise the power which is conferred upon him by this resolution through any agency, for instance, the Postmaster General, he may put out of business one large telegraph company by the encouragement of another telegraph company and the transfer of the employees of one company to another company. He may play favorites if he sees fit. For war purposes? It is not so stated in the bill. "War purposes" is not specifically stated in the bill. For business that does not pertain to war, during the period of the war, one company before an election may be favored as against another company. The director general may state to one company that seeks to unload its property upon the Government, "We will take you over," and it would be a great favor to that company to do it. He may state to another company if that company does not desire to come in under Government control, "We will take you over" or "We will not," as the case may be. He may state to a hundred smaller companies, "We will take you in" or "Leave you out." "We will take in your competitor and destroy you." It is not said specifically in this resolution that the power is to be exercised for the purposes of the war. It may be exercised for political purposes for all this resolution says. The private business of a man who seeks to send a telegram will be subject to the scrutiny of his enemy under this bill. Suppose some one is conducting a political

campaign, every telegram, every word, every message he desires to send will be subject to the scrutiny and oversight of gentlemen in opposition. This is a measure that ought to be debated a little more fully in this House. There is no penalty here attaching to a man who divulges information that comes to him by virtue of his position in a telephone or telegraph office. There ought to be some such penalty.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SIMS. Mr. Chairman, I yield to the gentleman from Virginia [Mr. SAUNDERS] five minutes.

Mr. SAUNDERS of Virginia. Mr. Chairman, the amendment reported by the Committee on Interstate and Foreign Commerce is like a battleship stripped for action. Everything superfluous has been thrown overboard. It is a plain, simple grant of essential and necessary power, and should be adopted by this body without the excision or addition of a single line.

Some question has been raised in the progress of the debate, about Government ownership. That question can not properly arise in this connection. It is utterly foreign to the subject under consideration, just as foreign as the suggestion made, I believe by the gentleman from Massachusetts, that the President already enjoys the power to do the very things that this resolution proposes to authorize him to do. It is rather late for anyone to raise that question in this House which, without objection on the part of anyone on either side of the Chamber, has heretofore given to the President analogous grants of power with respect to a number of subjects. We have given him the right to take over and operate street car lines running to shipyards; we have given him the right to take over and operate shipyards; we have given him the right to take over ships. If the gentleman from Massachusetts is correct in his present attitude, then all of these grants of powers were superfluous and unnecessary.

Yet they have been afforded by this body without objection or protest by a single Member. I repeat that no question of Government ownership can be raised under this resolution, and maintain that this statement is absolutely true.

There is a considerable school of thought in this country that would have the Government operate permanently the railroad, telegraph, and telephone lines. There is another and smaller school of thought that would have the Government operate not only these instrumentalities but many industries. But amid the perturbations and excitements of war Congress should not undertake to impose those policies or any one of them upon the country, nor does this resolution propose to do anything of the sort.

Mr. DENISON. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS of Virginia. In a moment. The gentleman from Minnesota [Mr. MILLER] undertakes to criticize this resolution on the ground that it is vague, uncertain, and indefinite. Whatever other criticism may be properly directed against this resolution, certainly this particular criticism does not and can not attach.

The resolution states that in time of war the President is authorized to take over, and operate telegraph, telephone and radio facilities. Could anything be more specific, definite, and certain than this grant of power which is limited to the period of the war? The resolution is by its terms self-limited. Why is it, then, that in connection with this resolution this ghost of Government ownership should be raised? There is no one in this Chamber more opposed to Government ownership of these facilities than I am, and I would not vote for this resolution even under the suggestion that it was a war necessity, if it contemplated permanent Government operation of the instrumentalities to which it relates. But the great beauty and merit of this resolution is that it absolutely limits the grant of power afforded to the period of the war. Of course it goes without saying that, being limited to the war, it is by necessary implication a grant of war power, to be exercised for the purpose of enabling this country the more successfully to conduct the great enterprise in which we are now engaged.

I yield to the gentleman from Illinois.

Mr. DENISON. The gentleman has referred to the ghost of public ownership having been raised in connection with this bill.

Mr. SAUNDERS of Virginia. Yes.

Mr. DENISON. Is not that because it has been urged by the Postmaster General, who is known to be in favor of Government owneship of telegraphs and telephones?

Mr. SAUNDERS of Virginia. The Postmaster General does not recommend the proposition reported to the committee and now pending in this body. I have nothing to do with the private, individual views of the Postmaster General with respect to any public question, nor has any other Member of this House. We are not dealing with what is in the mind of the Postmaster General, but with the questions presented to this body for our consideration.

Mr. DECKER. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. DECKER. If the gentleman will allow me to state in that connection, in his testimony before the committee the Postmaster General specifically asserted that his recommendation of this measure at this time, or the original measure, was only as a war measure.

Mr. SAUNDERS of Virginia. I understand that to be so. But it is further true, I believe, that the Postmaster General favors Government ownership, and operation of telegraph and telepone lines. But that attitude on his part, is not relevant to this resolution which is a simple grant of power to the President to be exercised during the pendency of the present war. Cessante bello, cessat ipsa potestas.

Mr. SIMS. Mr. Chairman, will the gentleman from Wisconsin yield some further time?

Mr. ESCH. I have only one other speaker on this side.

Mr. SIMS. Then I yield five minutes to the gentleman from North Carolina [Mr. SMALL].

The CHAIRMAN. The gentleman from North Carolina is recognized for five minutes.

Mr. SMALL. Mr. Chairman, I rise primarily to express one thought in the way of a query. This bill is presented and the House is asked to consider it hastily. There are evidences that much haste has been made by the committee. The hearings have not yet been printed. No provision has been made in the bill for reserving the right of taxation or for an agreement involving compensation to the telegraph and telephone companies, nor the various other provisions that were considered necessary in the railroad bill. We have been in session here for some months. This original resolution by the gentleman from Louisiana [Mr. ASWELL], I understood him to state, was introduced by him in January. Why has the Committee on Interstate and Foreign Commerce just found it necessary to give consideration to this measure? Why is it necessary that this House shall consider it now, just before a recess is contemplated?

Mr. JOHNSON of Washington. Mr. Chairman, will the gentleman yield for a question?

Mr. SMALL. I have only a few minutes at my disposal.

Mr. JOHNSON of Washington. Just a question.

Mr. SMALL. Very well.

Mr. JOHNSON of Washington. Why is it that the demand that the water-power bill should be considered has disappeared so suddenly and this demand takes its place? Why is it?

Mr. SMALL. Does any man assume that the Senate will pass this important bill as hastily as the House shall have passed it? I am asking this question: To what extent has the threat of a strike by the employees of the telegraph companies hastened the consideration of this bill? If that has been the moving factor that has induced anybody in responsibility to say that the haste was necessary, then, for one, I think the time has come for the Congress of the United States to consider which is superior, the Government or any organized body of men. I believe that we must consider sooner or later legislation which shall forbid a strike by the employees of any public utility. [Applause.]

It is unthinkable that any organized body of men, no matter with what skill they pursue their vocation or how necessary they may be, shall hold in the hollow of their hands the continuous operation of a utility upon which the public service, the public welfare, or the public health may depend. Some two or three years ago I read a very able address or communication by the president of the University of Wisconsin elaborating this thought.

I am entirely willing, if the exigencies of this war require it, if the successful prosecution of the war demands it, to vote readily and immediately for this legislation; but if we are called upon to enact this legislation at the behest and on the threat and demand of a body of men who are the employees of these public utilities, then I say the time has come to consider seriously whether all the people, as represented by the Government of the United States, are supreme or whether they will delegate their sovereignty to any organized body of men, whether it be an organization of laborers or manufacturers or capitalists. I would like to know, and I propound it as a query, and I would like to have the information, if any gentleman can furnish it, as to what occasioned this haste and the preparing of a bill so hastily that the able members of the committee admit they did not have time to formulate a complete bill containing all the provisions essential to protect the United States and also the owners of the telegraph and telephone companies proposed to be taken over by the President. Will some member of the committee enlighten us? [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. ROUSE having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed without amendment the bill (H. R. 12580) to authorize an additional issue of bonds to meet expenditures for the national security and defense, and, for the purpose of assisting in the prosecution of the war, to extend additional credit to foreign governments, and for other purposes.

ELECTRICAL COMMUNICATING SYSTEMS.

The committee resumed its session.

Mr. SIMS. I will state to the gentleman from Wisconsin that there will be only one more speech on this side.

MESSAGE FROM THE SENATE.

The committee informally rose, and Mr. CRAGY having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10069) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

ELECTRICAL COMMUNICATING SYSTEMS.

The committee resumed its session.

Mr. ESCH. I yield five minutes to the gentleman from Massachusetts [Mr. WALSH].

Mr. WALSH. Mr. Chairman, I am sure the entire membership of the House are proud and willing to congratulate this great and powerful committee which brought forth this tremendous proposition for our consideration here to-day, and to commend the illuminating report which they have submitted, which accompanies this great measure; a report consisting of 22 or 23 lines, simply setting forth the substitute resolution which they offer. There is not one word in the report as to the necessity for this legislation, as to the arguments in favor of it, or as to any statements of facts made before the committee. I believe it was the gentleman from Virginia [Mr. SAUNDERS] who said that this resolution was like a battleship stripped for action. Yes; it is like a battleship stripped for action, with its crew aboard, without any coal in its bunkers, without any food or provisions or ammunition aboard the ship, without any chart or direction under which that battleship is to sail; and he, I think, will admit that we shall have to follow the same course that we followed with the railroad law, and supplement this authorization with other legislation, and with an appropriation to make it effective.

Here is a proposition to take over property worth many millions of dollars, I imagine, with thousands of employees, and not one word in this report as to how it is to be done, as to the exact purpose of the legislation, or how or by what person this tremendous power is to be specifically exercised. The Interstate and Foreign Commerce Committee have had to deal with some of the most important problems touching upon this war. They have done it ably and intelligently, but I think it is ridiculous to bring in a measure of this importance and confine the report to these few lines, without setting forth any facts.

But they say there is a recess pending. Well, if the gentlemen who have written these letters which the gentleman from Tennessee [Mr. SIMS] read, and who are urging this legislation, are really insistent upon it, hopes for a recess have gone into the discard, because we all well know that this resolution must go away from here and must be considered somewhere else where they do not jam things through under rules for two hours' debate. It may have been possible that there was no more information contained in this report, because the gentleman in charge of it seeks to set it forth in an eloquent speech to members of the Committee of the Whole, and that therefore it is unnecessary to advance the arguments in favor of it. But I submit that we should be assured beyond any doubt that this is a war necessity. They talk about no question of Government ownership being involved here. It presents directly the question of Government ownership, and that will arise in the future just as the railroad legislation which we have passed presents a question of Government ownership. A propaganda is at work along these lines to present that question to the Congress for legislation when this war is over, and a propaganda will be stimulated to present the question as to these activities and facilities when this war is over. I think this should be confined to the duration of the present war and let the future take care of itself as far as legislation along that line is concerned.

Mr. SIMS. Mr. Chairman, I want to inform the gentleman from Washington with reference to the water-power bill. That does not come from the Committee on Interstate and Foreign Commerce, but from a special water-power committee. The bill has been reported and has been on the calendar for a number of days. I have introduced a special rule for the purpose of having consideration and in the preamble have given reasons why I think it ought to be considered before the recess, if one is had. If the gentleman from Washington, with his well-known ability, will work to have that rule reported, we will have a water-power bill passed before the recess is taken.

Mr. JOHNSON of Washington. I am as much interested in the passage of necessary water-power legislation as anyone, but if this telegraph and telephone measure has been shot in here in an effort to get it through and have it dealt with in another body, so that this House while waiting will be able to take up the water-power legislation, I think a trick has been played on the House.

Mr. SIMS. I thought the gentleman made his inquiry in good faith.

Mr. JOHNSON of Washington. It was made in good faith.

Mr. SIMS. The inference is offensive.

Mr. JOHNSON of Washington. I did not so intend it. In attending to his duties as chairman of the special committee on water power, and in his capacity as chairman of the very important Committee on Interstate and Foreign Commerce, I realize that the gentleman has had and still has a great deal of very hard work on hand. It is unfortunate that two pieces of rush-order legislation should be in his hands at the same time.

Mr. SIMS. The water-power bill was reported a number of days ago before this measure was introduced. Now, Mr. Chairman, I have very few words to say about this matter. The gentleman from Massachusetts wants to be informed by a long report of the committee and no one would have been more anxious to do that than myself. But looking at the resolution, which is in the exact language, word for word, of the act of 1916 under which the railroads were all taken over, and then considering the great railroad-control bill as we did for many weeks, in which every question pertaining in nature and substance to this resolution was discussed, I thought it would be an assumption on my part to repeat at great length in a report information which everybody knows. The resolution here is plain and it needs no explanation, especially as the same subject matter was fully explained and fully discussed in the two acts of Congress referring to the taking over of the roads and their control.

I do not want to take any more time. This resolution is only to enable the President to take control of the telegraph and telephone lines should it become necessary in the prosecution of the war and to operate them.

I am not prepared to say that it will not become necessary, but I hope it will not become necessary, and if it does not it will not be done. Therefore there was no use in a long program of detailed legislation as to the operation, as to the compensation, in advance of whether or not it would ever become necessary to consider such legislation. If it is found necessary by the President to exercise the power herein conferred, as a matter of course Congress will do as it did in the railroad-control matter. There will be supplementary legislation to take care of every question that will arise, and it will not be railroaded through the House without ample time for consideration. The gentleman knows there is a special extraordinary occasion and necessity for the passage of this resolution. I did not want my committee or the House to be responsible for inaction. I am going to ask the committee to remain here until the resolution is disposed of to-night.

Mr. WALSH. Will the gentleman yield?

Mr. SIMS. Yes.

Mr. WALSH. Will the gentleman state what that urgent necessity is?

Mr. SIMS. It has been referred to on the floor and in the public prints.

Mr. WALSH. Is it something that the gentleman does not care to have mentioned on the floor of the House?

Mr. SIMS. It has been mentioned in the public press that a strike has been ordered to take place which will affect the Western Union employees by next Monday, just as the railroad strike was called in September, when the House rushed through the Adamson bill and the President signed it on Sunday, when the strike was called for Monday, Labor Day. We were not in war then and we are now.

Mr. Chairman, I ask that the resolution be read for amendment.

Mr. DENISON. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Illinois makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and four Members present, a quorum. The Clerk will read.

The Clerk read as follows:

Resolved, etc., That the President, if in his discretion it is deemed desirable, in order to insure their continuous operation, or to guard the secrecy of military and governmental communications, or to prevent communication by spies and other public enemies thereon, or for other military or public reasons, shall have power to take possession and control of any telegraph, telephone, marine cable, or radio systems, and operate the same subject to those conditions of law, so far as applicable, which are in force as to steam railroads while under Federal control.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That the President in time of war is authorized and empowered to supervise or to take possession and assume control of any telegraph, telephone, marine cable, or radio system or systems, or any part thereof, and to operate the same in such manner as may be needful or desirable for the duration of the war, which supervision, possession, control, or operation shall not extend beyond the date of the proclamation by the President of the exchange of ratifications of the treaty of peace: *Provided*, That just compensation shall be made for such supervision, possession, control, or operation."

Mr. ESCH. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 2, line 14, after the word "operation," strike out the period, insert a comma, and add the following: "to be determined by the President, and if the amount thereof so determined by the President is unsatisfactory to the person entitled to receive the same, such person shall be paid 75 per cent of the amount so determined by the President and shall be entitled to sue the United States to recover such further sum as, added to such 75 per cent, will make up such amount as will be just compensation therefor in the manner provided by section 24, paragraph 20, and section 145 of the Judicial Code."

Mr. ESCH. Mr. Chairman, this provision is taken literally from the deficiency act approved June 15, 1917, whereby the President was given authority to take over ships, shipyards, ship plants, and so forth. Under that act, as I am informed, already something like $400,000,000 or $500,000,000 worth of property have been taken over, and no cases have been taken to the courts for adjudication. With that example before us, it seems to me we will be justified in applying the same method of arriving at an adjustment with the telephone, telegraph, cable, and wireless companies. Unless we put this provision in there will be no opportunity, in fact, there would be no law, for these small, independent lines to go into the Court of Claims at all. Under the circumstances, it seems to me that we can well afford to put this addition on to the resolution in order to give a proper financial status to those various independent lines and not leave them suspended between heaven and earth, as is the case now with the small short-line railroads. They will at once, if taken over, secure at least 75 per cent, which will be sufficient to keep them from bankruptcy. The balance will be subject to adjustment. I discussed this matter in opening the debate, and I do not care to take any longer time now.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. ESCH. Yes.

Mr. STAFFORD. Can the gentleman give any estimate as to the value of all the telegraph lines and the value of all the telephone lines that are capable of being taken over under the general authorization of the resolution now pending?

Mr. ESCH. I have seen an estimate proposed, I think, by the Post Office Department that the total valuation of the telephone and telegraph lines may reach the grand total of $10,000,000,000. Whether that can be confirmed or not, I do not know. Take the A. T. & T., which is the successor of the Bell. I understand it has combined assets, if I recollect right, of over $1,100,000,000. In that way we can get some estimate of the enormous property values involved in the resolution.

Mr. MOORE of Pennsylvania. Does the gentleman know how many employees of these companies are involved?

Mr. ESCH. I think the Western Union has 20,000 employees.

Mr. MOORE of Pennsylvania. Does it run as high as 200,000?

Mr. ESCH. I do not think it would go as high as that.

Mr. DENISON. If the President should exercise authority and take over these properties, would not additional legislation become necessary?

Mr. ESCH. Possibly, but I hope not, in view of the experience we have had in reference to the taking over of shipyards, ships, and so forth. There has been no need of additional legislation in reference to that, and yet the property interests involved there, as I have already stated, are enormous.

Mr. ALEXANDER. Under the radio act, which was framed by the Committee on Merchant Marine and Fisheries, the President was given power in an emergency like this to take over the radio plants, and shortly after the war in Europe began he took over the Marconi, the Federal, and all other plants, and has been operating them ever since under an arrangement with the companies by which they get the revenues, but their employees were sworn into the Government service and have conducted the business. And there is no reason why this should not be done, this extension of power with the telegraph and telephones which is now being exercised under the radio act as regards radio communications.

Mr. ESCH. That is very true. That is why we put in this resolution the words "to supervise or to take possession and assume control."

Mr. GLASS. Will the gentleman yield for an interruption?

Mr. ESCH. Yes.

Mr. GLASS. If that be so, if the gentleman thinks there need be no subsequent legislation, would not it be better to add a provision here with reference to reserving to the States the right to tax these corporations just as we did in the railroad matter?

Mr. ESCH. I wish to call the attention of the gentleman to the fact we took over these railroad properties and operated them for some months before any legislation was had regarding taxation, compensation, or anything else.

Mr. GLASS. Well, but I understood the gentleman to say no subsequent legislation would be required here. If that be true, should not we legislate as to this particular matter now?

Mr. ESCH. I do not think that would necessarily follow.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SIMS. Mr. Chairman, if we were now providing legislation for the operation and control of these telephone and telegraph wires there is no question in my mind but that the amendment offered by the gentleman from Wisconsin would be a good amendment, that is seeking the same purpose, but just as the gentleman from Virginia says, if we commence trying to provide details in this resolution there is no telling where it will end, because there is the taxing provision and everything else. Now, I want to say this is the unanimous report of the committee and I hope there will be no amendment put on it for the purpose of determining the method of operation or things of that sort, not that I am opposed to the purpose and object of the amendment. I think it will be good as part of supplemental legislation, but I want to say to the gentleman from Wisconsin I have not a particle of doubt that if this authority is exercised that it will be not only needed but absolutely necessary that subsequent legislation in which the provision to which he refers and legislation along that line, tax provision and all those things, will be taken care of as in the railroad-control bill.

Mr. MILLER of Minnesota. Will the gentleman yield?

Mr. SIMS. I will.

Mr. MILLER of Minnesota. Why did the committee put at the end the statement that just compensation should be made?

Mr. SIMS. That is practically the words of the Constitution of the United States, that is all there is in that. Some of the members of the committee thought in order to make the resolution clearly constitutional that that language be in it because it has been in some legislation already had regarding such matters.

Mr. MILLER of Minnesota. If the gentleman will permit me to make a further inquiry of the gentleman, does the gentleman seriously contend that the phraseology is necessary to make this resolution constitutional?

Mr. SIMS. I personally do not; I really do not think so, but the committee thought so, and there are more lawyers on that committee than myself and better ones, and I am here representing the wisdom of the committee, and hope that no amendment will be adopted to this resolution.

Mr. MILLER of Minnesota. The committee did not intend that would prescribe the method of compensating, but simply a suggestion of the policy that will be carried out?

Mr. SIMS. No method at all, Mr. Chairman, I ask for a vote.

Mr. FORDNEY. Mr. Chairman, I move to strike out the last word. Mr. Chairman and gentlemen, it is late, and I do not wish to take up unnecessarily the time of the committee; but this is an exceedingly interesting matter—exceedingly important, rather. If there were any good reasons given why this is a war measure or that the Government needed Government control of our telegraph lines and our telephone lines, I would willingly support it, as I have all measures that I thought were necessary to aid in carrying on this war. Here is an immense value of property, and no hearings given to the owners of the property. That, to me, seems to be absolutely absurd on the part of Congress, to take over from the owners millions of dollars' worth of property without giving the owners anything to say about it. If the President of the United States had come to Congress and asked the Congress of the United States to repeal the Sherman antitrust law and give such powers to the railroads as Congress has conferred upon the

Government, and that the Government has exercised, there would be no necessity whatever for taking over the railroads under the control of the Federal Government. In the first place, the Congress of the United States for the past 10 or 12 years and the different legislative bodies of the States in this country have been making laws adverse to the interests of the railroads of the country. They are the most important industry of the country to the great agricultural, mining, and manufacturing interests of this country.

Of what value would your great wheat fields of the Dakotas or of Montana be to this country to-day if it were not for the railroads that transport the wheat to the people? Yet every measure that has passed Congress for 10 years has been curbing the railroads, taking away from them the power to operate under their own management. In what sort of a situation would any industry of this country be to-day if you fixed the value of the product of its factory and permitted the cost of production to run wild, as has been the case with the railroads? Legislation in this country prevented the railroads from adding 1 penny to their income from freight or passenger fares but permitted their cost to continually rise. During the year 1916 the railroads of this country received from freight $2,400,000,000. I speak in round numbers. The Interstate Commerce Commission has steadily declined to permit the railroads of the country to increase their freight and passenger rates, but the Government now comes and permits the railroads, or directs, rather, an increase of 25 per cent in freight rates, which means that $600,000,000 will be collected this year on freights over the amount collected last year. And now comes an increase of 50 per cent in the passenger fares to the travelers of this country. What for? To pay the added expense of operating the railroads, as the Government now claims and actually recognizes. Therefore, the increase on freight rates and passenger rates allowed by the Government will be $1,000,000,000 annually in addition to the receipts by the railroads from freight and passengers heretofore.

If we had given the railroad companies the power—the 750 railway systems, managed by 750 great, highly educated, and trained experts—the rights that we have given to the President of the United States, there would have been no necessity for taking over the railroads, the roads would have had plenty of funds to pay increased wages and to have made betterments much needed this long time. Look at the deplorable situation prevailing to-day. Under Government control the business of the country in some lines has been paralyzed. There is no question about that. The employees are independent and in many instances uncivil. They care not for the public now, but when they were servants of the railroad companies and under the direction and management of the various systems they were most courteous, or they lost their positions. What do you find now? Independence. Some one has asked how many people are employed by the telegraph and telephone lines of the country. I believe my statistics are correct, although I am not positive, to the effect that there are 235,000 employees in the telegraph companies alone.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STEELE. Mr. Chairman, I move to strike out the last word.

I shall address my remarks exclusively to the amendment offered by the gentleman from Wisconsin [Mr. ESCH]. I confess when I first read this resolution the question which he has raised also occurred to my mind. Upon reflection, however, and a more careful examination of the legal status of that question, I was firmly convinced that under the law and the decisions of the Supreme Court it is absolutely unnecessary in this resolution.

It is true the Constitution provides that just compensation shall be made for all property taken by the Federal Government. It was therefore unnecessary to insert the last phrase of this resolution, because there is already a constitutional provision for it, which is superior to any act of Congress.

Now, it is also a rule that where property is taken, provision must be made for the payment of it when the property is taken by private interests, but when the property is taken by State or Federal authority the taxing power is always regarded as adequate security for the payment of any property which may be taken, and all it is necessary to do is to provide an adequate remedy for the party to pursue. It is claimed there is no adequate remedy specifically provided in this resolution, but it is not necessary to provide it in this resolution, where an adequate remedy already exists by the legislation of Congress.

Under the act of Congress creating the Court of Claims provision was specifically made that the Court of Claims should have jurisdiction wherever any claim arose, either under the Constitution or under an act of Congress or where the claim shall have arisen under a contract, express or implied, between the Government and the claimant. Therefore, this being a claim for property taken under express authority of the Government under an act of Congress and under a provision of the Constitution, express jurisdiction is given to the Court of Claims for the consideration of claims of this character.

Mr. DEWALT. Will the gentleman permit me?

Mr. STEELE. Yes, sir.

Mr. DEWALT. And that applies to all cases whether the damages be liquidated or unliquidated, except in cases of tort.

Mr. STEELE. Absolutely so. Now, if there is any doubt arising with reference to this, I would refer to the decision of the Supreme Court in the Great Falls case, reported in One hundred and twelfth United States. It arose under precisely the same circumstances as the question arises here.

In that case the act of Congress authorized the taking of certain lands for the construction of the waterworks of the Great Falls of the Potomac. No remedy was provided for the payment of the damages, and the case was presented to the Court of Claims, and the question arose as to whether the Court of Claims had jurisdiction, there being no specific provision in the act of Congress authorizing the taking of the land. The Supreme Court held that it had adequate jurisdiction of the claim.

I may say in passing that the same question was practically decided in another respect where private property was actually taken and the jurisdiction of the circuit court was sustained, where suit was brought as a common-law remedy under an implied contract with the Government to pay when it took the land from the private owner. Therefore in another aspect, either under these decisions, or under the act of Congress vesting jurisdiction in the Court of Claims, an adequate remedy is furnished to the telegraph or telephone company to have their damages assessed in either court.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. SIMS. I yield three minutes to the gentleman from Alabama [Mr. HEFLIN].

Mr. HEFLIN. Mr. Chairman, I listened to the speech of the gentleman from Michigan [Mr. FORDNEY] in the general debate and also to his speech under the five-minute rule. The gentleman in the former speech insinuated that the President of the United States might wish to turn over the telegraph lines of the country to his son-in-law.

I submit to this House and to the country that no such suggestion is proper at a time like this; no such suggestion can shake the faith of the American people in this great President of the United States. He has the love and the confidence of the American people. He is entitled to the loyal support of every Member in this House, on both sides, and ill does it become gentlemen, when situations are arising that make it necessary for him to lay the hand of the governmental authority upon the great railroad systems of the country and the telegraph systems of the country, to throw off on the grave situation that exists by making the miserable suggestion that the President of the United States is trying to turn over the control of property to his son-in-law.

Gentlemen, the election is fast approaching. Gentlemen on both sides of this House who are constantly getting up here and belittling the efforts of the administration in the handling of these great war measures ought to be defeated at the polls, and I hope that they will be defeated. The President is entitled to the united support of this Congress in handling railroads and in handling telegraph lines. They are public utilities, not bigger than the Government, and when the President sees a strike impending and it is necessary, in order to carry on war operations, to have authority to take over public utilities and operate them. Gentlemen should aid him and not hamper and hinder him by their nagging, such as we have had here by some gentlemen to-day.

I know we have had congestion in railroad traffic. We have had such traffic as never was known before in the history of the country, incident to the moving of war materials, the moving of soldiers, of people going from home to the camps. Such traffic the country has never seen before. There has been congestion. That congestion was not relieved until McAdoo took charge of the system by the authority of the Government. Now, they are moving along better than ever before, although not in an entirely satisfactory manner yet, because of the tremendous traffic.

Gentlemen, threats are being made to strike in the great telegraphic system of the country. The Government must be ready to prevent that. Nothing must be permitted to weaken the arm of this Government. We are fighting the bloodiest monarch that ever existed on the earth. The Government is solidly behind Woodrow Wilson, and I want the few men who are not sup-

porting our great leader in this war against the Hun defeated in November.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Pennsylvania moves to strike out the last two words.

Mr. STAFFORD. Mr. Chairman, a question of order. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. STAFFORD. As I understand the legislative situation, we are now considering——

The CHAIRMAN. The Chair has recognized the gentleman from Pennsylvania.

Mr. STAFFORD. Then I make the point of order, Mr. Chairman, that you can not offer an amendment in the third degree.

Mr. CANNON. Let us have a vote on the amendment. It is a pro forma amendment to strike out the last word.

Mr. STAFFORD. I will withdraw the point of order to allow the gentleman from Pennsylvania to proceed.

Mr. MOORE of Pennsylvania. I thank the gentleman.

Mr. SIMS. Mr. Chairman, there is an amendment pending. We can vote on it.

Mr. CANNON. It is a formal amendment to strike out the last word. If you want a vote on it, it will take only a moment.

Mr. MOORE of Pennsylvania addressed the committee. [See Appendix.]

The CHAIRMAN. The question is on the amendment to the amendment offered by the gentleman from Wisconsin.

Mr. GRIFFIN. Mr. Chairman, before the question is put I would like to address an inquiry to the chairman of the committee with a view to perfecting the text in the event that he agrees with me as to the construction to be put upon this amendment. According to the terms of the amendment of the committee, there are two alternatives given to the President in the disposition of the property to be taken control of. In the first instance the President may supervise these properties. I direct attention to the language of the amendment. He may supervise, or on the other hand he may take control of and operate the properties.

Mr. SIMS. Take possession of.

Mr. GRIFFIN. Yes; take possession of and operate the properties. Now, in the provision of the amendment which provides for compensation, I notice that you say "that just compensation shall be made for such supervision, possession, control, or operation." Now, is it in contemplation that in the event that the President decides to supervise the properties compensation shall be given to the companies?

Mr. SIMS. That is a very pertinent question, and it was raised in the committee, and it was insisted by some members of the committee that even Government supervision might in a way damage the companies; and so, rather than have any quibble or quarrel about it, we just let it go. I take the same view that the gentleman apparently does, that it is unnecessary.

Mr. GRIFFIN. Does not the gentleman think it will open the door for demands and claims made by these companies?

Mr. SIMS. I do not think there is the remotest possibility of the Government taking supervision because they are now supervised by different States.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. ESCH].

The question was taken; and on a demand for a division (by Mr. DECKER) there were 66 ayes and 61 noes.

So the amendment was agreed to.

Mr. PARKER of New Jersey. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 2, line 10, after the words "duration of," insert the words "any emergency or necessity therefor during," so that it will read:

"That the President in time of war is authorized and empowered to supervise or to take possession and assume control of any telegraph, telephone, marine cable, or radio systems or systems, or any part thereof, and to operate the same in such manner as may be needful or desirable for the duration of any emergency or necessity therefor during the war, which supervision, possession, control, or operation shall not extend beyond the date of the proclamation by the President of the exchange of ratifications of the treaty of peace."

Mr. PARKER of New Jersey. Mr. Chairman, only a word: At present, as the amendment is drawn, it forces the President to take the lines for the duration of the war. We should want to give the President the right to hold them while he thinks it is necessary and to give them up as soon as he thinks it is unnecessary. He may prefer to supervise in most cases. If he takes possession during a strike, he may want to give them back to the company the moment the strike is over. If for some other reason he wants to give them back, I want him to have the power, and my amendment gives him that power.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey.

The question was taken; and on a division (demanded by Mr. PARKER of New Jersey) there were 39 ayes and 57 noes.

So the amendment was rejected.

Mr. MONTAGUE. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 2, at the end of the last paragraph, add the following:

"*Provided further*, That nothing in this act shall be construed to amend, repeal, impair, or affect the existing laws or powers of the States in relation to taxation or the lawful police regulations of the several States except wherein such laws, powers, or regulations may affect the transmission of Government communications or the issue of stocks and bonds by such system or systems."

Mr. ESCH. Will the gentleman yield?

Mr. MONTAGUE. Yes.

Mr. ESCH. Is that language the language of the railroad act?

Mr. MONTAGUE. It is, except that the language of the railroad act is "transportation of troops, war materials, and Government supplies." Of course, that language is inapplicable to this bill, and I simply used the language "Government communications," which would embrace all communications by wire or telephone.

Mr. DECKER. Mr. Chairman, I desire to speak in opposition to the amendment. Mr. Chairman, I think we are making a mistake in putting these amendments onto this grant of authority. I want it understood that I do not object to the principles enunciated by my distinguished colleague from Virginia, a member of the committee, but I do not believe at this time that we should do more in this resolution than to give the simple grant of authority to the President to take over the telegraph and telephone lines the same as we did in the railroad situation, leaving it to a later time to provide for a method of compensation and for other regulations that we in our careful and mature judgment may deem necessary for the successful and efficient operation of these instrumentalities. I think it would be unwise to raise the questions here that ought not to be raised, because in this resolution as presented by the committee we provide for one thing, and one only, and that is that if the President in his wisdom shall deem it essential to the winning of this war he shall have the power to take over the telegraph and telephone lines.

Mr. FESS. Will the gentleman yield?

Mr. DECKER. Certainly.

Mr. FESS. Will not the amendment operate as a limitation so that the President taking over the telephone and telegraph lines under the authority granted must take them over subject to the limitations attached?

Mr. DECKER. That is true, and I make the suggestion that it is true of the one we just adopted here, and it is far-reaching.

Mr. MONTAGUE. Does the gentleman carry in his mind the distinction between regulation and limitation? We in this committee have not brought in any measure of a regulatory character. The amendment that I propose is simply an amendment of limitation and preservation of existing powers.

Mr. DECKER. Mr. Chairman, I will be frank with the gentleman and say that I think there is less danger in this amendment proposed by him than in the one that we have just adopted. I think the amendment as to determining the method of compensation is very far-reaching. It is copied after the one in the law for taking over the shipyards, and if you will stop to consider, the business of running a shipyard is not at all similar to the business of operating a public utility. I speak here in opposition to all amendments that go to the question of operation or compensation, believing that we should plant our feet on the solid rock of giving the President authority to take them over, and leaving to the future the question of how to determine just compensation and the question of regulations and limitations, which we will have more time to fix later, after he has taken them over.

These questions should be settled only after mature deliberation, after careful investigation, after going into the questions by our committee of the finances of these companies and the different provisions that should be made; but here extemporaneously, as it were, we are passing a patched-up resolution, copying after the one which commandeered the shipyards, copying after the railroad bill. In other words, we are making up a piece of legislation which is patchwork, piecemeal, whereas the committee, if it were followed, would have a plain, straightforward, concise grant of power to the President to take over the telegraph and telephone lines for the purpose of winning the war. Instead of mixing it up with these other propositions, I believe we should adopt the resolution as it is and leave the other questions for future and more careful consideration.

Mr. SIMS. Mr. Chairman, I wish to say a few words with reference to the amendments. I agree with every word the gentleman from Missouri [Mr. DECKER] has said, but we have

passed an amendment more far-reaching than this amendment. This amendment is only a question of saving to the States the matter of taxation. I was anxious that no amendment should be offered or accepted, just like the gentleman from Missouri, but if we do not get this resolution passed your amendments will not be worth anything, and I do hope that we may have a vote in as short a time as possible.

Mr. GREEN of Iowa. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. GREEN of Iowa. I rise to speak upon the amendment.

The CHAIRMAN. All debate upon the amendment is exhausted.

Mr. GREEN of Iowa. I move to strike out the last two words.

The CHAIRMAN. The gentleman is recognized for five minutes.

Mr. GREEN of Iowa. Mr. Chairman, it is most remarkable that when we have a measure of this importance before the House, even a few words of debate are not considered proper. The gentleman who is the chairman of the committee which brought this resolution before the House is a man for whom I have the highest respect, but I am sure that he spoke very hastily when he said we ought to go ahead regardless of anything with the passage of this resolution. I am opposed to the passage of resolutions of this importance in the manner in which this has been taken up and brought before the House, and I warn the gentleman that he will have trouble with it in consequence. The hasty passage of these measures through the House has already caused difficulty and conflict. Already we have been compelled to amend the railroad bill.

We do not take enough time with these matters, and as a result we have differences as to the meaning of the acts passed and disputes as to their construction. We are having conflict now between the authorities who undertake to enforce them, to carry them out, and those affected thereby, who claim that the Government officials are acting without authority of law.

But I want to proceed with reference to this particular bill. I agree with what the gentleman from Missouri [Mr. DECKER] has said, that some of these matters ought to be left for our more mature deliberation; but the committee has already put on this resolution a provision for compensation, which is intended, I suppose, to guarantee compensation for the use of the property and not payment for the property itself. Then why not say simply that compensation shall be awarded or given for such use. As it stands this provision seems to me so indefinite that no one can tell what it means. I would like to have some gentleman state whether under the provision with reference to compensation the owner of a telephone line can not say to the Government: "If you take it, I want pay for it in full; I am going to sell it to you."

I do not know why this construction can not be put upon the provision; yet obviously that is not what is intended by the committee or the purpose of the House. Then there is the matter of inserting the provision by way of proviso. Does this mean that the lines can not be taken over until the proviso is complied with? That question is likely to arise. I do not think this ought to have been put in by way of a proviso at all. Notice also the language to be used. If taken literally, payment shall be made for supervision. What kind of an expression is that? Is the owner to pay the Government for supervising his property? One would think so from the language of the resolution, and yet we are asked to rush through a measure of this importance, worded in such a manner that it makes our action really a subject of ridicule.

Mr. JOHNSON of Washington. Will the gentleman yield for a question?

Mr. GREEN of Iowa. I will.

Mr. JOHNSON of Washington. Is it not natural to fall into such mistakes when we pass legislation only when O. K'd at the other end of the Avenue? Is not that the situation?

Mr. GREEN of Iowa. Well, the chief trouble is these measures are brought before us and demand is made that they be rushed through without debate and without ascertaining what the proper form should be.

Mr. DECKER. Will the gentleman yield?

Mr. GREEN of Iowa. I will.

Mr. DECKER. Does the gentleman have any doubt as to the conciseness of that part of the resolution that gives the grant of power to the President to take over?

Mr. GREEN of Iowa. No; I make no question about that.

Mr. DECKER. Then in the wisdom of the committee that was as far as we should go at this time, and I do not think the gentleman ought to blame the committee for not making other provisions when we did not think it was wise to enter into the making of the other provisions at this time.

Mr. GREEN of Iowa. If the gentleman will permit, the committee did go further. They put in this proviso in reference to compensation.

Mr. DECKER. That is what the Constitution says. Nobody seriously contends that that is binding, I think—well, it was just a statement—in our judgment, of course, there would be compensation.

Mr. GREEN of Iowa. When the gentleman undertakes to put the Constitution of the United States on one of these resolutions, I prefer that he use the wording of that instrument instead of something foreign to it. But why should we reenact the Constitution?

Mr. DECKER. That is the wording of the Constitution.

Mr. GREEN of Iowa. I am not opposed to the purpose of the resolution. I think there is much more reason for taking over the telephone and telegraph lines than for taking over the railroads. I can see where great economies might be effected by combining the telephone and telegraph systems with the Post Office Department, but I hope that department will be more successful in that direction than the railroad administration. If not, as a matter of economy and service, it will be a sad failure. I realize also that this act may be necessary as a war measure, and am willing to take the President's statement for that, but I would like to have time given so that the proposition could be clearly stated and that we could understand its provisions.

Mr. SIMS. Mr. Chairman, I ask for a vote.

Mr. GRIFFIN. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. All debate on this amendment is exhausted. The question is on the amendment offered by the gentleman from Virginia.

The question was taken, and the Chair announced that the ayes appeared to have it.

Mr. GRIFFIN. Division, Mr. Chairman.

Mr. GARNER. Mr. Chairman, who demands a division?

The CHAIRMAN. The gentleman from New York demands a division.

Mr. GARNER. The gentleman should arise in his place.

Mr. GRIFFIN. I rise in my place and demand a division.

The committee again divided; and there were—ayes 86, noes 16.

So the amendment was agreed to.

Mr. WALSH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 5, after the word "President," insert the words "during the continuance of the present war."

Mr. SIMS. Mr. Chairman, we accept that.

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was agreed to.

Mr. MILLER of Minnesota. Mr. Chairman, then it will be necessary to strike out the succeeding words, "in time of war."

Mr. SIMS. Strike out the words that conflict with this amendment. [Laughter.]

Mr. ANDERSON. Mr. Chairman, I offer an amendment.

Mr. MILLER of Minnesota. Mr. Chairman, I move to strike out of line 5 the words "in time of war."

The CHAIRMAN. The Clerk is ready to report an amendment offered by the gentleman from Minnesota [Mr. ANDERSON]. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 6, after the word "empowered," insert the words "whenever he shall deem it necessary for the national security or defense."

Mr. SIMS. Mr. Chairman, we accept that.

The question was taken, and the amendment was agreed to.

Mr. MILLER of Minnesota. Mr. Chairman, I renew my motion to amend line 5 by striking out the words "in time of war." That is in order to make it in harmony with the amendment adopted recently.

Mr. SIMS. Accepted.

Mr. CANNON. Mr. Chairman, let us understand it. Now, what was the amendment? Where did it come in? Why is it necessary to strike out "in time of war."

Mr. MILLER of Minnesota. The House just adopted an amendment offered by the gentleman from Massachusetts [Mr. WALSH], "during the continuance of the existing war."

Mr. CANNON. Whereabouts is that?

Mr. MILLER of Minnesota. After the word "President" in line 5. Of course, if we limited it during the existence of the war it is not necessary to have that phrase "in time of war."

Mr. WALSH. Mr. Chairman, I sent the wrong copy of my amendment to the desk.

Mr. SIMS. You want to strike out "in time of war," as the words are here in line 5, and it should be as indicated by the amendment of the gentleman from Massachusetts. The gentleman from Minnesota [Mr. MILLER] is exactly right.

The CHAIRMAN. The Clerk will report the amendment of the gentleman from Minnesota.

The Clerk read as follows:

Mr. MILLER of Minnesota moves to amend, on page 2, line 5, after the word "President" by striking out the words "in time of war."

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Minnesota.

The amendment was agreed to.

Mr. MOORE of Pennsylvania. Mr. Chairman, I desire to offer an amendment.

Mr. SIMS. Mr. Chairman, I do not know what this amendment is, but I desire to limit the time. Does the gentleman from Pennsylvania want some time on his amendment?

Mr. MOORE of Pennsylvania. I think not. It is at the suggestion of Hon. B. L. FAIRCHILD of New York.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Pennsylvania.

The Clerk read as follows:

Mr. MOORE of Pennsylvania offers the following amendment: Page 2, line 14, after the word "operation" strike out the period, insert a colon, and the following words: "*And provided*, That any official or employee of the Government who divulges the contents of any message transmitted by telegraph, telephone or cable, or receives for such transmission, to anyone not entitled thereto, shall be decmed guilty of a felony and upon conviction shall be imprisoned for a term of not less than one or more than five years, and shall be fined a sum in the discretion of the court of not more than $10,000."

Mr. SIMS. Mr. Chairman, I make a point of order against that.

Mr. MOORE of Pennsylvania. Does the gentleman insist upon the point of order?

Mr. SIMS. Upon the criminal provision for the operation, and we are not dealing with operation.

Mr. MOORE of Pennsylvania. I really wanted another body to have notice that this amendment had been offered, because it seems to be an important addition to the proposition.

Mr. SIMS. I make the point of order it is not germane to the resolution.

Mr. CANNON. Does the gentleman say this is the law now?

Mr. SIMS. It is in the trading-with-the-enemy act, I understand.

Mr. CANNON. Would that penalty in the trading-with-the-enemy act cover the giving away in time of a heated partisan campaign, where people were absolutely reckless, Republicans, or Democrats, or Socialists, or Prohibitionists, or crazy people, of information to those who would go up and pay so much for the information? Now, is there a penalty in the event of such action? Is there a penalty under existing law without this amendment?

Mr. SIMS. What I said I repeated from a Member on my left, and I myself can not answer. It is a criminal provision and is not in order, and I make the point of order it is not germane to this resolution. And the Chair has already ruled on it. Mr. Chairman, I move that the committee do now rise——

Mr. CANNON. I do not understand he has ruled on it.

The CHAIRMAN. The Chair would suggest to the gentleman from Tennessee that the amendment be adopted before the committee rises.

Mr. CANNON. What is the amendment?

Mr. SIMS. There are two amendments, one offered by the gentleman from Wisconsin [Mr. ESCH] and the other by the gentleman from Virginia [Mr. MONTAGUE].

Mr. CANNON. This is the committee amendment?

The CHAIRMAN. The question is on the committee amendment as amended.

Mr. CANNON. Mr. Chairman, I desire to be recognized on that motion. I want a very few words.

The CHAIRMAN. The gentleman from Illinois is recognized.

Mr. CANNON. Mr. Chairman, I wish it was not absolutely insisted upon that this legislation should be enacted on the eve of leaving and when there is great desire on the part of all of us to get away from here for a vacation, which seems to be important to many of us. It seems to me that the President now has power under an act approved August 20, 1917, that would render this legislation unnecessary.

Mr. COADY. Will the gentleman yield?

Mr. CANNON. Yes.

Mr. COADY. I understand that the Attorney General has ruled that the President has not the power.

Mr. CANNON. I do not know. Suppose I was to deny that he had so ruled, has the gentleman the opinion of the Attorney General?

Mr. COADY. I will say to the gentleman that it was communicated to the committee by some members of the Cabinet that he had so ruled.

Mr. CANNON. Oh, these communications to the committee by word of mouth, not official, not in writing, do not much interest me.

Mr. SIMS. I think I can suggest a fair approach to an answer to the question whether or not the President has the power contained in this resolution, that it was submitted to the Department of Justice and after a thorough investigation and study the Department of Justice reported to the President that he did not have the authority.

Mr. CANNON. Very well. Who wrote the opinion?

Mr. SIMS. As to that I do not know.

Mr. CANNON. The gentleman does not know. The gentleman is a lawyer. I think that there are as good lawyers in the House—I am not one of them—as the Attorney General or anyone else employed in that department. I would like to see the opinion, especially when we stop to consider the law. I was going to read it, and I trust I may have the time to read very briefly from the act. I read:

The President in time of war is empowered through the Secretary of War to take possession and assume control of any system or systems of transportation or any part thereof, and to utilize the same to the exclusion, as far as may be necessary, of all other traffic thereon for the transfer or transportation of troops, war material and equipment, and for such other purposes connected with the emergency as may be needful or desirable.

Now, what is it that it is proposed to regulate? The telegraph and telephone lines. They are just as much a part of transportation as the locomotive; every particle as much. You can not run a great railway system without the telephone and the telegraph. Really both are greatly used.

Now, if that be true, and this is a war measure, what is the use of this legislation? I make this point in perfect good faith. I used to try to make a living practicing law on a country circuit over 40 years ago. I never was much of a lawyer, but I had great power to gesture and yell, and I got a lot of verdicts. [Laughter.] I think it does not require much of a lawyer, when you take and read this provision that was enacted in 1916, to say that telegraphs and telephones are a part of transportation and as a war measure can be utilized.

Mr. CHARLES B. SMITH. Mr. Chairman, will the gentleman yield?

Mr. CANNON. I would be very glad to.

Mr. CHARLES B. SMITH. That would undoubtedly be true with lines connected with railroads, but would it be true of commercial lines? For instance, the Western Union and the Postal Telegraph?

Mr. CANNON. Why, the Western Union is utilized by substantially all the railroads in the country and the telephones.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. SIMS. Mr. Chairman, I ask for a vote on the substitute.

The CHAIRMAN. The question is on agreeing to the committee amendment as amended.

The question was taken; and the Chairman announced that the "ayes" seemed to have it.

Mr. CANNON. A division, Mr. Chairman.

The CHAIRMAN. A division is asked for. The question is on the adoption of the committee amendment as amended.

The committee divided; and there were—ayes 101, noes 5.

So the amendment to the amendment was agreed to.

Mr. SIMS. Mr. Chairman, I now move that the committee rise and report the resolution back to the House with the amendment, with the recommendation that the amendment be agreed to, and that the resolution as amended do pass.

The motion was agreed to.

Accordingly, the committee rose; and the Speaker having resumed the chair, Mr. JOHNSON of Kentucky, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration House joint resolution 309, had directed him to report the same back to the House with an amendment, with the recommendation that the amendment be agreed to and that the resolution as amended do pass.

Mr. BURNETT. Mr. Speaker, do not the amendments that were agreed to have to be acted upon in the House?

Mr. SIMS. We only amended the amendment.

The SPEAKER. The gentleman from Tennessee has answered the parliamentary inquiry of the gentleman.

Mr. SIMS. The previous question was ordered under the rule.

Mr. DENISON. If there is only one amendment, how can we vote on those separately?

The SPEAKER. They were merged in the perfected amendment which the committee reported.

Mr. DENISON. Is there any opportunity in the House to vote on the separate amendments that the committee adopted?

The SPEAKER. No; there is not.

Mr. DENISON. Do I understand the Speaker to say that the Committee of the Whole can adopt a series of amendments here this afternoon and not give the House an opportunity to vote on them?

The SPEAKER. The Chair's understanding of this situation is that the committee reported an amendment or substitute for the original resolution, and that amendment was perfected in the committee, and it winds up by being one amendment, and the House can either vote it up or down.

Mr. DENISON. The House has no privilege of voting on these separate amendments?

The SPEAKER. No; because they have been merged in the general amendment. The chairman of the Committee of the Whole House on the state of the Union reports that that committee, having had under consideration House joint resolution 309, had directed him to report the same back to the House with an amendment, with the recommendation that the amendment be agreed to, and that the resolution as amended do pass. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the House joint resolution as amended.

The House joint resolution as amended was ordered to be engrossed and read the third time, and was read the third time.

The SPEAKER. The question is, Shall the resolution pass?

The question was taken, and the Speaker announced that the "ayes" seemed to have it.

Mr. GARNER. A division, Mr. Speaker.

The House divided; and there were—ayes 139, noes 5.

Mr. JOHNSON of Washington. Mr. Speaker, I make a point of order that there is no quorum present.

The SPEAKER. The gentleman from Washington makes the point of order that there is no quorum present, and evidently there is not. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll. The question is on the passage of the joint resolution.

The question was taken; and there were—yeas 222, nays 4, answered "present" 1, not voting 204, as follows:

YEAS—222.

Alexander	Dupré	King	Rogers
Almon	Eagan	Kinkaid	Romjue
Anderson	Eagle	Kitchin	Rose
Aswell	Elliott	Knutson	Rouse
Ayres	Ellsworth	Kraus	Rowe
Bankhead	Esch	Langley	Sanders, La.
Barnhart	Fairchild, B. L.	Lazaro	Sanders, N. Y.
Beakes	Fairfield	Lea, Cal.	Saunders, Va.
Bell	Fess	Lesher	Scott, Mich.
Beshlin	Fields	Lever	Sherley
Blackmon	Fisher	Linthicum	Shouse
Bland, Ind.	Foster	Little	Sims
Bland, Va.	Frear	London	Sinnott
Blanton	French	Longworth	Sisson
Booher	Fuller, Ill.	Lufkin	Sloan
Bowers	Fuller, Mass.	McAndrews	Small
Brand	Gallagher	McArthur	Smith, Mich.
Brodbeck	Gallivan	McClintic	Smith, C. B.
Browne	Gandy	McKinley	Snook
Buchanan	Garner	McLemore	Stafford
Burnett	Garrett, Tenn.	Magee	Steagall
Burroughs	Garrett, Tex.	Mapes	Steele
Byrnes, S. C.	Gillett	Mays	Stephens, Miss.
Byrns, Tenn.	Glass	Meeker	Stiness
Campbell, Kans.	Good	Merritt	Strong
Candler, Miss.	Goodwin, Ark.	Miller, Minn.	Swift
Cannon	Gordon	Miller, Wash.	Taylor, Ark.
Cantrill	Graham, Ill.	Mondell	Temple
Carlin	Gray, Ala.	Montague	Thomas
Carter, Okla.	Green, Iowa	Moon	Timberlake
Cary	Greene, Vt.	Moore, Pa.	Tinkham
Classon	Griest	Morgan	Treadway
Cleary	Griffin	Mott	Venable
Coady	Hadley	Mudd	Vestal
Collier	Hamilton, Mich.	Nicholls, S. C.	Vinson
Connally, Tex.	Hamlin	Nichols, Mich.	Volstead
Connelly, Kans.	Harrison, Va.	Oldfield	Waldow
Cooper, Wis.	Hawley	Oliver, Ala.	Walker
Cox	Hayden	Oliver, N. Y.	Walsh
Crago	Heflin	Osborne	Walton
Crisp	Helm	Padgett	Wason
Crosser	Helvering	Park	Watkins
Curry, Cal.	Hersey	Parker, N. J.	Weaver
Dallinger	Hicks	Parker, N. Y.	Wheeler
Darrow	Hilliard	Platt	White, Me.
Decker	Holland	Polk	White, Ohio
Dempsey	Hollingsworth	Pratt	Wilson, Ill.
Denison	Huddleston	Quin	Wilson, La.
Dent	Hull, Tenn.	Ramseyer	Wingo
Denton	Humphreys	Randall	Winslow
Dewalt	Igoe	Rankin	Wise
Dickinson	Jacoway	Reed	Wood, Ind.
Dill	Johnson, Ky.	Robbins	Wright
Dixon	Jones	Roberts	Young, Tex.
Doremus	Keating	Robinson	
Dyer	Kennedy, Iowa	Rodenberg	

NAYS—4.

Fordney	McLaughlin, Mich.	Woods, Iowa
	Sterling, Ill.	

ANSWERED "PRESENT"—1.

Sumners

NOT VOTING—204.

Anthony	Farr	La Follette	Russell
Ashbrook	Ferris	LaGuardia	Sabath
Austin	Flood	Larsen	Sanders, Ind.
Bacharach	Flynn	Lee, Ga.	Sanford
Baer	Focht	Lehlbach	Schall
Barkley	Foss	Littlepage	Scott, Iowa
Black	Francis	Lobeck	Scott, Pa.
Borland	Freeman	Lonergan	Scully
Britten	Gard	Lundeen	Sears
Browning	Garland	Lunn	Sells
Brumbaugh	Glynn	McCormick	Shackleford
Butler	Godwin, N. C.	McCulloch	Shallenberger
Caldwell	Goodall	McFadden	Sherwood
Campbell, Pa.	Gould	McKenzie	Siegel
Caraway	Graham, Pa.	McKeown	Slayden
Carew	Gray, N. J.	McLaughlin, Pa.	Slemp
Carter, Mass.	Greene, Mass.	Madden	Smith, Idaho
Chandler, N. Y.	Gregg	Maher	Smith, T. F.
Chandler, Okla.	Hamill	Mann	Snell
Church	Hamilton, N. Y.	Mansfield	Snyder
Clark, Fla.	Hardy	Martin	Stedman
Clark, Pa.	Harrison, Miss.	Mason	Steenerson
Claypool	Haskell	Moores, Ind.	Stephens, Nebr.
Cooper, Ohio	Hastings	Morin	Sterling, Pa.
Cooper, W. Va.	Haugen	Neely	Stevenson
Copley	Hayes	Nelson	Sullivan
Costello	Heaton	Nolan	Sweet
Cramton	Heintz	Norton	Switzer
Currie, Mich.	Hensley	Olney	Tague
Dale, N. Y.	Hood	O'Shaunessy	Talbott
Dale, Vt.	Houston	Overmyer	Taylor, Colo.
Davidson	Howard	Overstreet	Templeton
Davis	Hull, Iowa	Paige	Thompson
Delaney	Husted	Peters	Tillman
Dies	Hutchinson	Phelan	Tilson
Dillon	Ireland	Porter	Towner
Dominick	James	Pou	Van Dyke
Donovan	Johnson, S. Dak.	Powers	Vare
Dooling	Johnson, Wash.	Price	Voigt
Doolittle	Juul	Purnell	Ward
Doughton	Kahn	Ragsdale	Watson, Pa.
Dowell	Kearns	Rainey, H. T.	Watson, Va.
Drane	Kehoe	Rainey, J. W.	Webb
Drukker	Kelley, Mich.	Raker	Welling
Dyer	Kelly, Pa.	Ramsey	Welty
Edmonds	Kennedy, R. I.	Rayburn	Whaley
Elston	Kettner	Reavis	Williams
Emerson	Key, Ohio	Riordan	Wilson, Tex.
Estopinal	Kiess, Pa.	Rowland	Woodyard
Evans	Kincheloe	Rubey	Young, N. Dak.
Fairchild, G. W.	Kreider	Rucker	Zihlman

So the joint resolution was passed.

The Clerk announced the following additional pairs:

Until further notice:

Mr. OLNEY with Mr. BUTLER.

Mr. SUMNERS with Mr. REAVIS.

Mr. STEVENSON with Mr. DYER.

Mr. CAREW with Mr. EMERSON.

Mr. FERRIS with Mr. CHANDLER of Oklahoma.

Mr. DALE of New York with Mr. HULL of Iowa.

Mr. BORLAND with Mr. GEORGE W. FAIRCHILD.

Mr. CHURCH with Mr. KAHN.

Mr. LOBECK with Mr. CHANDLER of New York.

Mr. DOOLING with Mr. JUUL.

Mr. HASTINGS with Mr. WILLIAMS.

Mr. FLYNN with Mr. HAUGEN.

Mr. DOUGHTON with Mr. NORTON.

Mr. SEARS with Mr. DALE of Vermont.

Mr. HARDY with Mr. GREENE of Massachusetts.

Mr. SABATH with Mr. HUTCHINSON.

Mr. TAGUE with Mr. ROWLAND.

Mr. MCKEOWN with Mr. PETERS.

Mr. STEDMAN with Mr. WARD.

Mr. PRICE with Mr. KENNEDY of Rhode Island.

Mr. LUNN with Mr. PORTER.

Mr. THOMAS F. SMITH with Mr. SELLS.

Mr. HARRISON of Mississippi with Mr. COSTELLO.

On this vote:

Mr. CRAMTON (for) with Mr. GOULD (against).

Mr. ASHBROOK (for) with Mr. JOHNSON of Washington (against).

Mr. EAGAN. Mr. Speaker, my colleague [Mr. SCULLY] is unavoidably absent to-day. He has wired me to say that if he were present he would vote "yea."

Mr. KEATING. On behalf of the gentleman from West Virginia [Mr. NEELY], I wish to announce that if he were here he would vote "yea." He requests me to make that announcement.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will unlock the doors. The joint resolution is passed.

Mr. SIMS. Mr. Speaker, I ask that the title be amended.

The SPEAKER. Without objection, the title will be amended in accordance with the text.

There was no objection.

On motion of Mr. SIMS, a motion to reconsider the vote whereby the resolution was passed was laid on the table.

GENERAL DEFICIENCY APPROPRIATION BILL.

Mr. SHERLEY, chairman of the Committee on Appropriations, presented a conference report on the bill (H. R. 12600) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes, for printing under the rule.

ARMY APPROPRIATION BILL.

Mr. DENT, chairman of the Committee on Military Affairs, presented a conference report on the bill (H. R. 12281) making appropriations for the support of the Army for the fiscal year ending June 30, 1919, for printing under the rule.

EXTENSION OF REMARKS.

Mr. BURNETT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a speech which I made yesterday on the question of the new naturalization laws.

The SPEAKER. The gentleman from Alabama asks unanimous consent to extend his remarks in the RECORD. Is there objection.

There was no objection.

Mr. WALDOW. Mr. Speaker, I desire to extend my remarks in the RECORD on the various appropriation bills.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. SMALL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the telegraph and telephone resolution just passed.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BOWERS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on Government ownership and Government control.

The SPEAKER. The gentleman from West Virginia asks unanimous consent to extend his remarks in the RECORD. Is there objection.?

There was no objection.

Mr. BROWNE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on future revenue bills.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. CARY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the telegraph and telephone resolution.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

AMENDMENT OF FEDERAL RESERVE ACT.

Mr. GLASS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 11283, disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read as follows:

H. R. 11283. An act to amend and reenact sections 4, 11, 16, 19, and 22 of the act approved December 23, 1913, and known as the Federal reserve act, and sections 5208 and 5209, Revised Statutes.

Mr. STAFFORD. Can the gentleman inform the House whether the amendments adopted are to the provisions that were passed here or are they on different subjects?

Mr. GLASS. They are elimination of several provisions of the bill passed by the House.

Mr. STAFFORD. And do not enlarge the provisions as passed by the House?

Mr. GLASS. No.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The SPEAKER appointed as conferees on the part of the House Mr. GLASS, Mr. PHELAN, and Mr. HAYES.

EXTENSION OF REMARKS.

Mr. HILLIARD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the telephone and telegraph resolution.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 11247. An act providing for the protection of the uniform of friendly nations, and for other purposes; and

H. R. 12541. An act making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

HOUR OF MEETING TO-MORROW.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. STAFFORD. Reserving the right to object, is that with the idea that Congress will take a recess by to-morrow night?

Mr. KITCHIN. We want to get clear of the conference reports on the Agricultural bill and on the Army bill, and then, if there is nothing else, we will take a recess.

Mr. STAFFORD. Does the gentleman intend to offer a resolution to-morrow providing for a recess?

Mr. KITCHIN. I hope after a vote on the wheat amendment, in the Agricultural bill, and the disposition of the conference report on the Army bill, to offer a concurrent resolution to take a recess until August 12.

Mr. WALSH. Will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. WALSH. Will we not have to wait until the telephone and telegraph bill is passed by the Senate and sent to conference?

Mr. KITCHIN. I understand not.

Mr. WALSH. We were told that we must pass it as quickly as possible.

Mr. KITCHIN. The gentleman should not have so much credulity and not believe everything that is told him.

Mr. WALSH. I will say that we have to have a lot of it if we take the statements on that side of the House.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina that when the House adjourns it adjourn to meet at 11 a. m. to-morrow? [After a pause.] The Chair hears none.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 57 minutes p. m.) the House, under its previous order, adjourned until to-morrow, Saturday, July 6, 1918, at 11 o'clock a. m.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. GANDY, from the Committee on Indian Affairs, to which was referred the bill (H. R. 12082) authorizing the sale of certain lands in South Dakota for cemetery purposes, reported the same without amendment, accompanied by a report (No. 742), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. NEELY, from the Committee on the Judiciary, to which was referred the bill (S. 1836) to provide for the appointment of a district judge in the middle judicial district of the State of Tennessee, and for other purposes, reported the same without amendment, accompanied by a report (No. 745), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII.

Mr. ASHBROOK, from the Committee on Invalid Pensions, to which was referred the bill (S. 4722) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War, and certain widows and dependent relatives of such soldiers and sailors, reported the same with amendment, accompanied by a report (No. 744), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SWIFT: A bill (H. R. 12666) allowing transportation to soldiers, sailors, and nurses granted leave of absence; to the Committee on Interstate and Foreign Commerce.

By Mr. HOLLAND: A bill (H. R. 12667) permitting suits against the United States for damages caused by vessels owned or operated by the United States or by corporations controlled by it; to the Committee on the Judiciary.

By Mr. GOULD: A bill (H. R. 12676) authorizing the issue of rations of candy and chewing gum to the enlisted men of the American Expeditionary Forces; to the Committee on Military Affairs.

Also, a bill (H. R. 12677) authorizing the issue of rations of candy and chewing gum to the enlisted men of the United States Navy on sea duty; to the Committee on Naval Affairs.

By Mr. SIMS: Resolution (H. Res. 413) providing for the consideration of H. J. Res. 309, entitled "Joint resolution to authorize the President in time of war to supervise or take possession and assume control of any telegraph, telephone, marine cable, or radio system or systems or any part thereof, and to operate the same in such manner as may be needful or desirable for the duration of the war, and to provide just compensation therefor;" to the Committee on Rules.

By Mr. KEATING: Resolution (H. Res. 415) providing for the consideration of S. 4444; to the Committee on Rules.

By Mr. DENTON: Resolution (H. Res. 416) to pay extra compensation to W. Ray Loomis; to the Committee on Accounts.

By Mr. DUPRÉ. Joint resolution (H. J. Res. 312) admitting into the United States 177 cases of brandy ordered by Paul Gelpi & Sons, of New Orleans, before the passage of the food-control act prohibiting the importation of distilled spirits, the delivery of which was delayed on account of war conditions until after that act went into effect; to the Committee on Ways and Means.

Also, memorial from the Legislature of the State of Louisiana, urging Congress to promote the development and expansion of the Department of Commerce and to make adequate appropriations for this department in fostering and upbuilding the foreign trade and commerce of the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. CLARK of Missouri: Memorial from the Legislature of the State of Louisiana, urging Congress to promote the development and expansion of the Department of Commerce and to make adequate appropriations for the department in fostering and upbuilding the foreign trade and commerce of the United States; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 12668) granting an increase of pension to George W. West; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12669) granting a pension to Hobert F. Groh; to the Committee on Pensions.

Also, a bill (H. R. 12670) granting an increase of pension to Robert Sutor; to the Committee on Invalid Pensions.

By Mr. BLAND of Indiana: A bill (H. R. 12671) granting an increase of pension to James E. Yeager; to the Committee on Pensions.

By Mr. CARTER of Massachusetts: A bill (H. R. 12672) for the relief of G. Abbott Rogers; to the Committee on Claims.

By Mr. JOHNSON of Washington: A bill (H. R. 12673) granting an increase of pension to John P. Bennett; to the Committee on Invalid Pensions.

By Mr. KRAUS: A bill (H. R. 12674) granting a pension to Christopher C. Ogden; to the Committee on Pensions.

By Mr. SHERWOOD: A bill (H. R. 12675) granting an increase of pension to Frederick W. Duden; to the Committee on Pensions.

By Mr. FIELDS: A bill (H. R. 12678) granting an increase of pension to McDonald Wells; to the Committee on Pensions.

Also, a bill (H. R. 12679) granting an increase of pension to John T. Vanlandingham; to the Committee on Invalid Pensions.

By Mr. GRAHAM of Illinois: A bill (H. R. 12680) granting an increase of pension to Andrew J. Leonard; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BROWNING: Petition of citizens of Thorofare, N. J., urging nation-wide prohibition during the period of the war; to the Committee on the Judiciary.

By Mr. CARTER of Massachusetts: Petition of the Oak Square Methodist Episcopal Church, Boston, Mass., favoring national prohibition for the period of the war; to the Committee on the Judiciary.

By Mr. COOPER of Wisconsin: Petition of residents of Mukwonago, Wis., asking Congress to enact a war-time prohibition measure; to the Committee on the Judiciary.

By Mr. ESCH: Memorial of Ole Bull District Lodge, No. 5, Sons of Norway, affirming their loyalty to the Government in the present crisis, their devotion to the principles for which we are fighting, and pledging every effort to bring the war to a successful termination; to the Committee on Military Affairs.

Also, resolution of the churches of Baraboo, Wis., and petition of sundry citizens of Alma Center and Marillon, Wis., favoring prohibition as a war measure; to the Committee on the Judiciary.

By Mr. FULLER of Illinois: Memorial of the Illinois Pharmaceutical Association, favoring the Edmonds bill (H. R. 5531), creating a pharmaceutical corps in the Army; to the Committee on Military Affairs.

Also, petition of Rev. C. W. Ferguson and 15 members of the First Baptist Church of Kingston, Ill., for immediate prohibition of the sale of intoxicating liquors; to the Committee on the Judiciary.

By Mr. GRIEST: Memorial of the Woman's Christian Temperance Union organizations at New Holland and Lancaster, and petitions of the United Brethren Sunday School of Ronks, of Rev. E. S. Crosland and Rev. J. G. Harper, both of Lititz, of Rev. F. A. Tyson, of New Holland, and of the Presbyterian Sunday School of Cedar Grove, all of the State of Pennsylvania, urging immediate war prohibition; to the Committee on the Judiciary.

Also, petition of 44 citizens of Lancaster County, Pa., favoring an amendment to the Constitution providing for national acknowledgment of Almighty God, of Jesus Christ, and of the Bible; to the Committee on the Judiciary.

Also, petition of the Mellon National Bank, of Pittsburgh, Pa., protesting against the proposed prohibitory amendment to the agricultural appropriation bill; to the Committee on Agriculture.

By Mr. LONERGAN: Resolutions of the employees of the Housatonic Shipyard, Stratford, Conn., opposing prohibition legislation; to the Committee on the Judiciary.

By Mr. MERRITT: Petition of the Congregational Church of Stratford, Conn., urging the enactment of legislation providing for wartime prohibition; to the Committee on the Judiciary.

By Mr. MOORE of Pennsylvania: Resolution of 2,000 Lithuanians of Philadelphia extending to the United States assurances of the allegiance and loyal support; to the Committee on Military Affairs.

By Mr. SNELL: Petition of Baptists of Plattsburg, N. Y., urging passage of war prohibition; to the Committee on the Judiciary.

Also, petition of Methodist Episcopal Sunday School of Brasher Falls, N. Y., favoring war prohibition; to the Committee on the Judiciary.

By Mr. SNYDER: Petition of various residents of the thirty-third New York district favoring war prohibition; to the Committee on the Judiciary.

By Mr. WARD: Petition signed by Mrs. M. W. Putnam and other members of Woman's Christian Temperance Union of Cobleskill, N. Y., urging enactment of prohibition legislation; to the Committee on the Judiciary.

Also, petition of members of Woman's Christian Temperance Union of Summit, N. Y., urging enactment of prohibition legislation; to the Committee on the Judiciary.

Also, petition of members of Flatbush Reformed Church, Flatbush, Ulster County, N. Y., urging enactment of prohibition legislation; to the Committee on the Judiciary.

Also, resolution adopted by Ulster County Pomona Grange, Ulster Park, N. Y., urging enactment of prohibition legislation; to the Committee on the Judiciary.

By Mr. WARD: Petition of members of the Marbletown Reformed Church, of Stone Ridge, N. Y., favoring passage of prohibition measure; to the Committee on the Judiciary.

Also, petition of members of Greenville Presbyterian Church, Greenville, Greene County, N. Y., urging enactment of prohibition measure; to the Committee on the Judiciary.

Also, petition of members of Woman's Christian Temperance Union of Cobleskill, N. Y., urging passage of prohibition measure; to the Committee on the Judiciary.

Also, petition of members of First Reformed Church of Coxsackie, N. Y., urging passage of prohibition measure; to the Committee on the Judiciary.

Also, petition of members of Friends Church, Tillson, N. Y., favoring passage of prohibition measure; also petition of the same import by citizens of Howe Cave, N. Y.; to the Committee on the Judiciary.

Also, petition of members of Ulster County Sunday School Association, urging enactment of prohibition legislation; to the Committee on the Judiciary.

SENATE.

SATURDAY, *July 6, 1918.*

(Legislative day of Friday, July 5, 1918.)

The Senate met at 11 o'clock a. m.

Mr. LEWIS. Mr. President, I wish at this time to make the suggestion of the absence of a quorum.

The PRESIDENT pro tempore. The Senator from Illinois suggests the absence of a quorum, and the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Beckham	Johnson, Cal.	Myers	Sheppard
Chamberlain	Johnson, S. Dak.	New	Smith, Ga.
Curtis	Jones, Wash.	Overman	Smoot
Fernald	Kellogg	Penrose	Sutherland
Fletcher	King	Pittman	
Hale	Lewis	Pomerene	
Henderson	Martin	Saulsbury	

Mr. SUTHERLAND. I wish to announce that my colleague, the senior Senator from West Virginia [Mr. GOFF], is absent on account of illness.

The PRESIDENT pro tempore. Twenty-five Senators have answered to their names. The Secretary will call the names of the absent Senators.

The Secretary called the names of the absent Senators, and Mr. DILLINGHAM, Mr. MCCUMBER, Mr. POINDEXTER, Mr. REED, Mr. SHAFROTH, Mr. SHERMAN, Mr. SIMMONS, Mr. SWANSON, Mr. THOMPSON, Mr. TRAMMELL, Mr. VARDAMAN, and Mr. WILLIAMS answered to their names when called.

Mr. STERLING, Mr. UNDERWOOD, Mr. NUGENT, Mr. FRANCE, Mr. SHIELDS, and Mr. BRANDEGEE entered the Chamber and answered to their names.

Mr. JONES of Washington. I desire to announce that the junior Senator from Michigan [Mr. TOWNSEND] is absent on account of illness in his family. I will allow this announcement to stand for the rest of the day.

Mr. GUION, Mr. NORRIS, Mr. LENROOT, Mr. RANSDELL, Mr. HARDING, and Mr. CUMMINS entered the Chamber and answered to their names.

The PRESIDENT pro tempore. Forty-nine Senators have answered to their names. There is a quorum present.

STATE, WAR, AND NAVY BUILDING.

The PRESIDENT pro tempore laid before the Senate a communication from the Assistant Secretary of War, transmitting, by direction of the President and in response to a resolution of the 1st instant, copies of the reports made by the Board of Fire Underwriters, dated respectively May 8 and May 22, 1918, on the condition of the State, War, and Navy Building, which, with the accompanying papers, was referred to the Committee on Printing.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the House disagrees to the amendments of the Senate to the bill (H. R. 11283) to amend and reenact sections 4, 11, 16, 19, and 22 of the act approved December 23, 1913, and known as the Federal reserve act, and sections 5208 and 5209, Revised Statutes, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. GLASS, Mr. PHELAN, and Mr. HAYES managers at the conference on the part of the House.

The message also announced that the House had passed a joint resolution (H. J. Res. 309) to authorize the President, in time of war, to supervise or take possession and assume control of any telegraph, telephone, marine cable, or radio system or systems or any part thereof, and to operate the same in such manner as may be needful or desirable for the duration of the war, and to provide just compensation therefor, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the President pro tempore:

S. 3929. An act for the construction of a private conduit across Michigan Avenue NE., in the District of Columbia;

H. R. 10021. An act granting the consent of Congress to the county commissioners of Trumbull County, Ohio, to construct, operate, and maintain a bridge and approaches thereto across the Mahoning River, in the State of Ohio;

H. R. 10069. An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes; and

H. R. 12580. An act to authorize an additional issue of bonds to meet expenditures for the national security and defense, and, for the purpose of assisting in the prosecution of the war, to extend additional credit to foreign Governments, and for other purposes.

NATIONAL PROHIBITION.

Mr. WARREN presented resolutions adopted by sundry citizens of the State of Wyoming, favoring the enactment of further prohibition legislation as a war measure, which were ordered to lie on the table.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HARDING:

A bill (S. 4799) granting a pension to Charles Schlaburg; to the Committee on Pensions.

By Mr. PITTMAN:

A bill (S. 4800) granting an increase of pension to Mary H. Kennedy; to the Committee on Pensions.

By Mr. POINDEXTER:

A bill (S. 4801) granting an increase of pension to William H. Merritt;

A bill (S. 4802) granting a pension to William O'Rourke;

A bill (S. 4803) granting a pension to Quirien Reisser (with accompanying papers); and

A bill (S. 4804) granting a pension to Clara Buckland (with accompanying papers); to the Committee on Pensions.

By Mr. SHIELDS:

A bill (S. 4805) to authorize the President of the United States to appoint Calvin M. Smith a captain in the Infantry of the United States Army (with accompanying papers); to the Committee on Military Affairs.

By Mr. FERNALD:

A bill (S. 4807) granting a pension to Perlie I. Haskell (with accompanying papers);

A bill (S. 4808) granting a pension to Riley Wiggin (with accompanying papers);

A bill (S. 4809) granting a pension to Henry M. Chase (with accompanying papers); and

A bill (S. 4810) granting a pension to Charles A. Rice (with accompanying papers); to the Committee on Pensions.

By Mr. LEWIS (by request):

A bill (S. 4811) providing for relative rank for and conferring certain authority upon members of the Army Nurse Corps in and about military hospitals, and for other purposes; to the Committee on Military Affairs.

COMMITTEE SERVICE.

On motion of Mr. MARTIN, and by unanimous consent, it was

Ordered, That Senator SWANSON be assigned to the chairmanship of the Committee on Naval Affairs, and that he, on his own request, be relieved from further service as chairman (but not from membership) of the Committee on Public Buildings and Grounds.

FUNERAL EXPENSES OF THE LATE SENATOR TILLMAN.

Mr. SWANSON (for Mr. SMITH of South Carolina) submitted the following resolution (S. Res. 278), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay from the miscellaneous items of the contingent fund of the Senate, the actual and necessary expenses incurred by the committee appointed by the Vice President in arranging for and attending the funeral of the Hon. BENJAMIN R. TILLMAN, late a Senator from the State of South Carolina, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

AMENDMENT OF FEDERAL RESERVE ACT.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 11283) to amend and reenact sections 4, 11, 16, 19, and 22 of the act approved December 23, 1913, and known as the Federal reserve act, and sections

5208 and 5209, Revised Statutes; and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. SHAFROTH. I move that the Senate insist upon its amendment and agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the President pro tempore appointed Mr. OWEN, Mr. HITCHCOCK, and Mr. MCLEAN conferees on the part of the Senate.

HOUSE JOINT RESOLUTION REFERRED.

H. J. Res. 309. Joint resolution to authorize the President, in time of war, to supervise or take possession and assume control of any telegraph, telephone, marine cable, or radio system or systems or any part thereof, and to operate the same in such manner as may be needful or desirable for the duration of the war, and to provide just compensation therefor, was read twice by its title and referred to the Committee on Interstate Commerce.

INVESTIGATION OF LIGNITE COALS.

Mr. FLETCHER. I ask that the unfinished business may be proceeded with.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3220) authorizing the Secretary of the Interior to make investigations, through the Bureau of Mines, of lignite coals, to determine the practicability of their utilization as a fuel and in producing commercial products.

The PRESIDENT pro tempore. The pending question is on the amendment of the Senator from Florida [Mr. FLETCHER].

Mr. FLETCHER. The pending amendment is the amendment offered by me to increase the appropriation from $100,000 to $150,000.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill authorizing the Secretary of the Interior to make investigations, through the Bureau of Mines, of lignite coals and peat to determine the practicability of their utilization as a fuel and in producing commercial products."

CHARTER RATES AND FREIGHT RATES.

Mr. FLETCHER. Mr. President, there are two bills on the calendar reported by the Committee on Commerce which are quite important. They were reported unanimously by the Committee on the Merchant Marine and Fisheries of the House and passed the House and came to the Senate. There are one or two minor amendments to those bills. I refer to the bill (H. R. 12099) to confer on the President power to prescribe charter rates and freight rates and to requisition vessels, and for other purposes, and the bill (H. R. 12100) to amend the act approved September 7, 1916, entitled "An act to establish a United States Shipping Board for the purpose of encouraging, developing, and creating a naval auxiliary and naval reserve and a merchant marine to meet the requirements of the commerce of the United States with its Territories and possessions and with foreign countries; to regulate carriers by water in the foreign and interstate commerce of the United States, and for other purposes."

These two bills are very much urged by the Shipping Board, and I think they are of very considerable importance, and it is very desirable that they should be acted upon before the recess. I do not believe it will take much time.

Mr. SMOOT. Will the Senator state the calendar numbers?

Mr. FLETCHER. The first is Order of Business 486, House bill 12099. It is unanimously reported by the committee of the House and acted on by the Commerce Committee here and reported. The bill is designed to confer on the President the full powers necessary to enable him to control shipping for war purposes. It furnishes the legislation which, in the judgment of the committee, is necessary to make certain, first, that the depleted tonnage controlled by the United States is able to make its fullest and most effective contribution toward winning the war; and, second, that it will make this contribution at fair and reasonable rates, without that profiteering which has unfortunately characterized some aspects of the shipping business, both before and since the United States entered the war.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. SMOOT. Let the bill be read first.

The PRESIDENT pro tempore. It will be read.

The Secretary read the bill.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. REED. Mr. President, before it is agreed that the bill shall be considered by unanimous consent, I desire to make an inquiry of the chairman of the Committee on Commerce. Is it the purpose to have this bill passed this morning?

Mr. FLETCHER. That is the purpose.

Mr. REED. Is there any reason why the bill can not lie over until after the recess?

Mr. FLETCHER. The only reason for its passage at this time is that the Shipping Board has been urging the legislation for some time. The bill has been before the committees of both Houses and has been thoroughly considered by them. It seems to be quite important that this authority to the President with regard to extending the requisitioning power and also with regard to the fixing of rates should be immediately granted. The lack of such power is creating some embarrassment.

Mr. REED. Is the bill reported with amendments?

Mr. FLETCHER. It is reported with only three slight amendments, which I am sure will not be disagreed to by the other House.

Mr. REED. Does the Senator think he can get the bill through to-day?

Mr. FLETCHER. I think so. I am quite sure the other House will be willing to agree to the amendments, which provide for extending the time for the operation of the proposed act to 18 monthhs after the war. That is necessary, because it is perfectly plain that at the close of the war we may have millions of men in Europe and that we can not get them out in six months. It would be impossible to do it. That is the reason why the committee thought the time ought to be extended to 18 months.

Mr. REED. I am not going to object to the consideration of the bill, but I think it very unfortunate that it should be brought up at this time, when it can have no consideration upon the floor. While I am a member of the committee, and it may be said I ought to have been present when it was considered, yet I have been serving on other committees continuously, and I can not be in two places at the same time. That is my excuse for unfamiliarity with the bill, but just as I glance through the bill hastily I find section 16, which, as is usual these days, provides nothing but the penitentiary for any man who does not absolutely comply with a rule or a regulation.

We have been passing bill after bill relating to matters which are not in their nature criminal at all, and we have been providing that any violation of a measure which is purely a civil regulation shall be punished by imprisonment in the penitentiary. It is very unwise legislation; it is hysterical legislation; and some of it, I unhesitatingly say, is idiotic legislation.

I find a clause of this kind in the bill, and yet the committee has written an amendment to the bill providing that if any clause in the bill is found to be unconstitutional the rest of the bill shall not be rendered void by reason of the unconstitutionality of that part of the act which is condemned.

Mr. FLETCHER. That is not a committee amendment.

Mr. REED. That is in the original bill. It was put in there by the man who drafted the bill, by somebody in the Department of Justice, who knew that he was sheering the edge of the Constitution so closely that he was very likely to be in unconstitutional territory. A bill of that doubtful character is brought forward, and citizens of a free Republic are told that if they dare even to test out any of its provisions they shall do so only by jeopardizing their liberty and possibly by getting themselves into the penitentiary. It is the kind of provision that you ought to expect to find in the regulations of despotism, but not in the laws of a free country. Similar provisions, however, have repeatedly been put into the legislation we have been passing. I want at least the privilege of protesting against this character of legislation. How far it will go in its construction no man can tell.

I picked up a paper this morning and found a paragraph which, if I can lay my hands on it, I will read:

CAR THEFTS SABOTAGE—THIEVES FACE 30 YEARS IN PRISON NOW, ADMINISTRATION ANNOUNCES.

In its nation-wide campaign to put an end to thefts from railroad cars the Railroad Administration property-protection section is determined to invoke the new sabotage law with its drastic penalties. Arrests were made at Boston Saturday in connection with the theft of material. The district attorney there has been asked to have these men indicted under the new law, which provides a penalty of 30 years imprisonment.

That is from the Washington Post of July 3.

Mr. President, when we adopted the law providing penalties for sabotage there was not a man in this Congress, there was not a lawyer upon a committee, who had the slightest idea that it would be employed for the purpose of punishing a petty-larceny thief who stole a watermelon from a freight car. Nobody dreamed of that; but you can trust any of the gentlemen charged with the enforcement of a law to find new uses

and purposes for the law; you can trust anybody connected with the executive department searching for some means to carry out their will and purpose to find the most drastic provisions of the law and apply them.

Of course a petty-larceny thief ought to be punished for stealing, but he ought to be punished according to the ordinary law of the land. If he is a small offender, he ought not to be sent to the penitentiary for 30 years. The stealing from freight cars is no worse than it has always been. There has always been a condition where people will filch from a freight car. There have always been a lot of old women who go out and pick up coal along the tracks. There has been an occasional fellow, of whatever complexion, who, seeing a carload of watermelons, will roll one off down into the ditch and get away with it; but, of course, some little district attorney would like to add a large-sized scalp to his belt and say, "I sent another man to the penitentiary for 30 years." Now, it is our business to go a little carefully with these things.

I want to call attention to section 16:

That whoever does or attempts to do anything in this act declared to be unlawful—

Now, notice—

or willfully violates any rule, regulation, or order issued under authority conferred herein, shall be punished by a fine of not more than $5,000 or by imprisonment for not more than two years, or both.

Who is going to administer this law? The President? No. The President not only will not administer it, but he can not, in the very nature of things, know very much about its administration. He will have to find somebody to administer it. He may desire to turn it over to Dr. Garfield. Now, just think of sending a man to the penitentiary for two years for not obeying a rule or order of Dr. Garfield's! He may find somebody worse than Dr. Garfield. Entertaining, as I do, the very highest opinion of Dr. Garfield, I think it quite possible that he can not find his equal anywhere. I am not willing to send any man to the penitentiary for failing to obey a rule that any man has made. I am only willing to send to the penitentiary men who violate the law of the land and not the rules and regulations of individuals.

If this bill comes on for consideration, I am going to insist upon modifying section 16; but I will not object to its coming on for consideration.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce, with amendments.

Mr. SMOOT. Mr. President, I suppose the Senator having the bill in charge will admit that the powers conferred under the bill are as broad and extensive as language can grant. I listened to what the Senator had to say in relation to the amendment extending the time from six months, as provided for in the House bill, to 18 months, as provided by the Senate amendment; and the Senator gave as a reason why the time should be extended that at the close of the war it will be a physical impossibility to get our men and supplies transported from France to the United States within six months.

Mr. President, that is nothing more nor less than an invitation to England and to France to refuse assistance to the United States in transporting her troops and supplies now in France to the United States after the close of the war. If ships of the United States are to transport all of our Army and supplies from France to America after the close of the war it simply means that the English ships and the ships of our other allies will be free to engage in the commerce of the world and secure control of commerce because of shipping facilities while our boats are engaged in transporting the American troops from France to the United States. Think of the advantage it will be to foreign countries by having 18 months with little competition in which to secure trade relations with all parts of the world, and control the carrying trade from those countries.

Mr. President, I believe we ought to have an understanding that as England and France have assisted the United States in the transportation of our troops and supplies to France, so at the close of the war they ought to assist the United States in returning them to America. I think the House was right in limiting this power to six months after the close of the war, and that it should not be extended to 18 months; and I have enough faith in our allies to believe that if they are asked to assist in the transportation of our troops back to the shores of America at the close of the war, they will do so, and then we can all start upon an equal basis as to the control of the commerce of the world.

Mr. FLETCHER. Mr. President, the Senator will note that this is only a provision that if, in the judgment of the President, the tonnage shortage at such time is so severe that national interests of the United States are jeopardized, he may, by proclamation, extend it to 18 months. Now, if that power is extended to 18 months, surely we are in no worse fix than we would be if it were limited to six months. If it is not needed the President will not authorize it. We can safely count on such assistance as we can get, of course, from those associated with us; but suppose they are unable to do the things that are necessary to be done? Then we have the power to extend all the authority given here for a little longer time.

Mr. SMOOT. What the Senator says would be all right if we had the power to control the ships of England and the ships of France and our other allies, but we have not; and therefore what I have said will no doubt happen. I believe that if we limited the period to six months the President of the United States could say to France and England and our other allies: "You must assist us in the transportation of our troops from France to America, for they must be transferred within the shortest possible time, as the power granted me to control the American ships lapses at the end of that period."

Mr. FLETCHER. I have no doubt that will be done, but suppose they did not. We do not want to be helpless in that situation.

Mr. SMOOT. Mr. President, I do not think we are going to be helpless as far as shipping is concerned, for we are building millions of tons of shipping, and if England, France, and Italy refuse, I believe that the shipping interests of our country will be large enough and our private shipowners loyal enough to see that our soldiers are not left on foreign soil for 18 months after the close of the war. We want them here in six months, or less time if possible, and I believe it can be done; and I think every action of Congress should be to that end, and have it understood that at the close of the war our soldiers will be back on American soil within six months at least, and not give an intimation that it will require 18 months. Do not send word to our soldiers that many of them will be required to remain abroad for 18 months after the war is over.

Mr. POMERENE. Mr. President, would the Senator take from the President or the administrative branch of the Government the right to regulate ocean rates after the war?

Mr. SMOOT. I certainly would take that power from the President six months after the close of the war, and let competition rule, as it always has ruled, in ocean rates.

Mr. POMERENE. And rule as it has during the last two or three years, when they have been charging eleven or twelve hundred per cent of the regular rates?

Mr. SMOOT. The Senator knows why ocean rates have been so increased during the years mentioned by him. War risks and demand were the causes.

Mr. POMERENE. I know that we have suffered from nothing so much as we have from those rates.

Mr. SMOOT. That is not the question under discussion.

Mr. POMERENE. That is one of them.

Mr. SMOOT. Nobody is objecting to the regulation of the rates while the war is on. That is not involved in any question raised in opposition to the measure.

Mr. FLETCHER. Those are some of the powers that are granted in this bill, that are extended if the President finds it necessary to extend them.

Mr. SMOOT. The whole of them may be extended for 18 months if the Senate amendment is adopted. I will say there is no necessity for it, and I think the amendment is an unwise one, and the House provision ought to stand. I sincerely trust that the Senator from Missouri will offer his suggested amendment to section 16, for I think it is unwise and ought to be amended.

Mr. POMERENE. Mr. President, if I may ask for information, since this question has been discussed by the Senator from Utah, my memory is that by other legislation the Shipping Board was given the power to control rate fixing. Is that true?

Mr. FLETCHER. Only as to coastwise business. This is the trans-Atlantic over-sea business.

Mr. SMOOT. The Senator from Florida is correct in saying that the authorization to the Shipping Board under existing law is confined to coastwise trade alone. This goes further than that. This grants to the President the power to control all shipping that may enter the United States or go from the United States.

Mr. POMERENE. Mr. President, so far as these war powers are concerned, I want to make my position on the subject perfectly clear. I do not like to see this continue too long after the war; but, at the same time, in my judgment this Government

ought to control these trans-Atlantic rates, so far, at least, as the charges by our own vessels are concerned.

Mr. SMOOT. After the war those rates will be controlled by competition with ships from other countries; and I take it for granted that the Senator from Ohio will admit that before the breaking out of the war the ocean rates were exceedingly low. I might add that they were so low that we had hardly any shipping upon the ocean, because we could not meet the competition of foreign countries.

Mr. POMERENE. That is, they were low to foreigners and higher so far as our commerce was concerned; and we were constantly suffering from that fact.

Mr. SMOOT. I think the rates to the United States were so low that it was impossible for Americans to operate ships for American foreign commerce. That is understood, and that is why we had no merchant marine before the breaking out of the war.

Mr. FLETCHER. I want to say that there was not a ship line that was not making over 30 per cent on the capital invested. They were making plenty of money.

Mr. SMOOT. Does the Senator say there was not a ship line that was not making 30 per cent before the declaration of war?

Mr. FLETCHER. Before the war there was not one of them that was not making 30 per cent and over.

Mr. SMOOT. Before the declaration of war between England and Germany?

Mr. FLETCHER. Yes.

Mr. SMOOT. I think the Senator is utterly mistaken there. I do not think there is a doubt about that. I take it for granted that the Senator means American lines as well.

Mr. FLETCHER. Whatever we had.

Mr. SMOOT. I will admit that we did not have any to speak of, but those that we did have did not make 30 per cent.

That is all I desire to say about the bill. With those amendments, if they could be made, I see no reason why the bill should not pass, although I want to say to the Senator from Ohio that the President will not exercise the powers granted in this bill. They will be conferred upon some individual, and that individual will regulate the rates, and if this bill passes as it now stands, he will have the power to make rules and regulations that may be burdensome upon those engaged in shipping; and remember that under section 16 of this bill, if a rule or a regulation is violated, the person who violates it can be sent to the penitentiary for two years and fined the sum of $5,000.

TELEGRAPH AND TELEPHONE CONTROL.

Mr. OVERMAN. Mr. President, I dislike to interrupt the proceedings, but what I am about to say is along this line:

I find that in 1866 Congress passed a bill authorizing the Government to take over the telegraph lines, and I find, in reading the treaties by James B. Wright involving the construction of this act, that section 3 of the act itself authorized the Government, at any time after five years from the construction of these telegraph lines, to take them over. In order that it may be understood and that each Senator may have a copy of the act, because it is going to be very important, I ask that the act itself may be printed as a part of my remarks.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

The act referred to is as follows:

An act to aid the construction of telegraph lines and to secure to the Government the use of the same for postal, military, and other purposes.

"*Be it enacted, etc.*, That any telegraph company now organized, or which may hereafter be organized, under the laws of any State in this Union shall have the right to construct, maintain, and operate lines of telegraph through and over any portion of the public domain of the United States and along any of the military or post roads of the United States which have been or may hereafter be declared such by act of Congress, and over, under, or across the navigable streams or waters of the United States: *Provided*, That such lines of telegraph shall be so constructed and maintained as not to obstruct the navigation of such streams and waters or interfere with the ordinary travel on such military or post roads (railroads). And any of such companies shall have the right to take and use from such public lands the necessary stone, timber, and other materials for its posts, piers, stations, and other needful uses in the construction, maintenance, and operation of said lines of telegraph, and may preempt and use such portion of the unoccupied public lands subject to preemption through which its said lines of telegraph may be located as may be necessary for its stations, not exceeding 40 acres for each station, but such stations shall not be within 15 miles of each other.

"SEC. 2. *And be it further enacted*, That telegraph communications between the several departments of the Government of the United States and their officers and agents shall, in their transmission over the lines of any of said companies, have priority over all other business and shall be sent at rates to be annually fixed by the Postmaster General.

"SEC. 3. *And be it further enacted*, That the rights and privileges hereby granted shall not be transferred by any company acting under this act to any other corporation, association, or person: *Provided, however*, That the United States may at any time after the expiration of five years from the date of the passage of this act, for postal, military, or other purposes, purchase all the telegraph lines, property, and effects of any or all of said companies at any appraised value, to be ascertained by five competent, disinterested persons, two of whom shall be selected by the Postmaster General of the United States, two by the company interested, and one by the four so previously selected.

"SEC. 4. *And be it further enacted*, That before any telegraph company shall exercise any of the powers or privileges conferred by this act such company shall file their written acceptance with the Postmaster General of the restrictions and obligations required by this act.

"Approved, July 24, 1866."

Mr. LEWIS. Mr. President, being wholly in harmony with the view of the Senator from North Carolina, and understanding that act, I tender a bill for the creation of a department of transportation and telegraph and the creation of a Cabinet Member, a secretary of transportation and telegraph, for the administering of railroad transportation and telegraphs. I ask to have the bill referred to the Committee on Interstate Commerce, and I thank the Senate for permitting the interruption.

The PRESIDENT pro tempore. Without objection, the bill will be received and so referred.

By Mr. LEWIS:

A bill (S. 4806) to create a department of Government to be known as the department of transportation and telegraph, with a member of the Cabinet, to be known as the secretary of transportation and telegraph, and for other purposes; to the Committee on Interstate Commerce.

Mr. KING. Mr. President, in view of what was just stated by the Senator from North Carolina, and the fact that he has referred to the bill that was passed in the days of President Lincoln, I want to say that there is absolutely no analogy between the situation then and the situation now. At that time the war was upon our own shores.

Mr. OVERMAN. No, Mr. President; the act was passed in 1866, after the proclamation of peace.

Mr. KING. I was in error as to the date; but I remember that prior to the termination of the war an act was passed for the purpose of taking over the railroads, and that act also, or one passed substantially about the same time, provided for taking over the telegraph lines.

Mr. OVERMAN. It was in 1866.

Mr. KING. But there was one prior to that. What I wanted to say was that conditions which might have warranted the taking over the telegraph lines and the telephone lines, if they had existed then, find no parallel now, because the situation physically is entirely different from what it was at that time. By that I mean that the railroads and telegraph lines authorized to be taken over during the Civil War were found generally in border States. The Government in opposition to the Nation was at our door, if not in our midst. Our foes are 3,000 miles away and can not affect our railroads or telegraph lines. But in making this statement I do not mean to express an opinion as to whether it is now necessary and proper for the Government to take over the telegraph and telephone lines.

Mr. OVERMAN. I only introduce it, I will say to the Senator, because I suppose this question will come up and there are certain rights and privileges in that act that ought to be taken care of in the new legislation suggested. That was my purpose in putting it in the RECORD, because it is very important that the guaranties and reservations under the act shall be taken care of.

Mr. LEWIS. Mr. President, I beg the indulgence of the Senate to the extent of making clear my position. I did not expect to allude to it even until later in the day. I have been one of those who have been insistent that it was not necessary to pass here in the Senate a measure granting to the President the authority to take the lines of telegraph over by specific legislation. I have been urging that if there are any conditions that would justify the President of the United States as Commander

in Chief to take over the telegraph companies he had that right by the proclamation of war, and he has it by virtue of this act, and he has it by virtue of the general authority. The question turns on what conditions exist to justify the taking of the property, and of that the President of the United States is the judge. I merely allude to it at this time as a justification for my position heretofore expressed that there was no necessity for us to pass any legislation to authorize the President to take possession of these properties if in his judgment the conditions justify it.

I tendered the bill creating a department of transportation and telegraph and the creation of a Cabinet member for that purpose, that there might be a department that could administer that, severed from the duties that are now imposed upon the department heads already overcrowded, and to an extent, as I see it, that seriously embarrasses them in the discharge of their duties because of the exhaustion of their physical capacity. It was because of the views I hold that we did not need legislation, that it was now in the power of the President, if conditions justify it, to take possession of the property and administer it, that I tendered the measure this morning, and I trust the act tendered by the eminent Senator from North Carolina justifies the proceedings if the President should take the step. I desire to make no further statement at this time.

Mr. BORAH. I wish to ask the Senator a question.

Mr. LEWIS. I yield to the Senator from Idaho.

Mr. BORAH. I observe in this morning's report that the House has passed joint resolution 309, and also announced immediately after the passage of the joint resolution that it was ready to recess. Is it the understanding of the Senator from Illinois that we are to take a recess without disposing of that joint resolution?

Mr. LEWIS. I will say to the Senator I do not know what the understanding of other Senators is. For myself, I am free to say to him that I have this morning expressed the view that it was not necessary for us to pass that joint resolution in order to give the President the authority, and while I felt the House in passing it, Members, coming from all over the country, gave their approval to the act of the President, there was sufficient legal authority already in existence which rendered it unnecessary for us to remain, and we could take the recess without passing the act and without in any wise diminishing the authority of the President to do everything the House resolution authorizes. Such is my view.

Mr. BORAH. The President evidently desires the authority, and at least I think the Senator from Illinois will agree with me that we ought to determine whether or not it is necessary to pass it, and if it is necessary to pass it, to pass it, and if it is not, take a recess for that reason and not leave the matter upon our lap undisposed of. The subject matter ought to be disposed of before the recess.

Mr. LEWIS. In other words, Mr. President, I take it the Senator from Idaho is of the judgment that we should make some expression that it is either unnecessary to pass the joint resolution because of present authority which we think exists, or, if necessary to pass the joint resolution, we should stay here and press it and not recess.

Mr. BORAH. Precisely.

Mr. LEWIS. Upon that I may say there may be something said later on both sides of the Chamber, and Chairman MARTIN, who is not now present, probably will make some expression on the subject. I will go no further than state my personal views, which I have heretofore expressed.

Mr. BORAH. I see that the Senator from Virginia is present.

Mr. LEWIS. I did not observe him.

Mr. BORAH. He has just come into the Chamber. We would like to know something about this program to take a recess. There seems to be a most extraordinary display of secret diplomacy. If we are going to have a recess and leave these matters undisposed of, it is a matter of which some of us would like to be informed. There seems to be a disposition to have a recess and leave a number of matters undisposed of. If that is the program I should like to know why it is. The House has passed this joint resolution. It has discharged its duty. It has relieved itself of the responsibility. It has sent it here, and it will leave it with the Senate, and if the Senate recesses without disposing of it and any extraordinary or exigent situation arises we are to carry the blame. So far as I am concerned, I do not propose to join in that program.

Mr. MARTIN. Referring to the inquiry which I understand has been made about the joint resolution taking over the telegraph and telephone companies, I will say that I made quite considerable inquiry of Senators on both sides of the Chamber as to the expediency of passing the joint resolution at an early date. The practically unanimous opinion expressed to me was that it was an exceedingly important proposition; that it would go to the Committee on Interstate Commerce; and that there would be hearings and careful investigation and it would take considerable time, and if we were going to take any recess it would be impossible to get consideration of that resolution before the recess. I think the expression of that opinion was universal. I do not know how many Senators I talked to about it, but quite a large number, and it is a view in which I certainly concur fully.

I think it ought to be investigated, and I think the Senate and the country ought to know the reasons which require the taking over of these large properties.

Mr. BORAH. Mr. President, I thoroughly agree with the Senator from Virginia that it is a very important matter, and that it ought to be thoroughly investigated and considered before it is disposed of. But I do not think it is a proper procedure to have the House pass an important measure of that kind under an exigent situation because it seemed to be proceeding upon the theory that it was absolutely necessary to proceed and proceed in haste and then send it to the Senate, and at the same time practically send a resolution here for a recess.

Mr. MARTIN. That is a view in which I do not concur. I do not know of any urgent necessity for hasty action on this important matter. Not a single fact has been given, not a single argument has been made, not a single suggestion has come to me showing there is occasion for extraordinary haste in so important a matter. My judgment is—and I believe it is the judgment of the Senate—that it should go to the Committee on Interstate Commerce and hearings should be had, and a careful investigation made before it is taken up for consideration in the Senate.

Mr. BORAH. It has been made a matter of record, nevertheless, that the House practically unanimously passed the joint resolution, and certainly passed the joint resolution upon the theory that it was necessary to pass it before the recess. The House would not have passed the resolution without any debate or without any consideration practically unless the House felt that the situation was exigent. It has passed it and sent it here to the Senate, and we are going supposedly to take a recess.

Mr. MARTIN. The House frequently shifts the responsibility upon the Senate. They expected the Senate to investigate it. They are in the habit of passing a measure in a shape which they would not do if they did not know that the Senate would investigate it before it was finally passed.

Mr. BORAH. That is precisely what I want to do, but I want to know if it is the program that we are to take a recess and leave this important legislation suspended here between the two Houses?

Mr. MARTIN. I know of no other program except that of the two bodies. My belief is that an overwhelming majority of both Houses contemplate a recess and hope it may come to-night. They do not expect to consider that matter before the recess. No one is authorized to make a program, but the consensus of opinion, as far as I have been able to gather on both sides of the Chamber and in the House, is that the Senate and House ought to have some rest and relaxation from labor now and take a recess. It was stated on the floor that a resolution would be sent here providing for a recess until the 12th day of August, and I believe that is the purpose of the two Houses. Nobody is authorized to fix the program——

Mr. SIMMONS. Mr. President, I do not think the action of the House in passing the joint resolution is an expression of opinion in the House that the matter is so urgent that it should be acted upon immediately. On the contrary, I think taking the circumstances under which the House has acted, it is rather an expression which negatives that idea, because the House acted with full knowledge of its purpose, in which it asked, as far as an individual and private expression could ask, the consent of the Senate for a recess this afternoon. The House knew perfectly well that this matter ought to be investigated. The House passed the joint resolution and sent it over here with the expectation that we would take a recess this afternoon. The House expected the Senate to make that investigation and the House knew it could not make it to-day. Therefore the action of the House does not indicate that it was the expression of opinion on the part of the House that there ought to be immediate action.

Mr. NORRIS and Mr. BORAH addressed the Chair.

The PRESIDENT pro tempore. Will the Senator from North Carolina yield; and if so, to whom?

Mr. SIMMONS. I yield to the Senator from Nebraska, who rose first.

Mr. NORRIS. I should like to inquire of the Senator if he expects the Committee on Interstate Commerce, to which I presume the joint resolution will be referred, to remain here during the recess and make that investigation?

Mr. SIMMONS. I will say that I expect it not to remain here the whole of the time. I would expect them to begin their investigation on this matter some time before the reassembling of the two Houses.

Mr. NORRIS. How long does the Senator think it will take to investigate it?

Mr. SIMMONS. I have no more means of knowing how long it will take than the Senator himself has.

Mr. NORRIS. I am trying to get information.

Mr. SIMMONS. It is an exceedingly important question.

Mr. NORRIS. I agree with the Senator on that proposition.

Mr. SIMMONS. I do not think it ought to be acted on hurriedly. I am quite confident the House would not have acted on it so hastily if it had not expected a full investigation. As to the time it will require to investigate a question of this character I am not able to answer.

Mr. NORRIS. Let me ask the Senator, further, does he not think, inasmuch as the request comes from the executive department, that, in view of the exigency, whatever it may be that has made it in the judgment of the President necessary to pass this law would take more than a very few days for the committee to ascertain whether those conditions were such as to warrant this kind of legislation? If that be true, why should we couple that up always with a recess? Why should not that investigation be made within a few days and be passed upon by the Senate without taking a recess?

Mr. SIMMONS. I do not know of any authority for the statement which the Senator has made that the President is urging the two Houses of Congress to take immediate action upon this question. I have seen it stated in the newspapers that certain Cabinet ministers had appeared before the committee in support of this legislation——

Mr. BORAH. Will the Senator yield to me for a moment?

Mr. SIMMONS. And that they had expressed possibly the opinion there ought to be early action in that behalf. But I am not in the possession of any information, I have not seen anyone who is in possession of any information, that the President of the United States thought this was a matter of such pressing urgency that a recess should be delayed.

Mr. LEWIS. If the Senator will allow me, I can probably aid him in his exposition. I will say to the Senator from North Carolina and those who are here we have reason to understand the only expression of the President as far as the Senate is concerned was an inquiry as to whether it was practicable for us to pass the joint resolution.

Mr. SIMMONS. That is true. I think it may be said without violation of any propriety that the question of a recess of Congress about this time has been discussed by Members of this body, and, Mr. President——

Mr. BORAH. May I call the Senator's attention to a statement in the RECORD of yesterday's proceedings?

Mr. SIMMONS. Very well.

Mr. BORAH. Mr. POU, of the House, said:

> I said that, after conferring with the President, Mr. Tumulty called me over the phone and stated that the President felt that it was very necessary that this resolution should be acted upon at as early a date as possible.
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> Mr. KITCHIN and myself were discussing the advisability of presenting this rule to-day, and he and I decided that it was desirable, in view of the fact that the recess had been so much talked about, to get direct information; and at his suggestion I went to the phone and in his name as well as my own submitted the inquiry whether the President deemed it necessary that this resolution should be acted upon before adjournment, and, as I stated, the answer came back in the affirmative.

Mr. President, the thing I am interested in is to know whether there has been any change in view upon the part of those who originally thought it was necessary to initiate this legislation. It was initiated for the purposes, I understand, of taking care of the strike situation. If that strike situation has been adjusted and is out of the way, and there is no occasion for this, a different situation presents itself entirely; but if the situation is the same, if the conditions are the same, as the House has passed it by a practically unanimous vote under the statement that the President thought it was necessary before a recess, I am not willing myself to vote for a recess until I understand either that the executive department has changed its mind entirely with reference to the necessity or until we dispose of it. If we shall determine that it is unnecessary or unwise to pass it, very well, but let us dispose of it.

Mr. CUMMINS. Mr. President——

Mr. SIMMONS. I yield to the Senator from Iowa.

Mr. CUMMINS. Being a member of the committee to which the joint resolution will probably go, in fact as the joint resolution offered by the Senator from Texas has already gone to that committee, I think I may be permitted to say this: I have some familiarity with legislation of this character. The subject is vastly more difficult and more complicated, especially so far as it concerns the telephone companies, than with the subject of the operation of railroads.

It will be, in my opinion, no short job to compose the legislation which is necessary to take over these properties. I do not want it to happen again, as it has happened with the railroad companies, that immediately after their occupation or possession by the Government we experience an increase of anywhere from 25 to 300 per cent in the rates. When we take over the telephones of the country—and I suppose there are 20,000 or 30,000 companies—and take over the telegraph companies, I think it is manifest we ought to take them over under such conditions as will protect the people of this country against unjust rates. I am sure it will require two or three weeks of investigations and hearings before we are ready to report a bill. Then it will require time, of which the Senator can judge as well as I, to consider and pass the bill.

It is entirely immaterial to me whether we have a vacation or not; that does not enter into my inquiry; but I think that I will be confirmed by my associate members of the committee when I say that this subject is one which can not be and will not be disposed of in a moment, nor do I think that any Senator here wants it disposed of in that way.

Mr. SIMMONS. Mr. President, I think the Senator from Iowa is accurate in the statement that he has made as to the probable time it will take to draft and to pass this legislation through the Senate. I agree with him in the statement that it is a complicated question and one of importance very nearly equal to that of the railroad legislation which we have recently passed. The Members of this body know how long it took to pass that measure through the Senate and how long it took the committee to consider and to frame the legislation. I think that if this legislation is to be passed before we take a recess, we had just as well abandon once for all any purpose of taking a recess. I have no doubt it will take, probably, not so long as the Senator indicated, but I have no doubt it will take three or four weeks to consummate the legislation even if the committee should begin consideration of the subject immediately.

Mr. President, so far as the statement made by the Senator from Idaho [Mr. BORAH] is concerned, I was advised as to the conversation of Representative POU over the telephone with Mr. Tumulty. I do not think what happened at all militates against the position which I formerly stated. My understanding is that Mr. POU communicated with the President through Mr. Tumulty; that he ascertained, through Mr. Tumulty, that the President was anxious that this legislation should be speedily enacted; but there was no indication that the President thought that the legislation was so urgent that we should forego a recess at this time on account of it.

The President, in the conference to which I alluded a little while ago, expressed to the Senators who were present—I was one of the two Senators, and Mr. KITCHIN was also present—a very earnest desire that there should be water-power legislation; but after we had discussed that matter he thought that it could be passed after the recess, and thought there was nothing in the situation which required Congress to be kept here against its will for the purpose of passing such legislation.

I do not think there is anything in the suggestion of the Senator that this legislation is necessary in order to avoid a strike. It has been discussed to some extent in the newspapers that such legislation possibly might have some effect upon the strike, but I do not understand that that is the ground upon which the administration desires the legislation. I do not understand it is definitely determined that there will be any strike whether there is legislation or whether there is not legislation. That has simply been thrown in as a sort of ancillary reason why there should be action at this time.

Mr. President, the President of the United States knows perfectly well—in fact it has been impressed upon him, I am quite sure—that if he should ask the Senate in direct terms to pass this proposed legislation as a matter of public urgency before the recess, the Senate would forego any desire it might have to take a recess in order to do that.

Mr. BORAH. I have no doubt about that.

Mr. SIMMONS. The President, however, has had an opportunity to make such an expression to the Senate, and he has not made it. On the contrary, instead of making such a request of the Senate the President has merely communicated with the leader on this side of the Chamber—and I think the time has come when we ought to state the facts—and he did it after the action of the other House, making an inquiry as to whether it would be possible to pass such legislation before the recess.

Mr. BORAH. Mr. President, it seems the only way we can ascertain what the President's views are on this matter is to inquire here upon the floor of the Senate.

Mr. SIMMONS. I think it is entirely proper for the Senator from Idaho to inquire.

Mr. BORAH. I simply desire to know the true situation.

Mr. SIMMONS. And I think the Senator is entitled to a very frank answer from this side of the Chamber, upon whom the responsibility in the last analysis rests.

I want to say to the Senator, while I am not authorized to disclose the nature of the President's communication to the leader of this body, that communication does not request action. It simply makes an inquiry as to the situation in the Senate with reference to a recess.

Mr. BORAH. Does the Senator from North Carolina communicate to this body the fact that the President no longer thinks it necessary to act upon this legislation prior to a recess?

Mr. SIMMONS. I can not state what the Senator asks me to state categorically. I can only say that the President undoubtedly is advised of the fact that this body stands ready if he demands legislation of this sort before a recess to comply with his request, and with full knowledge of that situation the President has not asked us to do it.

Mr. BORAH. I am glad to know one fact, and that is that the strike situation has been eliminated; that it is no longer by reason of the threatened strike that we propose to take over this property. That presents, however, an even more difficult proposition and a more important proposition, because that foreshadows the fact that we are taking the first step toward permanent ownership and control of the telegraph lines. If there is no occasion by reason of the strike situation for this movement, if that was simply an incident, then there must be underlying the movement, step by step, the proposition to take over the telegraph companies and the telephone companies as a permanent policy. That is extremely important, and I am very much obliged to the Senator for revealing that fact to the Senate and to the country.

Mr. President, the Postmaster General, Mr. Burleson, sent a communication to Mr. SIMS, the chairman of the Committee on Interstate and Foreign Commerce of the other House, a day or two since in which he said:

MY DEAR MR. CHAIRMAN: Answering your inquiry requesting my "opinion as to the desirability and advisability of the immediate passage" of the Aswell joint resolution (H. R. 309) giving the President power, "if in his discretion it is deemed desirable," to assume control of the communicating systems by electricity "in order to insure their continuous operation" during the occasion of war and "to guard the secrecy of military and governmental communications or to prevent communication by spies and other public enemies," I beg to say that such power and discretion to act seems imperative to safeguard public interests.

At this moment the paralysis of a large part of the system of electrical communication is threatened with possible consequences prejudicial to our military preparations and other public activities that might prove serious or disastrous. We are reminded that there is not a nation engaged in the war that intrusts its military or other communications to unofficial agencies.

I deem it, therefore, my duty not merely to approve but to urge the passage of the resolution, in order that the President may act, if necessary, to safeguard the interests of the country during the prosecution of the war.

Respectfully, A. S. BURLESON,
Postmaster General.

The President sent that letter to Mr. SIMS, chairman of the Committee on Interstate and Foreign Commerce of the House, accompanied by this statement in the form of a letter:

THE WHITE HOUSE,
Washington, 28 June, 1918.

MY DEAR MR. SIMS: Thank you for consulting me about the enclosed. I endorse entirely the enclosed letter from the Postmaster General, which I herewith return, and think that the reasons are stated by him truly and comprehensively.

Cordially and sincerely, yours, WOODROW WILSON.

Hon. THETUS W. SIMS,
House of Representatives.

Mr. President, it is too much to ask Senators, in view of those written declarations, to take a recess until there is a communication of some kind, upon which we have a right to rely, which will relieve us from the odium of taking a recess when a situation of the kind which is foreshadowed in those letters is before us. There is an official communication to the chairman of the Committee on Interstate and Foreign Commerce of the House stating that the situation is such as to imperatively demand action; the House has passed the measure practically unanimously under those letters, and it comes to the Senate. Not a word reaches the Senate that the situation is in the slightest degree changed, and we take a recess for six or eight weeks with the Commander in Chief stating in his letter that the situation is imperative for immediate action.

Mr. President, I think that it is fair to the Senate that that communication be modified to show that the situation has entirely changed, and that there is no necessity for action in regard to this matter; otherwise, so far as I am concerned, I shall oppose a recess until it is disposed of.

Mr. POMERENE. Mr. President, while I am a member of the Committee on Interstate Commerce, I have not been in a position to acquire any knowledge concerning this matter, save and except that on yesterday a joint resolution was referred to the committee, and I have been informed that a similar joint resolution was passed by the House of Representatives on yesterday. It has been stated from time to time that one of the reasons for this joint resolution was the possibility of a strike. I have on that subject only such information as I have gleaned from the newspapers. I am very loath to believe that any of the employer class or any of the employee class should so demean themselves during this crucial period in our military history as to bring about such a condition as would interfere with the means of communication within the country. I recognize the fact that there are some men in both classes who would be quite willing to resort to any means to embarrass the Government, but I prefer to believe that there is only a small minority of such individuals in either class.

On yesterday, on my return from South Carolina, I found a telegram on my desk, signed by about 80 telegraphers in the city of Columbus, Ohio, bearing upon this subject. I know of no reason why the situation should be different in Columbus from what I believe it to be in other cities. I am going to send this telegram to the desk. While it was sent to me personally, I believe it will be of interest to Senators generally. I ask that the Secretary read it for the information of the Senate. I do not ask that the names of the signers or any of them be read, for I do not think it necessary, although I have no objection to that being done.

The PRESIDENT pro tempore. Without objection, the Secretary will read as requested.

The Secretary read as follows:

COLUMBUS, OHIO, *July 4, 1918.*

Hon. ATLEE POMERENE,
Senate Chamber, Washington, D. C.:

The undersigned, loyal and patriotic employees of the Western Union Telegraph Co., of Columbus, Ohio, urge you to use your influence against the Government taking over commercial telegraphic communication at the present time. We believe, owing to the very small membership of the Commercial Telegraphers' Union of America, the threatened strike can not materially affect the successful handling of traffic, and that the beneficial arrangements provided by the company for all loyal employees who have given their lives to the service would be sacrificed by the change at this time.

Mr. POMERENE. Mr. President, I have had that telegram read, not because I approve or disapprove what is said in the message, for I have no information which would lead me to have a definite opinion one way or the other on this subject. I am in a sort of state of suspended animation; I am willing to be "shown," and I am willing to do anything that may be necessary; but I certainly do feel that in taking a step of this kind I should like to have some information upon which to base action. I am not in the habit of jumping at conclusions without informing myself as to the premises from which those conclusions are to be drawn.

Mr. LEWIS. Mr. President, in common with the Senator from Ohio [Mr. POMERENE] and the Senator from Iowa [Mr. CUMMINS], I am a member of the committee before which these measures are now pending; and lest there should be a false impression gathered from the views expressed by the Senator from Idaho [Mr. BORAH], this must be now made clear, that there is no disposition on the part of the Interstate Commerce Committee, I am sure, or of any of the members of that committee on either side of the Chamber, either to shirk the necessity of an investigation or to avoid the obligation of it.

Nor, Mr. President, shall the Senate be left in the position where it may be accused of having fled from the responsibility of taking up the joint resolution passed by the other House. The joint resolution came over from the House, as the eminent Senator from Idaho has correctly pictured, and is now before the committee. Before the Senate would assume to conclude the subject, it naturally would give a hearing to those interested in the properties, to those who own the properties, and also to hear the telegraphers, the employees, as to their rights and their interests, and any other persons in the commercial world or otherwise who feel they have interest sufficient to have a hearing.

The Senator from North Carolina [Mr. SIMMONS] has aptly stated, in reply to the Senator from Iowa, that these hearings would, of course, entail a considerable length of time. If we took a recess it would be the Senate taking the recess; and I

say to the eminent Senator from Idaho that the Senate Committee on Interstate Commerce could still sit.

Mr. GORE. And doubtless would sit.

Mr. LEWIS. And, as the Senator from Oklahoma interjects—for which I express my appreciation—and "doubtless would sit" for the purpose of any investigation that may be necessary.

Mr. President, it is perfectly apparent that any recess which the Senate would take would not interfere with the proper investigation of the subject by the committee. On the other hand, if there be the exigencies which the Senator from Idaho fancied might arise or thought he saw evidence as shown from the RECORD and the reading of papers had arisen, such as a strike that might involve the general instrumentalities of the Government at this crucial hour, I hold that the power is in the President to seize any property necessary for the protection of the Government, particularly lines of communication such as the telegraph, and the country would know from the President and from the proclamation by him at the time of the reasons for his action.

Now, sir, it is evident from the statement of the majority leader, the Senator from Virginia [Mr. MARTIN], that the communication which has passed, intended to be for the information of the Senate, in nowise has directed the Senate or suggested to the Senate that there is impending necessity for us to pass this joint resolution before we take a recess; and with the knowledge on the part of the President that the Committee on Interstate Commerce may sit and enter upon any investigations necessary to do justice to all parties, and with the evident knowledge on the part of the President that the resolution has passed the House and is here, and that our purpose is to recess—in the presence of all the premises it is entirely apparent that had he desired that we remain here to pass the joint resolution because of any necessity he felt existed, he would have expressed it; but in the absence of such affirmative expression, it must be seen, sir, that we depart for the recess with the knowledge of the President and with a complete understanding and with a comfortable idea on his part of the circumstances that justify that action.

Mr. BORAH. Mr. President——

Mr. LEWIS. I yield to the Senator from Idaho.

Mr. BORAH. The President having communicated officially to one branch of the Congress that the situation is such as imperatively to demand action at once, is it not fair to presume that the Congress will not recess until the Congress as a whole shall have discharged its duty?

Mr. LEWIS. I answer the Senator: I would rather gather from that that if the same state of circumstances existed now that existed then, the President would communicate that to the Senate; and the fact that it has not been so communicated to the Senate is an evidence that the circumstances have changed, and the President is wholly justified in not making that request of the Senate at this time.

Mr. KELLOGG. Mr. President——

Mr. LEWIS. I yield to the Senator from Minnesota.

Mr. KELLOGG. I wish the Senator from Illinois would inform us whether or not it is a fact—it is so reported to be, I believe—that the Attorney General has rendered an opinion that the President has no power now to take over the telegraph and telephone lines; and I wish the Senator would cite to the Senate any statute which gives the President that power.

Mr. LEWIS. I answer the Senator from Minnesota, I am not aware of any opinion that the Attorney General has rendered. I have seen in the newspapers the statement that an opinion has been rendered. I do not know its contents. Second, I say to the Senator it is my opinion, which I trust may meet with respect, if it is not altogether convincing, that the act of 1866, presented by the junior Senator from North Carolina [Mr. OVERMAN] and just placed in the RECORD, is sufficient and complete authority for the President to take over the lines without further legislation, if to him there are or shall arise conditions justifying that procedure. Such is my view. I have heretofore given an opinion along that line. I have no reason to withdraw from it.

Mr. SHERMAN. Mr. President, Providence and the Weather Bureau by joint action have invited us to remain here until we shall have completed our legislative duties. The weather is salubrious for this time of the almanac and the breezes continue from Chesapeake Bay, and no reason is perceptible to the junior Senator from Illinois why we ought to quit at all until we have completed our labors.

This joint resolution, H. J. Res. 309, which came over by almost unanimous action of the House—only four Representatives being so hardy as to vote against it—is now pending in this body. It may not be as unanimous as it looks when we come to examine it on its merits. It may require more time to investigate the emergency than we anticipate. If we go home for a month or five weeks it will require just about as much time to reach the horsepower of parliamentary endeavor here when we reassemble as it usually does. It will be lost time. We are in a condition where lost motion is much less damaging to us than lost time. The committee that has charge of this matter, or will have charge of it, the Interstate Commerce Committee, ought to investigate, as the Senator from Ohio has suggested, so that we may have some accurate information upon which we may base our action.

I am willing to draw conclusions, but I do wish some of those conclusions to be based upon something that will be fairly accurate with regard to the conditions relating to the telegraph business of this country. There are two principal companies, the Western Union and the Postal Cable. I have not heard from the Postal Cable, but I have a telegram from my constituents in Chicago, signed by 240 of the operatives of the Western Union Co. It is very much like the one read on the request of the Senator from Ohio, but I will send it to the desk and ask that it be read. If any objection be made I will read it myself.

Before the reading is entered upon, let me state that it shows that there is a difference of opinion among the employees themselves that would require, before the committee, a somewhat extended investigation.

I do not think the gentleman who has issued a proclamation that he will tie up all the telegraph service of this country has authority to speak for the employees who are now at the keyboards in the different parts of the Union; neither do I think that there is any of the urgent emergency mentioned in the recitals of this joint resolution; neither do I further think there is, outside of the correspondence that has been incorporated in the CONGRESSIONAL RECORD from certain members of the Cabinet and the President, any emergency in the country for action of this kind. I think, therefore, it is a matter that ought to be investigated at some length.

It is no light matter to take over all of the means of electrical communication outside of telephones just upon the letter of a Cabinet member or two. I know very well the controlling motive of the head of the Postal Service in this country in joining with others to cause the telegraphs to be taken over. I only have myself to turn back and read the various annual reports of Mr. Burleson to know that the excuse that he is making here is one that he has been seeking. He is like the Biblical oracle of old. It does not say in that oracle that people offered excuses, but it says in the Holy Writ that they began to make excuses; that is, to manufacture them. That is what they are doing now. Mr. Konenkamp and his associates are always ready to offer some excuse why everything in this country should be taken over by the Government and kept. These excuses, like those of Scriptural days, are made excuses. There have been no important leaks of official governmental or diplomatic matters from the wires in this country, so far as anyone can ascertain. If the Government takes them over, there will be no more obligations for faithful secrecy on the part of the operators or the officers of the companies than there is now. There is, I repeat, Mr. President, if an investigation is had, no urgent emergency requiring these lines to be taken over. That is a matter that the committee ought to act upon, and act as promptly as they can.

This recess, to which I am utterly opposed, will give no time for an investigation between now and the 1st day of September. Another reason why I am opposed to the recess is because we will come back here the 1st of September, say. Members will reassemble. Some of us live at distant points requiring all the way from one to three thousand miles of travel to reach our respective States. By the time this matter is considered on its merits, and an investigation has been had before the committees, and proper hearings have been given to persons who are qualified to give us information on the matters concerned, it will be the 1st day of October. Some of us have to go back home to register. We have registration laws in our country. Without that registration we will lose even the right to vote ourselves. It requires long trips. Other matters of an urgent character, that I need not mention, are coming on swiftly. Therefore this delay caused by a recess will take until at least the 1st day of October, unless we slight the investigation and slight the consideration of such important legislation as may be pending.

The Committee on Finance can go on with their investigation pending the examination of the multifarious questions that will be referred to them for action. That need not interfere with the action of the Senate here. It is only a short way from the room of the Committee on Finance to the Chamber, and in the case of necessary votes they can be present on a roll call.

All the other Members of the Senate not on that committee can go on with the ordinary legislation that is pending here.

I am utterly opposed to any recess at all. No occasion for it occurs to me. On the contrary, we ought to remain here until we have reached the conclusion of our labors, and then adjourn for the session.

I now ask that the telegram which I have sent to the desk may be read.

The PRESIDING OFFICER (Mr. KING in the chair). Without objection, the telegram will be read.

The Secretary read as follows:

CHICAGO, ILL., *July 6, 1918.*

Hon. L. Y. SHERMAN,
United States Senator, Washington, D. C.:

The following message has been sent to the President and we would appreciate very much your assistance in maintaining our present status with the Western Union Telegraph Co.: "The undersigned operating employees of the Chicago office of the Western Union Telegraph Co. repudiate the assertions of Mr. Konenkamp that he is acting for us or in any way representing the employees of this company. The C. T. U. A. has no representation whatever in this office, and his statement that he will call 25,000 telegraphers out on strike July 8 is without foundation. The employees of the Western Union Telegraph Co. are with you in the prosecution of this war to a finish, and we refuse to be a party to any obstruction. This sentiment prevails among the telegraph fraternity throughout the entire country. The plans for the formation of an association composed only of Western Union empoyees now under way has our united support. There will be no interruption of telegraph service next Monday if the Western Union employees can have their way. Believe us we are with you to win the war, and we know our services contribute something toward doing so. We repudiate anyone who challenges our loyalty or impugns the honesty of our purpose."

LEROY W. DIXON
(And 239 operating employees of the Chicago office of the Western Union Telegraph Co.).

Mr. JOHNSON of California. Mr. President, I might add, as a contribution to the discussion concerning the particular legislation which has been referred to, that I am advised by members of the press now that a statement has just been given out by the President on this subject, in which he has said substantially that he is keenly anxious for this legislation before any recess shall be taken. I know nothing on that subject except the information which has thus been conveyed to me by members of the press.

I am opposed to a recess. I am opposed to a recess, not wholly for the reasons that have been given upon the floor of the Senate this morning, but I am opposed to a recess because the highest duty that can rest upon the Congress of the United States to-day is to stay on the job. [Manifestations of applause in the galleries.]

The PRESIDING OFFICER. The Sergeant at Arms will remove from the galleries those who applauded.

Mr. LEWIS. Mr. President, I suggest that the Chair instruct the occupants of the galleries so they will know that there is a different rule in this body than in the other House. Probably the rule was unintentionally and not knowingly violated.

Mr. REED. Mr. President, I think, gazing at the galleries and seeing a number of familiar faces, that they are well advised as to the rule. These frequent breaches of the rules of the Senate are not committed by the haphazard visitor, but by the habitué who roosts in the gallery.

The PRESIDING OFFICER. That is the opinion of the Chair.

Mr. JOHNSON of California. Mr. President, of course, the legislation in reference to the telegraph companies is important legislation. Of course it is inextricably mingled with the particular conflict in which we are engaged. I take it that those who are our commanders at present desire that legislation at the earliest possible moment; but it is upon no such ground that I place my opposition to a recess at this time. With me it is not a question of what the President wants, although I will accord him anything within the bounds of any sort of reason for the prosecution of this war. It is not a question of whether he permits or forbids a recess of this body. The question is, What is the duty of the men charged with the responsibility, of the men who supposedly represent the popular branch of the Government of this country? If there is with those men who represent the supposedly popular branch of the Government an obligation and a duty and a responsibility, then that obligation, that duty, that responsibility, can only be met and can only be satisfied by the body, representing supposedly the popular branch of government, remaining where it is, and remaining to do anything that may arise.

Senators, you doubtless realize as fully as I that impending upon the western front in France to-day is the greatest battle of all the ages. You realize, I am sure, just as I do, that upon that front to-day hangs perhaps the whole issue of this war. You realize, doubtless, as I do, that preparation daily has been made by the Hun on the other side. Any hour now may come the offensive that means the Hun's undoing or that means disaster to a million American boys in France. You understand, I am sure, that the events to-day are portentious, more important, more potential in their possibilities and consequences than any since this war commenced, and they may see consummation in a day or even in an hour of the next few days or the next few weeks.

The answer that has been made to me privately when I have suggested to my colleagues that with this impending cataclysm in France we ought to remain on the job was, "What can we do, and what is it possible for the Senate or the Congress to accomplish?"

I recognize, Senators, that there is perhaps little that we can accomplish. I recognize that we have lost our initiative. I recognize that in a great degree we have become a mere rubber stamp in the Government of the United States. I recognize that we may be only a spur or a deterrent. I recognize all these things, and that possibly in the days to come there is nothing we could do; but possibly in the days to come there may be something we can do, and if there is a possibility at all that we can do anything in these days to come, that possibility we ought to grasp, and we ought to remain where we can act upon that possibility.

Mr. JONES of Washington. Mr. President——

Mr. JOHNSON of California. I yield to the Senator.

Mr. JONES of Washington. I wish to ask the Senator if it is not a fact that almost every day—at any rate, every week—during the time we have been in session matters have been brought up that we are told it is imperative should be passed?

Mr. JOHNSON of California. Certainly; and matters will be brought up in the future. We understand the military condition on the western front. I will not descant upon it, but when I say the crisis is menacing and perilous I am well within the truth. If that be so, then we who have some responsibility yet in this Government should be right here and do our little part.

Mr. President, not only is the particular situation delicate, perilous, and menacing upon the western front, but there is another situation that any day may call for the expression of opinion upon our part, if not for positive governmental action. Russia bleeds to-day. Russia to-day half disorganized, to-day the prey of the Hun, Russia to-day demanding some sort of action upon the part of the entente allies, may at any moment, either by internal crumbling or another cataclysm, require some sort of activity from our Government.

In passing, Mr. President, I wish to express my full commendation of the action of the President of the United States thus far in dealing with that particular situation, and I trust he may be guided in the future by the same wisdom and by exactly the same statesmanship, justified by the knowledge that has come to some of us, and that he shall make no mistakes because of any overwhelming propaganda to the contrary.

In the world theater, therefore, you have your western front where our blood to-day is fighting its fight. You have our western front in which any minute, any hour, may bring the greatest of all the conflicts of all history. You have the East and the situation in Siberia and in Russia daily becoming more delicate and requiring more skillful and tender handling. In this world situation, this world drama, we may not, because the Senate has fallen from its high estate, play the part that we ought to play; but we may play some part, perhaps, after all, and if there is a part at all that we may in the future play in this world drama, let us stay here and play that part.

In closing, in opposition to the recess, Mr. President, again I lay stress upon the fact that it is not what any man wants, it is not what any department desires, it is not what any individual commands, that controls my judgment. I read in the newspaper the other day that the President would permit Congress to recess for a brief period. That is not what governs my attitude here. The controlling factor, the persuasive argument, is there may be a possibility we can render a service in the days to come, days that you and I in all our lives will never again face; and, if there is a possibility of the slightest service, let us stay here on the job.

Mr. VARDAMAN. Mr. President, following the line of thought pursued by the able Senator from California, I wish to say that in so far as remaining here to do the work which may come before the legislative department of the Government is concerned, I am very much in favor of Congress remaining in session. This view I have entertained and expressed repeatedly upon the floor of the Senate since the declaration of war. If Congress has anything to do with the conduct of the war, Congress ought to remain in session and be ready to meet any emergency that may arise. The framers of the Constitution intended that Congress should play an important part in emer-

gencies like the present. My inclination, of course, is to go home and look after my personal interests, and if a recess shall be taken I shall do that, but if the President of the United States thinks that legislation authorizing him to take over the telephone and telegraph companies ought to be enacted, and if he also feels that the taking over of these companies is exigent and important, there is nothing for the Congress to do but to remain on the job and give the President the power which he says he needs. I do not know that legislation is necessary to authorize him to take them over. It seems to me that his general powers are plenary and ample to meet any emergency. But if there is any doubt about it, however, I am going to resolve the doubt in favor of the continuation of the session. The President is on the watchtower, Congress has delegated to him absolute—almost imperial—powers, and there is nothing for Congress to do now in the matter of conducting the war but to sustain and uphold the hands of the Executive in everything that he demands. That I have done since the declaration of war, and that course I shall pursue to the end of the war.

I hope the taking over of the telephone and telegraph companies to meet an emergency in time of war may be extended for all time and they may be made permanently a governmental function. I have long favored the Government operation, control, and ownership of the telephone and the telegraph under the direction of the Post Office Department. I hope therefore that out of this war emergency a great economic reform may be effected.

With this brief statement of my position I shall vote against taking a recess until all emergency measures are disposed of.

Mr. SIMMONS. Mr. President, I ask unanimous consent for the reading by the Secretary of an article in this morning's Post from the president of the Western Union Telegraph Co.

The PRESIDING OFFICER. Without objection, the article will be read.

The Secretary read as follows:

CARLTON SURE WIRE SERVICE WILL GO ON—WOULD YIELD IF HE SAW INTERRUPTION AS POSSIBILITY.

NEW YORK, *July 5.*

While asserting that he did not wish through any act of his "to add an hour's delay to the Nation's telegraph service," Newcomb Carlton, president of the Western Union Telegraph Co., declared to-night in a statement dealing with the telegraphers' strike scheduled for next Monday, that it is of the "highest importance" that the policy his company has pursued should be continued.

"I do not wish to leave this position with the stigma of having made a great mistake," he said. "I have but one desire, and that is to turn the company over to the Government as it is now—a loyal, efficient, disciplined force of 56,000 men and women, anxious to serve their country and with pride in that service."

He asserted that if the Government failed to take over the wires before Monday he was confident telegraph communication in this country would not be interrupted and that if matters were allowed to go on as they were "the contention which the company has been making as to the unquestioned loyalty of the men and women of the Western Union would be demonstrated beyond a doubt."

He added, however, that if he thought there would be the slightest interruption of service on Monday he would willingly yield for the sake of the Government.

Asserting that the situation was now up to Washington, he expressed the belief that "no outside organization that indulges in strikes should be permitted to have representation among the operators."

EXTENSION OF APPROPRIATIONS.

The PRESIDING OFFICER. The hour of 1 o'clock having arrived, under unanimous-consent agreement the Chair lays before the Senate House joint resolution 311.

The SECRETARY. House joint resolution (H. J. Res. 311) making appropriations for certain necessary operations of the Government and of the District of Columbia for the month of July, 1918, and for other purposes.

The PRESIDING OFFICER. The pending question is on the amendment offered by the Senator from Virginia.

Mr. BORAH obtained the floor.

Mr. STERLING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from South Dakota?

Mr. BORAH. I yield.

Mr. STERLING. Do I understand that the Senator from Idaho desires to speak on the joint resolution?

Mr. BORAH. I only desire to say that I understand the House is now voting, and I would not want the joint resolution to pass until the House finishes its vote. Of course, if it should vote in a certain way one course would be open, and if it votes in another way another course would be open.

Mr. STERLING. I merely want to say that I have the same understanding, and I would suggest that the consideration of the joint resolution be laid aside temporarily.

Mr. BORAH. I understood the chairman of the committee was going to lay it aside temporarily, but he is not now in the Chamber.

Mr. FLETCHER and Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield; and if so, to whom?

Mr. BORAH. I yield to the Senator from Florida first.

Mr. FLETCHER. I was going to suggest that perhaps we could arrange to lay the joint resolution aside and go on with the business which was before the Senate this morning.

Mr. NORRIS. If the Senator will permit me, I had a conversation with the Senator from Virginia [Mr. MARTIN], who has charge of the joint resolution, and I know it is his intention to lay it aside temporarily until the House can dispose of the conference report. I understand that the roll is now being called in the House, and that within a very short time the result will be known and probably be messaged over here.

Mr. SMITH of Georgia. If the Senator will permit me, I ask unanimous consent to lay aside——

The PRESIDING OFFICER. If the Senator from Georgia will pardon the Chair, the Chair invites the attention of the Senate to the unanimous-consent agreement, which reads as follows:

It is agreed by unanimous consent that at 1 o'clock p. m., on the calendar day of Saturday, July 6, 1918, the Senate will proceed to consider H. J. Res. 311, a resolution making appropriations for certain necessary operations of the Government and of the District of Columbia for the month of July, 1918, and for other purposes.

Mr. SMITH of Georgia. I have just read it. By unanimous consent yesterday we agreed to proceed with the joint resolution to-day, and by unanimous consent to-day we can lay it aside.

Mr. NORRIS. I do not want the Senator from Idaho from what I have said to get the impression that the Senator from Virginia would consent to laying the joint resolution aside permanently. He distinctly said that he would agree to lay it aside temporarily.

Mr. SMITH of Georgia. It can be called up again.

Mr. NORRIS. I would not want to have advantage taken of him in his absence that would prevent him from calling it up at any time.

Mr. BORAH. That would not prevent it.

Mr. NORRIS. I do not think it would; but he said to me that he would have it laid aside temporarily.

Mr. SMITH of Georgia. If we abandon the idea of a recess there will be ample opportunity to attend to everything. At any rate, I ask unanimous consent to lay it aside until 3 o'clock.

Mr. McCUMBER. Say 2 o'clock.

Mr. SMITH of Georgia. I ask unanimous consent that it be temporarily laid aside, and then when the Senator from Virginia comes in he can ask that it be taken up again.

Mr. MARTIN entered the Chamber.

Mr. POMERENE. If that is insisted upon I shall suggest the absence of a quorum.

Mr. MARTIN. I have no objection to the joint resolution which has come before the Senate at 1 o'clock being temporarily laid aside.

Mr. SMITH of Georgia. I felt sure of that.

Mr. MARTIN. But it will supplant any business that may be before the Senate at any time when it seems necessary to proceed with the joint resolution. With that understanding, I am willing that it shall be temporarily laid aside without losing its place as the unfinished business.

The PRESIDING OFFICER. To be called up by the chairman.

Mr. MARTIN. That is right.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Virginia? The Chair hears none, and the unfinished business is temporarily laid aside to be called up by the Senator from Virginia at his pleasure.

CHARTER RATES AND FREIGHT RATES.

Mr. FLETCHER. I ask unanimous consent to proceed with the consideration of House bill 12099 which was under consideration this morning.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12099) to confer on the President power to prescribe charter rates and freight rates and to requisition vessels, and for other purposes.

The PRESIDING OFFICER. The pending question is on the amendment of the Committee on Commerce, which will be stated.

The SECRETARY. On page 2, line 14, before the word "months," the committee propose to strike out "six" and to insert "not exceeding 18."

Mr. FLETCHER. I ask the Senator from Utah [Mr. SMOOT] if it is satisfactory for him to make that 12 months instead of 18 months? I am sure we ought to have a longer time than six months. There is no question in my judgment but what we may need a longer time than six months.

Mr. SMOOT. Then why can not the Senator say nine months? It certainly will not take a longer time than that, even with our own ships.

Mr. FLETCHER. It was the judgment of witnesses before our committee——

Mr. RANSDELL. Will the Senator permit me to read briefly from the testimony of Mr. Henderson, representing the Shipping Board, before the Commerce Committee on that point? It is very brief.

Mr. SMOOT. Certainly.

Mr. RANSDELL. Mr. Henderson says:

Section 3 provides that the power and authority shall cease on the proclamation of the treaty of peace, but may be extended for a further period of six months if the President considers that the tonnage shortage is sufficiently severe to jeopardize national interests.

We urged before the House committee that the time be extended from 6 months to 18 months. The reasons we advanced were these:

There are at present about 1,000,000 troops in France; we hope that before long there will be 2,000,000. To bring those troops back after the conclusion of the war will require years with the number of troop transports at our service. They must be fed in the meantime. A large part of the munitions and supplies must be brought back. It will take a long time after the end of the war to bring that about. In the treaty of peace we may undertake important obligations in the way of supplying raw materials to European countries which will require the President to control shipping to a certain amount. We feel that the President should know now what powers he will have then, and that Congress at this time, without the necessity for further legislation, should give this extension of power to a period of at least 18 months after the war. That is the time allowed for the railroads, and it seemed to us the same consideration would apply to shipping.

Senator RANSDELL. Do you not think it would take even longer than 18 months to get matters adjusted?

Mr. HENDERSON. It is possible; but by that time Congress will have had ample opportunity to formulate whatever policy regarding shipping it may see fit to adopt. Of course, we do not want now to preclude changes that may be necessary in the future.

Senator RANSDELL. But it certainly does not seem possible now that six months will be sufficient.

Mr. HENDERSON. I do not think so.

The CHAIRMAN. You would suggest 18 months there?

Mr. HENDERSON. Eighteen months.

Now, Mr. President, just a word. I want to say that it seems to us if you give us a sufficient time so that a session of Congress might intervene after the declaration of peace or the signing of the treaty of peace, if a further extension be necessary that would probably cover the case, and it seems to us that a minimum of 12 months would be needed for that. I do not believe our committee would seriously object to changing it from 18 months to 12 months, but certainly it ought to be at least 12 months.

Mr. SMOOT. The whole statement of Mr. Henderson is based upon the fact that 18 months was provided in the case of railroads before returned to owners, but the railroads are entirely different from the shipping operations. There are only a few lines of railroads, and all are organized under the laws of the States. But the shipping interests represent thousands of individuals and corporations, and this not only involves ships owned by citizens of the United States but ships owned by citizens of foreign countries.

Mr. Henderson's statement seems to rest upon the fact that he thinks a few extra months should be given to pass legislation controlling the shipping interests for the future following the close of the war.

Mr. RANSDELL. Will the Senator permit me to call his attention to something? I fear that he was interrupted and did not hear what I read. Mr. Henderson says:

There are at present about 1,000,000 troops in France; we hope that before long there will be 2,000,000. To bring those troops back after the conclusion of the war will take years with the number of troop transports at our service. They must be fed in the meantime. A large part of the munitions and supplies must be brought back.

That part changes the situation very materially and makes it necessary to at least give the President the distinct power to extend this arrangement if he finds it necessary. The provision of the bill, if the Senator will pardon me, does not require him to extend it for 18 months. It says he may extend it not exceeding 18 months.

Mr. SMOOT. The Senator is correct in his latter statement. What I want to impress upon the Senate is that we should pass no legislation at this time that would even give England and France or our allies the understanding that we are not going to request of them shipping facilities to bring our soldiers after the close of the war to this country. Mr. Henderson says that the shipping facilities at our command would take at least a year to bring the 2,000,000——

Mr. RANSDELL. He said years.

Mr. SMOOT. That is worse than I thought.

Mr. REED. Who is Mr. Henderson?

Mr. RANSDELL. The representative of the Shipping Board.

Mr. REED. That does not make him wise. What has been his experience? What does he know about it any more than anybody else? The ordinary presumption now is that if you have a plumbing job a professor in chemistry is to be put in the place, or if you have a watchmaker's job a blacksmith is to be employed. So I want to know something about the past of this gentleman?

Mr. RANSDELL. I know nothing about him. He appeared before the Commerce Committee representing the Shipping Board as their accredited representative, and these were his statements, but it does seem as if we got a very large army over there, possibly two and a half million, as we will, we think, have by the 1st of January, and made a desperate drive with all the assistance that we could get from our allies to get those men over there, we certainly can not move any troops back to this country until a treaty of peace has been signed, I imagine. It is bound to take a longer time to get those men and all their supplies and munitions back to this country.

Mr. SMOOT. I want to say to the Senator now——

Mr. SMITH of Georgia. If the Senator will allow me——

Mr. RANSDELL. The Senator from Utah has the floor. He yielded to me.

Mr. SMITH of Georgia. I beg pardon.

Mr. SMOOT. I want to say to the Senator that I hope the reading of Mr. Henderson's testimony by him to-day will not be taken by the people of the United States as the policy that will be followed by this Government in getting our troops back to this country. I do not want it to go out to our soldiers in France that after the war closes it is going to take years to transport them back to America.

Mr. SMITH of Georgia. Mr. President——

Mr. SMOOT. I yield to the Senator.

Mr. SMITH of Georgia. I wish to call the Senator's attention to the fact that many things in this country will be needed in Europe, and their vessels coming over here will be coming practically empty. I wish to express my intense approval of the Senator's suggestion that no such view should be for a moment tolerated as that we are going to leave our men for 18 months in France, or 12 months. I wish to utterly repudiate the suggestion of this man that we would tolerate such a condition. Every battleship, every vessel of every kind, with the submarines out of the way—vessels of every nation, if necessary, should be employed to bring them back, and I think we ought to resent the suggestion that they would be left there any such length of time.

Mr. SMOOT. I fully agree with the Senator. I think it is a mistake to amend the House provision extending it beyond six months. But to show the Senator that I am not captious in the matter and that I am not doing it simply by the way of criticism, I said, as far as I was concerned, I would yield to nine months; but I think even this would be a mistake.

Mr. SMITH of Georgia. The *Vaterland*, one vessel, can carry 30,000 troops, it is suggested, or 360,000 can be carried by that one vessel in a year.

Mr. SMOOT. Another thing I want to call the Senator's attention to is that we certainly can not discharge our soldiers while in a foreign country. They have got to be brought to this country before they are discharged from the Army; and to pay a million men over there for a year and a half—when there is no need for their services—the very thought, it seems to me, is indefensible.

Mr. FLETCHER. Of course, the Senator realizes it is not merely a question of men, but a great many supplies and a great many other things will have to be brought back.

It is not only for that purpose that this time ought to be given, but the time ought to be given in order to get these vessels back into the commercial trade. It will take some time to do that and put them in place and get them back in commercial business.

Mr. SMOOT. Just as soon as the war is over, if Germany has any ships at that time or if any other warring country has ships, they are going into the trade immediately. They are not going to be hampered by legislation. I think our shipping industry ought to be in the same condition, and every boat that can be used to carry the commerce of the world ought to enter there just as quickly as possible.

Mr. President, I believe that the President of the United States can ask either England, France, Italy, or any of our allies at the close of our war to assist in transporting the American troops to American soil just as quickly as steam and power can bring them, and I do not believe that one of them will refuse. That being the case, I feel quite sure that six months would be ample.

I know there are supplies to bring as well as troops; but the boats that bring the troops must have something besides troops upon them, and many of the supplies will be used for ballast and to fill the space generally used for the transportation of

merchandise of all kinds. I really think that the House provision is a proper length of time.

Mr. RANSDELL. Mr. President, just a word. The Senate committee simply wanted to be on the safe side. I do not think any of us have any suspicion that the President will not exercise the power vested in him very carefully. He is the Commander in Chief of our armies and navies in this great war and everything connected with it.

I agree wth the Senator from Utah and the Senator from Georgia that we will bring these troops back just as quickly as possible. It would be a most outrageous thing not to bring them back at once if it could be done, but all practical, common-sense men must admit that if we have an Army of two and a half million soldiers, with all the attachments of the Red Cross, the Young Men's Christian Association, the Knights of Columbus, and hospitals, and everything attached to them, it will be a big job to get all those back. If they can be brought back in three months, the President will not extend the provisions of the law longer than three months. If they can be brought back in six months, the provision will not be extended longer than that. But suppose that unfortunately we can not get them back for 12 months, will not all admit that the provisions of the law ought to be extended for 12 months? There can not be two opinions on that point. There absolutely can not be two opinions on it. We ought to have the discretion vested in the Commander in Chief to extend it that length of time.

I do not wish to be captious, and it is necessary for us to get ahead with this measure. In the period of nine months I imagine Congress would be in session, and there would be an opportunity to amend the law if necessary. Therefore, if the Senator is willing to accept nine months, the committee will accept that. I believe I can speak for the chairman of the committee. The committee will accept it and make it nine months.

Mr. FLETCHER. To facilitate the consideration of the bill, I am willing to agree to that.

The PRESIDING OFFICER. The Secretary will report the amendment as modified.

The SECRETARY. In section 3, on page 2, line 14, before the word "months," the Committee on Commerce reports to strike out the word "six" and to insert "not exceeding 18," so as to make the section read:

SEC. 3. That all power and authority hereby vested in the President or by him delegated and all restrictions imposed in this act shall cease upon the proclamation of the final treaty of peace between the United States and the Imperial German Government: *Provided*, That if, in the judgment of the President, the tonnage shortage at such time is so severe that national interests of the United States are jeopardized, he may, by proclamation, extend the provisions of this act for a further period of not exceeding 18 months.

On page 2, line 14, in the proposed committee amendment, strike out the word "eighteen" after the words "not exceeding" and insert the word "nine."

The PRESIDING OFFICER. The question is on the amendment reported by the Committee on Commerce as modified.

The amendment as modified was agreed to.

Mr. REED. Mr. President, I do not think it very material whether the provision be 6 months or 9 months or 18 months. The compromise arrangement is agreeable to me, but I do want to say that I think it is very unfortunate that there should be any talk here to the effect that it is going to take years to get our boys back from France after the war is over. That is a very discouraging statement to send to the country, and it is a statement, notwithstanding what Mr. Henderson—whoever Mr. Henderson may be—has said, which is not based upon the facts, in my opinion.

To begin with, it is not going to take us years to get 2,000,000 troops there, with the business of carrying all the armament, all the impedimenta that go with an army, and I do not think it would take us so long to get them back if we had not a single additional vessel; but we shall not have to carry this vast burden of cannon, of horses, all the raw materials, and all the inconceivable mass of matter that we have been obliged to take over. We have in a year's time carried over a million men, and we have not only carried them over, but we have raised and organized them. It is well known that in three months we have taken over approximately 600,000 men. If we can do that, I do not see why we can not get them back within the same time.

Moreover, we are now beginning really to produce ships. In one year's time from this date we shall have a fleet of commanding importance, unless by the development of the submarines some new means of activity and destruction shall be devised. If we shall not have such a fleet we shall indeed be in a very bad condition. Of course, the war may end before the year, but the sooner it ends the fewer troops we shall have "over there." My opinion is that the war will last beyond the year, and my opinion also is that within 18 months' time from this hour we shall have the mightiest fleet that ever sailed the seas. Therefore I do not want it stated on the authority of Mr. Henderson or Mr. Thompson or Mr. Jones or Mr. Anybody-else that our troops are going to be taken over there and marooned for years in Europe. I want to make that much of a statement in opposition to the statement of Mr. Henderson.

Mr. FLETCHER. Mr. President, the next amendment proposed by the Committee on Commerce to the bill is on page 3.

The PRESIDING OFFICER. The amendment reported by the committee will be stated.

The SECRETARY. On page 3, line 13, after the name "United States," it is proposed to insert "which shall be filed with the United States Shipping Board and open to public inspection," so as to read:

SEC. 6. That the President shall have power to determine, prescribe, and enforce reasonable freight rates and the terms and conditions of affreightment which shall govern the transportation of goods on vessels of the United States, which shall be filed with the United States Shipping Board and open to public inspection.

The amendment was agreed to.

The next amendment was, in section 16, on page 10, line 18, after the word "both," to insert the following proviso:

Provided, That the district court of the Canal Zone shall have jurisdiction of offenses committed against the provisions of this act within the Canal Zone.

The amendment was agreed to.

Mr. FLETCHER. That completes the committee amendments, Mr. President.

Mr. REED. Mr. President, in section 16 I move to strike out the words "or willfully violates any rule, regulation, or order issued under authority conferred herein."

The PRESIDING OFFICER. The amendment proposed by the Senator from Missouri will be stated.

The SECRETARY. On page 10, beginning in line 15, it is proposed to strike out the following words:

or willfully violates any rule, regulation, or order issued under authority conferred herein

Mr. SMOOT. Mr. President, how would the language read with those words eliminated?

The PRESIDING OFFICER. The Secretary will read the section as it would stand as proposed to be amended.

The Secretary read as follows:

SEC. 16. That whoever does or attempts to do anything in this act declared to be unlawful shall be punished by a fine of not more than $5,000 or by imprisonment for not more than two years, or both: *Provided*, That the district court of the Canal Zone shall have jurisdiction of offenses committed against the provisions of this act within the Canal Zone.

Mr. FLETCHER. I think it would be a mistake to adopt that amendment, Mr. President, but I do not care to delay the Senate by a discussion of it particularly. It looks to me as though any willful violation of a rule, regulation, or order ought to be punished as well as anything which may be done under this act which is declared to be unlawful. That is rather general. However, I am not going to take up time in discussing it if the Senator from Missouri insists on the amendment.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Missouri.

Mr. SMOOT. Mr. President, perhaps it would be proper to suggest the absence of a quorum.

Mr. RANSDELL. Oh, no, let us go on. We are not objecting to the amendment.

Mr. SMOOT. Very well.

Mr. REED. I thought that the chairman of the committee and myself had practically agreed upon this matter.

Mr. FLETCHER. I said that while I do not feel authorized to consent to the amendment, I am not going to resist it.

Mr. REED. Do I understand that the Senator from Utah desires to hold this matter a moment?

The PRESIDING OFFICER. The Chair is so advised.

Mr. REED. Mr. President, I have no desire to talk about the amendment. I spoke this morning upon it, when I expressed my abhorrence of sending men to the penitentiary for violating an order issued by an individual. I am quite content with the statement of the chairman that he does not want to consent to the amendment, but does not resist it, and will let the matter come to a vote.

Mr. FLETCHER. I desire to ask if that is the only amendment which the Senator from Missouri intends to offer?

Mr. REED. I intend, then, to move to strike out the imprisonment clause, and to insert in lieu of the penitentiary sentence the words:

And the President may by direct order seize the offending vessel and operate it in such manner as the public interest may demand.

That, however, will come up in a minute, and I think we might now vote on the amendment which I have already proposed.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Missouri.

The amendment was agreed to.

Mr. REED. I now move, on page 10, line 18, to strike out the words "or by imprisonment for not more than two years, or both," and insert in lieu thereof the words "and the President may by direct order seize the offending vessel and operate it in such manner as the public interest may demand."

Mr. SMOOT. Mr. President, may I ask the Senator from Missouri a question?

Mr. REED. Yes.

Mr. SMOOT. If the Senator's amendment shall be agreed to and the words he proposes to substitute are inserted, that would give the President authority to seize and operate a foreign vessel as he might see fit, would it not?

Mr. REED. Yes; whatever vessels would come within the provisions of this act. If a vessel does not come within the provisions of the act, the President could not take it. If we could fine the proprietor or send the proprietor to the penitentiary, then, of course, it would not be nearly so offensive to seize the vessel as it would be to do that.

My only notion about it is that I am opposed to putting the people of the United States in a position, where, if they believe a law is invalid and desire to test it, they must do it at the risk of going to the penitentiary. At the same time, I realize the importance of providing that a vessel can not charge enormous freight rates, making a large amount of money, pay its fine, and then go on violating the law. Hence I thought it would be a good proposition to give the President the power to commandeer the vessel, to take it over. It is a drastic power, but I think it is one that is necessary; and I make that suggestion.

The PRESIDING OFFICER. The amendment proposed by the Senator from Missouri will be stated.

The SECRETARY. On page 10, line 18, it is proposed to strike out "or by imprisonment for not more than two years, or both," and to insert "and the President may by direct order seize the offending vessel and operate it in such manner as the public interest may demand."

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Missouri.

The amendment was agreed to.

Mr. JONES of Washington. Mr. President, I desire to offer as a new section the amendment to the bill which I send to the desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from Washington will be stated.

The SECRETARY. It is proposed to add as a new section the following:

SEC. 18. That all steam vessels owned or operated by the United States Shipping Board, or any corporation organized or controlled by it, shall be subject to all the provisions of title 52 of the Revised Statutes of the United States for the regulation of steam vessels and acts amendatory thereof or supplemental thereto.

Mr. JONES of Washington. Mr. President, I introduced this proposition as a separate bill several days ago, but the committee has not yet had time to consider it. I will state briefly the reasons for presenting it.

Mr. REED. What is the act to which the Senator refers in his amendment? I wish he would read the act to which he refers.

Mr. JONES of Washington. It is section 4400 of the Revised Statutes, and is the second provision in title 52 of the Revised Statutes. It reads as follows:

SEC. 4400. All steam vessels navigating any waters of the United States which are common highways of commerce, or open to general or competitive navigation, excepting public vessels of the United States, vessels of other countries, and boats propelled in whole or in part by steam for navigating canals, shall be subject to the provisions of this title.

That is the title which requires masters, lifeboats, inspections, and all that sort of thing for steam vessels, "excepting public vessels of the United States." It has been held by one of the disbursing officers, I think, of the Government that by reason of that language being in the law the merchant vessels operated by the Shipping Board do not come within its provisions.

The sole purpose of this amendment is to make steam vessels owned and operated by the United States Shipping Board, not naval vessels nor vessels operated by the War Department or vessels of similar character, but vessels owned, operated, and controlled by the Shipping Board or any corporation organized under it, to be subject to the same precautions for the preservation of life, the protection of the crew, and all that sort of thing to which private vessels are subject, because the vessels under the Shipping Board are in effect private merchant vessels.

Mr. REED. I desire to ask the Senator a question. Is the act referred to in his amendment what is commonly known as the La Follette Act?

Mr. JONES of Washington. Oh, no. It is Title 52 of the Revised Statutes of the United States, extending from section 4400 to section 4523, relating to the general regulation of steam vessels.

Mr. REED. I did not have the book before me, and, of course, I could not tell what the act was by the mere number.

Mr. JONES of Washington. I understand that.

Mr. REED. I have some reasonable degree of familiarity with those regulations; but, Mr. President, they are very long, and I am not sure, without going over them carefully, that they may not contain provisions which would seriously interfere with the operation of these public vessels. I myself am not prepared to vote on the amendment, because I have learned that it is a very good idea to look at a statute before you make it apply.

Mr. JONES of Washington. That is true; but does the Senator consider these merchant cargo vessels, for instance, those of the Shipping Board, as public vessels in the ordinary sense?

Mr. REED. I think they are.

Mr. JONES of Washington. Or are they not really the same as private merchant vessels engaged in commerce?

Mr. REED. Well, they occupy a position that, of course, is different from the position of the private vessel as heretofore understood; and they also occupy a position different from the public vessel as heretofore understood, because that public vessel was simply performing the ordinary work of the Government?

Mr. JONES of Washington. Yes.

Mr. REED. But now the Government has taken over these vessels; it has taken them over in a time of war; it has built certain vessels to operate in time of war; and it is doing that upon the theory that the work in which the vessels are now employed is in aid of the war, and that, although they may be carrying coal from one private company to another private company or performing similar work, still that work is necessary to the war and bears a relation to the war of such a nature as to make it public—a public charge and a public duty.

I am not prepared to say that provisions which are necessary and proper when they relate to the conduct of a privately owned vessel ought to be imposed upon vessels the United States Government is buying or building and operating in connection with its war policy. If the Senator insists upon his amendment, I certainly think that some attention ought to be given to the provisions of the Revised Statutes to which the amendment refers.

Mr. JONES of Washington. The suggestions which the Senator from Missouri makes appeal to me; I appreciate their force; and I also appreciate the fact that this amendment has not been considered by the committee and that the committee has not yet had the opportunity to do so. I myself think that the Government of the United States ought not to operate these merchant ships without complying with the same provisions for the protection of the crew, of those who are passengers, and of those who may go upon them as are required of private ships; but I am not going to press this amendment, in view of the suggestions made by the Senator from Missouri. As I said before, I appreciate their force, and I think it is a measure that ought to have the careful consideration of the committee. If there are substantial reasons why the crews of these cargo ships should not be protected from shipwreck and the danger of shipwreck, if there are reasons why the passengers who may be carried upon these ships shall not have the protection in the way of lifeboats, inspection, and so forth, such as we require of private vessels, of course that should be taken into consideration. Therefore, Mr. President, I shall withdraw the amendment and let the bill I have introduced embodying the amendment be considered by the committee.

Mr. FLETCHER. Mr. President, I am very glad the Senator does that, because, while I have no doubt there is a great deal of merit in the proposition he submits, I think it ought to go to the committee and be considered by the committee. The fact is the pending bill is limited to war times and not exceeding nine months beyond; we are in war and surrounded by war conditions, and it might not be possible to comply with all the provisions of the statutes to which the Senator has referred. I repeat, I am very glad the Senator withdraws the amendment.

Mr. JONES of Washington. I merely wish to express the hope that the committee will give this matter some consideration before very long.

The PRESIDING OFFICER. The Chair understands the Senator from Washington withdraws the amendment.

Mr. JONES of Washington. Yes; I withdraw the amendment.

The PRESIDING OFFICER (Mr. ASHURST in the chair). The bill is still before the Senate as in Committee of the Whole and open to amendment.

Mr. KING. Mr. President, I wish to ask the Senator from Florida whether he does not consider that section 13 is rather too broad? As I interpret it, it places no restriction upon the power of those who are to administer this bill to requisition any docks or wharves or terminal facilities, no matter by whom they are owned and no matter the purposes to which they are put. It would seem to me that if those having the administration of this proposed act desired the permanent ownership of and control by the Government of the vessels referred to in this bill they could seize all the wharves and terminal facilities, lighterage boats, and so forth, with a view to destroying private ownership of the facilities used in water transportation. If the Government owned all wharves, terminals, and so forth, employed by shipping, and also a large number of ships, private ownership could scarcely compete with the Government, and the result would be that the shipping business would be controlled by the Government.

Mr. FLETCHER. I will say, Mr. President, that this section provides—

That the President shall have power to acquire, by purchase or lease, or to requisition the title to or temporary possession of, or to assume temporary control of, any dry dock, wharves, or loading or discharging terminal facilities in any port in the United States, or warehouses, equipment, or terminal railways connected therewith.

Mr. KING. Will the Senator pardon me?

Mr. FLETCHER. Yes.

Mr. KING. I think if the Senator will examine the first two lines he will find that they are not qualified by the word "temporary." They read:

That the President shall have power to acquire, by purchase or lease—

That is, not for temporary purposes—

or to requisition the title to or temporary possession of.

It not only gives the power to acquire temporarily certain things, but it gives the power to the Shipping Board to acquire the fee.

Mr. FLETCHER. But I think the Senator will agree that this whole matter is limited to the duration of the act, which is only six months, or possibly nine months, after the declaration of peace; it is only during the war that that can be done; and that is a very essential authority to give, because in handling shipping it is important to control terminals and docks, otherwise you can not control the discharge of the cargo or the loading of the ship; you can not control the time that it takes to go across and come back. It is necessary to have some sort of power to lay hold of docks and terminals if it becomes necessary to do so; otherwise you are hampered tremendously in the handling of the shipping.

Mr. KING. If the Senator will pardon me, I do not controvert that position at all; I am in perfect accord with him. There must be power in this board to requisition the terminals and docks and shipping facilities that are required in order properly to execute the provisions of the bill; but the point I am trying to make is that the bill not only gives the power to this board to requisition for temporary uses, but it confers upon the board—that is, upon the President and, of course, he will exercise his functions through the board—the power to acquire by purchase or lease all of the facilities to which reference has been made. The point I am trying to make is that this board, if it is disposed to put the Government in permanent control of the shipping interests of the country and crowd off from the high seas private enterprise and private shipping, may go ahead and purchase all the valuable wharves and terminal facilities, so that when the vessels are restored to the owners, if that shall be done, the owners of the boats would have no terminal facilities and no wharves, absolutely essential if they are to resume their private business. It seems to me this bill gives too much power and would enable those in charge to embark the Government, so far as they possibly could, upon a policy that would be destructive or certainly very injurious to private activities after the war is over.

Mr. FLETCHER. I think the Senator can certainly trust the President not to do anything that would interfere with private enterprise or the successful building up of our shipping interests.

Mr. KING. Mr. President, I am perfectly willing to trust the President, but I do not have the same trust in some of the boards, commissions, and bureaus organized under legislative authority. There are some officials or bureaus that show too great a predilliction to perpetuate the Government in power after the war shall end; that is, who would transfer to the Government the ownership and control of activities that ought to belong to private enterprise. And we all know that many governmental agencies seek to aggrandize themselves and would like to control the business affairs of many of the industries developed and owned by private persons or corporations.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the junior Senator from Utah yield to his colleague?

Mr. KING. I yield the floor.

Mr. SMOOT. Mr. President, section 13 authorizes the President of the United States to purchase "any dry docks, wharves, or loading or discharging terminal facilities in any port of the United States, or warehouses, equipment, or terminal railways connected therewith." In other words, it authorizes the expenditure, if the President or his subordinates decide it to be necessary, of billions of dollars. There is no reference to the sale of the property after the war has ended or after the necessities of the Government for the use of the same have ceased, but this provision gives the President power to purchase all of the wharves in the United States, all of the docks in the United States, all of the loading and discharging terminal facilities in the United States, and all of the warehouses, equipment, or terminal railways connected therewith.

Mr. FLETCHER. I will suggest this, to meet the objections which have been raised, namely, to strike out the words "to acquire by purchase or lease or" and insert after the word "to," in line 12, the words "lease or," so that it will read:

That the President shall have power to lease or requisition the title to or possession of.

Mr. SMOOT. That would be a very great improvement in the bill, and I think the amendment ought to be made.

Mr. KING. That will satisfy me and meet the objection that I have urged.

Mr. FLETCHER. If the junior Senator from Utah will make that motion, I will accept the amendment.

Mr. KING. I move to amend section 13 as follows.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In section 13, page 8, lines 11 and 12, it is proposed to strike out the words "to acquire by purchase or lease or," and after the word "to," in line 12, to insert the words "lease or," so that it will read:

That the President shall have power to lease or requisition—

And so forth.

The PRESIDING OFFICER. The question is on the amendment submitted by the Senator from Utah.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

Mr. KING. Mr. President, I should like to ask the Senator having this bill in charge whether or not the bill confers upon the commission or the board that will execute it the power to discriminate against persons engaged in transportation and in commerce with other nations? Would not the board have the power to discriminate against one shipper in favor of another?

Mr. FLETCHER. Mr. President, I think it is contemplated that general regulations will be determined upon and general rules laid down. For instance, when it comes to the question of fixing freight rates there will be a general order made with reference to those rates, and that order will apply to everybody, every shipper, and particularly as to every route; for instance, to Buenos Aires or to Rio. Freights across the Atlantic, and so forth, will be general, and there will be no discrimination in that respect. The bill requires, as the Senator will see, by an amendment that we put in it, that the rates shall be made public. They are required to be filed with the Shipping Board, where the public can have access to them.

Mr. KING. At any rate, it puts the power in this commission to determine the rates to private shippers who own their own ships and who may be shipping their own products.

Mr. FLETCHER. Practically, there are no ships of that sort. All ships now are doing Government business; and that is controlled, really, by the War Trade Board rather than by the Shipping Board.

Mr. KING. Mr. President, I shall not oppose the passage of this bill, although I regard it as containing dangerous features. The war calls for the interruption of many private activities; necessarily, it dislocates industrial matters and demands sacrifices upon the part of all. I only hope that the power herein conferred will be wisely exercised and that no precedent will be

claimed that will embarrass the country after the war is over. There will be some who will demand that the Government shall continue to control not only the water transportation of the Nation but all railroad and other facilities employed for such purpose. It is to be hoped that rational counsels shall prevail, and that we may return to the paths of safety and a proper recognition of the rights of persons and property.

The PRESIDING OFFICER. The question is, Shall the amendments be engrossed and the bill be read a third time?

The amendments were ordered to be engrossed and the bill to be read a third time.

The PRESIDING OFFICER. The question is on the passage of the bill.

The bill was passed.

AMENDMENT OF WAR-RISK INSURANCE ACT.

Mr. SMITH of Georgia. Mr. President, I move that the Senate proceed to the consideration of House bill 11048. This is the bill, to which I called the attention of the Senate on yesterday, which cares for the Marine Insurance Bureau, and it is very essential that it should be passed before any recess is had.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Florida?

Mr. SMITH of Georgia. I do.

Mr. FLETCHER. I wish the Senator would let us take up another bill, a companion bill to the one just passed.

Mr. SMITH of Georgia. I hope that will not be done at this time, Mr. President. I do not think the one that has just been passed ought to have been pushed in. I thought the bill to which I refer was to come immediately after the other bill of which the Senator has charge.

Mr. FLETCHER. As a matter of fact, the other bill was disposed of very quickly, and the Senator was present.

Mr. SMITH of Georgia. The Senator had told me a few moments before that it would take at least a half hour.

Mr. FLETCHER. I thought it would; but there was no debate at all upon it, and it passed.

Mr. SMITH of Georgia. Mr. President, I do not think this bill will take 10 minutes.

Mr. FLETCHER. I was going to say to the Senator that these bills have been reported and been on the calendar since June 27, so that I really think they should have a prior right as against bills that were reported out only yesterday; but I do not like to stand in the way of the passage of this bill. I know the Senator is anxious to have it passed.

The PRESIDING OFFICER. The Senator from Georgia asks unanimous consent for the present consideration of a bill the title of which will be stated by the Secretary.

The SECRETARY. A bill (H. R. 11048) to amend an act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, as amended by the act approved June 12, 1917.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill which had been reported from the Committee on Finance with amendments.

The first amendment was, on page 1, line 3, after the words "That the," to strike out "Act entitled 'An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department,' approved September 2, 1914, as amended by the act approved June 12, 1917," and insert "war-risk insurance act," so as to read:

That the war-risk insurance act is hereby amended by adding to such act a new section, to be known as section 2b, to read as follows:

The amendment was agreed to.

The next amendment was, in section 2, page 3, line 7, after the word "of," to strike out "such act as amended by an act entitled 'An act to amend an act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, and for other purposes,' approved June 12, 1917," and insert "the war-risk insurance act," so as to read:

SEC. 2. That section 5 of the war-risk insurance act is hereby amended to read as follows.

The amendment was agreed to.

The next amendment was, in section 3, page 4, line 14, after the word "of," to strike out "such act as amended by an act entitled 'An act to amend an act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, and for other purposes,' approved June 12, 1917," and insert "the war-risk insurance act," so as to read:

SEC. 3. That section 9 of the war-risk insurance act is hereby amended to read as follows.

The amendment was agreed to.

The next amendment was, in section 4, page 4, line 25, after the words "in so far as," to strike out "it authorizes insurance by the United States against loss or damage by risks of war" and insert "the Division of Marine and Seamen's Insurance is concerned"; and on line 7, page 5, after the word "the," to strike out "Bureau of War Risk" and insert "Division of Marine and Seamen's," so as to read:

SEC. 9. That the President is authorized whenever, in his judgment, the necessity of further war insurance by the United States shall have ceased to exist to suspend the operation of this act, in so far as the Division of Marine and Seamen's Insurance is concerned, which suspension shall be made in any event within six months after the end of the war, but shall not affect any insurance outstanding at the time or any claims pending adjustment. For the purpose of the final adjustment of any such outstanding insurance or claims the Division of Marine and Seamen's Insurance may, in the discretion of the President, be continued in existence for a period not exceeding three years after such suspension.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act to amend the war-risk insurance act."

CONVICT-MADE GOODS AT ATLANTA FEDERAL PENITENTIARY.

Mr. SMITH of Georgia. Mr. President, there is another bill to which I call the attention of the Senate, H. R. 8938. I have a letter from the President urging the immediate passage of this bill, and I ask unanimous consent to dispose of it at this time.

The PRESIDING OFFICER. The Senator from Georgia asks unanimous consent for the present consideration of H. R. 8938, the title of which will be stated by the Secretary.

Mr. SMOOT. What is the calendar number?

The PRESIDING OFFICER. It is Order of Business No. 498.

The SECRETARY. A bill (H. R. 8938) to equip the United States penitentiary, Atlanta, Ga., for the manufacture of supplies for the use of the Government, for the compensation of prisoners for their labor, and for other purposes.

Mr. SMOOT. Mr. President, the Senator from Georgia does not ask unanimous consent for the immediate consideration of this bill, does he?

Mr. SMITH of Georgia. Yes.

Mr. SMOOT. I know there are a good many Senators who are opposed to it.

Mr. SMITH of Georgia. Opposed to this bill?

Mr. SMOOT. Yes; so they have stated to me.

Mr. SMITH of Georgia. I have not heard of it.

Mr. SMOOT. Mr. President, let the bill be read before unanimous consent is given.

The PRESIDING OFFICER. The Secretary will read the bill.

The Secretary read the bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Georgia?

Mr. SMITH of Georgia. Mr. President, I should like to make a statement about the bill before the request is finally acted upon.

There are two features of the bill. One is for the purchase of additional land in connection with the penitentiary. The other is to put weaving machinery into a plant at the penitentiary.

With reference to the increased area of land, I have had occasion to examine what has been accomplished upon a little farm of about 100 acres. It has shown a net profit to the Government in its operation of nearly 10 per cent upon the $200,000. It has shown $16,000 to $18,000 net profit from its yearly operations. It is believed by the superintendent of prisons, and my own investigation leads me to the same conclusion, that if this money is used to purchase an additional tract of land it will make a return far in excess of any ordinary percentages and will largely contribute to pay the expense of feeding and caring for the convicts.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Washington?

Mr. SMITH of Georgia. Yes.

Mr. POINDEXTER. What does the bill provide as to the permanent title to the land which is to be acquired?

Mr. SMITH of Georgia. The land is to be purchased by the United States Government and owned by the United States Government as a part of its penitentiary plant.

Mr. POINDEXTER. Then the State of Georgia is willing permanently to turn over its penitentiary and its convicts to the Government of the United States?

Mr. SMITH of Georgia. Oh, no; this is the national penitentiary. This is our largest national penitentiary.

Mr. POINDEXTER. I thought it related to the State penitentiary.

Mr. SMITH of Georgia. Oh, no. It is one of the three national penitentiaries. The report of the Superintendent of Prisons shows that the number of prisoners has largely increased in the past few years. They have gone up now to between 1,500 and 1,600. Prisoners from the entire East are sent there, prisoners from New York and the New England States, and there are a large number of prisoners there from the mountain section. The prohibition law has somewhat increased the number of prisoners on account of illicit distilling.

The question is one of furnishing work to the prisoners. An authorization of $200,000 for the enlargement of the farm is carried, with the view of purchasing quite a large tract of land and adding it to the farm cultivated. I have no doubt that, with the capable farm management we now have there, this land will bring in toward the support of the prisoners from thirty to forty thousand dollars a year, probably $50,000, after it has been improved by careful cultivation.

Mr. McCUMBER. Mr. President, as I understand, this land is to be operated for agricultural purposes?

Mr. SMITH of Georgia. Entirely.

Mr. McCUMBER. And the products sold?

Mr. SMITH of Georgia. The products are to be used in the penitentiary, and, as amended, used in Government cantonments or for the use of the military and naval forces. They are not to be sold to the public at large. They are to be used by the United States Government to meet its own necessities.

Mr. McCUMBER. Inasmuch as the Senator has stated that there would be such immense profits made in the farming operations there, I was wondering how he arrived at the profits if the products are simply consumed. I was curious as to the basis of arriving at the profits.

Mr. SMITH of Georgia. I can answer the Senator very easily. The products of the farm turned into the penitentiary for the use of the prisoners were kept a matter of record by the man at the head of the farm, and current prices were put opposite the products furnished each day and each week.

Mr. McCUMBER. Does the Senator mean by "current prices" the retail prices of the products?

Mr. SMITH of Georgia. No; I mean the current prices of similar products disposed of in the same quantities, which were practically wholesale prices.

Mr. McCUMBER. Then it would mean, naturally, the farm prices of the products.

Mr. SMITH of Georgia. The farm price, the price that the management would have paid had he gone on the market and bought to the best advantage.

Mr. McCUMBER. Mr. President, that is what I am trying to get at. There is a vast difference between what the management of the penitentiary would have to pay if he has to go out and purchase the finished product and the price at which the farmer or the management of a farming institution would have to sell the raw product. That is why I am trying to find out what the basis was.

Mr. SMITH of Georgia. It is the finished product that is furnished from the farm for the inmates of the penitentiary.

Mr. McCUMBER. What do they raise, may I ask?

Mr. SMITH of Georgia. Meat, butter, eggs, milk, and so on. They raise large quantities of milk, large quantities of butter, large quantities of eggs, poultry, hogs, and vegetables of all kinds. The size of the farm has not been sufficient to produce grain in any quantity, except green corn and other grain that really takes the character of vegetables.

Mr. SMOOT. Mr. President, I will state that the provision authorizing the $200,000 expenditure is, however, for the acquisition or purchase of land only.

Mr. SMITH of Georgia. Yes.

Mr. SMOOT. It also provides that—

> The products of any such agricultural development shall be utilized in said penitentiary or be sold to the Government of the United States for the use of the military and naval forces of the United States.

In other words, the land is to be used for agricultural purposes?

Mr. SMITH of Georgia. Yes.

Mr. SMOOT. I do not think there is any authority whatever to use it to raise cattle or hogs.

Mr. SMITH of Georgia. Why, a hog is an agricultural product.

Mr. SMOOT. I do not so understand.

Mr. SMITH of Georgia. Oh, I think so. I think a properly managed farm would have some hogs on it.

Mr. SMOOT. Oh, yes; it would have some hogs on it, but I never have understood that a hog was an agricultural product.

Mr. SMITH of Georgia. I think that is covered by this language.

Mr. NELSON. Mr. President, I want to say that it is very important that they should raise hogs. The leavings from the kitchen, all the surplus offal from the kitchen, can be used to feed the hogs; and if that is supplemented by corn raised on the farm, they can to a large extent raise their own pork there for the convicts.

Mr. SMOOT. That is right.

Mr. NELSON. I want to say, if the Senator will allow me, that we have a State reformatory at St. Cloud, and we have quite a farm annexed to that, and the convicts raise a good deal of the vegetables, potatoes, milk, cream, and butter used in the reformatory; and I presume in time they will be able to raise their own pork. They do raise a good deal of their beef now.

Mr. SMITH of Georgia. I believe that, properly handled, this investment in agricultural land would be worth, when brought to a proper state of cultivation, $50,000 a year toward feeding the inmates; and if the Senator does not think the language is broad enough I should be glad to have him suggest an amendment which would make it broader, because the farmer, I understand, raises hogs on the present farm.

Mr. SMOOT. Yes; there is no limitation on him.

Mr. SMITH of Georgia. And he is extremely careful to obtain all the scraps from the penitentiary and all the material that goes into the scrap basket.

Mr. SMOOT. I will say to the Senator that that is what he ought to do; and every public institution that I know of, such as insane asylums and penitentiaries and other penal institutions, follow that policy. All I was calling the Senator's attention to was that the wording of the bill, in my opinion, authorizes the purchase of the land, and then it authorizes the products of any such agricultural development to be "utilized in said penitentiary, or be sold to the Government of the United States for the use of the military and naval forces of the United States." I think the wording of it would limit it so that they could only use penitentiary products for the purposes named, and I thought that was a limitation that should not apply.

Mr. SMITH of Georgia. I should be glad to make that language clearly broad enough, because my own view is that the farm ought to be run upon the same plan as the present farm, only much enlarged, and that it can largely contribute toward the expense of feeding the convicts.

Mr. McCUMBER. Mr. President, I really do not think it needs a change so far as the words "agricultural products" or "agricultural development" are concerned. When you raise corn on a farm it is an agricultural product. If you put the corn into a hog the hog becomes an agricultural product.

Mr. SMITH of Georgia. It is even a little broader; it says "the products of any such agricultural development." Now, one of the products of that development will be to raise hogs.

Mr. NELSON. Mr. President, I want to say that in addition to securing food supplies from this farm, one great advantage of this plan—and I had occasion to look into it years ago—is that it affords the convicts an opportunity for outdoor life and outdoor work. You take a convict who is confined in shop work all the time, and it is very confining, and they are all exceedingly glad to get an opportunity to work outside and work on the farm; so that a farm attached to a prison like this, where they can secure proper agricultural land, has a twofold advantage. First, it is for the advantage of the convicts, for the improvement of their moral and physical status. In the next place, it is a very economical proposition. A lot of the stuff around the prison would go to waste that they can use in connection with the farm and in that way save expense to the State.

Mr. SMOOT. Mr. President, let me suggest to the Senator an amendment which I think would at least make it clearer, by striking out the word "development" and inserting the words "the products, including live stock," so that it will read:

> The products of any such agricultural development, including live stock, shall be utilized in said penitentiary or be sold to the Government of the United States—

And so forth.

Mr. SMITH of Georgia. Would it not be better to say, "The products, including live stock, of any such agricultural development," or "the products of any such agricultural development, including live stock"? Just get the live stock in, so that it shall be clearly understood that we authorize them to raise live stock.

The PRESIDING OFFICER. The Senator from Georgia asks unanimous consent for the present consideration of the bill. Is there objection to the request?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on the Judiciary with an amendment.

Mr. SMITH of Georgia. Now, Mr. President, after the word "development," in line 18, page 2, I suggest that we add the words "including live stock."

The PRESIDING OFFICER. The Senator from Georgia offers an amendment, which will be stated.

The SECRETARY. On page 2, line 18, after the word "development," it is proposed to insert the words "including live stock."

The amendment was agreed to.

Mr. SMOOT. Mr. President, this bill authorizes the expenditure of $1,200,000. I should like to ask the Senator having the bill in charge what are the chances of securing $650,000 worth of machinery and equipment to carry out the purposes of the act?

Mr. SMITH of Georgia. I have the statement of the superintendent of prisons that he had an option on the machinery, which expired a short time ago, and that he has been informally advised that they were still satisfied it could be furnished.

Mr. SMOOT. Was it an option on secondhand machinery?

Mr. SMITH of Georgia. No; from the manufacturers of weaving machines.

Mr. SMOOT. I do not think there is a manufacturer in the United States who has a loom on hand.

Mr. SMITH of Georgia. I am inaccurate as to the time. The time of the option was November, 1917.

Mr. Duehay says:

> We have proposals from a number of different manufacturers of machinery. These proposals were secured from them about November 20, 1917. At that time they gave me an option until February 1, 1918, to accept the proposals.

Mr. SMOOT. How many looms are they going to purchase? Does it state?

Mr. SMITH of Georgia. Mr. Duehay, on page 6 of his testimony, describes all the material, twisters, winders, warp compressors, looms, cloth room, warpers, elevators, motors, light wiring, power, conduits, switch board, transformers, motor and shelf supports, shafting, belting, compressed air, and supplies.

Mr. SMOOT. When I asked the question I doubted very much whether we could get $650,000 worth of machinery necessary to start this business within any reasonable time.

Mr. SMITH of Georgia. This is the statement:

> Mr. DUEHAY. We have proposals from a number of different manufacturers of the machinery. These proposals were secured from them about November 20, 1917. At that time they gave me an option until February 1, 1918, to accept the proposals. Since then they have communicated with me, some by letter and some by calling on me personally, and expressed willingness to enter into a contract if I was able to do so. I have been unable to do so, because we have not authority at the present to enter into a contract for any part of this machinery; and I believe, from my conversations with the representatives of these different manufacturers, that I can secure the machinery.

That is the only evidence I have on the subject.

Mr. SMOOT. I think they will have a very hard time in doing it. In section 5 there is a working capital provided of $350,000. I can not see why you want a working capital of $350,000 with a plant the equipment of which costs $650,000. I know in ordinary times, when goods are sold upon four months' credit, it would never pay an institution to have $350,000 as a working capital with machinery costing only $650,000. In this particular case the working capital would not be as necessary as it would with a private corporation, because as the goods are produced they are immediately sent to the Navy or Military Department of the Government, and payment will be made within 30 days after the goods are shipped. If you had $100,000 working capital, that would be all, in my judgment, that would be necessary. I say that not with the idea of cutting the appropriation down so that the institution could not be worked successfully, but I say it based on the experience that I have had in running machinery of a similar character.

Mr. SMITH of Georgia. I take it for granted that they buy their yarn for the purpose of weaving.

Mr. SMOOT. Certainly.

Mr. SMITH of Georgia. Those yarns are not sold for spot cash as a rule.

Mr. SMOOT. They are hardly ever sold for spot cash. Indeed, I do not think 5 per cent of them are sold for spot cash. They are always sold on time. They could weave the cloth and get it finished and get the returns from the Treasury of the United States perhaps as quickly as their bills would fall due.

Mr. SMITH of Georgia. If the Senator suggests an amendment reducing the working capital——

Mr. SMOOT. I will say to the Senator if we give $150,000 it will be $50,000 more than is really necessary.

Mr. SMITH of Georgia. If the Senator suggests an amendment making it $150,000, I will accept it.

Mr. NELSON. Mr. President, I think the Senator from Utah is utterly mistaken. We have had some experience in Minnesota in this matter.

We have in our State prisons a plant for manufacturing agricultural implements. We have made an appropriation to give that prison what we call a revolving fund of over $1,000,000. It is used to buy material. They have the fund on hand, and they buy the material wherever they can get it cheapest, and then they sell the product to the farmers partly on time, and they need a big revolving fund. A revolving fund of $150,000 is not enough to run this prison.

Mr. SMOOT. The Senator may know, of course, more about it than the Senator from Utah, but I want to say to the Senator the case he cites does not compare with this in any way. As soon as the goods are made they are shipped to the Government of the United States, and checks upon the Treasury are sent immediately.

The machinery that is ordered in the penitentiary of Minnesota that the Senator refers to takes months and months to make and after it is sold to the farmers it takes months and months to be paid for, and of course there must be allowed a larger revolving fund. There is no such working in this provision. All the penitentiary has to do is to buy the yarns or beams. The warp or beam is put in the loom and the loom is started within an hour and the weaver begins to weave the cloth. It is duck that is proposed to be made. It does not have to be dyed. Simply washed, dried, and bolted, then sent to the War or Navy Department, and a check on the Treasury of the United States is returned.

Mr. NELSON. How does the Senator know they are going to start with a partly manufactured product? May they not start with the raw material?

Mr. SMITH of Georgia. No; this bill does not allow it.

Mr. SMOOT. They are not going to start with the raw material. They are going to purchase the warp on the beam or in shape to be beamed. I assure the Senator from Georgia that at no time will they ever want a working fund of more than $150,000.

Mr. SMITH of Georgia. I am disposed to believe that the Senator from Utah is right.

Mr. NELSON. I do not believe he is right. He is wrong, and you will find that you are wrong before you get through.

Mr. SMOOT. We will try it.

Mr. SMITH of Georgia. I was going to say before we agree on the measure I can confer still further with the superintendent of prisons. The Senator is right in saying that no raw material is to be bought. We put no spinning machinery in the mill.

Mr. SMOOT. I move to strike out "$350,000" and insert "$150,000."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Utah.

On a division the amendment was agreed to.

The PRESIDING OFFICER. The committee amendment will be stated.

The SECRETARY. On page 2, line 18, strike out "supplying such correctional institutions as the Attorney General may designate, or in his discretion may be sold," and insert "said penitentiary or be sold to the Government of the United States for the use of the military and naval forces of the United States."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

Mr. REED. Mr. President, I simply want to express my dissent from the bill.

The bill was read the third time and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the House recede from its disagreement to the amendment of the Senate numbered 44 to the bill (H. R. 9054) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1919, and agree to the same with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House insists upon its amendments to the amendment of the Senate No. 44 to the bill (H. R. 9054) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1919, asks a conference with the Senate, and had appointed Mr. LEVER, Mr. LEE, Mr. CANDLER, Mr. HAUGEN, and Mr. MCLAUGHLIN managers at the conference on the part of the House.

AGRICULTURAL APPROPRIATIONS, CONFERENCE REPORT.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives on the amendment of the Senate No. 44 to House bill 9054, which was read, as follows:

Resolved, That the House recede from its disagreement to the amendment of the Senate No. 44 to the bill (H. R. 9054) entitled "An act making appropriations for the Department of Agriculture for the

fiscal year ending June 30, 1919," and agree to the same with the following amendments:

(1) In line 10, after the word "benefits," insert "of the guaranty provided for in this section, he is authorized."

(2) In line 39 strike out all after the word "than" down to and including the word "produced," in line 41, and insert "$2.40 per bushel at the principal interior primary markets designated by the President by proclamation issued by him February 21, 1918, and at such other places as the President may designate.

Mr. GORE. Mr. President, I move that the Senate concur in the amendments of the House to the amendment numbered 44 to the Agricultural appropriation bill for the fiscal year ending June 30, 1919.

The PRESIDING OFFICER. The Senator from Oklahoma moves that the Senator concur in the amendments of the House.

The motion was agreed to.

ORDER OF BUSINESS.

Mr. GERRY. I ask unanimous consent to proceed to the consideration of the bill (S. 3438) to prevent corrupt practices in the election of Senators, Representatives, or Delegates in Congress.

Mr. FLETCHER. If the bill is going to lead to discussion, I hope the Senator will not ask for its consideration. There is another bill reported from the Committee on Commerce which has the unanimous favorable report of the House committee, and favorable action by the House, and was reported by the Commerce Committee of the Senate unanimously. It is a very important bill, and it ought to be acted on as early as possible. It is an amendment to the present shipping law.

Mr. MARTIN. I ask that House joint resolution No. 311 be laid before the Senate. It was subject to be called up, and I ask that it be now laid before the Senate.

Mr. GERRY. I yield temporarily for that purpose.

Mr. MARTIN. I will state that by unanimous consent it was to come before the Senate whenever I called it up.

Mr. GERRY. I yield to the chairman for that purpose.

EXTENSION OF APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (H. J. Res. 311) making appropriations for certain necessary operations of the Government and of the District of Columbia for the month of July, 1918, and for other purposes.

Mr. McCUMBER. Mr. President, the Agricultural appropriation bill, which has now been passed by the House and agreed to by the Senate reads as follows:

That the following sums be, and they are hereby, appropriated, out of any money in the Treasury of the United States not otherwise appropriated, in full compensation for the fiscal year ending June 30, 1919, for the purposes and objects hereinafter expressed, namely.

I respectfully call attention to the fact that this is an appropriation for the expenses of the Agricultural Department beginning on the 1st day of July, 1918, and ending on the 30th day of June, 1919. That being the case, it is wholly unnecessary to include in the joint resolution the words "Agricultural Department," because the bill has now passed the Senate and passed the House. We are in actual agreement, and it will cover everything that has been expended by that department from the 30th day of June, 1918. I therefore hope that the Senator from Virginia will agree to have that clause stricken out.

Mr. MARTIN. Mr. President, one objection to making a change is that it necessitates sending back the joint resolution to the House. It will do no harm because it only provides for such expenses as may have been incurred and are not provided for by the Agricultural bill. There is no possibility of duplicating the appropriations under the provisions of the joint resolution.

Mr. McCUMBER. The joint resolution carries them over until what time? I have not had time to read it.

Mr. MARTIN. Until the regular Agricultural appropriation bill is passed. It is not to continue after the Agricultural bill is passed. Such expenses as may have been incurred in the meantime and not provided for in the Agricultural bill are provided for by the joint resolution.

Mr. McCUMBER. Suppose the Agricultural bill which has passed the Senate and passed the House should still fail, where would we then be left?

Mr. MARTIN. As I understand, the Agricultural bill can not fail. It has passed both Houses.

Mr. McCUMBER. A bill can not become a law until it is approved by the President of the United States.

Mr. MARTIN. It might be vetoed; that is a possibility; but I do not apprehend anything of the sort. If it should be, there would still be the more necessity for this joint resolution, because it provides for the department until the Agricultural bill shall pass.

Mr. McCUMBER. That is, until it becomes a law?

Mr. MARTIN. Undoubtedly that is the case.

Mr. McCUMBER. Then if by any possibility it should not become a law, we are just exactly in the condition we have been attempting to extricate ourselves from and have so far succeeded in doing.

Mr. MARTIN. No; the joint resolution would take care of those expenditures until the Agricultural bill becomes a law.

Mr. McCUMBER. But the Agricultural bill now takes care of them anyway when it becomes a law, and it may be signed to-morrow.

Mr. MARTIN. Then this only provides where the Agricultural bill does not provide.

Mr. McCUMBER. I think the Senator either does not comprehend the point I have in mind, or I do not quite understand him. I do not anticipate that the Senator believes we are going to suffer any inconvenience if the bill is signed, and it can be signed to-morrow as it has passed to-day, whereas if for any reason the bill should not be approved, then the Agricultural appropriations that were made a year ago will continue through the entire fiscal year of 1919 if we were unable to get through another Agricultural bill; and in the meantime we have accomplished in that way just exactly what many of us desired should not be accomplished, and that is to override the will of Congress, which I believe to be the will of the country, that we should have $2.50 per bushel for our wheat now compromised at $2.40 a bushel.

If the Senator has no fear but what that bill will be signed, certainly there is no occasion on earth for keeping in the joint resolution the words "Agricultural Department," and they can only be kept in in anticipation that by some possibility the bill will not become a law.

Mr. MARTIN. The Senator is mistaken as to my intention in the matter. I have not the slightest idea that the President will veto it, although I have no information whatever on the subject. The joint resolution simply provides for necessary expenses of the Agricultural Department until the Agricultural appropriation bill is passed.

Mr. McCUMBER. The bill has been passed.

Mr. MARTIN. I thought the Senator just talked on the theory that it had not passed and could not be passed until the President signs it. I can not see any harm to come by passing the joint resolution.

Mr. McCUMBER. I think we all understand the situation and the danger of leaving that clause in the joint resolution. I therefore move to strike out the words "the Department of Agriculture."

Mr. MARTIN. It is for the Senate to say what it will do.

The PRESIDING OFFICER. The question is on the amendment of the Senator from North Dakota.

Mr. MARTIN. If the Senate thinks the Agricultural Department should not be provided for, it is for the Senate to say.

Mr. McCUMBER. In lines 4 and 5, on the first page of the joint resolution, I move to strike out the words "and the Department of Agriculture, including food-production operations heretofore provided for by law."

The PRESIDING OFFICER. The pending amendment is that of the Senator from Virginia [Mr. MARTIN], on page 2, line 3, to strike out the word "July" and insert the word "August." The Senator from North Dakota will withhold his amendment until this is disposed of.

Mr. McCUMBER. Very well.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Virginia.

Mr. JONES of Washington. Mr. President, I wish to ask the Senator from Virginia a question or two before that amendment is voted on. I understand the Senator wants the joint resolution made to cover August?

Mr. MARTIN. That is right.

Mr. JONES of Washington. I wish to ask the Senator this question. Some time ago the House passed a bill (H. R. 11945) to enable the Secretary of Agriculture to carry out, during the fiscal year ending June 30, 1919, the purposes of the act entitled "An act to provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products." I wish to ask the Senator from Virginia whether this resolution is intended to take care of the provisions of that act? In other words, is the joint resolution intended to make available any money to carry out the provisions of the act of August 10, 1917, that are covered by House bill 11945; or is it just intended to take care of the ordinary general appropriations in the bill known as the Agricultural appropriation bill?

Mr. MARTIN. That is all, Mr. President, as I understand it; nothing else.

Mr. GORE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Oklahoma?

Mr. JONES of Washington. I yield.

Mr. GORE. I rather think the Senator from Virginia is in error about it.

Mr. JONES of Washington. I think so, too; but I wanted to be sure about it.

Mr. GORE. I say I rather think the Senator from Virginia is in error, and the amendment of the Senator from North Dakota ought to be put in such a form as to make provision for that unless he desires to arrest that appropriation also that has not been involved in the controversy which has been going forward here.

Mr. JONES of Washington. I wish to say to the Senator from Virginia, as his position has been that the joint resolution does not and was not intended to take care of the act of August 10, 1917, I know that when the committee reported that a great many voted for reporting it on the statement that it was not intended to take care and did not take care of the provisions of that act. What I want to make certain is to see that it does not take care of the provisions of that act.

Mr. REED. I am anxious to know why not take care of it. I do not understand the situation.

Mr. JONES of Washington. I do not see any necessity of taking care of it by the joint resolution when we have a bill here on our calendar reported from the committee and ready to be taken up for passage. If anyone can tell me why we should not proceed to pass it I should like to hear the reason.

Mr. REED. I want to make an inquiry. I confess I may be confused about the bill. I understand the question to be whether the present bill is to take care of all the necessities of the Agricultural Department, or whether it will take care of a part of them, and then it will be necessary to pass a subsequent bill to take care of the balance. That is the situation, is it not? Now, when we are about ready to close up all these matters, taking care of various departments, why should we not really take care of them? Why should we leave something to another bill which, if it comes here for consideration, may or may not pass, and if it does pass here and goes to the House may or may not pass there. Why not in this matter at this time take care of these difficulties?

Mr. JONES of Washington. I think we almost universally pass a joint resolution extending appropriations to take care of the regular appropriation bills. That is the general understanding, and I am satisfied it was the understanding in the committee that this only took care of the regular Agricultural appropriation bill.

Mr. OVERMAN. It reads:

> That the necessary operations of the Government, so far as they relate to the support of the Army and the Department of Agriculture, including food-production operations heretofore provided for by law.

Mr. JONES of Washington. I think those very words, "including food-production operations heretofore provided for by law," would cover the particular purpose of the act which the House passed.

Mr. MARTIN. It is intended to cover such obligations as have been created by law for which appropriations have not been made. It is only intended to cover the obligations the Government has undertaken in the Agricultural Department and which Congress has not appropriated the money to meet. It does not make any new obligations. It does not create any new service, new duties, or responsibilities anywhere. It simply undertakes to pay for obligations which have been imposed upon the Government under previous law.

Mr. JONES of Washington. It goes outside of the general appropriation bill.

Mr. MARTIN. If some other act has created an obligation in that department, it provides for it. This matter has been gone over very carefully by the Comptroller of the Treasury or his assistant. Mr. KITCHIN, of the House, went over it carefully, and he assured me that it provided for nothing except the obligations of the Government which have been created heretofore by law that are not yet provided for.

Mr. JONES of Washington. The Senator will bear me out in the statement that it was stated in the committee when the joint resolution was reported that it did not take care of things outside of the regular appropriation act and this bill was specifically mentioned in the committee. Some Senators said if it covered the provisions of this bill they would not vote to report it, but the impression——

Mr. MARTIN. There is no obligation on the Government under the bill to which the Senator refers. It is the obligations created under an act passed.

Mr. JONES of Washington. No; the act of August 10, 1917, creates certain provisions for certain things to be done. It appropriates money for the fiscal year ending June 30 of this year. The House bill 11945 carries appropriations for the coming fiscal year to carry out the purposes of the general act of August 10, 1917. I do not like to see those provisions taken care of by a joint resolution here when we have had a bill on the calendar, which has passed the House, for some time, and no attempt is apparently made to take it up for consideration. I think it ought to be considered, and we ought to have an opportunity to consider it.

Mr. MARTIN. In the meantime ought not those obligations to be met?

Mr. JONES of Washington. They ought to be met in an orderly way.

Mr. MARTIN. Whenever that bill passes it supplants the present resolution. The present resolution simply takes care of existing obligations until the bill is passed to which the Senator has referred.

Mr. JONES of Washington. I understand that; and while I know the Senator would not be a party to any such proceeding, I am satisfied it would be welcomed by some if we could postpone this other act by a resolution of this kind.

Mr. MARTIN. I understand, so far from having any purpose of that sort, there is to be a request made for unanimous consent to make that bill the special order now, and if we take a recess that it shall be made a special order immediately on reconvening.

Mr. JONES of Washington. I will say to the Senator——

Mr. MARTIN. I have not a doubt that that course will be taken. I think it is generally understood that it will be taken. This is a resolution simply to take care of the obligations of the Government until that time.

Mr. JONES of Washington. If we can have this bill made the unfinished business, with the understanding that if we have a recess it will not be taken up until after the recess, that would be entirely satisfactory to me.

Mr. MARTIN. That is my expectation, and I will cooperate with the Senator for that purpose.

Mr. JONES of Washington. Very well, Mr. President. Upon that assurance from the Senator from Virginia I shall not press the amendment which I intended to propose now.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Virginia.

The amendment was agreed to.

Mr. MARTIN. There are a number of other amendments reported by the committee to the joint resolution, all for the same purpose.

The PRESIDING OFFICER. The amendments will be stated.

The next amendment was, on page 2, line 12, to strike out the word "July" and insert in lieu thereof the words "either the month of July or August."

The amendment was agreed to.

The next amendment was, on page 2, lines 18 and 19, to strike out "month of July" and to insert in lieu thereof the words "month of July or August."

The amendment was agreed to.

The next amendment was, on page 2, line 23, to strike out the words "month of July" and to insert in lieu thereof "months of July and August."

The amendment was agreed to.

The next amendment was, on page 3, line 17, after the word "July," to insert "and August."

The amendment was agreed to.

Mr. McCUMBER. Mr. President, I have offered an amendment, which I presume is pending.

The PRESIDING OFFICER. No.

Mr. McCUMBER. I wish to include the word "and" in the amendment on page 1, so that the portion stricken out will read "and the Department of Agriculture." This leaves in the language "including food production operations heretofore provided for by law."

The PRESIDING OFFICER. The amendment offered by the Senator from North Dakota, as he now proposes to modify it, will be stated.

The SECRETARY. On page 1, line 4, after the word "Army," it is proposed to strike out "and the Department of Agriculture."

Mr. MARTIN. Mr. President, as I understand the Senator's amendment, it is to eliminate the Department of Agriculture altogether?

Mr. McCUMBER. Merely to eliminate the Department of Agriculture; yes.

Mr. MARTIN. I can not see, for the life of me, why that discrimination should be made. It is a useless attack on the Department of Agriculture; but it is for the Senate to determine.

Mr. McCUMBER. Let me explain clearly why it should be made.

Mr. MARTIN. I think I understand it thoroughly, but I should be glad to have the Senator from North Dakota explain it.

Mr. PHELAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from California?

Mr. McCUMBER. I yield.

Mr. PHELAN. I understood the Senator from North Dakota was about to explain the reason for his amendment.

Mr. McCUMBER. Yes.

Mr. PHELAN. If that is his purpose, I shall not interrupt at this time.

Mr. McCUMBER. Mr. President, we have just passed the Agricultural appropriation bill in both Houses. That appropriation bill makes all the appropriations from the 1st day of July, 1918, to the 30th day of June, 1919. It covers everything that has been expended during the first six days of July for which appropriations have been made. We do not need to make appropriations again for the same purpose. This joint resolution, in addition to what I have already stated, also appropriates the 1918 appropriations for that portion of the fiscal year ending June 30, 1919, several days of which will have expired before the new law shall go into effect. If the new law should go into effect to-morrow, there would be seven days. Then we have two appropriations, if we allow this to remain, for those seven days; we have the regular appropriation for the fiscal year 1919, which begins on the 1st day of July, 1918, and we have the joint resolution, which also appropriates the same sums which were appropriated last year for the first seven days of July, 1919.

Mr. PHELAN. Mr. President——

Mr. McCUMBER. I yield to the Senator from California.

Mr. PHELAN. Does the Senator from North Dakota believe that the auditors of the Treasury would audit duplicate accounts for those seven days on account of the overlapping of the legislation or would they take the common-sense view that the object of Congress was to remedy a condition which was patent to all and only audit the accounts for the exact period of the fiscal year?

Mr. McCUMBER. We have nothing to do with the accounting. The question is, Shall we duplicate the laws? Let us suppose, for instance, that last year there was $150,000 appropriated for the extirpation of hog cholera, and that during the first seven days of July, 1918, we had expended $25,000 of that fund. That was under the old law. This law is enacted and makes another appropriation, we will say, of $150,000. Now, we have $325,000 more than for the first seven days of July, and that is clearly within the limits of the law. Why should we duplicate?

Mr. PHELAN. Mr. President, my purpose in desiring to take the floor was to make an inquiry. I am not much concerned about these bills, but the Senator from North Dakota assumes that the bill which has just been acted upon both by the Senate and the House of Representatives is a law. As a matter of fact, the bill has been sent to the President for his signature. The Senator from North Dakota is assuming in his argument that the President will sign the bill.

Mr. McCUMBER. Yes.

Mr. PHELAN. Well, Mr. President, that is an unjustifiable assumption. We do not know what the President will do. He has a period of time in which to do it. Shall we sit here and wait upon the President, or must we pass this remedial legislation in order to take our recess?

Mr. McCUMBER. The Senator from California was not here when I previously discussed the same contingency to which he is now referring, namely, if the President failed to sign the bill.

Mr. PHELAN. Well, Mr. President, if the President fails to sign it, of course it would not be law, and the joint resolution of the Senator from Virginia [Mr. MARTIN] would be very helpful in the administration of the Agricultural Department.

Mr. McCUMBER. Then, what becomes of all the results of a three months' continuous battle in reference to the price of wheat?

Mr. PHELAN. Well, the gentlemen who advocated that rise in the price of wheat will be among the unmourned minority. There must be a majority and a minority, and the minority will have failed to have impressed their views upon the President and upon two-thirds of the Congress which under the Constitution may override the veto.

Mr. McCUMBER. No; it would be the majority that would be yielding, and not the minority. I think we may assume, as has been suggested by the Senator from Virginia [Mr. MARTIN], that the President will sign the bill. It passed by a very heavy majority both in the Senate and in the other House, and by a unanimous vote in the Senate this afternoon. The proposition proposing to fix the price at $2.40 a bushel for wheat passed by a vote, I think, of 150 to about 106 in the House of Representatives. With that very positive sentiment impressed upon this legislation, it seems to me that I have a right to assume that the President will sign it. Then, if the President does sign it, and he should also sign this joint resolution, we shall have two appropriations duplicating each other for that portion of July, 1918, which will have expired before the Agricultural appropriation bill shall be signed. It is for that reason I say it ought to go out.

On the other hand, if the President should fail to approve the bill which passed by such a heavy majority, then we shall be placed in this position: After three months of labor in securing an agreement upon the price of the only commodity the price of which has been fixed by the administration, we nevertheless allow it to fail, because the President already has an appropriation to take care of the Agricultural Department for the fiscal year of 1919, and thus we defeat the entire Agricultural appropriation bill and take the 1918 Agricultural appropriation bill as a basis for 1919.

Mr. PHELAN. Mr. President, my only object is to call the attention of the Senate to the fact that if this motion prevails it puts the President in the position of either having to approve the Agricultural appropriation bill or leave the Agricultural Department without the means of maintenance for the fiscal year. I see in it an attempt to take away freedom of action from the Executive.

I have no particular interest in the measure itself, but I think it would be a safeguard to pass the joint resolution moved by the Senator from Virginia and to leave the President free. If he approves of one he must disapprove of the other. So there need be no danger of duplication.

Mr. McCUMBER. Well, Mr. President, that certainly is a unique method of legislation, by sending to the President two bills upon the same subject and saying to him, "You veto the one and you approve the other." Why not send him three or four or a dozen bills, all representing the views of minorities, and let him take his choice between the bills? It would be just as sensible as sending him two bills to-day covering any portion of the same period; and that is exactly what we are doing.

Mr. PHELAN. Should I be in a position—and I am in no such position—to tell the Senator from North Dakota that the President in all probability will veto the Agricultural appropriation bill, would he then consent to the joint resolution submitted by the Senator from Virginia?

Mr. McCUMBER. We do not have to consent to something, I am thinking. We would have to do something. I do not, however, think that there is any majority or any minority that is going to prevent the Agricultural Department from having sufficient money to take care of their demands; but I say that we ought to send one bill to the President now—we have passed that bill—and let the President sign it or return it without his signature. If he returns it, then it will be time enough to report some other measure.

Mr. GORE. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Oklahoma?

Mr. McCUMBER. I yield.

Mr. GORE. Does not the Senator from North Dakota think, if we send two bills to the President covering the same object, making appropriations for the same department, that that is a sort of invitation to either veto one or the other of the bills? There can be no doubt that if the President should veto the regular Agricultural appropriation bill either it would be passed through both Houses without the wheat amendment or a continuing joint resolution would be passed making provision for the Department of Agriculture. Nobody could afford to resist one or the other of those proceedings; but to pass both bills and send both bills to him at once as competing measures looks a little like an invitation to veto the regular appropriation bill, because we shall already have made provision for a contingency which would arise in case he did veto the Agricultural appropriation bill.

I have no disposition to exert any coercion on the President; I do not think we could, if we desired to do so; and certainly we do not desire to do so. The only point I make is that sending both measures is a sort of invitation to veto the regular appropriation bill; and this joint resolution should go over until he does veto the regular bill.

Mr. McCUMBER. It is not only an invitation, but we would be compelling him to veto one or else duplicate the appropriations.

Mr. GORE. If the pending joint resolution should be laid aside until the President vetoes the regular appropriation bill, if he should veto it, then I would not object to the appropriations for the Agricultural Department being included in the joint resolution, because we must meet this exigency when it arises. I do not think it has arisen yet.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from North Dakota.

The amendment was rejected.

The joint resolution was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

The title was amended so as to read: "Joint resolution making appropriations for certain necessary operations of the Government and of the District of Columbia for the months of July and August, 1918, and for other purposes."

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12600) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes.

The message also announced that the House agrees to the further conference asked for by the Senate on the disagreeing votes of the two Houses on the amendments of the Senate numbered 1, 61, and 83 to the bill (H. R. 11692) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1919, and for other purposes, and had appointed Mr. SISSON, Mr. MCANDREWS, and Mr. DAVIS managers at the further conference on the part of the House.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 12600) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes, and it was thereupon signed by the President pro tempore.

CORRUPT PRACTICES.

Mr. GERRY. I renew my previous request that Senate bill 3438 be taken up for consideration.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Rhode Island?

Mr. SMOOT. I desire to say to the Senator from Rhode Island that there are a number of Senators who are interested in that bill, and who have amendments to offer to it, who are absent from the city. No one expected the bill to be taken up at this time, and I do not see why the Senator should make the request, inasmuch as there is no pressing necessity for the immediate passage of the bill.

Mr. GERRY. I think there is necessity for the passage of this bill, and I do not see how there can be objection to it. The only objections that have been raised are that the scope of the bill should be enlarged. I do not believe that there is anything more important to this body than the purity of its elections. It seems to me that the bill is of great importance; that it should pass before the recess, so that there should be an opportunity for the House to act upon it. For that reason I urge its passage.

Mr. SMOOT. Mr. President, this is a Senate bill. If it should pass the Senate to-day in the absence of the Senators who desire to discuss it and offer amendments to it, it will have to go to the House and be acted upon there. If Congress takes a recess to-day, that will be impossible; and if it does not take a recess to-day, then the bill can be taken up when the Senators who are now absent are present. I repeat, there is no necessity for this bill, and there will be nothing gained, I will say to the Senator, by having it passed now. I do not think that advantage ought to be taken of those Senators who are absent.

Mr. GERRY. I do not think there is any advantage being taken of any Senator who is absent. The only objection which has been raised to the bill is on the part of those who claim that the bill should go further in its scope; they did not object to the principle involved in the bill. I repeat, I think the matter is of the utmost importance, and for that reason I renew my request for unanimous consent.

Mr. SMOOT. I shall have to object to unanimous consent.

Mr. GERRY. Then, Mr. President, I move that the Senate proceed to the consideration of Senate bill 3438.

Mr. SMOOT. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hitchcock	Nugent	Smith, Ariz.
Bankhead	Johnson, Cal.	Overman	Smith, Ga.
Borah	Johnson, S. Dak.	Phelan	Smith, Md.
Chamberlain	Jones, N. Mex.	Pittman	Smoot
Culberson	Jones, Wash.	Poindexter	Sterling
Curtis	Kellogg	Pomerene	Sutherland
Fletcher	Lenroot	Ransdell	Swanson
France	Lewis	Reed	Trammell
Gerry	McKellar	Saulsbury	Underwood
Gore	Myers	Shafroth	Vardaman
Guion	Nelson	Sheppard	Walsh
Harding	New	Sherman	
Henderson	Norris	Shields	

Mr. LEWIS. I desire to announce that the junior Senator from Kentucky [Mr. BECKHAM] is detained on official business.

The PRESIDENT pro tempore. Fifty Senators have answered to their names. There is a quorum present.

Mr. GERRY. I renew my motion that the Senate proceed to the consideration of Senate bill 3438.

The PRESIDENT pro tempore. Is there objection? The Chair hears none.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3438) to prevent corrupt practices in the election of Senators, Representatives, or Delegates in Congress, which had been reported from the Committee on Privileges and Elections with an amendment.

The Secretary proceeded to read the bill.

The PRESIDENT pro tempore. The bill has been read. The Secretary will state the amendment reported by the committee.

The amendment was, on page 1, line 8, after the word "vote," to insert the words "or to vote for or against any particular candidate," so as to make the bill read:

Be it enacted, etc., That whoever shall promise, offer, or give, or cause to be promised, offered, or given, any money or other things of value, or shall make or tender any contract, undertaking, obligation, gratuity, or security for the payment of money or for the delivery or conveyance of anything of value to any person or persons, either to vote or withhold their vote or to vote for or against any particular candidate at any general or special election for Senator or Representative or Delegate in Congress, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

Mr. SMOOT. Mr. President, I should like to know what the words "particular candidate" mean? Do they mean that a candidate in any particular State is to fall under the provisions of the proposed law, while a candidate in another State is not to be affected by it? Why not say "vote for or against any candidate"?

Mr. GERRY. I will say to the Senator from Utah that that amendment proposing to incorporate the words "or to vote for or against any particular candidate" is an amendment reported by the committee which had charge of the bill.

Mr. SMOOT. I know that. I wanted to know why the committee used the word "particular."

Mr. GERRY. I do not know; I can not answer that question.

Mr. POMERENE. Mr. President, the amendment was suggested in that form. I do not know that there is any special reason why the word "particular" should either remain in or be left out.

Mr. SMOOT. Then, I move that the word "particular" be stricken from the committee amendment.

The PRESIDENT pro tempore. The amendment to the amendment will be stated.

The SECRETARY. In the committee amendment it is proposed to strike out the word "particular" before the word "candidate."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. SMOOT. Mr. President, I think that is the only committee amendment. I now move to insert in line 9, after the word "any," the words "primary or," so that it will read:

Withhold their vote or to vote for or against any candidate at any primary or general or special election for Senator or Representative or Delegate in Congress.

Mr. FLETCHER. Mr. President, I do not believe that is a good amendment. I do not see that primary elections ought to be under the control of the Federal authorities in any way. Primary elections are based purely upon State law and State action, and it seems to me that it is not proper to extend this legislation to the primaries.

Mr. SMOOT. Mr. President, everyone knows that the primary election in a Southern State is equivalent to the election of whoever is nominated at a primary election. What is the use of the proposed law so far as the Southern States are concerned unless we put in the word "primary"? If we are going to have a law to apply in this country to the election of Sena-

tors, let it apply to all the States and not eliminate a certain section of the country. I am in favor of a law that will apply to all the States alike.

Mr. FLETCHER. This bill does apply to all the States.

Mr. SMOOT. It does in the case of general elections, but the Senator knows there is nothing to a general election in the Southern States for a Senator or a Member of the other House; he knows the result is determined in the primaries; he knows that at the primaries is where money is spent; and he knows that is where the political work is done. That is not so in the Northern States nor in the Western States. If this principle is to apply to all elections, let it apply to primary elections in the Southern States. I can not see why there should be any objection to the amendment, for, if the principle is right, it ought to be made to apply to all elections.

Mr. WALSH. Mr. President——

Mr. SMOOT. I yield to the Senator.

Mr. WALSH. I will wait until the Senator concludes.

Mr. SMOOT. I offer the amendment in good faith, thinking that, if Senators are converted to the principle—and I have no objection to the principle—it should apply to all elections, and, therefore, I hope that the amendment will be adopted by the Senate. Then there will be no question about the passage of the bill, in my opinion.

Mr. WALSH. Mr. President, I feel as if I should like to appeal to the Senator from Florida [Mr. FLETCHER] to withdraw his objection to the amendment offered by the Senator from Utah [Mr. SMOOT]. The legislation is very, very much needed, indeed, and I can not conceive that any representative from any State would object to a prosecution for bribery committed at a primary election at which candidates for the Senate or the House of Representatives are to be nominated. The act is very restricted in its scope; it is confined to the crime of bribery only; and I want to appeal very earnestly to my associates on this side of the Chamber not to interpose any objections that are not vital to this legislation, which is, as some of us happen to know, very much needed, indeed.

Mr. KING. Mr. President, will the Senator from Montana permit a question?

Mr. WALSH. I yield.

Mr. KING. Why can not the States deal with this question? Most of them have statutes in regard to elections, penal statutes, statutes dealing with fraudulent voting, with bribery. Why intrude the Federal Government into the States when the States are competent to deal with their own affairs?

Mr. WALSH. Mr. President, I am very sure the Senator from Rhode Island would be able to satisfy the Senator from Utah from the history of his own State as to how inadequate is the provision made by the State statute, and, worse than that, how utterly inadequate is the execution of the State statute involving the question of the election of a United States Senator.

Mr. President, when the Constitution was originally adopted there was comparatively little occasion for a provision in it concerning elections, because only a Member of the House of Representatives in the Federal system was the subject of election by the vote of the people. But, Mr. President, we live in a different age. It was not a long time until the President of the United States became virtually elected by the electors of the various States, and notwithstanding the machinery of the Electoral College we all recognize that he is now in fact elected by the people of the United States. Moreover, we have brought about the election of Senators by the people of the various States; so that it becomes a matter of very great moment to the people of my State whether there are pure elections in every other State in the Union, and it becomes a matter of very great consequence to us who are permitted to vote in every other State in the Union. Therefore, if the elections of Senators and Representatives are corrupted in any one State by bribery, it is a matter of the most profound importance to the people of my State, because they are obliged to submit to laws which may perchance become effective by the vote of Senators or Representatives chosen by corrupt means in any particular State.

Undoubtedly there are laws against bribery in the various States; but those who have had experience in politics—and the Senator from Utah need consult only his own experience—will recognize that in the States where this statute is necessary, the parties who make themselves amenable to the local statutes ordinarily control the machinery of government, so that the law is not executed and the trials are not had. Such a condition of affairs prevailed in my State until no very remote period in its history; and though we had the most drastic corrupt-practices act in our State, it was a dead letter in the very counties in which a corrupt-practices act was most needed, simply because those who handled the political machinery likewise handled the prosecuting attorneys and the machinery by which the juries were assembled in those counties.

So, Mr. President, it will not do to say that we can afford to leave to the laws of States the whole matter of guarding the purity of elections of United States Senators and Representatives in Congress, and the President of the United States himself.

Mr. POMERENE. Mr. President, I want to indorse very heartily everything that the distinguished Senator from Montana [Mr. WALSH] has said upon this subject. As one member of the Committee on Privileges and Elections, I consented to report this bill as we did because I hoped we could get it through without any opposition; but, as the question has come up, I want to say that I feel that this legislation ought to apply to primary as well as to general elections.

In answer to the suggestion made by the junior Senator from Utah [Mr. KING], allow me to say that in the election of 1916 in Hamilton County, Ohio, there were about 100 indictments returned by the Federal grand jury under the so-called conspiracy statute for corruption at the general election.

The Department of Justice was of the opinion that that statute was comprehensive enough to cover conspiracies for fraud in elections as well as other conspiracies. The United States Supreme Court just very recently reversed the convictions under that statute, and now it is as if there were no Federal election law relating to the election of Congressmen and Senators; and the condition in Hamilton County, Ohio, to-day is such that when it comes to an offense against the election laws of the State there can not be an indictment or a conviction, and if we can not get relief there we want it in the Federal courts.

It is quite true that there have been more of these frauds in every section of the country than we like to admit. I do not believe I have here the title of the case to which I referred, but it was an opinion delivered by Mr. Justice McReynolds very recently, and I had it incorporated in the CONGRESSIONAL RECORD on page 6948 on May 23, 1918, when this same bill was up for consideration.

Mr. KELLOGG. Mr. President, this bill is simply a bill to punish bribery of the vote; and I think the committee realized that it is just as important to include primary elections as it is to include the general elections. Many of the States do not have statutes providing penalties for the corruption of voters in the primary elections for Senators and Representatives. Many of the State laws apply only to State officers and county officers and municipal officers, and the penal clauses do not apply to primary elections for Senators and Representatives. Several of those have come to my attention.

I do not care whether it is a close State or whether it is not a close State. Everybody realizes that the purity of a primary election, which to-day is held under the sanction of law all over this country, is just as important as the purity of the general election, if not more so, and this statute is a simple statute against the bribery of a voter. I can not see any reason why it should not apply both to primary and to general elections, and I am in favor of it.

Mr. BORAH. Mr. President, I agree with those who think that the word "primary" ought to be inserted in the bill, and I am in favor of it not because of any particular application to any particular section of the country. It is true, as the Senator from Utah says, that in some parts of the country the primary is perhaps more important and more controlling in the ultimate result than in other States; but, nevertheless, it is just as essential that the word "primary" be inserted for the Northern States as it is for the Southern States.

Of late years there has come to be more money expended in primary elections, often, than in the final elections. It is a practice which obtains pretty generally now to expend a very considerable amount of money in primary elections. Of course, I am not authorized to say that any specific acts of corruption have taken place; but where there is so much money expended it is well to have the matter thoroughly controlled by law, and I am therefore very much in favor, if the bill is to be passed at all, of inserting the amendment offered by the Senator from Utah, because the entire election should be protected, from beginning to end. In other words, if you can corrupt an election to get a man on the ticket, you have corrupted the entire election, because it necessarily follows that the first step will be followed up, to the extent that they may to the final consummation.

Mr. JONES of New Mexico. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from New Mexico?

Mr. BORAH. I yield.

Mr. JONES of New Mexico. I should like to inquire of the Senator from Idaho if he has any doubt as to the power of Congress to legislate with reference to the primary?

Mr. BORAH. No; I have not, with reference to the election of Senators and Representatives.

Mr. JONES of New Mexico. I can see, of course, how a distinction might be made. I was of the opinion myself that the power did exist, but I wanted to have the assurance of the Senator from Idaho.

Mr. BORAH. I feel very certain that we have that power; and I may say here further that the time is not far distant, Mr. President, when the National Government is going to take over the control of elections to a very great extent—to a much greater extent than it has heretofore. At the conclusion of the Civil War we passed what is known as the fifteenth amendment, and in a few weeks, I am told, we are going to pass another amendment, known as the woman-suffrage amendment. Those two amendments, together with the fact that we now have a certain power over the election of Senators and Representatives, will not only give the National Government control of the elections in the States, but it will impose upon the National Government the duty of controlling the elections in the States. We might just as well understand now as later that the National Government is going to assume practically complete control over the elections. Wherever a Senator is elected or a Representative is elected, and you control that election by reason of that fact, you will as a practical fact control the elections of State officers. We should not blind ourselves to the fact that these amendments to the Constitution widening and extending the power of the National Government over the franchise will lead to complete national control over elections.

Mr. KELLOGG. Mr. President——

Mr. BORAH. I yield.

Mr. KELLOGG. I wish to suggest to the Senator from New Mexico that under the decisions of the Supreme Court of the United States there can not be the slightest doubt not only that Congress has the power to punish frauds on primary elections, but to enact a primary-election law. In fact, some States—at least one that I know of—have held that only Congress can do it, and that the State law providing for the regulation of a primary for Senators was unconstitutional. I do not think that was good law in the absence of a statute by Congress which occupies the entire field, but there can not be any doubt of the power of Congress to regulate the election of Senators and Representatives.

Mr. BORAH. I agree with that view.

Mr. VARDAMAN. Mr. President, the manifest purpose of this bill has my very hearty approval. If the penalties imposed were limited in their application to the man or woman elected to Congress, I should not object to it; but I am a little afraid of any bill or any law that gives the Federal Government authority to interfere with State elections. We had enough of that legislative poison in the South during the days of reconstruction, and I for one do not want any more of it. I wish it understood that I am very much opposed to anything that even savors of fraud in election. I am opposed to a man occupying a seat in this Chamber or in the other House whose title to his seat is in the least tainted with dishonesty. This bill, of course, is not fairly subject to the criticism that my friend the able Senator from Utah has made of it. It is not intended to control in any way the morals of the people of the States, but its purpose, as I understand it, is to conserve and make certain the morals of the legislative body of the Government. I am opposed to the use of money in elections, either general or primary elections, and I shall never vote to permit a man to occupy a seat in this Chamber as long as I am a Member of this body, whose title to his place is in the slightest degree vitiated by fraud. Now, if the bill shall be amended so as to provide that no man or woman shall hold a seat in the Congress of the United States who has secured his or her election by methods condemned in this bill, it will have my very cordial support.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Ohio?

Mr. VARDAMAN. I yield.

Mr. POMERENE. As each body is made the judge of the election and qualification of its own Members, we can expel from the Senate, and the House of Representatives can expel from the House any Member whose election is brought about by fraud.

Mr. VARDAMAN. That is true. I am perfectly familiar with that prerogative which belongs to the Senate, and the Senator from Ohio has not given me any information that is not known to every page in this Chamber. The House and the Senate are judges of the qualifications of their Members. There is no question but that the provisions of this bill will place all State elections for Members of Congress and the United States Senate under Federal control. I think the power had better be reserved to the States where it has been exercised with prudence for more than a hundred years.

Now, Mr. President, I repeat I do not wish to permit by any act of omission or commission a man to serve in the Congress of the United States who has been elected by methods condemned by this bill. I would not have any man occupy a seat in this body or in the other body of this Congress whose right to that seat is tainted with fraud or any of the acts condemned in this bill. If the penalties in the proposed law shall be limited to the man corruptly elected to the House or the Senate, I shall be very glad to support it, but it is a dangerous experiment to take from the States the authority to punish election frauds and vest it in the Federal Government. The States can be relied upon to punish election frauds committed in their respective jurisdictions.

Mr. McCUMBER. Mr. President, I have no doubt in the world, and I can not conceive how there can be a doubt arising in the mind of any person, of the right and the authority of Congress to legislate upon this subject. Congress having already legislated upon it and prescribed that no election shall be held valid in the face of fraud, and invalidating an election where such election has been secured through fraud, I can not see any objection to a further amendment of the law punishing those who are guilty of the fraud.

But, Mr. President, what I really am more interested in at this time is to ascertain whether my confidence in self-government must be shattered; whether or not it is true that there are whole counties in the United States where law can not be enforced. If I understood the Senator from Ohio [Mr. POMERENE] and the Senator from Rhode Island [Mr. GERRY], each of them announced that a certain number of indictments had been returned against citizens of two different counties in two different States, but nothing was said as to whether or not those indictments had been followed up by convictions. I am asking whether it is really true that those Senators seek to come to Congress to get a Federal law because they are unable to enforce the laws of their States in counties in their States?

Mr. GERRY. In answer to the Senator from North Dakota I desire to say that, unfortunately, in my State the authorities have not prosecuted violations of the election laws. In the history of that State we have practically had no convictions, although bribery has been rampant. It was not the fault of juries; the fault was in the fact that no indictments were had. When Federal aid was invoked 56 indictments were had, and that fact speaks for itself; in other words——

Mr. McCUMBER. The Senator speaks of indictments. Were there convictions under those indictments?

Mr. GERRY. In other words, the Federal prosecuting official was able to obtain 56 indictments.

Mr. McCUMBER. Well, how about convictions? An indictment amounts to nothing unless there is a conviction.

Mr. GERRY. It was impossible to obtain convictions because the Supreme Court of the United States said that the Federal Government did not have jurisdiction.

Mr. McCUMBER. Well, I am trying to get at the real root of the trouble.

Mr. GERRY. There was no Federal statute.

Mr. McCUMBER. Is it true that in Rhode Island the State laws can not be enforced in a county in the State by the people of the State and the officials of the State?

Mr. GERRY. I will say to the Senator that the officials of the State do not enforce the election laws.

Mr. McCUMBER. Do not enforce the laws?

Mr. GERRY. Do not enforce the laws.

Mr. McCUMBER. Let me ask the Senator, then, is there not provision in the State laws or the constitution of the State for the removal of an officer who fails to perform his duties? May not the governor remove him, and, if there is no provision for removal by the executive, is there not some other process that can be instituted by the people themselves to get rid of an official who will not perform his duty?

Mr. GERRY. The Senator evidently does not understand the constitution of Rhode Island.

Mr. McCUMBER. I admit that I do not.

Mr. GERRY. The situation is this: Apparently the State officials are not able to find evidence of bribery; at least they do not prosecute for such offenses, although the Federal officials had no difficulty in securing such evidence and obtaining indictments. In our State we are working under a rotten borough system, as bad as that which existed in England before the reform bill of 1832. Under that system a small minority of the population is able to control the government of the State, and the political party in the State, which has been in power for many, many years, is in power, in my opinion, on account of its control of that minority vote. When the political party in control is not able to see that we have purity in elections and is not able to give us the reforms that we need in the State,

then it is time that we should seek aid from the Federal Government. That is why I have introduced this bill. The fact remains, as I have heretofore stated, that, owing to the rotten borough system, a very few towns are able to control the State senate, and by so doing control the government of the State.

Mr. McCUMBER. It seems to me, Mr. President, that the Senator challenges either the integrity or the good sense of the people of the State, because, if they have good sense and also have integrity, there can be no possibility but that they can remove the bad conditions of which the Senator is complaining.

After all, it is a self-governing State; the power rests in the people themselves, and, if they have a knowledge of the situation and if they have the moral sense back of that knowledge, I confess I can see no reason on earth why they themselves can not apply the remedy.

Mr. GERRY. In reply to the Senator, if the majority ruled in Rhode Island and if the majority had the authority to make the laws, there is no doubt in my mind that these conditions would not exist; but unfortunately we are suffering from minority rule and from an archaic constitution, which was adopted in the forties, a constitution so framed that it is practically impossible to amend it. In order to amend the constitution a proposed amendment must be passed twice by both houses of the State legislature before being submitted to the people; but no amendment can go through, of course, if the State senate is against it, and the State senate is elected by a minority of the people. So, under the control of the political machine in power in that State, it is possible to prevent constitutional amendment, although the people in every section of the State are crying aloud for it and the majority of the people are highly in favor of it.

Mr. FLETCHER. Mr. President, I shall be glad, indeed, to do anything or assist in any way toward relieving conditions such as the Senator from Rhode Island has mentioned; and I shall, out of consideration for him, if not for other considerations, certainly refrain from any obstructive tactics as to this proposed legislation.

I wish, however, to say, in reply to what the senior Senator from Utah [Mr. SMOOT] suggested when I objected to his amendment, that it is scarcely necessary for me to insist that I am just as much opposed to bribery at elections as he or any other man can be. I am perfectly willing that bribery at elections shall be prohibited all over the country and at every election; and I desire to see that done. But I resent strongly the implication that, because I object to this amendment, therefore the South, particularly that portion of it which I have the honor in some part to stand for here, wants to be left free to commit bribery at elections just as the people there may please to do. I resent the intimation that by reason of opposing this amendment I am in favor of or in sympathy with the practice which the bill condemns; and I must be permitted to urge some experience which has passed into history in connection with the Federal courts interfering or intervening in the case of alleged congressional election frauds.

It is perfectly well known that not a great many years ago—I will say generally during the McKinley administration—a man was appointed a Federal district judge for the southern district of Florida for the reason and with the understanding that he was at once to organize his court and proceed to prosecute people in a certain congressional district in that State for alleged election frauds; that after his appointment he did organize that court, and they made a cost mill of it for the benefit of the marshal and the clerk, and from three to five hundred citizens were indicted, hauled from their homes, forced to give bond and employ attorneys, and go to expense to answer the indictments laid against them by a Republican district attorney, at the instance of a Republican judge, served by a Republican marshal, in order to carry out the pledge of that judge that he would proceed at once to have people in that State prosecuted for alleged election frauds.

Mr. REED. How were the juries secured?

Mr. FLETCHER. After these people were called before that court juries were ordered to be summoned. This United States marshal wrote to the deputies throughout the district: "I want you to summon so many men from each of your counties in this district to serve on the juries, and these men must be true and tried Republicans." That was the written instruction given by the marshal to his deputies throughout that district—"Every man you summon to serve on this jury must be a true and tried Republican."

I submit, Mr. President, that if there is one crime greater than that of stuffing the ballot box, it is the crime of stuffing the jury box. That was actually done in that district. It turned out that out of these 400 or 500 indictments, as I recall now, not a single person was convicted; but they were persecuted as well as prosecuted, put to enormous expense, and hounded and pursued for months and months.

Mr. President, I do not believe that situation will ever arise again. I believe, candidly, that we have passed beyond it. I do not believe there will ever again be such a partisan Attorney General who would outline such a scheme and plan as that, or that there will ever again be a man who will enter into an undertaking of that sort, or that a court will ever again be organized in that way in any part of the country. I really think we have gotten beyond it; but I mention it as one of the possibilities and one of the dangers under legislation of this kind, and I mention it as an experience demonstrating the kind of persecution and tyranny and oppression that could be practiced under legislation of this sort.

Mr. SAULSBURY. Mr. President, if the Senator will permit me, the occurrences in Florida to which he refers must have been before the present system of selecting United States juries was in vogue; were they not? Now, of course, the juries are selected by commissioners, one of whom is the clerk of the court, and another of opposite political opinion, appointed by the judge, and they are selected, of course, in a nonpartisan or rather in a bipartisan way; so that such things could not occur now.

Mr. FLETCHER. I believe that at that time the names were drawn from a box; but it was claimed that the list from the box was exhausted, and then they had a right to summon men from the district at large, and I think they do so yet, even under that system.

Mr. SAULSBURY. I have had some such experience as the Senator describes in my own State when juries have been exhausted and talesmen were summoned to try political cases, and I sympathize with his statement of the outrages which have been committed; but that was not in regard to such an offense as bribery, which I regard as the meanest, lowest thing to which parties can resort. That was with respect to the very partisan operations of the old supervisors and United States deputy marshals, when they were attempting to control elections by force. To my mind, force is a much more respectable method by which to control elections than bribery. Bribery has been denominated in the Democratic platforms in my State for years as treason to the country, and I so regard it; and I am in entire sympathy with this particular provision which the Senator from Rhode Island is trying to have put in the United States laws. I do not think anybody can be hurt by this.

If I thought that under the guise of this act the United States would attempt to control State elections my opinion would coincide precisely with that of the Senator from Florida; but this bill is so narrow in its scope, and it is such a mean, miserable, treasonable thing that we are trying to put a stop to and trying to obtain an additional forum in which to try these cases that I am in accord with the Senator from Rhode Island in this matter.

Mr. FLETCHER. I condemn quite as strongly as does the Senator from Delaware the practice of bribery. What I have had to say has been by way of indicating the danger of putting into the hands of the Federal courts the duty of enforcing the law with respect to the elections of Congressmen and Senators in this way, and I instanced our experience of some years ago—which was most unhappy and which, as I say frankly, I do not expect ever will occur again—as an illustration of the danger that is involved in legislation of this kind. I rather prefer to leave the administration and enforcement of these laws to the States, respectively; and I believe that that power left to the States and the steps that we have taken here with regard to the amount of expense allowed and the control over the election of its Members that each body of Congress has gives us sufficient protection.

Mr. BORAH. Mr. President, if this bill can be voted on right away, I have no objection; but it is now 5 o'clock, and it is Saturday afternoon, and it seems to me that we might take an adjournment.

Mr. POMERENE. Mr. President, will not the Senator allow us to have a vote? I think we can vote on the matter. So far as I know, the discussion is practically finished; at least, I hope so, and I hope that we may have a vote very soon.

Mr. VARDAMAN. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ASHURST in the chair). The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Cummins	Gore	Jones, N. Mex.
Bankhead	Curtis	Guion	Jones, Wash.
Beckham	Dillingham	Harding	Kellogg
Borah	Fletcher	Hitchcock	Kendrick
Chamberlain	France	Johnson, Cal.	King
Culberson	Gerry	Johnson, S. Dak.	Lenroot

Lewis	Penrose	Sheppard	Thompson
McCumber	Phelan	Shields	Trammell
McKellar	Pittman	Simmons	Underwood
Martin	Poindexter	Smith, Ariz.	Vardaman
New	Pomerene	Smith, Ga.	Warren
Norris	Ransdell	Smoot	
Nugent	Reed	Sterling	
Overman	Saulsbury	Sutherland	

Mr. CURTIS. I desire to announce the absence of the senior Senator from New Mexico [Mr. FALL]. I will let this announcement remain for the day.

Mr. McKELLAR. I desire to announce the unavoidable absence on official business of the junior Senator from Arkansas [Mr. KIRBY].

Mr. PITTMAN. I desire to announce the unavoidable absence on official business of the junior Senator from Nevada [Mr. HENDERSON].

Mr. LEWIS. May the RECORD show the absence of the senior Senator from Kentucky [Mr. JAMES], occasioned by personal illness?

The PRESIDING OFFICER. Fifty-three Senators have answered to their names. A quorum of the Senate is present.

Mr. KING. Mr. President, I should like to ask the Senator from Rhode Island how he interprets the following language of the bill, reading lines 7, 8, and 9:

for the delivery or conveyance of anything of value to any person or persons, either to vote or withhold their vote or to vote for or against any particular candidate at any general or special election for Senator.

Would not that language make any person guilty of an offense who voted at a primary or special election at which a Senator or Representative or Delegate in Congress was voted for, even though the person for whom he voted was a State official? It seems to me that that language is so broad that this statute would penalize a man for bribery in connection with any candidate, whether Federal or State.

Mr. GERRY. I will say to the Senator from Utah that I do not think so.

Mr. KING. I invite the attention of the Senate to the language. It seems to me that it is susceptible of no other construction:

That whoever shall promise, offer, or give, or cause to be promised, offered, or given, any money or other things of value, or shall make or tender any contract, undertaking, obligation, gratuity, or security for the payment of money or for the delivery or conveyance of anything of value to any person or persons, either to vote or withhold their vote or to vote for or against any particular candidate at any general or special election—

That would mean a justice of the peace, a constable, and so on.

Mr. GERRY. I will say to the Senator that the word "particular" was stricken out, as I understand, so that it now reads:

For or against any candidate at any general or special election for Senator or Representative or Delegate in Congress.

The legislation applies purely to Federal officials, and, being a criminal statute, will be construed strictly.

Mr. THOMPSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield; and if so, to whom?

Mr. KING. Just a minute; let me reply. I understand the rule of criminal construction, of course, that penal statutes are construed strictly; but the language as found in the bill would make it an offense if the bribery was in connection with some local State official.

Mr. THOMPSON. Mr. President, will the Senator yield just a minute?

Mr. KING. I yield.

Mr. THOMPSON. Permit me to call attention to the fact that the Senator read down to the real controlling clause, and that is:

Any general or special election for Senator or Representative or Delegate in Congress.

I simply wanted to call that fact to the attention of the Senator.

Mr. KING. Mr. President, the Senator from Kansas is mistaken, of course. The language covers any person who may be voted for at any general or special election; and the Senator knows that at general elections officials of the States are voted for, the same as a Member of Congress is voted for.

Mr. PITTMAN and Mr. THOMPSON addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Utah yield; and if so, to whom?

Mr. KING. I yield to the Senator from Nevada.

Mr. PITTMAN. I think possibly the construction of the Senator from Utah might be the construction of a court, but by inversion of the language you will find that it is not so, if you should read it as follows:

To any person or persons, either to vote or withhold their vote or to vote for or against any particular candidate for Senator or Representative—

And then place after that—

at any general or special election.

Mr. KING. Oh, of course, if you indulge in inversions——

Mr. PITTMAN. I offer that as an amendment.

Mr. GERRY. I shall be very glad to accept that amendment.

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Rhode Island?

Mr. KING. I yield to either of the Senators. I just wanted to call attention to the language of the bill as it is drawn now. It would make it an offense to deal with some local election.

Mr. PITTMAN. I offer the amendment suggested.

The PRESIDING OFFICER. There is an amendment pending, which the Secretary will now state.

The SECRETARY. The pending amendment is the amendment offered by the Senator from Utah [Mr. SMOOT], in line 9, before the word "general" to insert the words "primary or," so that it will read "at any primary or general or special election for Senator or Representative or Delegate in Congress."

Mr. BORAH. I ask for the yeas and nays.

The yeas and nays were ordered.

The Secretary proceeded to call the roll, and Mr. ASHURST responded in the affirmative.

Mr. GERRY. I am willing to accept that amendment.

Mr. BORAH. Mr. President, a point of order. The roll call is proceeding.

The PRESIDING OFFICER. One response has been made.

Mr. HITCHCOCK. I rise to a point of order. The Senator from Rhode Island accepted that amendment when it was proposed by the Senator from Nevada.

Mr. SMOOT. The Senator from Nevada did not offer the amendment. The Senator from Utah offered the amendment and it was not accepted.

Mr. HITCHCOCK. The offer was made.

Mr. NORRIS. I make the point of order the debate is out of order.

The PRESIDING OFFICER. The Secretary will proceed with the roll call.

Mr. FLETCHER. May I ask what the question is?

The PRESIDING OFFICER. The question may be stated. The roll call is the only thing that is now in order.

Mr. BANKHEAD. There was so much confusion in the Chamber we do not know what we are to vote on.

The PRESIDING OFFICER. The Secretary will again state the amendment.

The SECRETARY. The pending question is the amendment offered by the Senator from Utah [Mr. SMOOT], in line 9, before the word "general" to insert the words "primary or," so that, if amended, it will read "at any primary or general or special election for Senator or Representative or Delegate in Congress."

Mr. BORAH. Question!

The Secretary resumed the calling of the roll.

Mr. CHAMBERLAIN (when his name was called). The Senator from Pennsylvania [Mr. KNOX], with whom I am paired, is absent. I transfer my pair to the Senator from Arkansas [Mr. KIRBY] and vote "yea."

Mr. CURTIS (when his name was called). I transfer my pair with the Senator from Georgia [Mr. HARDWICK] to the senior Senator from West Virginia [Mr. GOFF] and vote "yea."

Mr. FLETCHER (when his name was called). I have a general pair with the Senator from New Hampshire [Mr. GALLINGER]. I transfer that pair to the Senator from Arkansas [Mr. ROBINSON] and vote "nay."

Mr. GERRY (when his name was called). I have a general pair with the junior Senator from New York [Mr. CALDER]. I transfer that pair to the Senator from New Hampshire [Mr. HOLLIS] and vote "yea."

Mr. SAULSBURY (when his name was called). I transfer my general pair with the senior Senator from Rhode Island [Mr. COLT] to the Senator from Oklahoma [Mr. OWEN] and vote "yea."

Mr. SMITH of Georgia (when his name was called). I transfer my pair with the senior Senator from Massachusetts [Mr. LODGE] to the junior Senator from Georgia [Mr. HARDWICK] and vote "nay."

Mr. STERLING (when his name was called). I transfer my pair with the Senator from South Carolina [Mr. SMITH] to the Senator from Michigan [Mr. TOWNSEND] and vote "yea."

Mr. THOMPSON (when his name was called). I have a pair with the junior Senator from Illinois [Mr. SHERMAN]. I am advised that he would vote as I do, and I will therefore vote. I vote "yea."

The roll call was concluded.

Mr. HARDING (after having voted in the affirmative). I note that the Senator from Alabama [Mr. UNDERWOOD] did not respond. I have a general pair with that Senator. I therefore

transfer my general pair to the junior Senator from Oregon [Mr. McNARY] and allow my vote to stand.

Mr. JONES of New Mexico. I desire to announce the absence of the Senator from Mississippi [Mr. WILLIAMS] on account of illness in his family, and he requested me to ask that he be granted an indefinite leave of absence. I make that request now.

Mr. MYERS. I transfer my pair with the Senator from Connecticut [Mr. McLEAN] to the Senator from Texas [Mr. CULBERSON] and vote "nay."

Mr. CHAMBERLAIN. If my colleague [Mr. McNARY] were present, I am authorized to state that he would vote for this bill.

Mr. KENDRICK (after having voted in the affirmative). I observe that the senior Senator from New Mexico [Mr. FALL], with whom I have a pair, is absent on official business, but it seems, from the best information I can obtain, that he would vote as I have voted on this question. So I will allow my vote to stand.

Mr. PENROSE (after having voted in the affirmative). I observe that the senior Senator from Mississippi [Mr. WILLIAMS] has not voted. I have a general pair with that Senator which I transfer to the junior Senator from New Jersey [Mr. BAIRD] and let my vote stand.

Mr. DILLINGHAM (after having voted in the affirmative). I have already voted, but I observe that the senior Senator from Maryland [Mr. SMITH], with whom I have a pair, has not voted. I therefore transfer my pair to my colleague [Mr. PAGE] and allow my vote to stand.

Mr. REED (after having voted in the affirmative). When I voted I neglected to announce the transfer of my pair. I announce the transfer of my pair with the Senator from Michigan [Mr. SMITH] to the Senator from Missouri [Mr. WILFLEY] and allow my vote to stand.

Mr. PITTMAN. The junior Senator from Nevada [Mr. HENDERSON] is absent on official business. If present, I wish to state that he would vote for this bill.

Mr. McKELLAR. I desire to announce the absence of the junior Senator from Arkansas [Mr. KIRBY] on official business.

Mr. LEWIS. I desire to announce that the Senator from Mississippi [Mr. WILLIAMS] is detained by death in his family.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from New Jersey [Mr. FRELINGHUYSEN] with the Senator from Montana [Mr. WALSH];

The Senator from Indiana [Mr. WATSON] with the Senator from Delaware [Mr. WOLCOTT];

The Senator from Massachusetts [Mr. WEEKS] with the Senator from Kentucky [Mr. JAMES];

The Senator from North Dakota [Mr. McCUMBER] with the Senator from Colorado [Mr. THOMAS]; and

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Nevada [Mr. HENDERSON].

The result was announced—yeas 40, nays 10, as follows:

YEAS—40.

Ashurst	Harding	McKellar	Reed
Beckham	Hitchcock	New	Saulsbury
Borah	Johnson, Cal.	Norris	Shafroth
Chamberlain	Johnson, S. Dak.	Nugent	Sheppard
Cummins	Jones, N. Mex.	Penrose	Simmons
Curtis	Jones, Wash.	Phelan	Smoot
Dillingham	Kellogg	Pittman	Sterling
France	Kendrick	Poindexter	Sutherland
Gerry	Lenroot	Pomerene	Thompson
Gulon	Lewis	Ransdell	Warren

NAYS—10.

Bankhead	Myers	Smith, Ga.	Vardaman
Fletcher	Overman	Swanson	
King	Smith, Ariz.	Trammell	

NOT VOTING—45.

Baird	Hale	McNary	Townsend
Brandegee	Hardwick	Martin	Underwood
Calder	Henderson	Nelson	Wadsworth
Colt	Hollis	Owen	Walsh
Culberson	James	Page	Watson
Fall	Kenyon	Robinson	Weeks
Fernald	Kirby	Sherman	Wilfley
Frelinghuysen	Knox	Shields	Williams
Gallinger	La Follette	Smith, Md.	Wolcott
Goff	Lodge	Smith, Mich.	
Gore	McCumber	Smith, S. C.	
Gronna	McLean	Thomas	

So Mr. SMOOT's amendment was agreed to.

Mr. PITTMAN. So that there may be no doubt in regard to the construction of this matter and so that the objection of the Senator from Utah may be entirely removed and it may appear that this bill deals only with the election of Senators and Representatives in Congress, I ask that the language of the bill be inverted, and I offer this amendment for that purpose.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. Strike out the words "at any primary or general or special election," in lines 9 and 10, and insert the same after the word "Congress," in line 11.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12281) making appropriations for the support of the Army for the fiscal year ending June 30, 1919.

The message also announced that the House agrees to the amendments of the Senate to the joint resolution (H. J. Res. 311) making appropriations for certain necessary operations of the Government and of the District of Columbia for the months of July and August, 1918, and for other purposes.

The message further announced that the House disagrees to the amendments of the Senate to the bill (H. R. 12211) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. KEY, Mr. KEATING, and Mr. SELLS managers at the conference on the part of the House.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses to the amendments of the House to the bill (S. 3798) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors.

The message further announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4193) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4542) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills and joint resolution, and they were thereupon signed by the President pro tempore:

H. R. 9054. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1919;

H. R. 12281. An act making appropriations for the support of the Army for the fiscal year ending June 30, 1919; and

H. J. Res. 311. Joint resolution making appropriations for certain necessary operations of the government and of the District of Columbia for the months of July and August, 1918, and for other purposes.

ARMY APPROPRIATIONS—CONFERENCE REPORT (NO. 746).

Mr. CHAMBERLAIN. I call up the conference report upon House bill 12281, the Army appropriation bill.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12281) making appropriations for the support of the Army for the fiscal year ending June 30, 1919, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 28, 40, 43, 47, 51, 52, 57, 58, 59, 66, 68, 70, 72, 76, 85, 111, 114, 115, 117, 120, 121, and 122.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 41, 44, 45, 46, 48, 50, 55, 56, 60, 63, 64, 67, 73, 75, 77, 78, 79, 80, 81, 82, 83, 84, 86, 87, 88, 90, 91, 92, 93, 97, 98, 99, 100, 101, 102, 112, 113, and 119, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert: "and any building, plant, or factory acquired

since April 6, 1917, including the lands upon which the plant or factory may be situated"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert:

"Appointment from staff corps to line of Army: That hereafter the President be, and he is hereby, authorized, by and with the advice and consent of the Senate, to appoint any chief of a staff corps, department, or bureau of the Army who has had 40 or more years of service in the Army a major general of the line of the Army. The officers so appointed shall not exceed two, and shall be extra numbers in the list of major generals of the line."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate insert "$35,000,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate insert "$147,000,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate insert "$175,100,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate insert "$80,000,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert:

"Persons killed on Mexican border: To enable the Secretary of War to pay to the heirs or to the legal representatives of citizens of the United States killed on the American side of the line at El Paso, Tex.; Douglas, Ariz., and other points as found and ascertained by the commissioners appointed pursuant to the joint resolution entitled 'Joint resolution directing the Secretary of War to investigate the claims of American citizens for damages suffered within American territory and growing out of the late insurrection in Mexico,' approved August 9, 1912, the sum of $71,000."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert:

"Increase in Medical Department: That the Medical Department of the Regular Army be, and is hereby, increased by one assistant surgeon general, for service abroad during the present war, who shall have the rank of major general, and two assistant surgeons general, who shall have the rank of brigadier general, all of whom shall be appointed from the Medical Corps of the Regular Army.

"That the President may nominate and appoint in the Medical Department of the National Army, by and with the advice and consent of the Senate, from the Medical Reserve Corps of the Regular Army not to exceed two major generals and four brigadier generals.

"That the commissioned officers of the Medical Corps of the Regular Army, none of whom shall have rank above that of colonel, shall be proportionately distributed in the several grades as now provided by law.

"That the commissioned officers of the Medical Reserve Corps of the Regular Army, none of whom shall have rank above that of colonel, shall be proportionately distributed in the several grades as now provided by law for the Medical Corps of the Regular Army: *Provided*, That nothing in this act shall be held or construed so as to discharge any officer of the Regular Army or deprive him of a commission which he now holds therein."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment as follows: On page 17, in lines 16 and 17, of the engrossed amendment, strike out the words "organized as are Infantry bands"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 71, and agree to the same with an amendment as follows: On page 19, lines 2 and 3, of the engrossed amendments, strike out the words: "Empire of which he and his race have been unwilling subjects" and insert the following: "Imperial Governments of Germany and Austria-Hungary"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 74, and agree to the same with an amendment as follows: In line 6, of the last paragraph on page 27, of the engrossed amendment, after the word "served" insert "not less than 90 days in the war with Spain, and who have received an honorable discharge from the service, and who served"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 89, and agree to the same with an amendment as follows: On page 31, lines 21 and 22, of the engrossed amendments, strike out the comma after the word "appropriations" and insert the following "and same are hereby made immediately available"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 94, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert:

"Governors to appoint property officers: That the first sentence of the third paragraph of section 67 of an act entitled 'An act for making further and more effectual provision for the national defense, and for other purposes,' approved June 3, 1916, be, and the same is hereby, amended to read as follows:

"'The governor of each State and Territory and the commanding general of the National Guard of the District of Columbia shall appoint, designate, or detail, subject to the approval of the Secretary of War, the adjutant general or an officer of the National Guard of the State, Territory, or District of Columbia, who shall be regarded as property and disbursing officer of the United States.'"

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert:

"CHAPTER IV.

"Payments from total available balances: That during the present emergency when pressing obligations are required to be paid by a disbursing officer of the Army and the allotment to his official credit under the proper appropriation or appropriations is temporarily insufficient to pay the same, he is authorized to make payments from the total available balance to his official credit, provided sufficient funds under proper appropriation or appropriations have been appropriated by the chief officer of the bureau or department for the expenditure. When such disbursements are made, the accounts of the disbursing officer shall show the charging of the proper appropriations, and the balances thereunder, which will be adjusted by the disbursing officer on receipt of funds, or by the accounting officer of the Treasury."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment as follows: In lieu of the matter proposed insert:

"CHAPTER V.

"Army Nurse Corps: That the Nurse Corps (female) of the Medical Department of the Army shall hereafter be known as the Army Nurse Corps, and shall consist of one superintendent, who shall be a graduate of a hospital-training school having a course of instruction of not less than two years; of as many chief nurses, nurses, and reserve nurses as may from time to time be needed and prescribed or ordered by the Secretary of War, and, in the discretion of the Secretary of War, of not exceeding six assistant superintendents, and, for each army or separate military force beyond the continental limits of the United States, one director and not exceeding two assistant directors of nursing service, all of whom shall be graduates of hospital-training schools and shall have passed such professional, moral, mental, and physical examinations as shall be prescribed by the Secretary of War.

"SEC. 2. That rules and regulations prescribing the duties of the members of the Army Nurse Corps shall be prescribed by the Surgeon General of the United States Army, subject to the approval of the Secretary of War."

"SEC. 3. That the superintendent shall be appointed by, and, at his discretion, be removed by, the Secretary of War; that all other members of said corps shall be appointed by, and, at his discretion, be removed by, the Surgeon General by and with the approval of the Secretary of War; but the assistant superintendents, the directors, the assistant directors, and the chief nurses shall be appointed by promotion from other members of the corps, and shall, upon being relieved from duty as such, unless removed for incompetency or misconduct, revert to the grades in the corps from which they were promoted.

"SEC. 4. That the annual rate of pay of the members of said corps shall be as follows: Superintendent, $2,400; assistant superintendents and directors, $1,800; assistant directors, $1,500; chief nurses, $120 in addition to the pay of a nurse; nurses, $720 for the first period of 3 years' service, $780 for the second period of 3 years' service, $840 for the third period of 3 years' service, $900 for the fourth period of 3 years' service, and $960 after 12 years' service in said corps (including in all cases time of service as contract nurse); reserve nurses, when upon active duty, will receive the same pay as nurses who have served in the corps for periods corresponding to the full period of their active service; and all members of said corps, in addition to the foregoing, the sum of $10 per month when serving beyond the continental limits of the Unitted States (excepting Porto Rico and Hawaii).

"SEC. 5. That members of said Nurse Corps shall be entitled to cumulative leave of absence with pay at the rate of 30 days for each calendar year of service in said corps, not exceeding, however, 120 days at one time, and in addition thereto sick leave not exceeding 30 days in any one calendar year in cases of illness or injury incurred in the line of duty.

"SEC. 6. That members of said Nurse Corps shall receive transportation and necessary expenses when traveling under orders, and such allowances of quarters and subsistence and, during illness, such medical care as may be prescribed in regulations by the Secretary of War; and when at places where no public quarters are available, commutation in lieu thereof, and of heat and light therefor at such rates and upon such conditions as are now or shall hereafter be provided by law.

"SEC. 7. That section 19 of chapter 192 of Thirty-first Statutes, page 753; chapter 50 of Thirty-seventh Statutes, page 72; that part of the act approved August 24, 1912 (37 Stats., p. 575), providing for allowances, subsistence, and medical care during illness for the Superintendent of the Nurse Corps; and that part of the act approved March 23, 1910 (36 Stats., p. 249), prescribing the pay of the superintendent and members of the Nurse Corps, be, and the same are, hereby repealed."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 103, and agree to the same with an amendment as follows: Insert at the beginning of the amendment, before the word "That," a subhead, as follows: "Registration and drafting of aliens"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 104 and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following:

"SEC. 4. That the second sentence of section 2 of the act entitled 'An act to authorize the President to increase temporarily the Military Establishment of the United States,' approved May 18, 1917, be, and is hereby, amended to read as follows:

"'That such draft as herein provided shall be based upon liability to military service of all male citizens or male persons not alien enemies who have declared their intention to become citizens between the ages of 21 and 30 years, both inclusive, and shall take place and be maintained under such regulations as the President may prescribe not inconsistent with the terms of this act: *Provided*, That a citizen or subject of a country neutral in the present war who has declared his intention to become a citizen of the United States shall be relieved from liability to military service upon his making a declaration, in accordance with such regulations as the President may prescribe, withdrawing his intention to become a citizen of the United States, which shall operate and be held to cancel his declaration of intention to become an American citizen and he shall forever be debarred from becoming a citizen of the United States.'"

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 105, and agree to the same with an amendment as follows: In lieu of the words "Chapter XIV" insert "Chapter XIII"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 106, and agree to the same with an amendment as follows: In lieu of the words "Chapter XV" insert "Chapter XIV"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 107, and agree to the same with an amendment as follows: In lieu of the words "Chapter XVI" insert: "Chapter XV"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 108, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert:

"That the act entitled 'An act to authorize condemnation proceedings of lands for military purposes,' approved July 2, 1917, as amended by an act approved April 11, 1918, be, and the same is hereby, amended, and its provisions in all respects together with all its privileges and benefits are hereby extended to the right of condemnation of standing or fallen timber, sawmills, camps, machinery, logging roads, rights of way, equipment, materials, supplies, and any works, property, or appliances suitable for the effectual production of such lumber and timber products, for the Army, Navy, United States Shipping Board, or the United States Shipping Board Emergency Fleet Corporation. That the right to institute such condemnation proceedings is hereby conferred upon the Secretary of War, the Secretary of the Navy, and the chairman of the United States Shipping Board and the United States Shipping Board Emergency Fleet Corporation, individually or collectively. Such right of condemnation shall be exercised by such officials only for the purpose of obtaining such property when needed for the production, manufacture, or building aircraft, dry docks, or vessels, their apparel or funiture for housing of Government employees in connection with the Army, Navy, or the United States Shipping Board and the United States Shipping Board Emergency Fleet Corporation, and for the procurement of materials and equipment for aircraft, dry docks, and vessels. The jurisdiction of such condemnation proceedings is hereby vested in the district courts of the United States, where the property which is sought to be condemned or any part thereof is located or situated, regardless of the value of the same.

"And the President is hereby authorized through any department or the United States Shipping Board or said Fleet Corporation to sell and dispose of any lands or interests in real estate acquired for the production of lumber and timber products, and to sell any logs, manufactured or partly manufactured or otherwise procured for the Army, Navy, or United States Shipping Board Emergency Fleet Corporation, or resulting from such manufacture or procurement, either to individuals, corporations, or foreign States or Governments, at such price as he shall determine acting through his above representatives selling or disposing of the same, and the proceeds of such sale shall be returned to the appropriations which bore the expense of such procurement."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 109, and agree to the same with an amendment as follows: On page 62, in line 1, of the engrossed amendments, strike out "XVIII" and insert "XV"; also in line 4 of the same amendment strike out the words "to do so" and insert "it"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 110, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert:

"CHAPTER XVII.

"Amending the national-defense act, and so forth: That certain sections of the act entitled 'An act for making further and more effectual provision for the national defense, and for other purposes,' approved June 3, 1916, be, and the same are hereby, amended as follows:

"That section 10 of said act be, and is hereby, amended by striking out the word 'farrier' wherever it occurs in said section and substituting therefor the words 'stable sergeant'; change the period at the end of the second paragraph of said section to a colon and add the following: '*And provided further*, That any person who at the time of the approval of this act shall be and has been an officer of the Medical Reserve Corps, or contract surgeon, on active duty for 12 years subsequent to 1898 shall be eligible for appointment as first lieutenant in the Medical Corps, subject to examination: *And provided further*, That any officer so eligible who fails to pass the physical examination by reason of disability incurred in line of duty shall be retired with the pay and allowances of a first lieutenant of the Medical Corps.'

"SEC. 2. That section 22 of said act be, and is hereby, amended by striking out the period at the end thereof, substituting therefor a colon, and adding thereto the following: '*Provided*, That one of the enlisted men at each main recruiting station who has been detached for duty at such station under the provisions of the act of Congress approved February 2, 1901, may, in the discretion of the Secretary of War, have the rank, pay, and allowances of a first sergeant of Infantry.'

"SEC. 3. That the second paragraph of section 24 of said act down to the third proviso in said paragraph be, and is hereby, amended to read as follows:

"'Vacancies in the grade of second lieutenant, however arising, in any fiscal year shall be filled by appointment in the fol-

lowing order: (1) Of cadets graduated from the United States Military Academy during the preceding fiscal year for whom vacancies did not become available during the fiscal year in which they were graduated; (2) under the provisions of existing law of enlisted men, including officers of Philippine Scouts, between the ages of 21 and 34 years, whose fitness for promotion shall have been determined by competitive examination; and of members, including officers, of the Organized Militia, the National Guard, or Naval Militia, between the ages of 21 and 34 years who have had at least 90 days' actual Federal military service during the calendar year 1916, or subsequent thereto, and whose fitness for promotion shall have been determined by examination; (3) of commissioned officers of the National Guard, between the ages of 21 and 27 years, not otherwise provided for herein; (4) of members of the Officers' Reserve Corps, between the ages of 21 and 27 years; (5) of such honor graduates, between the ages of 21 and 27 years, of distinguished colleges as are now or may hereafter be entitled to preference by general orders of the War Department; and (6) of candidates from civil life, between the ages of 21 and 27 years; and the President is authorized to make the necessary rules and regulations to carry these provisions into effect: *Provided*, That the President is hereby authorized to waive the maximum age limit prescribed by law for appointment as second lieutenant in the Regular Army in the case of any candidate for such appointment who has successfully completed or who may hereafter successfully complete the required examination for such appointment before arriving at the prescribed maximum age limit; but no appointment of any such candidate shall be made to any vacancy which did not exist upon the date he successfully completed the required examination for appointment; and persons appointed under the provisions of this proviso shall be appointed with the rank and date of rank with which they would have been appointed if their appointment had not been prevented by reason of the maximum age limit prescribed by law.'

"SEC. 4. That the last proviso of section 24 of said act be, and is hereby, amended by substituting the word 'colonel' for the word 'major' therein.

"SEC. 5. That section 28 of said act be, and is hereby, amended by striking out the period at the end thereof, substituting therefor a colon, and adding the following:

"'*Provided*, That enlisted men who are now qualified, or who may hereafter qualify, as expert military telegraphers, shall receive $5 a month; as first-class military telegraphers, $3 a month; as military telegraphers, $2 a month; all in addition to their pay, under such regulations as the Secretary of War may prescribe, but no enlisted man shall receive at the same time additional pay for more than one of the classifications named.'

"SEC. 6. That section 31 of said act be, and is hereby, amended by striking out the words 'travel expenses and pay at the rate of their respective grades in the Regular Army during such periods of training,' occurring in lines 9, 10, and 11, and substituting therefor the following: 'From the date of their departure to place where ordered pay and allowances at the rate of their respective grades in the Regular Army, transportation, and reimbursement of cost of subsistence at such rate as may be fixed by the Secretary of War during travel from home to place where ordered and return to home, and subsistence in kind during period not in transit and while in service.'

"SEC. 7. That section 42 of said act be, and is hereby, amended by striking out the period at the end thereof, substituting therefor a colon, and adding the following: '*Provided further*, That upon the recommendation of the professor of military science and tactics of any such institution, the authorities thereof may discharge a member of the Reserve Officers' Training Corps from such corps and from the necessity of completing the course of military training as a prerequisite to graduation.'

"SEC. 8. That section 51 of said act be, and is hereby, amended by striking out the words 'prior to the date of this act,' in line 3 thereof, and substituting therefor the words 'prior to July 1, 1919.'

"SEC. 9. That the fifth paragraph of section 55 of said act be, and is hereby, amended to read as follows:

"Enlisted men of the Enlisted Reserve Corps shall receive the pay and allowances of their respective grades, but only when ordered into active service and from the date of their departure to place where ordered, transportation and reimbursement of cost of subsistence at such rate as may be fixed by the Secretary of War during travel from home to place where ordered and return home and subsistence in kind during period not in transit and while in service: *Provided*, That said enlisted men shall not be entitled to retirement or retirement pay: *Provided further*, That when any enlisted man of the Enlisted Reserve Corps shall be ordered to active service for purposes of instruction or training he may be paid at any time after the date such order shall become effective for the period from the date of leaving home to date of return thereto as determined in advance, both dates inclusive, and such payment, if otherwise correct, shall pass to the credit of the disbursing officer making the same.'

"SEC. 10. That section 125 of said act be, and is hereby, amended by striking out the period at the end thereof, substituting therefor a colon, and adding thereafter the following: '*Provided*, That hereafter, upon the discharge or furlough to the reserve of an enlisted man, all uniform outer clothing then in his possession, except such articles as he may be permitted to wear from the place of termination of his active service to his home, as authorized by this section, will be retained for military use; and within four months after such termination of his active service he shall return all uniform clothing, which he was so permitted to retain for wear to his home, by mail, under a franked label which shall be furnished him for the purpose, and in conformity with the instructions given him at the time of such termination of his active service; and in case he shall fail to return the same within such period, and in accordance with such instructions, he shall be deemed guilty of a misdemeanor, and, upon conviction, suffer the punishment prescribed by this section: *Provided further*, That upon the release from Federal service of an enlisted man of the National Guard called as such into the service of the United States, all uniform outer clothing then in his possession shall be taken up and accounted for as property issued to the National Guard of the State to which the enlisted man belongs, in the manner prescribed by section 67 of said act: *And provided further*, That when an enlisted man is discharged otherwise than honorably, all uniform outer clothing in his possession shall be retained for military use, and, when authorized by regulations prescribed by the Secretary of War, a suit of citizen's outer clothing to cost not exceeding $15 may be issued to such enlisted man: *And provided further*, That officers and members of the National Home for Disabled Volunteer Soldiers may, regardless of the preceding provisions of said act, wear such uniforms as the Secretary of War may authorize.'

"CHAPTER XVIII.

"Graduates of the Military Academy may serve as instructors: That the service of graduates of the Military Academy may be utilized during the months of June, July, August, and September of the year in which they graduate as instructors at the citizens' training camps, and their graduation leave may be taken at the termination of their services as instructors at these camps.

"Transportation of mounts of deceased officers: That hereafter under such regulations as the Secretary of War may prescribe, authorized mounts of officers who die in the service may, within 90 days after the death of the officer, be transported at public expense from their last duty station to such places within the limits of the United States as may be the home of their families, or as may be designated by their legal representatives or executors, or such amount may be disposed of as directed by such representatives or executors.

"Transportation of baggage of deceased civilian employees: That hereafter, under such regulations as the Secretary of War may prescribe, transportation at public expense may be provided for the baggage of civilian employees who die in the service from their last duty station to such places within the limits of the United States as may be the home of their families, or as may be designated by their legal representatives or executors.

"Extension of time for transmitting money accounts: That the Secretary of the Treasury is hereby authorized in time of war, upon request to the Secretary of War, to extend the period during which money accounts covering expenditures from appropriations for the Army may be transmitted to the Auditor for the War Department after their receipt in the War Department from 60 to 90 days.

"CHAPTER XIX.

"Protection of life and property in target practice: That in the interest of the national defense and for the better protection of life and property on said water the Secretary of War is hereby authorized and empowered to prescribe such regulations as he may deem best for the use and navigation of any portion or area of the navigable waters of the United States or waters under the jurisdiction of the United States endangered or likely to be endangered by Coast Artillery fire in target practice or otherwise, or by the proving operations of the Government ordnance proving grounds at Sandy Hook, N. J., or at any Government ordnance proving ground that may be established elsewhere on or near such waters, and of any portion or area of said waters occupied by submarine mines, mine fields, submarine cables, or other material and accessories pertaining to seacoast fortifications, or by any plant or facility engaged in the execution of any public project of river and harbor improvement;

and the said Secretary shall have like power to regulate the transportation of explosives upon any of said waters: *Provided*, That the authority hereby conferred shall be so exercised as not unreasonably to interfere with or restrict the food-fishing industry, and the regulations prescribed in pursuance hereof shall provide for the use of such waters by food fishermen operating under permits granted by the War Department.

"SEC. 2. That to enforce the regulations prescribed pursuant to this chapter, the Secretary of War may detail any public vessel in the service of the War Department, or, upon the request of the Secretary of War, the head of any other department may enforce, and the head of any such department is hereby authorized to enforce, such regulations by means of any public vessel of such department.

"SEC. 3. That the regulations made by the Secretary of War pursuant to this chapter shall be posted in conspicuous and appropriate places, designated by him, for the information of the public; and every person who and every corporation which shall willfully violate any regulations made by the said Secretary pursuant to this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof in any court of competent jurisdiction shall be punished by a fine not exceeding $500 or by imprisonment (in the case of a natural person) not exceeding six months, in the discretion of the court.

"SEC. 4. That offenses against the provisions of this chapter, or any regulation made pursuant thereto, committed in any Territory or other place subject to the jurisdiction of the United States where there is no court having general jurisdiction of crimes against the United States shall be cognizable in any court of such place or Territory having original jurisdiction of criminal cases in the place or Territory in which the offense has been committed, with the same right of appeal in all cases as is given in other criminal cases where imprisonment not exceeding six months forms a part of the penalty, and jurisdiction is hereby conferred upon such courts, and such courts shall exercise the same for such purposes; and in case any such offense be committed beyond the territorial jurisdiction of any court having jurisdiction thereof, the offense shall be deemed and held to have been committed within the jurisdiction in which the offender may be found or into which he is first brought, and shall be tried by the court having jurisdiction thereof.

"CHAPTER XX.

"Proceeds from operation of public utilities: That, in case of actual or threatened hostilities, any proceeds received from the operation of a public utility in connection with engineer operations in the field overseas shall be available for the purpose of such utility until the close of the fiscal year following that in which the proceeds are received, and a detailed report of such proceeds and application thereof shall be rendered to Congress on forms conforming as far as practicable to those used by American companies in reports to the Interstate Commerce Commission: *Provided*, That the provision of the act of March 23, 1910, making moneys arising from the disposition of serviceable quartermaster material available for the purposes of the appropriation throughout the fiscal year following that in which the disposition was effected, is hereby extended to apply to material supplied to the Army by the Engineer Department.

"Retired officers on active duty: That when any retired officer of the Army is, in the discretion of the President, employed on active duty and assigned to duty in an arm, corps, department, or organization, he shall, for all purposes except promotion, be considered an officer of such arm, corps, department, or organization while so serving, and shall be an extra number therein.

"Corporal bugler and bugler, first class: That there are hereby created in the Army the grades of corporal bugler and bugler, first class; and hereafter for each battalion and squadron headquarters of units in which the grade of bugler is now authorized there shall be one corporal bugler, and for each company, battery, troop, or organization in which the grade of bugler is now authorized there shall be one bugler, first class.

"President authorized to enlist men outside of draft age: That during the present war the President be, and he is hereby, authorized to enlist for service in the offices of the War Department or under its control or on detached service under its jurisdiction men outside the draft ages, and for the same purpose to draft men within such ages who have been disqualified by minor physical defects for active service in the Army; to establish regulations under which such enlistments may be made, and to fix the pay and allowances of men so enlisted or drafted, which said pay and allowances shall not exceed those of enlisted men of the Regular Army.

"John Q. A. Brett: That the President is authorized to appoint and, by and with the advice and consent of the Senate, to commission to the grade of captain in the Quartermaster Corps, United States Army, John Q. A. Brett, who was appointed to the grade of first lieutenant in the Quartermaster Corps pursuant to the act of August 29, 1916, and who had over 31 years' service as pay clerk, United States Army."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 116, and agree to the same with an amendment as follows: Insert before the word "That" at the beginning of the amendment a subhead as follows: "Appointment of Cadets, Military Academy:"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 118, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert "Chapter XXIII"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 123, and agree to the same with an amendment as follows: In line 1, page 86, of the engrossed amendments strike out "XXVI" and insert "XXIV"; in line 2, page 86, of the engrossed amendments, before the word "That," insert a subhead as follows: "Condemnation of property for generating electric energy:"; in line 14, page 86, of the engrossed amendments, strike out "power plant, or" and insert "line or lines"; in line 17, page 86, of the engrossed amendments, strike out all after the word "That" down to and including the word "war" in line 21 and insert "nothing herein shall be construed to authorize the appropriation of any property already devoted to such use"; in line 15, page 89, of the engrossed amendments, strike out the word "Act" and insert "Chapter"; in lines 15 and 16, page 89, of the engrossed amendments, strike out the words "the right" and insert "any franchise"; in line 16, page 89, of the engrossed amendments, strike out the word "operate" and insert "utilize"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 124, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert: "That all acts or parts of acts inconsistent with the provisions of this act are hereby repealed"; and the Senate agree to the same.

GEORGE E. CHAMBERLAIN,
G. M. HITCHCOCK,
F. E. WARREN,
Managers on the part of the Senate.
S. H. DENT, Jr.,
W. J. FIELDS,
JULIUS KAHN,
Managers on the part of the House.

The PRESIDING OFFICER. The report is before the Senate.

Mr. CHAMBERLAIN. I move that the conference report be adopted.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. JONES of Washington. Before that is done I wish to ask the Senator about an amendment. I wish to ask the Senator what was done with amendment numbered 52, which relates to the question of furnishing uniforms to officers.

Mr. CHAMBERLAIN. The conferees of the House positively refused to accept that amendment and there was nothing for us to do but to recede or bring the bill back with a disagreement, and the Senate conferees did not think that they ought to hold the bill up on that or some other amendment.

Mr. JONES of Washington. I wish to ask the Senator, if he can give the information, to tell the Senate what objections were offered to the amendment?

Mr. CHAMBERLAIN. I will say to the Senator that it passed the Senate once as a separate measure and the bill went over to the House, and they tabled the bill in its original form. Later the same amendment was proposed and added to the Military Academy appropriation bill, and the House conferees on that bill refused to accept it, as the committee had refused to report out the original bill. It was added to this measure, and the House conferees again refused to accept it, notwithstanding the fact that the Senate conferees held out for it as long as there was a possible chance to get it in. They gave as a reason, amongst others, that the Quartermaster's Department is already furnishing these uniforms to officers at cost. The Government has practically commandeered the cloth of which the uniforms are made, so that they control the price, anyhow.

Mr. JONES of Washington. The Senator understands that the War Department only goes so far as to furnish the cloth

at cost. They do not furnish the uniforms at cost. The cloth is furnished them, and then the soldiers must make all arrangements about making it into suits. They have to get the trimmings that are not furnished by the department.

I wish to say to the Senator I am satisfied the Senator has done all he can do. The Senate has acted, as he says, three times. What I am trying to get really are the reasons, if I can get them, why the amendment was not accepted. I certainly can not see any reason in the present situation.

Mr. CHAMBERLAIN. The Senator knows I favor the proposition.

Mr. JONES of Washington. I know that.

Mr. CHAMBERLAIN. I have steadily favored the proposition whenever it was here; but we have encountered the same difficulty when it comes into conference. The House positively refuses to accept the amendment.

Mr. JONES of Washington. It seems to me they ought to give their reasons for it; and if the Senator can give any in addition to those suggested, I should be very glad to know them.

Mr. CHAMBERLAIN. In the multitude of the amendments that were discussed, I do not recall any very specific reasons that were urged. Perhaps some of my colleagues on the committee will remember some of the reasons; possibly the Senator from Wyoming [Mr. WARREN] does.

Mr. WARREN. The main reason stated was that upon inquiry at the department it was said that everything wanted would be furnished and legislation was unnecessary.

Mr. NORRIS. May I ask the Senator from Washington a question?

Mr. JONES of Washington. I yield to the Senator.

Mr. NORRIS. I wish to ask the Senator if this proposition has ever been discussed and acted upon by the House itself? Has it not always been acted upon in committee?

Mr. JONES of Washington. The committee has never reported in the House.

Mr. NORRIS. So the House has never had an opportunity to pass it?

Mr. JONES of Washington. It has not.

Mr. NORRIS. I understand we passed the bill separately?

Mr. JONES of Washington. We did.

Mr. NORRIS. It died in committee, did it not?

Mr. JONES of Washington. Yes.

Mr. NORRIS. It was put as an amendment on the Military Academy appropriation bill, and that went out in conference without getting into the House, and it was put on this bill and has gone out in the same way. It seems to me that on some of these appropriation bills we ought to have rejected the conference report in order to get it into the House. It is hardly fair when the Senate has passed it three different times through the Senate that when it gets into conference it is always thrown out without getting it far enough to allow the House itself to pass upon it.

Mr. WARREN. The Senator, of course, would hardly expect a disagreement on this one item in a bill as important as this one?

Mr. NORRIS. I am not speaking of this particular bill as much as I am of the other bills. I agree with the Senator from Washington. I heard him when he first started on this proposition, and I have followed him along. I myself can not see any reason on earth why this provision should not be in the law. It is certainly a hardship on a great many of the soldiers to be compelled to submit as they must submit, if I understand the facts. If there are any reasons why, I should like to hear them. I have never yet had anything suggested to me that appeared to me of any consequence as an objection to this kind of legislation. I dislike to see it thrown out in this way.

Mr. WARREN. As the Senator knows, the conferees debate those points and insist the best they can. Finally it comes to a parliamentary situation. When legislation is put on an appropriation bill that does not pertain specially to it as an appropriation bill proper, the House that puts it in must recede. When it was in the Military Academy bill the proposition naturally arose that it belonged in the larger and regular annual appropriation bill, because there was nothing in the Military Academy bill which rendered it germane. I think the chairman will bear me out that we strove very hard and continuously to keep it in this bill.

Mr. JONES of Washington. Mr. President, I have studied over this matter quite a good deal to see if I could find any good or just reason why we should not pass this legislation. I do not assume that I am more interested in our soldiers than is any other Member of the Senate or any Member of the House of Representatives; I do not assume that I am more interested in the officers in the Army than is any Member of the House or of the Senate. So I have wondered whether or not I have been too insistent on this matter. I have wondered whether or not I was wrong about it; but I have not been able to conceive of any good reason why this legislation should not be passed.

Some time ago, after the bill passed the Senate, it was referred to the House of Representatives, and the matter was taken up with the War Department. The chairman of the House committee sent me a copy of a letter that was received from the War Department, in which it was stated they could comply with the proposed act without any trouble, and made no objection whatever to it; but, on the contrary, rather indicated that they would like to have the authority, although they did not say so in so many words.

Mr. CHAMBERLAIN. May I say to the Senator that those gentlemen insisted that the very thing that the amendment proposes to do is now being done by the department? The Senator will remember that when the amendment was adopted in the Senate he had read into the RECORD a letter from Gen. Goethals which seems to carry out the statement which the House Members make.

Mr. JONES of Washington. I am going to refer to that.

Mr. CHAMBERLAIN. Just a moment. Under the regulation which they have adopted, if some young man with more money than another wants to buy a high-priced uniform—or, rather, if he wants to have it made by an expensive tailor—he has that option; but if he does not feel able to do that, he will get the uniform at the cost price. The Senator will remember regulation No. 5, which reads:

(5) All orders for uniforms will be made through the office of the local quartermaster, who will have supervision over the contractor's agent. The cost of the uniform will be the contract price plus the cost of the cloth. Officers purchasing uniforms will pay the local quartermaster the same, who, in turn, will settle with the contractor.

Mr. JONES of Washington. Yes; they furnish the cloth at cost, and then they make contracts with the tailors and different establishments for making that cloth into the uniform, and the officer must pay that price of the cloth, together with the profit to the man making it up. It would be entirely different where the Government would furnish all these uniforms complete to its officers. It would not only get the cloth cheaper in bulk, but it could make it up into uniforms much cheaper than the men can get it made up in this locality and in that locality and made under this contract or made under some other contract. So I do not consider that a very valid reason, Mr. President.

Furthermore, the uniform is not all the equipment that the officer must furnish. In talking with one of the officers of the Quartermaster's Department the other day, he stated that the boots that the officers must have now cost about $35 a pair, which ought to be obtained for $18; in other words, every officer is now practically mulcted nearly $18 a pair on these boots.

Officers must also have watches; they are a part of their equipment; and I stated the other day what a member of the other House told me with reference to that matter. The War Department has prescribed the standard of watch which these officers must have; it is also provided that certain classes of watches will comply with the standard. Then the Member of the House told me—and he claimed to have it upon authority that he could not at all doubt—that in one of the camps in this country they have let the contract for watches of a certain kind at $21 a watch, and that the very same identical watches are sold at wholesale for use in the railroad business at $10 a watch. In other words, every officer who gets a watch—and he must have it—must pay $11 more than he ought to have to pay for it and $11 more than he would have to pay for it if the Government furnished such articles.

Then, Mr. President, the officer must buy his revolver. It seems to me to be really absurd to say that an officer in the Army of the United States must go out and buy the revolver with which he must fight as well as his side arms, and all that sort of thing. I have here a list of the different articles. I shall not take the time to read it, but I heretofore submitted to the Senate and had printed in the RECORD a statement of an officer who went from private business into this new Army of ours. I know him personally, and I can vouch for his integrity and for his honesty. He gave me a list of the equipment and uniform articles that he must get, the price that he had to pay for them, and the price for which they could be furnished by the quartermaster, according to the prices at which these things were actually furnished to men while in the training camps. It appears from that list that he had to pay about $300 more than what the Government could furnish them for.

Mr. President, what does that mean? Assuming that these officers have to pay about $200 more for their equipment and uniforms than the Government could furnish them for, it simply means that the officers of our Army are really profiteered upon

to the extent of from $31,000,000 to $48,000,000 a year, assuming that they get one uniform or are equipped once a year; and I take it that many times they will be equipped oftener than that. We have in our Army now, I am informed by one of the members of the Military Committee, in round numbers about 160,000 officers; that it takes about 80,000 officers to the million men; and we expect to have an Army of 3,000,000 men. For 3,000,000 men that means 240,000 officers; and at $200 an officer that would be $48,000,000. I have no doubt that they would save more than this if the Government would furnish these uniforms and equipment to the officers at cost, as it furnishes them to the private, to the man in the ranks.

Mr. President, it seems to me it would be a very easy matter for our Quartermaster Department to take care of this in connection with furnishing the uniforms for the privates. The officers, compared with the vast aggregate of our Army, are few in number. I think it is a very liberal and conservative statement to make simply to allow them to be fitted out once in a year. They probably have to be fitted out two or three times a year.

Mr. President, I do not want to detain the Senate in connection with this matter; I know that we can not afford to hold up this great bill on this matter, and yet it is a very important thing. We are going to bring new men into the Army by the thousands in the very near future. We ought not to continue this treatment of the men who are offering their lives in defense of the country. Whenever I see an officer going about the streets wearing a uniform I can not help but think, "This man is not only willing to serve his country, to offer his life in its defense, but Congress has permitted somebody to profiteer in the furnishing of his uniform." We denounce profiteering and yet we calmly permit this preying upon our boys.

Mr. REED. What is the remedy for that which the Senator suggests?

Mr. JONES of Washington. The remedy that I suggest is that the Government furnish the officers their equipment and uniform.

Mr. REED. I mean, what does the Senator suggest at this time in this bill?

Mr. JONES of Washington. There is not any remedy on this bill, but I desire to present these facts in the hope that the bill that has heretofore passed the Senate will be considered in another body.

Mr. REED. I want to say to the Senator, without accurate and close knowledge as to the facts, that I am very much impressed with what he is saying; and I think the matter ought to be righted absolutely and promptly; but I am inquiring whether we can do it now?

Mr. JONES of Washington. We can not do it now, unless we reject this conference report; but while I have felt I have made myself a sort of nuisance in connection with this matter, I consider it of such importance that I feel justified in doing so. I feel justified in bringing the matter up here in the hope that some one somewhere else will take some interest in it. I have really been astonished that no one in another body seems to take any particular interest in the matter. As I said a while ago, I have really wondered whether or not I am wrong in the matter, or whether or not I am overzealous without reason; and yet the more I think about it the more unjust it seems to me is our action toward these men.

Mr. PENROSE. Mr. President, I should like to make an inquiry of the Senator. He has made a very striking statement of a situation which seems to be indefensible; and that is that officers are charged $10 more for a watch than the same watch can be bought for under other conditions. That savors very strongly of graft.

Mr. JONES of Washington. The Senator will remember that I made that statement upon the statement of a Member of the House to me; I do not know anything about the facts myself.

Mr. PENROSE. I have seen the same statement in the newspapers, and I should like to ask the chairman of the committee whether it is a fact.

Mr. CHAMBERLAIN. I have no information in regard to it at all. This is the first time I ever heard the statement made.

Let me say in this connection that here is a bill that was discussed in the House for practically 10 days; it has been in conference for a week, and there were over 100 amendments involved. Now, it was just a question with the committee whether for one or two amendments we should hold up this great appropriation bill, which ought to have passed on the 15th of last month, whether we should remain in session another week in order to bring the House conferees to our view, or whether we should report it out and sacrifice some of the amendments which are not absolutely necessary to the prosecution of the war.

I am just as enthusiastic about this proposition as is the Senator from Washington. I think it is outrageous that this amendment could not be inserted in some bill; and if the Senator wants to send the bill back to conference, I will not interpose any serious objection, although I will say to the Senator that if it is referred back it will be a week or ten days before the bill gets out again.

Mr. JONES of Washington. No, Mr. President; I hope the Senator does not understand that I am complaining of him; I am not; I know the Senator has done all that he could do in the matter, and I am not going to ask that the conference report be rejected; I am not going to ask that it be sent back; but I am making this statement, as I said awhile ago, in the hope that some interest may be created somewhere else in regard to this matter which involves, as it seems to me, such a flagrant injustice.

Mr. FLETCHER. Mr. President, did I understand the Senator from Wyoming [Mr. WARREN] to say a few moments ago that the matter which the Senator from Washington mentions has been corrected by regulations? I gather that such is the case from the remarks of the Senator from Wyoming.

Mr. WARREN. In relation to what the Senator from Washington states on information, I am not going to enter into any discussion, but I am sure he will find on investigation that he has received some misinformation. In the first place, any officer of the Army can buy a uniform such as enlisted men wear and a pistol such as is furnished to them, a wrist watch such as is furnished to them, and other articles.

As to profiteering, I do not care to enter into that, because I do not know anything about it. My statement was that the House Members stated that this matter would be provided for by regulations, if the regulations did not already cover it. That was one of their arguments or excuses to our insistence upon the amendment. Of course, the Senator does not propose to hold up this bill.

Mr. JONES of Washington. No; I do not.

Mr. WARREN. But I think if the Senator wishes to introduce a resolution of inquiry or to take the subject up personally he ought to get at the exact facts about it. Certainly we ought to correct any abuses there may be, and that was the idea of the measure which the Senator introduced and which we sought to carry into effect, but such a measure can not be framed upon the kind of information the Senator is giving us now, because no one who has had these matters under consideration during former years can believe that the Senator has been correctly informed as to all the statements he has quoted.

Mr. JONES of Washington. Mr. President, I stated the source of my information.

Mr. WARREN. I understand that.

Mr. JONES of Washington. But that is only one article. Leave that out. I am going to refer, in view of the suggestions just made, to some of the facts which I have heretofore put in the RECORD and which came to me from officers who had actually bought these articles and who knew what they were furnished for in the officers' training camps. Here is one, a waist belt. The Government price is 17 cents, while the officer had to pay to the retailer 50 cents. There is a greater proportion of gain than there is in the case of the watch, although not quite so much money is involved.

A friend of mine who went into a training camp and through it told me that the belt which was furnished to him while he was in the training camp for 17 cents, when he got through the training camp and became an officer could not be obtained from the Government, but he had to pay the retailer 50 cents for that belt. He told me, further, that while he was in the training camp he was furnished a pair of shoes for $2.50 or $2.60—I forget the exact amount—but when he got through the training camp and became an officer he could not get the shoes from the Government and when he went into the retail stores he had to pay six or seven dollars for the very same shoes which the Government furnished to him while at the training camp for a price under $3. Those are just samples. I have the list here on page 1075 of the RECORD.

Mr. WARREN. Has that been verified by the department?

Mr. JONES of Washington. I did not refer this to the department. The figures were given to me by one who knew, and I do not think there is any question about them at all. I have obtained similar figures from other officers with reference to these matters.

Mr. WARREN. I do not doubt the figures the Senator has just given.

Mr. JONES of Washington. I do not think there is any doubt about them.

Mr. WARREN. But in regard to the watches, I think there may be some serious question.

Mr. JONES of Washington. That may be true, but I did not refer to the watches in my last statement. I have given the Senator the source of my information in reference to all these matters. Grant, however, that the statement in regard to the watches is not correct, although the Representative in Congress gave me his authority for the statement he made; he knew the man who told him about it, and he is satisfied that the statement is correct; it is just in line with the facts in regard to other articles. Why, Mr. President, every father who has had to furnish a uniform for his son who has gone into the Army knows the outrageous prices charged for these articles. Many have worried a great deal about getting these uniforms. The high cost has worked a great hardship. I hope that somebody in another place will take some interest in the matter. I have felt that I have done all that I could do and I have made myself a sort of nuisance in this body in reference to the matter. The Senate has certainly done its duty, for, as the chairman of the committee has stated, it has passed this proposition unanimously three times.

Mr. CHAMBERLAIN. Mr. President, let me suggest to the Senator that there is a subcommittee of the Military Affairs Committee on the Quartermaster Department, and I am going to request the chairman of that subcommittee to take this matter up and investigate it, so that we may have the authentic facts with reference to the whole situation.

Mr. JONES of Washington. I am very glad indeed to know that. In reply to the suggestion of the Senator from Florida [Mr. FLETCHER], I do not think he understood what was brought out a moment ago. The War Department, since this matter was brought up, has taken steps toward lessening the cost to the officers to some extent and is taking care of this situation to a certain extent. I put in the RECORD the other day a copy of an order from which it appears they now furnish the cloth for the uniforms at cost, and then they make contracts with different tailors and tailoring companies to make the uniforms for the officers, the officers to pay whatever the contract price may be; but that does not take care of the shoes; it does not take care of the boots; it does not take care of the leggings; it does not take care of the belts; it does not take care of all of the equipment that these officers must have, that the Government requires them to have, and it allows the collection of a great profit on the labor cost that must be paid by the officer. Further, I will simply add that the War Department, in responding to a question from the committee of the House with reference to this bill, said, in effect, that they could comply with it; and they ought to be required to do it. I hope others will take an interest in this matter so important to so many of our patriotic young men. They are doing enough for their country without being taxed millions for the benefit of those who stay at home. Congress is treating them unjustly so long as it permits this to continue.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. PENROSE. Mr. President, I should like to address an inquiry to the chairman of the committee. I took considerable interest in the legislation contained in this bill as it passed the Senate, giving increased rank to the several Medical Corps of the Army. I realize how widespread the interest is among the physicians of the United States in getting this advanced rank to secure greater efficiency here and abroad, and I am impressed with the splendid work they are doing in connection with the Army. I should like to ask the chairman how far the House conferees have acceded to the Senate proposition?

Mr. CHAMBERLAIN. Mr. President, the Senator will remember that when the bill was in the Senate the last time a provision was inserted in it with reference to the Medical Corps which was a compromise measure and which had been agreed upon after many conferences. When we got into conference we found that some of the conferees of the House were very much opposed to any additions to the Medical Corps; but notwithstanding that, Mr. President, we finally reached an agreement that, I think, was satisfactory to all. If the Senator would like to have me read it, I will do so.

Mr. PENROSE. For the purpose of having it inserted in the RECORD, if for nothing else, in view of the widespread interest in this proposition, I should like to have the Secretary read the paragraph as the Senate passed it and then have the Secretary read the paragraph as the conferees reported it, if the Senator from Oregon will consent to that interruption.

The PRESIDING OFFICER. The Secretary will read the matter referred to by the Senator from Pennsylvania.

Mr. CHAMBERLAIN. It is amendment No. 65.

Mr. PENROSE. I do not know whether the amendment of the Senate has been changed or not.

The SECRETARY. Amendment No. 65, as agreed to by the Senate, is as follows:

Increase in Medical Department: That the Medical Department of the Regular Army be, and is hereby, increased by one assistant surgeon general, who shall have the rank of major general, and three assistant surgeons general, who shall have the rank of brigadier general, all of whom shall be appointed from the Medical Corps of the Regular Army.

That the President may nominate and appoint in the Medical Department of the National Army, by and with the advice and consent of the Senate, from the Medical Reserve Corps of the Regular Army not to exceed four major generals and eight brigadier generals for each 1,000,000 officers and enlisted men of the entire National Army.

That the commissioned officers of the Medical Corps of the Regular Army, none of whom shall have rank above that of colonel, shall be proportionately distributed in the several grades as now provided by law.

That the commissioned officers of the Medical Reserve Corps of the Regular Army, none of whom shall have rank above that of colonel, shall be proportionately distributed in the several grades as now provided by law for the Medical Corps of the Navy.

That the President may designate as "consultants" officers of either the Medical Corps or the Medical Reserve Corps and may relieve them as the interests of the service may require: *Provided*, That nothing in this act shall be held or construed so as to discharge any officer of the Regular Army or deprive him of a commission which he now holds therein.

And as agreed to by the conference——

Mr. PENROSE. Yes; I should like to have the Secretary now read the conference proposition in lieu of the matter proposed by the Senate.

The Secretary read as follows:

Increase in Medical Department: That the Medical Department of the Regular Army be, and is hereby, increased by one assistant surgeon general, for service abroad during the present war, who shall have the rank of major general, and two assistant surgeon generals, who shall have the rank of brigadier general, all of whom shall be appointed from the Medical Corps of the Regular Army.

That the President may nominate and appoint in the Medical Department of the National Army, by and with the advice and consent of the Senate, from the Medical Reserve Corps of the Regular Army not to exceed two major generals and four brigadier generals.

That the commissioned officers of the Medical Corps of the Regular Army, none of whom shall have rank above that of colonel, shall be proportionately distributed in the several grades as now provided by law.

That the commissioned officers of the Medical Reserve Corps of the Regular Army, none of whom shall have rank above that of colonel, shall be proportionately distributed in the several grades as now provided by law for the Medical Corps of the Regular Army: *Provided*, That nothing in this act shall be held or construed so as to discharge any officer of the Regular Army or deprive him of a commission which he now holds therein.

Mr. CHAMBERLAIN. Mr. President, I can state to the Senator in a moment just what the changes are. It will be noted that the Senate amendment provided for the creation of three assistant surgeon generals with the rank of brigadier. We reduced that to two. The Senate originally provided for one assistant surgeon general with the rank of major general. We left that in, but we inserted "for service abroad," so that we only made that change with reference to that officer. Then, with reference to the major generals appointed in the Medical Department of the National Army, we reduced the number of major generals from four to two and the number of brigadier generals from eight to four.

Mr. PENROSE. Then, as far as the promotions from the Medical Reserve Corps in the National Army are concerned, the House has reduced the Senate proposition about 50 per cent?

Mr. CHAMBERLAIN. On the higher officers; but they have increased the colonels.

Mr. PENROSE. They increased the colonels?

Mr. CHAMBERLAIN. Yes; and placed the National Army on exactly the same footing as the Regular Army with reference to colonels.

Mr. JONES of Washington. Mr. President, I want to ask the chairman of the committee about another matter which a hurried examination of the conference report leads me to think the conferees accepted just as the Senate passed it. I refer to the interdepartmental social-hygiene board.

Mr. PENROSE. That is in here.

Mr. JONES of Washington. That was agreed to as it passed the Senate, was it not?

Mr. CHAMBERLAIN. As it passed the Senate. It was agreed upon, I think, without any amendment at all.

Mr. JONES of Washington. I thought so, but I wanted to be sure.

Mr. PENROSE. I have not quite finished my inquiry.

Mr. JONES of Washington. Pardon me; I thought the Senator was through.

Mr. PENROSE. That is all right. I have had a considerable number of conferences with Pennsylvania physicians and with the Senator from Wyoming [Mr. WARREN], the ranking minority member of the committee, and I should like to ask him whether he has anything to suggest in addition to what has been stated by the chairman of the committee.

Mr. WARREN. Mr. President, the chairman has set forth the real differences. I think it ought to be fairly satisfactory as it stands. Perhaps I might give some of the figures.

Mr. PENROSE. Yes; I should like very much to have them.

Mr. WARREN. For each million men in the National Army the Medical Reserve Corps will be entitled to have 220 colonels, 380 lieutenant colonels, 1,650 majors, and 4,750 captains and lieutenants. There will be that many for each million men of the National Army, and then there will be the generals that have been indicated—two major generals and four brigadier generals. They may have the same number of major generals as the Regular Army, and twice as many brigadiers as the Regular Army, and they may have fully as many and, in fact, the same proportion of colonels and lieutenant colonels as they have in the Regular Army, and they may have in the total number seven physicians for every thousand men. I may say, in passing, the House conferees stood against the Senate provisions as to the Medical Department, and wished it all cut out. It was one of the last three items finally reconciled, and the Senate conferees obtained all that was possible.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. CHAMBERLAIN. Mr. President, in this connection I wish to say that when this bill was before the Senate it agreed to an amendment promoting Gen. Crowder to the rank of lieutenant general after quite a little discussion. I believe the vote was practically unanimous. When the matter got into conference Gen. Crowder, with that splendid spirit which he has always shown, stated that in view of the fact that there were so many who had been working with him and that would not be recognized for the valuable services they rendered, he did not want to be considered. In order that the spirit which he has shown and the reason which induced the conference committee to leave out his name may be made a matter of record, I desire to have his letter read to the Senate and inserted in the RECORD.

The PRESIDING OFFICER. In the absence of objection the Secretary will read the letter.

The Secretary read as follows:

WAR DEPARTMENT,
OFFICE OF THE PROVOST MARSHAL GENERAL,
Washington, July 5, 1918.

Hon. GEORGE E. CHAMBERLAIN,
United States Senate.

MY DEAR SENATOR CHAMBERLAIN: In view of that provision of the Army appropriation bill personal to myself, now pending before the conference committee, it is unavoidable that I should take this opportunity to lay before you and also Mr. DENT, chairman of the House conferees, my personal sentiments, and to ask you to communicate them, if you see fit, to your associates.

That the provision in question involves a compliment and a distinction which I value beyond anything in my military career is natural; and that the approval testified to by the vote of the Senate gratifies me beyond the power of words to express is a simple statement of fact.

But, after considerable reflection, and viewing the matter in a broad way, I am reluctant to allow the consideration of the proposed proviso to proceed any further. If the conferees are in accord with my wishes in this regard, I should be glad if you, for the Senate conferees, and Chairman DENT, for the House conferees, in reporting back to your respective Houses that the Senate conferees yielded on this provision, would say that the action was in accord with my request and for the express reason next to be stated.

Forty-eight States and three Territorial headquarters and nearly 6,000 local and district boards, with an aggregate membership of nearly 18,000 citizens, assisted by legal and medical advisory boards in every jurisdiction, have cooperated with the national headquarters efficiently and honorably, and many without compensation, in the superb teamwork which has produced the gratifying results attained under the selective-service law. These results embrace the registration of more than 10,500,000 of citizens and their classification for military service, and the entrainment of the nearly 1,600,000 men now serving with the colors. By August 1 of this year this latter number will be approximately 2,000,000, and by the close of the year, if expected requisitions are received, the aggregate will approach 3,000,000. Of the members of these boards it may be truly said that when the selective-service system which they administer ceases to function efficiently to produce the military and to conserve the industrial man power, we shall be in a fair way to lose this war. I have long entertained the view that something ought to be done to recognize publicly and emphatically the enormous sacrifices these citizens have made in bestowing the continuous and exhausting service that has been indispensable in carrying the administrative burden of the selective-service system. The difficulty has been in devising a suitable reward, nation-wide in its application, and acceptable generally to those who have so participated. At the risk of being regarded as ungrateful to the proposers of this provision, I can not bring myself to be satisfied that my own conscientiously performed share in discharging that duty should become the subject of recognition, so long as the far greater share of these other builders of the National Army remains without public and distinguished acknowledgment in the records of Congress.

These men, my fellow workers, their toils, their sacrifices, and their achievements, are next to my heart. On this subject, I frankly confess to a deep sentiment—I hope that it will not be reckoned as sentimentality—a sentiment which would not receive unalloyed satisfaction from the bestowal of any honor, however generous, that is personal to myself only.

In placing before you at this time these sincere convictions, I trust that I have adequately expressed the motive that prompted this letter.

Cordially and gratefully, yours,

E. H. CROWDER,
Provost Marshal General.

ORDER OF BUSINESS.

Mr. THOMPSON. Mr. President——

The PRESIDING OFFICER. The Senator from Kansas.

Mr. THOMPSON. I desire to submit three conference reports, and——

Mr. BANKHEAD. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Alabama?

Mr. BANKHEAD. This is a very important report that is about to be presented, and I think it is important that a majority of the Senate should be present, and I therefore suggest the absence of a quorum.

Mr. THOMPSON. Mr. President, I raise a point of order.

The PRESIDING OFFICER. The Senator from Kansas will state it.

Mr. THOMPSON. I have the floor.

The PRESIDING OFFICER. The Senator will state his point of order.

Mr. THOMPSON. It is not in order to call for a quorum when another Senator has the floor.

Mr. BANKHEAD. It is always in order to call for a quorum.

Mr. THOMPSON. There are numerous decisions on that point, and I should like to call the Chair's attention to them if there is any doubt at all as to the ruling. I have the floor, and yielded only for a question. All I ask is the adoption of the conference reports, which are very important, in order that they may be communicated to the House.

Mr. BANKHEAD. That is the reason why I am calling for a quorum.

The PRESIDING OFFICER. Does the Senator from Alabama insist upon his suggestion of the absence of a quorum?

Mr. BANKHEAD. I do.

Mr. THOMPSON. I raise the point of order that it is out of order to call for a quorum when another Senator has the floor. I desire to call attention to the various precedents of the Senate. There are numerous ones, and the Senate has never decided otherwise.

The PRESIDING OFFICER. The Chair will listen to them for a moment.

Mr. BORAH. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will please state it.

Mr. BORAH. Is it in order now to make a motion to adjourn?

The PRESIDING OFFICER. It is.

Mr. BORAH. I move that the Senate adjourn.

Mr. THOMPSON. I hope the Senator will withhold that——

The PRESIDING OFFICER. The question is not debatable.

Mr. BORAH. I desire to have a vote on that motion.

Mr. PHELAN. I ask for a roll call.

The PRESIDING OFFICER. The Senator from California calls for the yeas and nays. Is the request seconded? [A pause.]

Mr. PHELAN. My object is——

The PRESIDING OFFICER. The question is not debatable. The request is seconded, and the Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CHAMBERLAIN. Mr. President, a parliamentary inquiry. What are we voting on?

The PRESIDING OFFICER. On a motion to adjourn.

The Secretary resumed the calling of the roll.

Mr. FLETCHER (when his name was called). Making the same announcement as before as to my pair and its transfer, I vote "nay."

Mr. MYERS (when his name was called). I transfer my pair with the Senator from Connecticut [Mr. McLEAN] to the Senator from Texas [Mr. CULBERSON] and vote "nay."

Mr. STERLING (when his name was called). I transfer my pair with the Senator from South Carolina [Mr. SMITH] to the Senator from Michigan [Mr. TOWNSEND] and vote "nay."

The roll call was concluded.

Mr. GERRY (after having voted in the negative). I have a general pair with the Senator from New York [Mr. CALDER]. I transfer that pair to the Senator from New Hampshire [Mr. HOLLIS] and let my vote stand.

Mr. PENROSE (after having voted in the negative). I observe that the senior Senator from Mississippi [Mr. WILLIAMS] is absent and has not voted. Having a general pair with him, I will transfer the same to the senior Senator from New Jersey [Mr. BAIRD] and let my vote stand.

Mr. SAULSBURY. I should have announced, as I did before, the transfer of my general pair with the Senator from Rhode Island [Mr. COLT] to the Senator from Oklahoma [Mr. OWEN]. I will let this announcement stand during the votes to-day.

Mr. KENDRICK (after having voted in the negative). I have a general pair with the senior Senator from New Mexico [Mr. FALL]. I transfer that pair to the junior senator from Nevada [Mr. HENDERSON] and let my vote stand.

Mr. CHAMBERLAIN (after having voted in the negative). I did not announce the transfer of my pair. I announce the transfer the same as before and let my vote stand.

Mr. CURTIS. I have a general pair with the junior Senator from Georgia [Mr. HARDWICK] and withhold my vote.

The result was announced—yeas 10, nays 41, as follows:

YEAS—10.

Borah	Johnson, Cal.	Norris	Warren
Cummins	Jones, Wash.	Nugent	
France	New	Smoot	

NAYS—41.

Ashurst	Kendrick	Poindexter	Smith, Md.
Beckham	King	Pomerene	Sterling
Chamberlain	Lenroot	Ransdell	Sutherland
Dillingham	Lewis	Saulsbury	Swanson
Fletcher	McKellar	Shafroth	Thompson
Gerry	Martin	Sheppard	Trammell
Gore	Myers	Sherman	Underwood
Harding	Overman	Shields	Vardaman
Johnson, S. Dak.	Penrose	Simmons	
Jones, N. Mex.	Phelan	Smith, Ariz.	
Kellogg	Pittman	Smith, Ga.	

NOT VOTING—44.

Baird	Goff	Knox	Smith, Mich.
Bankhead	Gronna	La Follette	Smith, S. C.
Brandegee	Guion	Lodge	Thomas
Calder	Hale	McCumber	Townsend
Colt	Hardwick	McLean	Wadsworth
Culberson	Henderson	McNary	Walsh
Curtis	Hitchcock	Nelson	Watson
Fall	Hollis	Owen	Weeks
Fernald	James	Page	Wilfley
Frelinghuysen	Kenyon	Reed	Williams
Gallinger	Kirby	Robinson	Wolcott

So the Senate refused to adjourn.

PENSIONS AND INCREASE OF PENSIONS.

Mr. THOMPSON submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3798) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendments numbered 2, 4.

That the Senate recede from its disagreement to the amendments of the House numbered 1, 3, 6, 7, and agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 5, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment, amended to read as follows:

"The name of Esther Shields, former widow of Walter Rogers, late of General Mounted Service, United States Army, Regular Establishment, and pay her a pension at the rate of $12 per month."

And the House agree to the same.

HENRY F. HOLLIS,
WM. H. THOMPSON,
REED SMOOT,
Managers on the part of the Senate.
JOHN A. KEY,
EDWARD KEATING,
Managers on the part of the House.

Mr. JONES of Washington. I wish to ask the Senator from Kansas if these are the bills that we passed a few days ago?

Mr. THOMPSON. These are the bills passed a short time ago.

Mr. JONES of Washington. One of the bills proposed to give a pension for the widows of Gen. Miles and Rear Admiral Cottman. Does the Senator remember whether that bill is covered in any of the conference reports he is now presenting?

Mr. SMOOT. I will say to the Senator there is a bill with Senate amendments which have not been agreed to by the House, and that is the bill the Senator refers to. The Senator from Kansas will no doubt move that the Senate insist on its amendments and ask for a conference.

Mr. JONES of Washington. That bill has not gone to conference.

Mr. SMOOT. It has not gone to conference.

Mr. CURTIS. Is a further conference asked?

Mr. THOMPSON. No; it is a complete report.

The PRESIDING OFFICER. There is so much confusion the Chair can not hear, and he is sure that other Senators can not hear.

Mr. CURTIS. I understood the Senator from Utah to state that there had been no agreement. May I be told what bill this is?

Mr. THOMPSON. This is a conference report on Senate bill 3798, and it is an agreement.

Mr. CURTIS. I should like to know what the bill is.

Mr. JONES of Washington. I ask that the first name in the bill be read.

The PRESIDING OFFICER. The Secretary will state it.

The Secretary read as follows:

The name of Abel H. Hall, Senate bill 3798.

Mr. JONES of Washington. That is not the bill.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. THOMPSON submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4542) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendments numbered 3, 4, 9, and 10.

That the Senate recede from its disagreement to the amendments of the House numbered 1, 2, 6, 7, and 8, and agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 5, and agree to the same with an amendment as follows: In lieu of the amount proposed insert "$17"; and the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 11, and agree to the same with an amendment as follows: In lieu of the amount proposed insert "$17"; and the House agree to the same.

HENRY F. HOLLIS,
WM. H. THOMPSON,
REED SMOOT,
Managers on the part of the Senate.
JOHN A. KEY,
EDWARD KEATING,
Managers on the part of the House.

Mr. JONES of Washington. I should like to have the first name stated.

The PRESIDING OFFICER. The Secretary will read the first name.

The SECRETARY. "William T. Black."

The report was agreed to.

Mr. THOMPSON submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4193) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendments numbered 1 and 5.

That the Senate recede from its disagreement to the amendments of the House numbered 3, 4, 6, 7, 8, and 9 and agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 2, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows:

"The name of Thomas S. Gher, late of Company C, Fourth Regiment Illinois Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month."

And the House agree to the same.

HENRY F. HOLLIS,
WM. H. THOMPSON,
REED SMOOT,
Managers on the part of the Senate.
JOHN A. KEY,
EDWARD KEATING,
Managers on the part of the House.

Mr. JONES of Washington. I should like to have the first name in that bill stated.

The SECRETARY. John B. Chandler.

The report was agreed to.

FUNERAL EXPENSES.

Mr. THOMPSON. From the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably Senate resolution 278, and ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. Is there objection to receiving the report at this time?

Mr. POMERENE. I object to that.

Mr. THOMPSON. I think the Senator will not object to this resolution.

Mr. POMERENE. There is another matter that is quite as important as the payment of these bills.

Mr. THOMPSON. Will the Senator permit me to state what it is? It is to pay the expenses incurred at the funeral——

Mr. POMERENE. That can be done at any minute after this matter is disposed of.

The PRESIDING OFFICER. The resolution will go to the calendar.

PREVENTION OF CORRUPT PRACTICES.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3438) to prevent corrupt practices in the election of Senators, Representatives, or Delegates in Congress.

The PRESIDING OFFICER. The pending amendment will be stated.

The SECRETARY. The pending amendment is the amendment offered by the Senator from Nevada [Mr. PITTMAN] to transpose the words "at any primary or general or special election" to come in after the word "Congress," in line 11, so that it will read:

or withhold their vote or to vote for or against any particular candidate for Senator or Representative or Delegate in Congress at any primary or general or special election.

The PRESIDING OFFICER. Let there be order in the Chamber.

Mr. BORAH. Mr. President, we are legislating here upon matters, which matters we do not hear or undertake to consider. We will either have order here and consider them in an orderly way or I shall take the floor and occupy it until order is restored. I do not propose myself to see this legislation pass through in this form. We are holding caucuses, double caucuses, and joint caucuses here in the aisle and considering the question of a recess while there is legislation of vital importance being pushed through in confusion. One of two things must happen. We will either legislate in order or we will not legislate at all.

EXECUTIVE SESSION.

Mr. OVERMAN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened.

RECESS.

Mr. MARTIN. I move that the Senate take a recess until 8 o'clock this evening.

The motion was agreed to; and (at 6 o'clock and 20 minutes p. m.) the Senate took a recess until 8 o'clock p. m.

EVENING SESSION.

The Senate reassembled at 8 o'clock p. m.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Borah	Johnson, Cal.	Overman	Simmons
Curtis	Jones, Wash.	Pittman	Smith, Md.
Fletcher	Lenroot	Pomerene	Smoot
France	Lewis	Ransdell	Swanson
Gerry	Martin	Saulsbury	Thompson
Gore	Myers	Shafroth	Trammell
Hale	Nugent	Sheppard	

The PRESIDENT pro tempore. Twenty-seven Senators have answered to their names. The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr. MCKELLAR, Mr. SMITH of Arizona, Mr. STERLING, and Mr. VARDAMAN answered to their names when called.

Mr. SHAFROTH. I desire to announce the absence of my colleague [Mr. THOMAS] on official business.

Mr. SMITH of Georgia and Mr. BANKHEAD entered the Chamber and answered to their names.

The PRESIDENT pro tempore. Thirty-three Senators have answered to their names. There is not a quorum present.

Mr. MARTIN. I move that the Sergeant at Arms be instructed to notify absent Senators to attend the session of the Senate.

The motion was agreed to.

The PRESIDENT pro tempore. The Sergeant at Arms is so instructed.

Mr. SHIELDS, Mr. PHELAN, Mr. PENROSE, Mr. ASHURST, Mr. REED, Mr. KENDRICK, Mr. JONES of New Mexico, and Mr. KING entered the Chamber and answered to their names.

After a little delay,

Mr. KELLOGG, Mr. CUMMINS, Mr. BECKHAM, Mr. NEW, Mr. POINDEXTER, Mr. GUION, and Mr. SUTHERLAND entered the Chamber and answered to their names.

The PRESIDENT pro tempore. Forty-eight Senators have answered to their names. A quorum is present.

CORRUPT PRACTICES.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3438) to prevent corrupt practices in the election of Senators, Representatives, or Delegates in Congress.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from Nevada [Mr. PITTMAN] to the bill.

The amendment was agreed to.

The PRESIDENT pro tempore. The amendment which has been proposed by the Senator from Florida [Mr. FLETCHER] will now be stated.

The SECRETARY. In line 9, after the word "candidate," it is proposed to insert "or whoever solicits, accepts, or receives any money or other thing of value in consideration of his vote for or against any candidate."

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

Mr. SMOOT. Mr. President, I ask that the amendment be again stated.

The PRESIDENT pro tempore. The Secretary will again state the amendment.

The Secretary again stated the amendment proposed by Mr. FLETCHER.

Mr. BORAH. Mr. President, I simply desire to get an intelligent idea of where this amendment is proposed to come in. I did not understand.

The PRESIDENT pro tempore. It is to be inserted after the word "candidate," in line 9, the Chair is informed.

Mr. FLETCHER. The purpose of the amendment is to make the person receiving the bribe equally guilty with the man who gives the bribe.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. REED. I should like to have the bill as amended read in order that we may get it altogether.

The PRESIDENT pro tempore. The Secretary will report the bill as amended.

The Secretary read as follows:

Be it enacted, etc., That whoever shall promise, offer, or give, or cause to be promised, offered, or given, any money or other things of value, or shall make or tender any contract, undertaking, obligation, gratuity, or security for the payment of money or for the delivery or convey-

ance of anything of value to any person or persons, either to vote or withhold their vote or to vote for or against any candidate, or whoever solicits, accepts, or receives any money or other thing of value in consideration of his vote for or against any candidate for Senator or Representative or Delegate in Congress at any primary or general or special election, shall be fined not more than $1,000, or imprisoned not more than one year, or both.

Mr. SMOOT. Mr. President, I do not think the Secretary read the amendment as it has been amended, if I followed him correctly, and I will ask that the Secretary, beginning on line 7, after the word "value," read the bill as it has been amended.

The PRESIDENT pro tempore. The Secretary will read as requested.

The Secretary read as follows:

Anything of value to any person or persons, either to vote or withhold their vote or to vote for or against any candidate, or whoever solicits, accepts, or receives any money or other thing of value in consideration of his vote for or against any candidate for Senator or Representative or Delegate in Congress at any primary or general or special election, shall be fined not more than $1,000, or imprisoned not more than one year, or both.

Mr. SMOOT. Mr. President, where the words "at any primary or general or special election" transposed by vote of the Senate?

The PRESIDENT pro tempore. The Chair is informed that those words were transposed on motion of the Senator from Nevada [Mr. PITTMAN].

Mr. SMOOT. Very well.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading and read the third time.

Mr. FLETCHER. Mr. President, I think it is very important to take up Calendar No. 487, being House bill 12100, and dispose of it, and I make that motion.

The PRESIDENT pro tempore. The bill under consideration has not yet been passed.

Mr. FLETCHER. I thought it had been disposed of.

The PRESIDENT pro tempore. The Senator from Florida is referring to another matter?

Mr. FLETCHER. Yes; I thought the bill under consideration had been concluded.

The PRESIDENT pro tempore. The bill having been read the third time, the question is, Shall it pass?

The bill was passed.

STIMULATION OF AGRICULTURE.

Mr. SHEPPARD and Mr. FLETCHER addressed the Chair.

The PRESIDENT pro tempore. The Senator from Texas.

Mr. SHEPPARD. I hope that the Senate will proceed to the consideration——

Mr. FLETCHER. I move that the Senate——

Mr. SHEPPARD. Who has been recognized, Mr. President?

The PRESIDENT pro tempore. The Senator from Texas has been recognized.

Mr. SHEPPARD. I move that the Senate proceed to the consideration of House bill 11945.

Mr. FLETCHER. Mr. President, I will say that the bill to which I have referred has been reported ever since the 27th of June, and I have been endeavoring to get action on it.

Mr. PENROSE. We can not hear on this side of the Chamber.

Mr. FLETCHER. It is a House bill, and it would not take long to pass it.

Mr. PENROSE. What is it about?

Mr. FLETCHER. It is a bill amending the act establishing the Shipping Board so as to give them additional powers in connection with the requisition and operation of ships.

Mr. PENROSE. If it is anything like the shipping bill the Senator has already presented, it will take considerable time to discuss it.

The PRESIDENT pro tempore. The question before the Senate is on the motion of the Senator from Texas [Mr. SHEPPARD] that the Senate proceed to the consideration of House bill 11945.

Mr. REED. What is that bill?

Mr. SMOOT. What is the calendar number?

The PRESIDENT pro tempore. The Secretary will state the title of the bill.

The SECRETARY. Calendar No. 476, bill (H. R. 11945) to enable the Secretary of Agriculture to carry out, during the fiscal year ending June 30, 1919, the purposes of the act entitled "An act to provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products."

Mr. REED. Mr. President, I rise to an inquiry. The Senator from Florida [Mr. FLETCHER] had the floor, as I understand, and had addressed the Chair.

The PRESIDENT pro tempore. The Chair will state to the Senator from Missouri that the Senator from Texas [Mr. SHEPPARD] was recognized immediately after the previous bill had passed. The Chair did not understand what the Senator from Florida wanted.

Mr. FLETCHER. Before that I was recognized and made the motion. Then the President pro tempore said the bill had not yet passed, and I yielded until that bill was passed. Then I understood that I had the floor and was prepared to renew the motion.

The PRESIDENT pro tempore. The Senator from Florida is mistaken about that. The Chair recognized the Senator from Texas immediately on the passage of the bill and did not know the Senator desired recognition then. The question is on the motion of the Senator from Texas.

Mr. BORAH. Upon that motion I ask for the yeas and nays.

Mr. SMOOT. I should like to have the bill read, Mr. President, so that we may know what it is.

Mr. PENROSE. I should like to have the bill read.

The PRESIDENT pro tempore. The Secretary will read the bill.

The Secretary proceeded to read the bill.

Mr. BORAH. Mr. President, the Senator who asked for the reading of the bill is not listening——

Mr. PENROSE. I am listening very carefully, Mr. President; and I am looking carefully to see that the bill is read, I will tell the Senator.

The PRESIDENT pro tempore. The Secretary will proceed.

The Secretary resumed the reading of the bill.

Mr. BANKHEAD. I rise to a question of order. The Secretary is reading a very important bill, and it is impossible for any Senator to hear him. I insist that order be maintained in the Senate, so that we may hear the reading of the bill.

The PRESIDENT pro tempore. The Chair will try to preserve order in the Senate, and requests Senators to assist by avoiding disorder on the floor. The Secretary will proceed.

The Secretary resumed and continued the reading of the bill to the end of the third paragraph, on page 5, line 23.

ADJOURNMENT TO AUGUST 12, 1918.

Mr. MARTIN. Mr. President, I send to the desk a privileged motion, being a concurrent resolution to adjourn to a day certain, which I ask may be considered.

The PRESIDENT pro tempore. The Secretary will read the concurrent resolution.

The Secretary read the concurrent resolution (S. Con. Res. 20), as follows:

Resolved by the Senate (the House of Representatives concurring), That when the two Houses of Congress adjourn on Saturday, the calendar day of July 6, they adjourn to meet at 12 o'clock meridian on August 12, 1918, unless sooner convened by the President of the United States.

Mr. BORAH. Do I understand the Senator has asked consent to be heard on this resolution at this time?

Mr. MARTIN. I have not. It is a privileged resolution and it is not debatable. I submit the resolution to the Senate.

Mr. BORAH. Does the Senator contend that this motion to adjourn is not debatable?

Mr. MARTIN. I do.

Mr. BORAH. To a day certain?

Mr. MARTIN. I do.

Mr. BORAH. Well, I presume the Senator wants to have it heard at this time.

Mr. MARTIN. I want a vote on it.

Mr. BORAH. Well, I will find out what the Chair has to say about it.

The PRESIDENT pro tempore. The Chair will be glad to have the Senator from Virginia refer him to the rule, if he can turn to it quickly.

Mr. MARTIN. I thought the Chair had it before him.

Mr. FLETCHER. It is Rule XXII.

Mr. SWANSON. Mr. President, if the Senator will turn to Gilfry's Precedents, on page 26, he will find that a resolution for final adjournment is privileged.

Mr. BORAH. Well, let the Senator from Virginia read it.

Mr. SWANSON. Very well. It is as follows:

The Vice President (Mr. Hobart) laid before the Senate for its consideration the resolution from the House of Representatives——

Mr. SMITH of Georgia. From what page is the Senator reading?

Mr. SWANSON. I am reading from Gilfry's Precedents, page 26:

The Vice President (Mr. Hobart) laid before the Senate for its consideration the resolution of the House of Representatives providing for the final adjournment of the two Houses of Congress at 9 o'clock p. m. this day, when Mr. Morgan objected to the consideration of the reso-

lution and raised a point of order, viz, that objection having been made, the resolution, under clause 5, Rule XIV, must lie over one day for consideration.

The Vice President overruled the question of order and decided that the resolution, which provided for an adjournment of Congress, was a question of privilege, and that the provision of Rule XIV was not applicable thereto.

From the decision of the Chair Mr. Allen appealed to the Senate; when, on motion by Mr. Aldrich that the appeal lie on the table, it was determined in the affirmative—yeas 36, nays 20. So the appeal was laid on the table.

Mr. BORAH. Mr. President, I call attention to the fact that that was a motion for final adjournment.

Mr. SWANSON. That does not make any difference.

Mr. BORAH. It does make a difference. Mr. Frye, while he was President pro tempore of the Senate, held that while a motion to adjourn sine die was not debatable, a motion to adjourn to a time certain was.

Mr. SWANSON. I do not remember that decision.

Mr. BORAH. I remember it distinctly, because I took part in the debate.

Mr. SWANSON. It says:

The Vice President overruled the question of order and decided that the resolution which provided for an adjournment of Congress was a question of privilege and that the provision of Rule XIV was not applicable thereto.

If that is applicable at all, it applies to all resolutions for adjournment coming under the rule which has been cited. The rule provides that a motion to adjourn is not debatable and is privileged. The question has arisen as to whether a motion to adjourn sine die was included under the rule, and upon that question it was decided that it included all motions to adjourn sine die for a day and otherwise. There might be a precedent for a day certain, but I can not recall it; but the contention for a long time in the Senate was that the motion to adjourn simply applied to adjournment from one day to another. After much debate on the question of sine die adjournment and the question of adjournment from day to day, as I understand, it has been finally decided that the rule which did not make it debatable and made it privileged applied to all motions to adjourn. Now, that was reaffirmed here. This was a motion to adjourn sine die. I have not looked up the precedents with regard to adjournment from day to day. I have not had time. That decision was reaffirmed by President pro tempore Clarke of Arkansas, on page 11, volume 2, of the precedents.

Mr. NORRIS. Mr. President, may I interrupt the Senator from Virginia?

Mr. SWANSON. Yes.

Mr. NORRIS. At the time these motions were made, was there a motion pending before the Senate?

Mr. SWANSON. There was a motion made by the Senator from South Carolina to proceed to the consideration of a bill when the President pro tempore of the Senate, Mr. Clarke, ruled. I will read what he said in reference to it.

Mr. FLETCHER. Mr. President, may I interrupt the Senator for a minute?

Mr. SWANSON. Yes.

Mr. FLETCHER. Turning to Rule XXII, on page 20 of the Manual, it is stated:

When a question is pending no motion shall be received but—
To adjourn.
To adjourn to a day certain, or that when the Senate adjourn it shall be to a day certain.

And so forth. Then, on the next page, page 21, it says:

Which several motions shall have precedence as they stand arranged; and the motions relating to adjournment—

Not a motion to adjourn, but—

the motions relating to adjournment, to take a recess, to proceed to the consideration of executive business, to lay on the table, shall be decided without debate.

Mr. NORRIS. This is not a motion to adjourn or a motion to take a recess. This is a concurrent resolution.

Mr. FLETCHER. Relating to adjournment.

Mr. SWANSON. Mr. President, as I told the Senator, the question has been before the Senate for a long time as to whether that rule included all motions to adjourn, and it was decided that the rule included a motion to adjourn sine die. As I understand, it includes in it all motions to adjourn.

Mr. BORAH. Mr. President, a parliamentary inquiry. Is this a joint resolution?

The PRESIDENT pro tempore. It is a concurrent resolution.

Mr. BORAH. Mr. President, I ask the Senator, and I challenge the Senator to present to the Senate a precedent where it has been held that a concurrent resolution to adjourn to a time certain is not debatable. The only question involved here is not whether this motion takes precedence and is privileged but the question whether or not it is debatable.

Mr. SWANSON. If the Senator will permit me, a motion to adjourn sine die is a concurrent resolution, because one body can not adjourn without the consent of the other, and these precedents are based entirely on concurrent resolutions. I never knew anybody to introduce a resolution to adjourn sine die that was not a concurrent resolution.

Mr. BORAH. But the Senator has not cited any precedent which says that a proposition to adjourn to a time certain is not debatable.

Mr. SWANSON. The rule says that.

Mr. BORAH. Who says it?

Mr. SWANSON. The rule of the Senate.

Mr. BORAH. The rule does not refer to that class of motions.

Mr. FLETCHER. Undoubtedly it does; it says "relating to adjournment."

Mr. SWANSON. The rule has been interpreted as applying to all motions to adjourn.

Mr. FLETCHER. Motions relating to adjournment.

Mr. SWANSON (reading)—

Which several motions shall have precedence as they stand arranged; and the motions relating to adjournment, to take a recess, to proceed to the consideration of executive business, to lay on the table, shall be decided without debate.

Mr. BORAH. Precisely. That is a motion for the Senate to adjourn.

Mr. SWANSON. But, if the Senator will permit me, it does not limit it to the Senate. All of the motions upon which these decisions were rendered were based upon concurrent resolutions of the two Houses to adjourn sine die. The Senator does not think that any resolution would be introduced that did not require joint action of the two Houses, does he?

Mr. BORAH. The Senator is not contending, is he, that Rule XXII has any reference except to motions upon the part of the Senate?

Mr. SWANSON. I do. I contend that it has been held repeatedly that that rule applies to a motion to adjourn sine die.

Mr. BORAH. The rule that the Senator is reading is a Senate rule, and relates to the adjournment of the Senate.

Mr. SWANSON. We are proceeding under the Senate rules.

Mr. BORAH. But you are seeking to adjourn the Congress.

Mr. SWANSON. The Senate takes its action under this rule, and then the House takes its action. All motions before the Senate, as to bills or anything else, require joint action of the House and Senate. Does the Senator contend that because joint action is required in the consideration of a bill the rule is different? It says "relating to adjournment."

Mr. BORAH. I can only say that some eight years ago this question was brought up upon a concurrent resolution to adjourn, when Senator Frye was in the chair. The question was raised by Senator Hale of Maine, his colleague, that it was not debatable, and Senator Frye held that it was debatable, and it was debated here during one entire evening.

Mr. SWANSON. I should like to read another decision on this point.

The PRESIDENT pro tempore. The Chair will be gratified if the Senator from Idaho will find the ruling to which he has referred.

Mr. BORAH. I do not know now where it appears in the RECORD, but the reason why I remember it so well is because I was interested myself in a resolution, and I did not want the adjournment, and I took part in the debate. I can not turn to the RECORD at once.

Mr. SWANSON. Mr. President, if the Senator will permit me, on page 11 of the Precedents, Decisions on Points or Order, by Gilfry, volume 2, number 6, the heading is:

May not supplant a concurrent resolution for final adjournment at end of session by a motion to proceed to the consideration of a bill, and question of, is not debatable.

That is the heading.

The President pro tempore (Mr. Clarke of Arkansas) laid before the Senate the concurrent resolution of the House for a final adjournment of the session; when,

Mr. SMITH of South Carolina. I move that the Senate proceed to the consideration of House bill 6060, Calendar No. 297, known as the immigration bill.

Mr. MARTIN of Virginia. Mr. President, I raise the point of order that the adjournment resolution can not be supplanted by a motion of that sort. The motion of the Senator from South Carolina is not in order.

The PRESIDENT pro tempore (Mr. Clarke of Arkansas). The point of order is not debatable, except reasonably for the purpose of advising the Chair. Whatever views the Chair might have held about the point of order raised by the Senator from Virginia [Mr. MARTIN], independent of investigation for himself, he must be governed by the precedents of the Senate as the same have been established by the deliberate action of the Senate. In the Fifty-fifth Congress, first session, on the 24th of July, 1897, this situation was presented—

And that is the decision that he reaffirmed, that I have read to the Chair, by Mr. Hobart, who was then Vice President—

Debate can proceed by unanimous consent if no Senator objects.

That ruling reaffirmed the decision of Vice President Hobart on a motion to adjourn sine die by concurrent resolution.

Mr. JONES of New Mexico. Mr. President, I listened with a good deal of interest to the reading of the concurrent resolution, especially with reference to its language. Of course we all recall the constitutional provision which this concurrent resolution is supposed to meet; and while to my mind it is questionable whether or not the language of the concurrent resolution as introduced meets the requirements of the Constitution, if the language does meet the provision of the Constitution then the resolution must be something more than a mere motion to adjourn, or a motion to adjourn to a day certain, because the constitutional provision is:

> Neither House, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting.

So that this concurrent resolution, whatever its language may be, must involve something more than a mere adjournment or an adjournment to a day certain. It must involve the granting of consent to the other House of Congress to adjourn for more than three days under the Constitution; and this, it seems to me, does not come under the rule which has been referred to by the Senator from Virginia, because it must have for its purpose the consenting by the Senate to an adjournment of the House for a period greater than three days. In the language in which the resolution is drawn, it may well be questioned whether that does not end this session of Congress. It is an adjournment for a definite period of time. It is an adjournment of the Congress. It is not in the language of the Constitution, so as to grant consent to the other House that it may adjourn for a longer period than three days, but it is a concurrent resolution for an adjournment.

Mr. SWANSON. If the Senator will permit me, these decisions were rendered on concurrent resolutions.

Mr. JONES of New Mexico. But they were concurrent resolutions for an adjournment of the session of the Congress, not for an extended recess, if I have been able to follow the language which the Senator has read.

Mr. SWANSON. The reason of that is because they have always thought that the greater included the less. An adjournment for 30 days is less than an adjournment sine die, and it has never been contended that the less is not included in the greater. The contention has been on the question of adjournment sine die, saying that it was not included; but the words "adjournment to a day certain" are specifically included in the rule itself, which says that such motion must be determined without debate.

Mr. BORAH. May I ask the Senator from Virginia whether this is a proposal for an adjournment of Congress or for a recess?

Mr. SWANSON. It is a proposal for an adjournment, precisely like we take for the Christmas holidays every year.

Mr. BORAH. I do not care anything about the Christmas holidays. Is this an adjournment, or is it a recess?

Mr. SWANSON. It is an adjournment to a day certain, precisely like we take an adjournment for two weeks during the Christmas holidays, such as the House and the Senate have taken repeatedly every year. The language is that in which the resolution is usually drawn. It is the same language that has been used, I suppose, in the case of all these adjournments, wherever they exceed three days.

Mr. BORAH. Mr. President, may I ask to have the concurrent resolution read again?

Mr. PENROSE. Mr. President, if the Senator will permit an interruption on that point, the resolution is exactly like the motions we make every day, to adjourn until the next day at 12 o'clock.

Mr. BORAH. Oh, no; it is not.

Mr. SWANSON. It is in the same language.

Mr. BORAH. I thought there was something else.

The PRESIDENT pro tempore. The Senator from Idaho has asked that the resolution be stated. The Chair will say to the Senate that he is ready to rule on this question.

Mr. JONES of New Mexico. Mr. President, I should like to call attention particularly to this language of the Constitution, which says that neither House shall adjourn for more than three days without the consent of the other; so it should not be a concurrent resolution for the adjournment of Congress, but it should be a privilege granted to either House to adjourn for a specific length of time. The concurrent resolution, of course, accomplishes that, but not in language which seems to me to meet the specific requirements of the Constitution. I submit that the proper varbiage of the concurrent resolution should be that either House may adjourn until August 12 with the consent of the other.

Mr. NORRIS. Mr. President——

Mr. BORAH. I ask to have the resolution read.

The PRESIDENT pro tempore. The Secretary will read the concurrent resolution.

The Secretary again read the concurrent resolution.

Mr. BORAH. Mr. President, that is not an ordinary resolution to adjourn. It is no kith or kin to the resolution upon which these precedents were established. Here is a separate and distinct matter incorporated in this concurrent resolution, and there is no precedent for shutting off debate upon this kind of a resolution. But, Mr. President, I ask for the yeas and nays, because I want the responsibility fixed.

Mr. REED. Mr. President, I suggest that the matter has not been submitted to the Senate. It is for the President pro tempore to decide, and I should like to have the President pro tempore decide it.

Mr. PENROSE. Before the decision is made, as I view it, every day when we adjourn a motion is made to adjourn until 12 o'clock the next day, unless we want to eliminate the morning hour and preserve the legislative day, when we take a recess. That is the only difference. If we wanted to preserve the legislative day for the next month, we could take a recess in this case; but we adjourn, as we have been trying to do, all winter and all summer. The reference to the President calling us together is, in my opinion, clearly surplusage. It means nothing. Of course, the President has the right under the Constitution, and has been doing it for over 140 years, to call the two Houses together after an adjournment, if he thinks the public business requires it.

The PRESIDENT pro tempore. The Chair does not think a ruling from the Chair is necessary, although he is ready to give it, if there is no more debate. The point of order was made on the question of whether the motion was debatable. The yeas and nays are now called for.

Mr. NORRIS. Mr. President, I should like to have the question decided. I make the point of order that the motion is debatable, and also that it is not in order when another motion was pending, and I should like to have the Chair rule on that.

The PRESIDENT pro tempore. The Chair may as well rule, then, to dispose of the matter.

The Chair holds this to be a motion to adjourn to a day certain, and therefore covered by Rule XXII. The Chair thinks that this or some equivalent method of obtaining the consent of the House of Representatives is the only way in which the Senate could adjourn for more than three days, because of the constitutional provision referred to by the Senator from New Mexico [Mr. JONES]; but the Chair, moreover, thinks that this is a perfectly proper way to obtain the consent of the House, by a concurrent resolution, which will affect both Houses.

The Chair is therefore compelled to hold that the motion is not debatable, as it comes under the provisions of Rule XXII.

Mr. BORAH. I ask for the yeas and nays upon the concurrent resolution.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). I have a pair with the junior Senator from Georgia [Mr. HARDWICK] which I transfer to the senior Senator from West Virginia [Mr. GOFF] and vote "nay."

Mr. GERRY (when his name was called). I have a pair with the junior Senator from New York [Mr. CALDER]. I transfer that pair to the Senator from New Hampshire [Mr. HOLLIS] and vote "yea."

Mr. PITTMAN (when Mr. HENDERSON's name was called). The junior Senator from Nevada [Mr. HENDERSON] is absent from the city on official business. I am at liberty to state that if present he would vote "nay."

Mr. KENDRICK (when his name was called). I have a general pair with the Senator from New Mexico [Mr. FALL]. I transfer that pair to the junior Senator from Nevada [Mr. HENDERSON] and vote "yea."

Mr. MYERS (when his name was called). I transfer my pair with the Senator from Connecticut [Mr. MCLEAN] to the Senator from Texas [Mr. CULBERSON] and vote "nay."

Mr. OVERMAN. I transfer my pair with the senior Senator from Wyoming [Mr. WARREN] to the Senator from Arkansas [Mr. KIRBY] and vote "yea."

Mr. PENROSE (when his name was called). I have a general pair with the senior Senator from Mississippi [Mr. WILLIAMS]. He is not present, and I will transfer that pair to the junior Senator from New Jersey [Mr. BAIRD], who is absent, and will vote. I vote "yea."

Mr. REED (when his name was called). I transfer my pair with the Senator from Michigan [Mr. SMITH] to my colleague [Mr. WILFLEY] and vote "yea."

The PRESIDENT pro tempore (when Mr. SAULSBURY's name was called). Announcing the same transfer of my pair that I announced earlier in the day, I vote "yea."

Mr. SMITH of Georgia (when his name was called). I transfer my pair with the senior Senator from Massachusetts [Mr. LODGE] to the junior Senator from Georgia [Mr. HARDWICK] and vote "nay."

Mr. STERLING (when his name was called). I transfer my pair with the Senator from South Carolina [Mr. SMITH] to the Senator from Michigan [Mr. TOWNSEND] and vote. I vote "nay."

Mr. UNDERWOOD (when his name was called). I transfer my pair with the junior Senator from Ohio [Mr. HARDING] to the senior Senator from Nebraska [Mr. HITCHCOCK] and vote "yea."

The roll call was concluded.

Mr. FLETCHER. I have a general pair with the Senator from New Hampshire [Mr. GALLINGER]. I transfer that pair to the Senator from Arkansas [Mr. ROBINSON] and vote "yea."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Massachusetts [Mr. WEEKS] with the Senator from Kentucky [Mr. JAMES];

The Senator from Indiana [Mr. WATSON] with the Senator from Delaware [Mr. WOLCOTT];

The Senator from New Jersey [Mr. FRELINGHUYSEN] with the Senator from Montana [Mr. WALSH];

The Senator from Pennsylvania [Mr. KNOX] with the Senator from Oregon [Mr. CHAMBERLAIN]; and

The Senator from North Dakota [Mr. McCUMBER] with the Senator from Colorado [Mr. THOMAS].

Mr. McKELLAR. I wish to announce that the Senator from Arkansas [Mr. KIRBY] is detained on official business.

The Secretary recapitulated the vote, and the result was announced—yeas 27, nays 26, as follows:

YEAS—27.

Beckham	Kendrick	Penrose	Shafroth
Cummins	King	Phelan	Simmons
Dillingham	Lenroot	Poindexter	Smith, Ariz.
Fletcher	Lewis	Pomerene	Smith, Md.
Gerry	McKellar	Ransdell	Swanson
Gore	Martin	Reed	Underwood
Guion	Overman	Saulsbury	

NAYS—26.

Ashurst	Johnson, Cal.	Nugent	Sterling
Bankhead	Jones, N. Mex.	Pittman	Sutherland
Borah	Jones, Wash.	Sheppard	Thompson
Curtis	Kellogg	Sherman	Trammell
Fernald	Myers	Shields	Vardaman
France	New	Smith, Ga.	
Hale	Norris	Smoot	

NOT VOTING—42.

Baird	Harding	Lodge	Townsend
Brandegee	Hardwick	McCumber	Wadsworth
Calder	Henderson	McLean	Walsh
Chamberlain	Hitchcock	McNary	Warren
Colt	Hollis	Nelson	Watson
Culberson	James	Owen	Weeks
Fall	Johnson, S. Dak.	Page	Willfey
Frelinghuysen	Kenyon	Robinson	Williams
Gallinger	Kirby	Smith, Mich.	Wolcott
Goff	Knox	Smith, S. C.	
Gronna	La Follette	Thomas	

So Mr. MARTIN's concurrent resolution was agreed to.

Mr. SHEPPARD. I renew my motion that the Senate proceed to the consideration of House bill 11945.

Mr. BANKHEAD and Mr. GORE addressed the Chair.

The PRESIDENT pro tempore. The Senator from Texas was recognized and he has moved to take up House bill 11945.

Mr. BANKHEAD. I demand a recapitulation of the vote which was just taken.

SEVERAL SENATORS. Too late.

The PRESIDENT pro tempore. The Chair thinks the Senator should have that privilege in case the Chair has made a mistake.

Mr. BANKHEAD. I do not think the Chair has made a mistake, but the vote was so close I think there should be another recapitulation.

Mr. SHEPPARD. I ask if the Senator from Alabama has a right to make that request.

The PRESIDENT pro tempore. The Senator has that right. The Secretary will recapitulate the vote.

The Secretary again recapitulated the vote.

The PRESIDENT pro tempore. On a recapitulation the Secretary reports to the Chair the vote as announced on the prior occasion—27 yeas and 26 nays. The resolution is therefore agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the House had passed the bill (S. 3009) granting the consent of Congress to the P. M. C. Coal Co. to construct and maintain a bridge across Tug River, connecting Pike County, Ky., and Mingo County, W. Va.

The message also announced that the House agrees to the amendments of the Senate to the bill (H. R. 8938) to equip the United States Penitentiary, Atlanta, Ga., for the manufacture of supplies for the use of the Government, for the compensation of prisoners for their labor, and for other purposes.

The message further announced that the House agrees to the amendments of the Senate to the bill (H. R. 11048) to amend an act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, as amended by the act approved June 12, 1917.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the President pro tempore:

S. 3798. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors;

S. 4193. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors;

S. 4542. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors; and

H. R. 11048. An act to amend the war-risk insurance act.

STIMULATION OF AGRICULTURE.

Mr. SHEPPARD. I renew my motion.

The PRESIDENT pro tempore. The Senator from Texas moves that the Senate proceed to the consideration of the bill (H. R. 11945) to enable the Secretary of Agriculture to carry out, during the fiscal year ending June 30, 1919, the purposes of the act entitled "An act to provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products." [Putting the question.] The noes seem to have it.

Mr. BORAH. Upon that I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary proceeded to call the roll, and Mr. ASHURST responded in the affirmative.

Mr. PENROSE. I rise to a point of order. I think the motion is debatable and no opportunity has been given for debate.

The PRESIDENT pro tempore. The roll call has begun.

Mr. PENROSE. No Senator was given an opportunity to be recognized.

The PRESIDENT pro tempore. The roll call will be proceeded with.

Mr. SHEPPARD. I desire to have it the unfinished business——

The PRESIDENT pro tempore. No debate is in order.

The Secretary resumed the calling of the roll.

Mr. CURTIS (when his name was called). Making the same announcement that I made on the previous vote, I vote "yea."

Mr. FLETCHER (when his name was called). Announcing my pair as before, I vote "nay."

Mr. GERRY (when his name was called). Making the same announcement as on the last vote, I vote "nay."

Mr. MYERS (when his name was called). I transfer my pair with the Senator from Connecticut (Mr. McLEAN) to the Senator from Texas (Mr. CULBERSON) and vote "yea."

Mr. OVERMAN (when his name was called). I have a general pair with the Senator from Wyoming [Mr. WARREN] and withhold my vote.

Mr. PENROSE (when his name was called). Explaining my pair and its transfer, as I have already done, I vote "nay."

Mr. STERLING (when his name was called). Making the same announcement of the transfer of my pair as on the previous vote, I vote "yea."

The roll call was concluded.

Mr. LEWIS. I rise to announce the absence of the Senator from Mississippi [Mr. WILLIAMS] occasioned by death in his

family, and that of the Senator from Kentucky [Mr. JAMES] occasioned by personal illness.

Mr. DILLINGHAM. I withhold my vote because of my general pair with the senior Senator from Maryland [Mr. SMITH].

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from New York [Mr. WADSWORTH] with the Senator from North Dakota [Mr. GRONNA];

The Senator from Massachusetts [Mr. WEEKS] with the Senator from Kentucky [Mr. JAMES];

The Senator from Indiana [Mr. WATSON] with the Senator from Delaware [Mr. WOLCOTT]; and

The Senator from New Jersey [Mr. FRELINGHUYSEN] with the Senator from Montana [Mr. WALSH];

The Senator from Pennsylvania [Mr. KNOX] with the Senator from Oregon [Mr. CHAMBERLAIN]; and

The Senator from North Dakota [Mr. MCCUMBER] with the Senator from Colorado [Mr. THOMAS].

The result was announced—yeas 31, nays 18, as follows:

YEAS—31.

Ashurst	Johnson, Cal.	Norris	Smoot
Bankhead	Jones, N. Mex.	Nugent	Sterling
Beckham	Jones, Wash.	Pittman	Sutherland
Borah	Kendrick	Poindexter	Swanson
Cummins	Lenroot	Shafroth	Thompson
Curtis	McKellar	Sheppard	Trammell
Fernald	Martin	Sherman	Vardaman
Hale	Myers	Shields	

NAYS—18.

Fletcher	Harding	Penrose	Smith, Ariz.
France	Kellogg	Phelan	Smith, Ga.
Gerry	King	Pomerene	Underwood
Gore	Lewis	Ransdell	
Guion	New	Saulsbury	

NOT VOTING—46.

Baird	Hardwick	McLean	Thomas
Brandegee	Henderson	McNary	Townsend
Calder	Hitchcock	Nelson	Wadsworth
Chamberlain	Hollis	Overman	Walsh
Colt	James	Owen	Warren
Culberson	Johnson, S. Dak.	Page	Watson
Dillingham	Kenyon	Reed	Weeks
Fall	Kirby	Robinson	Wilfley
Frelinghuysen	Knox	Simmons	Williams
Gallinger	La Follette	Smith, Md.	Wolcott
Goff	Lodge	Smith, Mich.	
Gronna	McCumber	Smith, S. C.	

So the motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 11945) to enable the Secretary of Agriculture to carry out, during the fiscal year ending June 30, 1919, the purposes of the act entitled "An act to provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products."

DATA ON PROFITEERING (S. DOC. NO. 248).

Mr. BORAH. Mr. President, I wish to have an order entered for printing 15,000 copies of the report of the Federal Trade Commission with reference to profiteering. The print has been exhausted, and I ask to have an order entered to print 15,000 copies.

Mr. SMOOT. Does the Senator know what 15,000 copies would cost?

Mr. BORAH. No; I do not.

Mr. SMOOT. If it costs more than $200 to print them, I will say to the Senator under the law it can not be done by an order of the Senate.

Mr. BORAH. I could not state how much it would cost, but in order to be sure that I am within the law I will ask that 5,000 copies be printed.

The PRESIDENT pro tempore. Is there objection?

Mr. FLETCHER. The law requires that any estimate of the cost shall be submitted with a motion of that kind. That is the general rule; but I have no objection to the order being entered. I think it is a very important document.

Mr. BORAH. I think that is a requirement that is very often disregarded.

Mr. FLETCHER. Why not make the motion to print up to the limit of $200?

Mr. BORAH. I think 5,000 additional copies will be sufficient.

Mr. FLETCHER. Very well.

Mr. NORRIS. Let me ask the Senator from Utah [Mr. SMOOT], who is a member of the committee, a question as to the cost of this printing. I have a copy of the document in my hand, and it contains 20 pages.

Mr. SMOOT. Then, I will say to the Senator from Nebraska, if the document contains 20 pages, to print 5,000 copies of it will come within the limit.

Mr. NORRIS. I should like to have the document printed up to the limit, because there is a great demand for it.

Mr. SMOOT. I will not say just how many copies could be printed for that sum.

Mr. NORRIS. I have not been able to get a single copy of this document, except the one which I hold in my hand.

Mr. MCKELLAR. I will ask the Senator from Idaho if he will not leave his request at the original number of 15,000 copies? I think this is a very important document; indeed, it is one of the most important documents we have.

Mr. JONES of Washington. I desire to make a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state his parliamentary inquiry.

Mr. JONES of Washington. I desire to ask whether or not the consideration of this matter will displace the unfinished business, or has the unfinished business been temporarily laid aside?

The PRESIDENT pro tempore. The Senator from Idaho [Mr. BORAH] was proceeding practically by unanimous consent. The Chair thinks the consideration of the matter asked for by him would displace the business which was just taken up, if a motion were made and agreed to, to proceed with it.

Mr. JONES of Washington. I hope the request will be made to lay aside the unfinished business temporarily, if this matter is going to be taken up.

Mr. SHEPPARD. I am not opposed to the request of the Senator from Idaho, but I should not be willing to grant unanimous consent, except with the understanding that, after his request shall have been disposed of, we resume the consideration of the pending bill.

The PRESIDENT pro tempore. The Senate will have to lay aside the unfinished business temporarily for that purpose, or the unfinished business will be displaced.

Mr. JONES of Washington. I would suggest to the Senator from Texas to ask that the unfinished business be temporarily laid aside.

Mr. SHEPPARD. If the unfinished business be temporarily laid aside, will it then be resumed after the matter moved by the Senator from Idaho shall have been disposed of?

The PRESIDENT pro tempore. It will be, if it is laid aside especially for that purpose.

Mr. SHEPPARD. Then I ask unanimous consent that the unfinished business be temporarily laid aside specifically for the consideration of this order, with the understanding that the consideration of the unfinished business is to be resumed after the order is disposed of.

The PRESIDENT pro tempore. If there be no objection, the bill under consideration will be temporarily laid aside for the consideration of the motion of the Senator from Idaho [Mr. BORAH]. Is there objection? The Chair hears none. The Senator from Idaho moves that 5,000 additional copies of the document referred to by him be printed, as the Chair understands, within the cost of $200.

Mr. JONES of Washington. Is that put in the form of a motion? I would suggest that the Senator ask unanimous consent that that be done.

Mr. BORAH. Then, I ask unanimous consent that 5,000 additional copies of the report of the Federal Trade Commission on profiteering be printed.

The PRESIDENT pro tempore. Is there objection? The Chair hears none. It is so ordered.

STIMULATION OF AGRICULTURE.

Mr. SHEPPARD. Now, I ask that we proceed with the consideration of House bill 11945.

Mr. THOMPSON. Mr. President——

The PRESIDENT pro tempore. The Secretary will state the title of the bill now under consideration.

The SECRETARY. A bill (H. R. 11945) to enable the Secretary of Agriculture to carry out, during the fiscal year ending June 30, 1919, the purposes of the act entitled "An act to provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products."

The PRESIDENT pro tempore. The Chair is informed that the bill has been read.

Mr. PENROSE. Not all of the bill has been read, Mr. President. I do not understand that the bill has been completely read.

The PRESIDENT pro tempore. The Chair is now informed that not all of the bill, but only a portion of it, has been read.

Mr. THOMPSON and Mr. CURTIS addressed the Chair.

The PRESIDENT pro tempore. The Chair recognizes the senior Senator from Kansas.

Mr. THOMPSON. Mr. President, this afternoon I submitted a report from the Committee to Audit and Control the Con-

tingent Expenses of the Senate, being a resolution (S. Res. 278) to pay the funeral expenses of the late Senator TILLMAN; and that resolution went to the calendar. I should like to have that resolution now considered and to have the unfinished business temporarily laid aside for that purpose.

Mr. PENROSE. Mr. President, I rise to a question of order.

The PRESIDENT pro tempore. The Senator from Pennsylvania will state it.

Mr. PENROSE. The pending bill has been presented to the Senate but has not yet been read to the Senate. I ask for the reading of the bill. I am informed that the Secretary did not get beyond page 4 in the reading.

The PRESIDENT pro tempore. The Chair is informed that the Secretary reached the bottom of page 5 in the reading of the bill.

Mr. PENROSE. I suggest that the Secretary proceed with the reading of the bill.

The PRESIDENT pro tempore. The Chair has directed the Secretary to proceed with the reading of the bill, and he will proceed without interruption until the bill shall have been read.

Mr. THOMPSON. Mr. President——

The PRESIDENT pro tempore. The Secretary will read the bill under the regular order.

The Secretary resumed and concluded the reading of the bill.

Mr. PENROSE, Mr. CURTIS, and Mr. FLETCHER addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CURTIS. May I ask the Senator from Pennsylvania to yield?

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield to the Senator from Kansas?

Mr. PENROSE. I yield.

Mr. CURTIS. I should like to offer an amendment merely to have it printed and have it pending.

The PRESIDING OFFICER. Without objection, permission will be granted.

Mr. CURTIS. I should like to have the amendment read.

Mr. PENROSE. Let it be read.

The PRESIDING OFFICER. The Secretary wil read the proposed amendment.

The SECRETARY. On page 1, line 7, after the word "security," it is proposed to insert "or such other security as may be satisfactory to the Secretary of Agriculture."

Mr. FLETCHER. Mr. President, will the Senator from Pennsylvania allow me to interrupt him to suggest, inasmuch as the Senator from Texas can not hope to get the bill acted on this evening, that he lay it aside and allow me to take up the bill upon which I have been endeavoring to secure action during the day, if that is possible?

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield to the Senator from Florida to make that request?

Mr. FLETCHER. I wish to suggest that perhaps the Senator from Texas would be willing to lay the unfinished business aside temporarily.

Mr. PENROSE. I do not care, Mr. President; it is a matter of indifference to me what the Senator from Texas [Mr. SHEPPARD] does with his bill. The bill is such an ill-advised measure, supplementing, as it pretends, the general Agricultural appropriation bill which has recently passed Congress, that I have some observations to make to which I invite the attention of the American people. I am always brief, and the Senator from Florida need not be alarmed.

I consider that in the general Agricultural appropriation bill, recently passed and now before the President, and in this alleged supplemental bill for stimulating agriculture there is more wanton waste of the public money than in any measure that has been pending before the American Congress for a long time.

I have long believed, Mr. President, that the bill for the Agricultural Department approximated about as nearly a condition of departmental graft as it is possible to approximate without actually involving the participants in legal proceedings. We only have to examine some of these items to realize their wastefulness. There are in the two bills—the amount can easily be estimated—a number of millions of dollars—I hesitate to say how many—which, in my opinion, are practically being poured into the gutter. Three hundred and ninety-four thousand dollars are appropriated to investigate the habits of coyotes and prairie dogs in the general Agricultural appropriation bill, while——

Mr. BORAH. Mr. President, I understand the President has vetoed that bill.

Mr. PENROSE. Not on account of that very commendable feature, doubtless in his mind, regarding the investigation of coyotes and prairie dogs, but on account of the amendment fixing the price of wheat.

There is another item to investigate—oysters. Why, Mr. President, men have been eating oysters for several million years. We find oyster shells among the bones and relics of primeval man. The oyster is the original food of man, together with fish and other things that he could reach with his primitive weapons. Immense heaps of shells, surviving many centuries, occur along our seacoast, and yet, in the midst of this great war crisis, the Agricultural Department asks for a considerable appropriation to investigate oysters! Such propositions are so ridiculous at this time of stress, Mr. President, that I want to address the Senate at length upon it and others equally absurd, and I intend to do so, not now, perhaps, but at a time convenient to the Senate and to myself, a fitting time, when there are more Senators present than there are to-night, because, while some Senators are disposed to take a humorous view of the nearly half million dollars to investigate coyotes and prairie dogs, and I can not blame them, yet I consider it a somewhat serious matter, as an evidence of waste running in many other directions.

The people are being appealed to for liberty loans; three issues of them have been made, and another one is coming. We read a great deal about the conscription of wealth and the enormous sums that must be taken out of the pockets of the taxpayers to meet the urgent necessities of this great war, and it is somewhat disheartening to find that slackers and those perhaps who want to avoid the draft are in deferred classes while they investigate prairie dogs and oysters.

Mr. REED. Mr. President——

Mr. PENROSE. I yield.

Mr. REED. The remarks of the Senator just made perhaps throw some light upon the proviso in the second page of this bill, which reads:

Provided, That no part of the money hereby appropriated shall be used in paying salary or expenses of any man who on account of employment in which he is or may be engaged under the provisions of this act has been or shall hereafter be certified by the Secretary of Agriculture, or by any other official of the Department of Agriculture, for deferred classification.

I did not understand that provision until the Senator's remark, and it occurred to me that perhaps the House of Representatives was on the track of these very gentlemen when they put that proviso in. The Senate committee attempts to strike it out.

Mr. PENROSE. Yes. Of course, the Agricultural Department would place these men in the deferred class, and doubtless the argument will be made, Mr. President, that they would be properly put in the deferred class because of peculiar talent. Everybody is not accustomed to examine these vermin with a microscope, and some people are too slow of foot or too uncertain of aim to capture them, and it might be that very many substantial favors could be conferred on slackers, so that they might go to our forest reserves and the vast stretches of our western prairies and investigate the habits of the fugitive squirrel and the evasive coyote. So that I rise in entire sincerity to discuss this matter.

Mr. President, we talk about the troubles of the Bolsheviki and the condition of the Russian Government. To my mind there is nothing more ridiculous in any proposition pending in the Russian Assembly than many of the items in this Agricultural bill in this great war crisis, when every dollar of the taxpayer's money, borrowed or taken from him in taxes, should be applied to strictly war purposes.

The city of Philadelphia, the third city in the country, has been notified by the Treasury Department, through its Securities Corporation, that that great municipality shall not be permitted to go on with certain improvements. Either the securities will not be indorsed or, through priority orders and other arbitrary powers of these autocratic agencies that have been set up over us in the last eight or nine months, they will be prevented from going on with the work. The city had spent thousands of dollars, and the people were anxiously awaiting for the development of a system of transportation which would solve many of the problems confronting in the most acute form that great metropolitan center of nearly 2,000,000 people; and yet they are held up, and unable to go on with those improvements, while the Senator from Texas is anxious to encourage the Department of Agriculture to squander millions in the investigation of all kinds of insects and vermin.

Mr. SHEPPARD. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. SWANSON in the chair). Does the Senator from Pennsylvania yield to the Senator from Texas?

Mr. PENROSE. I yield for a question.

Mr. SHEPPARD. Is that really what is troubling the Senator? Is it not the fact that there is a prohibition amendment on this bill that arouses the opposition of the Senator?

Mr. PENROSE. Well, that is objectionable to me in its present form, I will tell the Senator candidly, but I have not reached that part of the bill yet.

Mr. SHEPPARD. Mr. President, if the prohibition amendment were not on the bill, I imagine the Senator would swallow the whole measure—coyotes, minks, oysters, and all. [Laughter.]

Mr. PENROSE. The Senator is entirely mistaken. He works prohibition overtime, and he sits in this Chamber apparently without a thought about any of the burdens of statesmanship which the rest of us are endeavoring to carry to the best of our ability, or some of us. He does not betray the slightest anxiety regarding these great supply bills and these great pieces of general legislation that seem to be so urgently required. He has a monomania on the subject, and if we ever should have national prohibition I can not help extending him my sincere sympathy, because he will be out of a job. [Laughter.]

But I have not reached the latter part of the bill, and I can not do it right way, either, because it is going to take a little time to discuss the first part of the bill.

But, Mr. President, the reason why I feel obliged to express my views is that I admit that my patience is exhausted. I have sat here for a year and voted with a solemn face and with great compunction of conscience for more measures that met my disapproval than I have ever done in the preceding 22 years of my membership in this body. I have had a disposition, like most of us have, to let the administration go a certain distance and see how they were going to make out; but to my mind the spell is broken and the limit has been reached. I will say candidly to the Senator from Texas that while this Agricultural bill may to many seem somewhat minor in importance, because wastefulness is not important with the Senator from Texas or the Democratic majority at this time, the ridiculous character of many of the items contained in it has exhausted my patience. When I read the bill the other day, I was about to address the Senate upon it; but some other Senator had the floor, and I could not wait until he was through, and so I left.

There can be no excuse for these lump sums being awarded to the Department of Agriculture without any segregation and without any necessity. It seems to me that the Department of Agriculture has gone crazy on investigations. I do not believe there is a subject in the encyclopedia or the dictionary that some one in the Department of Agriculture would not be willing to investigate with a small appropriation. It is not necessary that the subject investigated should come within the scope of the department. They range all the way from reindeer in Alaska to oysters out beyond the 3-mile limit.

Mr. SHERMAN. Mr. President, will the Senator yield for an inquiry?

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield to the Senator from Illinois?

Mr. PENROSE. Yes.

Mr. SHERMAN. I should like to hear the Senator, with his knowledge of multifarious subjects, enlighten us on the necessity of $52,950 to educate the American people upon how to make cottage cheese. [Laughter.]

Mr. PENROSE. I was going to touch on that item, and I am glad the Senator has called my attention to it. Cottage cheese has probably been made for 10,000 years and more, ever since the cow and the ox have accompanied the Aryan race in its journeys westward.

Mr. REED. Before that—ever since milk soured. [Laughter.]

Mr. PENROSE. Yes; ever since milk soured; and just what new light the department expects to throw upon it I do not know. They do not even say what they are going to do with it. Perhaps they are going to make ointment out of it, and suggest giving it up as a food and plastering it over a sore. I do not know. I should think, maybe, in an experience of many thousand years some little learning might have been accumulated about cottage cheese. Perhaps they intend to send a commission to Egypt to look at the ancient hieroglyphics and the Assyrian relics to see what they can learn about the practices of those ancient peoples concerning cottage cheese. It may be.

The Senator has propounded a question to me. I will address one to him, coming as he does from a State of vast prairies, now with the wilderness redeemed and blossoming with the fruits of the farm; but here in this craze for investigation I find this item:

For investigating the food habits of North American birds and mammals in relation to agriculture, horticulture, and forestry, including experiments and demonstrations in the destroying of wolves, coyotes, prairie dogs, and other animals injurious to agriculture and animal husbandry, and for investigations and experiments in connection with the rearing of fur-bearing animals, including mink and marten, $394,820.

I do not know why they split the sum. I do not know whether the Senator from Illinois has had any experience in raising minks or marten or whether they are readily domesticated.

Mr. President, it is well known that every western State has a bounty on these animals; that it will pay any boy or half-grown young man to go out with a gun and kill the coyotes and the other four-legged vermin, and he can go to the county seat and get his reward; and I have even known men in the State of Idaho and elsewhere to put false ears on artificial scalps and get a little additional reward; so it is a lucrative business.

Mr. BORAH. Mr. President, I think there is a rule of the Senate against assailing the character of a State. [Laughter.]

Mr. PENROSE. This was so long ago that perhaps the State has recovered from that habit; but I have no doubt the Senator has heard of similar cases.

Mr. President, this supplemental bill, alleged to stimulate agriculture, simply carries on this craze for investigation—nothing else and nothing more. It duplicates and increases the many items which are in the original bill. Here in this war crisis, when our great cities are not permitted to go on with improvements, and when the States are very largely making liberal appropriations for these investigations, we have a duplication of effort, to the extent of large sums, which in the aggregate total several million dollars.

The average Senator heretofore has hesitated to vote against this measure because most of our States have large agricultural interests. Pennsylvania, which I represent in part, ordinarily looked on as principally a manufacturing State, is first in some items of agricultural production, and third and fourth, and so on down the line, in other items; and I feel as deeply interested in the success of the agricultural people of our country, even from a local or sectional point of view, as do the Senators from Iowa or Kansas or any more strictly agricultural States. So that the disposition has been to go along in an easy way and vote for these appropriations; but I, for one, think the time has come to call a halt.

The abuse reaches the verge of a scandal. It can not be defended. Mark Twain could have written an account of this measure in his peculiar vein which would constitute one of the greatest books of humor ever published in the English language; and yet these bills have been going through without discussion or comment. It was the ridiculous character of many, if not most, of these items that in this instance did exhaust my patience; and I made a solemn pledge to myself that from now on I was not going to sit silently by while this kind of legislation passed, I do not care what its character is, or how small or how large the item is, or whether it is a proposition of Government ownership, in my opinion unnecessary, or of price control, in my opinion vicious in its effect.

I consider—and I say it advisedly, and at the proper time and upon another occasion I intend to address the Senate at length upon it—that we are fighting this whole war upon false economic principles. There has been, in my opinion, no necessity for all these autocratic authorities, chiefly held by persons absolutely ignorant of the duties confided to them, and even ostensibly selected because they knew nothing of the duties confided to them, and so from their very ignorance they would be unprejudiced. These men have been administering food control and fuel control and price control in scores of directions which are rapidly becoming a scandal in the United States, and are doing more to stimulate consumption and curtail production than any other method that could be devised.

Price fixing, Mr. President, which interferes with the fundamental laws of supply and demand, is the most vicious policy that the Government has indulged in. Low prices curtail production and stimulate consumption; and then, to restrict consumption, we have these food boards and fuel boards, with appropriations running into ten and twenty and fifty million dollars, to keep people from consuming. Why, Mr. President, the way to keep too much sugar from being consumed is for sugar to go up in price. Then it will automatically regulate itself, and the consumption will be curtailed, and the excess profits will pour into the Treasury of the United States. I for one believe that the business men of America would rather be taxed 75 per cent of all their profits and let the ordinary economic currents of business run along in their natural courses than to submit to all this bad economic restriction and regulation.

Mr. MYERS. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. KING in the chair). Does the Senator from Pennsylvania yield to the Senator from Montana?

Mr. PENROSE. Yes.

Mr. MYERS. The Senator's theory, then, is that he would curtail the use of food by putting it beyond the reach of poor people, so that they would not be able to get it?

Mr. PENROSE. Oh, no. That is an entire assumption of the Senator from Montana, that it would be beyond the reach of poor people. I simply say that as a commodity like sugar goes up it will automatically curtail the consumption, and the price will go down. In other words, we have revived and put in practice economic doctrines that it was supposed men had forgotten and had considered exploded long ago.

Mr. GORE. Mr. President——

The PRESIDING OFFICER. Will the Senator from Pennsylvania yield to the Senator from Oklahoma?

Mr. PENROSE. Yes.

Mr. GORE. I should like to say to the Senator that I am anxious at least to make an effort to bring up House bill 12405. It is a bill authorizing the exclusion of certain aliens and anarchists. It has passed the House. It has been recommended by the Committee on Immigration without amendment, and I should like very much to have an opportunity to pass it so that the Presiding Officer could sign it before we take our recess to-night.

Mr. PENROSE. Mr. President, I recognize that it will be a long time before this bill passes, and I will doubtless have other opportunities to address the Senate upon it, and if it is any accommodation to the Senator I will yield the floor.

Mr. GORE. I should like very much to have an opportunity at least to present the matter to the Senate and discharge my duty in the premises.

Mr. PENROSE. Is this bill to be temporarily laid aside?

Mr. GORE. I hope the Senator from Texas will agree to that course.

Mr. SHEPPARD. I would not object to laying the bill temporarily aside in behalf of any urgent measure, with the understanding that the consideration of this bill is to be resumed before adjournment, so that it will be the unfinished business.

Mr. PENROSE. The Senator can not have any such understanding about the bill.

Mr. SHEPPARD. I am aware of that fact.

Mr. PENROSE. Then the Senator is expressing a vain hope about an understanding.

Mr. SHEPPARD. I was aware of that before I expressed it.

Mr. PENROSE. If the Senator will undertake to amend the bill eliminating all these wasteful and ill-advised appropriations I would carefully consider with the Senator the idea of bringing the bill up for early consideration.

Mr. SHEPPARD. The bill is reported from the Agricultural Committee of the Senate.

Mr. PENROSE. I know.

Mr. SHEPPARD. I am not authorized to eliminate anything from the bill.

Mr. PENROSE. The Senator has assumed paternity of the bill by calling it up, as it seems to be left on his doorstep without a father. The Senator has assumed that responsibility.

Mr. SHEPPARD. My paternity does not extend that far.

Mr. PENROSE. I did not know. I supposed when the Senator called the bill up he had enough interest in it to speak for its friends, and if he is willing to help me to reduce or entirely eliminate some of these wasteful items——

Mr. SHEPPARD. I am willing to help the Senator to reduce; it will do him personally an immense amount of good. [Laughter.]

Mr. PENROSE. It will help to bring about the final consideration of the bill.

Mr. President, I dislike to detain the Senate by a repetition of some of these items. Here they start in to provide for the necessary expenses and the investigation of fruit trees, grain, cotton, tobacco, vegetables, grasses, forage, drugs, medicinal, poisonous, fibrous, and other plants and plant industries, and in cooperation with other branches of the department, the State experiment stations, and practical farmers, and for the erection of necessary farm buildings all over the United States. This wasteful proposition of erecting farm buildings is proposed in this measure.

I want to say, Mr. President, and I had intended saying it before I was interrupted, and my attention is called to it by the mention of tobacco, there is hardly one of these arbitrary orders by these autocratic authorities that, in many cases, at least, is not revoked a few days after it is made. We all recall that lamentable fiasco in the original coal order about the closing-down days, made against the protest of the Senate of the United States, and quickly revoked after it had been made. Only the other day an order regarding sugar was represented to me by a delegation of tobacco manufacturers from North Carolina, Pennsylvania, Virginia, and other tobacco growing and manufacturing States as likely absolutely to paralyze the tobacco industry unless it was revised.

Mr. OVERMAN. I move that the Senate adjourn.

Mr. THOMPSON. May I ask the Senator before he submits that motion——

Mr. JONES of Washington. The motion is not debatable. I make a point of order.

Mr. SMITH of Georgia. Will the Senator from North Carolina withhold the motion for just a few minutes, that I may call attention to a ruling by the Chair for the reason that the ruling is erroneous. I ask the Senator from North Carolina to yield just for five minutes.

Mr. OVERMAN. I will yield to the Senator from Georgia.

Mr. SMITH of Georgia. Mr. President, I was out of the Senate at the time the concurrent resolution (S. Con. Res. 20) was presented under which it was proposed that by the concurrent action of both Houses Congress should adjourn until the 12th of August. The Chair ruled that debate was out of order upon that concurrent resolution, and the ruling of the Chair was based upon Rule XXII of the Senate.

I wish to call attention to the fact that Rule XXII does not apply to a concurrent resolution. It applies to a motion to adjourn and a motion to recess, which are not debatable. The Constitution of the United States forbids a motion by the Senate to adjourn for more than three days. The Senate can not recess; it can not adjourn on its own accord for more than three days; it requires a concurrent resolution. A concurrent resolution is as different from a motion as the Constitution is from an act of Congress, and Rule XXII does not apply to concurrent resolutions. I thought that the Senator from Idaho [Mr. BORAH] intended to appeal from the decision of the Chair, or else I should have done so myself.

I was unwilling for the session of the Senate to adjourn to-day without this expression on my part of dissent from the ruling of the Chair and my insistence that a concurrent resolution which would carry the Senate out of session, if the House concurred, for 30 days, or perhaps 60 or 90 days or 4 months, is debatable. I wish to enter my dissent from any view that such a serious action on the part of the Senate could be had without debate.

Several Senators addressed the Chair.

Mr. OVERMAN. I insist on my motion that the Senate adjourn.

The motion was agreed to; and (at 10 o'clock and 10 minutes p. m.) the Senate adjourned until Monday, July 8, 1918, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate July 6 (legislative day of July 5), 1918.

FEDERAL FARM LOAN BOARD.

Charles E. Lobdell, of Great Bend, Kans., to be a member of the Federal Farm Loan Board for a term of eight years. (Reappointment.)

EMPLOYEES' COMPENSATION COMMISSION.

Charles H. Verrill, of Maine, to be a member of United States Employees' Compensation Commission, vice Little, resigned.

CONFIRMATIONS.

Executive nominations confirmed by the Senate July 6 (legislative day of July 5), 1918.

CONSULS GENERAL.

CLASS 2.

Albert Halstead to be a consul general of class 2.

CLASS 3.

Charles C. Eberhardt to be a consul general of class 3.

CLASS 4.

David F. Wilber to be a consul general of class 4.

CONSULS.

CLASS 3.

Arthur Garrels to be a consul of class 3.

CLASS 4.

William P. Kent to be a consul of class 4.
Robert Brent Mosher to be a consul of class 4.

CLASS 5.

William Dawson to be a consul of class 5.
Maxwell K. Moorhead to be a consul of class 5.

CLASS 6.

Leslie A. Davis to be a consul of class 6.
George M. Hanson to be a consul of class 6.

CLASS 7.

Eugene L. Belisle to be a consul of class 7.
George C. Hanson to be a consul of class 7.

CLASS 8.

Bartley F. Yost to be a consul of class 8.

UNITED STATES DISTRICT JUDGE.

Louis Fitz Henry to be United States district judge, southern district of Illinois.

UNITED STATES ATTORNEYS.

Harry B. Tedrow to be United States attorney, district of Colorado.

Fred H. Brown to be United States attorney, district of New Hampshire.

James G. Burnside to be United States attorney, eastern district of Illinois.

Clarence Merritt to be United States attorney, eastern district of Texas.

UNITED STATES MARSHALS.

McDuffie Cain to be United States marshal, middle district of Alabama.

E. R. Moore to be United States marshal, northern district of Iowa.

Charles J. O'Neill to be United States marshal, district of New Hampshire.

James B. Holohan to be United States marshal, northern district of California.

Vincent Y. Dallman to be United States marshal, southern district of Illinois.

Otho T. Wood to be United States marshal, district of Kansas.

John S. P. H. Wilson to be United States marshal, district of Maine.

COLLECTOR OF CUSTOMS.

William H. Berry to be collector of customs for customs collection district No. 11, with headquarters at Philadelphia, Pa.

SURVEYOR OF CUSTOMS.

Charles R. Kurtz to be surveyor of customs in customs collection district No. 11, with headquarters at Philadelphia, Pa.

RECEIVER OF PUBLIC MONEYS.

William U. Hews to be receiver of public moneys at Hailey, Idaho.

REGISTER OF LAND OFFICE.

Clarence R. Bierly to be register of the land office at Minot, N. Dak.

CHIEF INSPECTOR OF LOCOMOTIVE BOILERS.

Alonzo G. Pack to be chief inspector of locomotive boilers.

APPOINTMENT IN THE NATIONAL ARMY.

GENERAL OFFICERS.

To be major generals.

Brig. Gen. Mason M. Patrick.
Brig. Gen. Peter E. Traub.
Brig. Gen. Edward M. Lewis.
Brig. Gen. William S. Graves.
Brig. Gen. William J. Snow.
Brig. Gen. James G. Harbord.
Brig. Gen. William R. Smith.
Brig. Gen. Charles P. Summerall.

To be brigadier generals.

Col. Charles C. Walcutt, jr.
Col. Lucius L. Durfee.
Col. Charles A. Hedekin.
Col. Edward R. Chrisman.
Col. James J. Hornbrook.
Col. Jay J. Morrow.
Col. Edwin B. Winans.
Col. Harry A. Smith.
Col. George C. Saffarrans.
Col. William P. Jackson.
Col. John J. Bradley.
Col. Hanson E. Ely.
Col. Samuel D. Rockenbach.
Col. Howard R. Hickok.
Col. Charles W. Kutz.
Col. Meriwether L. Walker.
Col. William M. Cruikshank.
Col. Francis LeJ. Parker.
Col. Otho B. Rosenbaum.
Col. George H. Shelton.
Col. Merch B. Stewart.
Col. Edward L. King.
Col. William D. Connor.
Col. Albert J. Bowley.
Col. Harry G. Bishop.
Col. Andrew Moses.
Col. John E. Stephens.
Col. Malin Craig.
Col. Robert C. Davis.
Col. Oliver L. Spaulding, jr.
Col. Alfred W. Bjornstad.
Col. Henry J. Hatch.
Col. Ewing E. Booth.
Col. George V. H. Moseley.
Col. Wilson B. Burtt.
Col. Richard C. Marshall, jr.
Col. Douglas MacArthur.
Col. Harold B. Fiske.
Col. John N. Hodges.
Col. John H. Sherburne.
Col. Cornelius Vanderbilt.

QUARTERMASTER CORPS.

Col. Herbert M. Lord to be brigadier general.

MEDICAL CORPS.

Col. Jefferson R. Kean to be brigadier general.

CORPS OF ENGINEERS.

To be second lieutenants.

Joseph W. Gavett, jr.
Donald Bennett Adams.
William Billings Wilson.
Woodward L. Harlow.
Homer W. Hesterly.
John Carl Williams Hinshaw.
Leonard B. Gallagher.
Hollister Johnson.
Asa Leroy Rogers.
Earl Bracken.
Homer Noble Bartlett.
F. Russel Lyons.
Herman Nathaniel Simpson.
Freeman Clarkson.
Frank W. Hoyt.
Fernando T. Norcross.
Eugene L. MacDonald.
George Sherrard, jr.
William Norman Thomas, jr.
James C. Henry.
John Harold Veale.
Willis G. Whitten.
Lee Sommerville Dillon.
Ralph Millis.
Harold T. Avery.
Samuel J. Leonard.
Robert A. Monroe.
Frederic W. Conant.
George M. Steese.
Peter E. Bermel.
Harley Latson.
Starling L. Buell.
Charles Grunsky.
Henry H. Batjer.
Charles J. Davis, jr.
Marcus P. Taylor.
Norman K. Sheppard.
Victor A. Endersby.
Walter Ruppel.
Bernard E. Baer.
Jasper B. Carr.
James R. Wilson.
Jackson H. Wilkinson.
Clinton de Witt.
Henry C. Wolfe.
Remi C. Knight.
Lewis A. Murray.
John J. Gromfine.
Henry TenHagen.
Preston M. Geren.
Carl R. Shaw.
Porter V. Hanf.
Benjamin Seth Goodman.
Harold A. Taylor.
William M. Howe.
Emanuel M. Cohen.

Theron De Witt Weaver.
Henry Berbert.
Curtis William Handley.
Carl E. David.
Leo R. Eick.
John M. Harman.
William Howard Smith.
Chester C. Hough.
Clarence N. Iry.
Carl O. Isakson.
John Blake Campbell.
Fred D. Mendenhall.
George Lewis MacKay.
Everett L. Woodworth.
Frederick Franklyn Frech.
Count Harvey.
Roland Jens.
William E. Thrasher.
George W. Coffey.
George O. Consoer.
Theodore L. Welles.
Conrad P. Hardy.
Ernest W. Dichman.

PROVISIONAL APPOINTMENT, BY PROMOTION, IN THE ARMY.

Cavalry Arm.

Second Lieut. Duane L. Tice, Cavalry, to be first lieutenant.

PROMOTIONS IN THE ARMY.

INFANTRY.

To be colonels.

Lieut. Col. Robert C. Williams.
Lieut. Col. William O. Johnson.
Lieut. Col. James R. Lindsay.
Lieut. Col. Fred W. Sladen.
Lieut. Col. Harry H. Bandholtz.
Lieut. Col. Henry T. Ferguson.
Lieut. Col. Henry G. Learnard.
Lieut. Col. Peter Murray.

To be lieutenant colonels.

Maj. Frank S. Cocheu.
Maj. Ora E. Hunt.
Maj. John C. McArthur.
Maj. Frank D. Ely.
Maj. Edwin Bell.
Maj. Otho B. Rosenbaum.
Maj. George H. Estes.
Maj. Oliver Edwards.
Maj. John S. Battle.
Maj. William E. Welsh.

To be majors.

Capt. Paul W. Beck.
Capt. Robert I. Rees.
Capt. John J. Miller.
Capt. Jesse M. Cullison.
Capt. William H. Noble.
Capt. Wilbur A. McDaniel.
Capt. Evert R. Wilson.
Capt. Philip Powers.
Capt. Clenard McLaughlin.
Capt. Edward B. Mitchell.
Capt. James H. Como.
Capt. Harol D. Coburn.
Capt. Allen J. Greer.
Capt. Robert Whitfield.
Capt. Abraham U. Loeb.
Capt. Constant Cordier.
Capt. James M. Loud.
Capt. J. DeCamp Hall.
Capt. Davis C. Anderson.
Capt. Robert D. Carter.
Capt. Douglas Potts.
Capt. Stephen O. Fuqua.
Capt. Vincent M. Elmore.
Capt. Bejamin R. Wade.
Capt. George E. Goodrich.
Capt. Edwin S. Hartshorn.
Capt. Clark R. Elliott.
Capt. William P. Screws.
Capt. Ralph B. Lister.
Capt. Harry E. Comstock.
Capt. William R. Standiford.
Capt. Frederick S. Young.
Capt. Thomas S. Moorman.
Capt. Charles H. Morrow.
Capt. Lorenzo D. Gasser.
Capt. Brady G. Ruttencutter.
Capt. Jennings B. Wilson.
Capt. William O. Smith.
Capt. Clarence K. LaMotte.
Capt. George M. Holley.
Capt. Edgar S. Stayer.
Capt. Charles H. Errington.
Capt. George C. Shaw.
Capt. Charles E. Reese.
Capt. Robert S. Knox.
Capt. William A. Castle.
Capt. Harry D. Blasland.
Capt. Charles C. Allen.
Capt. Edward H. Andres.
Capt. Thomas J. Rogers.
Capt. George W. England.
Capt. Edwin J. Nowlen.
Capt. Clyde B. Parker.

CAVALRY ARM.

To be colonels.

Lieut. Col. Frank M. Caldwell.
Lieut. Col. James J. Hornbrook.
Lieut. Col. William F. Clark.
Lieut. Col. Samuel G. Jones.

COAST ARTILLERY CORPS.

To be colonels.

Lieut. Col. Louis R. Burgess.
Lieut. Col. James A. Shipton.

To be lieutenant colonel.

Maj. Malcolm Young.

To be major.

Capt. Francis H. Lincoln.

TRANSFER TO THE ACTIVE LIST OF THE ARMY.

INFANTRY.

Capt. Harry S. Howland, to be major.
Capt. William M. Goodale, to be captain.

PORTO RICO REGIMENT.

Cadet Francisco Ciutron, jr., to be second lieutenant of Infantry.

PROMOTIONS IN THE NAVY.

Lieut. Owen Bartlett to be a lieutenant commander.

The following-named lieutenants (junior grade) to be lieutenants:

Elmer D. Langworthy,
Robert E. Bell,
Spencer S. Lewis,
William A. Richardson,
Murphy J. Foster,
Valentine N. Bieg,
Howard A. Flanigan,
Herbert O. Roesch,
Romuald P. P. Meclewski,
Joseph F. Crowell, jr.,
Robert M. Griffin,
Harry L. Merring,
Harry W. Hill,
Bernhard H. Bieri,
Scott D. McCaughey,
Lyell S. Pamperin,
Frank E. P. Uberroth,
Jenifer Garnett,
Wallace B. Phillips,
Van Leer Kirkman, jr.,
Alfred S. Wolfe,
Howard F. Kingman,
Calvin H. Cobb,
Robert B. Simons,
Howard D. Bode,
Morton L. Deyo,
Lawrence P. Bischoff,
John P. Dalton,
Robert A. Lavender,
Heister Hoogewerff,
George W. D. Dashiell, and
Charles K. Osborne.

The following-named ensigns to be lieutenants (junior grade):

Leverett S. Lewis,
Alexander G. Hatch, and
Daniel W. Armstrong.

Boatswain Frank J. Mayer to be a chief boatswain.
Machinist William H. Muelhause to be a chief machinist.
Lieut. Commander William P. Cronan to be a commander.
Pay Clerk William C. Colbert to be a chief pay clerk.
The following-named assistant surgeons to be passed assistant surgeons with the rank of lieutenant:
Robert A. Torrance,
Clarence W. Ross,
Carleton I. Wood,
William A. Brams, and
Cecil S. O'Brien.

HOUSE OF REPRESENTATIVES.

SATURDAY, *July 6, 1918.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou who workest ever in and through all things and art mighty to deliver, help us to open wide the portals of our souls that we may be susceptible to the spiritual forces of which we are so closely allied; that we may be guided to a happy solution of the problems which confront us and thus be instruments in Thy hands for the furtherance of Thy will and good purposes; in the spirit of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

ENROLLED BILLS SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 12580. An act to authorize an additional issue of bonds to meet expenditures for the national security and defense, and, for the purpose of assisting in the prosecution of the war, to extend additional credit to foreign governments, and for other purposes; and

H. R. 10069. An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 3929. An act for the construction of a private conduit across Michigan Avenue NE., in the District of Columbia.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 3220. An act authorizing the Secretary of the Interior to make investigations, through the Bureau of Mines, of lignite coals and peat to determine the practicability of their utilization as a fuel and in producing commercial products.

SENATE BILL AND JOINT RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, Senate bill and joint resolution of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 3220. An act authorizing the Secretary of the Interior to make investigations, through the Bureau of Mines, of lignite coals and peat to determine the practicability of their utilization as a fuel and in producing commercial products; to the Committee on Mines and Mining.

S. J. Res. 156. Joint resolution to suspend the requirements of annual assessment work on mining claims during the continuation of the war in which the United States is now engaged and until midnight of December 31 of the year following that in which such war is concluded; to the Committeee on Mines and Mining.

CORRECTION.

Mr. LAZARO. Mr. Speaker, on page 8735 of the RECORD of July 5, 1918, on the vote on the telephone and telegraph bill, my colleague Mr. MARTIN, of Louisiana, is recorded as not having voted. Mr. MARTIN had to leave the House on account of illness in his family, and he asked me to pair him in favor of the bill. There was no way of doing that, however, and had be been present, he would have voted for the resolution.

PENSIONS.

Mr. SHOUSE. Mr. Speaker, I present for printing under the rule a conference report upon the bill (H. R. 12229) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War, and certain widows and dependent children of soldiers and sailors of said war.

AGRICULTURAL APPROPRIATION BILL—CONFERENCE REPORT (NO. 740).

Mr. LEVER. Mr. Speaker, I call up the conference report upon the bill (H. R. 9054) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1919, and I ask that the statement and conference report be read.

The Clerk read the conference report and the statement.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9054) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1919, having met, after full and free conference have agreed to report to their respective Houses as follows:

That they are unable to reach an agreement on Senate amendment No. 44.

A. F. LEVER,
GORDON LEE,
E. S. CANDLER,
G. N. HAUGEN,
J. C. MCLAUGHLIN,
Managers on the part of the House.
T. P. GORE,
E. D. SMITH,
HOKE SMITH,
A. J. GRONNA,
G. W. NORRIS,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9054) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1919, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report as to each of the amendments of the Senate, namely:

On amendment No. 44: This amendment amends section 14 of the food-control act, approved August 10, 1917, by fixing the guaranteed minimum price of wheat for the crop of 1918 at $2.50 per bushel, based on No. 2 northern spring or its equivalent; said price to be paid at the local elevator or the local railway market. The conferees have been unable to agree as to this amendment.

A. F. LEVER,
GORDON LEE,
E. S. CANDLER,
G. N. HAUGEN,
J. C. MCLAUGHLIN,
Managers on the part of the House.

Mr. LEVER. Mr. Speaker, I move that the House further insist upon its disagreement to amendment No. 44 and ask for a further conference.

Mr. FULLER. Mr. Speaker, I desire to make a preferential motion.

The SPEAKER. The gentleman from Iowa [Mr. HAUGEN], a member of the committee, has the right to recognition.

Mr. HAUGEN. Mr. Speaker, I desire to make a preferential motion.

Mr. McLAUGHLIN of Michigan. Mr. Speaker, I have the motion to recede and concur with an amendment.

Mr. HAUGEN. Mr. Speaker, I yield to the gentleman from Michigan to make the preferential motion.

The SPEAKER. The gentleman from South Carolina moves that the House further insist upon its disagreement to amendment No. 44 and ask for a further conference, and the gentleman from Michigan makes a preferential motion, which the Clerk will report.

The Clerk read as follows:

Mr. MCLAUGHLIN of Michigan moves to concur in Senate amendment No. 44 with an amendment as follows: Page 100, line 23, after the word "than," strike out the remainder of line 23 and all of lines 24 and 25 and insert the following: "$2.40 per bushel at the principal interior primary markets designated by the President by proclamation issued by him February 21, 1918, and at such other places as the President may designate."

Mr. FESS. Mr. Speaker, a parliametary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FESS. Has not the House already disagreed to this amendment?

The SPEAKER. Yes.

Mr. FESS. Then, should not the motion be to recede and concur?

The SPEAKER. That is correct; the Chair will put the motion correctly when it is voted upon.

Mr. LEVER. Mr. Speaker, I will ask the gentleman if we can not agree upon some time for debate?

Mr. HAUGEN. Mr. Speaker, I suggest that we have one hour of debate, one-half hour on each side.

Mr. LEVER. That is agreeable to me.

Mr. KITCHIN. That means on all of the amendments?

Mr. HAUGEN. On all of the amendments.

Mr. KITCHIN. And that the previous question shall be considered as ordered upon all amendments?

Mr. HAUGEN. Very well.

Mr. LEVER. Mr. Speaker, I ask unanimous consent that debate upon these motions and all other motions end at the conclusion of one hour, that the previous question be considered as ordered at that time, and that one-half of the time be controlled by the gentleman from Iowa [Mr. HAUGEN] and one-half by myself.

The SPEAKER. The gentleman from South Carolina asks unanimous consent that debate upon these motions shall extend for one hour, half of that time to be controlled by himself and half by the gentleman from Iowa [Mr. HAUGEN], and that at the end of the hour the previous question shall be considered as ordered. Is there objection?

There was no objection.

Mr. LEVER. Mr. Speaker, I yield five minutes of my time to the gentleman from Texas [Mr. YOUNG].

Mr. MORGAN rose.

The SPEAKER. For what purpose does the gentleman from Oklahoma rise?

Mr. MORGAN. Mr. Speaker, I rise to offer an amendment to the amendment offered by the gentleman from Michigan [Mr. MCLAUGHLIN].

Mr. GARNER. Mr. Speaker, I make the point of order that a motion to amend a motion to concur with an amendment is not in order. It is an amendment in the third degree.

Mr. MORGAN. Mr. Speaker, I looked up this question of the right to amend the amendment offered to an amendment when it was up before, and the exact situation as we have it now was presented then. Mr. MCLAUGHLIN offered his amendment and I offered to amend that with an amendment.

Mr. WALSH. Well, Mr. Speaker, the gentleman has not been yielded time to offer an amendment.

Mr. MORGAN. I do not need to have time yielded.

Mr. WALSH. Yes; the gentleman does.

Mr. MORGAN. I move, Mr. Speaker, to amend the amendment offered by the gentleman from Michigan [Mr. MCLAUGHLIN] by striking out the words and figures "$2.40" and insert "$2.50" in lieu thereof.

Mr. LEVER. Mr. Speaker, I make the point of order against that. The gentleman can not do that at this time. He must be yielded time to do that, and I had the floor.

Mr. MORGAN. Mr. Speaker, this is a preferential motion.

The SPEAKER. The Chair knows; but the gentleman from Michigan made a preferential motion.

Mr. MORGAN. Yes; but the amendment to concur with an amendment is subject to an amendment. I am certain of that, because I have looked it up very carefully, and it has been decided over and over again.

Mr. LEVER. I may say to the gentleman from Oklahoma, in addition, if that amendment is offered I propose to make a point of order against it because it is increasing the price from $2.50, which is the price in disagreement, to $2.65.

Mr. MORGAN. I can do that. You can raise the price above or you can lower it. There is nothing against increasing it. Now, the House did not fix any price on wheat——

The SPEAKER. Has the gentleman any authority?

Mr. MORGAN. I would like to have Volume V of Hinds' Precedents.

Mr. STAFFORD. Mr. Speaker, if the Chair will hear me. I merely rise out of regard to parliamentary integrity of our rulings. I do not agree with the gentleman from Texas that the amendment offered by the gentleman from Oklahoma is in the third degree. We have before the House an original proposition.

The SPEAKER. What is the original proposition?

Mr. STAFFORD. The original proposition is the Senate amendment No. 44 which was never heretofore considered.

The SPEAKER. That is for $2.50 wheat.

Mr. STAFFORD. It is more than for $2.50——

The SPEAKER. The Chair knows, but the Chair's inquiry was if the Senate amendment is for the $2.50 wheat.

Mr. STAFFORD. That is one provision in Senate amendment No. 44, which relates to other provisions besides merely the price of wheat.

The SPEAKER. The Chair knows, but the Chair wanted to know in order to decide the point.

Mr. STAFFORD. It is in Senate amendment fixing the price at $2.50. Here is an original proposition submitted to the House for the first time for its consideration. The question before the Speaker for determination is not the question as to whether the conferees might exceed their authority if they went beyond the price of $2.50. It is an original proposition, as if this bill had been referred to the Committee on Agriculture, brought back to the House, came up in the Committee of the Whole House on the state of the Union, and was pending for amendment. Now it is open for amendment. The gentleman from Michigan offers one amendment within his right. He reduces the amount, and I respectfully contend that the gentleman from Oklahoma has authority to increase the price just as any Member would have the right to increase the price in a House bill, and this must be considered as a House bill, because it is an original proposition, no matter even though it goes way beyond the amount fixed by the Senate. We are not limited in the determination of this Senate amendment as to anything the Senate agreed to. We are acting as a body of original jurisdiction. The conferees may limit it and say that they can not go beyond a certain amount. I would not say even then the conferees could not go beyond $2.50 for the reason that there has been no amount in disagreement between the two bodies. Now, the question is whether it is in the third degree. Here is an original proposition coming before the House. It is not an amendment, it is an original proposition. The gentleman from Michigan has a right to offer an amendment. The gentleman from Oklahoma has a right to offer an amendment to that amendment. That is an amendment in the second degree, not in the third degree.

Mr. WALSH. Does the gentleman contend that the amendment offered by the gentleman from Oklahoma is a preferential motion?

Mr. STAFFORD. It is an amendment.

Mr. WALSH. I say, does the gentleman contend this is a preferential motion?

Mr. STAFFORD. Yes; I do.

Mr. WALSH. And that you can have two preferential motions pending on a conference report?

Mr. STAFFORD. It is an amendment to a preferential motion of the gentleman from Michigan. The only question before the Speaker is whether it is an amendment to a preferential motion.

Mr. WALSH. Well, that does not make it preferential.

Mr. STAFFORD. To change the amount. As to the amendment of the gentleman from Oklahoma, I do not agree with the provision at all, and I am only arguing whether it is right to do this so as to have a decision made along the proper line. He merely changes the amount. Would any gentleman contend it would not be in the authority of any Member of the House to change the amount in the amendment offered by the gentleman from Michigan from $2.40 to $2.45?

Mr. GARNER. Of course you could not.

Mr. SHERLEY. Will the gentleman yield for an inquiry?

Mr. STAFFORD. I will.

Mr. SHERLEY. The gentleman, in my judgment, makes this mistake in assuming there is before the House simply an amendment to the Senate amendment. There is not. There has been a conference upon the disagreement between the two Houses. That is a disagreement that is represented by the existing guarantee of $2, and the Senate amendment makes it $2.50. Now, the conferees could not agree outside of this limitation if they wanted to do so. Manifestly what the conferees could not do can not be done by a preferential motion to——

Mr. STAFFORD. If the gentleman will permit, where is there anything in the disagreement between the two bodies, as far as the Senate amendment, No. 44, which we are considering, which limits the price to $2?

Mr. SHERLEY. Because the existing law fixes it at $2. The proposal of the Senate is to change that and make it $2.50. Now, the House disagrees to the Senate amendment and sent the bill to conference.

Now, what was the issue? The issue was whether you should have $2.50 wheat or the existing law guaranty of $2. Everybody knows that. In that range the conferees had liberty to agree or disagree. They reported this agreement. Now, it is in order, I say, to move to insist on the disagreement or to move to concur or to concur with an amendment, provided the amendment be such as the conferees themselves could have written into the bill.

Mr. WALSH. Mr. Speaker——

Mr. MORGAN. Mr. Speaker, I have an authortiy here now that I would like to read.

The SPEAKER. One thing at a time. The Chair will recognize the gentleman at the proper time.

Mr. MORGAN. Mr. Speaker, as I understand it I have offered a preferential motion to the McLaughlin amendment, and I claim that it is in order and should be voted on first and discussed first. I have the authority here just as plain as black and white. As I understood, he raised the point of order against my amendment being in order.

The SPEAKER. The gentleman will read it.

Mr. LEVER. Mr. Speaker, let me submit this to the Chair so that we may proceed regularly here. The gentleman from Oklahoma [Mr. MORGAN] has not offered his amendment. It is not before the House.

Mr. MORGAN. I beg your pardon.

Mr. LEVER. And the gentleman has no time in which to offer the amendment unless he is yielded time by the gentleman from Iowa [Mr. HAUGEN].

Mr. MORGAN. I have a right to offer it.

Mr. LEVER. The gentleman can discuss the point of order when it comes up.

Mr. STAFFORD. Will the gentleman yield in that particular? Was it not the understanding of the unanimous consent agreement that Members would have the right to offer amendments during the hour?

Mr. WALSH. When they were yielded to.

Mr. STAFFORD. Not when they were yielded to.

Mr. KITCHIN. Mr. Speaker, I think the gentleman from South Carolina [Mr. LEVER] is entirely right. We have a unanimous consent agreement that there will be one hour of discussion, one-half to be controlled by the gentleman from South Carolina [Mr. LEVER] and one-half by the gentleman from Iowa [Mr. HAUGEN], and on the preferential motion; and at the end of that time the previous question shall be considered as ordered on that motion and on all other motions. Now, then, no man has the right to offer an amendment now, because the unanimous consent agreement prevents that, and the only way the gentleman from Oklahoma can offer that amendment under this unanimous consent agreement is to get time either from the gentleman from South Carolina [Mr. LEVER], who has control of half of it, or time from the gentleman from Iowa [Mr. HAUGEN]. And that is exactly the procedure we took when this matter was before the House previously.

Mr. STAFFORD. Will the gentleman yield?

Mr. KITCHIN. I will.

Mr. STAFFORD. Did not the gentleman in his request for unanimous consent ask that the previous question should be ordered not only on the amendment but on all amendments?

Mr. KITCHIN. All amendments.

Mr. STAFFORD. And that was predicated on the idea that other amendments would be offered.

Mr. KITCHIN. And that meant, under the unanimous consent agreement for one hour, to be controlled by the respective gentlemen, that if a Member got time from either one of these gentlemen he could offer his amendment, and the previous question would be considered as ordered on that amendment and on any other amendment a gentleman might offer when he got the time from one of these two gentlemen who control it; and I would say to the Speaker that this is exactly the procedure and the rulings of the Speaker when we had this discussion up before.

Mr. MORGAN. Will the gentleman yield?

Mr. KITCHIN. I will.

Mr. MORGAN. When we had it up before the gentleman from Michigan (Mr. MCLAUGHLIN) offered a motion. I offered to amend his motion, just as I have to-day.

Mr. KITCHIN. But you offered it in the time that was allotted to you.

Mr. MORGAN. No, sir. I offered it before there was any discussion.

Mr. KITCHIN. I happened to be in the chair at that time, and I remember the procedure very well, and that was the understanding of the House and that was the ruling of the Chair, that you had to get the time.

Mr. GARNER. Mr. Speaker, let us have the regular order.

The SPEAKER. The point of order is the regular order, and if everybody will sit down, except the gentleman from Oklahoma [Mr. MORGAN], and let him make his statement the Chair will be very much obliged.

Mr. MORGAN. Now, Mr. Speaker, I refer you to Hinds' Precedents, volume 5, page 608, as follows:

6175. A motion being made to agree to an amendment of the other House with an amendment, it is in order to perfect that amendment by another amendment and a substitute. On April 22, 1897, the House was in Committee of the Whole House on the state of the Union, considering the Senate amendments to the Indian appropriation bill, and the Clerk had read this amendment:

"That the Secretary of the Interior shall, within 60 days after the passage of this act, establish and thereafter maintain at the city of Omaha, in the State of Nebraska, a warehouse for Indian supplies, from which distribution shall be made to such Indian tribes of the West and Northwest as the Secretary of the Interior may direct."

Mr. Jonathan P. Dolliver, of Iowa, moved to recommend concurrence in this amendment, with an amendment striking out "Omaha," etc., and inserting "Sioux City," etc.

Mr. John F. Shafroth, of Colorado, moved an amendment to Mr. Dolliver's amendment, striking out "Sioux City" and inserting "Denver."

Mr. James S. Sherman raised a point of order against this amendment.

The Chairman said:

"The Chair is of the opinion that the amendment of the Senate must be treated as a part of the text of the bill, and that a second amendment would be admissible under the rules and practice of the House. * * * The Chair is under the impression that the amendment of the gentleman from Iowa [Mr. Dolliver] was the first proposition to concur with an amendment, and to that an amendment is offered by the gentleman from Colorado [Mr. Shafroth]."

Thereupon Mr. Richard Bartholdt moved a substitute for Mr. Dolliver's amendment, providing for "St. Louis" instead of "Omaha."

This substitute was entertained.

Mr. SHERLEY. Will the gentleman permit an inquiry?

Mr. MORGAN. I will.

Mr. SHERLEY. I think the whole matter can be settled by unanimous-consent agreement. I ask unanimous consent that the motion of the gentleman from Iowa, having been made, shall be pending, and that the gentleman from Oklahoma's motion as a substitute be pending, and that the previous question be considered as ordered on these preferential motions and amendments.

As I understand it, it is the desire on the part of the minority simply to get a vote on the two proposals, and that will save time, and time is important. That lets your motion come in.

Mr. MORGAN. Mr. Speaker, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. MORGAN. When would it be proper to move to concur in Senate amendment No. 44?

Mr. SHERLEY. Oh, well, it would have been proper to have moved it at any time; but as I understand it, the gentleman does not want to do that. He wants to have $2.65. The gentleman from Michigan [Mr. MCLAUGHLIN] wants $2.40. We can get a vote on either and the vote settles the decision of the House. If they are voted down it then puts the House in the position of insisting on its position in opposition to the Senate amendment.

Mr. MONDELL. Mr. Speaker, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. MONDELL. In answer to the interrogatory of the gentleman from Oklahoma, is it not true that it would be in order at this time to move to concur in the Senate amendment?

Mr. SHERLEY. Well, I think it would.

The SPEAKER. The gentleman from Kentucky, in order to cut the Gordian knot of this difficulty——

Mr. MORGAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MORGAN. Would it be proper at this time for me to offer an amendment——

The SPEAKER. The gentleman from Kentucky [Mr. SHERLEY] asks unanimous consent to permit you to do it.

Mr. MORGAN. If this consent is agreed to, would there be any time before a final vote when it would be proper to offer to concur in Senate amendment numbered 44; and if so, when?

The SPEAKER. What does the gentleman mean—to make another motion to concur?

Mr. MORGAN. Suppose my amendment is allowed, and it is voted down, and the McLaughlin amendment is voted down. Then would it be proper to offer an amendment to concur in Senate amendment numbered 44?

The SPEAKER. The Chair will decide that when he gets to it. It is not up now.

Mr. LEVER. Mr. Speaker, I demand the regular order.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that the gentleman from Oklahoma be permitted to offer his amendment, amending the amendment of the gentleman from Michigan, which amends the Senate amendment. Is there objection?

Mr. HAUGEN. It will be offered as a substitute.

The SPEAKER. Well, it is as broad as it is long.

Mr. SHERLEY. I not only said as a substitute, but I then made the proposition that the previous question should be considered as ordered.

The SPEAKER. Yes; and that the previous question should be considered as ordered.

Mr. HAUGEN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HAUGEN. Would the amendment of the gentleman from Oklahoma come first as a substitute?

The SPEAKER. Yes.

Mr. COOPER of Wisconsin. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. COOPER of Wisconsin. If the motion of the gentleman from Kentucky is carried, would that prevent a motion to concur in the Senate amendment?

The SPEAKER. The Chair will state, as he stated a while ago, that he would decide that when we came to it.

Mr. SHERLEY. I include that.

The SPEAKER. The gentleman from Kentucky puts that in. If the amendment of the gentleman from Oklahoma fails and the motion of the gentleman from Michigan fails, then the motion to concur can be made if anybody wants to make it.

Mr. HAUGEN. I suggest that the previous question be ordered on all amendments.

The SPEAKER. It is.

Mr. HAUGEN. I take it that if either of the amendments is adopted, that disposes of it. If we have fixed the price, that disposes of the whole matter. If the motion of the gentleman from Oklahoma carries——

The SPEAKER. That is not enough. The Chair will decide that when he comes to it.

Mr. WALSH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WALSH. The gentleman from Texas [Mr. YOUNG] has been yielded time by the chairman of the Committee on Agriculture. Must he wait now before he begins to consume that time until it is determined that no more amendments will be offered?

The SPEAKER. He will have to wait until these parliamentary things are cleared up. Now, the Chair wants to put that motion of the gentleman from Kentucky so that everybody will understand it, and let nobody interrupt the Chair. The gentleman from Kentucky asks unanimous consent that the gentleman from Oklahoma [Mr. MORGAN] be permitted to offer his amendment; that if all these amendments are voted down and the occasion occurs a flat motion to concur shall be in order and the previous question is ordered on the whole thing. Is there objection?

Mr. COOPER of Wisconsin rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. COOPER of Wisconsin. Reserving the right to object——

Mr. GARNER. Mr. Speaker, I demand the regular order. We have used 30 minutes in trying to get some plan.

Mr. COOPER of Wisconsin. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. COOPER of Wisconsin. As the Chair just suggested, if the first motion put is upon the amendment of the gentleman from Oklahoma for $2.65——

The SPEAKER. Yes.

Mr. COOPER of Wisconsin. The Chair suggested that the next motion would be $2.40.

The SPEAKER. Yes.

Mr. COOPER of Wisconsin. Why would it not, in natural order, be the motion to concur, which would be $2.50?

The SPEAKER. I know; but nobody ever made the motion to concur.

Mr. COOPER of Wisconsin. Then, Mr. Speaker, I make it now.

The SPEAKER. You can make that motion when these others are out of the way. When these other motions are out of the way I will recognize anybody to move to concur.

Mr. COOPER of Wisconsin. I was thinking that, as the Chair suggested, the first motion should be on the amendment of the gentleman from Oklahoma, $2.65, and the regular parliamentary order would be to take the one next in amount, $2.50, which is the motion to concur.

The SPEAKER. The regular parliamentary order is to take them up in the order in which they are offered.

Mr. LEVER. Mr. Speaker, I demand the regular order.

The SPEAKER. The gentleman from South Carolina is recognized for 30 minutes. Is there objection?

Mr. MORGAN. I do not object.

The SPEAKER. Let the Chair put this motion. Is there objection to the request of the gentleman from Kentucky [Mr. SHERLEY]?

Mr. COOPER of Wisconsin. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. COOPER of Wisconsin. I do not understand the Chair's ruling. Will there be an opportunity for a motion to concur in the Senate amendment?

The SPEAKER. There will be if these others are voted out.

Mr. COOPER of Wisconsin. Not otherwise?

The SPEAKER. No. The gentleman from South Carolina [Mr. LEVER] is recognized for 30 minutes.

Mr. WALSH. You have not got consent yet.

The SPEAKER. Is there objection?

There was no objection.

Mr. MORGAN. Now, Mr. Speaker, can I offer my amendment?

The SPEAKER. The gentleman will send his amendment up.

Mr. LEVER. Mr. Speaker, this does not come out of my time?

The SPEAKER. Of course, it does not. The Clerk will report the amendment offered by the gentleman from Oklahoma.

The Clerk read as follows:

Mr. MORGAN moves to amend the McLaughlin amendment by striking out "$2.40" and inserting in lieu thereof "$2.65."

The SPEAKER. Now, if the gentleman from South Carolina wants to use his time, he had better start.

Mr. LEVER. "The gentleman from South Carolina" has been trying to use his time. I yield five minutes to the gentleman from Texas [Mr. YOUNG].

The SPEAKER. The gentleman from Texas is recognized for five minutes.

Mr. YOUNG of Texas. Mr. Speaker and gentlemen of the House, this mix-up in which we find ourselves this morning but demonstrates the fact that we made an egregious blunder about a year ago when we embarked on the proposition of price fixing on agricultural products. As long as we have that principle involved and written into our law every time a bill comes before this House fixing the prices of agricultural products we will have this same kind of controversy. What have we before us at this time? The price of wheat is already fixed at $2.20 a bushel, and this morning we have the proposition of a Senate amendment raising that price to $2.50, and then an amendment offered on this floor raising that price again to $2.65 a bushel. We must not forget that the citizens of this Nation are but human beings, and whenever you undertake to fix the price on a product that an individual citizen grows, it is but natural for that citizen, when it does not take any more printer's ink to raise that price, to want the price raised 30, 50, 75 cents or $1 a bushel, and agitation will begin to have that price raised.

So, from my point of view, standing as I stood a year ago, I believe the only solution of the question is to abandon the price-fixing proposition as applied to agricultural products. My State grows some wheat, all the way from 18,000,000 to 30,000,000 bushels annually. I have not had a line from that State saying that the farmers are dissatisfied with $2.20 a bushel, the price fixed by the President under the law which we passed. All the organization of the Food Department down here is based on that price. All the agreements with our allies, who must buy in great quantities, are based on $2.20. If at this time we undertake to raise the price from $2.20 to $2.50 or $2.65 we disorganize the whole scheme.

That is not all. If by this artificial method you raise the price of wheat to $2.50 or $2.65 a bushel, with the fifty-fifty order still in existence, you do another thing. You stilt the price of substitutes for wheat—barley, oats, rye, and corn.

I would like to put this question in all good faith: If this House to-day were confronted with a proposition, not to stilt the price of grain, but whether or not the $2.20 price fixed by the President of the Nation should prevail, or on the other hand, the fixing of the price of wheat should be abolished, how would you vote in that emergency? I do not believe there is a man in the House who comes from the wheat-producing section of the country, with the great crop now in sight of from 1,000,000,000 to 1,200,000,000 bushels according to the best estimates, who would dare give up the $2.20 price of wheat that has been guaranteed by the President of the Nation, and let wheat depend on the law of supply and demand for the price that the producer should get. I do not believe you would do it; and if you would not do it, knowing that this great crop has been raised, how can you in all good conscience say that $2.20 is not sufficient and that you will stilt it to $2.65? If I had my desire, gentlemen, I would abolish the price-fixing power as to agricultural products. [Applause.]

Mr. LEVER. I ask the gentleman from Iowa to use some of his time.

Mr. HAUGEN. Mr. Speaker, this bill has been in conference now for about three months, or since the 5th of April. The conferees have tried to get together on this proposition, but their efforts have resulted in a disagreement. The Senate fixed the price of wheat at $2.50 for No. 2 wheat at the local markets. The President, in his proclamation February 21, 1918, fixed the price at $2.20 in Chicago and corresponding prices for No. 1 wheat in principal interior primary markets, a difference in price of 30 cents a bushel, and a difference of about 3 cents on grade, which makes a difference of about 33 cents, besides

the difference in the freight rate from the local market to the interior market, which would in all make a difference in a number of instances of 40 cents a bushel. The proposition for this House to determine to-day is, Shall this bill be defeated, or are we going to compromise with the Senate and reach some agreement? If we are to compromise, if we are to come to an agreement, the only honorable and safe way seems for us to say to the Senate, "We propose to cut this thing in two." If we fix the price at $2.40 at the principal interior markets, on the basis of No. 2 wheat, we have met them half way. If we do that, I am quite certain, from what I learn from the conferees and from what I have read in the RECORD, that that proposition will be accepted by the conferees of the Senate. So the proposition for this House to determine now is, Shall we compromise by splitting the difference?

Mr. Speaker, what does this 20 cents a bushel amount to to the consumer, anyway? It takes about 5 bushels of wheat to make a barrel of flour. The American people consume about a barrel of flour a year per capita. A difference of 20 cents a bushel in the price of wheat makes a difference of a dollar a barrel in flour. A barrel of flour will make 600 loaves of bread. The increase amounts to less than one-sixth of 1 cent for a loaf of bread. But we are not making the bread out of wheat flour alone. We are using substitutes, about half wheat flour and half substitute. This cuts the increase down to only one-twelfth of 1 cent per loaf. Gentlemen, can we afford to defeat this bill simply for that one-twelfth of 1 cent a loaf, or $1 per capita? Remember also that about only half of the wheat that is grown is sold. Much of the other half is consumed by the producers, and the increase in cost affects only that part which is ground and sold. Gentlemen, when you consider the fact that all other industries all along the line are permitted to charge exorbitant prices and to extort unreasonable profits, is it fair to say to the wheat grower, "Your profit shall be limited to whatever the profit may be on wheat at $2.20 a bushel"? And remember that $2.20 a bushel does not give the farmer $2.20. No; freight, commission, and expense of handling is deducted from that $2.20, which leaves him so in many cases he receives less than $2 a bushel. And if you will consider the increased cost of labor and the increased cost of everything that enters into the production of wheat, I believe you will all admit that the farmer is entitled to a considerable increase. It may be that $2.40 or $2.50 is a high price, but prices are high on everything that we buy all along the line. May I call your attention to the report of the Federal Trade Commission issued recently?

On page 5 the report states that the profits made by concerns are attributable to inordinate greed and barefaced fraud. That is what the Federal Trade Commission has to say about others engaged in industrial pursuits. I am calling attention to this report because it is official, and I take it that it will be accepted by all as a statement of facts.

Mr. COX. Will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. COX. I want to ask a question for information. In the last few days I have received several letters from farmers in my district saying that they have reduced the grade of wheat in some manner so that it has reduced the price to $1.50 and $1.75 a bushel. I called up this morning the Food Administration and they seemed to know nothing about it. I tried to get in touch with the chief of the bureau in the Agricultural Department that has the grading of wheat in charge, and they did not know anything about it. Does the gentleman know anything about the grading of wheat that will materially reduce the price of wheat in our part of the country or in any other part of the country?

Mr. HAUGEN. A number of representatives of organizations—farmers and the elevator men throughout the country—appeared before the committee and complained about the grading of wheat. I understand that Mr. Brand, in charge of the grading, has modified it to some extent, and I also understand that the grain corporation took the matter out of Mr. Brand's hands and corrected the wrong by fixing the difference at 3 cents a bushel between No. 1 and No. 2 instead of 11 cents. But that is a matter now in the hands of the Department of Agriculture and Congress has no control over it, as the department has been given power to fix the grade.

Mr. MEEKER. Will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. MEEKER. Does not the gentleman think that with the labor emergency that is now on, trying to gather the harvest already grown, at the prices the farmers will be compelled to pay, $2.40 is a very low price for wheat? I saw last week crops in Pennsylvania going to waste because they could not get labor to harvest them.

Mr. HAUGEN. There is no way to estimate the cost of producing wheat. It is all a gamble. In some sections of the country the yield is 4 or 6 bushels to the acre, while in other sections it is 40 and 50 bushels. Land in some sections is $2 to $5 an acre, while in other sections it is as high as $300 an acre. Taking one year with another, as a general thing the wheat grower is not getting rich. Generally the prosperous farmers are those engaged in diversified crops; but, be that as it may, what we have to determine now is what disposition shall be made of the Agricultural bill. Are we going to defeat it or pass it? Evidently the Senate will adhere to its amendment or insist upon a compromise.

We have been in conference with the Senate three months, and I think I know something about what they are thinking. This proposition came up in the Senate about a week ago—the proposition was to recede—and the vote was 46 to 19 against receding; again, on July 3, the Senate voted on the proposition to recede and turned it down and refused to ask for a conference. That is the Senate's action. Clearly it is up to us to act. I purpose to meet them halfway rather than to take the chances of losing the whole bill.

Mr. Speaker, the time will not permit a lengthy discussion of this proposition. However, before I close I desire to call attention to the Federal Trade Commission report made June 29, 1918, to the Senate in response to the directions under Senate resolution 255 that it furnish the Senate with facts, figures, data, and information in its possession relative to profiteering. On page 9 it had this to report:

> Many of the industries are making unusual profit; some are showing outrageous ones. In an hour of national service and self-sacrifice profiteering may be defined not only as the taking of an exorbitant profit but should include a refusal to share in bearing the burdens of war in the form of a reduction in profits when the profits have been large in prewar times.

Among them is included the Steel Trust, of which so many praises have been sung lately. On the same page it has this to say:

> The figures as to the net income of the Steel Corporation, as shown by the company for the years 1912, 1913, 1914, 1915, 1916, and 1917, before deducting Federal income and excess-profits tax in 1917, follow:
>
1912	$77,075,217
1913	105,320,691
1914	46,520,407
1915	97,967,962
1916	294,026,564
1917	478,204,343
>
> The Federal income and excess-profit taxes of the Steel Corporation for 1917 were $233,465,435, which leaves from net income $244,738,908, of which about one-tenth was applicable to interest on bonds of the corporation and the rest available for dividends and surplus.

You will note that this institution increased its profits by 1,000 per cent in 1917 over 1914, but its exponents and defenders have much to say about the Federal income and excess-profit taxes of the Steel Corporation. True, they paid $233,465,435 to the Federal Treasury; but under the arrangement they reserved for themselves $244,738,908, which is $198,218,501 in excess of the profits for 1914. They were satisfied by increasing their net profits, after deducting taxes, only about 400 per cent over 1914.

On the same page it reports the percentage of the return on investment in 10 mills in class 3 reporting the profits in 1917. The first one is the Alan Wood Iron & Steel Co., reporting a profit of 52.63 per cent; the Nagle Steel Co., a profit is reported to be 319.67 per cent; another, the West Penn Steel Co., shows a profit of 159.01 per cent. The profits as reported range from 30.24 up to 319.67 per cent, which seems to me a large return on investments, probably much of it water.

On page 10 the commission had this to say about copper:

> COPPER.
>
> Very large earnings have been made in the copper industry on the whole, although it should be noted that they have been due in part to an unusually heavy demand for this metal, which is used almost exclusively for war purposes, directly and indirectly. The commission's figures show that 21 companies, including a large proportion of high-cost companies, made profits in 1917 which ranged from 1 per cent to 107 per cent on their investments.

Of zinc it had this to say:

> ZINC.
>
> Basing percentage on the capital stock issue of $35,000,000, the following net earnings and dividends are shown for the New Jersey Zinc Co., according to published statistics: 1916, profits, 72.5 per cent, dividends, 76 per cent; 1917, profits, 56 per cent, dividends, 46 per cent. The Federal Trade Commission's figures as to these same net earnings and dividends are available only for 1916, and indicate profits of 95.9 per cent, with dividends of 76 per cent.

On page 12 it had this to say about lumber:

> The range of profits was from a small loss to over 121 per cent on the net investment.
>
> The margin of profit per thousand board feet in 1917 was nearly double that in previous years, the figure being $4.83, as compared with $2.11 in 1916. A fair margin per thousand feet in the past has been recognized as being $3.

On pages 12 and 13 it makes the following report on coal:

COAL.

Generally speaking, the bituminous coal operators in 1917 had very much larger margins than in previous years. While in 1916 the margins (what operators actually received for coal sold over f. o. b. mine cost) may be regarded in some cases as lower than normal, yet the margins of 1917 were often two or three times the normal return. In the figures for 1916 and 1917 mentioned below return on investment must be covered in margins shown. The increase of margins is illustrated by an examination of the returns for 1916 and 1917 of 23 typical bituminous coal companies in the central Pennsylvania field. The average margin of these companies in 1916 was 20 cents per ton, and in 1917 was 90 cents. The highest margin for any company of the 23 in 1917 was $1.85. The corresponding margin for this company in 1916 was 41 cents. Similarly the lowest margin for any of these companies in 1917 was 27 cents, the corresponding margin for the same company in 1916 being 13 cents.

Maximum coal prices f. o. b. mines were authoritatively fixed August 21 to 23, 1917, by Executive order, and subsequently modified by the Fuel Administration. Contracts made before that time were not invalidated. In some fields as high as 90 per cent of possible production was sold under contract prices. While some contracts were below legal maximum price, probably much the greater part of the coal sold under contract went at prices substantially in excess of legal maximum prices fixed for current sales.

On page 13 it makes a report on petroleum and its products. The rates of profit are reported ranging from losses up to 122 per cent profit, which, I take it, is due to the prices for which gasoline is sold. Just think of it, poor Standard Oil struggling along at 122 per cent profit.

On page 14 it reports the meat packers. The excess profits of four of the big meat packers—Armour, Swift, Morris, and Cudahy—in the three war years, 1915 to 1917, their total profits have reached the astounding figure of $140,000,000, of which $121,000,000 represents excess over their prewar profits. The report goes on to say that the great increase in profits are not due solely to increased volume of business. Their sales increased 150 per cent; hence much of the increase is due to the higher prices rather than to volume by weight. The return of profit increase 400 per cent, or two and a half times as much as the sales. Morris & Co. are reported to have made 263.07 per cent on the three million capital outstanding. It will be remembered that it was announced that the packers' profits were fixed not to exceed 9 or 15 per cent. It would seem that a 263.07 per cent rate of profit under such license would require some explanation. To the average man it would seem that the packers got the better end of the bargain.

On page 15 the commission reports on leather and leather goods that during the year 1917 a large proportion of the tanners in the United States made unusual profits; that a number of the larger companies made net profits in 1916 in several instances two, three, four, and even five times as large as in 1915, and the 1915 net profits in turn showed increase of from 30 per cent to more than 100 per cent over those in 1914. It calls the attention to one striking instance where one company whose net profits were reported to have increased 600 per cent, or from $644.390.90 in 1914 to $3,576,544.27 in 1916. As generally known, tanneries are owned and operated by the packers. The commission calls attention to a letter of January 17, 1917, by the Eastern Leather Co., an Armour selling subsidiary, to Mr. F. W. Croll, of Armour & Co., in which it was stated that a check for $915,787, same being a dividend of 53 per cent on the 17,279 shares of common stock standing in the name of Mr. J. Ogden Armour, was inclosed and that in addition to this, $250,000 had been set aside as surplus, which represented 10 per cent of the common stock.

On page 16 the commission has this to say:

The way in which Swift & Co. proceeds when a Government limitation of profits is expected is shown by the following letter, in which Louis F. Swift writes to his brother, Ed. F. Swift, stating that he has learned that the Government expects to establish profit control in the leather industry and suggesting the advisability of reappraising their properties in certain companies. Edward F. replies:

"I approve, if done quietly and promptly.

"E. F. S."

The letter with marginal directions is as follows:

GOVERNMENT CONTROL—LEATHER COMPANIES.

CHICAGO, *November 26, 1918.*

Mr. EDWARD F. SWIFT, *Second floor:*

We have had a virtual statement from Mr. Cotton that the Government expects to establish profit control in the leather industry. With this notice I think we should at least consider the advisability of reappraising the properties of the following companies: A. C. Lawrence Leather Co., National Calfskin Co., Winchester Tannery Co., St. Paul Tannery Co., Ashland Leather Co., St. Joseph Tanning Co. (in which we have only 50 per cent ownership).

If it is agreeable to you, will arrange with Mr. Moon to go into the matter and submit figures. Awaiting your reply,

LOUIS F. SWIFT.

On page 5 the commission has this to say:

Five meat packers, Armour, Swift, Morris, Wilson, and Cudahy, and their subsidiary and affiliated companies, have monopolistic control of the meat industry and are reaching for like domination in other products. Their manipulations of the market embrace every device that is useful to them without regard to law.

Gentlemen, it would seem that the praises sung and the tears shed for the meat packers were uncalled for and confidence was misplaced. Here is the commission's final conclusion; it has this to say:

However delicate a definition is framed for profiteering, these packers have preyed upon the people unconscionably.

We are now given the assurance by the commission that the packers are soon to come under further Government regulations approved by Executive order. They were placed under further regulations a year ago, and according to the commission's report they increased their profit tenfold over 1914, and that under a limitation of from 9 to 15 per cent profit. We have been told about further regulation, legislation, and prosecution affecting the packers for the last quarter of a century. The report clearly indicates results, and further comment is unnecessary.

On page 17 the commission pays its respects to the millers by stating that the millers were contented by increasing their profits 400 per cent. It calls attention to the methods employed by various companies by padding its costs, by heavily increasing all its officers' salaries, and by manipulating the inventory, payment of extraordinary salaries, and, in some instances, bonuses to executives of corporations. An illustrative example of high remuneration charged to the expense account is that given by the American Metal Co. (Ltd.), of New York, the chief dealings of which are in zinc. One Mr. B. Hochschild, chairman of the board of directors, received a salary of $179,663.33; another, C. M. Loeb, president, received a salary of $364,326.73. Gentlemen, think of poor Loeb, struggling along in this cold world as best he can with that meager salary of $364,000, not quite a thousand dollars a day including Sundays! What a hardship it would be to him to impose the heavy burden of 50 cents on his barrel of flour, or to tax poor Loeb with a twelfth of a cent every time he goes to the baker to buy his loaf of bread. Yes, poor Loeb! If this amendment is agreed to, his net income in all probability would be reduced 50 cents, and if his salary is his only source of income, poor Loeb will have to get along with the meager sum of $364,326.23. Gentlemen, the proposed increase of 20 cents a bushel on wheat may increase the average cost per capita of flour 50 cents or a dollar, according to the amount of substitutes used, but considering the profits extorted all along the line, the increased cost of production of wheat, the increased wages—considering everything, can we afford to take the chances on its defeat in refusing to offer a compromise to the Senate? In my opinion it should not be done.

I believe the amendment of the gentleman from Michigan should be adopted. [Applause.]

Mr. CANDLER of Mississippi. Mr. Speaker, I yield to the gentleman from New York [Mr. GRIFFIN].

Mr. GRIFFIN. Mr. Speaker and gentlemen of the House, I know that the Representatives from the Empire State are not supposed to take a great deal of interest in agricultural problems, but there is involved in this proposition something more than the question as to what should be the price of wheat. We ought not to haggle here over whether it shall be sold for $2.40 or $2.50 or $2.65 a bushel. I believe that this entire proposal in all its ramifications is fundamentally wrong and economically unsound.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. GRIFFIN. I will, but my time is limited.

Mr. MADDEN. Two-dollar-and-a-half wheat means $2.65 because the $2.50 as fixed by the Senate means the local market with the freight added.

Mr. GRIFFIN. I presume so; but, as I said, we are not here to haggle over the price of wheat.

Mr. MADDEN. I think that we ought not to have any price fixed.

Mr. GRIFFIN. That is what I say, that trying to fix it at all is wrong in principle. What is the difference between fixing the price of wheat and fixing the price of silver?

LIKE THE FREE-SILVER AGITATION.

The wheat speculators to-day, by means of this Senate amendment, are trying to do with wheat what the silver-mine owners vainly strove to do with silver a quarter of a century ago. Our experience in the past has taught us, or ought to have taught us, the futility of legislative favoritism in price fixing. The silverites wanted to have an arbitrary price fixed for silver to guarantee them against loss due to the fluctuations of the market. That is precisely the attitude of the wheat advocates to-day. The only difference is that the wheat speculators are frank enough, and I might say quite obviously wise enough, to perceive and admit that the price of wheat will fluctuate. The silverites clung to the delusion that when once the Government put its stamp of value on a thing, whether metal or other commodity, it would forever after defy all the laws of nature. The

wheat speculators are more practical. They know that prices will go down just as surely as they went up. The price-fixing idea with them therefore is not a mania, but simply a sordid pursuit of business advantage.

WHEAT GROWER NO BETTER OFF UNDER PRICE FIXING THAN BEFORE.

The wheat grower no doubt honestly believes that he is going to share in the booty, provided this Senate amendment is adopted; but I venture to predict that he will be no better off with two-fifty wheat than he is now with two-twenty wheat. The supporters of this bill admit that the wheat grower is no better off to-day with two-twenty wheat than he was when it sold for a dollar a bushel. Then why, gentlemen, do you expect any improvement from a further advancement of the price? Is the past no guide to the future? Do you not see that the same inexorable laws of the market which robbed you of the advantage of two-twenty wheat will similarly strip you of the profits from two-fifty wheat? Gentlemen, you can not defy the laws of nature, and one of the greatest of these is human selfishness.

FOOD-CONTROL LEGISLATION.

Let us take a retrospect of this food-control legislation. At the breaking out of the great world war in 1914 the food products of the United States received instantaneous impetus. The cutting off of the usual means of transportation from accustomed sources of supply abroad and diminished crops at home compelled the belligerents to look to us to supply their necessities. The drain made upon our food supplies diminished our stores to the danger point. The necessities of the belligerents, who often bid against each other for our products, coupled with the greed of speculators and middle men, raised the prices of foods beyond all reason.

We were not at war, and yet we had to bear its necessities and were threatened, in a state of profound peace, with all the anxieties of approaching famine. When we finally entered the war, conditions, of course, grew worse. Wages, which are usually the last in order to respond to sudden economic changes, proved insufficient to meet the requirements of the new order, and great hardship prevailed throughout the land. The workingman saw his loaf of bread suddenly double in price and at the same time diminish to half its former size. It is true that meat and other foods went up in proportion, but as bread is justly deemed the staff of life, it was natural that in the clamor for relief wheat should present a shining mark at which Government interference should first be directed.

Although $1 wheat was once looked on as the sign and token of the millenium, it was found to be selling in some markets as high as $3.07 per bushel. And, as the current year's crop was small, the situation seemed destined to grow more acute. There was a widespread feeling of resentment throughout the country. Congress was importuned and promptly passed the act of August 10, 1917, which was entitled "An act to provide further for the national security and defense by encouraging production, conserving the supply, and controlling the distribution of food products and fuel."

Section 14 of that act contains whatever justification there is in the law for touching the problem of wheat. It is claimed by some that it gives no authority to the President or the Food Control Commission to fix the price of wheat. They claim that the intent of the law, as its title implies, was only to encourage the production of wheat and, by guaranteeing the farmer a minimum price for his product, induce him to plant larger crops. This part of the act is very ingeniously drawn and is worth some study. First, it provides:

SEC. 14. That whenever the President shall find that an emergency exists requiring stimulation of the production of wheat and that it is essential that the producers of wheat produced within he United States shall have the benefits of the guaranty provided for in this section, he is authorized, from time to time, seasonably, and as far in advance of seeding time as practicable, to determine and fix and to give public notice of what, under specified conditions, is a reasonable guaranteed price for wheat, in order to assure such producers a reasonable profit.

Next it provides—

* * * the Government of the United States hereby guarantees every producer of wheat produced within the United States that, upon compliance by him with regulations prescribed, he shall receive for any wheat produced in reliance upon this guaranty within the period, not exceeding 18 months, prescribed in the notice, a price not less than the guaranteed price therefor as fixed pursuant to this section.

Then follows a proviso that the guaranteed price to be fixed by the President shall not be less than $2 per bushel for the crop of 1917. As the guaranty is extended to May 1, 1919, it necessarily fixed also the minimum price of the crop of 1918. Let us analyze these provisions:

THE PRESIDENT CONTROLS THE SITUATION.

When the President was given the right to "determine and fix and to give public notice of a price not less than the guaranteed price therefor, as fixed pursuant to this section," and when Congress said that the price should not be less than $2, is it not self-evident, whatever might have been the expressed intent or unexpressed hope of those who contributed by their vote to the passage of this legislation, that the President can name any price he may feel disposed to, or may be advised, above the minimum?

THE INTENT OF THE LAW.

That is not only the clear intent of the statute, but it crystallizes into law the almost universal desire and aim of the great body of consumers not engaged in wheat growing. I am quite willing to believe that the wheat growers supported this legislation at its inception in the fond belief that all Congress was doing was to present them with a policy of insurance against the return of peace and a general drop in the prices of all commodities; that in the event of a drop in the wheat market the Government would pay, or see that they were paid, at least $2 per bushel for their wheat, and that in the meantime, until the cessation of the war, they could charge for their wheat anything they could get and mulct the public to their heart's content. A belief in the reasonableness of such a one-sided compact exhibits a strange vagary of the human understanding. Is it fair to have one special industry protected against loss by a Government guaranty and at the same time have a free hand to gouge the public as it pleases?

WHAT ENSUED UPON PASSAGE OF THE ACT.

Let us see what has taken place under this act? The Food Control Commission, after an exhaustive study of the food situation, made certain recommendations to the President, and he, on February 21, 1918, by proclamation, fixed $2.20 per bushel as "a reasonable guaranteed price for wheat, in order to assure 'the wheat' producers a reasonable profit." This means that if the war were to cease to-morrow and the price of wheat should drop back to a dollar a bushel, what was once its "high-water mark," the Government of the United States—in other words, the people of the United States—stand ready to make good to the wheat growers $1.20 per bushel for every bushel raised. This will appear to the average citizen of the United States, who has no kind of guaranty for the product of his hand or brain, as a stupendously liberal benefaction.

COMPLAINT OF THE WHEAT GROWERS.

But the wheat growers say they reap no benefit from this benevolence; that the price of farm implements and labor and other products, which are necessary and related to farming, have gone up so high that wheat farming has ceased to be profitable. Of course, other things have gone up. Did the wheat speculators expect that other industries would stand still and watch the steady climb of wheat without clamoring for their share of the booty? They point to the huge profits made in steel, copper, meat, and other war essentials. In reply, Uncle Sam need only repeat the scriptural question, "Is thine eye evil because I am good?" There are obviously gross evils resulting from the unpatriotic orgy of profiteering in which many special interests are plunging.

WHOLE COUNTRY SUFFERS AS WELL.

But are the wheat growers the only ones who suffer? Is not the whole country almost in despair under the tyranny of the profiteers? Surely we can not help matters by adding one more to the list of our numerous trade and industrial tyrants. To raise the liberal guaranty given to the wheat growers is price fixing in its worst form.

FOOD-CONTROL ADMINISTRATION CAN GRANT RELIEF.

If they are justly aggrieved, doubtless the Food-Control Administration will recommend to the President an increase in the guaranteed wheat price. He has the power, full and absolute. Congress has done all that it need to do. To do more and, by special legislation, raise the minimum price to $2.50 per bushel would practically be shearing him of all power under the food-control act. Rather than that, we had better repeal it at once.

FOOD-CONTROL ACT NOT A PRICE-FIXING LAW.

This law, which the wheat growers are striving to turn from its purpose, is not a price-fixing law, but a law to control prices and restrain profiteering. If it has not worked out satisfactorily in the wheat industry because of the free leg given to other industries to indulge in profiteering, the remedy is not to increase the wheat-growers' guaranty, but to enlarge the scope of the act and enact other laws setting a limit to prices in every industry.

THE PRESIDENT'S VIEWS.

The President clearly intimated this as the proper course to pursue, in his address of December 4, 1917. He said:

Recent experience has convinced me that the Congress must go further in authorizing the Government to set limits to prices. The law of supply and demand, I am sorry to say, has been replaced by the law of unrestrained selfishness. While we have eliminated profiteering in several branches of industry, it still runs impudently rampant in others.

The farmers, for example, complain, with a great deal of justice, that while the regulation of food prices restricts their incomes, no restraints are placed upon the prices of most of the things they must themselves purchase; and similar inequities obtain on all sides.

LET ALL HELP TO FORMULATE SOUND LEGISLATION.

If the wheat speculators are in earnest, let them get behind the President and formulate sound legislation that will embody his expressed wish. There are very serious doubts in the minds of many as to whether the wheat advocates really want the prices of other products regulated in the same way as they have been able to get this Congress to do in their favor. Their idea of wheat regulation is a minimum price per bushel below which wheat will not be permitted to fall. This is vastly different from the fond hopes and expectations of the great bulk of our people.

THE CONSUMER'S IDEA OF PRICE REGULATION.

The consumer's idea of price regulation was a purely defensive one against greed and avarice. He hoped for a maximum price on the bushel of wheat and on the other necessaries of life, beyond which they dare not rise. The wheat grower asks for a price per bushel below which it must not fall. Then, in addition, in the event that the markets of the world and the laws of nature diminish his arbitrary set estimate of his particular product, he wants, if you please, the whole country to chip in and bear the loss.

WOULD IT BE FAIR TO APPLY THE PLAN OF GUARANTIES TO OTHER INDUSTRIES?

I would like to ask: Would the wheat grower honestly be willing to have the principle involved in the food-control act applied to the other industries from the high prices of whose products he claims to suffer? Would he be willing to have a minimum price put on steel, copper, clothing, and farming implements below which they will not be permitted to fall, and have the Government guarantee those industries, on the cessation of the war, the difference between the minimum price so fixed and the price which they may reasonably be expected to bring in the open market? Before answering, let Mr. Wheat Grower please think of the staggering dimensions of the annual budget, following the conclusion of this war, which such a policy would entail to make good the threatened losses in all the war industries. It does not require the prophetic eye of the seer to foresee the stupendous national burdens we would have to face if we were foolish enough to indulge in any more such legislation.

A GUARANTEED MINIMUM PRICE UNSOUND ECONOMICALLY.

To grant a guaranteed minimum price to any one, or even to all war industries alike, is unsound economically and wholly unwise from a material standpoint. If guarantees, however, are to be considered, because of the precedent we have established with the wheat industry, the plan adopted, in the control of railroads, of basing the guaranteed compensation on the profits of three preceding years, although not desirable, is yet more reasonable and more fair to future generations. When the guaranteed price of $2 was fixed in the food-control act last year it was based on an inflated value due to three years' exploitation. Would you give guarantees to the other war industries based on the same factors or would you go back to normal times for your price basis? But I can not insist too emphatically that the policy of guaranteeing profits to any industry in any form is unpatriotic and unwise.

BETTER TO GRANT SUBSIDIES OUTRIGHT.

In practical results it is a subsidy, no matter how you disguise it. I am not in favor of subsidies, but if Government help is necessary to encourage essential war industries let us be bold and fearless and help them outright by definite, distinct, and specific annual allowances instead of adopting this wild and ill-considered subterfuge of guarantees, which will leave our national obligations tremendous and uncertain for a score of years after the war.

SELFISHNESS THE BASIS OF WAR PRICES.

The pull of selfishness is as certain and calculable in the actions of men as the law of gravitation among the forces of nature. The tendency of prices to rise upon the slightest provocation may almost be said to be an economic law. War is generally deemed one of the provocations, adequate and sufficiently exculpatory to the common mind, to justify a raid upon the pockets of mankind. Instead of being justifiable it is, on the contrary, one of the meanest manifestations of poor, weak human nature. Instead of being coddled and humored it ought to be scotched the moment it rears its despicable head. Once allow one industry to reap the reward of greed and the others will follow at the heels of the favored one, their clamors only to be appeased by granting to all alike the liberty to rob their fellow man. When this delectable state is reached and they "level up" to ascertain their attitude, they find, as the wheat interests have found, that they are relatively on no higher financial level than they were before.

Sometimes, Mr. Speaker, a homely illustration will suffice to exemplify a problem in economics. On the evening of the Fourth of July last on the Plaza of the Capitol we saw an illustration of greed in a certain form which allowed the futility of man's struggle to obtain an advantage over his fellow man. When the parade began a few people rose up and stood on their feet. When they stood up in their greed to view the pageant those behind them, having their vision shut off, also stood up. After a little while everyone was on his feet in that vast assembly. When those who had first stood found that the temporary rise in their position did not give the advantage they sought they got on chairs. In a few moments everyone was on chairs, trying in vain to get an advantage over his neighbor in witnessing the spectacle.

So it is with the fixing of the prices of products of industry. The wheat price is standing on a chair, and every product will stand on chairs. As witnessed by this amendment from the Senate, the wheat industry is attempting to stand upon a step-ladder, and some of the gentlemen of this House would give them a balloon to raise them higher.

In the struggle of the profiteer for advantage those who first got in the game doubtless have made fortunes before the others caught up with them. Truly in their case it is the "devil that takes the hindmost," but it should really be "devil take the foremost."

FEW EVENTUALLY PROFIT FROM SELFISHNESS.

We should not shut our eyes to economic truths so plainly discernible. Where all share alike in a general rise in prices, none will be relatively better off than another among the violators of law and decency; but those who are on the bottom layer—the vast body of consumers—will ultimately suffer most.

A GENERAL RISE IN PRICES MEANS A FALL IN THE VALUE OF MONEY.

Nor will those who lift themselves by greed to the higher levels share an unmixed blessing, for a general rise in the prices of commodities means a fall in the value of money; in other words, lessening the purchasing power of the dollar. High prices mean cheap money, and already the American dollar, which for years has held a proud place in the exchanges of the world, is being quoted at a discount.

CHEAP MONEY A MENACE TO THE STATE.

It is an egregious error to imagine that a fall in the value of money is a hardship only to the individual. It is a distinct menace to the State. In this crisis in our history it is doubling the difficulties of our Government in financing the war. Think of what our twenty billion war loans would buy in supplies and munitions of war with the dollar at its normal value. We are simply throwing our money lavishly away. The proposed amendments will only make our situation worse. The initial mistake was made when we first countenanced greed in any form. Our present juggling with this question is the profoundest folly. Instead of going further we should retreat, and we should retreat now before we are involved in endless complications. When the annals of this war period are written, the future historian will say that in the years of 1917 and 1918 the people of the United States, through the Sixty-fifth Congress, made the vain attempt to lift themselves financially by pulling up on their boot straps.

THE REMEDY.

What is the remedy? I would say repression instead of inflation. Not a guaranteed minimum to any industry, but Uncle Sam, with a stout whip in hand, lashing the profiteers back into good manners and sound patriotism. Not a policy of coddling with soft terms, as "reasonable allowances for war conditions," but simply the solemn pronouncement of the ipse dixit "no special war prices for this war," neither in bread, nor raiment, nor fuel, nor metals, nor supplies of war. No, by all that is sacred, not so long as our boys, fighting at the front, are not asking special war prices for their loyal hearts, their rugged limbs, their devoted bodies, and their eternal souls.

Mr. HAUGEN. Mr. Speaker, I yield three minutes to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. Mr. Speaker, I am not going to discuss the propriety of fixing the price of cotton or wheat or any other agricultural product. The price was fixed at $2.20, as I understand it. The proposition ranges all the way from $2.65 down to $2.20. At the primary markets, as I understand it, it is believed that $2.40 could be arranged for and an agreement obtained by the conferees upon that basis.

Farm labor is scarce, prices all along the line have soared. To put it in another way, the value of money has decreased one-half, and the dollar that you had three years ago has a purchasing power now of only 50 cents. We fixed the price,

right or wrong, and the farmers have at great expense and shortage of labor relied at least upon the proclamation of the President, at $2.20. As far as I am concerned, if I can get a chance I am going to vote for $2.40. Well, you say, we will fix the price in the future of wheat, cotton, hogs, horses, oats, rye, barley. No; I will not fix any more prices. But we have got to keep the contract which we made when we fixed the price to the farmer and when at great expense he has put in a good round crop. [Applause.]

Mr. LEVER. Mr. Chairman, I yield three minutes to the gentleman from Wisconsin [Mr. STAFFORD].

Mr. STAFFORD. Mr. Speaker, no more outrageous proposition for a long time has been presented to the House of Representatives than this to increase the price of this year's crop of wheat. After the crops have been planted and the price of wheat has been fixed at $2.20 for this year's crops under an Executive order, after an agreement was had between the representatives of farmers and the Government, to juggle with the price and say "We will give you an increased price at the expense of the consuming public of the country from 20 to 45 cents more than we agreed to," is a policy that can not be too severely condemned. No one can disguise the fact that the price was fixed at $2.20 for this year's crop after a full survey of all the conditions. The farmers went ahead with that idea a year ago and they planted their crops. You can not advance any argument that it is necessary to get a greater yield because the yield of wheat is surpassing. That proves that the price that was agreed upon was adequate to get the desired crop.

Mr. MILLER of Minnesota. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. And now what do you propose to do after a tentative contract has been entered into with the growers of wheat? You intend to make them a gift of 20 cents or 45 cents a bushel or whatever this Congress will yield in deference to the vote of the farmer. We hear much about the farmer, and yet the farmer raises most of the products he consumes, while the laboring man, the artisan in the cities, is suffering by reason of the high price that the farmers are getting.

Mr. MILLER of Minnesota. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. I can not yield in three minutes. I venture this prediction: That there is no class of people in America who have been benefited more as a result of this war than have the farmers. There is no question about that, and they are not complaining. Of course, there are persons who will rise in both Houses of Congress and advocate a higher price to be paid to them as a special favor, but how can you justify an increase in the price after it was fixed at $2.20?

I am not in favor of legislative price fixation. There may be need of price fixation by administrative bodies, but for Congress, without any statistics, without any reliable information, to go wild and haphazardly fix the price seems to me is the meanest character of legislative graft. Instead of taking the money directly out of the Treasury and paying it piecemeal to the farmer, you say: "We will do it by raising your price arbitrarily and have the consuming public, the artisans of the country, pay what we vote." How can you justify any such outrageous policy as that? We have entered into a contract. It would not be right to reduce the price from $2.20 to $2.10, and no more is it right for us to increase the price from $2.20 to $2.40 or $2.65. Let us stick by our agreement and not seek the vote of the farmer in this crisis by any such despicable means.

Mr. LEVER. Mr. Speaker, I will ask the gentleman from Iowa to use some of his time. We shall have only one or two more speeches on this side.

Mr. HAUGEN. Mr. Speaker, I yield three minutes to the gentleman from Indiana [Mr. COX].

Mr. COX. Mr. Speaker, I get all-fired tired when I hear men rise on the floor of the House and talk about the present unprecedented prosperity of the farmer. I wonder why such Members do not resign their seats in Congress if farmers are becoming millionaires and go out and don a suit of overalls and brogan shoes and go to raising wheat, corn, rye, barley, hogs, cattle, and all other farm commodities that farmers grow in this country. I wonder why if farming is so remunerative the city gent does not lay aside his diamonds and gold-headed cane and go to the country and get rich, as a few Members of the House would lead us to believe that farmers are getting rich. Members who make such arguments as these fail to realize that the farmer drives six days out of every week and each week in the year from daylight to dark, and usually each member of his family drives the same. The farmers are not paupers. They probably are reasonably prosperous now, but nothing has been given to them to make them prosperous. They have done it in spite of conditions and with their two strong arms.

A few days ago the Trade Commission reported to the Senate the names of a large number of men and corporations in the country who during the last year made millionaires of themselves, and made it out of abnormal war profits. I scanned the report from top to bottom and there was not a single farmer in it, not one. Last spring the farmers were solemnly promised and given positive assurance that the price of farming implements and fertilizers would be fixed, two essential necessities for the farmer to enable him to raise his crops, and yet prices of these things are not fixed, and they are soaring to the skies day in and day out. I am heartily in favor of price fixing of the necessities of life. In my opinion, it is the only way to control prices and keep them within living reach. I was in favor of fixing the price on wheat and I am in favor of it to-day. I was in favor of fixing the price on sugar and I am in favor of it to-day. I was in favor of fixing the price on wool and I am in favor of it to-day. But let me say to you in all seriousness this thing of price fixing has become a one-sided affair. Prices have been fixed of many of the great staple commodities of the North, but of the great staple commodity of the South—cotton—the price has not been fixed at all.

The price of wheat fixed by Executive order is now $2.20 per bushel at the principal primary markets, giving to the producer about $2 per bushel. Since the price was fixed at $2.20 per bushel, freight rates have been increased 25 per cent, and the grower of wheat is compelled to stand this increase in freight rate. The proposition soon to be voted upon proposes to increase the price of wheat to $2.40 per bushel at the principal primary markets. This would give to the grower an increase of about 20 cents per bushel. It takes five bushels to make one barrel of flour. This would increase the cost of a barrel of flour about $1. We annually consume about 100,000,000 barrels of flour, and one barrel of flour will make 600 loaves of bread. This 20 cents per bushel increase on wheat to the grower would increase the cost a little less than one-sixth of a cent per loaf. The increase of $1 per barrel would mean an increase of about $5 per year to the average family for its flour, a mere bagatelle in the way of increasing the cost per family. Let me say to you gentlemen from the South who are here insisting upon standing by the original House proposition that you are willingly voting and gladly fixing the farmers' commodities of the North, but I do not see very many of you rushing in here and demanding that the price be fixed on cotton. [Applause.]

You gentlemen of the South are willing to stand by and fix the price of wheat of the northern farmer and do nothing at all to get the price fixed on cotton. [Applause.] You are boasting of the fourteen or fifteen millions of bales of cotton that you are raising this year in an unfixed market, the prices being from 30 to 35 cents a pound. We of the North do not raise cotton, but we have to purchase the finished commodity of raw cotton in the nature of wearing apparel, and we are interested in getting cotton goods as cheaply as possible. You are interested in cheap wheat in the South. You want cheap bread for your cotton planters. We in the North are interested in getting some corresponding benefit in getting cheap cotton goods to wear. You are willing to stand here and see the price of wool fixed. You are willing to stand here and see the price of sugar fixed, the three great staple commodities raised by the farmers of the North, and we are told by both words and actions, "Do not touch cotton." There is something sacred about cotton in the South. The cotton planter must be permitted to raise all the cotton he can, sell it at an unfixed price, and because the price of cotton is unfixed—the price of the finished commodity of cotton—even the cheaper grades of calicoes, factory and bleachings, are almost beyond the reach of the poor of both North and South.

All the farmers of the North want is a square deal, and it is the only way that Congress can afford to play this game. Play it equally fair between the North and the South. The same argument as to the necessity of fixing the price of wheat, sugar, and wool produced in the North applies with the same force as to the fixing of the price of cotton in the South. It is unfair, unjust, can not be defended upon any ground, moral or political, to fix the price of things produced in the North and refuse to fix the price of cotton raised in the South. All I ask and all the farmers of the North ask is a square deal. Down to this hour it has been a one-sided affair, and that side has been in favor of the South. My friend from Milwaukee, Mr. Stafford, said that Congress fixed the price of wheat. What a ridiculous proposition to say that Congress fixed the price of wheat. If I know anything about it, and I think I do, because I have watched it, the President, by Executive order, fixed the price of wheat. [Applause.] If we do not give the farmers some

assurance that the price of wheat to them will be increased, I very much fear that we will wake up when it is too late, and find next year that they have not seeded the wheat they did this year.

It should be remembered that the wheat growers, sugar raisers, and woolgrowers are laboring to-day under almost dangerous difficulties. Shortage of farm labor everywhere in the North. It can only be supplemented by the labor of women, and yet Members talk about farmers being wealthy. If the farmer did not put in longer hours, work more days, weeks, and months in each year than the man does in the city, the cities would starve to death; their streets would grow over in grass. Let the Member of this House or the man in the city who believes for one moment that all is pleasure, happiness, and sunshine in the country, let him go out and try it, and before one day's sun sets he will have a different story to tell. I intend to vote for the amendment offered by the gentleman from Michigan [Mr. McLAUGHLIN] proposing to fix the price of wheat at $2.40 per bushel. [Applause.]

Mr. LEVER. Mr. Speaker, I yield three minutes to the gentleman from Massachusetts [Mr. WALSH].

Mr. WALSH. Mr. Speaker, the distinguished gentleman from Illinois during the course of his remarks stated that he was in favor of keeping the contract we have made with the farmers of this country. He is in favor of keeping the contract, but increasing the consideration. Now, we know under the guarantee as fixed by the Executive we have had planted one of the largest crops of grain of this or any other country at the price fixed at $2.20, and because that crop has been planted and bids fair to be harvested we must, forsooth, come in and give them an additional compensation in the way of price for their wheat, and I say that it is unfair to the great American public and to the President of the United States, who acted under authority granted by Congress in fixing this price at $2.20 per bushel. Let us keep the compact which resulted, and let us see to it that the farmers keep their part of the agreement that they entered into. Oh, gentlemen talk about patriotic farmers and how they have come forth in support of their country. Of course they have, but they are not the only patriots. The people of this country are bearing the burden of the increased price for flour and for substitutes, for wearing apparel, and everything else, and it is rather significant that these great wheat-growing States should pay such a small portion of the increased taxation that has been levied upon American people. The great State of Illinois, outside of the Chicago district, of Minnesota, of Kansas, of Indiana, outside of manufacturing sections, all of those States pay a very small portion of these extra war taxes that have been levied upon the people of the country, and if these farmers are anxious to get increased price for their wheat in order that they might pay more into the Federal Treasury why do not they raise the price to $5 a bushel, or why not exempt them from taxation altogether?

Mr. DECKER. Will the gentleman yield?

Mr. WALSH. I yield to the gentleman from Missouri.

Mr. DECKER. They pay the same taxes on their incomes as the people of Massachusetts, Chicago, and New York pay, do they not?

Mr. WALSH. They may, but it is rather strange if those gentlemen are so prosperous as they have been represented here that the most prosperous farming communities of farming States like the State of Iowa, where it has a per capita wealth of $3,600, should pay an income tax and these war taxes of a little less than $18,000,000.

Mr. DECKER. Will the gentleman yield again?

Mr. WALSH. Yes.

Mr. DECKER. Does not that indicate that they are not making as much as some other parts of the country during this war time and that is the reason they do not pay?

Mr. WALSH. That is no reason why the Federal Congress should by legislation increase their income by increasing the price of wheat per bushel.

Mr. DECKER. Does the gentleman think he ought to reproach our farmers out West for not paying more taxes——

Mr. WALSH. Oh, I know the farmers are inspired by a desire to get just as much as anybody else can, and if they can do it by legislation they will do it.

The SPEAKER. The time of the gentleman has expired.

Mr. LEVER. I ask the gentleman from Iowa to use some time. We have only two more speeches.

Mr. HAUGEN. I yield three minutes to the gentleman from Oklahoma [Mr. MORGAN].

Mr. MORGAN. Mr. Speaker, I have presented an amendment to the McLaughlin amendment, which proposes to fix the price of wheat at $2.40 per bushel. My amendment fixes the price at $2.65. If my amendment should fail, I will then vote for the McLaughlin proposition, because $2.40 would be 20 cents better than $2.20, the existing price. Two dollars and sixty-five cents per bushel for wheat is not too much. If you go back to the time when the food-control bill was passed you will find that under normal conditions, under the law of supply and demand, under free, uncontrolled, and unrestricted market conditions, the price of wheat was, in round numbers, $3 per bushel. Congress passed an act giving the President the right to fix the price of wheat, subject to a minimum price of not less than $2 per bushel. When this law was approved the 1917 wheat crop had been produced. It was thrashed. It was ready for the market. Indeed, it was being marketed at $3 per bushel. The Federal Government assumed a monopoly in the wheat business. The price of wheat was reduced to $2.20 per bushel. Now, then, what did that cost the wheat growers of the United States? It cost them, in round numbers, about $400,000,000. This money was taken out of the pockets of the wheat growers in order that the nonfarming population might have cheaper flour. This reduction in the price of wheat cost the wheat growers of my district probably eight to ten million dollars.

Now, then, I have never acquiesced in that indirect tax on the wheat growers of the country. I believe that when the Government assumed a monopoly in the wheat business it should have paid the farmers the market price at the time the Government monopoly was assumed. Then the farmers could not have had any complaint. But it was an injustice to the farmers to reduce their wheat from $3 a bushel to $2.20 a bushel, indirectly taxing them $400,000,000 for the benefit of the nonfarming population, and that wrong will never be righted until Congress by some act compensates the farmers for that loss.

The SPEAKER. The time of the gentleman from Oklahoma has expired.

Mr. LEVER. Mr. Speaker, I ask that the gentlemen on the other side use some time.

Mr. McLAUGHLIN. Mr. Speaker, I yield three minutes to the gentleman from Kansas [Mr. HELVERING].

Mr. HELVERING. Mr. Speaker, some of the propositions advanced by the advocates of the lower price for wheat are rather amusing considering the circumstances. The gentleman from Massachusetts [Mr. WALSH] says that the great crop of wheat has been raised because the Executive order has made wheat $2.20. Now, it is an absolute fact that 700,000,000 bushels of that wheat was growing and was well on the way to making the crop which he speaks of before the Executive order of $2.20 went into effect.

The gentleman from Wisconsin [Mr. STAFFORD] says we should not violate a contract. What is that contract? The contract was the resolution by the Senate that we should not sell for less than $2 per bushel, and under that proposition the farmers all over this country went to work, thinking that the product which they raised would be kept on a level with the other products. And what is the spectacle which we behold? Simply this: Every time a farmer goes to town where he does his trading, to buy some useful article, he finds it has raised in price from the last time he bought it, and the next time it has raised again, while at the same time, as a result of the Executive order which placed wheat absolutely at $2.20, his product has remained on a level. In other words, I know the situation in my State is simply this, that the farmer feels he has been made a "goat" in this proposition; and you would not feel good, nor would anybody else, if they thought they had been made a "goat" in a proposition in reference to their products. The farmer will do everything he can to raise everything he can for the support of this Government, but he is just like everybody else in that he is going to raise that article which will produce him the most revenue from the same amount of work. And I say to you gentlemen in all candor, without any reference to the patriotism of the farmer—for he will be patriotic—that the product which he raises will be the product which brings him the most money in return. Therefore I say to you as my prediction that this wheat price should be made at least such as will equalize it with the price of products which the farmer must buy. I hope that at least the amendment offered by the gentleman from Michigan [Mr. McLAUGHLIN] for $2.40 may be agreed to.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. LEVER. Mr. Speaker, I yield five minutes to the gentleman from Mississippi [Mr. CANDLER].

Mr. CANDLER of Mississippi. Mr. Speaker, what is the situation in reference to this whole matter? The House originally declined to fix any price upon wheat at all, but left that matter to be governed by the discretion which it placed on other powers and in other sources. The Senate fixed it by law at $2. Then it

was fixed at $2.20, and the President by proclamation which he issued has fixed it at that amount. The Senate then saw proper by an amendment to fix it at $2.50, not at the terminal market, not at the place where it can be handled and where the business can be conducted along business lines and according to business methods, but fixed it at the local elevator, at the local depots, and at the local places throughout the United States of America, where, as you know, it can not be handled in that way successfully. The fact is, it would make it absolutely impossible to control it and handle it if this amendment that is in the bill at this time should be adopted. It went to the conference, and during these days and weeks it has been considered by the conferees of the House and the Senate. When the annual appropriation bill went to conference the Members of the House asked that they have an opportunity to vote upon this question before any final decision was arrived at. We assured them as conferees that that should be done. We came back from the conference with everything in the bill settled—every single, solitary item in it disposed of, with the exception of this one proposition, and submitted it to the House and gave the House an opportunity to vote upon it. The vote was taken by calling the roll, and the majority, as I recollect it, in opposition to this proposition was 68 in the House. Then under the direction of the House and under the vote of the House, as recorded, the conferees went back to the conference with the Senate again, and under that instruction your conferees, obeying what we believed by this vote to be the will and the voice of the House, stood for the proposition as announced, and said to the Senate that they should recede.

Another rule that was announced by the gentleman from Illinois [Mr. CANNON] a few days ago, a gentleman who has had more experience, perhaps, than anybody else in the House, was that when legislation was put upon an appropriation bill and the other legislative body objected to it, it was the duty of the body placing the legislation upon the appropriation bill to recede. This is legislation upon an appropriation bill, and therefore under the rule it was the duty for the conferees of the Senate to recede. They declined to do it, and there has been a deadlock during this time.

Now, the conferees have come back to the House, obeying your will again, and have submitted the question to your decision as to what shall be done. The proposition is to fix the price of wheat at $2.65, offered by the gentleman from Oklahoma [Mr. MORGAN]. The vote will come upon that proposition first, because it is offered as a substitute. If that is voted down, the next vote will come on the proposition of the gentleman from Michigan [Mr. MCLAUGHLIN] to concur with an amendment making it $2.40. If that is defeated, then the third and last proposition will be to concur in the Senate amendment.

Therefore the votes as they will come will, first, be in reference to $2.65; then in reference to $2.40; and if they should be defeated, then to concur in the price, $2.50. If that price is defeated, it will stand where it was before, as was announced by the gentleman from Texas [Mr. YOUNG]. If the House stands by its position, the Senate must recognize that it is up to them under the rules to recede, and they would recede, and this bill would become a law in 30 minutes after it left the House of Representatives.

Gentlemen, that is the history of the legislation. That is the issue as it is presented here to-day. You voted for it before, and voted against the $2.50 proposition. Vote the same way to-day and stand by what you did before. [Applause.]

The SPEAKER. The time of the gentleman from Mississippi has expired.

Mr. HAUGEN. Mr. Speaker, I yield three minutes to the gentleman from Missouri [Mr. ALEXANDER].

The SPEAKER. The gentleman from Missouri is recognized for three minutes.

Mr. ALEXANDER. Mr. Speaker, I would not have said a word on this proposition if the gentleman from Massachusetts [Mr. WALSH] and other gentlemen had not said that the farmers had entered into a contract with the Government to raise wheat at $2.20 a bushel and are guilty of a breach of contract by now asking for an increase of the price.

The farmers never did enter into any such contract. There is no such obligation on their part. I understand the essential feature of the contract rests upon the mutuality of obligation. The Government did fix the price on No. 1 wheat at $2.20 a bushel. Everybody who knows anything about the proposition knows that very little No. 1 wheat is grown. The great bulk of the wheat is No. 2 and No. 3, and it is my understanding that the farmers have not, in fact, received to exceed an average of $2 a bushel for their wheat grown in 1917.

It is well known that the cost of production has increased immensely. The cost of wheat has been increased by the cost of farm labor, the cost of seed harvesting, of thrashing, and it is unfair to say that the farmers have entered into and are bound by such a contract.

Now, the McLaughlin amendment provides that the farmers shall receive $2.40 a bushel for No. 2 wheat at the principal markets, about 25 of them, named in the Executive order to which the McLaughlin amendment refers, which would mean that the farmer would receive from $2.20 to $2.25 in the local markets for their wheat, and not $2.40, as the cost of transportation must be added, and the freights have recently been increased 25 per cent.

The fact that the farmers have raised a great crop of wheat is not solely because of the profit involved. It was because they realized the necessity to raise wheat in order that our armies might be fed and that our allies might be fed. It was not the hope of gain so much as by a patriotic desire to do their bit toward helping to win the war that impelled them to make the effort to increase the acreage of wheat. There is no more patriotic element of our American citizenship than the farmers. [Applause.]

I wish to say to the gentlemen from the cities who are wanting cheaper bread, you ought to have some regard for the man at the plow, the man that goes out at sunrise and works until dark. He does not work under any eight-hour schedule, but he puts in all the day, and he takes all the risk. To illustrate some of the risks incurred by the farmers I might mention that my tenant on one farm raised 135 acres of wheat last year and within three weeks of the harvest it was destroyed by the floods. This year my tenant raised 115 acres on the same farm, and three weeks ago it was destroyed by floods. It would be hard to estimate what it would cost to raise wheat under such adverse circumstances as that. The farmers not only have to incur the risk of floods but of drought and other adverse conditions of the seasons.

To say that the farmer should not receive consideration when he is doing his part to win the war is to do him a serious injustice. [Applause.]

The SPEAKER. The time of the gentleman from Missouri has expired.

Mr. LEVER. Mr. Speaker, I ask the gentleman from Iowa to use the balance of his time.

Mr. HAUGEN. I yield two minutes to the gentleman from Indiana [Mr. FAIRFIELD].

The SPEAKER. The gentleman from Indiana is recognized for two minutes.

Mr. FAIRFIELD. Mr. Speaker, no doubt a great wrong has been done to the northern farmer, whether intentionally or not. Whenever it turns out that two staple crops are seized upon, the market determined, and there is no relief except in the fixed, arbitrary decision of Government we have discrimination in legislation. I say to you that we can not afford in this Congress thus to discriminate against a great body of American citizenship.

It may be they will claim on the other side that an international agreement has been entered into. If so, why, when the farmer's product has been determined as to price, are not the various manufactured products also determined? The manufacturers of the East demanded an increased price for their products, and in many instances demanded that the Government should furnish the capital. Men say that in all the local markets wheat was selling at from $2.75 to $3 a bushel when the price was fixed. This has not been denied. We said here that it must not sink below $2, but we did not intend that that should be the maximum. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. HAUGEN. I yield the remainder of my time to the gentleman from Michigan [Mr. MCLAUGHLIN].

The SPEAKER. The gentleman from Michigan [Mr. MCLAUGHLIN] is recognized for two minutes.

Mr. MCLAUGHLIN of Michigan. Mr. Speaker, this amendment would fix the minimum price of wheat at $2.40, based on grade No. 2, not at every local railroad station or local elevator, as the gentleman from Mississippi [Mr. CANDLER] says, but at least at 25 of the principal interior primary markets of the country. The names of the 25 places have been given by the President in a proclamation of the 21st of February, 1918, relating to another matter, and I wish to have the same places "and such other places as the President may designate" named or fixed for this purpose.

As to this international agreement of which the gentleman from South Carolina has spoken, by which the President has pledged that he will assist the Canadian Government in taking care of a large crop of wheat, if it shall fortunately be large, if the high price fixed be above the market price. With all respect to the gentleman from South Carolina—and I do not

for a moment question his veracity—I doubt if that arrangement was ever made. If it was, it has already been violated, because the President has modified or has signified his intention to modify his order fixing the price at $2.20 to the extent of allowing an increase in the price to correspond with or allow for the increase in freight rates. If it can be violated in one respect, it can be violated in another, and is, therefore, of no force or effect whatever.

It is said that the farmers who are demanding or will have the advantage of this increase of price of wheat are lacking in patriotism. The farmers of this country, knowing that wheat was the least profitable of all grain crops they could raise this year planted and will reap hundreds of thousands of acres; yes, the acreage will reach millions, more than would have been planted if they had been selfish or avaricious, because they knew, as I say, that it was not as profitable a crop as they might raise. Compare their attitude with that of business men in sections of the country from which opposition to this amendment comes. You will find manufacturers in those sections are not engaging in business unprofitably. They are always and insistently demanding that capital be furnished to enable them to do business, demanding that it be furnished them from the Federal Treasury, and that they be guaranteed handsome profits. [Applause.] Compare their patriotism with the patriotism of the farmers. The request embodied in my amendment for increase of the price to $2.40 is a reasonable request. The price of $2.20, now prevailing as the result of Executive order, was never agreed to by the farmers, as has been stated from the floor. [Applause.] It was a matter of compulsion as far as farmers were concerned. A board was appointed to fix the price, and I shall speak of that later if I have time.

Section 14 of the act of August 10, 1917—the food-control act—contains a provision in regard to the guaranteed price of the wheat crop of 1918. It provides that the guaranteed price shall not be less than $2 per bushel, but leaves to the President the matter of fixing a higher price. In order to determine the price the President appointed a board composed of farmers, business men, and representatives of labor, but the farmers were a small minority of the board. As I remember the proceedings of that board—and I am sure my recollection is right—the farmers at that time strongly urged that a price of not less than $2.50 per bushel be fixed, while the price urged by a majority of the other members of the board ranged from $1.85 to $2 per bushel. The final result determined by a majority of the committee, not one of which majority was a farmer or interested in any way in farming, was the fixing of $2.20 per bushel at Chicago. This was an arbitrary action and contrary to the law, because it provides that the price, whatever it might be, shall be paid at the principal interior primary markets—not one market—but at the 25 places which have been designated and are well known as the principal markets of the country.

It has been frequently said here in debate that farmers are inconsistent and blameworthy for asking or being willing to accept a price for wheat above $2.20 per bushel, it being charged that their own committee had fixed that price. This charge is unfounded, because, as I have stated, the price was fixed at $2.20 over the strenuous protest of farmer representatives of the committee.

It has also been frequently said here that any increase of the price of wheat will result in a corresponding increase of the price of flour. This is not true. There need be no increase whatever of the price of flour if the Food Administration will deal with the millers as it has with the farmers. The report of the Federal Trade Commission, made after thorough investigation, shows that the Food Administrator has fixed the profits the millers shall have on each barrel of flour, and the result is, and has been ever since that action by the Food Administrator, that the millers' profit is at least $1.08 per barrel higher than it was before the war. It takes from 4½ to 4$\frac{7}{10}$ bushels of wheat to make a barrel of flour, and it is therefore seen that the miller is, by virtue of the Food Administrator's order, receiving an additional profit of nearly 25 cents per bushel on every bushel of wheat that is made into flour. There is no reason whatever—in fact, it is rank injustice—to permit this large additional profit to the miller while at the same time insisting that the farmer shall have no increase of price for his wheat. There is no reason why the millers, who made large and satisfactory profits before the war, should have their profits increased now, especially as the increased profit is at the expense of the farmer.

I should be pleased if the House were willing to agree to the Senate amendment just as it stands, but after conferring with a large number of Members am satisfied that it is necessary for me to offer a compromise. This compromise consists in reducing the guaranteed price from $2.50 as carried by the Senate amendment to $2.40 per bushel, and making that price payable to growers of wheat at the 25 market places named by the President in his proclamation of February 21, 1918, "and at such other places as he may designate," this last provision as to the markets being in lieu of the Senate provision that the price shall be paid at each and every local railroad station and each and every local elevator in the country. I have found that the latter provision, that is, that the price shall be paid at railroad stations and elevators, is particularly objectionable to Members of the House, and that, if we were to insist on the Senate amendment respecting the places of payment, we would be inviting defeat of the entire proposition. It is reasonable to demand that the guaranteed price of wheat shall be paid at the 25 principal markets, and it would be reasonable also that the guaranteed price be paid at every market at which the Federal Government employs and keeps a licensed inspector of grain; but it is evident that as far as we can safely go or with hope of success at this time is to limit the places at which the price shall be paid to the markets that have been heretofore or shall hereafter be designated by the President.

It has been well said in this debate, as has often been said on this floor, that farmers are dissatisfied. And as I have said before, there is reason for this dissatisfaction. At the time the President, acting on the recommendation of the price-fixing committee, fixed the price of wheat at $2.20 per bushel, the prevailing market price was nearly, if not quite, $1 per bushel more than the price fixed, and there was reason to believe that, if no price had been fixed, if the law of supply and demand had been permitted to determine the price of wheat the price would have gone even higher than it was at that time. So the price of $2.20 per bushel, which by action of the Food Administration became the maximum as well as the minimum price, was naturally very unsatisfactory to producers of wheat. When the Congress, by act of August 10, 1917, determined that there should be a minimum guaranteed price of wheat of not less than $2 per bushel no one thought that the price to be fixed would be the maximum price also. Everyone knew that the prevailing price was then about $3 per bushel, and that the tendency was upward, but rules and regulations of the Food Administrator, under the authority given him by the act to prevent speculation in wheat, to license millers, elevator operators, and wheat buyers, made it impossible for any buyer of wheat to pay more than $2.20 per bushel. Instances are known of millers having their licenses taken from them for paying more than $2.20. This arbitrary action of the Food Administrator deprived farmers of the benefit of the market price of wheat and of opportunity to take advantage of natural increase of prices, which everyone believed would have come.

Another practice of the Food Administrator was detrimental to the interests of farmers. Almost every producer of wheat is also a dairyman, and must buy bran and other feeds. One of the rules was made for the ostensible purpose of keeping down the price of bran, but the desired result was not reached. The result was that millers did not sell bran, at least did not sell it to the farmers or to their regular trade. They placed the bran in the hands of dealers, disposing of it as far as any one was able to learn in keeping with the rule of the Food Administration as to price; but the dealers made their own sales and fixed their own prices, which were uniformly very high. Or instead of millers disposing of their bran to dealers they mixed in some chaff or a small quantity of other by-products of the mill and called it "dairy feed," and sold it at prices two or three times as high as the prescribed price of bran. There is no evidence that the Food Administrator has made any effort to prevent evasion of his rule, and it is not strange that buyers of bran are dissatisfied.

Farmers are dissatisfied also because, while prices of wheat and other farm products have been regulated, there has been no effort whatever to reduce or regulate in any manner the prices farmers must pay for machinery, equipment, or supplies they must have to enable them to carry on their business. The result has been that the price of wheat has been kept down to a point where it is much less profitable to raise that grain than it is to raise any of the other grain crops, and prices of machinery, equipment, and supplies have increased and been permitted to be increased from 50 per cent to 200 per cent over normal times.

My amendment was not offered with the idea that it is necessary to insure large profits to farmers in order to induce them to be patriotic, but as a matter of common justice and as a business proposition from the standpoint of the Government. The Government is demanding and will continue to demand

the largest possible production of wheat. The farmers are patriotic and will sow wheat next year as they sowed it this year, instead of devoting their fields to more profitable grain crops. But is it just or reasonable to demand that they shall do so? The adoption of this amendment will be evidence of the fact that the Government is interested in and willing to do justice to the farmers of the country. I trust it will be adopted. The Senate is waiting for the House to act, and there is no doubt but that it will accept this compromise and the appropriation bill will promptly become law.

The SPEAKER. The time of the gentleman has expired.

Mr. LEVER. Gentlemen of the House, in the first place I want to call your attention to the fact that section 14 of the food-control act was adopted for the purpose of stimulating production last year. [Applause.] The language of the act as it left the House was very greatly modified in the Senate, and the language of the present act is practically the language of the Senate. I want to draw your special attention to the fact that the Senate thought that a guaranteed price of $2 per bushel was sufficient to stimulate the production of enough wheat in this country to supply the needs of our own people and of our allies. The President of the United States, however, acting under the authority granted in this act, of his own volition, differing with Congress in his judgment as to that, guaranteed a price of $2.20 per bushel at the terminal markets on the basis of Chicago. Gentlemen have complained here to-day that somebody, intentionally or unintentionally, is working a great hardship upon the farmers of certain sections of this country. I want these gentlemen to bear in mind the fact that, if my memory serves me correctly, when the conference report on the food-control bill came back to this House there was not a single solitary vote recorded against the adoption of the conference report with this Senate amendment in it making this guaranty $2 a bushel. And that, gentlemen of the House, was in the early days of last August.

Mr. CAMPBELL of Kansas. Will the gentleman yield?

Mr. LEVER. I yield for a question.

Mr. CAMPBELL of Kansas. That was a minimum price, was it not, and never was intended to fix the maximum price?

Mr. LEVER. That was the guaranteed price to the farmer.

Mr. CAMPBELL of Kansas. That it should be not less than that?

Mr. LEVER. That it should be not less than $2 a bushel. The President said it should not be less than $2.20 a bushel. Now, what has happened under that guaranty of $2.20 a bushel?

Mr. FAIRFIELD. Will the gentleman yield?

Mr. LEVER. I am sorry I can not. I have only a little time remaining. I want to get this thing straightened out. What has happened under that guaranty? Has it worked out? Have the farmers increased production? The indications are that we are going to produce the largest crop of wheat this year that has ever been harvested in this country. [Applause.] I agree with gentlemen that two things entered into this large production. One is that the farmer, sensible as he always is, knew that it was better business for him to plant a crop upon which he had a guaranty against loss than to plant crops which were speculative in their outcome. The other is that the farmer of this country is patriotic, and has responded to the demand of the times. [Applause.] Now, there you are. What else? When this question was up before, I said that the Congress of the United States ought not to be called upon to fix the price of farm products, that this is not the proper body to do it. This body may with safety delegate that power; but the moment Congress undertakes that rôle, it transfers every speculative exchange in this country in all kinds of products to the Capital of the United States. [Applause.] You can not afford to do it. Members of Congress are human. Members of Congress are humanly weak, and they try to vote the convictions of their constituents; and in these days of dire stress men have got to rise above the selfishness of a situation. [Applause.]

Now, I want to call your attention to another fact. This bill has been in conference for several months. Notwithstanding some statements made in another body, the delay has not been due to any fault on the part of the House conferees. There have been but 24 hours' delay occasioned by the House conferees, and the chairman of the House conferees had a good reason for that delay. He was working in the interest of this legislation at the time. The delay has been due to other causes, which Members in both bodies, if they will make inquiry, can learn about, and I resent the imputation that the House has deliberately delayed this legislation. We have not.

Now, another thing. It is the unbroken rule in the Congress of the United States that that body which proposes legislation upon an appropriation bill, when the two Houses are deadlocked, should recede. This legislation is proposed on an appropriation bill. It would not have stood against a point of order on the floor of this House. It was put on by the Senate. We have been in deadlock for months. It is up to the other body under the precedents and under the rules to recede. It is not up to this House to recede.

Mr. STEENERSON. Will the gentleman yield?

Mr. LEVER. Oh, I can not. I am sorry. Now, another thing.

Mr. STEENERSON. The gentleman knows that appropriation bills all originate in the House, so that his rule would exclude all Senate amendments proposing legislation.

Mr. LEVER. Of course, the gentleman knows that. The gentleman from South Carolina is not a complete fool.

Mr. MONDELL. Will the gentleman yield?

Mr. LEVER. Just for a question.

Mr. MONDELL. Is the gentleman willing to apply to the District of Columbia appropriation bill the rule he has just announced?

Mr. LEVER. I am not familiar with the District of Columbia appropriation bill. Now, another thing. I said in my statement before that one of the moving causes for the attitude of the House is the fact that Canada, after we fixed the minimum guaranty for wheat in this country for the crop of 1918 at $2.20 at certain markets, immediately followed suit by fixing the guaranty for wheat in Canada upon exactly the same basis. I say to you that we are under obligation to the allies of this country who, through the wheat corporation, are helping us maintain the price of wheat above this guaranty and who are going to help us maintain it for this crop. Ah, I want to say to these gentlemen who criticize this legislation that if you were to take the regulations off, if you were to take from wheat this governmental guaranty, with the strong arm of the Treasury back of it, with the prospect of an enormous yield of wheat in this country for this year, with oceanic transportation tied up as it is, we would not be able to maintain the price of wheat above the level of $1.25 or $1.50 a bushel.

Mr. ALEXANDER. Will the gentleman yield?

Mr. LEVER. Yes.

Mr. ALEXANDER. Does the gentleman think the price of wheat would be $1 or $1.25 a bushel when the great majority of people are eating war bread to-day?

Mr. LEVER. The gentleman from Missouri does not know the situation. The food-control bill was written into law following three of the shortest wheat crops we ever had in this country. There was an enormous shortage of wheat. Something had to be done to control the situation. It was an unusual situation. It was a dangerous situation. It was a situation that demanded extraordinary methods to meet it, and we met it by this legislation. The situation is not so bad to-day. You are going to have more wheat than you know what to do with. I stand here to predict to you in the presence of the great chairman of the great Appropriation Committee that when this Congress meets again he will be called upon to appropriate millions to maintain this guaranty that we have made to the farmers of this country. [Applause.]

The SPEAKER. The time of the gentleman from South Carolina has expired and all time has expired. The Chair wants the House to understand how this vote is to be taken. The first vote is to be taken on the Morgan proposition, the second vote on the McLaughlin proposition, and the third on the Cooper proposition. If it had not been for the unanimous-consent agreement secured by the gentleman from Kentucky [Mr. SHERLEY] the Chair would put the proposition of the gentleman from Wisconsin [Mr. COOPER] first.

Mr. MORGAN. Mr. Speaker, I ask unanimous consent that the motion of the gentleman from Oklahoma be put first and the motion of the gentleman from Wisconsin next.

The SPEAKER. But the unanimous-consent agreement was the other way, and the Chair is governed by it. The question is, first, on the $2.65 proposition, offered by the gentleman from Oklahoma.

The question was taken, and the motion was rejected.

The SPEAKER. The question now is on the McLaughlin proposition, to recede and concur and fix the price of wheat at $2.40.

Mr. LEVER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were yeas 150, nays 107, answered "present" 4, not voting 170, as follows:

YEAS—150.

Alexander	Ayres	Beakes	Bowers
Anderson	Bankhead	Beshlin	Browne
Anthony	Barkley	Blackmon	Burroughs
Aswell	Barnhart	Booher	Byrns, Tenn.

Campbell, Kans.	French	Little	Rose
Cannon	Fuller, Ill.	Littlepage	Rubey
Cantrill	Gandy	Lobeck	Sanders, La.
Carlin	Godwin, N. C.	Longworth	Sanders, N. Y.
Carter, Okla.	Gray, Ala.	McArthur	Saunders, Va.
Classon	Green, Iowa	McClintic	Scott, Mich.
Connelly, Kans.	Greene, Vt.	McKeown	Shallenberger
Cooper, Wis.	Griest	McLaughlin, Mich.	Shouse
Cox	Hadley	McLemore	Sinnott
Crago	Hamilton, Mich.	Magee	Slemp
Crisp	Hamlin	Mapes	Sloan
Davis	Hardy	Mays	Smith, Idaho
Decker	Harrison, Va.	Meeker	Smith, Mich.
Dempsey	Hastings	Merritt	Snook
Denison	Haugen	Miller, Minn.	Steenerson
Denton	Hawley	Miller, Wash.	Strong
Dickinson	Heflin	Mondell	Taylor, Colo.
Dill	Helm	Moon	Temple
Dillon	Helvering	Morgan	Thomas
Dixon	Hensley	Morin	Vestal
Doolittle	Hull, Iowa	Oliver, Ala.	Volstead
Dunn	Johnson, Wash.	Osborne	Waldow
Eagle	Jones	Overmyer	Walton
Elliott	Keating	Polk	Wason
Ellsworth	Kennedy, Iowa	Pou	Watkins
Esch	Kiess, Pa.	Rainey, H. T.	Welling
Evans	King	Raker	Welty
Fairfield	Kinkaid	Ramseyer	Wheeler
Ferris	Knutson	Rankin	Wilson, La.
Fess	Kraus	Reed	Wood, Ind.
Fisher	La Follette	Robbins	Woods, Iowa
Focht	Larsen	Roberts	Zihlman
Fordney	Lazaro	Rodenberg	
Foster	Lesher	Romjue	

NAYS—107.

Almon	Garner	Lundeen	Sims
Bell	Garrett, Tenn.	McAndrews	Sisson
Bland, Va.	Garrett, Tex.	McCulloch	Small
Blanton	Gillett	Mansfield	Smith, C. B.
Borland	Good	Montague	Stafford
Brand	Goodwin, Ark.	Moore, Pa.	Steagall
Buchanan	Gordon	Mott	Stephens, Miss.
Byrnes, S. C.	Griffin	Nicholls, S. C.	Sterling, Ill.
Candler, Miss.	Harrison, Miss.	Nichols, Mich.	Stiness
Cary	Haskell	Nolan	Swift
Chandler, N. Y.	Hayden	Oldfield	Taylor, Ark.
Cleary	Hicks	Oliver, N. Y.	Tinkham
Collier	Hilliard	Overstreet	Treadway
Connally, Tex.	Holland	Padgett	Venable
Crosser	Hull, Tenn.	Park	Vinson
Dallinger	Humphreys	Parker, N. J.	Walker
Darrow	Igoe	Platt	Walsh
Dent	Jacoway	Pratt	Webb
Drane	Johnson, Ky.	Quin	White, Me.
Dupré	Kahn	Rainey, J. W.	White, Ohio
Eagan	Kitchin	Randall	Wilson, Ill.
Fairchild, B. L.	Lea, Cal.	Robinson	Wilson, Tex.
Fields	Lee, Ga.	Rogers	Wingo
Fuller, Mass.	Lever	Rouse	Wise
Gallagher	Linthicum	Rowe	Wright
Gallivan	London	Sears	Young, Tex.
Gard	Lufkin	Sherley	

ANSWERED "PRESENT"—4.

Huddleston	Langley	McKinley	Sumners

NOT VOTING—170.

Ashbrook	Dyer	Kennedy, R. I.	Sanford
Austin	Edmonds	Kettner	Schall
Bacharach	Elston	Key, Ohio	Scott, Iowa
Baer	Emerson	Kincheloe	Scott, Pa.
Black	Estopinal	Kreider	Scully
Bland, Ind.	Fairchild, G. W.	LaGuardia	Sells
Britten	Farr	Lehlbach	Shackleford
Brodbeck	Flood	Lonergan	Sherwood
Browning	Flynn	Lunn	Siegel
Brumbaugh	Foss	McCormick	Slayden
Burnett	Francis	McFadden	Smith, T. F.
Butler	Frear	McKenzie	Snell
Caldwell	Freeman	McLaughlin, Pa.	Snyder
Campbell, Pa.	Garland	Madden	Stedman
Caraway	Glass	Maher	Steele
Carew	Glynn	Mann	Stephens, Nebr.
Carter, Mass.	Goodall	Martin	Sterling, Pa.
Chandler, Okla.	Gould	Mason	Stevenson
Church	Graham, Ill.	Moores, Ind.	Sullivan
Clark, Fla.	Graham, Pa.	Mudd	Sweet
Clark, Pa.	Gray, N. J.	Neely	Switzer
Claypool	Greene, Mass.	Nelson	Tague
Coady	Gregg	Norton	Talbott
Cooper, Ohio	Hamill	Olney	Templeton
Cooper, W. Va.	Hamilton, N. Y.	O'Shaunessy	Thompson
Copley	Hayes	Paige	Tillman
Costello	Heaton	Parker, N. Y.	Tilson
Cramton	Heintz	Peters	Timberlake
Currie, Mich.	Hersey	Phelan	Towner
Curry, Cal.	Hollingsworth	Porter	Van Dyke
Dale, N. Y.	Hood	Powers	Vare
Dale, Vt.	Houston	Price	Voigt
Davidson	Howard	Purnell	Ward
Delaney	Husted	Ragsdale	Watson, Pa.
Dewalt	Hutchinson	Ramsey	Watson, Va.
Dies	Ireland	Rayburn	Weaver
Dominick	James	Reavis	Whaley
Donovan	Johnson, S. Dak.	Riordan	Williams
Dooling	Juul	Rowland	Winslow
Doremus	Kearns	Rucker	Woodyard
Doughton	Kehoe	Russell	Young, N. Dak.
Dowell	Kelley, Mich.	Sabath	
Drukker	Kelly, Pa.	Sanders, Ind.	

So the motion of Mr. McLAUGHLIN of Michigan, to recede and concur in the Senate amendment with an amendment, was agreed to.

The Clerk announced the following pairs:

On the vote:

Mr. McFADDEN (for) with Mr. DOMINICK (against).

Mr. SANDERS of Indiana (for) with Mr. WHALEY (against).

Mr. WILLIAMS (for) with Mr. McKENZIE (against).

Mr. THOMPSON (for) with Mr. HUDDLESTON (against).

Mr. LANGLEY (for) with Mr. GLASS (against).

Mr. GRAHAM of Illinois (for) with Mr. MADDEN (against).

Mr. MARTIN (for) with Mr. KENNEDY of Rhode Island (against).

Until further notice:

Mr. SLAYDEN with Mr. McKINLEY.

Mr. STEPHENS of Nebraska with Mr. AUSTIN.

Mr. TALBOTT with Mr. BROWNING.

Mr. TILLMAN with Mr. DOWELL.

Mr. STEVENSON with Mr. SNYDER.

Mr. SUMNERS with Mr. REAVIS.

Mr. OLNEY with Mr. GREENE of Massachusetts.

Mr. ASHBROOK with Mr. BACHARACH.

Mr. CALDWELL with Mr. BLAND of Indiana.

Mr. COADY with Mr. COPLEY.

Mr. BRODBECK with Mr. CURRY of California.

Mr. BLACK with Mr. CLARK of Pennsylvania.

Mr. CAMPBELL of Pennsylvania with Mr. BRITTEN.

Mr. CLAYPOOL with Mr. COOPER of Ohio.

Mr. CHURCH with Mr. DAVIDSON.

Mr. BRUMBAUGH with Mr. CARTER of Massachusetts.

Mr. DALE of New York with Mr. DYER.

Mr. CARAWAY with Mr. COOPER of West Virginia.

Mr. DELANEY with Mr. EDMONDS.

Mr. BURNETT with Mr. COSTELLO.

Mr. CLARK of Florida with Mr. DALE of Vermont.

Mr. CAREW with Mr. CHANDLER of Oklahoma.

Mr. STEELE with Mr. BUTLER.

Mr. GREGG with Mr. EMERSON.

Mr. LONERGAN with Mr. GEORGE W. FAIRCHILD.

Mr. ESTOPINAL with Mr. FRANCIS.

Mr. KETTNER with Mr. HUTCHINSON.

Mr. KEY of Ohio with Mr. KEARNS.

Mr. DEWALT with Mr. FREAR.

Mr. NEELY with Mr. KELLEY of Michigan.

Mr. HOOD with Mr. FARR.

Mr. KEHOE with Mr. MUDD.

Mr. DIES with Mr. FREEMAN.

Mr. HOUSTON with Mr. GRAY of New Jersey.

Mr. HAMILL with Mr. MOORES of Indiana.

Mr. DONOVAN with Mr. FOSS.

Mr. LUNN with Mr. HUSTED.

Mr. HOWARD with Mr. GOULD.

Mr. MAHER with Mr. HAYES.

Mr. DOOLING with Mr. GARLAND.

Mr. KELLY of Pennsylvania with Mr. JAMES.

Mr. O'SHAUNESSY with Mr. HEATON.

Mr. FLOOD with Mr. GLYNN.

Mr. PHELAN with Mr. KREIDER.

Mr. FLYNN with Mr. HERSEY.

Mr. KINCHELOE with Mr. LEHLBACH.

Mr. RUCKER with Mr. PARKER of New York.

Mr. STERLING of Pennsylvania with Mr. SWEET.

Mr. TAGUE with Mr. PORTER.

Mr. RUSSELL with Mr. SWITZER.

Mr. WATSON of Virginia with Mr. WINSLOW.

Mr. SULLIVAN with Mr. TILSON.

Mr. WEAVER with Mr. PAIGE.

Mr. SHERWOOD with Mr. WOODYARD.

Mr. PRICE with Mr. YOUNG of North Dakota.

Mr. SABATH with Mr. PURNELL.

Mr. VAN DYKE with Mr. SANFORD.

Mr. SCHALL with Mr. TOWNER.

Mr. RAGSDALE with Mr. SIEGEL.

Mr. STEDMAN with Mr. SNELL.

Mr. SCULLY with Mr. RAMSEY.

Mr. THOMAS F. SMITH with Mr. TINKHAM.

Mr. RAYBURN with Mr. VOIGT.

Mr. SHACKLEFORD with Mr. WATSON of Pennsylvania.

Mr. RIORDAN with Mr. WARD.

Mr. HOLLINGSWORTH. Mr. Speaker, I desire to vote "yea."

The SPEAKER. Was the gentleman in the Hall listening?

Mr. HOLLINGSWORTH. No; I thought it was an automatic call.

The SPEAKER. The gentleman does not bring himself within the rules.

Mr. McKINLEY. Mr. Speaker, I voted "yea," but I am paired with Mr. SLAYDEN, and I desire to withdraw my vote and answer "present."

The name of Mr. MCKINLEY was called, and he answered "Present."

Mr. MAPES. Mr. Speaker, I was requested by my colleague Mr. CRAMTON to say that if he were present he would vote for the increased price of wheat.

Mr. WHEELER. Mr. Speaker, I desire to state that my colleague Mr. WILLIAMS is unavoidably absent, and if he had been here he would have voted "yea."

The result of the vote was announced as above recorded.

On motion of Mr. MCLAUGHLIN of Michigan, a motion to reconsider the vote by which the motion was agreed to was laid on the table.

Mr. LEVER. Mr. Speaker, are there any other motions to be voted on?

The SPEAKER. It seems to the Chair that this vote settles the whole matter.

Mr. LEVER. I think so myself. I desire to make a brief statement, and I would like to have the attention of the gentleman from Michigan [Mr. MCLAUGHLIN]. If the gentleman will return to amendment No. 44, line 16, page 99, and follow me, he will see that there is a grammatical error in it. I read:

That whenever the President shall find that an emergency exists requiring stimulation of the production of wheat and that it is essential that the producers of wheat, produced within the United States, shall have the benefits from time to time, seasonably and as far in advance of seeding time as practicable to determine—

And so forth.

There is no predicate there. The language of the original act is:

That whenever the President shall find that an emergency exists requiring stimulation of the production of wheat, and that it is essential that the producers of wheat, produced within the United States, shall shall have the benefits of guaranty provided for in this section, he is authorized, from time to time—

And so forth.

I am going to submit a request for unanimous consent that the conferees be authorized to correct that error.

Mr. HAUGEN. Ought not the correction be made now?

Mr. LEVER. I shall ask unanimous consent that the correction be now made before the matter goes to conference.

Mr. CANNON. Have it done by way of amendment, so that there will be a disagreement; because as I understand it, the Senate now adopts our practice of making the point of order that would defeat the conference report unless there is a disagreement between the two Houses.

Mr. STEENERSON. Does this proposed amendment make it correspond to the existing law?

Mr. LEVER. Yes. Perhaps the best way would be to move to amend the McLaughlin amendment by putting in this language.

The SPEAKER. The gentleman from South Carolina asks unanimous consent to amend the McLaughlin amendment by a certain change in the grammatical form, which the Clerk will report.

The Clerk read as follows:

Page 99, line 19, after the word "benefits," the last word in the line, insert the words "of the guaranty provided for in this section, he is authorized," so that the amended language will read:

"SEC. 14. That whenever the President shall find that an emergency exists requiring stimulation of the production of wheat and that it is essential that the producers of wheat, produced within the United States, shall have the benefits of guaranty provided for in this section, he is authorized, from time to time," etc.

Mr. LEVER. Mr. Speaker, in order to make it regular it seems to me that this ought to be an amendment to the Senate amendment and not an amendment to the McLaughlin proposition, and I ask unanimous consent that it may be considered as an amendment to the Senate amendment.

The SPEAKER. The gentleman asks unanimous consent that this language shall be agreed to as an amendment to Senate amendment No. 44. Is there objection?

Mr. MCLAUGHLIN of Michigan. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. MCLAUGHLIN of Michigan. Simply to say I think the last request of the gentleman from South Carolina is right, because the words which were omitted were not a part of my amendment but another part of the section altogether.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. LEVER. Mr. Speaker, I ask for a further conference and ask that the conferees be appointed.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the conferees.

The Clerk read as follows:

Messrs. LEVER, LEE of Georgia, CANDLER of Mississippi, HAUGEN, and MCLAUGHLIN of Michigan.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. ASHBROOK, for an indefienite period, on account of illness; and

To Mr. STRONG, for one week, on account of important business.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed with amendments joint resolution (H. J. Res. 311) entitled "Joint resolution making appropriations for certain necessary operations of the Government and of the District of Columbia for the month of July, 1918, and for other purposes," in which the concurrence of the House of Representatives was requested.

LEAVE TO PRINT.

Mr. HAUGEN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD.

The SPEAKER. The gentleman from Iowa asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. MORGAN. I make the same request.

Mr. COX. Mr. Speaker, I make the same request.

Mr. MCLAUGHLIN of Michigan. I make the same request.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. ALEXANDER. Mr. Speaker, I desire to make the same request.

Mr. DICKINSON. Mr. Speaker, I make the same request.

Mr. WALSH. Mr. Speaker, I object to any more——

The SPEAKER. The gentleman from Massachusetts objects.

Mr. WALSH. Mr. Speaker, I desire to withdraw my objection to the request of the gentlemen from Missouri.

The SPEAKER. The gentleman withdraws his objection to the request of the two gentlemen from Missouri [Mr. ALEXANDER and Mr. DICKINSON] to extend their remarks. Is there objection? [After a pause.] The Chair hears none.

GENERAL DEFICIENCY BILL—CONFERENCE REPORT (NO. 747).

Mr. SHERLEY. Mr. Speaker, I call up the conference report on the general deficiency bill.

The SPEAKER. The gentleman calls up the conference report on the general deficiency bill, which the Clerk will report by title.

The Clerk read as follows:

An act (H. R. 12600) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes.

The SPEAKER. The Clerk will read the report.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12600) "making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4 and 20.

That the House recede from its disagreement to the amendments of the Senate numbered 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 21, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with amendments as follows: Restore the matter stricken out amended as follows: On page 2 of the bill, line 7, strike out the sum "$110,000,000" and insert in lieu thereof "$100,000,000," and in line 11, of the same page, strike out the sum "$50,000,000" and insert in lieu thereof "$40,000,000"; and the Senate agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In line 4 of the matter inserted by said amendment, before the sum "$25,000," insert the following: "fiscal year 1919"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: Transpose the matter inserted by said amendment to follow line 5, on page 26 of the bill; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In line 2 of

the matter inserted by said amendment after the word "Senators" insert the following: "fiscal year 1919"; and the Senate agree to the same.

SWAGAR SHERLEY,
JOHN J. EAGAN,
J. G. CANNON,
Managers on the part of the House.
THOMAS S. MARTIN,
O. W. UNDERWOOD,
F. E. WARREN,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on amendments of the Senate to the bill (H. R. 12600) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report as to each of said amendments, namely:

On No. 1: Appropriates $40,000,000 for housing for war needs, instead of $50,000,000 as proposed by the House, and nothing as proposed by the Senate.

On No. 2: Appropriates $25,000, as proposed by the Senate, for additional for a sea wall along the Delaware River at the Frankford Arsenal, and continues during the fiscal year 1919 the appropriation of $36,000 made for that purpose for the fiscal year 1918.

On No. 3: Appropriates $33,000,000, as proposed by the Senate, to fulfill contract obligations for medical supplies for the Army.

On No. 4: Strikes out the appropriation of $10,000, proposed by the Senate, to enable the Geological Survey to explore and make accessible water holes on arid lands in the West.

On Nos. 5, 6, 7, 8, 9, and 10, relating to the Senate: Appropriates for employees and expenses of the Senate in amounts proposed by the Senate.

On Nos. 11 and 12: Appropriates $2,000 each to Mark R. Bacon and Samuel W. Beakes, for expenses in a contested-election case determined by the Committee on Elections No. 3.

On No. 13: Inserts the paragraph, proposed by the Senate, increasing the pay of linotype and monotype operators, makers up, proof readers, pressmen, compositors, bookbinders, and bookbinding machine operators in the Government Printing Office.

On Nos. 14, 15, 16, 17, 18, and 19: Appropriates, as proposed by the Senate, for the payment of judgments rendered by the Court of Claims and certified to Congress after the bill had passed the House.

On No. 20: Strikes out the paragraph, proposed by the Senate, for payment of interest on certain items in a judgment rendered by the Court of Claims, May 18, 1905, in favor of the Cherokee Nation.

On No. 21: Appropriates, as proposed by the Senate, for claims allowed by the accounting officers of the Treasury Department and certified to Congress for payment after the bill had passed the House.

SWAGAR SHERLEY,
JOHN J. EAGAN,
J. G. CANNON,
Managers on the part of the House.

Mr. SHERLEY. Mr. Speaker, the differences between the House and the Senate on the general deficiency bill were touching matters which were more or less inconsequential with two exceptions. The House will recall that as the bill passed the House it carried provision for $50,000,000 additional for housing purposes in connection with war activities. The Senate struck out that provision which increased the authorization from $60,000,000 to $110,000,000 and provided the $50,000,000 additional. The conferees agreed to $40,000,000 in place of the House provision of $50,000,000. It was strongly urged by the Senate that this gave a total of $100,000,000 to the Housing Commission and that that sum was more than sufficient to enable them to do all pending work that was pressing, and that if later on, after they had had some experience, it was found that additional moneys were desired then the Congress could determine whether or not such additional amounts should be granted; but in view of the fact that the Senate had insisted on no allowance, no additional sum, the conferees on the part of the House felt warranted in agreeing to this compromise which gave $40,000,000 in place of the $50,000,000. The other item of magnitude is one relating to $33,000,000 asked for by the Medical Corps of the Army to take care of contract authorizations heretofore authorized in one of the previous deficiency bills. It was urged that this indebtedness was incurred and incurred under authority to incur it, and that it ought not to be taken out of the funds for the fiscal year 1919 even if those funds were available for that purpose. As to the latter there seems to be some question, but its being an actual deficiency and authorized the House conferees agreed to the Senate amendment. Now, there are a number of minor amendments which the report deals with, but none of them as I now recall are of any great importance.

Mr. COOPER of Wisconsin. Will the gentleman give the number of those two amendments?

Mr. SHERLEY. Amendment No. 1 is the one relating to housing for war needs, and No. 3 was the amendment relating to the $33,000,000 for the medical supplies of the Army. A number of the other amendments that the House receded from were amendments relating to the expenses of the Senate. As Members are aware, it is customary for one House, in the absence of some overwhelming reason to the contrary, to acquiesce in the amendments touching the expenses of the other body. There was also put on in the Senate, at the suggestion of the House, a provision for the payment of $2,000 each in the contest between Mr. Bacon and Mr. BEAKES for a seat in this House. At the time the bill was prepared in the House the Election Committee having that contest before them had not made the formal certification of these election expenses and therefore we were unable to carry it.

There was an amendment, also, touching the payment of certain interest upon a debt due to the Indians, that the Senate receded from, the House urging the recession on the ground that the decision of the Court of Claims was a decision for the payment of money into the Treasury, whereas the form of the Senate amendment seemed to authorize the payment of the additional interest to an agent of this tribe. And inasmuch as the Senate had passed a bill dealing with the matter, which is on the Speaker's table, and that there has been a House bill reported out by the Committee on Indian Affairs, and there was some question as to whether this was not a claim rather than a judgment, it was believed by the conferees it was better that the matter come up in a formal way, by consideration in either the Senate or the House bill, and not be acted on in connection with the conference report, where the opportunity for full inquiry did not present itself.

Now, if there are any other matters——

Mr. WALSH. Will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. WALSH. I notice that on pages 33 to 40, inclusive, in the printed bill there evidently has been a mistake made by including some pension claims, and I wondered whether these items were in the original papers?

Mr. SHERLEY. That was simply a mistake in binding the unofficial copy which the gentleman has.

Mr. WALSH. It seems to be just one section.

Mr. SHERLEY. I will say to the gentleman we carry in this bill no claims as such; I mean claims in the full sense of the term. Nothing but what are judgments or audited claims, which are always paid on presentaion, did we carry into the bill.

Mr. WALSH. I simply wanted to make sure they were not in the original papers.

Mr. SHERLEY. I am obliged to the gentleman.

Mr. Speaker, I ask for a vote on the conference report.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

ENROLLED BILL SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 12600. An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes.

LEAVE OF ABSENCE.

Mr. SMITH of Michigan, by unanimous consent, was granted leave of absence indefinitely on account of important business.

DISPOSITION OF NOBEL AWARD TO MR. ROOSEVELT.

Mr. GALLIVAN and Mr. JONES rose.

The SPEAKER. Which gentleman addressed the Chair?

Mr. GALLIVAN. I did. I ask unanimous consent to address the House for five minutes.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to address the House for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. GALLIVAN. Mr. Speaker, I have just received a communication from a former President of the United States, which I have been asked to lay before the House immediately, and I do not propose to do other than read his letter, which is as follows:

NEW YORK, *July 2, 1918.*

MY DEAR CONGRESSMAN GALLIVAN: After the peace of Portsmouth I was awarded the Nobel prize medal. This carried with it the gift to me of the sum of about $40,000. The gift was to me outright, but I did not care to use it for myself under the circumstances, so I gave it as a foundation for an industrial peace fund. Congress created a commission to receive and use it. It seems, however, that it did not prove practicable to make the use intended of the money. Nothing whatever has been done with it and it still is in the hands of the commissioners. We are now in a great crisis and the utmost demand is being made upon the charity of every man and woman, rich or poor. Under these circumstances I do not think it right that this money should lie idle; and I do think it most appropriate that the Nobel peace prize fund should be used through appropriate organizations to care for our soldiers, and for the widows and children and mothers of our soldiers in this great war, waged to secure the only kind of peace worth having—the peace which is founded on right and justice and mercy.

Accordingly I am writing to you and to Senator WILLIAMS to ask if you will not put this communication immediately before the two Houses of Congress. I desire Congress to give me back, or rather authorize and direct the commissioners created under the prior law of Congress to give me back, the Nobel peace prize fund. I shall then at once apply it for purposes above indicated, through the Red Cross, the Young Men's Christian Association (both white and colored branches), the Knights of Columbus, the Jewish war fund, and any similar organizations which I may think at the moment would do peculiarly good work. At the end of the year I will report to you and to Senator WILLIAMS the exact disposition made of the fund, sending you if you so desire the full correspondence, the stubs of the checks, etc.

I feel that, as the money was given to me to be used as I desired, the proper course to take is the one I have requested. But I feel much more strongly that in any event the money should no longer remain as a "talent wrapped in a napkin and buried in the ground," but should be used to help meet the needs created by this terrible war. Accordingly if there is objection to having me receive and dispose of it as above outlined, I ask that the money be turned over to a committee composed of yourself and Senator WILLIAMS and the Speaker of the House, who will report by the end of the year to Congress the disposal of the funds they have made; or, if you feel that such extra work should be undertaken by those not pressed by public business, I suggest that you turn the money over to a committee of three, consisting of Mrs. Thomas J. Preston, widow of the late President Cleveland; Maurice Egan, late minister to Denmark; and Nathaniel Elsberg, former State senator of New York. They could report in similar fashion.

The essential thing is that immediate action be taken. Senator LODGE and Congressman LONGWORTH know about the fund, and Mr. Oscar Straus is one of the gentlemen now interested with its administration. I think the Chief Justice is another. I do not see that there can be any objection on grounds of policy to using this idle money immediately for this most worthy of purposes. If there is objection to the money being distributed as above outlined by me, the doner, then I request that either of the committees I have suggested, or some similar committee which may commend itself to your judgment, be appointed to distribute the fund. In any event I trust there will be immediate action.

Faithfully, yours,

(Signed) THEODORE ROOSEVELT.

Hon. JAMES A. GALLIVAN,
House of Representatives, Washington, D. C.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed with amendments bills of the following titles, in which the concurrence of the House of Representatives was requested:

H. R. 12099. An act to confer on the President power to prescribe charter rates and freight rates and to requisition vessels, and for other purposes;

H. R. 11048. An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department, approved September 2, 1914, as amended by the [illegible] approved June 12, 1917; and

H. R. 8938. An act to equip the United States penitentiary at Atlanta, Ga., for the manufacture of supplies for the use of the Government, for the compensation of prisoners for their labor, and for other purposes.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the amendment of the Senate numbered 44 to the bill (H. R. 9054) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1919.

ARMY APPROPRIATIONS—CONFERENCE REPORT (NO. 746).

Mr. DENT. Mr. Speaker, I move to take from the Speaker's table the conference report on the bill H. R. 12281, the Army appropriation bill.

The SPEAKER. The gentleman from Alabama calls up a conference report, which the Clerk will report.

The Clerk read as follows:

Conference report on the bill (H. R. 12281) making appropriations for the support of the Army for the fiscal year ending June 30, 1919.

Mr. DENT. Mr. Speaker, I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman from Alabama asks unanimous consent that the statement be read in lieu of the report. Is there objection?

There was no objection.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12281) making appropriations for the support of the Army for the fiscal year ending June 30, 1919, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 28, 40, 43, 47, 51, 52, 57, 58, 59, 66, 68, 70, 72, 76, 85, 111, 114, 115, 117, 120, 121, and 122.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 41, 44, 45, 46, 48, 50, 55, 56, 60, 63, 64, 67, 73, 75, 77, 78, 79, 80, 81, 82, 83, 84, 86, 87, 88, 90, 91, 92, 93, 97, 98, 99, 100, 101, 102, 112, 113, and 119, and agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert: "and any building, plant, or factory, acquired since April 6, 1917, including the lands upon which the plant or factory may be situated"; and the Senate agree to the same.

Amendment numbered 42: That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert:

"Appointment from staff corps to line of Army: That hereafter the President be, and he is hereby, authorized, by and with the advice and consent of the Senate, to appoint any chief of a staff corps, department, or bureau of the Army who has had 40 or more years of service in the Army a major general of the line of the Army. The officers so appointed shall not exceed two, and shall be extra numbers in the list of major generals of the line."

And the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate insert "$35,000,000"; and the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate insert "$147,000,000"; and the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate insert "$175,100,000"; and the Senate agree to the same.

Amendment numbered 61: That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate insert: "$80,000,000"; and the Senate agree to the same.

Amendment numbered 62: That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert:

"Persons killed on Mexican border: To enable the Secretary of War to pay to the heirs or to the legal representatives of citizens of the United States killed on the American side of the line at El Paso, Tex.; Douglas, Ariz.; and other points as found and ascertained by the commissioners appointed pursuant to the joint resolution entitled 'Joint resolution directing the Secretary of War to investigate the claims of American citizens for damages suffered within American territory and growing out of the late insurrection in Mexico,' approved August 9, 1912, the sum of $71,000."

And the Senate agree to the same.

Amendment numbered 65: That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert:

"Increase in Medical Department: That the Medical Department of the Regular Army be, and is hereby, increased by one assistant surgeon general, for service abroad during the present war, who shall have the rank of major general, and two assistant surgeons general, who shall have the rank of brigadier general,

all of whom shall be appointed from the Medical Corps of the Regular Army.

"That the President may nominate and appoint in the Medical Department of the National Army, by and with the advice and consent of the Senate, from the Medical Reserve Corps of the Regular Army not to exceed two major generals and four brigadier generals.

"That the commissioned officers of the Medical Corps of the Regular Army, none of whom shall have rank above that of colonel, shall be proportionately distributed in the several grades as now provided by law.

"That the commissioned officers of the Medical Reserve Corps of the Regular Army, none of whom shall have rank above that of colonel, shall be proportionately distributed in the several grades as now provided by law for the Medical Corps of the Regular Army: *Provided*, That nothing in this act shall be held or construed so as to discharge any officer of the Regular Army or deprive him of a commission which he now holds therein."

And the Senate agree to the same.

Amendment numbered 69: That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment as follows: On page 17, in lines 16 and 17 of the engrossed amendment, strike out the words "organized as are Infantry bands"; and the Senate agree to the same.

Amendment numbered 71: That the House recede from its disagreement to the amendment of the Senate numbered 71, and agree to the same with an amendment as follows: On page 19, lines 2 and 3 of the engrossed amendments, strike out the words "Empire of which he and has race have been unwilling subjects" and insert the following: "Imperial Governments of Germany and Austria-Hungary"; and the Senate agree to the same.

Amendment numbered 74: That the House recede from its disagreement to the amendment of the Senate numbered 74, and agree to the same with an amendment as follows: In line 6, of the last paragraph on page 27 of the engrossed amendments, after the word "served," insert "not less than 90 days in the War with Spain, and who have received an honorable discharge from the service, and who served"; and the Senate agree to the same.

Amendment numbered 89: That the House recede from its disagreement to the amendment of the Senate numbered 89, and agree to the same with an amendment as follows: On page 31, lines 21 and 22 of the engrossed amendments, strike out the comma after the word "appropriations" and the following: "and same are hereby made immediately available"; and the Senate agree to the same.

Amendment numbered 94: That the House recede from its disagreement to the amendment of the Senate numbered 94, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert:

"Governors to appoint property officers: That the first sentence of the third paragraph of section 67 of an act entitled 'An act for making further and more effectual provision for the national defense, and for other purposes,' approved June 3, 1916, be, and the same is hereby, amended to read as follows:

"'The governor of each State and Territory and the commanding general of the National Guard of the District of Columbia shall appoint, designate, or detail, subject to the approval of the Secretary of War, The Adjutant General, or an officer of the National Guard of the State, Territory, or District of Columbia, who shall be regarded as property and disbursing officer of the United States.'"

And the Senate agree to the same.

Amendment numbered 95: That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert:

"CHAPTER IV.

"Payments from total available balances: That during the present emergency when pressing obligations are required to be paid by a disbursing officer of the Army and the allotment to his official credit under the proper appropriation or appropriations is temporarily insufficient to pay the same, he is authorized to make payments from the total available balance to his official credit, provided sufficient funds under proper appropriation or appropriations have been appropriated by the chief officer of the bureau or department for the expenditure. When such disbursements are made, the accounts of the disbursing officer shall show the charging of the proper appropriations, and the balances thereunder, which will be adjusted by the disbursing officer on receipt of funds, or by the accounting officer of the Treasury."

And the Senate agree to the same.

Amendment numbered 96: That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment as follows: In lieu of the matter proposed insert:

"CHAPTER V.

"Army Nurse Corps: That the Nurse Corps (female) of the Medical Department of the Army shall hereafter be known as the Army Nurse Corps, and shall consist of one superintendent, who shall be a graduate of a hospital-training school having a course of instruction of not less than two years; of as many chief nurses, nurses, and reserve nurses as may from time to time be needed and prescribed or ordered by the Secretary of War, and, in the discretion of the Secretary of War, of not exceeding six assistant superintendents, and, for each Army or separate military force beyond the continental limits of the United States, one director and not exceeding two assistant directors of nursing service, all of whom shall be graduates of hospital-training schools and shall have passed such professional, moral, mental, and physical examination as shall be prescribed by the Secretary of War.

"SEC. 2. That rules and regulations prescribing the duties of the members of the Army Nurse Corps shall be prescribed by the Surgeon General of the United States Army, subject to the approval of the Secretary of War.

"SEC. 3. That the superintendent shall be appointed by, and, at his discretion, be removed by, the Secretary of War; that all other members of said corps shall be appointed by, and, at his discretion, be removed by, the Surgeon General by and with the approval of the Secretary of War; but the assistant superintendents, the directors, the assistant directors, and the chief nurses shall be appointed by promotion from other members of the corps, and shall, upon being relieved from duty as such, unless removed for incompetency or misconduct, revert to the grades in the corps from which they were promoted.

"SEC. 4. That the annual rate of pay of the members of said corps shall be as follows: Superintendent, $2,400; assistant superintendents and directors, $1,800; assistant directors, $1,500; chief nurses, $120 in addition to the pay of a nurse; nurses, $720 for the first period of three years' service, $780 for the second period of three years' service, $840 for the third period of three years' service, $900 for the fourth period of three years' service, and $960 after 12 years' service in said corps (including in all cases time of service as contract nurse); reserve nurses, when upon active duty, will receive the same pay as nurses who have served in the corps for periods corresponding to the full period of their active service; and all members of said corps, in addition to the foregoing, the sum of $10 per month when serving beyond the continental limits of the United States (excepting Porto Rico and Hawaii).

"SEC. 5. That members of said Nurse Corps shall be entitled to cumulative leave of absence with pay at the rate of 30 days for each calendar year of service in said corps, not exceeding, however, 120 days at one time, and in addition thereto sick leave not exceeding 30 days in any one calendar year in cases of illness or injury incurred in the line of duty.

"SEC. 6. That members of said Nurse Corps shall receive transportation and necessary expenses when traveling under orders, and such allowances of quarters and subsistence and, during illness, such medical care as may be prescribed in regulations by the Secretary of War; and when at places where no public quarters are available, commutation in lieu thereof, and of heat and light therefor at such rates and upon such conditions as are now or shall hereafter be provided by law.

"SEC. 7. That section 19 of chapter 192 of Thirty-first Statutes, page 753; chapter 50 of Thirty-seventh Statutes, page 72; that part of the act approved August 24, 1912 (37 Stat., p. 575), providing for allowances, subsistence, and medical care during illness for the superintendent of the Nurse Corps; and that part of the act approved March 23, 1910 (36 Stat., p. 249), prescribing the pay of the superintendent and members of the Nurse Corps, be, and the same are, hereby repealed."

And the Senate agree to the same.

Amendment numbered 103: That the House recede from its disagreement to the amendment of the Senate numbered 103, and agree to the same with an amendment as follows: Insert at the beginning of the amendment, before the word "That," a subhead as follows: "Registration and drafting of aliens:"; and the Senate agree to the same.

Amendment numbered 104: That the House recede from its disagreement to the amendment of the Senate numbered 104, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following:

"SEC. 4. That the second sentence of section 2 of the act entitled 'An act to authorize the President to increase temporarily

the Military Establishment of the United States,' approved May 18, 1917, be, and is hereby, amended to read as follows:

"That such draft as herein provided shall be based upon liability to military service of all male citizens or male persons not alien enemies who have declared their intention to become citizens between the ages of 21 and 30 years, both inclusive, and shall take place and be maintained under such regulations as the President may prescribe not inconsistent with the terms of this act: *Provided*, That a citizen or subject of a country neutral in the present war who has declared his intention to become a citizen of the United States shall be relieved from liability to military service upon his making a declaration, in accordance with such regulations as the President may prescribe, withdrawing his intention to become a citizen of the United States, which shall operate and be held to cancel his declaration of intention to become an American citizen and and he shall forever be debarred from becoming a citizen of the United States."

And the Senate agree to the same.

Amendment numbered 105: That the House recede from its disagreement to the amendment of the Senate numbered 105, and agree to the same with an amendment as follows: In lieu of the words "Chapter XIV" insert "Chapter XIII"; and the Senate agree to the same.

Amendment numbered 106: That the House recede from its disagreement to the amendment of the Senate numbered 106, and agree to the same with an amendment as follows: In lieu of the words "Chapter XV" insert "Chapter XIV"; and the Senate agree to the same.

Amendment numbered 107: That the House recede from its disagreement to the amendment of the Senate numbered 107, and agree to the same with an amendment as follows: In lieu of the words "Chapter XVI" insert "Chapter XV"; and the Senate agree to the same.

Amendment numbered 108: That the House recede from its disagreement to the amendment of the Senate numbered 108, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert:

"That the act entitled 'An act to authorize condemnation proceedings of lands for military purposes,' approved July 2, 1917, as amended by an act approved April 11, 1918, be, and the same is hereby, amended, and its provisions in all respects together with all its privileges and benefits are hereby extended to the right of condemnation of standing or fallen timber, sawmills, camps, machinery, logging roads, rights of way, equipment, materials, supplies, and any works, property, or appliances suitable for the effectual production of such lumber and timber products, for the Army, Navy, United States Shipping Board, or the United States Shipping Board Emergency Fleet Corporation. That the right to institute such condemnation proceedings is hereby conferred upon the Secretary of War, the Secretary of the Navy, and the chairman of the United States Shipping Board and the United States Shipping Board Emergency Fleet Corporation, individually or collectively. Such right of condemnation shall be exercised by such officials only for the purpose of obtaining such property when needed for the production, manufacture, or building aircraft, dry docks, or vessels, their apparel or furniture, for housing of Government employees in connection with the Army, Navy, or the United States Shipping Board and the United States Shipping Board Emergency Fleet Corporation, and for the procurement of materials and equipment for aircraft, dry docks, and vessels. The jurisdiction of such condemnation proceedings is hereby vested in the district courts of the United States where the property which is sought to be condemned or any part thereof is located or situated, regardless of the value of the same.

"And the President is hereby authorized through any department or the United States Shipping Board or said Fleet Corporation to sell and dispose of any lands or interests in real estate acquired for the production of lumber and timber products, and to sell any logs, manufactured or partly manufactured or otherwise procured for the Army, Navy, or United States Shipping Board Emergency Fleet Corporation, or resulting from such manufacture or procurement, either to individuals, corporations, or foreign states or governments, at such price as he shall determine acting through his above representatives selling or disposing of the same, and the proceeds of such sale shall be returned to the appropriations which bore the expense of such procurement."

And the Senate agree to the same.

Amendment numbered 109: That the House recede from its disagreement to the amendment of the Senate numbered 109, and agree to the same with an amendment as follows: On page 62, in line 1, of the engrossed amendments strike out "XVIII" and insert "XVI"; also in line 4 of the same amendment strike out the words "to do so" and insert "it"; and the Senate agree to the same.

Amendment numbered 110: That the House recede from its disagreement to the amendment of the Senate numbered 110, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert:

"CHAPTER XVII.

"Amending the national-defense act, etc.: That certain sections of the act entitled 'An act for making further and more effectual provision for the national defense, and for other purposes,' approved June 3, 1916, be, and the same are hereby, amended as follows:

"That section 10 of said act be, and is hereby, amended by striking out the word 'farrier' wherever it occurs in said section and substituting therefor the words 'stable sergeant'; change the period at the end of the second paragraph of said section to a colon and add the following: '*And provided further*, That any person who at the time of the approval of this act shall be and has been an officer of the Medical Reserve Corps, or contract surgeon, on active duty for 12 years subsequent to 1898, shall be eligible for appointment as first lieutenant in the Medical Corps, subject to examination: *And provided further*, That any officer so eligible who fails to pass the physical examination by reason of disability incurred in line of duty shall be retired with the pay and allowances of a first lieutenant of the Medical Corps.'

"Sec. 2. That section 22 of said act be, and is hereby, amended by striking out the period at the end thereof, substituting therefor a colon, and adding thereto the following: '*Provided*, That one of the enlisted men at each main recruiting station who has been detached for duty at such station under the provisions of the act of Congress approved February 2, 1901, may, in the discretion of the Secretary of War, have the rank, pay, and allowances of a first sergeant of Infantry.'"

"SEC. 3. That the second paragraph of section 24 of said act down to the third proviso in said paragraph be, and is hereby, amended to read as follows:

"'Vacancies in the grade of second lieutenant, however arising in any fiscal year, shall be filled by appointment in the following order: (1) Of cadets graduated from the United States Military Academy during the preceding fiscal year for whom vacancies did not become available during the fiscal year in which they were graduated; (2) under the provisions of existing law of enlisted men, including officers of Philippine Scouts, between the ages of 21 and 34 years, whose fitness for promotion shall have been determined by competitive examination, and of members, including officers, of the Organized Militia, the National Guard, or Naval Militia, between the ages of 21 and 34 years who have had at least 90 days' actual Federal military service during the calendar year 1916, or subsequent thereto, and whose fitness for promotion shall have been determined by examination; (3) of commissioned officers of the National Guard between the ages of 21 and 27 years, not otherwise provided for herein; (4) of members of the Officers' Reserve Corps, between the ages of 21 and 27 years; (5) of such honor graduates between the ages of 21 and 27 years of distinguished colleges as are now or may hereafter be entitled to preference by general orders of the War Department; and (6) of candidates from civil life between the ages of 21 and 27 years; and the President is authorized to make the necessary rules and regulations to carry these provisions into effect: *Provided*, That the President is hereby authorized to waive the maximum age limit prescribed by law for appointment as second lieutenant in the Regular Army in the case of any candidate for such appointment who has successfully completed or who may hereafter successfully complete the required examination for such appointment before arriving at the prescribed maximum age limit; but no appointment of any such candidate shall be made to any vacancy which did not exist upon the date he successfully completed the required examination for appointment; and persons appointed under the provisions of this proviso shall be appointed with the rank and date of rank with which they would have been appointed if their appointment had not been prevented by reason of the maximum age limit prescribed by law.'

"SEC. 4. That the last proviso of section 24 of said act be, and is hereby, amended by substituting the word 'colonel' for the word 'major' therein.

"SEC. 5. That section 28 of said act be, and is hereby, amended by striking out the period at the end thereof, substituting therefor a colon, and adding the following:

"'*Provided*, That enlisted men who are now qualified, or who may hereafter qualify, as expert military telegraphers, shall receive $5 a month; as first-class military telegraphers, $3 a month; as military telegraphers, $2 a month; all in addition to

their pay, under such regulations as the Secretary of War may prescribe, but no enlisted man shall receive at the same time additional pay for more than one of the classifications named.'

"SEC. 6. That section 31 of said act be, and is hereby, amended by striking out the words "travel expenses and pay at the rate of their respective grades in the Regular Army during such periods of training," occurring in lines 9, 10, and 11, and substituting therefor the following: 'From the date of their departure to place where ordered pay and allowances at the rate of their respective grades in the Regular Army, transportation, and reimbursement of cost of subsistence at such rate as may be fixed by the Secretary of War during travel from home to place where ordered and return to home, and subsistence in kind during period not in transit and while in service.'

"SEC. 7. That section 42 of said act be, and is hereby, amended by striking out the period at the end thereof, substituting therefor a colon, and adding the following: '*Provided further*, That upon the recommendation of the professor of military science and tactics of any such institution, the authorities thereof may discharge a member of the Reserve Officers' Training Corps from such corps and from the necessity of completing the course of military training as a prerequisite to graduation.'

"SEC. 8. That section 51 of said act be, and is hereby, amended by striking out the words 'prior to the date of this act,' in line 3 thereof, and substituting therefor the words 'prior to July 1, 1919.'

"SEC. 9. That the fiftieth paragraph of section 55 of said act be, and is hereby, amended to read as follows:

"'Enlisted men of the Enlisted Reserve Corps shall receive the pay and allowances of their respective grades, but only when ordered into active service and from the date of their departure to place where ordered, transportation and reimbursement of cost of subsistence at such rate as may be fixed by the Secretary of War during travel from home to place where ordered and return home and subsistence in kind during period not in transit and while in service: *Provided*, That said enlisted men shall not be entitled to retirement or retirement pay: *Provided further*, That when any enlisted man of the Enlisted Reserve Corps shall be ordered to active service for purposes of instruction or training he may be paid at any time after the date such order shall become effective for the period from the date of leaving home to date of return thereto as determined in advance, both dates inclusive, and such payment, if otherwise correct, shall pass to the credit of the disbursing officer making the same.'

"SEC. 10. That section 125 of said act be, and is hereby, amended by striking out the period at the end thereof, substituting therefor a colon, and adding thereafter the following: '*Provided*, That hereafter, upon the discharge or furlough to the reserve of an enlisted man, all uniform outer clothing then in his possession, except such articles as he may be permitted to wear from the place of termination of his active service to his home, as authorized by this section, will be retained for military use; and within four months after such termination of his active service he shall return all uniform clothing, which he was so permitted to retain for wear to his home, by mail, under a franked label which shall be furnished him for the purpose, and in conformity with the instructions given him at the time of such termination of his active service; and in case he shall fail to return the same within such period, and in accordance with such instructions, he shall be deemed guilty of a misdemeanor, and, upon conviction, suffer the punishment prescribed by this section: *Provided further*, That upon the release from Federal service of an enlisted man of the National Guard called as such into the service of the United States, all uniform outer clothing then in his possession shall be taken up and accounted for as property issued to the National Guard of the State to which the enlisted man belongs, in the manner prescribed by section 67 of said act: *And provided further*, That when an enlisted man is discharged otherwise than honorably, all uniform outer clothing in his possession shall be retained for military use, and when authorized by regulations prescribed by the Secretary of War, a suit of citizen's outer clothing to cost not exceeding $15 may be issued to such enlisted man: *And provided further*, That officers and members of the National Home for Disabled Volunteer Soldiers may, regardless of the preceding provisions of said act, wear such uniforms as the Secretary of War may authorize.'

"CHAPTER XVIII.

"Graduates of the Military Academy may serve as instructors: That the service of graduates of the Military Academy may be utilized during the months of June, July, August, and September of the year in which they graduate as instructors at the citizens' training camps, and their graduation leave may be taken at the termination of their services as instructors at these camps.

"Transportation of mounts of deceased officers: That hereafter, under such regulations as the Secretary of War may prescribe, authorized mounts of officers who die in the service may, within 90 days after the death of the officer, be transported at public expense from their last duty station to such places within the limits of the United States as may be the home of their families, or as may be designated by their legal representatives or executors, or such mount may be disposed of as directed by such representatives or executors.

"Transportation of baggage of deceased civilian employees: That hereafter, under such regulations as the Secretary of War may prescribe, transportation at public expense may be provided for the baggage of civilian employees who die in the service from their last duty station to such places within the limits of the United States as may be the home of their families or as may be designated by their legal representatives or executors.

"Extension of time for transmitting money accounts: That the Secretary of the Treasury is hereby authorized in time of war, upon request to the Secretary of War, to extend the period during which money accounts covering expenditures from appropriations for the Army may be transmitted to the Auditor for the War Department after their receipt in the War Department from 60 to 90 days.

"CHAPTER XIX.

"Protection of life and property in target practice: That in the interest of the national defense, and for the better protection of life and property on said waters, the Secretary of War is hereby authorized and empowered to prescribe such regulations as he may deem best for the use and navigation of any portion or area of the navigable waters of the United States or waters under the jurisdiction of the United States endangered or likely to be endangered by Coast Artillery fire in target practice or otherwise, or by the proving operations of the Government ordnance proving grounds at Sandy Hook, N. J., or at any Government ordnance proving ground that may be established elsewhere on or near such waters, and of any portion or area of said waters occupied by submarine mines, mine fields, submarine cables, or other material and accessories pertaining to seacoast fortifications, or by any plant or facility engaged in the execution of any public project of river and harbor improvement; and the said Secretary shall have like power to regulate the transportation of explosives upon any of said waters: *Provided*, That the authority hereby conferred shall be so exercised as not unreasonably to interfere with or restrict the food-fishing industry, and the regulations prescribed in pursuance hereof shall provide for the use of such waters by food fishermen operating under permits granted by the War Department.

"SEC. 2. That to enforce the regulations prescribed pursuant to this chapter, the Secretary of War may detail any public vessel in the service of the War Department, or, upon the request of the Secretary of War, the head of any other department may enforce, and the head of any such department is hereby authorized to enforce, such regulations by means of any public vessel of such department.

"SEC. 3. That the regulations made the Secretary of War pursuant to this chapter shall be posted in conspicuous and appropriate places, designated by him, for the information of the public; and every person who and every corporation which shall willfully violate any regulations made by the said Secretary pursuant to this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof in any court of competent jurisdiction shall be punished by a fine not exceeding $500, or by imprisonment (in the case of a natural person) not exceeding six months, in the discretion of the court.

"SEC. 4. That offenses against the provisions of this chapter, or any regulation made pursuant thereto, committed in any Territory or other place subject to the jurisdiction of the United States where there is no court having general jurisdiction of crimes against the United States, shall be cognizable in any court of such place or Territory having original jurisdiction of criminal cases in the place or Territory in which the offense has been committed, with the same right of appeal in all cases as is given in other criminal cases where imprisonment not exceeding six months forms a part of the penalty, and jurisdiction is hereby conferred upon such courts and such courts shall exercise the same for such purposes; and in case any such offense be committed beyond the territorial jurisdiction of any court having jurisdiction thereof, the offense shall be deemed and held to have been committed within the jurisdiction in which the offender may be found or into which he is first

brought, and shall be tried by the court having jurisdiction thereof.

"CHAPTER XX.

"Proceeds from operation of public utilities: That, in case of actual or threatened hostilities, any proceeds received from the operation of a public utility, in connection with engineer operations in the field overseas, shall be available for the purpose of such utility until the close of the fiscal year following that in which the proceeds are received, and a detailed report of such proceeds and application thereof shall be rendered to Congress on forms conforming as far as practicable to those used by American companies in reports to the Interstate Commerce Commission: *Provided*, That the provision of the act of March 23, 1910, making moneys arising from the disposition of serviceable quartermaster material available for the purposes of the appropriation throughout the fiscal year following that in which the disposition was effected, is hereby extended to apply to material supplied to the Army by the Engineer Department.

"Retired officers on active duty: That when any retired officer of the Army is, in the discretion of the President, employed on active duty and assigned to duty in an arm, corps, department, or organization, he shall, for all purposes, except promotion, be considered an officer of such arm, corps, department, or organization while so serving, and shall be an extra number therein.

"Corporal bugler and bugler, first class: That there are hereby created in the Army the grades of corporal bugler, and bugler, first class; and hereafter for each battalion and squadron headquarters of units in which the grade of bugler is now authorized, there shall be one corporal bugler, and for each company, battery, troop, or organization in which the grade of bugler is now authorized there shall be one bugler, first class.

"President authorized to enlist men outside of draft age: That during the present war the President be, and he is hereby, authorized to enlist for service in the offices of the War Department or under its control or on detached service under its jurisdiction men outside the draft ages, and for the same purpose to draft men within such ages, who have been disqualified by minor physical defects for active service in the Army; to establish regulations under which such enlistments may be made, and to fix the pay and allowances of men so enlisted or drafted, which said pay and allowances shall not exceed those of enlisted men of the Regular Army.

"John Q. A. Brett: That the President is authorized to appoint, and, by and with the advice and consent of the Senate, to commission to the grade of captain in the Quartermaster Corps, United States Army, John Q. A. Brett, who was appointed to the grade of first lieutenant in the Quartermaster Corps pursuant to the act of August 29, 1916, and who had over 31 years' service as pay clerk, United States Army."

And the Senate agree to the same.

Amendment numbered 116: That the House recede from its disagreement to the amendment of the Senate numbered 116, and agree to the same with an amendment as follows: Insert, before the word "That," at the beginning of the amendment, a subhead as follows: "Appointment of cadets, Military Academy:"; and the Senate agree to the same.

Amendment numbered 118: That the House recede from its disagreement to the amendment of the Senate numbered 118, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert "Chapter XXIII"; and the Senate agree to the same.

Amendment numbered 123: That the House recede from its disagreement to the amendment of the Senate numbered 123, and agree to the same with an amendment as follows: In line 1, page 86, of the engrossed amendments strike out "XXVI" and insert "XXIV"; in line 2, page 86, of the engrossed amendments before the word "That," insert a subhead as follows: "Condemnation of property for generating electric energy"; in line 14, page 86, of the engrossed amendments strike out "power plant, or" and insert "line or lines"; in line 17, page 86, of the engrossed amendments strike out all after the word "That" down to and including the word "war," in line 21, and insert "nothing herein shall be construed to authorize the appropriation of any property already devoted to such use"; in line 15, page 89, of the engrossed amendments strike out the word "Act" and insert "Chapter"; in line 15 and 16, page 89, of the engrossed amendments strike out the words "the right" and insert "any franchise"; in line 16, page 89, of the engrossed amendments strike out the word "operate" and insert "utilize"; and the Senate agree to the same.

Amendment numbered 124: That the House recede from its disagreement to the amendment of the Senate numbered 124, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert: "That all acts or parts of acts inconsistent with the provisions of this act are hereby repealed"; and the Senate agree to the same.

S. H. DENT, Jr.,
W. J. FIELDS,
JULIUS KAHN,
Managers on the part of the House.

GEO. E. CHAMBERLAIN,
G. M. HITCHCOCK,
F. E. WARREN,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12281) making appropriations for the support of the Army for the fiscal year ending June 30, 1919, submit the following written statement explaining the effect of the action agreed on:

On amendment No. 1 the House receded. This is merely a matter of phraseology.

On amendment No. 2 the House receded, and allowed $500,000 in addition to the House provision for the military information section. This section is doing a very important work in connection with the secret service of the Army.

On amendment No. 3 the Senate receded. This amendment authorized commanding officers to exchange old articles for new ones.

On Nos. 4 and 5 the House receded. These do not make any change other than in verbiage and provide a heading to the item.

On Nos. 6 and 7 the House receded. This changes the phraseology so as to make the language, as it is supposed, more specific.

On Nos. 8 and 9 the House receded. These relate to telephone service in the District of Columbia and toll messages in the Secretary of War's office, so that the same may be handled directly instead of through the Signal Corps.

On No. 10 the House receded, yielding to the Senate provision for a heading for the item.

The House receded on Nos. 11, 12, 13, and 14, which add the words "enlargement, balloon schools, and Government property." This, it was thought, would make the language more specific.

On No. 15 the House receded. This merely strikes out the word "provided."

On Nos. 16 and 17 the House receded. This is a mere transposition of the language.

The House receded on No. 18. This amendment authorizes the President to apportion and allot money for aviation purposes. It also contains a proviso that college education shall not be necessary to qualify a cadet, pilot, military aviator, or other officer in the Aviation Service.

The House receded on Nos. 19, 20, 21, and 22, which provide headings for the paragraphs.

The House receded on Nos. 23 and 24, which are mere changes in phraseology.

The House receded on Nos. 25 and 26, which provide headings for the paragraph.

The House receded with an amendment on No. 27, which authorizes the sale of any building, including the lands upon which any plant or factory is situated. The amendment adds, after the word "factory," in line 23, the following: "acquired since April 6, 1917."

The Senate receded on No. 28, which was a mere repetition of what had gone before.

The House receded on No. 29, extending the sale of guns and ammunition to members of the National Rifle Association and other organizations for the encouragement of small-arms target practice.

The House receded on No. 30 in order to make the language of the section conform to the rest of it.

The House receded on No. 31. There are two provisos in this amendment, the first of which authorizes moneys received from the sale to be deposited to the credit of the appropriation out of which it was originally purchased, and the second authorizes the allotment of $100,000 to the Aircraft Board for the conduct of its business.

On No. 32: The House receded on a mere matter of phraseology.

On No. 33: The House receded, agreeing to the Senate provision for a heading for the item.

On No. 34: The House receded on a matter of phraseology.

On Nos. 35, 36, and 37: The House receded on a heading for the item and a change of phraseology.

On No. 38: The House receded on a heading for the item.

On No. 39: The House receded, giving to Army field clerks allowances and benefits of pay clerks of the Quartermaster Corps and providing that the minimum pay shall be $1,200, and authorizing the same increase for foreign service as is allowed to commissioned officers.

The Senate receded on No. 40, which undertook to extend the war-risk insurance to women serving by official designation overseas as telephone and telegraph operators.

The House receded on No. 41. This is taken care of in the reorganization of the Nurse Corps later in the bill.

The House receded on No. 42 with an amendment. The House yielded on that part of the amendment providing for the appointment of two extra major generals of the line. This is in order to take care of a complicated situation in the Ordnance Department and Quartermaster Corps, and was earnestly urged by the Secretary of War. That portion of this amendment providing for a lieutenant general was stricken out.

The Senate receded on No. 43, which authorized certain retired officers detailed at the Soldiers' Home to be considered on active duty during the war.

The House receded on No. 44. This language is considered necessary in order to carry into effect the law providing commutation of quarters for officers on duty in the field and on foreign service.

The House receded on Nos. 45 and 46, which merely provide a heading for the item.

The Senate receded on No. 47, which leaves the amount as fixed by the House.

The House receded on No. 48, which simply authorizes light and heat for buildings upon military reservations authorized by War Department regulations.

On No. 49 the House receded with an amendment, making the amount $35,000,000 instead of $20,000,000, as provided by the House, and $37,456,787, as provided by the Senate. This increase is due to the fact that payments for damages to private parties for damage by our troops in France are to be taken care of in the last clause of this item.

The House receded on No. 50, which is a proviso merely giving the Secretary of War authority, in his discretion, to connect the water mains of Fort Crook, Nebr., with the city of Omaha. This does not increase the amount.

The Senate receded on No. 51, which provided $100,000 for a filtration plant at Camp Doniphan.

The Senate receded on No. 52, which made it compulsory for the Government to furnish uniforms to officers.

The House receded with an amendment on No. 53, by which the amount was increased from the House figures of $143,603,037 to $147,000,000. The figures provided by the House were those asked for by the department, and the increase was subsequently applied for in the Senate.

On No. 54 the House receded with an amendment, adding $100,000 to the House appropriation under the item "For barracks and quarters."

On No. 55 the House receded, agreeing to the Senate provision for a heading for the item.

On No. 56 the House receded, which is a change of phraseology.

On No. 57 the Senate receded. This provided for the transfer of Point Fermin light station, San Pedro, Cal., from the control of the Department of Commerce to the War Department.

On Nos. 58 and 59 the Senate receded, leaving the amounts as fixed by the House.

On No. 60 the House receded. This merely carries into effect the provision for the transfer of certain lands at Presidio, San Francisco, as heretofore authorized.

On No. 61 the House receded with an amendment, making the total appropriation $80,000,000 instead of $60,000,000, as provided by the House, and $83,653,612, as provided by the Senate. This is for the construction of hospitals, and the House conferees thought perhaps they might not make a mistake in adding to this appropriation.

On No. 62 the House receded, with an amendment providing for the payment of $71,000 to the heirs or legal representatives of citizens of the United States killed on the Mexican border, in pursuance to facts ascertained under joint resolution approved August 9, 1912. The rest of the Senate provision was stricken out by the conferees.

On Nos. 63 and 64 the House receded in a slight change of verbiage.

The House receded, with amendments, on No. 65. This relates to the increase of the Medical Department. The substance of the amendments provide one Assistant Surgeon General, with the rank of major general, for service abroad during the present war, instead of an Assistant Surgeon General with the rank of major general, as provided by the Senate, regardless of the place of service. The Senate amendment authorized the appointment of four major generals and eight brigadier generals in the Medical Department of the National Army. The conferees agreed on two major generals and four brigadier generals. The amendment also provides for the increase of rank in the Medical Reserve Corps to colonel, and provides for their proportionate distribution as provided by law for the Medical Corps of the Army rather than the Navy. The conferees struck out that portion of the amendment authorizing the designation of consultant officers.

The Senate amendment also provided for three Assistant Surgeon Generals, with the rank of brigadier general, for the Medical Department of the Regular Army. The conferees reduced that number to two.

On No. 66 the Senate receded. This provided for the restoration of all Government employees who enter the Army after the expiration of their military service.

On No. 67 the House receded, agreeing to the Senate amendment providing for a heading for the item.

On No. 68 the Senate receded. This provision required that enlisted or drafted men assigned to factories, etc., should receive the same pay as civilians.

On No. 69 the House receded with an amendment. This simply authorizes a band for each regiment of Engineers.

The Senate receded on No. 70, which provided for the equipment, maintenance, and training of foreign troops on American soil.

On No. 71 the House receded with an amendment, striking out the words in lines 3 and 4, page 69, "Empire of which he and his race have been unwilling subjects," and inserting in lieu thereof "Imperial Governments of Germany and Austro-Hungary."

The Senate receded on No. 72, which is the so-called Russian Legion.

The House receded on No. 73, which authorizes the Secretary of War to pay civilian employees in gun factories and arsenals for work done during leave of absence.

On No. 74 the House receded with an amendment. This is a redraft of the medal-of-honor bill, which is adopted substantially as prepared by the War Department. It provides for medals of honor, distinguished-service crosses, and distinguished-service medals. It also authorizes our soldiers to receive foreign decorations from foreign Governments. It further empowers the President to bestow medals and decorations upon officers and men of the forces of our cobelligerents. It further provides for a bronze medal for soldiers of the Spanish-American War and on the Mexican border.

The House receded on No. 75, providing a heading for the item.

The Senate receded on No. 76, which authorized war material to be admitted free of duty.

The House receded on No. 77, providing a heading for the item.

The House receded on No. 78, striking out the word "*Provided.*"

The House receded on No. 79, providing longevity pay for officers of the National Guard and Militia who have entered the forces of the United States otherwise than under section 111 of the act of June 3, 1916.

The House receded on No. 80, providing a heading for the item.

The House receded on Nos. 81 and 82, intended merely to make the language more explicit.

The House receded on Nos. 83 and 84, providing for a heading for the item and striking out the words "*Provided further.*"

The Senate receded on No. 85, providing for the purchase of real estate for military purposes.

The House receded on No. 86, making appropriations for Leon Springs Military Reservation, Tex. This is recommended by the War Department and has been approved by the Military Committee of the House.

The House receded on No. 87. This is the case of Bertram T. Clayton, late a cadet at the United States Military Academy, who had to leave the academy on account of tuberculosis while in attendance as a cadet. It simply retires him as a second lieutenant, as was done last year by Congress in the Military Academy bill in the cases of two other cadets whose cases occurred at the same time.

The House receded on No. 88, authorizing Col. David L. Brainard to be put on the retired list as a brigadier general, on account of his service with the Greely expedition. A private bill on this subject has been favorably reported by the Military Committee of the House.

The House receded on No. 89, with an amendment, providing that the appropriations shall be available for the payment of

obligations incurred prior to the passage of the act. The amendment strikes out the last words, making the appropriation immediately available, as unnecessary.

The House receded on Nos. 90, 91, 92, and 93, which provide for a chapter and a heading for each of these items.

The House receded on No. 94. The object of this amendment is to authorize the appointment of the adjutant generals of the States, in addition to officers of the National Guard, as property and disbursing officers of the United States, it being held that the adjutant general was not an officer of the National Guard.

On No. 95 the House receded with an amendment. This provides a chapter and a heading and new language to the effect that pressing obligations may be paid by the disbursing officer of the Army or person authorized to make payment from the total available balance to the official credit, if sufficient funds under proper appropriations have been apportioned by the chief officer of the bureau for the expenditure. The accounts of the disbursing officer must show the change of the proper appropriations. The amendment strikes out lines 24 and 25, page 96, and inserts in lieu thereof the following: "the allotment to his official credit under the proper appropriation or appropriations is temporarily insufficient to pay the same," and in line 7, page 97, after the word "appropriations," inserts the word "and," and after the word "balances," same line, inserts the word "there."

On No. 96 the House receded with an amendment. This provides for a reorganization of Nurse Corps. It increases the pay but reduces the amount allowed by the Senate. The conferees struck out section 4 of the Senate bill, providing for retirement.

The House receded on No. 97, providing for the payment of claims of enlisted men for the loss of private property. This is a redraft of an old act of 1885, so as to make it applicable in time of war and to make payments more prompt through the order of the commanding officer.

The House receded on No. 98, providing a chapter and heading, with a new proviso, so as to suspend the operation of a law restricting the purchase and distribution of military stores and supplies to the Quartermaster Corps.

The House receded on No. 99, providing a chapter and heading, and also new language, authorizing the President to care for discharged soldiers and sailors of foreign countries on account of physical disability who happen to be in our service, provided the Governments of our cobelligerents make similar provision for our citizens, and that the care and treatment shall not exceed that given to the members of the Army and Navy of the United States.

The House receded on No. 100, providing a chapter and heading and new language. This amendment provides for a mine-planter service. This is the same language as a bill reported by the Military Committee of the House and adopted by the House.

On No. 101 the House receded, providing for a chapter and heading and new language. This amends article 52 of the Articles of War, authorizing the suspension of sentences by the authority competent to execute same, except it does not extend to death. It also amends article 53, by providing when a sentence of dishonorable discharge has been suspended the execution or remission, if the soldier be confined in the disciplinary barracks, must be directed by the Secretary of War. Article 57 is amended so as to dispense with monthly accounts. This is done because under regulations these accounts are now made daily and there is no necessity for their repetition. Article 112 provides for the disposition of personal effects of those who die in the military service, without going through the legal proceedings and formalities now necessary. It names the parties in the order of priority of right to receive the same.

The House receded on No. 102, providing a chapter and heading and new language. This is intended to legalize what was done prior to the passage of the so-called quota or classification bill.

The House receded on No. 103, providing a chapter and heading and new language, which authorizes the registration for military service of aliens residing in the United States with whose Government the United States has concluded an agreement for draft into the military service.

The House receded on No. 104, with amendments as follows: Before the language contained in the amendment of the Senate insert: "That the second sentence of section 2 of the act of May 18, 1917, be amended so as to read as follows." Strike out, in line 25, page 113, and line 1, page 114, "or aliens not enemies who are covered by treaties or conventions as provided in Chapter XII of this act."

The House receded on No. 105, providing a chapter and heading and new language. This provides for the voluntary enlistment in the staff corps of persons between the ages of 41 and 55.

The House receded on No. 106, providing a chapter and heading and new language. This amends the law in regard to prostitution within a reasonable distances of military camps, etc., so as to take care of cases of prostitutes otherwise than in bawdy houses and like places.

On No. 107: The House receded, agreeing to the Senate provision for a chapter and heading and new language. This provides for the creation of a hygiene board for the investigation of venereal diseases.

The House receded on No. 108, with an amendment. The conferees struck out the Senate amendment and substituted an entirely new amendment, by which the act of July 2, 1917, as amended by the act of April 11, 1918, is amended so as to authorize condemnation proceedings necessary for the Army, Navy, and United States Shipping Board or Emergency Fleet Corporation. It confers the right to institute condemnation proceedings upon the Secretary of War, the Secretary of the Navy, and the chairman of the United States Shipping Board. The right to condemn is for the purpose of obtaining property needed for the production, manufacture, or building of aircraft, dry docks, or vessels. The jurisdiction is vested in the United States district courts where the property is sought to be condemned, regardless of value. The President is authorized to dispose of property so obtained.

The House receded on No. 109, providing a chapter and heading and new language. This provides for an Aircraft Production Corporation. It carries an appropriation of $100,000,000 for the purchase, manufacture, and production and sale of aircraft, the United States at all times to be a majority stockholder.

On No. 110 the House receded with various amendments. This is what is known as the omnibus bill, containing various amendments of the national-defense act, together with certain additional amendments, which appear in the bill as passed by the Senate as sections 2 to 15, inclusive, of the amendment No. 110.

The conferees struck out the following language in lines 8 and 9, page 128, of the amendment proposed by the Senate to section 10 of the national-defense act: "and by striking out the eighth proviso of the third paragraph of said section." The object of this amendment to section 10 is to place the enlisted personnel of ambulance companies and field hospitals on a parity with those of other organizations having animal-drawn transportation. The farrier's pay is $21; the stable sergeant's pay is $36. As a consequence there is a constant tendency on the part of the men concerned to seek transfer to other branches of the service at a higher rate of pay. The stable sergeant will perform practically the same work as that performed by a farrier. It is, of course, understood that a farrier performs, in a limited way at least, the duties of a veterinarian. The duties of the farrier in this respect will be performed by the stable sergeant.

The purpose of the amendment with respect to officers of the Medical Reserve Corps is as follows: There are in the Medical Corps of the Army at the present time 25 officers of the Medical Reserve Corps who have served from 13 years and 3 months to 28 years and 4 months as contract surgeons and first lieutenants of the Medical Reserve Corps. They are above the statutory age limit to enter the regular service and are without hope for the future. It is therefore deemed appropriate that these 25 officers be given an opportunity to enter the Medical Corps as first lieutenants and take their chances for promotion in the future. It is proposed to give them limited opportunity for retirement, service as contract surgeons being considered.

The amendment of section 22, as proposed by the Senate, was agreed to. This amendment is desired by the War Department in order to provide pay for certain enlisted men to make their pay commensurate with the duties actually performed. At each of the recruiting stations of the Army one sergeant belonging to the detachment is detailed as acting first sergeant and post quartermaster sergeant for the detachment. It is evident that the pay of these deserving men should be made to correspond to the importance of the duties performed by them.

The amendment of section 24, as proposed by the Senate, was agreed to. There are two reasons for this amendment: (1) By the Army appropriation act approved May 12, 1917, two amendments were made to this section. The first of these amendments purported to set forth six different classifications from which cadets might be appointed to the United States Military Academy. As appearing in the statutes, however, two of these classifications are missing. It is the purpose of the first part of the

present amendment to correct that error. (2) The original section provided for the filling of vacancies "created or caused by the increases due to this act." As all such increases have now been filled, the section has been correspondingly changed in the present amendment so as to cover "all vacancies however arising." Because of this fact, also, the first and second provisos of the original section can no longer have force or effect. Therefore, in making the redraft, these two provisos have been omitted. While making these changes it seemed advisable to bring into the section the second amendment made in the Army appropriation act approved May 12, 1917. This has accordingly been done with slight changes in the way of a more specific statement, but without changing the effect of the former amendment.

The amendment of section 28 of the national defense act, as proposed by the Senate, was disagreed to, except as to what occurs on page 132, between lines 13 and 20, both inclusive. This particular amendment privides for extra pay for military telegraphers. This provision is designed to procure geater efficiency in this banch of the service. It would also harmonize with the provisions of law allowing extra pay to expert marksmen.

The amendment of section 31 of the national-defense act, as proposed by the Senate, was agreed to. Section 31 provides for the Regular Army reserve. Among its provisions is one to the effect that when this reserve or any part thereof is summoned for field training the reservist shall receive "travel allowances and pay at the rate of their respective grades in the Regular Army during such periods of training." It is manifest that under this provision full reimbursement for expenses is not made to the reservist. The amendment strikes out the words quoted above and in lieu thereof inserts provisions which will give full reimbursement for all expenses incurred by the reservist during such period of training.

The amendment of section 42 of the national defense act, as proposed by the Senate, was agreed to. Section 42 authorizes the President to establish units of the Reserve Officers' Training Corps at educational institutions where the authorities agree to establish and maintain a two years' elective or compulsory course of military training, which course, when entered upon by any student, must be completed by him as a prerequisite to graduation. There is no way in which the student may be relieved of the necessity of completing the military training as a prerequisite to graduation, even though from a physical standpoint it should become impossible for him to undergo the training. The proposed amendment is to take care of cases where the professor of military science and tactics is convinced that the student ought not to be obliged to complete his course in military training.

The amendment of section 51 of the national defense act, as proposed by the Senate, was agreed to. Section 51 makes eligible for appointment to the Officers' Reserve Corps, and as a temporary additional second lieutenant, any physically fit male citizen between the ages of 21 and 27 who shall have graduated prior to July 3, 1916, from certain classes of educational institutions. The object of the present amendment is to extend the time within which this privilege may be availed of from June 3, 1916, to July 1, 1919. The law, if thus changed, should give some stimulus to the military courses in the educational institutions mentioned and should produce additional material available for Army service.

The amendment of section 55 of the national defense act, as proposed by the Senate, was agreed to. Section 55 provides for an enlisted reserve corps. While it also provides for ordering members of the reserve into training, it fails to adequately provide for their pay, transportation, and subsistence from the time they leave their homes until they return thereto. The proposed amendment is to correct this deficiency.

The amendment of sections 69 and 111 of the national defense act, as proposed by the Senate, was disagreed to.

The amendment of section 125 of the national defense act, as proposed by the Senate, was agreed to. Section 125 provides for the protection of the uniform of the United States Army. The Army Regulations heretofore attempted to guard against the wearing of the uniform by men discharged from the service, whether honorably or dishonorably. The proposed amendment is intended to give these regulations the force of law by incorporating them in said section 125. In addition, it purposes to provide for furnishing a dishonorably discharged soldier with a suit of citizen's outer clothing not exceeding $15 in cost. This is necessary because an enlisted man is not allowed to have citizen's clothes with him at his stations, and so, upon discharge, would have nothing to wear unless this provision is made. The proposed amendment further permits members of the National Home for Disabled Volunteer Soldiers to wear such uniforms as the Secretary of War may authorize.

Section 2 of this amendment, providing that the number of privates, first class, shall be one-third of the total number in all branches of the service, was disagreed to.

Section 3 of this amendment was agreed to. This section is designed to permit the utilization of graduates of the Military Academy as instructors at citizens' training camps immediately after their graduation.

Section 4 of this amendment, providing for the transportation at public expense of the mounts of officers who die in the service, was agreed to, with an amendment that transportation must be made within 90 days after the death of the officer.

Section 5 of this amendment, providing for the transportation of baggage of civilian employees who die in the service to their home stations, was agreed to.

Section 6 of this amendment, providing for mileage to officers of the Corps of Engineers, Ordnance Department, and Quartermaster Corps to be paid out of appropriations of the different departments, was disagreed to.

Section 7 of this amendment was agreed to. This section provides that the Secretary of the Treasury is authorized in time of war, upon request of the Secretary of War, to extend the period during which money accounts covering expenditures from appropriations for the Army may be transmitted to the Auditor for the War Department after their receipt in the War Department from 60 to 90 days. The large increase of business in time of war makes such extension necessary.

Section 8 of this amendment was agreed to. This section provides for protection of life and property upon the navigable waters of the United States from dangers incident to Coast Artillery target practice or the proving operations of the Ordnance Department, through authorizing the Secretary of War to prescribe needed regulations with respect to the use and navigation of such waters.

Section 9 of this amendment was agreed to. The Engineering Department constructs and operates railway lines in the field of operations in France. Cost of both construction and operation comes out of the appropriations made for such purpose. The income received from the operation of these utilities ought, therefore, it is thought, to be available for the further use of the Engineering Department for the purposes for which the original appropriation was made. This section is intended to accomplish this result. It contains a provision that such proceeds shall be available until the close of the fiscal year following that in which the proceeds are received. This clause is inserted because of the fact that proceeds received during the months of May and June would not be available for the purposes of the utility if the section provided only that they should be available until the close of the fiscal year in which they were received. The proviso making the provisions of the act of March 23, 1910, making moneys arising from the disposition of serviceable quartermaster material available for the purpose of the appropriation throughout the fiscal year following that in which the disposition was effected, is merely applying to the Engineer Corps a method of administration heretofore approved by Congress when it passed said act of March 23, 1910.

Section 10 of this amendment was agreed to. This section provides that when a retired officer of the Army is, in the discretion of the President, employed on active duty and assigned to duty in an arm, corps, department, or organization, he shall, for all purposes except promotion, be considered an officer of such arm, corps, department, or organization, while so serving, and shall be an extra member therein. This provision is necessary at the present time for the reason that the services of a great number of retired Army officers are being availed of. When an officer is retired from active service he is no longer an officer of the arm or branch from which he is retired, but is simply an Army officer. In many cases the statutes expressly require that certain duties may be performed only by an officer of a certain arm, corps, or department. Manifestly, therefore, such duties may not be performed by a retired officer employed on active duty. For example, an inspection required by statute of soldiers' homes, can be performed only by an officer of the Inspector General's Department, and this is a service that can well be rendered by a retired officer; but unless Congress enacts a law of the kind here proposed a retired officer can not perform such service. A like situation arises in matters for the condemnation of properties. The act of June 15, 1917, makes provision of this kind with respect to retired engineer officers. This was found to be necessary in order that retired officers of the Engineer Corps might be detailed on the commission of the District of Columbia or on the Mississippi River Commission. In the existing war situation it is thought that a general act, such as is now proposed, should be passed in order to give freedom in the use of retired officers.

Section 11 of this amendment, providing that separate battalions, squadrons, of like units of any arm, corps, or department shall consist of such numbers and grades of commissioned officers and enlisted men as the President may prescribe, was disagreed to.

Section 12 of this amendment was agreed to. This amendment is desired because of the fact that in the national-defense act, due undoubtedly to oversight, buglers receive the pay of privates. The injustice of this became at once apparent to organization commanders when they realized that the organization buglers received $3 less pay per month than privates, first class. Frequently buglers are excellent men, and because of the fact that they are efficient buglers they are often held in that grade and not promoted to noncommissioned officers because of difficulty in replacing them as buglers. This amendment provides slightly increased pay for most deserving men whose duties are oftentimes more hazardous than those of the average private. This arises from the fact that they are often out as messengers and signalmen, and hence are required on occasions to expose themselves to a greater degree than is the case with men on the line. This section also makes provision for assignment of buglers with proper grade which shall exist in time of peace as well as in time of war.

Section 13 of this amendment, which provided for the creation of certain grades in motorized organizations, was disagreed to.

Section 14 of this amendment was agreed to. This section authorizes the President to enlist for service in the offices of the War Department, or under its control, or on detached service under its jurisdiction, men outside of the draft ages, and men within the draft ages who have been disqualified by minor physical defects for active service in the Army. It further provides that their pay and allowances "shall be fixed by the President in any amounts not to exceed those of the enlisted men in the Regular Army." The purpose of this section is manifest—to procure more man power in the War Department and its detached services without encroaching upon the class of men that is available for active service in the Army.

Section 15 of this amendment was agreed to. This section provides for placing on the retired list, with the grade of captain, John Q. A. Brett, who was appointed to the grade of first lieutenant in the Quartermaster Corps pursuant to the act of August 29, 1916, after more than 31 years' service as pay clerk in the United States Army.

The Senate receded on No. 111, providing for the issue of badges to honorably discharged soldiers.

The House receded on No. 112, providing for a chapter.

The House receded on No. 113, providing a heading for the item.

The Senate receded on No. 114, which was a change in the verbiage.

The Senate receded on No. 115, providing for the taking of a military census of the man power of the country.

The House receded on No. 116, providing a chapter and new language, the effect of which is to give the Vice President the right to nominate two cadets to the Military Academy out of the 20 to be selected from among the honor graduates of institutions.

The Senate receded on No. 117, providing for the enlistment of three or four regiments of mounted volunteers, in addition to the present force, between the ages of 18 and 21 and 31 and 45.

The House receded on Nos. 118 and 119, providing a chapter and a heading for the item.

The Senate receded on Nos. 120 and 121. These amendments relate to the time-measuring devices. The language is left as passed by the House.

The Senate receded on No. 122, providing a chapter and new language, which provided for the retirement of Philippine Scout officers.

The House receded, with an amendment, on No. 123, providing a chapter and new language, authorizing condemnation by private persons or corporations for electric power when to be furnished to the United States. The language was amended as follows: By striking out, in line 21, page 148, the words "power plant" and inserting in lieu thereof "line or lines"; and by striking out, beginning with the word "That," in line 24, page 148, all the language down to and including the word "war," in line 1, page 149, and inserting in lieu thereof the following: "That nothing herein shall be construed to authorize the appropriation of any property already devoted to such use"; also by striking out the words "the right," in lines 13 and 14, page 151, and inserting "any franchise"; and by striking out the word "operate," in line 14, page 151, and inserting the word "utilize."

The House receded on No. 124, with an amendment, striking out the word "any," in line 16, page 151, and inserting in lieu thereof the word "all."

S. H. DENT, Jr.,
W. J. FIELDS,
JULIUS KAHN,
Managers on the part of the House.

Mr. STAFFORD. Mr. Speaker, I would like to prefer a unanimous-consent request, with the permission of the gentleman from Alabama [Mr. DENT]. I notice that amendment No. 123 provides for a grant of water powers under certain conditions. This provision has never been considered in the House, and I ask unanimous consent that amendment No. 123, as amended by the conferees, be read and the time not taken out of the time in the control of the gentleman from Alabama.

Mr. DENT. I have no objection.

PRESIDENT'S MESSAGE—RESTRICTION OF FUEL CONSUMPTION BY BREWERS (H. DOC. NO. 1217).

The SPEAKER laid before the House a message from the President of the United States, which was read and, with the accompanying document, ordered printed in the RECORD and referred to the Committee on Agriculture, as follows:

To the House of Representatives:

In compliance with the resolution of the House of Representatives of June 22, 1918, requesting the President, if not incompatible with the public interest, to report to the House of Representatives whether any order has been issued by the United States Fuel Administration restricting the supply of coal to persons, partnerships, associations, or corporations engaged in the manufacture of brewed malt, fermented, or other intoxicating liquors, and if so, to what extent, I transmit herewith a regulation issued by the United States Fuel Administrator on July 3, 1918, restricting fuel consumption by brewers.

WOODROW WILSON.

THE WHITE HOUSE, *6 July, 1918.*

UNITED STATES FUEL ADMINISTRATION,
Washington, D. C., July 3, 1918.

REGULATION RESTRICTING FUEL CONSUMPTION BY BREWERS.

It appearing to the United States Fuel Administrator, after consultation with the chairman of the War Industries Board, in view of the necessity for conserving the country's resources for the prosecution of the war and in consideration of the increased demand for fuel for industries engaged in the production of munitions and commodities required in the conduct of the war, and the fact that owing to the limitations upon transportation facilities and other causes resulting from the war, there is an insufficient supply of fuel for those purposes and also for all the other purposes existing in normal times, that it is essential to the national security and defense for the successful prosecution of the war, and for the support and maintenance of the Army and Navy, to restrict the consumption of fuel in certain lines of industry; and that among such industries is that of the brewing of beer, ale, porter, and other cereal beverages, as defined in the regulation hereinafter prescribed; and the United States Fuel Administrator hereby finding that the restriction of fuel consumption to the extent specified in said regulation is reasonable, and that such restriction will contribute to the successful outcome of the war through the releasing of fuel and other resources for war purposes, and will result, with other limitations upon the use of fuel in various other lines of industry through the establishing of similar regulations, in an equitable distribution and apportionment of fuel among consumers in accordance with the relatively essential nature of their product to the prosecution of the war;

The United States Fuel Administrator, acting under authority of an Executive order of the President of the United States, dated 23 August, 1917, appointing said administrator, and of subsequent Executive orders, and in furtherance of the purpose of said orders and of the act of Congress therein referred to and approved August 10, 1917, hereby makes and establishes the following regulation, effective until further or other order, and subject to general or specific modification hereafter from time to time, and at any time:

REGULATION RESTRICTING FUEL CONSUMPTION BY BREWERS.

1. That the term "brewer" in this regulation shall be construed to include any person, firm, association, or corporation, engaged in the brewing of alcoholic or nonalcoholic beer, ale, porter, or other cereal beverages.

2. That the term "brewery" shall be construed to mean any building, private or public, in which artificial heat is used to aid in the production of alcoholic or nonalcoholic beer, ale, porter, or other cereal beverages.

3. That no brewer as defined above, shall at any of his breweries consume, burn, or use fuel of any description, including coal, coke, natural gas, fuel oil, or other petroleum products, or use power derived from any such fuel, for or in connection with the brewing of either alcoholic or nonalcoholic cereal beverages, including beer, ale, porter, and beer substitutes, as above defined, during the year beginning July 1, 1918, and ending June 30, 1919, to an amount in excess of 50 per cent of the average annual output of the fuel consumed at such brewery during the period from January 1, 1915, to December 31, 1917.

4. That where it appears that any particular brewery was not in existence on January 1, 1915, then and in such case the period during which it has been in existence prior to January 1, 1918, shall be considered and used as a basis for determining the quantity of fuel that may be consumed under this regulation during the year beginning July 1, 1918.

5. That any brewer as above defined owning and operating more than one brewery for the brewing of alcoholic or nonalcoholic beer, ale, porter, or other cereal beverages, may combine such breweries and use in such combined brewery the fuel allotted to each of such breweries by this regulation, provided the total amount of fuel so used, at such combined brewery shall not be in excess of the amount of fuel permitted to be used by all of such breweries when operated separately.

6. That whenever two or more brewers find that a further fuel economy would result from using in one brewery the allotments of fuel as provided for by this regulation to two or more breweries, then, upon application to the United States Fuel Administration and upon receipt of a permit therefor, such brewers may use the aggregate allotments of fuel to their respective breweries at one or more breweries operated jointly by them, provided the amount of fuel so used shall not exceed the amount of fuel permitted to be used by all such breweries when operated separately.

7. That any such brewer, violating or refusing to conform to the above regulation, shall be liable to the penalty prescribed in the aforesaid act of Congress.

(Signed) H. A. GARFIELD,
United States Fuel Administrator.

CONFERENCE REPORT ON ARMY APPROPRIATION BILL.

The SPEAKER. What was the request of the gentleman from Wisconsin?

Mr. STAFFORD. To have Senate amendment No. 123 read, as agreed to by the conferees, the time not to be taken out of the time in the control of the gentleman from Alabama.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent that amendment No. 123, as agreed to by the conferees be read, the time not to be taken out of the time in the control of the gentleman from Alabama. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

CHAPTER XXIV.

CONDEMNATION OF PROPERTY FOR GENERATING ELECTRIC ENERGY.

That during the pendency of the present war, any person, association, or corporation, for the purpose of furnishing electric power to the United States or to persons, associations, or corporations engaged in the manufacture of ships, explosives, or munitions of war, or other articles and things for the use of the United States or its allies, upon compliance with the conditions hereinafter set forth, may institute proceedings in any district court of the United States or in any court of any State having jurisdiction of the property to be condemned, for the acquirement by condemnation of any land, the temporary use thereof, or other interest therein, or right pertaining thereto, required for the location or construction of any line or lines, or for the transmission of electric power for the operation of any plants which are or may be employed in the production of the articles and things hereinbefore mentioned: *Provided*, That nothing herein shall be construed to authorize the appropriation of any property already devoted to such use. That proceedings for the condemnation of property required for the generation and transmission of such electric power shall be prosecuted in accordance with the procedure prescribed for the condemnation of property in the State wherein the proceedings may be instituted.

SEC. 2. That before any person, association, or corporation, furnishing or to furnish electric power for the purposes mentioned in section 1 of this act, shall have the right to institute proceedings for condemnation, they shall submit to the Secretary of War a full and complete statement of the plan for furnishing power and the nature and extent of the easements or property which they desire to acquire under condemnation proceedings, for the purposes stated in the preceding section. If the Secretary of War approve such plan and finds that the construction or extension of such facilities for the generation or transmission of power and that the condemnation herein authorized is necessary to increase the supply of power for the objects and purposes stated in section 1 of this act, then such person, association, or corporation shall, upon the approval of such plan by the Secretary of War, have the right to construct, maintain, and operate the facilities described in such plan, and may cause proceedings to be instituted in any court having jurisdiction thereof for the acquirement by condemnation of any lands, the temporary use thereof, or other interest therein, or right pertaining thereto, as may be needed for the construction, maintenance, and operation of such facilities: *Provided*, That nothing in this section shall be construed as authorizing any rights in any public lands of the United States, or in any waters of the United States except such as may be necessary to build such transmission lines along or across said waters as may be approved by the Secretary of War: *Provided further*, That the Secretary of War may, prior to granting his approval as above set forth, require such person, association, or corporation to file with him a bond, in an amount and with a surety or sureties satisfactory to him, conditioned upon the prompt construction of the proposed facilities and the diligent maintenance and operation of the same to the satisfaction of the Secretary of War during the present war.

SEC. 3. That any person, association, or corporation having secured the approval of the Secretary of War and filed a petition for condemnation as herein provided may, upon filing with the court in which such petition is filed a bond to secure payment of just compensation to the owners of property taken, in a form and an amount and with a surety or sureties approved by said court after such notice and such hearing as the court may prescribe, have the right of immediate possession and use of such property or rights.

SEC. 4. That no plan for the construction or extension of any facilities shall be submitted to or approved by the Secretary of War hereunder after the existing state of war between the United States and its enemies shall have terminated, and the fact of such termination shall be ascertained and proclaimed by the President, but such termination of the existing state of war so ascertained and proclaimed shall not interfere with the condemnation of any land or other property or rights needed for the construction, maintenance, and operation of any facilities approved hereunder by the Secretary of War before such proclamation: *Provided, however*, That the Secretary of War may upon such termination of the existing state of war and prior to the entry of judgment in any condemnation proceeding hereunder and the commencement of construction or extension of the proposed facilities revoke any approval given hereunder to the plan for such proposed facilities: *Provided further*, That nothing in this chapter shall be construed as granting any franchise to utilize such facilities after the termination of the existing state of war.

Mr. JONES. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD on the conference report.

The SPEAKER pro tempore (Mr. BORLAND). The gentleman from Texas asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. LAZARO. Mr. Speaker, I should like to ask the chairman of the committee [Mr. DENT] to explain the difference between the conference report and the Senate on the medical amendment; that is, the amendment giving the medical men rank, and to state the opinion of the Surgeon General on this change.

Mr. STAFFORD. Mr. Speaker, is it the purpose of the chairman of the committee to explain the important legislation that has been agreed to by the conferees, and which has not heretofore at any time been considered by the House?

Mr. DENT. I will state to the gentleman from Wisconsin that I have undertaken to make a very full and complete written statement of what was agreed to in the conference. Then I thought that if there were any provisions in the legislation that the conferees agreed to that any Member specifically wished to inquire about, that would be the most expeditious way of disposing of it. In other words, I do not see any reason why I should repeat on the floor of the House verbally a statement that has already been printed in the RECORD.

Mr. STAFFORD. Will the gentleman allow me to ask him a question?

Mr. DENT. Will the gentleman let me answer the question of the gentleman from Louisiana first?

Mr. STAFFORD. I just want to ask the gentleman this question: Does the gentleman consider that his explanation of Senate amendment 123, as embodied in the statement, is a full explanation of the powers conferred in that amendment?

Mr. DENT. No; there are several things in that statement that are not as full as might be desired.

Mr. STAFFORD. My request was to have those important matters given a fuller explanation by the chairman of the committee.

Mr. DENT. I will be very glad to do it in response to inquiry of any Member of the House who wants any fuller explanation of them.

The gentleman from Louisiana [Mr. LAZARO] has asked me to explain the difference between the conference report and Senate amendment on No. 65, which provides for an increase in the medical department. The Senate amendment provided for an additional assistant surgeon general with the rank of major general, and for three assistant surgeon generals with the rank of brigadier general in the Regular Army. The conferees agreed on one additional major general only for service abroad during the war, and the conferees reduced the number of brigadier generals from three to two, so that there could be a brigadier general serving abroad.

In the next item the President was authorized by the Senate amendment to provide in the Medical Department of the National Army for four major generals and eight brigadier generals. The conferees reduced them to two major generals and four brigadier generals, with the understanding that this service should be divided at home and abroad.

The next provision is simply a repetition of the present law. In lines 11 to 15, page 61, of the Senate bill the conferees agreed to the Senate amendment, so that it would read as follows:

That the commissioned officers of the Medical Reserve Corps of the Regular Army, none of whom shall have rank above that of colonel, shall be proportionately distributed in the several grades as now provided by law for the Medical Corps of the Regular Army.

As it was in the Senate bill it provided the same number as there are in the Medical Corps of the Navy. This, as I am informed, practically reduces that number by something like one-half and under this act an officer of the Medical Reserve Corps may be promoted as high as the rank of colonel, whereas under the present law he can only go as high as major.

Mr. LAZARO. Will the chairman of the committee please state what the Surgeon General thinks of this modified amendment?

Mr. DENT. I have not consulted the Surgeon General as to what he thinks of the action of the conferees.

Mr. LAZARO. I mean in the interest of the service.

Mr. DENT. I will state to the gentleman from Louisiana that, while I have not consulted the Surgeon General as to the result of the compromise that was made in conference, the Surgeon General did tell me before any action was taken on it that the meat of this whole amendment lay in this paragraph between lines 11 and 15, on page 61, providing for the promotion

of officers of the Medical Reserve Corps from major up to colonel; that that was the real meat of the whole proposition; and that was agreed to.

Mr. LAZARO. Will the gentleman permit me to make a short statement?

Mr. DENT. How many minutes would the gentleman like?

Mr. LAZARO. About two minutes.

Mr. DENT. I yield to the gentleman two minutes.

Mr. LAZARO. Mr. Speaker, I had hoped that the conferees would accept this Senate amendment to the Army bill. I felt that way because I knew it would be in the interest of the soldiers. We all know that the death rate in every war we have had has been high. In other words, Longmore's tables show that we have lost in every war we have had, with the exception of one, 80 men from disease where we have lost 20 from bullets. The only country that has reversed this death rate has been Japan. Japan sent her students all over the world to study the different systems, and as a result of that study they reorganized their system, they gave their medical men rank, and the result was that in the war between Japan and Russia there were over 52,000 men killed and only 11,000 died from disease. France, Italy, and Great Britain also have given their medical men rank.

Mr. KAHN. Will the gentleman yield?

Mr. LAZARO. Yes.

Mr. KAHN. Is the gentleman familiar with the figures of the American casualties in this war?

Mr. LAZARO. I have followed them very closely, and I believe we are doing well; but that does not alter the fact that if we would give our medical men rank, if we would give them a little more authority when it comes to questions of hygiene and sanitation in the camps, I am still of the opinion that we could do much better, and that is my reason for saying that the conferees ought to have accepted the Senate amendment.

Mr. KAHN. Is the gentleman aware of the fact that the provision as agreed to provides for an increase of rank in the Medical Corps up to the grade of colonel?

Mr. LAZARO. Yes; it is an improvement on what we had before. I merely said I had hoped that the conferees would accept the amendment as it was written at the other end of the Capitol; but, in view of the fact that they saw fit to modify it, and that I believe it is a step in the right direction and will tend to reduce the death rate in the Army and will improve the service, I am willing to abide by it.

Mr. DENT. Mr. Speaker, I yield to the gentleman from Illinois [Mr. FOSTER].

Mr. FOSTER. On the amendment adopted by the Senate, page 61, lines 16 to 22, inclusive, that was left out of the agreement by the conferees.

Mr. DENT. That was left out.

Mr. FOSTER. What was the reason they were not given these consulting physicians? This, as I understand, provided for a certain number of physicians that might be called in to serve as consulting physicians, that they might be there for a time and then go out. If I understand, there are many physicians in the United States who have been giving a large part of their time to the Government, giving up business and doing a great work along that line.

Mr. DENT. I will state to the gentleman from Illinois that that was stricken out because the conferees thought that in the Medical Corps of the Army it was not necessary to go out and make special contracts for employing civilian physicians, and they thought that under some circumstances it might be the subject of great abuse. We were informed that it was not necessary in view of the force in the Regular Establishment and the Reserve Corps.

Mr. FOSTER. There is allowed 7 physicians to 1,000 men?

Mr. DENT. Yes.

Mr. FOSTER. And the gentleman states that is the only reason it was left out?

Mr. DENT. Really, the only purpose it could serve would be where the soldier happened to be separated from his force and there was no Regular Army physician present. That would be the only place in which it could operate; and, in view of the fact that it might be subject to great abuse, the conferees thought it ought to be stricken out.

Mr. FOSTER. It seems to me there are a good many men called into the service, and who have performed valuable services to the Government along this line. They are not put on the pay roll regularly, but go in at times when they could render great service to the Government, and practically at little cost.

Mr. DENT. I understand the Government has had no trouble on that score, physicians in civil life being perfectly willing to tender their services.

Mr. FOSTER. I think that is true; and yet I thought the Government ought to have the right under the circumstances to call these men in for that particular purpose.

Mr. DENT. Mr. Speaker, I yield to the gentleman from Oklahoma.

Mr. McCLINTIC. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD on "Congressional service."

The SPEAKER pro tempore (Mr. BORLAND). The gentleman from Oklahoma asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. LONDON. Reserving the right to object, I will ask the gentleman if he will repeat the offense committed by him in the Sixty-fourth Congress, when he used the right to extend remarks in the RECORD in an attack on the sole socialistic Member of Congress?

Mr. McCLINTIC. I will say that if the gentleman wishes to see the remarks before they are printed in the RECORD I will be glad to show them to him.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. DENT. Mr. Speaker, I yield to the gentleman from New Jersey [Mr. EAGAN].

Mr. EAGAN. Mr. Speaker, I think the House should know of a circumstance brought to my attention this morning, and which I understand can not happen again if amendment numbered 101, proposed in the conference report, is adopted. Pvt. Henry C. Meyerdierks, of the Quartermaster Corps, a resident of North Bergen, N. J., and stationed at the Walter Reed Hospital, died at the hospital on June 13 last. About two weeks after that his father received a letter from his son's commanding officer giving an inventory of the private effects of his son, and in that letter occurs this statement:

"If any of the above articles are desired by you as mementoes, it will be necessary for you to purchase the same at a price fixed by the summary court."

I understand that the boy's commanding officer was required to send that letter in accordance with instructions from The Adjutant General of the Army, based on the One hundred and twelfth Article of War as enacted by the act of Congress August 29, 1916. The conference report shows that an amendment to the One hundred and twelfth article was passed by the Senate and adopted in conference, and I want to ask the gentleman from Alabama, the chairman of the committee, whether in his opinion that amendment will prevent a distressing incident like this occurring again.

Mr. DENT. I will state I think this amendment would cover a case of that kind. I did not know that the law was construed that strictly. I should have thought if a legal representative of the deceased soldier appeared within a reasonable time that he could secure the personal effects, but whether that be true or not this amendment to the law absolutely authorizes certain relatives of the soldiers to obtain, without the formality of any legal procedure or the payment of money, the personal effects of the soldier that were with him at the time of his death, and it names the order of priority of the relatives entitled to the same.

Mr. EAGAN. I felt that this statement should be made to the House, and I might add that I was assured by Pvt. Meyerdierks's commanding officer this morning that his private effects would be turned over to his father at once.

Mr. DENT. I yield to the gentleman from California.

Mr. KAHN. Does not the gentleman understand that the purpose of the amendment is to allow the commanding officer to send the effects without any other formality by the next of kin?

Mr. DENT. Yes; and it names the order of the priority of the relatives receiving the same. I now yield to the gentleman from Washington [Mr. JOHNSON].

Mr. JOHNSON of Washington. Mr. Speaker, I want to ask the gentleman from Alabama concerning amendment 108, page 121, authorizing the President to commandeer timber and the equipment of logging plants. If I read this conference report correctly the conferees struck out the Senate amendment and inserted a new amendment authorizing condemnation proceedings for the Army and Navy of the United States. It says that condemnation proceedings are hereby conferred upon the Secretary of War, the Secretary of the Navy, and the chairman of the United States Shipping Board and the United States Shipping Board Emergency Fleet Corporation, individually or collectively.

It also says:

Such right of condemnation shall be exercised by such officials only for the purpose of obtaining such property when needed for the production, manufacture, or building aircraft, dry docks, or vessels, their apparel or furniture, for housing of Government employees in connection with the Army, Navy, or the United States Shipping Board and

the United States Shipping Board Emergency Fleet Corporation, and for the procurement of materials and equipment for aircraft, dry docks, and vessels. The jurisdiction of such condemnation proceedings is hereby vested in the district courts of the United States where the property which is sought to be condemned, or any part thereof, is located or situated, regardless of the value of the same.

Does this mean the general commandeering in regard to logging lands or logging operations?

Mr. DENT. I do not know as I understand the import of the gentleman's question. It means simply that the Senate amendment authorized the President absolutely without any legal proceeding to take any standing or fallen timber in this country.

The owner was then relegated in his suit to whatever court he could get into, perhaps the Court of Claims. The conferees on the part of the House objected to that provision and insisted that in order to obtain possession of property for these purposes the Government ought to proceed by way of condemnation, as they had in other cases, and insisted on an amendment to the condemnation action passed last July, which is practically a war measure, authorizing the Government to take immediate possession upon the filing of a petition by the United States district attorney, but holding the case in court so that the man would have his day in court and get his rights.

Mr. JOHNSON of Washington. That is just it. I have here a copy of the bill, as I supposed, with the amendment showing in italic on page 121, amendment No. 108, and I do not find that provision for court procedure.

Mr. FIELDS. It is a new provision, inserted in conference.

Mr. DENT. It is an amendment of the condemnation act as passed July 2, 1917, and amended April 11, 1918, so that it is unnecessasy to repeat that in this amendment.

Mr. JOHNSON of Washington. I thank the gentleman for his statement, which makes it clear. I understand that timbermen generally in the State of Washington were quite willing to stand for straight commandeering as a war necessity. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the commandeering sections of the bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. ANTHONY. Mr. Speaker, will the gentleman yield?

Mr. DENT. Yes.

Mr. ANTHONY. Although I am a member of the gentleman's committee, there is such a mass of new legislation in this bill that I have not been able to digest it. I want to ask about the provision affecting contract surgeons.

Mr. DENT. What is the number of the amendment?

Mr. ANTHONY. It is the amendment which authorizes the placing of contract surgeons who have had 12 years or more of service upon the retired list should they fail to pass an examination for appointment into the Reserve Corps.

Mr. DENT. Has the gentleman from Kansas the number of that amendment before him?

Mr. ANTHONY. No; I have not the number; it is on page 21 of the report.

Mr. DENT. Yes. What is the gentleman's inquiry?

Mr. ANTHONY. Does the gentleman not think that it is a rather vicious piece of legislation to place a civil employee of the Government upon the retired list with the pay of an officer after 12 years of service?

Mr. DENT. I will say to the gentleman from Kansas that I am not willing to use language quite as severe as the word "vicious"; but as a general proposition I do not approve of legislation of this kind. The gentleman from Kansas knows, however, that these contract surgeons have been doing some remarkably good work for a long time. They have served in our foreign possessions; and the conferees on the part of the House, as the gentleman knows, can not insist upon everything; they have to make some compromises.

Mr. ANTHONY. I happen to remember that this same proposition has been before our committee a number of times.

Mr. DENT. So do I; and our committee has heretofore refused to yield upon it.

Mr. ANTHONY. And I was rather surprised to see it here in the bill.

Mr. DENT. There are only 25 of them.

Mr. ANTHONY. I think it is a very dangerous precedent for Congress to set—to take civil employees like contract surgeons, who have no status with the Government that requires such action as this, and place them upon the retired list with three-quarters pay of an officer of the Army. It seems to me it is going rather far.

Mr. DENT. I agree with the gentleman on the general proposition, but I do not think this particular thing is going to establish any precedent.

Mr. ANTHONY. The gentleman says that it puts 25 of them with this short service upon the retired list?

Mr. DENT. Oh, no; they must continue to serve. It puts only those on who fail to pass examination.

Mr. ANTHONY. It says they may pass examination for appointment as first lieutenants in the Reserve Corps; but if they fail to pass, and probably all of them will, because, as the gentleman says, they are over age and will not be able to pass the required examination, it means that they will go on the retired list.

Mr. DEMPSEY. Mr. Speaker, will the gentleman yield?

Mr. DENT. Yes.

Mr. DEMPSEY. I am in receipt of a letter from France which says that the men in our Army do not receive their pay regularly; that they go as long as two months without receiving any pay whatever; that they have no means for defraying their ordinary expenses; and the writer of the letter to me draws a sharp contrast between the practice of our Army and the practice of the English Army. The English Army is paid regularly every week, and our men go as long as two months without any pay whatever. Does the chairman of the committee know anything about those conditions, and if he does, is anything being done to remedy them?

Mr. DENT. This is the first time I have had any information on the subject, and I would suggest to the gentleman, if that is true, that he should call it to the attention of the Secretary of War. I certainly should do so if I had information of that kind.

Mr. SHALLENBERGER. Mr. Speaker, will the gentleman yield?

Mr. DEMPSEY. Yes.

Mr. SHALLENBERGER. Did the gentleman's correspondent also call attention to the fact that we pay our soldiers five times as much as the English Army pays its soldiers?

Mr. DEMPSEY. It does not do any good to agree to pay five times as much if we do not pay it.

Mr. SHALLENBERGER. We do pay it.

Mr. DEMPSEY. The thing to which I was calling attention was the fact that they do not get their pay. I was not contrasting the amount of pay, but I was contrasting the manner of pay. It is no answer to a contract to pay money to say that you have agreed to pay a large sum if you do not pay anything. If you have agreed to pay twice what you ought to pay and do not pay anything, that is no defense. It seems to me that the Committee on Military Affairs is the proper committee to inquire into this matter and see what the situation is, rather than some individual Member of Congress, and if such evil does exist it seems to me it ought to be remedied; that it is not a good answer to say on behalf of a member of the committee or the committee that we have agreed to pay large sums.

Mr. SHALLENBERGER. I will say to the gentleman I have had correspondence and contact with a good many soldiers, and the universal statement has been that they have no complaint as to pay and no complaint as to food, that we take the best care of them, and they consider their treatment by the Government in the Army the best and to be above reproach. That is my report, and this is the first complaint I have heard.

Mr. GREENE of Vermont. Will the gentleman yield for a suggestion?

Mr. DEMPSEY. I will.

Mr. GREENE of Vermont. It is very obvious, of course, from a glance at the map that the British Government might pay their troops very regularly and at short intervals, because there is only the distance of the channel to overcome. But the distance of 3,000 miles between this country and France is only our first handicap. The second proposition, which is even more important and complex, is that our men newly arrived are changed about from station to station in the Republic of France, and what is one post-office address to-morrow is a dead-letter office the day after.

Mr. DEMPSEY. Is not there the same change of quarters by the British troops at the front and are they not constantly changing their addresses?

Mr. GREENE of Vermont. I dare say, to some extent, but they are not in the immediate position now of sending their first troops in for the first time, as we are, and then sending them so frequently from one station to another in France, perhaps.

Mr. DEMPSEY. I think if that evil exists it should be remedied.

Mr. GREENE of Vermont. Unquestionably it can be, but two months is not a very long time.

Mr. DEMPSEY. It is quite a long time when the private soldier is going without any pay.

Mr. GREENE of Vermont. It is a long time if conditions are normal, but when men have gone to war two months does not amount to very much where you have not the constant——

Mr. DEMPSEY. I should think it would seem longer in being away from all associations at home and unable to get from friends the things you want or else get money to get them.

In such condition I think two months away would be much longer than two months at home.

Mr. GREENE of Vermont. The young man has always got his food, clothing, and quarters, and all things needed, regardless of his pocket money which the pay would supply. I do not think anybody is intending to withhold it from him. I can see, and I think the gentleman does, the decided physical disadvantages that could not always be easily regulated in distributing pay under war conditions outside of the distance of 3,000 miles.

Mr. DEMPSEY. I very readily——

Mr. DENT. I only yielded to the gentleman for a question.

Mr. WALSH. Mr. Speaker, I desire to ask the gentleman a question about the conference report, the pay question having been settled. Will the gentleman state what is the pressing necessity or emergency in reference to the industrial activities of the country which are supplying the war needs, to confer upon a person or corporation a right to acquire property or an easement for temporary use of a power plant or electric light corporation by eminent domain?

Mr. DENT. The gentleman from Massachusetts is well aware of the fact that the question of the construction of ships and the amount of explosives and munitions of war are two of the most important problems that the Government has to meet in this emergency and the War Department has submitted this matter to the Senate that this would aid the Government in the manufacture of ships and in obtaining explosives and munitions of war, surrounding the right to condemn with the provision that no private person or corporation should exercise this right until he or it had submitted to the Secretary of War the plan that they had in view, the amount that could be furnished to the Government, and have the approval of the Secretary of War before those proceedings could be instituted. The act further provides that nothing shall be considered as granting a franchise to utilize the facilities after the termination of the war. Now, I can not see that any harm can come from that, for it is practically and after all doing through the individual and corporation what the Government itself would have the right to do because the Secretary of War must authorize the institution of the proceedings before they can be instituted.

Mr. WALSH. Well, will the gentleman yield further?

Mr. DENT. Yes, sir.

Mr. WALSH. This very bill itself commandeers; is authorized to take land by eminent domain. Where heretofore has the Government in any legislation conferred authority upon a private individual to go in and acquire a strip of land for the erection of a line of power wires or cables by eminent domain if that power is necessary in connection with Government activities, and I will say to the gentleman under the amendment proposed it is not confined to manufacturing of ships, explosives, or munitions of war, but any other articles or things for the use of the United States or their allies. Now, why should the precedent be established conferring that tremendous power, even though it may be approved by the Secretary of War, upon an individual or a corporation, or a combination of corporations for the purpose of furnishing electric power.

Mr. DENT. Well, I will state to the gentleman from Massachusetts, so far as I am informed, I know of no precedent by which Congress has authorized any such proceedings before, nor do I know of a precedent for a great many things that Congress has passed since this war was declared, but we are in war now and we are making precedents for the purpose of war.

Mr. LONGWORTH. Will the gentleman yield?

Mr. DENT. I will.

Mr. LONGWORTH. May I ask, at this point, would this provision authorize the corporation known as the "Air-Nitrate Corporation" to condemn land for the purpose of having wires to conduct electric power and carry it from the power plant to their plant?

Mr. DENT. Well, that is a legal proposition and I prefer not to express an opinion.

Mr. LONGWORTH. I rather suspect this provision was put in for that purpose mainly; however, I do not know about it.

Mr. DENT. I can not answer the gentleman about that.

Mr. LONGWORTH. The gentleman does not know the particular condition that this was designed to affect?

Mr. DENT. Not at all. I will make the further statement that the Senate conferees informed the conferees on the part of the House that this provision was carefully gone over by the Senator from Iowa, Mr. CUMMINS; the Senator from Wisconsin, Mr. LENROOT, formerly a Member of this House; and the Senator from Utah, Mr. KING, and that they all approve these provisions just exactly as the conference agreed to.

Mr. WALSH. Let them sign it if that be the case.

Mr. DEMPSEY. Will the gentleman yield for a question?

Mr. DENT. Yes.

Mr. DEMPSEY. Is not the real purpose of this provision to enable the construction for the use of the Government of the United States and its activities, of power lines by private capital instead of compelling the Government in each instance, to do this as a Government activity?

Mr. DENT. Why, certainly.

Mr. DEMPSEY. And is not that all it means?

Mr. DENT. I suppose so.

Mr. DEMPSEY. In other words, the Government can do it itself if it wants to; but if it finds it more advantageous to do it through private channels it can do it in that way. That is the purpose of it, is it not?

Mr. DENT. That is the way I understand it.

Mr. WALSH. Will the gentleman yield?

Mr. DENT. Yes.

Mr. WALSH. How very simple that proposition is, and how much language and white paper it took to express it in an amendment here by several sections. It goes further than that. It confers the right upon a British corporation to come in here with the approval of the Secretary of War and condemn land across a man's farm in order to erect a line of power cables; and they say they shall not have the right to utilize such facilities after the termination of the existing state of war; but it is provided that at the termination of the existing state of war, prior to the entry of judgment in any condemnation proceedings, and commencement of construction of extension of the proposed facilities, the Secretary of War may revoke it; but if it is not done prior to the entry of judgment, prior to the beginning of the construction of this line, it can not be revoked. And it seems to me that we might, particularly where in this very act we provide for the creation of an aircraft corporation in which the Government itself is to be a majority stockholder, provide that the Government should exercise this right instead of conferring the right to take land by eminent domain upon private parties. We all know that the electrical power development, or, rather, the creation and manufacture, requires large sums of money and consequently soon becomes centered in powerful corporations which radiate over and cover large sections of territory and extend over many States. And I believe that even though this is guarded by requiring the approval of the Secretary of War, we will find that before the war terminates and the problems incident to the termination of the war arise, we will have serious trouble if this power is to be conferred upon private individuals or private corporations. And it seems to me here is a problem that ought to have been brought to the House for consideration and the House given an opportunity to express itself on the question, as was suggested at the time this measure was sent to conference. On the other hand, we have amendments agreed to here by the conferees, and I know they have given careful thought to them; but the conference report was not printed until just shortly before the House convened, and we have had no opportunity to consider and discuss these matters. And the time will arrive when the hour will be up, and when we will have to vote this thing up or down. It seems to me on a proposition such as this there should have been opportunity for discussion and perhaps amendment.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. WALSH. I suppose the gentleman from Alabama has yielded me all the time I can properly ask. I have expressed my views, but I do not care to trespass on the time of the committee further.

Mr. MOORE of Pennsylvania. Will the gentleman from Alabama yield?

Mr. DENT. I yield.

Mr. MOORE of Pennsylvania. I call the gentleman's attention to amendment 109, Aircraft Production Corporation, pages 124, 125, and 126, for the purpose of asking whether this carries an appropriation of $100,000,000 for the establishment of an aircraft production corporation that is to be in a measure independent of the Government?

Mr. DENT. For the purpose of asking whether it carries an appropriation of——

Mr. MOORE of Pennsylvania. One hundred million dollars. I wanted to get this in the RECORD, I will say to the gentleman. I ask if this amendment carries an appropriation of $100,000,000 for the purpose of establishing an Aircraft Production Corporation which will be independent of the Government?

Mr. DENT. Does the gentleman mean that this amendment No. 109 carries an additional amount of $100,000,000 to what has been appropriated in the bill?

Mr. MOORE of Pennsylvania. Yes.

Mr. DENT. I think not. It simply authorizes the Government to subscribe the amount necessary.

Mr. KAHN. Mr. Speaker——

Mr. MOORE of Pennsylvania. I yield to the gentleman from California.

Mr. KAHN. This corporation will have the right to incorporate for $100,000,000. The lumber situation for making aircraft is rather peculiar. We supply all the spruce to all the cobelligerent nations. Great Britain takes one-half, France takes one-sixth, Italy takes one-eighth, and the United States takes one-quarter of the output. The gentlemen connected with the industry for the United States feel that this corporation ought to be organized and that each of the cobelligerent nations should put up debentures to this Government for the amount of lumber they are receiving from this Government, so that in the final analysis, when the day of settlement comes, the nations will get returns from their salvage in proportion to the stock that they are allotted in the corporation. The amount of the capital stock of the corporation is $100,000,000, but it is not proposed to appropriate any additional money for that purpose.

Mr. MOORE of Pennsylvania. Well, the Government stands to put $100,000,000 into it for the Aircraft Production Corporation, does it not?

Mr. KAHN. It does stand to put in that much. The other nations will take much of the stock off the hands of this Government. Their allotment will be fixed by the Aircraft Production Board, and they will put up their bonds in the place of ours.

Mr. MOORE of Pennsylvania. I want to get at that. We are going to form a corporation in the United States under the laws of the District of Columbia or some one of the States of the United States——

Mr. KAHN. I presume under the laws of the District of Columbia, or possibly under this law.

Mr. MOORE of Pennsylvania. If necessary we are going to put into the corporation, out of the United States Treasury, as high as $100,000,000. That is the situation, is it not?

Mr. KAHN. I imagine that the foreign countries will put up three-fourths of the money by way of debentures, because they receive three-fourths of the product of the corporation.

Mr. MOORE of Pennsylvania. I gather that we are going to stand for this corporation. I am glad to hear about these allies, but I would like to know who is the director of the Aircraft Production Corporation, upon whom the responsibility for the conduct of this corporation is to be placed?

Mr. KAHN. Mr. John D. Ryan, one of the leading business men of the country.

Mr. MOORE of Pennsylvania. Let us get at that. This corporation is to be established with $100,000,000 of Treasury money, and Mr. John D. Ryan is to be the chairman or director of the corporation?

Mr. KAHN. I doubt if the money will be taken out of the Treasury of the United States, as I say.

Mr. MOORE of Pennsylvania. If we pass this bill there will be $100,000,000 available for Mr. John D. Ryan to draw upon for the purposes of the corporation.

Mr. KAHN. It may be possible that, in order to get speedy action before the other countries can put up their debentures for the amount of stuff they will require, we will have to advance it.

Mr. MOORE of Pennsylvania. That is an explanation I want. But I observe, in section 2, the Director of Aircraft Production, who is to be Mr. John D. Ryan, "may, for and on behalf of the United States, subscribe, purchase, and vote not less than a majority of the controlling capital stock of such corporation"; and a little further on comes this rather unusual paragraph, and one as to which I would like to have an explanation, "and, with the approval of the Secretary of War, may sell any or all of the stock, bonds, notes, debentures, or other securities of the United States in such corporation." Where are the proceeds to go?

Mr. KAHN. That authorizes him to sell to foreign countries.

Mr. MOORE of Pennsylvania. I will read the proviso, because I want to get this thing clear. The only provision here is——

Mr. DENT. On what page is the gentleman reading?

Mr. MOORE of Pennsylvania. Page 125. He has the right to purchase and vote.

Mr. DEMPSEY. He is required to.

Mr. MOORE of Pennsylvania. Yes. That is stronger. I suppose as legislators we ought to know what we are doing in creating a $100,000,000 corporation and turning over the entire thing to Mr. John D. Ryan. Now, read line 19. He has the power, "and, with the approval of the Secretary of War, he may sell any or all of the stocks, bonds, notes, debentures, or other securities of the United States in such corporation: *Provided*, That at no time shall the United States be a minority holder of voting stock therein." I read your proviso, and ask you or any other gentleman, what becomes of the proceeds of the sale of the stock that Mr. John D. Ryan is authorized to sell? Where is there any provision in the bill providing for that?

Mr. DENT. Naturally the place the proceeds would go would be into the Treasury.

Mr. MOORE of Pennsylvania. It does not say so.

Mr. DENT. It follows as a matter of course and as a matter of law.

Mr. MOORE of Pennsylvania. I do not think it follows as a matter of course.

Mr. DENT. The gentleman from Pennsylvania will not dispute the proposition that whenever any Government property is sold under authority of law the proceeds must be covered into the Treasury.

Mr. MOORE of Pennsylvania. Will the gentleman yield for a moment further?

Mr. DENT. Yes.

Mr. MOORE of Pennsylvania. The only provision I see for the disposition of the proceeds of the sale of the stock is on page 126, where it reads, "Upon the dissolution of the corporation or corporations the same shall be liquidated and the assets distributed in accordance with the laws of the District of Columbia or the State or States under which such corporation or corporations are organized." What becomes of the United States' holdings under those circumstances?

Mr. DENT. I will state to the gentleman that I can not answer him any further than by the statement I have already made, and that is that it seems to me that under general law whenever any Government property is sold under authority of law the proceeds must be covered into the Public Treasury. That is a matter of general law, and it is not necessary to put it in this legislation.

Mr. MOORE of Pennsylvania. That is modified to a certain extent by the provision that the money shall be distributed in accordance with the laws of the District of Columbia or the States.

Mr. DENT. No. I differ from the gentleman about that. I construe that to mean that that distribution shall be made to the stockholders and not the Government of the United States as a stockholder. That is the method of providing for distribution to the stockholders, other than the Government.

Mr. MONDELL. Mr. Speaker, will the gentleman yield to me about three minutes?

Mr. DENT. Mr. Speaker, how much time have I left?

The SPEAKER. Twelve minutes.

Mr. DENT. I yield to the gentleman from Wyoming four minutes.

The SPEAKER. The gentleman from Wyoming is recognized for four minutes.

Mr. MONDELL. Mr. Speaker, I have no desire to criticize the conferees on the part of the House on the Army appropriation bill. I think, as a matter of fact, that under the circumstances and conditions they did excellently well. They certainly made an earnest effort to carry out the will of the House relative to the amendments of the Senate, and they have been to a very considerable extent successful in accomplishing that. Yet the fact remains that the conference report contains a very considerable amount of undigested, comparatively little understood, and doubtful legislation. It is a very unfortunate commentary on our methods of procedure here, and it ought to be a lesson to this House to more earnestly insist than the House has been doing in the recent past upon keeping legislative provisions off of appropriation bills.

There are provisions added to this bill in the Senate that had not been considered by Senate committees, provisions that were only briefly discussed on the floor of the Senate, never presented to a committee of the House, never considered by the House. This was the situation: A bill carrying vast appropriations absolutely essential to the conduct of the war, loaded down in the Senate with all sorts of questionable provisions, and the House conferees compelled either to withhold from the Army its necessary funds or to accept some of these propositions, in regard to which I have no doubt they had very serious questionings and doubts.

I do not know just how we are to cure this increasing tendency of another body to insist on legislating in conference, but there ought to be some way to accomplish that result. The condition of war, coupled with the fact that the appropriation bills were considered late in the session and had not been agreed upon at the beginning of the new fiscal year, has been taken advantage of by the other legislative body of the Congress to compel the House, through its conferees, to accept much in the way of legislation which, in my opinion, the House would not consider favorably if presented in the usual way to the House committees. As I said at the beginning, I do not criticize the conferees. I think, under the circumstances, they have done re-

markably well. But there is no sort of question but that in time to come some of the provisions added to this bill in conference to-day will rise up to plague us.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had insisted upon its amendments to the bill (H. R. 11283) to amend and reenact sections 4, 11, 16, 19, and 22 of the act approved December 23, 1913, and known as the Federal reserve act, and sections 5208 and 5209, Revised Statutes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. OWEN, Mr. HITCHCOCK, and Mr. MCLEAN as the conferees on the part of the Senate.

DISTRICT OF COLUMBIA APPROPRIATIONS.

Mr. SISSON. Mr. Speaker, I ask unanimous consent that the House agree to the conference asked for by the Senate on the District of Columbia appropriation bill (H. R. 11692). I think it can be done by unanimous consent and will take only a moment.

The SPEAKER. The gentleman from Mississippi asks unanimous consent that the House agree to the conference asked for by the Senate on the District of Columbia appropriation bill. Is there objection?

There was no objection; and the Speaker appointed as conferees on the part of the House Mr. SISSON, Mr. MCANDREWS, and Mr. DAVIS.

ARMY APPROPRIATIONS.

Mr. KAHN. Mr. Speaker, proceeding again with the consideration of the conference report on the Army bill, I ask unanimous consent that the time of the gentleman from Alabama [Mr. DENT] be extended one hour.

The SPEAKER. The gentleman from California asks unanimous consent that the time of the gentleman from Alabama [Mr. DENT] be extended one hour in addition to the hour he has. Is there objection?

There was no objection.

Mr. STAFFORD. Mr. Speaker, will the gentleman from Alabama yield?

Mr. DENT. I yield to the gentleman from Wisconsin.

Mr. STAFFORD. I notice that the Senate took advantage of existing conditions by incorporating another separate bill as a Senate amendment to the Army appropriation bill, providing for an interdepartmental social hygiene board. This relates to the control of venereal diseases on the part of the National Government. Many of us, I suppose, have received letters in behalf of this bill. I believe it establishes for the first time the policy of the National Government giving consideration to health matters that are purely local in the States, and appropriates $1,400,000 for two years in succession. Will the gentleman inform the House what was the exigent condition that caused the Senate conferees to insist on this separate bill to be incorporated in the appropriation bill?

Mr. DENT. The statement made to the conferees was that this situation throughout the country was so serious that it was necessary for the Government to coordinate with the States in order to try to stamp out these diseases from civil life, because of the fact that most of the trouble on account of these diseases in the Army is caused by those who are coming in from civil life under the draft. Of course, this is in line with legislation that has heretofore been adopted by Congress, appropriating so much money on condition that the States would appropriate a similar amount, the jurisdiction to control the matter being left with the States. I will state to the gentleman from Wisconsin for his own satisfaction that I was inclined very much to agree with his views, and stood out just as long as I could, but we had to have an appropriation bill.

Mr. STAFFORD. In my own State at a recent special session of the legislature we increased the authority of the respective health officers to control these diseases which are the result of sexual vice, and I believe other States are following the same line; but here we have for the first time a policy of the National Government going into the control of health matters. Of course all of us who have any acquaintance with life know of the ravages of venereal diseases. In prior legislation we have authorized the Government to establish vice zones around the cantonments and camps, and I believe in this bill there is a provision to which the House conferees agreed, forbidding portable houses or conveyances of ill fame within a certain radius of camps and cantonments, to provide against evils to which attention has been called in some of the large cities, where automobiles have been utilized for purposes of prostitution.

If we launch into this policy, so far as the control of venereal diseases are concerned, it is a warrant for our launching a policy for the control of tubercular troubles and every other character of disease. I recognize that some good will come from it; but when the States are going ahead so rapidly on their own initiative to control this condition, whether we should take supervisory control is a question that must be determined by Congress. We have done something in the control of diseases of cattle and horses and other domestic animals, and that policy can be used strongly as an example warranting this legislation. If we spend millions of dollars for the control of dourene and other diseases of horses and cattle, of course we are justified in spending millions or tens of millions of dollars for the eradication of diseases that are so fatal to the offspring of the human species.

Mr. KAHN. Mr. Speaker, will my colleague yield?

Mr. DENT. I yield to the gentleman from California.

Mr. KAHN. The Committee on Military Affairs have been informed by the War Council that in the National Army—the boys who are drafted and who come right from the homes of the Nation—there are 273 out of every 1,000 infected with venereal disease. Those are official figures from the War Department, and that discloses an appalling condition of affairs in this country. It well behooves the Government to cooperate with the States in stamping out this curse of the human race. Cases of smallpox, bubonic plague, diphtheria, and scarlet fever must be reported to the local health authorities immediately, and the country, the States, and the municipalities seek to regulate and prevent the spread of those diseases; but through prudery and mawkish sentimentality we have closed our eyes to the serious condition that exists in our country by reason of the prevalence of venereal diseases. I contend, therefore, that this legislation is a step in the right direction, and that every father and mother in this country will approve of the action of the Congress in establishing this board of social hygiene.

Mr. WALDOW. Mr. Speaker, I notice that the amendment in relation to the Aircraft Production Corporation provides for the purchase, production, and manufacture of aircraft.

Mr. KAHN. Yes.

Mr. WALDOW. Does the gentleman know if this corporation contemplates the purchase of any existing plants that are now manufacturing aircraft?

Mr. KAHN. I do not. I rather imagine that they will do something in that direction; but, of course, we are in a condition where we need aircraft. We want to procure them wherever we can get them, and we want them speedily. I rather imagine that the Government will be anxious to cooperate with all the existing plants, and will endeavor to provide any additional ones that may be needed to give us aeroplanes in such numbers as may be required for the winning of this war.

Mr. WALDOW. I agree with what the gentleman says, but from his statement a short time ago I took it that this Aircraft Production Corporation was only going to secure the necessary spruce. I was wondering how far their duties might go.

Mr. KAHN. That will be only one of their activities. Of course in the production of aircraft we have had an unfortunate condition in this country. Before we got into the war, and although the flying machine was first invented in this country, the other nations got way ahead of us. When we entered the war we had practically no airplanes and no facilities for producing them. Relying on the promises of producers and the optimism of producers the announcement was made by the War Department officials and the Signal Corps men that within a year we would have 22,000 airplanes. Unfortunately the tentative program has fallen down. I do not blame the men who made the announcement. They did not know the difficulties of the situation themselves. The purpose of this Aircraft Production Board is to stimulate the production of everything that will go into the manufacture of aeroplanes. The idea is to make all the countries who will be the beneficiaries of that production put up their share of the amount that will be required to produce these things. Their Governments will put up their debentures, so that when the war is over and they have a certain amount of salvage on hand the entire matter will be settled in a straightforward businesslike way without any hitches and without any bitter feeling, because each stockholding country will be entitled to its proportionate share of the proceeds of the assets of the corporation when the war is over.

Mr. WALDOW. I thank the gentleman for his explanation. I was greatly interested in the subject, as the Curtis airplane plant in Buffalo is located in my district.

Mr. KNUTSON. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. KNUTSON. I had a letter a short time ago from an aeroplane construction company located in the Northwest, wherein they said that they had been unable to interest the War Department in their plant or to secure contracts in any way, shape, or form. They had offered to turn their plant over to the Government. They were under the impression that the War Department was favoring the Curtis and Wright plane companies to the exclusion of others. Can the gentleman give any information upon that point?

Mr. KAHN. I do not think there is a word of foundation for that assertion. I believe the Aircraft Production Board is doing its best to stimulate the plants all over the country that are in successful production of aeroplanes.

Mr. KNUTSON. Will the gentleman further yield?

Mr. KAHN. Yes.

Mr. KNUTSON. What became of the $640,000,000 that this Congress provided last year?

Mr. KAHN. The gentleman is a little behind the time. When this bill was brought up originally in the House in May this matter was explained in full, and every dollar of that appropriation was accounted for. If the gentleman will just turn back to the CONGRESSIONAL RECORD, he will see that although we did appropriate $640,000,000 the great portion of the money had not then been expended.

Mr. KNUTSON. What was the idea of coming before Congress and asking a further appropriation if that money had not been expended?

Mr. KAHN. It had been obligated. I want to say to the gentleman that, of course, all that money was not utilized in the purchase of aeroplanes. The department had to purchase land in many parts of the country; they had to have land for the purpose of establishing camps for the training of the men; they had to establish flying fields; they had to lease a great many tracts of land; they had to buy many things that were required for the successful production of machines; they had to build hangars for machines; they had to put up barracks for the men who are being taught how to fly, and all that required large sums of money.

Mr. KNUTSON. Six hundred and forty million dollars represents 64 cents for every minute since the birth of Christ.

Mr. KAHN. Well, I do not catch the application of the gentleman's remarks. I am not a lightning calculator and don't know whether his figures are correct.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. MOORE of Pennsylvania. I asked some questions about the aircraft production during the consideration of the bill carrying the appropriation of $640,000,000. I have heard the gentleman's explanation of it. The gentleman knows that there is an inquiry going on in regard to the expenditure of that $640,000,000, and that the President has appointed Charles E. Hughes as chief examiner of the charges made. As one Member of Congress who voted for that appropriation, I have not been entirely satisfied that we were getting a full return for the expenditures made. I voted on the assurance of the gentleman from California that the War Department demand for aeroplanes was urgent. I wanted to hasten this matter. As a patriotic Representative I wanted to see results come from the expenditure of so large a sum as $640,000,000. That is the reason I have made inquiries and why other inquiries are now being made as to this Aircraft Production Corporation appropriation of $100,000,000 additional.

Mr. KAHN. The Aircraft Production Board will be practically the same kind of a board as the Emergency Fleet Corporation. Its functions will be the same as to the production of airplanes as the Emergency Fleet Corporation's in regard to the building of ships.

Mr. MOORE of Pennsylvania. There have been some rumors in regard to the Emergency Fleet Corporation.

Mr. KAHN. And they are being investigated.

Mr. MOORE of Pennsylvania. But they are turning out ships now, and we are getting results. Are we getting results in aeroplanes? The gentleman may be able to say something on that subject which will be illuminating.

Mr. KAHN. I want to say to the gentleman that, in my opinion, the aircraft production at the present time is going along exceedingly satisfactorily.

Mr. DENT. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. DENT. I placed in the RECORD on Wednesday a letter from the Secretary of War showing what had been accomplished within the past 12 months, and among other things is the statement that for the week ending the 15th of June the Government had reached the production of 80 planes delivered that week, and the statement was made that the production in the future from now on would be as many as they anticipated.

Mr. WALDOW. Mr. Speaker, will the gentleman state whether those were battle planes.

Mr. KAHN. Yes.

Mr. DENT. Combat planes.

Mr. KAHN. That is the number that are being produced in the United States. We are producing some on the other side also, so that we are getting considerably more per week than the gentleman from Alabama has stated.

Mr. GILLETT. If the gentleman will allow me to state, with reluctance, the gentleman's statement that we are doing satisfactorily is exactly what the Secretary of War told our committee last January—that our plane production was going very satisfactorily. I have no doubt that he was deceived. I hope the gentleman is not as much deceived as he was.

Mr. KAHN. There are two factors that go into the manufacture of aeroplanes, the plane itself and the motor. The motor is more important than the plane. A great deal of the delay in this country was due to the difficulty we had in getting a satisfactory motor. Some of us think it might have been advisable for the Government to accept those motors that were in use in England and France and that had proven satisfactory at the time we got into this war. The then head of the Signal Corps, however, and other gentlemen interested felt that we ought to develop our own motor, which would be much simpler than the other motors used by foreign countries, a motor that could be standardized and that would produce greater power than the other motors. There was considerable difficulty about it. After testing the so-called Liberty motor they found certain defects, structural defects, and it required many weeks to remedy those defects. In the meantime valuable time was slipping away. It was unfortunate, but at the present time the Liberty motor has demonstrated its value.

Mr. LONGWORTH. Mr. Speaker, will the gentleman yield?

Mr. KAHN. Yes.

Mr. LONGWORTH. It is a fact, is it not, that the Liberty motor has been abandoned as a motor for battle planes proper—the small, actual fighting planes?

Mr. KAHN. It has not been abandoned for the large combat planes.

Mr. LONGWORTH. I am referring to the actual, small fighting planes. That is the fact, is it not?

Mr. KAHN. I am not advised as to that. The Liberty motor is a 12-cylinder motor. It is too powerful, in my opinion, for the smaller planes. I rather think that the Government is now buying or having manufactured for its use the Hispano-Suiza, the Bugati, and several others.

Mr. LONGWORTH. My information, which is not as official as the gentleman's, is that the Liberty motor has proven a conspicuous success in so far as the large bombing planes are concerned.

Mr. KAHN. Also the observation planes.

Mr. LONGWORTH. And the observation planes, but that it has practically been abandoned, as it has not been considered advisable for the small fighting planes.

Mr. KAHN. Yes.

Mr. CRAGO. And the testimony before our committee was that they had never intended to use it in those lighter planes.

Mr. KAHN. That is true.

Mr. GILLETT. It did not start as a 12-cylinder motor, did it?

Mr. CRAGO. The testimony was that it was never thought that it would be successful for the small planes.

Mr. GILLETT. When it started as a 6 or an 8 cylinder it was thought it would be.

Mr. CRAGO. Yes.

Mr. KAHN. Yes; that is probably true, but they had not developed it to a 12-cylinder motor. It has proven so successful that England and France have placed large orders for them with our country and we are now supplying those countries with the Liberty motor.

Mr. DENT. Mr. Speaker, I do not want to interrupt the statements in respect to the Liberty motor, but the matter of aircraft and air program is something that has been passed upon.

Mr. FESS. Mr. Speaker, I merely want to suggest that in conversation with the president of the Wright company at Dayton, he said that up to June 22 they had shipped 421 battleplanes and were capable of producing them in great quantities, but the reason they had not done so was that there had been a good many changes made, and they had not yet gotten into the real process of production.

Mr. KAHN. It is going forward now with increasing rapidity every week.

Mr. FESS. He told me that there were 36 carloads shipped on one day out of Dayton.

Mr. DENT. Mr. Speaker, it is true that the conferees agreed to a great many matters of legislation that were put in the bill by the Senate as Senate amendments. Most of the amendments that were put on were amendments that the Military Committee of the House had heretofore considered. I suggested to the House the other day, and I repeat it now, that as there were certain legislative matters that ought to be adopted before Congress took a recess, I was perfectly willing for the Senate to put upon the Army appropriation bill such legislative matters as the War Department insisted upon and as the two committees of the two Houses of Congress were practically agreed upon.

In response to that suggestion the chairman of the Senate Military Affairs Committee invited the gentleman from California [Mr. KAHN] and myself to meet with him and the ranking minority member of the Senate Committee on Military Affairs and Gen. Crowder and certain representatives of his office. We went over most of this legislation. We went particularly into the amendments providing for changes in the national-defense act and had a complete understanding as to each one of them. I do not think that there could be any objection to any of that legislation. It is true that in addition to some of the measures that the War Department wanted the Senate adopted legislation either by suggestion of the committee or on the floor of the Senate. Some of them the conferees agreed to and others we disagreed to.

I wish to state that the conferees went into conference on Monday afternoon; that on that afternoon we agreed upon the money items in the bill, and that we spent from that time until Friday afternoon ferreting out different legislative features that had been put on the bill.

I do not think that there is anything of consequence that the conferees finally agreed upon that was placed upon the bill as new legislative matter that any serious objection can be made to. Now, I wish to make this statement and then I shall be through, unless some Members desire to ask me some further questions about the bill. There was in the bill a provision with regard to the appointment of two additional major generals of the line and one lieutenant general. That provision was compromised in the conference by providing for the two major generals and cutting out the provision for the lieutenant general.

Mr. MOORE of Pennsylvania. Mr. Speaker——

Mr. DENT. Mr. Speaker, will the gentleman let me finish my statement, and then I will yield to the gentleman from Pennsylvania.

The agreement made by the conferees as to the major generals was made at the earnest insistence of the Secretary of War because of the peculiar attitude in which the present Chief of Ordnance and the present Chief of the Quartermaster's Department are placed. They both now have the rank of major general. They can be retired by the President to-day as major generals. They can be retired as major generals upon their own personal request. They do not desire to ask that. The department does not desire to ask them to retire with that rank, and the department is using both of those men in the performance of valuable service for the Government. One of them is connected with the War Council, after having spent some months in France studying the ordnance situation over there, and the other is in command of the Southeastern Department at Charleston, S. C. If this bill is not passed the officers occupying these positions will either have to retire by request on the part of the President or upon their own personal request or they will have to serve out their term, which expires some time next February, I believe it is, and one of them will absolutely, after serving for many years, be relegated entirely to private life.

I did not want to agree in those provisions, and I had a conference with the Secretary of War, and I was accompanied in that conference by the gentleman from California [Mr. KAHN], and the Secretary of War requested that we adopt this provision so there would be no trouble about these two cases, and for that reason the House conferees agreed on the provision authorizing the retirement now or when they reached the retiring age as major general with the rank they now hold. The other provision in the amendment, put on on the floor of the Senate, authorized the appointment of Gen. Crowder as lieutenant general of the Army. There was some difference of opinion upon the subject, but no action was taken by the conferees upon the item in the bill until Gen. Crowder sent to the chairman of the Military Committee of the Senate and to myself, as the chairman of the House Committee on Military Affairs, a letter in which he asked that that provision be stricken out of the bill. Whatever differences of opinion we may entertain as to the policy pursued by the Judge Advocate General acting as Provost Marshal General, we all must concede that his administration of the draft law has been a success, I will say, even far beyond the expectations of the most earnest advocates of the draft system. [Applause.] And to-day I desire as a part of my remarks to have read from the desk and to be printed in the RECORD the magnanimous letter which he has written, in which he says that he does not desire that any special favoritism should be shown to him at this time. [Applause.]

The SPEAKER pro tempore. The Clerk will read the letter.

The Clerk read as follows:

WAR DEPARTMENT,
OFFICE OF THE PROVOST MARSHAL GENERAL,
Washington, July 5, 1918.

Hon. S. HUBERT DENT, Jr.,
House of Representatives.

MY DEAR MR. DENT: In view of that provision of the Army appropriation bill, personal to myself, now pending before the conference committee, it is unavoidable that I should take this opportunity to lay before you and also Senator CHAMBERLAIN, chairman of the Senate conferees, my personal sentiments and to ask you to communicate them, if you see fit, to your associates.

That the provision in question involves a compliment and a distinction which I value beyond anything in my military career is natural, and that the approval testified to by the vote of the Senate gratifies me beyond the power of words to express is a simple statement of fact.

But, after considerable reflection and viewing the matter in a broad way, I am reluctant to allow the consideration of the proposed proviso to proceed any further. If the conferees are in accord with my wishes in this regard, I should be glad if you, for the House conferees, and Senator CHAMBERLAIN for the Senate conferees, in reporting back to your respective Houses that the Senate conferees yielded on this provision, would say that the action was in accord with my request and for the express reason next to be stated.

Forty-eight States and three Territorial headquarters and nearly 6,000 local and district boards, with an aggregate membership of nearly 18,000 citizens, assisted by legal and medical advisory boards in every jurisdiction, have cooperated with the national headquarters efficiently and honorably, and many without compensation, in the superb teamwork which has produced the gratifying results attained under the selective service law. These results embrace the registration of more than ten and one-half millions of citizens and their classification for military service and the entrainment of the nearly 1,600,000 men now serving with the colors. By August 1 of this year this latter number will be approximately 2,000,000, and by the close of the year, if expected requisitions are received, the aggregate will approach 3,000,000. Of the members of these boards it may be truly said that when the selective service system which they administer ceases to function efficiently to produce the military and to conserve the industrial man power we shall be in a fair way to lose this war. I have long entertained the view that something ought to be done to recognize publicly and emphatically the enormous sacrifices these citizens have made in bestowing the continuous and exhausting service that has been indispensable in carrying the administrative burden of the selective service system. The difficulty has been in devising a suitable reward, nation wide in its application, and acceptable generally to those who have so participated. At the risk of being regarded as ungrateful to the proposers of this provision I can not bring myself to be satisfied that my own conscientiously performed share in discharging that duty should become the subject of recognition so long as the far greater share of these other builders of the National Army remains without public and distinguished acknowledgment in the records of Congress.

These men, my fellow workers, their toils, their sacrifices, and their achievements, are next to my heart. On this subject I frankly confess to a deep sentiment—I hope that it will not be reckoned as sentimentality—a sentiment which would not receive unalloyed satisfaction from the bestowal of any honor, however generous, that is personal to myself only.

In placing before you at this time these sincere convictions, I trust that I have adequately expressed the motive that prompted this letter.

Cordially and gratefully, yours,

E. H. CROWDER,
Provost Marshal General.

[Applause.]

Mr. DENT. Mr. Speaker, I yield five minutes to the gentleman from Missouri [Mr. BORLAND].

Mr. BORLAND. Mr. Speaker, I want to take this opportunity to pay my compliments to Gen. Crowder for the dignified decision that he has made by this letter. When the selective-service law was before the House I supported it earnestly. I regarded it as one of the greatest pieces of legislation that any nation had ever undertaken. I regarded it as the most remarkable piece of legislation in preparation for a war that was ever proposed or carried out by any country. The success of that legislation rested not entirely upon the wisdom of its construction, but rested, of course, fundamentally and ultimately upon the wisdom of its enforcement, and I think that we have been peculiarly fortunate that the administration of that great law, so nearly affecting the destiny of millions of American citizens and American homes, fell into the hands of a man who was big enough to handle that big proposition. We all admit that Gen. Crowder's handling of that selective-draft law has been the most remarkable success in our war preparation. We have heard criticism all down the line of other things relating to our preparedness, but apparently there has been almost a unanimous acquiescence in the proposition that the handling of the selective-draft law has exceeded the fondest expectations of those who supported the law. I believe that has been due in large measure to the splendid services and military

knowledge of Gen. Crowder. [Applause.] I believe it has been due also to the remarkable spirit of cooperation which has been shown by the local draft boards. I am free to say without invidious comparison that there is not a nation in the world that could have put the administration of such a law affecting the destiny of its citizens into the hands of local boards composed of provincial officials in every quarter of the country. No nation would have attempted it, and yet this Nation, which less than a lifetime ago emerged from the most bitter civil strife, has seen fit to put it into the hands of local officials in every quarter of our land to administer a law vital to the national life. The administration that has been carried on by those local boards, the loyalty, the patriotism, and self-sacrifice that they have shown is beyond praise. I think that the cooperation between Gen. Crowder and those local boards and the interest which he has inspired in the local boards, and the spirit which he has put into them in the administration of the law has been a wonderful factor in the success of the preparedness and in the making of this great National Army for the defense of this country. He deserves and he has received from the American people a meed of praise for this work, which will crystallize into enduring fame. His contribution to the winning of this war has been substantial and will fix his place in the affections of the Nation as one of the great constructive figures of this national crisis.

I should have been glad on the floor of this House to have voted for what I believe is a well-deserved honor to Gen. Crowder, but I believe he has taken a big decision in refusing to permit any appearance of such individual partiality on the part of Congress toward himself. I think sometimes we set an undue importance upon the mere question of rank. But as that great poet of my own race, "Bobbie" Burns, says:

> The rank is but the guinea's stamp,
> The man's the gowd for a' that.

[Applause.]

Mr. ROBBINS. Mr. Chairman, I wish to ask the chairman of the committee some questions about this section, Chapter XXVI, page 148, of the bill, being amendment 123, which authorizes any person, association, or corporation to acquire by condemnation any lands, interests, or rights for the purpose of furnishing electric power to the United States or persons or corporations engaged in manufacturing ships, explosives, or munitions of war during the war.

Now, that section was adverted to by the gentleman from Massachusetts [Mr. WALSH] a little while ago, and it has been put in by the committee without any consideration by this House, and I presume that nothing I would say would have any effect upon it. But I want to call the attention of the gentleman in charge of this bill to what seems to me to be a very dangerous power contained in this section. I will admit we ought to grant to the President and to the Government every war power that is necessary in order to prepare our country for war and wage it to success, and I have voted that way since this Congress convened in extraordinary session, and I propose to continue to so vote. But here is a proposition that proposes to endow individuals, whether they are citizens of the United States or of our allied nations, with the power of eminent domain, and it proposes to clothe them with the power to go into any State and condemn land and property rights and facilities to be used in the manufacture of ammunition or other supplies for the war.

Now, the only restriction on that extraordinary power, Mr. Chairman, is found in the provision, page 149, line 14, that it must be first submitted to and "receive the approval of the Secretary of War." Then, the other restriction is that any condemnation proceedings must be "according to the proceedings in the State where the land is located." It is worthy of note at this point that in Pennsylvania, the State from which I come, no individual enjoys the right of eminent domain. There is only one case in which an individual can take property, and that is where he owns a coal mine, quarry, or mineral deposit. Then under certain conditions he can take a right of way leading out to a public highway, a navigable stream, or a railway, but only an easement as a right of ingress or egress to such mine or quarry and under no other circumstances. And we propose here under an act of Congress to endow an individual with this high sovereign right which the supreme law of the State withholds from its own citizens.

Mr. DENT. Will the gentleman yield for a moment?

Mr. ROBBINS. Yes.

Mr. DENT. I thought the gentleman wanted to ask a question. Does the gentleman want some time?

Mr. ROBBINS. I would like some time.

Mr. DENT. I would like to fix a time.

Mr. ROBBINS. Let me suggest to the gentleman that we are going to be in session until a report comes back from the White House about our taking a recess at half past 4, and we can well employ the time considering this bill.

Mr. DENT. I do not intend to cut the gentleman off, but how much time does the gentleman want?

Mr. ROBBINS. Give me five minutes.

Mr. DENT. I yield to the gentleman five minutes.

Mr. ROBBINS. As I stated, this gives the individual a right, and an alien, too, that is not given to our own citizens under the law of Pennsylvania to go in and condemn property, either public or private, without restriction. This right ought to be circumscribed and limited, I think. First, the right of eminent domain can not be conferred upon a corporation in Pennsylvania to take the dwelling house of an individual that is in his actual possession and occupancy of the owner or take a church or graveyard. We propose here, without any limitation to confer eminent domain rights, not only upon corporations, but upon an individual. That sort of an act of Congress, of course, would be a nullity in Pennsylvania, against the specific reservations contained in our constitution, and against the constitutional provisions of the United States and the laws enacted thereunder.

Mr. DEMPSEY. Will the gentleman yield?

Mr. ROBBINS. Yes.

Mr. DEMPSEY. Is not the real purpose of the conferring of the right of eminent domain dependent not upon whether it is conferred upon a corporation or an individual, but upon the purpose for which it is conveyed, whether it is granted for a public purpose, a purpose which would serve the public, or whether it is granted for a private purpose?

Mr. ROBBINS. No.

Mr. DEMPSEY. Is not that the real basis of it?

Mr. ROBBINS. That is not the law.

Mr. DEMPSEY. I know it is not the law, but is not that the purpose?

Mr. ROBBINS. My time is limited. I will give you some time afterwards, if you will permit. The right of eminent domain is one of the strictest rights given to a corporation. Old Judge Black has laid down this proposition in a case in Pennsylvania that is quoted in all jurisdictions. "When the power of eminent domain is claimed those asserting the claim must point to the specific language containing the grant; in the absence of such, the power does not exist."

Now, here is the situation that alarms me about this extraordinary provision in this act. In western Pennsylvania we have three large public-service corporations manufacturing electricity and selling it for light, heat, and power. One that is located in my part of the State serves municipalities, street railways, coal mines, and all manner of corporations and individuals consuming either light, heat, and power. Under this provision, this extraordinary provision, it is proposed, with the approval of the Secretary of War, that a foreigner—French, English, or Italian, belonging to our allies—could come out there and take away the power from our coal mines or our municipalities or our street railways and paralyze and disorganize the whole industrial situation in western Pennsylvania? If that is the purpose of this bill, then, I assert, it is conferring a power that we ought not to confer, because the injury by its exercise would be greater than any benefits we would derive by giving such extraordinary power to the Government or to individuals or corporations who wish the right to make power or to manufacture munitions. This can be accomplished in conformity to law better than against the law.

Mr. GREENE of Vermont. In each instance, if it should be a foreigner or ally, the application must have the approval of the Secretary of War.

Mr. ROBBINS. That is the only restriction, that and the fact that he must go into the local courts to condemn land. But I contend for us to confer such extraordinary, unlimited power is wrong.

Mr. GREENE of Vermont. It does not confer it. It simply appoints a more restricted agency, that is to determine whether he is to have it or not and for what purpose, and that purpose, as set down here, is a war purpose.

Mr. ROBBINS. But war purposes means in this Congress any purpose directly or indirectly connected with the preparation for war. And the Secretary of War would not know the disastrous result that would follow the shutting down of the West Penn Electric Power, for instance, in western Pennsylvania, that operates coal mines and street railways and public utilities of every sort as well as furnishes light to many thousand homes and many schools and churches.

Mr. GREENE of Vermont. Have we not day after day put in his hands power more extensive in possibilities than that?

Mr. ROBBINS. There is no exercise of power that would be fraught with such disaster as the full exercise of this power would be.

Mr. GREEN of Iowa. Mr. Speaker, will the gentleman yield?

Mr. ROBBINS. Yes.

Mr. GREEN of Iowa. Where does the gentleman find in the bill the authority to do what the gentleman states—to take away the facilities for creating power? This is a provision, as I understand it, simply for the condemnation of the location of a plant.

Mr. ROBBINS. It is not the condemnation of a location. It is the condemnation of facilities, also, as you will see in line 21 of page 148. The word "power" is stricken out and the words "lines of transmission" are inserted on page 149.

Mr. GREEN of Iowa. It is "for the acquirement by condemnation of any land, the temporary use thereof, or other interests therein, or right pertaining thereto, for the location or construction of any power plant."

Mr. ROBBINS. The words "power plant" are stricken out of the corrected copy of the bill we are now considering.

The SPEAKER pro tempore [Mr. DICKINSON]. The time of the gentleman from Pennsylvania has expired.

Mr. ROBBINS. You will find the facilities described in line 22 of page 149. I would like an explanation of the section, because, if it means all this, we ought not to adopt it in its present form. I favor the granting of the authority here requested, but think proper constitutional safeguards should be still preserved about the provisions of the act which grants the rights.

Mr. DENT. Mr. Speaker, I have endeavored to explain the situation. I have had several inquiries about it, and I have endeavored to explain it as well as I could, and, in brief, I have stated that no private party or corporation could institute such proceedings until the Secretary of War was informed of the purpose they had in view, and what they could accomplish for the benefit of the Government. These private parties and corporations must have the approval of the Secretary of War before the proceeding could be instituted. Therefore it is, after all, a Government condemnation proceeding; so that it is just a question of difference between tweedledum and tweedledee.

Mr. KAHN. Mr. Speaker, will the gentleman yield?

Mr. DENT. Yes; I yield.

Mr. KAHN. The gentleman from Pennsylvania [Mr. ROBBINS] spoke of invading the coal mines of Pennsylvania. One of the very purposes of this provision in the bill is to conserve the coal supply of the country. It is believed that by generating enough electric power in the various sections of the country that can turn out supplies for the use of the Government and the Army we can conserve thousands, yes, hundreds of thousands, of tons of coal that would otherwise have to be mined for these utilities.

Mr. DENT. Mr. Speaker, I yield the balance of my time to the gentleman from California [Mr. KAHN], and after that I hope that I can move the previous question on the adoption of the conference report.

The SPEAKER pro tempore. The gentleman from California is recognized.

Mr. KAHN. Mr. Speaker, I was exceedingly pleased to hear the gentleman from Missouri [Mr. BORLAND] speak as he did of the valuable services rendered his country by Gen. Crowder. [Applause.] It has been necessary for me at various times since our entrance into the war, by reason of being a member of the Committee on Military Affairs, to consult with the Judge Advocate General of the Army and the Provost Marshal General, Gen. Crowder occupying both positions. I want to say that I could always find him at his desk as early as 8 o'clock in the morning; I could frequently find him at his desk in the War Department until midnight. His was constructive work. We were embarking on an almost uncharted sea when we enacted the selective draft law. It was reasonable to suppose that hundreds of mistakes would be made and that many people throughout the country would rise in anger against those who were charged with the enforcement of the law. I believe that from the Atlantic to the Pacific and from the Lakes to the Gulf there is but one feeling for Gen. Crowder, and that is a feeling of high regard for his ability, his legal attainments, his honesty of purpose, and his great patriotism. [Applause.]

In having written this letter which the chairman of the committee had read from the desk he did a big thing in a big way, and the country will give him due credit, even if he is not to receive an additional star on his shoulder, for having so graciously and unselfishly asserted that he does not want to be singled out for preferment in face of the fact that there are thousands of others in this country who have also done their patriotic duty and who have no present hope of reward. He voiced the sentiment of an overwhelming number of the Members of this House and his course will be approved generally throughout the Nation. [Applause.]

But I want to call to the attention of the House this important fact: The men in the staff departments of the Army in war times are at a decided disadvantage. They share none of the glamor of war. They are not in the spotlight. They sit at their desks, and Members of this House and men who know nothing about the Army are inclined to sneer at them as swivel-chair officers. Without a proper and efficient force in the swivel chairs, without an able force, without a competent force in the staff departments and bureaus the men in the field could not perform their work. The latter are entirely dependent upon the work of the officers who sit in their chairs at the War Department, studying every detail of the formation of the Army, of the supplies for the Army, of the ammunition for the Army, of the ordnance for the Army; and when one of these officers breaks down, the effect is felt to the remotest trench on the farthest battle fields of Europe where American troops are participating. I hope that the House will never establish the precedent or subscribe to the proposition that, because a man is detailed to perform his duty in one of the bureaus of Washington, all opportunity for advancement should be denied him.

Many of these men are clamoring for an opportunity to be detailed to the front. They know that the opportunities lie there and they want to go. They appeal constantly to be permitted to go, but the Secretary of War has issued his mandate and keeps these officers at their desks. There is nothing for them to do but to submit, as a good soldier always does. So I hope that this House will never take a narrow view of this question. I hope it will never assent to the doctrine that because a man is detailed to one of the departments here in Washington he must forever give up any chance for promotion at the hands of his Government for duty well performed. [Applause.]

The SPEAKER. The time of the gentleman has expired. All time has expired.

Mr. DENT. Mr. Speaker, I move the previous question on the adoption of the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

On motion of Mr. DENT, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

PENSIONS.

Mr. KEATING. Mr. Speaker, I call up the conference report on the bill (S. 3798) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors.

The SPEAKER. The Clerk will report it.

The Clerk read the title of the bill.

Mr. KEATING. Mr. Speaker, I ask unanimous consent that the statement may be read in lieu of the report.

The SPEAKER. The gentleman from Colorado asks unanimous consent that the statement may be read in lieu of the report. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, the items that have been in disagreement relate only to individual pension claims?

Mr. KEATING. That is all.

Mr. STAFFORD. I assume that the gentleman ought to ask unanimous consent that the report be considered, notwithstanding the rule about printing, but I will make no objection.

The SPEAKER. Has this report been printed?

Mr. KEATING. All I know is that the chairman of the Committee on Pensions is not able to be here to-day, and he asked me to call up these conference reports.

The SPEAKER. The Chair is informed by the Clerk that the report has been printed. The gentleman from Colorado asks unanimous consent that the statement be read in lieu of the conference report. Is there objection?

There was no objection.

The Clerk read the statement of the House conferees.

CONFERENCE REPORT (NO. 731).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3798)

granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendments numbered 2 and 4.

That the Senate recede from its disagreement to the amendments of the House numbered 1, 3, 6, and 7, and agree to the same.

Amendment numbered 5: That the Senate recede from its disagreement to the amendment of the House numbered 5, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows:

"The name of Esther Shields, former widow of Walter Rogers, late of General Mounted Service, United States Army, Regular Establishment, and pay her a pension at the rate of $12 per month."

And the House agree to the same.

JOHN A. KEY,
EDWARD KEATING,
Managers on the part of the House.
HENRY F. HOLLIS,
WM. H. THOMPSON,
REED SMOOT,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House, at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3798) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows and dependents of such soldiers and sailors, submit the following written statement in explanation of the effect of the action agreed upon by the conference as to each of said amendments, viz:

On amendment No. 1 (Minnie H. Wolf): Strikes out provision for pension.

On amendment No. 2 (William C. Campbell): Restores provision for pension stricken out by the House.

On amendment No. 3 (Leander Thomas): Strikes out provision for pension.

On amendment No. 4 (Isaac F. Allen): Restores provision for pension stricken from the bill by the House.

On amendment No. 5 (Esther Shields): Restores provision for pension but at $12 in lieu of $20 as approved by the Senate.

On amendment No. 6 (Elizabeth K. Cottman): Strikes out provision for pension.

On amendment No. 7 (Laura C. Slack): Strikes out provision for pension.

JOHN A. KEY,
EDWARD KEATING,
Managers on the part of the House.

The SPEAKER. Does the gentleman from Wisconsin [Mr. STAFFORD] desire to make any motion?

Mr. STAFFORD. Mr. Speaker, I remembered that this morning there were two omnibus pension bills presented for printing under the rule, and I was unadvised whether this was one of them or not.

Mr. KEATING. The chairman of the Committee on Pensions left a memorandum asking me to call up these conference reports. He left no explanation concerning their status. If they have not been printed in the RECORD, I will ask unanimous consent that they may be considered, despite the rule concerning printing.

Mr. SHOUSE. Mr. Speaker, if the gentleman will yield, the conference reports presented this morning were from the Committee on Invalid Pensions.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. KEATING. Mr. Speaker, I call up the conference report on the bill (S. 4542) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors, and I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman asks unanimous consent that the statement be read in lieu of the report. Is there objection?

There was no objection.

The Clerk read the statement of the House conferees.

CONFERENCE REPORT (NO. 732).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4193) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendments numbered 1 and 5.

That the Senate recede from its disagreement to the amendments of the House numbered 3, 4, 6, 7, 8, and 9, and agree to the same.

Amendment numbered 2: That the Senate recede from its disagreement to the amendment of the House numbered 2, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows:

"The name of Thomas S. Gher, late of Company C, Fourth Regiment Illinois Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month."

And the House agree to the same.

JOHN A. KEY,
EDWARD KEATING,
Managers on the part of the House.
HENRY F. HOLLIS,
WM. H. THOMPSON,
REED SMOOT,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 4193) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows and dependents of such soldiers and sailors, submit the following written statement in explanation of the effect of the action agreed upon by the conference as to each of said amendments, viz:

On amendment No. 1 (Kathryn B. Steiner): Restores provision for pension.

On amendment No. 2 (Thomas S. Gher): Restores provision for pension, but at $12 in lieu of $17, as approved by the Senate.

On amendment No. 3 (Thomas E. Cruess): Seventeen dollars per month allowed in lieu of $20, as approved by the Senate.

On amendment No. 4 (Thomas Harrison): Strikes out provision for pension.

On amendment No. 5 (William W. Cook): Restores provision for pension.

On amendment No. 6 (John M. Taylor): Approves at $24 per month in lieu of $30, as approved by the Senate.

On amendment No. 7 (Henrietta A. Forbes): Strikes out provision for pension.

On amendment No. 8 (Edwin C. Gasque): Strikes out provision for pension.

On amendment No. 9 (Sallie Hardwick): Strikes out provision for pension.

JOHN A. KEY,
EDWARD KEATING,
Managers on the part of the House.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. KEATING. Mr. Speaker, I call up the conference report on the bill (S. 4193) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors, and I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman from Colorado asks unanimous consent that the statement be read in lieu of the report. Is there objection?

There was no objection.

The Clerk read the statement of the House conferees.

CONFERENCE REPORT (NO. 733).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4542) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent rela-

tives of such soldiers and sailors, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendments numbered 3, 4, 9, and 10.

That the Senate recede from its disagreement to the amendments of the House numbered 1, 2, 6, 7, and 8, and agree to the same.

Amendment numbered 5: That the Senate recede from its disagreement to the amendment of the House numbered 5, and agree to the same with an amendment as follows: In lieu of the amount proposed insert "$17"; and the House agree to the same.

Amendment numbered 11: That the Senate recede from its disagreement to the amendment of the House numbered 11, and agree to the same with an amendment as follows: In lieu of the amount proposed insert "$17"; and the House agree to the same.

JOHN A. KEY,
EDWARD KEATING,
Managers on the part of the House.

HENRY F. HOLLIS,
WM. H. THOMPSON,
REED SMOOT,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 4542) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows and dependents of such soldiers and sailors, submit the following written statement in explanation of the effect of the action agreed upon by the conference as to each of said amendments, viz:

On amendment No. 1 (John W. Ferris): Strikes out provision for pension.

On amendment No. 2 (Roswell B. Van Wagenen): Approves for $17 in lieu of $20, as suggested by the Senate.

On amendment No. 3 (Barnard J. Irwin): Restores provision for pension.

On amendment No. 4 (Laura A. Workman): Restores provision for pension.

On amendment No. 5 (Orval W. Hiatt): Approves at $17 per month in lieu of $20, suggested by the Senate.

On amendment No. 6 (Ada Johnston Cowles): Approved for $25 per month in lieu of $50, as suggested by the Senate.

On amendment No. 7 (Florence M. Anderson): Strikes out provision for pension.

On amendment No. 8 (Ellen H. Sharp): Approves for $20 per month in lieu of $25, suggested by the Senate.

On amendment No. 9 (George W. Goodman): Restores provision for pension.

On amendment No. 10 (Lanson O. Brown): Restores provision for pension.

On amendment No. 11 (David M. Thompson): Allows rate of $17 per month in lieu of $20, suggested by the Senate.

JOHN A. KEY,
EDWARD KEATING,
Managers on the part of the House.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Massachusetts.

Mr. WALSH. Is there any particular reason why the pension for Mr. Harrison is restored at a lower rate than was originally provided for in the bill?

Mr. KEATING. In reply to the gentleman I will say that the conferees discuss all these cases. In some instances the House conferees yield, and in other instances we effect a compromise. In this particular case I am not familiar with all the facts, but it was one of the cases where we reached a compromise.

Mr. WALSH. Then I suppose it would be proper to state that in the case of Mr. Harrison they have restored his pension at the lower rate because the conferees had to compromise.

Mr. KEATING. It is not a question of being compelled to compromise, but on the presentation of the case by the Senate conferees the House conferees were convinced that we might allow the soldier the pension suggested.

Mr. WALSH. I see the conferees agreed to strike out the pension for Sallie G. Hardwick. Is that a case where she has deceased, or was there no merit in the claim?

Mr. KEATING. I am not familiar with the facts.

Mr. WALSH. I know the gentleman from Colorado too well to know that he has brought up a matter before the House for consideration, the facts pertaining to which he is not familiar with.

Mr. KEATING. I am sorry to be compelled to disappoint my friend from Massachusetts and to state that he is in error in holding me in such high esteem, because I value his good opinion very much. The fact of the matter is, as I stated in the beginning, the chairman of the Committee on Pensions was unexpectedly called from the House and was unable to take charge of the matter and asked me to call up these reports. I supposed the reports were sufficiently full to supply all the information desired by the gentleman.

Mr. WALSH. They announce that the pension for the lady was stricken from the bill. That is, of course, a sufficient statement. I notice that the gentleman was one of the conferees, and hence my confidence in his ability to furnish any facts relating to the items mentioned in the report. Of course, that confidence is reenforced by the gentleman's well-known ability to state facts and circumstances and make explanations pertaining to any matter in which he is interested. I will say that this estimable lady does not come from the section of the country which I have the honor to represent, but I wondered why the item was dropped by the conferees, and whether or not, as in the case of many others, the beneficiary has deceased, or whether the claim was found on further investigation by the conferees to have no merit.

Mr. KEATING. As I stated to the gentleman, I do not recall the details of this case. These omnibus bills carry scores of claims. I do not pretend to be able to relate all the facts.

Mr. WALSH. The gentleman thinks the conference report should be adopted?

Mr. KEATING. I assure the gentleman that I do. The conferees went over these matters very carefully, and I think the gentleman can safely vote for the report.

Mr. WALSH. I thank the gentleman for his assurance.

Mr. GREEN of Iowa. Will the gentleman from Colorado yield?

Mr. KEATING. I will.

Mr. GREEN of Iowa. What my friend from Colorado has stated reenforces the suspicion in my mind that has prevailed for quite a while: That when the conferees met the members of the House conferees were not there. The gentleman has stated that he did not know about these cases. I would inquire whether the gentleman was present when the conference was held.

Mr. KEATING. Mr. Speaker, I must have a most unfortunate way of expressing myself if I have given the gentleman from Iowa the impression that I was not present at these conferences, or that a majority of the House conferees was not in attendance. I am sure I did not wish to convey that impression. A majority of the House conferees was present and we went over all the cases in controversy with a great deal of care, and in some instances insisted on the House amendments, and in some cases compromised, and in some cases succeeded in winning the Senate over to our view.

I think the gentleman will agree with me that only a man fortunate enough to have seen the light of day for the first time in the State of Massachusetts could carry in "one small head" all the details concerning these cases. I have not been able to do it. My impression is that Mrs. Hardwick's claim was a so-called Key-bill case. The House committee takes the position that where the widow of a Spanish-American War soldier applies for a pension and is unable to show that her husband's death resulted from disabilities incurred in the service we will not grant a pension by special act. The Senate has been a little more liberal than the House, but the House has insisted on its position on the ground that the House would eventually enact general legislation granting Spanish-American War widows the pensions they so richly deserve.

Mr. GREEN of Iowa. I think, on the whole, I have done the gentleman an injustice and the conferees which represented the House, but my suspicions were really aroused not so much by what happened to the bills that have come from his committee as from those that came from the Committee on Invalid Pensions. The sad fact is only too familiar to the Members of the House that when the bills got into conference they were considered whether the conferees of the House were present or not.

Mr. WALSH. Will the gentleman from Colorado yield?

Mr. KEATING. With pleasure.

Mr. WALSH. I notice that some conference reports are signed by only two members of the managers on the part of the House. I trust the items to which I have referred were

not subject to discussion which resulted in one of the conferees refusing to sign the report. If so, I assure the gentleman I have no knowledge of it.

Mr. KEATING. I can assure the gentleman that so far as the report is concerned it represents the opinion of all the conferees.

Mr. WALSH. Mr. Speaker, the gentleman stated that the Colorado brand of head is not sufficient to carry all of the details of a conference report, and suggested that possibly the Massachusetts brand was the only kind capable of doing that.

Mr. KEATING. I was thinking of the gentleman's great predecessor, Daniel Webster. [Laughter.]

Mr. WALSH. I assume that I reminded the gentleman of my predecessor because I am so different.

Mr. KEATING. The gentleman is quite right in that observation.

Mr. WALSH. I trust the gentleman takes no offense at these innocent inquiries as to these items in the bill.

Mr. KEATING. Oh, quite the contrary. I feel like apologizing to the gentleman, to be perfectly frank, that I did not secure a copy of the report which was prepared by the Senate Clerk and the House Clerk showing the details of these cases, because with that report here to refresh my memory I could at once have given the gentleman the information which he requests, and to which the gentleman is entitled. The remarks which I have made were in the best of humor.

Mr. WALSH. Oh, I trust the gentleman never loses his temper, particularly on the floor of the House. May I ask the gentleman if he is going to call up the conference report on No. 4191, which was called up second in order?

Mr. KEATING. Apparently, the memorandum furnished me did not contain the correct number. One of the clerks tells me that the number should be 4193 instead of 4191, and, having examined the papers, I find the clerk is correct in that. The chairman merely put down the wrong number.

Mr. WALSH. So, of course, there will be no items in 4191 which will call for any explanation.

Mr. KEATING. Fortunately for me.

Mr. WALSH. I am glad the gentleman is relieved.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. KEATING. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 12211, an omnibus pension bill, with Senate amendments, disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Colorado asks unanimous consent to take from the Speaker's table the bill H. R. 12211, an omnibus pension bill, with Senate amendments, disagree to the Senate amendments, and ask for a conference. Is there objection?

There was no objection.

The Chair announced the following conferees: Mr. KEY, Mr. KEATING, and Mr. SELLS.

JOINT RESOLUTION CONTINUING CERTAIN APPROPRIATION BILLS.

Mr. SHERLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table House joint resolution 311, making appropriations for certain necessary operations of the Government and of the District of Columbia for the months of July and August, 1918, and for other purposes, with Senate amendments thereto, and to concur in the Senate amendments.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to take from the Speaker's table House joint resolution 311, with Senate amendments, and concur in the Senate amendments. Is there objection?

Mr. STAFFORD. Mr. Speaker, can the gentleman give assurance that the Senate amendments providing that the resolution for continuing appropriations shall extend to the month of August as well as the month of July will have any value in expediting a recess of the Congress?

Mr. SHERLEY. I am not in position to answer that question definitely, but it is quite possible that one of the Agricultural bills might require a continuation longer than 30 days. It is also possible that this may be true as to the District appropriation bill, which has not yet been agreed to. It can do no harm, because if these bills go through under the terms of this joint resolution the laws take the place of it, and it simply would prevent the need of passing another resolution. It is very important that there shall be a resolution passed as soon as possible, and for that reason I think that the House can well afford to concur in the Senate amendments, which simply change the resolution as it passed the House so as to include the month of August. That is the only difference.

Mr. STAFFORD. It will be of great value, I understand, if the Congress agrees to a recess resolution until some time in August.

Mr. SHERLEY. I can simply say to the gentleman this, that the Senate amendments do not make more difficult a recess.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the Senate amendments.

The Senate amendments were read.

The SPEAKER. The question is on agreeing to the Senate amendments.

Mr. GILLETT. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. GILLETT. Will the gentleman from Kentucky yield me five minutes?

Mr. SHERLEY. Certainly.

Mr. GILLETT. Mr. Speaker, I think the attention of the House ought to be called to the peculiar condition in which our appropriation bills have been for the last week, a condition which, as far as I know, is entirely unprecedented in the history of the country. The appropriations for the District of Columbia, for the Agricultural Department, and for the Army expired last Sunday, and because of that the heads of those departments have been subject to fine and imprisonment. I would like to read for the information of the House, because I think it is a serious matter which we ought to bear in mind for the future, the law on this subject.

The law says:

> No executive department or other Government establishment of the United States shall expend in any one fiscal year any sum in excess of appropriation made by Congress for that fiscal year or involve the Government in any contract or other obligation for the future payment of money in excess of such appropriation unless such contract or obligation is authorized by law. Nor shall any department or any officer of the Government accept voluntary service for the Government or employ personal service in excess of that authorized by law except in case of certain emergency involving loss of human life or destruction of property.

Then, again:

> Any person violating any provision of this section shall be summarily removed from office and may also be punished by fine of not less than $100 or imprisoned for not less than one month.

Now, under that law the head of the Department of Agriculture, the head of the Department of War, and the Commissioners of the District ought to be summarily removed from office. They are also liable to a fine of not less than $100 and imprisonment of not less than one month. This applies not only to those bills, but to the legislative and post-office bills. The legislative bill went to the President on June 28, 1918. He kept it until the 1st of July, the day on which all such appropriations end, and then vetoed it. It went back to him upon the 2d of July, and then it was approved, so that there was one day—the 1st of July—on which in every department of the Government every clerk here in Washington was illegally employed, was employed in direct violation of the express statute of law, and all through the week all the District employees have been employed right in the face of that law which says that no voluntary service shall be accepted and nobody shall be employed except as authorized by an appropriation bill. The same is true, as I say, with the Agriculture bill and the Army bill, and was true Monday of every postal employee in the country. Now, this resolution extending the old appropriations went through the House on Tuesday. It was the intention to pass it here on Monday, but the Senate adjourned earlier than was expected, so that it did not go through the House until Tuesday. As far as my recollection goes, whenever these accidents occur, have occurred in the past, so that the new appropriation bills were not ready by the 1st day of July, when the old ones expired, such a continuing resolution as this has always been passed before the 1st of July, but on the theory of law that no fractions of a day are recognized I presume that if it had passed on Monday it would have satisfied the law.

But it went to the Senate Tuesday, and there it has been held from Tuesday until to-day; and, therefore, on every one of those days we have been infracting the law, compelling disobedience of the law, and none of the employees of these departments had any right to be employed and none of the department heads had any right to employ them, and they were all liable to fine and imprisonment and removal from office. I suppose the answer that will be made to us in the Senate is that the Government has not stopped; that they have all been employed and no harm has resulted. But it seems to me we ought to consider whether this lawmaking assembly, the Congress of the United States, is doing its duty in allowing, compelling, and, in fact, effecting such a breach of law, such a

violation of its own statutes as this. It is these little violations of law that always in the history of the world have been the excuse and beginnings of tyranny, and they have also been the excuse for anarchy. The way a tyrant gets his power first is by assuming to do something which is illegal but which is necessary, just as our officials have been obliged to do this last week, and then, having once obtained power under good pretext, he turns it against the people and holds it. And in the same way the anarchist, the lyncher, the mob-law advocate says: "It is not necessary to observe the forms of law. What we want is the result, and if we attain the just end, whether it is by mob rule or according to the terms of law, that is all that is necessary; a lynching is just as good as an execution." Now, that is what we have been doing this week, and it seems to me it is a serious matter. Congress should not set an example of disregarding the requirements of law. Congress, and particularly the Senate, should weigh it seriously, and it ought not to be repeated, because it is an express violation of our own statutes and it is encouraging and giving an example of lawlessness; and in a republic the only safety is to recognize and uphold the majesty of the law. And here the Congress of the United States for a week has been assenting to and compelling a disobedience of its own law. And while, of course, the administration officials have done what they ought to have done and have continued the execution of their separate duties, yet they have had to do it in defiance of law and have exposed themselves to removal from office, fine, and imprisonment. And we ought not to allow that to happen again by our fault. [Applause.]

Mr. SHERLEY. Mr. Speaker, I agree with what the gentleman from Massachusetts [Mr. GILLETT] has said, and yet I think it proper to again call attention to the fact that the House is practically in no sense to blame for any of this situation. On Saturday night I was prepared to have a resolution acted upon by the House if the Senate had not by its adjournment made it a useless thing to do. Monday, as soon as the House met, the joint resolution was passed.

Now, this is true touching the supply bills: It is always difficult during any session, short or long, to get the supply bills all passed and on the statute books before the beginning of the fiscal year in the long session or the forced adjournment on the 4th of March in the short session. And the difficulty is nearly as great in the long session as in the short, because it is the session in which a great deal of other legislation is taken up that interferes with the presentation of supply bills. But if that problem has been difficult in the past it has been herculean at this session. We have had to pass deficiency bills, not one but four, from the Committee on Appropriations, any one of which was as large and carried as much money as the total amount heretofore appropriated in peace times for all purposes of the Government. We have had to consider overnight new requests that have arisen by virtue of new developments in the war, and if we were to perform our duty in supplying to the House the information upon which these great grants of money were to be based we had to take an amount of testimony that has been five times greater than what has been necessary in former times.

Now, I say that in justice to my colleagues, who have worked so hard and so faithfully. And it is true that in presenting the bills at the time we did to the House instead of being subject to censure for delay we were entitled to congratulations for the speed with which we have managed bills of such tremendous magnitude. I regret exceedingly that there should pass an hour when it was necessary to do without authority of law those things which were necessary to maintain and continue the Government. But it has been necessary. However, the matter is now cured. It might have been cured earlier if it had not been for the situation that arose in connection with the Agricultural bill and the unwillingness of some Members of another body to permit the resolution to come to a vote. That matter has for the time being gotten out of the way so as to permit this joint resolution to be passed, and I now ask for its consideration.

The SPEAKER. The question is on agreeing——

Mr. SHERLEY. Mr. Speaker, I wish to yield two minutes to the gentleman from Mississippi [Mr. SISSON].

Mr. SISSON. Mr. Speaker, I do not intend to detain the House for more than a moment, to make a statement that the conferees on the part of the House met with the conferees of the Senate, and they have been unable to agree, although we made several propositions.

Mr. Speaker, I ask unanimous consent that I may extend my remarks in the RECORD on the principle of the half and half, so that I may put in the RECORD a little data in reference to the history of this matter. I think it would be of interest to the House and should be of interest to the Senate.

The SPEAKER. The gentleman from Mississippi asks unanimous consent to extend his remarks in the RECORD on the half-and-half principle. Is there objection?

There was no objection.

The SPEAKER. The question is on concurring in the Senate amendment.

The Senate amendment was concurred in.

APPLICATIONS FOR PATENTS BY FOREIGNERS.

Mr. SAUNDERS of Virginia. Mr. Speaker, if there are no more conference reports to be presented, I would like to ask unanimous consent to proceed for three minutes.

The SPEAKER. The gentleman from Virginia asks unanimous consent to proceed for three minutes. Is there objection?

There was no objection.

Mr. SAUNDERS of Virginia. Mr. Speaker, there is a rather extraordinary situation existing in one of the departments of the Government. Inasmuch as I desire to make a motion in connection with a bill to correct that situation I will use the three minutes allotted to me, in explaining the same.

Under exising law a citizen of any foreign country making application for a patent in his own country has one year thereafter within which to make application in this country. Owing to the disturbances of the war, that year has been found in many instances to be insufficient.

Strange to say, under the trading-with-the-enemy act we have provided by law that a citizen of Germany, or of any one of the countries allied with Germany shall have an extension of time beyond this year, in which to make this application. We did not provide by law for this extension for a citizen of one of our allied countries—England, for instance—so that this situation prevails to-day, that with respect to the extension of time within which applications may be made, a citizen of Germany, or of some country allied with Germany has a preferential position, as compared with a citizen of any one of the allied countries.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. STAFFORD. Is not the reason for the difference that all communication between Germany and Austria-Hungary is suspended, whereas there is no difficulty of communication between the citizens of the allied countries?

Mr. SAUNDERS of Virginia. Of course, the suggestion of the gentleman furnishes a reason why we should have made this provision in the case of Germany, and of her allies, but it furnishes no reason why we should put the citizens of Great Britain, and of the other allied countries in the present anomalous situation. Of course, there have been great disturbances in the mails. I will point out to the gentleman that a bill has been passed by the Senate to remedy the inequality complained of.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield again?

Mr. SAUNDERS of Virginia. I wish to get the facts before the House. I am not declining to yield except on account of lack of time. A bill has been enacted by the Senate that cures the defect, in our laws, and providing that as opportunity has been given to the citizens of Germany to make application after the year has passed, a like opportunity will be given to citizens of Great Britain, and to the allies of Great Britain. There are 100 cases that are hung up to-day in the Patent Office by reason of the uncertainty of the law, and the Secretary of the Interior has asked that a bill be passed definitely giving to the citizens of the allied countries, the rights that have been given to the citizens of Germany and her allies.

The SPEAKER. The time of the gentleman from Virginia has expired.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the gentleman's time may be extended five minutes.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent that the time of the gentleman from Virginia be extended five minutes. Is there objection?

There was no objection.

Mr. SAUNDERS of Virginia. The Senate has passed the bill correcting this situation. The House Committee on Patents unanimously reported a bill precisely to the effect of the Senate bill. This House bill was reported before the bill came over from the Senate. It was intended under the House rules to ask for action on the Senate bill, but by inadvertence this bill was referred to the Committee on Patents. Hence it is now necessary to ask unanimous consent to discharge the Committee on Patents from further consideration of the Senate bill and thereby bring about precisely the same situation as if it had remained on the desk of the Speaker.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. STAFFORD Do I understand that the bill that the gentleman seeks to have considered grants to all residents of countries allied with the United States an indefinite time within which to file applications for patents, provided the same privilege is granted by those countries to citizens of the United States?

Mr. SAUNDERS of Virginia. Yes; there must be reciprocal action in this matter. It is not an indefinite time. The gentleman is mistaken about that. It is nine months beyond the expiration of the period provided under the present law.

Mr. STAFFORD. I would like to have the gentleman explain what difficulty has prevented citizens of these allied countries from taking out letters patent in this country? They have been granted a year additional. Why should we grant them another nine months' extension?

I know of many American inventors who have applied for patents since our entrance into the war, who have not sought an extension of time to get letters patent from foreign countries.

Mr. SAUNDERS of Virginia. The Secretary of the Interior reports that there are something like 100 cases now pending at the Patent Office, that can not be acted upon, and unless this legislation is passed, these applications for patents will fail.

Mr. STAFFORD. There may be 100 foreigners who have not within the year filed their claims for patents with the Patent Office, but what has prevented them from coming here and filing their claims for patents?

Mr. SAUNDERS of Virginia. The disturbances growing out of the war.

Mr. STAFFORD. Communication has continued during that time.

Mr. SAUNDERS of Virginia. It has been greatly interrupted. Permit me to read an extract from a letter from the Acting Secretary of the Interior. It is certainly a most anomalous situation that the citizens of Germany and of the countries allied with Germany, should have greater opportunities under our laws than the citizens of our allies.

Mr. STAFFORD. Is that because communication has ceased between Germany and this country?

Mr. SAUNDERS of Virginia. Communication with respect to the other countries has been interrupted, if it has not entirely ceased.

Mr. STAFFORD. The foreign inventors have a year in which to apply. Why could not they have taken out their letters patent during that year?

Mr. SAUNDERS of Virginia. Here is what the Secretary of the Interior says in relation to that:

> Until this act is passed we will be in the position of extending privileges under the trading-with-the-enemy act to our enemies while denying the same privileges to our allies, which is, of course, regrettable.
>
> The commissioner states that this proposed bill was introduced in the Senate (S. 3524) and in the House (H. R. 8763), but no further action has been taken, and I write to request that since there can be no objection to this bill, and since there are numerous cases in the Patent Office that are awaiting action the bill be passed during the present session if possible.

That is the situation. If there is any further inquiry in relation to the facts I would be very glad to answer the same.

Now, Mr. Speaker, having explained why the bill is not on the Speaker's table, I ask unanimous consent that the Committee on Patents may be discharged from the consideration of this bill (S. 3524), and that it may be restored to its place on the Speaker's table, so that the House may act upon it.

The SPEAKER. The gentleman asks unanimous consent to discharge the Committee on Patents from the further consideration of this bill and to consider it now. Is there objection?

Mr. WALSH. Mr. Speaker, reserving the right to object, what does the Committee on Patents say about that?

Mr. SAUNDERS of Virginia. This motion is made on behalf of the Committee on Patents. Before the Senate bill was passed the House Committee on Patents reported favorably a bill which is not only substantially the same bill, but identically the same bill.

Mr. WALSH. A bill similar in terms has since passed the Senate?

Mr. SAUNDERS of Virginia. The Committee on Patents intended to ask that action be taken on the Senate bill, but by inadvertence the bill was sent to the Committee on Patents instead of remaining on the Speaker's table. The committee did not desire that reference.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I believe the bill should first be read before consent is given.

The SPEAKER. The Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc., That the act entitled "An act to extend temporarily the time for filing applications and fees and taking action in the United States Patent Office in favor of nations granting reciprocal rights to United States citizens," approved August 17, 1916, be amended to read as follows.

"That any applicant for letters patent or for registration of any trade-mark, print, or label, being within the provisions of this act, if unable during war or within six months thereafter, on account of conditions arising out of war, to file any application or pay any official fee or take any required action within the period now limited by law, shall be granted an extension of nine months beyond the expiration of said period.

"SEC. 2. That the provisions of this act shall be limited to citizens or subjects of countries which extend substantially similar privileges to the citizens of the United States.

"SEC. 3. That this act shall be operative to relieve from default under existing law occurring since August 1, 1914, and all applications and letters patent and registrations in the filing or prosecution whereof default has occurred for which this act grants relief shall have the same force and effect as if said default had not occurred."

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I wish to direct the attention of the gentleman having the bill in charge to the phraseology of section 1. The gentleman stated that the only purpose of this act was to extend the time nine months. If I am not in error in my reading of section 1, it grants to all applicants for patents living in foreign countries other than those of the enemy the right to file an application for a patent nine months after the termination of the war.

Mr. SAUNDERS of Virginia. That is in the case in which the citizen has made his application abroad, but, due to these interruptions which I have stated, he has not gotten it within the year that we now give him. We have given precisely this right to the citizens of Germany and of her allied countries.

Mr. STAFFORD. We have granted to foreign inventors the right to file application for the period of one year beyond the time previously fixed.

Mr. SAUNDERS of Virginia. No; within one year after they make their applications at home.

Mr. STAFFORD. I know many American inventors who perhaps would not wish, by reason of the uncertainty of the conditions abroad, to file an application for a patent in a foreign country. But why should we grant to foreigners, even though they are citizens of our allies, the privilege of having their applications for patents filed in their native country, and give them the protection of filing a patent in this country, until nine months after the termination of the war?

Mr. SAUNDERS of Virginia. Let me call the attention of gentlemen to the fact that we do not give this right to citizens of any foreign country unless the reciprocal right is given by that country to the inventors of this country. We put them upon precisely the same foundation. This law is not operative as to any country which does not extend to citizens of our country precisely the right that is proposed to be extended to the citizens of their country.

Mr. STAFFORD. The inventors of our country are not asking this privilege.

Mr. SAUNDERS of Virginia. I understand that they are.

Mr. STAFFORD. The Commissioner of Patents is making the request on the part of foreigners who are in default and can not get protection under the patent laws.

Mr. SAUNDERS of Virginia. No; as I understand the condition of the foreigner is, it is no different from our own people. We are not giving to the foreigner anything that is not given to the inventors of this country.

Mr. STAFFORD. If the gentleman is a member of the Committee on Patents, and I assume that he is——

Mr. SAUNDERS of Virginia. No; I am not.

Mr. NOLAN. Will the gentleman yield to me?

Mr. SAUNDERS of Virginia. Yes.

Mr. NOLAN. I am familiar with the terms of this bill, having been a member of the Committee on Patents for six years. I know that the gentleman is not a member of the committee——

Mr. SAUNDERS of Virginia. No; but I am familiar with the features of the bill.

Mr. NOLAN. I do not object to the gentleman calling up the bill, but I can not understand why the ranking Democratic member of the committee did not handle the bill.

Mr. SAUNDERS of Virginia. I can answer that in a moment. If there is any objection going to be made on that line, which I did not presume there would be—the chairman of the committee saw me this morning and said he was going away in anticipation of the recess and he expected to call up this bill. He outlined the facts to me which I have outlined, but if there is anybody in the House objecting to it I want to say that I am not disposed to take the burden of any Member of the House in that particular.

Mr. NOLAN. I think it is a rather novel thing for the chairman of a committee to ask a Member of the House, not a member of the committee, to call up a bill, ignoring the minority.

Mr. SAUNDERS of Virginia. He ignored the majority if you put it on the ground of ignoring. He asked me to bring it up.

Mr. STAFFORD. Mr. Speaker, the inventors of this country are not on the same plane as the foreign inventors so far as the privileges received under patents in foreign countries are concerned. Nearly every country other than the United States requires that within a definite period, usually one or two years, the patentee must manufacture the patent in that country to continue its validity. That limitation is not required in this country. This bill seeks to give an additional right to foreign inventors, and for that reason I object.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the House to bills of the following titles:

S. 4193. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of soldiers and sailors;

S. 3798. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors; and

S. 4542. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors.

WAR-RISK INSURANCE.

Mr. SIMS. Mr. Speaker, I ask unanimous consent that House bill 11048 with Senate amendments be laid before the House for the purpose of moving to concur in the Senate amendments.

The SPEAKER. What is the status of the bill?

Mr. SIMS. The House passed a bill, it went to the Senate, and the Senate has amended it in slight particulars.

The SPEAKER. Are any of the amendments to be considered in Committee of the Whole?

Mr. SIMS. Not one.

The SPEAKER. The Chair lays before the House a bill of which the Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 11048) to amend an act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, as amended by the act approved June 12, 1917.

The Senate amendments were read.

Mr. WALSH. Will not the gentleman from Tennessee state to the House the effect of the several amendments which have been put on by the Senate?

Mr. SIMS. The effect of the amendments is nothing more than verbal amendments. They have stricken out the words "act entitled 'An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department,' approved September 2, 1914, as amended by the act approved June 12, 1917," and inserted the words "war-risk insurance act."

And then in section 9 it struck out the words "it authorizes the insurance by the United States against loss or damage by risk of war" and inserts instead the words "the Division of Marine and Seamen's Insurance is concerned." These are only perfecting verbal amendments and do not change any provision of the law as it passed the House.

Mr. WALSH. It makes it briefer and clearer.

Mr. SIMS. Yes.

The SPEAKER. The question is on agreeing to the Senate amendments.

The question was taken, and the Senate amendments were agreed to.

The title was amended to conform with the text.

On motion of Mr. SIMS, a motion to reconsider the vote whereby the Senate amendments were agreed to was laid on the table.

PENSIONS FOR WIDOWS AND MINOR CHILDREN OF OFFICERS, WAR WITH SPAIN, ETC.

Mr. KEATING. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 4444) to pension widows and minor children of officers and enlisted men who served in the War with Spain, Philippine insurrection, or in China, which I send to the desk and ask to have read.

The Clerk read the bill.

The SPEAKER. Is there objection?

Mr. GARNER. Mr. Speaker, I object.

BRIDGE ACROSS TUG RIVER, KY.

Mr. BARKLEY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 3009) granting the consent of Congress to the P. M. C. Coal Co. to construct and maintain a bridge across Tug River, connecting Pike County, Ky., and Mingo County, W. Va., which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the P. M. C. Coal Co., and its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across Tug River at a point suitable to the interests of navigation, one end of the said bridge being in Pike County, Ky., near the western portal of Hatfield Tunnel of the Norfolk & Western Railway, and the other end of the said bridge being on the opposite side of Tug River, in Mingo County, in the State of West Virginia, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. BARKLEY, a motion to reconsider the vote by which the bill was passed was laid on the table.

FRANK BARBER.

Mr. ROGERS. Mr. Speaker, I ask unanimous consent that the Speaker lay before the House Senate bill 4790, for the relief of Frank Barber, which is now on the Speaker's table.

The SPEAKER. What is the parliamentary status of the bill?

Mr. ROGERS. This bill has passed the Senate. An identical bill has since been reported unanimously by the House Committee on Military Affairs.

The SPEAKER. The Chair lays before the House the bill, which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he hereby is, authorized and directed, out of any moneys not otherwise appropriated, to pay to Frank Barber, a first lieutenant of the Dorset Regiment of Infantry of the British Army, who lost the sight of both eyes and became totally blind by reason of a premature explosion on February 14, 1918, while acting as an instructor of United States troops at Camp Wheeler, Ga., as compensation for disability resulting therefrom, such sums of money as by the act of Congress approved October 6, 1917, entitled "An act to amend an act entitled 'An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department,' approved September 2, 1914, and for other purposes," is provided to be paid as compensation for disability to an injured person who has lost both eyes or become totally blind from causes occurring in the line of duty in the service of the United States; and such compensation shall be payable and be paid as of and from the 14th day of February, 1918, and under and according to the terms, conditions, and basis of computation in said act provided, and such sum shall be in full of all claims, legal or equitable, of the said Frank Barber, his heirs, representatives, or assigns.

The SPEAKER. The question is on the third reading of the Senate bill.

Mr. STAFFORD. Mr. Speaker, is it not necessary to consider this bill in Committee of the Whole?

The SPEAKER. The Chair thinks it is.

Mr. ROGERS. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to consider the bill in the House as in Committee of the Whole. Is there objection?

Mr. STAFFORD. Mr. Speaker, one other parliamentary inquiry. Is it not necessary for the gentleman to get unanimous consent to have this bill considered at all, for the reason that it involves a charge on the Treasury.

The SPEAKER. The Chair thinks the gentleman will have to get unanimous consent.

Mr. ROGERS. Mr. Speaker, I ask unanimous consent that the bill be considered at this time.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, I do not think we should play favorites in the consideration of these private bills. There should be a call of the private calendar and the bills taken up in order.

The SPEAKER. Does the gentleman object?

Mr. STAFFORD. Mr. Speaker, I object.

SENATE BILL REFERRED.

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 4790. An act for the relief of Frank Barber; to the Committee on Military Affairs.

ENROLLED BILLS SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolution and bills of the following titles, when the Speaker signed the same:

H. J. Res. 311. Joint resolution making appropriations for certain necessary operations of the Government and of the District of Columbia for the months of July and August, 1918, and for other purposes;

H. R. 9054. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1919; and

H. R. 12281. An act making appropriations for the support of the Army for the fiscal year ending June 30, 1919.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 4542. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors;

S. 4193. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors; and

S. 3798. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills:

H. R. 10021. An act granting the consent of Congress to the county commissioners of Trumbull County, Ohio, to construct, operate, and maintain a bridge and approaches thereto across the Mahoning River in the State of Ohio;

H. R. 12580. An act to authorize an additional issue of bonds to meet expenditures for the national security and defense, and, for the purpose of assisting in the prosecution of the war, to extend additional credit to foreign Governments, and for other purposes;

H. R. 10069. An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes; and

H. R. 12600. An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes.

NOBEL PEACE PRIZE.

Mr. GALLIVAN. Mr. Speaker, I ask unanimous consent for the present consideration of the House joint resolution which I send to the desk and ask to have read.

The Clerk read as follows:

Joint resolution (H. J. Res. 313) providing for the disposition of moneys represented in the Alfred Bernard Nobel peace prize, awarded in 1906.

Whereas in compliance with the expressed desire of Theodore Roosevelt Congress passed an act entitled "An act to establish the Foundation for the Promotion of Industrial Peace," appointed March 2, 1907, in which act trustees were created and appointed with power to accept from the said Theodore Roosevelt the money gift carried as a part of the Nobel peace prize awarded him in the year 1906; and

Whereas the trustees or industrial peace committee created under said act still has in its custody the moneys represented in the said Nobel prize, and accretions thereto, and has not found it practicable to dispose of the same in accordance with the provisions of said act: Therefore be it

Resolved, etc., That the industrial peace committee created under an act of Congress entitled "An act to establish the Foundation for the Promotion of Industrial Peace," approved March 2, 1907, be, and they are hereby, authorized and directed to return to the Hon. Theodore Roosevelt the sum of money in its hands, principal and interest, represented in the Nobel peace prize, and placed with it in accord with the expressed desires and purposes of Theodore Roosevelt in 1907.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. GALLIVAN, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12281) making appropriations for the support of the Army for the fiscal year ending June 30, 1919.

IMMEDIATE TRANSPORTATION OF DUTIABLE MERCHANDISE.

Mr. TREADWAY. Mr. Speaker, I ask unanimous consent to call up the bill H. R. 12002, reported unanimously by the Committee on Ways and Means.

The SPEAKER. The Clerk will read the bill.

The Clerk read as follows:

A bill (H. R. 12002) for the establishment of Bar Harbor, in the State of Maine, as a port of entry and delivery for the immediate transportation without appraisement of dutiable merchandise.

Be it enacted, etc., That the privileges of the first and seventh sections of the act approved June 10, 1880, as amended, governing the immediate transportation of dutiable merchandise without appraisement, be and are hereby extended to the port of Bar Harbor, in the district of Portland, in the State of Maine.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, will the gentleman advise the House why the committee recommends the designation of Bar Harbor, not only as a port of entry but also as being exempted from the provision of section 7? The gentleman's committee has reported two bills, one relating to Bar Harbor and another one to Oswego, N. Y., but at Oswego, N. Y., you do not confer the same grant of power that you do at Bar Harbor, Me., and I wish to inquire what is the reason for granting greater authority to Bar Harbor?

Mr. TREADWAY. They are identical.

Mr. STAFFORD. I beg the gentleman's pardon, they are different. I wish to inquire of some member of the committee the reason why they grant the summer resort at Bar Harbor, Me., greater power than they do to a manufacturing city like Oswego?

Mr. TREADWAY. Mr. Speaker, the two bills are both reported by the Ways and Means Committee unanimously, and as I read the language they are identical and are both recommended by the Treasury Department in a letter signed by the Acting Secretary of the Treasury, one letter to Mr. KITCHIN under date of May 31, and the other having to do with Oswego under date of April 25, both of which I will be pleased to read for the information of the House if it seems necessary. It is simply a formality that has frequently been done in the past and a matter of convenience, nothing else. It does not appoint any additional officials and avoids confusion in those ports.

Mr. STAFFORD. I wish the gentleman would read the bill providing for the port of entry at Oswego.

Mr. TREADWAY. That is not now before the House, but I would be very glad to read it for the information of the House.

Mr. STAFFORD. The gentleman says they are identical. As I recall from a reading of the bills, there is a difference between the two bills, and I am rising for information as to why the Committee on Ways and Means grants greater power to Bar Harbor than it does to Oswego?

Mr. TREADWAY. I will apologize to the gentleman; he is correct. The phraseology is different, in that it reads in the case of Bar Harbor:

That the privileges of the first and seventh sections of the act approved June 10, 1880, as amended, governing the immediate transportation of dutiable merchandise without appraisement, be, and are hereby, extended to the port of Bar Harbor, the district of Portland, in the State of Maine.

The one in reference to Oswego, which is the next one on the calendar, does not refer to section 7.

Mr. STAFFORD. Can the gentleman give information as to the reason why they made that differentiation?

Mr. TREADWAY. I shall be glad to insert sections 1 and 7 of the act of June 10, 1880, in the RECORD:

Be it enacted, etc., That when any merchandise, other than explosive articles, and articles in bulk not provided for in section 4 of this act, imported at the ports of New York, Philadelphia, Boston, Baltimore, Portland and Bath, in Maine, Chicago, Port Huron, Detroit, New Orleans, Norfolk, Charleston, Savannah, Mobile, Galveston, Pensacola, Fla., Cleveland, Toledo, and San Francisco, shall appear by the invoice or bill or lading and manifest of the importing vessel to be consigned to and destined for either of the ports specified in the seventh section of this act, the collector at the port of arrival shall allow the said merchandise to be shipped immediately after the entry prescribed in section 2 of this act has been made.

* * * * * * *

SEC. 7. That the privilege of immediate transportation shall extend to the ports of New York and Buffalo, in New York; Burlington, in Vermont; Boston, in Massachusetts; Providence and Newport, in Rhode Island; New Haven, Middletown, and Hartford, in Connecticut; Philadelphia and Pittsburgh, in Pennsylvania; Baltimore, Crisfield, and Annapolis, in Maryland; Wilmington and Seaford, in Delaware; Salem, Mass.; Georgetown, in the District of Columbia; Norfolk, Richmond, and Petersburg, in Virginia; Wilmington and Newberne, in North Carolina; Charleston and Port Royal, in South Carolina; Savannah and Brunswick, in Georgia; New Orleans, in Louisiana; Portland and Bath, in Maine; Portsmouth, in New Hampshire; Chicago, Cairo, Alton, and Quincy, in Illinois; Detroit, Port Huron, and Grand Haven, in Michigan; St. Louis, Kansas City, and St. Joseph, in Missouri; St. Paul, in Minnesota; Cincinnati, Cleveland, and Toledo, in Ohio; Milwaukee and La Crosse, in Wisconsin; Louisville, in Kentucky; San Francisco, San Diego, and Wilmington, in California; Portland, in Oregon; Memphis,

Nashville, and Knoxville, in Tennessee; Mobile, in Alabama; and Evansville, in Indiana; and Galveston, Houston, Brownsville, Corpus Christi, and Indianola, in Texas; Omaha, in Nebrska; Dubuque, Burlington, and Keokuk, in Iowa; Leavenworth, in Kansas; Tampa Bay, Fernandina, Jacksonville, Cedar Keys, Key West, and Apalachicola, in Florida: *Provided*, That the privilege of transportation herein conferred shall not extend to any place at which there are not the necessary officers for the appraisement of merchandise and the collection of duties.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. TREADWAY, a motion to reconsider the vote by which the bill was passed was laid on the table.

The SPEAKER. The Chair recognizes the gentleman in reference to the Oswego bill.

Mr. TREADWAY. Mr. Speaker, I ask unanimous consent to call up the bill H. R. 8839, reported by the Committee on Ways and Means.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 8839) for the establishment of Oswego, in the State of New York, as a port of entry for immediate transportation without appraisement of dutiable merchandise.

Be it enacted, etc., That the privileges of the first section of the act approved June 10, 1880, governing the immediate transportation of dutiable merchandise without appraisement, be, and are hereby, extended to the port of Oswego, in the State of New York.

The SPEAKER. Is there objection?

Mr. ROBBINS. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Pennsylvania rise?

Mr. ROBBINS. I desire to ask the gentleman in reference to what commerce there is at Oswego that requires the establishment of a port of entry and to create a collector of the port——

Mr. TREADWAY. There is no collector to be established at all. It simply allows merchandise to pass through in bond that is landed there; it does not require any officials to be appointed.

Mr. ROBBINS. Where does the commerce come from and where does it pass to?

Mr. TREADWAY. It is a lake point.

Mr. ROBBINS. On Lake Ontario?

Mr. TREADWAY. Yes.

Mr. ROBBINS. Would not there be some offices there, and would it not be an expense on the Government?

Mr. TREADWAY. As I understand it, there is no intention whatever, nor does the bill carry any right, to establish any offices whatever. It would be continued in its present location, simply allowing goods to pass through in bond.

Mr. ROBBINS. Well, all right.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. TREADWAY, a motion to reconsider the vote by which the bill was passed was laid on the table.

VENTILATION OF THE HALL OF THE HOUSE.

Mr. PARK. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate joint resolution 165.

The SPEAKER. The gentleman from Georgia asks unanimous consent for the immediate consideration of the resolution which the Clerk will report.

The Clerk read as follows:

Joint resolution (S. J. Res. 165) to appoint a joint committee to consider the question of ventilation of the House of Representatives and the Senate.

Resolved, etc., That a joint committee of seven be appointed to consider the question of ventilation of the House of Representatives and the Senate, three members of said committee to be appointed by the Speaker of the House of Representatives and three members to be appointed by the Presiding Officer of the Senate; and Elliott Woods, Superintendent Capitol Building and Grounds, to be the seventh member of said committee.

The SPEAKER. Is there objection?

Mr. WALSH. Mr. Speaker——

Mr. GARRETT of Tennessee. I object.

The SPEAKER. Does the gentleman object or reserve the right to object?

Mr. GARRETT of Tennessee. I reserve the right to object.

Mr. WALSH. Mr. Speaker, reserving the right to object, when is this committee to pursue its investigation?

Mr. PARK. During the recess, if we have one.

Mr. WALSH. Then, of course, they will not pursue any investigation and there will be no need for passing this resolution.

Mr. PARK. That is a question. I think they will investigate.

Mr. WALSH. When? During the night?

Mr. PARK. No; during the recess, if we have a recess; or, if we do not have a recess, they can investigate anyway.

Mr. WALSH. The gentleman means during the recess between the end of the short session of this Congress and the beginning of the Sixty-sixth Congress?

Mr. PARK. No; I mean in the next 30 or 40 days, if we have a recess.

Mr. WALSH. We will have the next 30 or 40 days, but, I think, without a recess.

Mr. CANNON. Will the gentleman yield?

Mr. PARK. I will.

Mr. CANNON. We have been making investigations as to the ventilation ever since I have been coming to this House, which is over a generation. We have employed architects and torn up the floor and done all kinds of things to the House. I think the law has not been repealed that was written upon the statute books to overhaul this whole House and cut it into about one-third of the size of the Hall of the House now. That law has never been enforced. It seems to me, considering the past history of ventilation and the desire to change the Hall of the House, that in the closing days of the session I will have to object.

Mr. PARK. The resolution does not carry an appropriation at all; and if they do not investigate, there will be no harm done.

Mr. CANNON. I doubt if we have architects in the Senate or the House that would agree with outside architects.

Mr. STAFFORD. Will the gentleman yield, with the consent of the gentleman from Georgia?

Mr. Speaker, can the gentleman from Illinois [Mr. CANNON] inform the House as to what has ever been done with the recommendation of a commission providing for the rearrangement of the interior of the Hall of the House of Representatives? As I recall, some 10 years ago a commission was authorized providing for the rearrangement of this Chamber. I believe the plan proposed was to remove the southerly wall to the outer wall of the building. I am under the impression that the committee made a report and it is awaiting action by the Congress.

Mr. CANNON. No; the legislation, as I recollect it, was enacted years ago, and, to avail myself of an expression of former President Cleveland, is still upon the statute books, and, I believe, in that place, if it can be located, where "innocuous desuetude" prevails.

The SPEAKER. Is there objection?

Mr. GARRETT of Tennessee. I object.

EAST ST. LOUIS RIOTS (H. DOC. NO. 1231).

Mr. JOHNSON of Kentucky. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Kentucky rise?

Mr. JOHNSON of Kentucky. For several months now the committee that was sent to East St. Louis to make an investigation has been ready to report, and there is a standing order of the House making it a special privilege to report, and I would like to make the report now.

The SPEAKER. You do not want to interfere with conference reports, if there are any more of them? The Chair will recognize the gentleman, subject to that condition.

Mr. GILLETT. May I ask about how long it will take the gentleman?

Mr. JOHNSON of Kentucky. There are about 40 or 50 pages of it.

Mr. GILLETT. Are you going to read it?

Mr. JOHNSON of Kentucky. Yes.

Mr. GILLETT. Why not print it? We would be glad to hear the gentleman if he were going to talk offhand, but if he is going to read it——

Mr. CANNON. Oh, well, if conference reports or appropriation bills interrupt it, the reading could stop at once.

The SPEAKER. The Chair will only recognize the gentleman on that condition.

Mr. JOHNSON of Kentucky. Mr. Speaker, I read:

"Your committee appointed under House resolution No. 128 for the purpose of making investigation of the East St. Louis riots which occurred on May 28 and July 2, 1917, reports that as a result of unlawful conditions existing at that place, interstate commerce was not only openly and violently interrupted but was virtually suspended for a week or 10 days during and following the riot of last July. For months after the July riot interstate commerce was interfered with and hindered, not, however, by open acts of violence, but by a subtle and effective intimidation of colored men who had been employed by the railroads to handle freight consigned from one State to another. So many of these men were driven out of East St. Louis as the result of the July riot that the railroads could not secure neces-

sary help. After the worst effects of the riot had passed this class of labor remained so frightened and intimidated that it would not live in East St. Louis. Some of them took up their residences across the river in St. Louis, and would go over to East St. Louis in the morning to work and would return to that place before nightfall. In order to get out of East St. Louis and back to St. Louis before night came on the length of the day's work was reduced. The fright of these laborers went to such an extent—and it was fully justified by existing conditions—that special means of transportation had to be provided for them back and forth between St. Louis and East St. Louis in order to get them to work at all. Besides the killing of a number of these negro laborers, a very large number, indeed, fled from the work and never returned to it. In addition to this 44 freight cars were burned and serious damage done to the railroad tracks, all of which will be referred to further along in this report.

"Your committee made an earnest, nonpartisan effort to determine the basic cause of the riot. We endeavored to pursue every avenue of information to its source, searched the hearts and consciences of all witnesses, and sought the opinions of men in every walk of life. The officers of the mills and factories placed the blame at the door of organized labor; but the overwhelming weight of testimony, to which is added the convictions of the committee, ascribes the mob spirit and its murderous manifestations to the bitter race feeling that had grown up between the whites and the blacks.

"The natural racial aversion, which finds expression in mob violence in the North as in the South, was augmented in East St. Louis by hundreds of petty conflicts between the whites and the blacks. During the year 1917 between 10,000 and 12,000 negroes came from the Southern States to seek work at promised high wages in the industries of St. Clair County. They swarmed into the railroad stations on every train, to be met by their friends who formed reception committees and welcomed them to the financial, political and socialliberty which they had been led to believe Illinois guaranteed. They seldom had more than enough money to exactly defray their transportation, and they arrived dirty and hungry. They stood around the street corners in homesick huddles, seeking shelter and hunting work.

"How to deal with them soon became a municipal problem. Morning found them gathered at the gates of the manufactories, where often they were chosen in preference to the white men who also sought employment. But as rapidly as employment was found for those already there fresh swarms arrived from the South, until the great number without employment menaced the prosperity and safety of the community.

"The Aluminum Ore Co. brought hundreds and hundreds of them to the city as strike breakers, to defeat organized labor, a precedent which aroused intense hatred and antagonism and caused countless tragedies as its aftermath. The feeling of resentment grew with each succeeding day. White men walked the streets in idleness, their families suffering for food and warmth and clothes, while their places as laborers were taken by strange negroes who were compelled to live in hovels and who were used to keep down wages.

"It was proven conclusively that the various industries in St. Clair County were directly responsible for the importation of these negroes from the South. Advertisements were printed in various Southern newspapers urging the negroes to come to East St. Louis and promising them big wages. In many instances agents were sent through the South to urge the negroes to abandon profitable employment there and come to East St. Louis, where work was said to be plentiful and wages high.

"One of the local railroads sent an agent to the Southern States, and on some trips he brought back with him as many as 30 or 40 negro men, all of them employed at their southern homes, making from $2 to $2.50 a day. A number of these men testified before the committee that they were promised $2.40 a day 'and board' if they would come to East St. Louis; but when they did come they were paid only $1.40 a day, with an allowance of 60 cents a day for board, and were fed on coffee, bread and 'lasses' and made to sleep on sacks in box cars, where they suffered keenly from the cold.

"Responsibility for this influx of 10,000 or more negroes into East St. Louis rests on the railroads and the manufacturing establishments, and they must bear their share of the responsibility for the ensuing arson and murder that followed this unfortunate invasion.

"It is a lamentable fact that the employers of labor paid too little heed to the comfort or welfare of their men. They saw them crowded into wretched cabins, without water or any of the conveniences of life; their wives and children condemned to live in the disreputable quarters of the town, and made no effort to lift them out of the mire.

"The negroes gravitated to the unsanitary sections, existed in the squalor of filthy cabins, and made no complaint; but the white workmen had a higher outlook, and the failure to provide them with better homes added to their bitter dissatisfaction with the burdens placed upon them by having to compete with black labor. This resentment spread until it included thousands who did not have to work with their hands.

"Ten thousand and more strange negroes added to the already large colored population soon made East St. Louis a center of lawlessness. Within less than a year before the riot over 800 'holdups' were committed in the city. More than 80 per cent of the murders were committed by negroes. Highway robberies were nightly occurrences; rape was frequent; while a host of petty offenses kept the law-abiding citizens in a state of terror.

"White women were afraid to walk the streets at night; negroes sat in their laps on street cars; black women crowded them from their seats; they were openly insulted by drunken negroes. The low saloons and gambling houses were crowded with idle vagabonds; the dance halls in the negro sections were filled with prostitutes, half clad, in some instances naked, performing lewd dances.

"Negroes were induced to buy homes in white districts by unscrupulous real estate agents; and, as a consequence, the white people sold their homes at a sacrifice and moved elsewhere.

"Owners of cheap property preferred negroes as tenants, charging them $15 a month rent for houses for which white workmen had paid only $10.

"Corrupt politicians found the negro vote fitted to their foul purpose, and not only bought them on election day, but in the interval protected them in their dens of vice, their low saloons and barrel houses. They had immunity in the courts; crooked lawyers kept them out of jail; and a disorganized, grafting police force saw to it that they were not molested.

"East St. Louis wallowed in a mire of lawlessness and unshamed corruption. Criminals from every quarter of the country gathered there, unmolested and safe from detection.

"This was the condition of affairs on the night of July 1, 1917, when an automobile—some witnesses say there were two—went through a negro section of the city and fired promiscuously into their homes. No one was injured, but the act aroused a fierce spirit in the breasts of the negroes.

"The ringing of a church bell at midnight, which was a prearranged signal, drew a crowd of negroes from that immediate section armed with guns and pistols. They marched through the streets ready to avenge the attack on their homes. They had not gone far until an automobile containing several policemen and a newspaper reporter crossed their path, having been notified by telephone that there was danger of an outbreak. The negroes cursed them and told them to drive on, although one of the detectives flashed his police badge and assured them that they had come to protect them.

"For answer the negro mob fired a volley into the machine which, at the first shot, drove rapidly away. The negroes continued to empty their guns and pistols, with the result that one of the officers was instantly killed and another so badly wounded that he died later.

"The police automobile, riddled with bullets, stood in front of police headquarters next morning and thousands viewed it. The early editions of the papers gave full details of the tragedy of the night before. And, on July 2, East St. Louis awoke to a realization of the awful fact that the dread which had knocked at every heart for months could no longer be denied. Years of lawlessness had at last borne bloody fruit. As the day wore on negro mobs killed other white men, and shot at men and women who were offering them no wrong.

"Dr. McQuillan, a well-known physician, and his wife were dragged from their machine and shamefully abused. The doctor was shot, his ribs were broken, and both he and his wife were badly beaten. One of his assailants remarked, "Boys, this is Dr. McQuillan, the Aluminum Ore Co. doctor," and pleaded for his life. The would-be murderers, some of whom must have been employed by the Ore Co., helped the doctor and his wife into their machine and, cranking it for them, sent them on their way.

"The news of these murders and fresh outrages spread rapidly, and the streets soon filled with excited people. Men and boys, girls and women of the town began to attack every negro in sight. All fared alike, young and old, women and children; none was spared. The crowd soon grew to riotous proportions, and for hours the man hunt continued, stabbing, clubbing and shooting, not the guilty but unoffending negroes. One was hanged from a telephone pole and another had a rope tied around his neck and was dragged through the streets, the

maddened crowd kicking and beating him as he lay prostrate and helpless.

"The negroes were pursued into their homes and the torch completed the work of destruction. As they fled from the flames they were shot down, although many of them came out with uplifted hands, pleading to be spared.

"It was a day and night given over to arson and murder. Scenes of horror that would have shocked a savage were viewed with placid unconcern by hundreds, whose hearts knew no pity, and who seemed to revel in the feast of blood and cruelty.

"It is not possible to give accurately the number of dead. At least 39 negroes and 8 white people were killed outright, and hundreds of negroes were wounded and maimed. 'The bodies of the dead negroes,' testified an eyewitness, 'were thrown into a morgue like so many dead hogs.'

"There were 312 buildings and 44 railroad freight cars and their contents destroyed by fire; a total loss of $393,600. Your committee can not go into all the harrowing details of how the negroes—men, women and children—were killed and burned during the riot, but there were so many flagrantly cruel cases that a bare recital of the facts concerning some of them will be given.

"At Collinsville and Illinois Avenues a negro man and his wife and 14-year-old boy were assaulted. The man was beaten to death; his head was crushed in as if by a blow from a stone, and the boy was shot and killed. The woman was very badly injured; her hair was torn out by the roots and her scalp was partly torn off by some one who took hold of the ragged edges of a wound and scalped her. After a time an ambulance drove up and the bodies of these three negroes were loaded into it. The father and the son were dead, and when the woman regained consciousness she found herself lying on the dead bodies of her husband and child. This family lived across the Mississippi River in St. Louis and were on their way home after having been on a fishing trip north of East St. Louis. They were innocent of any connection with the race feeling that brought about the riot and were victims of the savage brutality of the mob, who spared neither age nor sex in their blind lust for blood.

"Another negro who was trying to escape from a mob of 30 or 40 men was knocked down, kicked in the face, beaten into insensibility; and then a man stood over him and shot him five times as he lay helpless in the street.

"A white man shot at a negro and killed another white man, his bad aim infuriating the mob that pursued the unoffending negro.

"Two negroes were taken from a street car at Illinois and Collinsville Avenues. They were on their way to St. Louis to escape the fury of the mob. Both were killed.

"Near the stock yards a white man knocked a negro senseless from a wagon, and when two reporters offered to take the wounded man to the hospital another white man threatened their lives and forced them to drive away and leave him.

"At Collinsville and Division Avenues a mob of about 100 men drove a negro into the street, knocked him down, stamped on his face, and one of the crowd drew a pistol and shot him through the head, the bullet coming out between his eyes.

"An old negro, about 70 years old, stepped off a street car, having come from St. Louis on his way home. The mob immediately attacked him with such fury that he was left senseless after being stoned and beaten. A witness who described this particular case to your committee said: 'This old man, his dinner bucket lying on the ground beside him, apparently was dead, although he had his arm arched up over his face as if to protect himself from blows. About that time an ambulance driver came up and started to pick him up to put him into the ambulance. A white man standing over him said, "If you pick up this negro, you'll get what he got." I saw that same negro in the undertaking establishment the next day, dead, with his arm still arched over his face.'

"Around Third Street and Brady Avenue the mob was firing promiscuously into houses and sheds where the negroes had taken shelter. Every time one of them ran from these houses he was shot and killed.

"The rioting continued all along Broadway, between Collinsville Avenue and Eighth Street; houses were burned and the poor wretches were driven from their homes or shot as they were trying to escape the flames. Two of them, with hands above their heads, were shot and killed.

"A negro child 2 years old was shot and thrown into the doorway of a burning building, and nothing ever was found of the remains.

"There was a crippled negro who took care of the horses and mules for the Hill-Thomas Lime & Cement Co. He was a faithful, hard-working, loyal fellow. The day of the riot his employer's stable was in the path of the flames. He called up Mr. Thomas, his boss, on the telephone, and said: 'I just called you up to tell you good-bye. I'm here in de barn, and I ain't goin' to leave; I've turned all de stock out; I'm going to stay here; I'm not going outside to be shot.'

"This faithful negro must have been consumed in the flames as no trace of him ever was found.

"It is impossible to say how many people perished in the 312 houses that were burned by the mob, but many negroes who lived in those houses still are missing, and it is not possible to get an accurate report as to just how many found death in the flames.

"East St. Louis for many years has been a plague spot; within its borders and throughout its environs every offense in the calendar of crime and every lapse in morals and public decency has been openly committed, each day increasing the terrors of the law-abiding. No terms of condemnation, applied to the men who were responsible for the appalling conditions revealed before your committee, can be too severe. No punishment that outraged justice may visit upon them will be adequate. In many cases they deserve the extreme penalty; in every case they merit the execration of a despoiled and disgraced community.

"The purpose of the politicians of both political parties, who found East St. Louis respected and prosperous and in a few years robbed its treasury, gave away valuable franchises, sank it in the mire of pollution, and brought upon it national censure and disgrace, was deliberate. They united to elect men to high office who would further their schemes of spoliation even when they feared to share their plunder. It was a conspiracy as shameless as it was confident. They left nothing to chance. It took account of the executive; it provided for an unscrupulous legislative board; it made certain of police commissioners who would take orders and deliver the goods; it embraced the courts high and low; it went into partnership with every vile business; it protected every lawless saloon; it encouraged houses of prostitution in the very shadow of the city hall; it gave protection to gamblers, immunity to thieves and murderers.

"The gang that took possession of East St. Louis harbored the offscourings of the earth. The vag, the safe blower and the 'stick-up man' flocked to its sheltering arms, safe from arrest or disturbance.

"The good people of this sorely afflicted community were powerless. The chamber of commerce, which should have had the courage to rally the law-abiding and drive out the lawless, was ineffective. They actually 'laid upon the table' a resolution of inquiry to investigate the conditions that made property unsafe and life perilous.

"The owners of the great corporations whose plants were in and about East St. Louis lived in other cities. They pocketed their dividends without concern for the municipal dishonesty that wasted the taxes, and without a thought for the thousands of their own workmen, black and white, who lived in hovels, the victims of poverty and disease, of long hours and incessant labor.

"The greed that made crooks of the politicians made money grabbers of the manufacturers, who pitted white labor against black, drove organized labor from their plants, brought thousands of inefficient negroes from the South, crowding the white men from their positions. All this stirred the fires of race hatred until it finally culminated in bloody, pitiless riot, arson and wanton murder.

"Mayor Mollman surrounded himself with advisers who were familiar with the game of politics. They were not interested in securing an honest and economical administration. Their business first was to elect a man who would be subservient; one who possibly might not put his own hand into the public treasury, but would look the other way if a friend were so engaged. They needed a man who would stand between them and the indignant taxpayer; a fair promiser but a poor performer; personally honest, maybe, but so weak, so feeble, and so easily influenced that the conspirators were able to dictate his policies, and in the shadow of his stupidity loot the municipality. This was not the result of corruption in only one political party. It was brought about by a combination between the leaders of the worst elements in both parties. They pooled issues in the city election and declared regular dividends on their investment at the expense of honest people.

"In the history of corrupt politics in this country there never has been a more shameless debauchery of the electorate nor a more vicious alliance between the agencies and beneficiaries of crime than for years existed in East St. Louis. It is a disgraceful chapter. It puts an ineffaceable brand on every man engaged in the conspiracy. Its contamination, spreading from a reservoir of corruption in the city hall, filtered through carefully laid conduits into every street and alley; into the hotels where girls, mere children of 15 years of age, were violated; into the low

dance halls where schoolgirls listened to lewd songs and engaged in lascivious dances, and in the interval retired to assignation rooms with the drunken brutes who frequented these resorts; into the gambling houses where poorly paid workmen were robbed of their daily earnings; into the 350 saloons which kept open on Sunday, many of them running without license; into the barrel houses, where the vilest of whisky was sold in bottles, the resort of vagrants and drunkards, rendezvous of criminals and schools of crime.

"This corruption palsied the hands of prominent officials whose duty it was to enforce the law. Lawyers became protectors of criminals; the courts were shields for the highwaymen, the prostitute, the gambler, the sneak thief and the murderer. The higher courts were not free from this baneful influence, which invaded all ranks and brought them to its low level.

"Local judges were found who would take straw bonds that the worst criminals might escape; exacting only costs, two-thirds going into the pockets of the judge and one-third into the waiting palm of the chief of police.

"A police force is never better than the police commissioner; and the police commissioners, in turn, reflect the character and wishes of the mayor. If a city has a mayor of courage and ability, who is not the weak and willing prey of political crooks and grafters, he is certain to appoint a board of police commissioners who will name policemen intelligent enough to know the law and brave and honest enough to enforce it.

"East St. Louis was doubly unfortunate. In the person of Mayor Mollman it had an executive who obeyed orders from a gang of conscienceless politicians of both political parties, who were exploiting the city for their own aggrandizement, careless alike of its good name, its security or its prosperity. They were harpies who closed their eyes to the corruption that saturated every department of the public service and fattened on its festering carcass. Without conscience and without shame they led the mayor into devious paths, tempted him with assurances of political support for his future ambitions, packed the police force with men whose incompetency was only surpassed by their venality, and so circumscribed him with flattery and encouraged his cupidity that they were able to take the reins of government from his feeble hands and guide it to suit their own foul and selfish purposes.

"The great majority of the police force appointed by Mayor Mollman's board of police commissioners had served an apprenticeship as connivers at corrupt elections; as protectors of lawless saloons, and hotels run openly as assignation houses. They turned criminals loose at the dictation of politicians, and divided with grafting justices of the peace the fines that should have gone into the treasury.

"This was the general character of the police force of the city of East St. Louis on July 1, 1917, when the spirit of lawlessness, long smoldering, burst into flame.

"When acts of violence were frequent on the night of May 28, after a largely attended public meeting in the City Hall at which Attorney Alexander Flannigan, by unmistakable implication, suggested mob violence, the police department failed to cope with the incipient mob.

"When the lawlessness began to assume serious proportions on July 2, the police instantly could have quelled and dispersed the crowds, then made up of small groups; but they either fled into the safety of a cowardly seclusion, or listlessly watched the depredations of the mob, passively and in many instances actively sharing in its work.

"The testimony of every witness who was free to tell the truth agreed in condemnation of the police for failure to even halfway do their duty. They fled the scene where murder and arson held full sway. They deserted the station house and could not be found when calls for help came from every quarter of the city. The organization broke down completely; and so great was the indifference of the few policemen who remained on duty that the conclusion is inevitable that they shared the lust of the mob for negro blood, and encouraged the rioters by their conduct, which was sympathetic when it was not cowardly.

"Some specific instances will be given in proof of the above conclusions:

"After a number of rioters had been taken to the jail by the soldiers under Col. Clayton, the police deliberately turned hundreds of them loose without bond, failing to secure their names or to make any effort to identify them.

"In one instance the mob jammed policemen against a building and held them there while other members of the gang were assaulting unoffending negroes. The police made no effort to free themselves, and seemed to regard the performance as highly humorous.

"The police shot into a crowd of negroes who were huddled together, making no resistance. It was a particularly cowardly exhibition of savagery.

"When the newspaper reporters were taking pictures of the mob, policemen charged them with their billies, broke their machines, destroyed the negatives, and threatened them with arrest if any further attempt was made to photograph the rioters who were making the streets run red with innocent blood, applying the torch to reach their victims who were cowering in their wretched homes.

"A negro was brutally clubbed by a policeman who found him guilty of the heinous offense of hiding in an ice box to save his life.

"Two policemen and three soldiers were involved in the shooting of Minneola McGee under circumstances of extreme brutality. This occurred, not at the scene of the riots, but as she was going from an outhouse to the kitchen of the residence where she was employed, when the police and the soldiers who accompanied them fired at her deliberately, without even the slightest provocation, and shot off her arm near the shoulder.

"Minneola McGee is a negro girl about 20 years old. She was induced to leave one of the Southern States and go to East St. Louis by the many enticing but misleading advertisements scattered among southern negroes. It is apparent that even before her injury she was a frail and rather delicate girl. When she appeared before your committee, with one arm off just below the shoulder, she was a physical wreck. She has no education whatever. It is not possible for her to earn a living in any other way than by manual labor. Now, as the result of as fiendish a piece of work as was ever perpetrated, she must, at least to some extent, be an object of charity. Because of her youth this sort of a life is before her. She was interrogated by your committee to ascertain whether it was possible for her to have been shot by accident. Her simple story removed all doubt upon that score, as she satisfied everyone who heard her that she was purposely and deliberately shot. In answer to questions put to her by your committee she said:

"I wuz in a outhouse in de garden. I hea'd de shootin' an' started fo' de house. When I got put'y nigh de house a soljer histed his gun and pinted it right at me and shot my arm off. Dar wuzn't nobody twixt me and de soljer fo' nim to be shootin' at, an' dar wuzn't nobody on de udder side of me for him to be shootin' at. He jist histed his gun and pinted it at me an' shot my arm off when I hadn't done nothin'. When he shot me I fell on de ground an' didn't know nothin'."

"Her pitiful recital of this piece of brutality toward her had the effect of stirring the indignation of everybody in the room where the hearing was being conducted, and at the same time to arouse the utmost sympathy for her.

"Many other cases of police complicity in the riots could be cited. Instead of being guardians of the peace they became a part of the mob by countenancing the assaulting and shooting down of defenseless negroes and adding to the terrifying scenes of rapine and slaughter.

"Their disgraceful conduct was the logical fruit of the notorious alliance between the City Hall and the criminal elements, aided by saloons, gambling houses and houses of prostitution. The city administration owed its election to their support and rewarded them for their fealty by permitting them to debauch the innocent, rob drunken victims, make assignation houses of the hotels, protect the gambler and the thief, and commit any act by which they might profit.

"Mayor Mollman appointed the police commissioners. He was responsible for their failure to divorce the police from its partnership with crooked lawyers, corrupt justices of the peace and notorious criminals. He knew full well what the conditions in the police department were. Prominent citizens had warned him repeatedly and had supplied convincing proof of their charges against the department. He paid no attention to their warnings and appeals. By his failure to remove the police commissioners he acquiesced in their misfeasance, and equally is responsible with them for the heartless crimes committed by an unrestrained mob, and for the lawlessness that was encouraged and fostered by his failure to enforce the law and to hold his subordinates responsible for the proper conduct of the police department.

"Much of the energy, some of the brains, and nearly all of the audacity of the gang that in recent years has held East St. Louis in its merciless grasp were centered in Locke Tarlton, president of the East Side Levee Board. It was his cunning mind that helped devise the schemes by which he and his associates were enriched. It was his practiced hand that carried them out. He made Mayor Mollman believe he was his creator; that he had elevated him to high station; and that his blind obedience to orders would mean rich political rewards in the future.

"As president of the levee board, Tarlton deposited millions in a local bank and exacted no interest from it. The taxpayers suffered, while the bank lent the money and pocketed the proceeds. In further proof of the close relationship that existed

between the levee board and the bank, Thomas Gillespie, brother of the bank's president, was elected attorney for the levee board.

"Locke Tarlton knew how to handle the negro vote. He had an unanswerable argument to use with 'floaters.' He told them for whom he wanted them to vote, agreed on the price they were to get for casting their ballots, or rather having them marked for them by corrupt election officers, and always paid them promptly. Locke Tarlton was a man of honor when dealing with crooked voters. He always kept his word; he was sure pay. One of the picturesque sights in East St. Louis was to see Locke Tarlton with a stack of $5 bills in his hands publicly paying the negroes who helped him win an election.

"When the levee board needed a right of way over certain land that was owned by a widow, Dr. R. X. McCracken, the health commissioner appointed by Mayor Mollman, bought the land from the widow for $5,000 and sold it a few weeks later to his friends, the levee board, for $20,000. The widow did not know when she sold the land that the levee board wanted it. McCracken's wife also sold land in the same locality to the levee board for $600 an acre, while adjoining land was purchased for $300 an acre.

"When an organized effort was made to close the houses of prostitution the mayor would not give a definite answer until he had sent for Tarlton, who rented property in which low saloons with assignation and dance-hall attachments were featured. In the presence of Rev. George W. Allison, who was conducting this crusade, Tarlton was purposely profane and vulgar; betrayed his interest by his anxiety; showed no sympathy with the movement; said in the presence of the mayor that the 'town was full of jailbirds and crooks, and always would be.'

"Whenever profitable vice was imperiled Tarlton was always found ready to defend. The criminal element believed, as publicly expressed by them, 'that he owned the mayor body and breeches;' and they looked to Tarlton to save them from interference by the police and from prosecution by the courts. He kept his compact faithfully. They never called for help in vain; and on election days the ranks of crime and its immediate beneficiaries, the saloon, the gambling den and the house of prostitution, paid him back with compound interest.

"Locke Tarlton was aided in his work by Tom Canavan, superintendent of public improvements. They were partners in many enterprises. Their desires ran along the same lines; their minds met in countless devious plans for personal gain and political advantage. Canavan was not as bold an operator as Tarlton, but he was more subtle. Possibly he lacked the resistless energy that carried Tarlton over obstacles that would have deterred a more cautious man; but he was shrewd and resourceful, and found ways and means to accomplish his ends, and one of his principal agencies was Locke Tarlton. The mayor was another.

"Tarlton and Canavan were 'the men higher up.' They knew how far to go without taking a personal risk. They knew, too, who could be depended upon to put things over; and the courts and the police force were so organized that no real friend of the 'gang' ever suffered.

"After the riots Canavan is reported to have said: 'Something had to be done to the "niggers," or they would have taken the town.'

"Jerry Sullivan, the corporation counsel, who profited by the job which made the county drain a swamp which he and his friends had very recently bought, evidently with the knowledge that it would soon be drained at public expense, was either an understudy for Tarlton and Canavan, or he was farther back of the curtain. He tried to do in a lesser way what they did wholesale. So far as he could help the combination along in his official capacity, Jerry was willing and ready to serve.

"Alexander Flannigan, an attorney of some ability and no character, appears often in the record of the investigation. His speech to an excited crowd of workingmen in the auditorium of the city hall on the night of May 28 virtually advised them to kill and burn the houses of the negroes. He was not authorized to speak for those who went there to protest against the lawlessness which disgraced the city and the presence of thousands of negroes who, it is claimed, were taking the places of the white workmen, but his inflammatory speech caused many of his hearers to rush into the street and resort to acts of violence.

"Flannigan has long been a menace to decency and order in East St. Louis. He has made a specialty of defending the worst criminals; and, by a corrupt partnership with certain justices of the peace, whose decisions he directed, he was able to secure the release of scores of guilty gamblers, thieves, thugs and prostitutes. If the case required a jury, by connivance with the constables, he always secured a jury that would acquit.

"When efforts were made to indict him for complicity in naturalization frauds, his friend and associate, Hubert Schaumleffel, State's attorney, pleaded with the Federal authorities not to push the charge against him.

"Flannigan ought to be indicted for his incendiary speech to the workingmen. He was in full sympathy with the action of the mob. They followed his advice, and the scenes of murder and arson that ensued were the logical result of his utterances.

"It is the duty of the respectable members of the bar in East St. Louis to institute the necessary proceedings to deprive him of his license to practice law. Such as he make a mockery of justice and bring reproach on an honorable profession.

"Hubert Schaumleffel is the State's attorney for St. Clair County, his authority extending over East St. Louis. It was his duty to prosecute the criminals that made an interstate playground of that city. No disorderly saloon, no gambling house, no house of prostitution could have existed if he had raised a threatening finger. He held in his hand the moral destiny of this city of 90,000 people. Had he been a man of average moral courage, prompted by high motives and responsive to his oath of office, East St. Louis and its border towns would have escaped the maelstrom of vice that all but engulfed them.

"But Schaumleffel had no civic pride; he was devoid of character; he was the boon companion of the low and dissolute; the ready servant of scheming politicians; at heart a sympathizer with criminals whom he should have prosecuted relentlessly. A member of the Tarlton-Canavan corrupt machine, he rendered menial service to his masters. It is in evidence that before the city election, when Mollman was a candidate for mayor, with all the hopes and prospects of the gang centered on him, Schaumleffel called together the leaders among the negroes, those who controlled the vicious elements of their race, and were permitted to violate the law whenever they rendered proper service to his administration. He told them plainly that they had to vote for Mollman for mayor, and if they failed to support him he would close the gambling dens and the dance halls, the policy shops and the dice games, and the lid would be securely placed on an absolutely 'tight town.'

"Many other instances could be given of Schaumleffel's alliance with the worst elements. Alexander Flannigan relied on and was emboldened by his friendship; the lottery sharks in St. Clair County escaped indictment by his inaction; countless criminals went unwhipped of justice, either because he neglected his duty, was blind to offenses committed by his political supporters, or was so benumbed by drink that he did not have the intelligence to realize the enormity of his official omissions.

"Rev. Father Christopher Goelz testified that he went to see Schaumleffel in order to protest against the existence of a cockpit at Woodland Park, with its attendant scenes of beastly drunkenness and debauchery. He found the State's attorney as he was on his way to St. Louis to attend a prize fight, so drunk that he could not talk to him intelligently.

"The day of the riot, with the mob rushing through the streets, hundreds of houses in flames, and men, women and children victims of the rifle, pistol and the bludgeon, State's Attorney Hubert Schaumleffel staggered drunken along the way, heedless of the crimes that were being committed in his presence and callous to the cries of the injured and the dying.

"It is his habit to drink to excess. His infirmity is known to all. His love for liquor seems to have stripped him of all moral courage and manhood, and left him naked and unashamed.

"When will the authorities confront him with his official derelictions and his personal delinquencies, and take from him the high place which he has disgraced?

"Dan McGlynn is a leading lawyer of East St. Louis. He should not be linked too closely with the malodorous Alexander Flannigan, but he must have learned his code of ethics in the same school from which Flannigan graduated. As a member of the so-called 'Committee of One Hundred' McGlynn pretendedly was an indignant citizen, protesting vigorously against lawlessness, cooperating with the attorney general in the prosecution of the rioters and condemning every form of vice. He was so earnest (?) that he was named as a member of the executive committee of the 'Committee of One Hundred,' and the attorney general of the State accepted his assistance, took him into his confidence and consulted freely with him because of his conceded legal ability and his knowledge of local conditions.

"But a change came over Dan McGlynn and he saw another light—not from above as Paul saw it, but from below—a red and sulphurous light that led him into devious paths. The two policemen, Cornelius Meehan and James O'Brien, who, with three of Col. Tripp's soldiers, shot off Minneola McGee's arm and murdered two innocent negroes the morning after the riot, asked Dan McGlynn to defend them. On one side was his membership on the executive committee of the 'Committee of One Hundred' and his possession of important secrets of the prosecution disclosed to him by officials of the attorney general's office, and on

the other was his desire to save Meehan and O'Brien from the punishment which they so justly deserved. All his talents and influence were placed at the service of these assassins, forgetting his duty as a citizen and regard for the ethics of his profession.

"He attempted to justify his conduct by the statement that the policemen were 'old clients' and he felt bound to defend them. Dan McGlynn, powerful, resourceful and respected; and Alexander Flannigan, corrupt and condemned, really are brothers under the skin.

"The case of a young woman, whose name for obvious reasons should not become a part of this report, brought from St. Louis to East St. Louis as a 'white slave' and held a prisoner in a saloon and rooming house run by Steve Unk and his wife, illustrates to what depths of depravity human beings can descend for money. This girl was but 17 years old. She met a man in St. Louis, whose name she did not know, but from her description was a 'pimp' whose business it was to secure 'white slaves' for the East St. Louis market. He told this girl that she was to get employment at the Star Hotel. He took her to Steve Unk's dive, where the first duty imposed upon her was to sit in the saloon and drink with low characters who frequented it. Unk next explained to her that it was her duty to go 'upstairs' with them, and whatever money she received as a prostitute would be divided, half to her and half to Mrs. Unk.

"In the course of time she became 'enceinte,' and Mrs. Unk herself took her to a midwife in St. Louis, who performed an abortion on her. She was taken back to Unk's place that afternoon, was so ill and weak she could not leave her room. Racked with pain and suffering tortures from the crude operation, she was forced to submit to Unk, who broke into her room and spent half the night with her.

"Day by day she sat in the back room of this low saloon, and far into the night, drinking with the mill hands and roustabouts who were drawn there by her advertised presence. She testified that she often drank as many as a dozen bottles of beer in a night, because Unk made her drink with all who asked her. Unk would not permit her to talk with anyone who spoke English, fearful that she would tell her story and appeal to them for help. Unk and his wife made it a rule that she could not have breakfast, not even a drink of water, until after she had made some money in the morning.

"When she finally got away from Unk's place to go to her home in St. Louis, they kept her clothes and her money, and refused to give her even the pitiful share which she had earned by prostitution with the motley gang that crowded this low saloon and assignation house.

"Mrs. Yent, who took the girl into her home at the request of the United States attorney until such time as a 'white slave' charge against Unk could be prosecuted, was hounded by the police, and finally arrested on a trumped-up charge of running a house of prostitution, because this unfortunate girl, sick almost unto death, and an attending nurse were in the house. She not only sheltered this poor girl, but nursed her tenderly, and for her act of charity was dragged into court and prosecuted; but, after a full investigation, the judge dismissed the charge against Mrs. Yent as without foundation.

"Since your committee left East St. Louis Steve Unk has been convicted and sent to the penitentiary for two years for his treatment of this girl. Mrs. Unk is yet to be tried.

"Joseph B. Messick is the county judge of St. Clair County. As judge he appoints two members of the board of review which has power to increase or reduce all assessments made by the city assessor and county officials. He also appoints the election board, and that board made his son its secretary. This young man is a lawyer of limited capacity, with an earning power of perhaps a hundred dollars a month, but his profound (?) knowledge of the law appealed to some of the great corporations of St. Clair County, and they at once employed him as attorney to appear before his father's board of review to secure for them a reduction in their assessments. Young Messick rapidly developed an insight into assessment values, and proved conclusively that from their standpoint his selection was wise.

"The board of review was composed of William A. Swartztrauber, Frank M. Miller, with powerful political connections, and Charles F. Krebs.

"It did not take the son of the county judge long to convince this board, appointed by his father, that the assessments made by the city assessor and increased by the county assessor were an unjust burden on some of these rich corporations.

"Here are the assessments and reductions of the leading corporations:

"St. Louis Bridge Co., assessed at $3,500,000, which included only the east half of Eads Bridge, was reduced to $2,500,000, although for the four years previous it had been assessed at $3,150,000.

"The Aluminum Co. of America was assessed by Assessor O'Day at $699,990. Assessor Warning raised it to $799,990, and the board of review, perhaps after an eloquent appeal by young Messick, cut it to $200,000.

"Ninety-four lots owned by the Wiggins Ferry Co. were assessed at $1,518,470. This assessment was cut by the board to $803,245. The assessment of these lots was cut virtually in half by the board; and in some other instances the board reduced the Wiggins properties, but left unchanged the assessments on adjacent lots owned by others.

"The plant of the Malleable Iron Co. was assessed at $465,000. It was raised by Warning, the county assessor, to $519,000 and was cut by the board to $132,000.

"The American Steel Foundries' assessment was reduced about $38,000.

"The Republic Iron & Steel Co.'s assessment was reduced from $63,990 to $16,788.

"The Elliott Frog & Switch Co. was reduced from $24,420 to $9,000.

"Lots owned by the Water Co., assessed at $9,660, were reduced by the board to $2,220.

"These assessments held for four years, and during that period the St. Louis Bridge Co. would save in taxes $116,654, the Wiggins Ferry Co. $84,140, the Aluminum Co. of America $69,952, and the Malleable Iron Co. $45,148.

"Although the assessment of virtually every big corporation in and around East St. Louis was reduced, assessments of very many of the small householders were increased.

"Your committee is not informed just what fee was paid to young Messick for appearing as attorney before the board appointed by his father.

"The strike in the plant of the Aluminum Ore Co. was caused by a demand on the part of organized labor for an adjustment of wages, a reduction in hours and an improvement of conditions under which the men worked. The company refused to meet any of these demands, declined to discuss the matter with the workmen's committee, and added insult to injury by importing negro strike breakers and giving them the places of the white men.

"It is not the purpose of your committee to discuss the merits of this controversy, although the bringing of negroes to break a strike which was being peaceably conducted by organized labor sowed the dragon's teeth of race hatred that afterwards grew into the riot which plunged East St. Louis into blood and flame.

"But there grew out of this strike a violation of the law of such a reckless and defiant nature that it calls for the severest condemnation.

"One E. M. Sorrels was secretary of an alleged rifle club which never had maintained more than a desultory organization. The members virtually had ceased to use a temporary range; but there were stored in the club house a number of rifles and thousands of rounds of ammunition, the property of the United States. Sorrels, either on his own initiative or at the suggestion of an officer of the Aluminum Ore Co., entered the storeroom of the rifle club at midnight and secretly transferred to the plant of the Aluminum Co. between 30 and 40 rifles and hundreds of rounds of ammunition; the purpose being to arm the strike breakers and turn guns of the United States against the forces of organized labor and shoot down the strikers should this be necessary to break the strike.

"Sorrels violated the law by burglarizing the house containing these rifles; but the Aluminum Ore Co. recognized the risk he had taken; and, grateful for the unlawful service he had rendered, promptly took him into its employ at a salary of $175 a month.

"The War Department should not be blamed when United States rifles and ammunition are stolen and turned over to a private corporation to be put to unlawful uses; but the attention of the Secretary of War is invited to Sorrells's criminal act, and he should request the United States district attorney to have him indicted and prosecuted to conviction.

"The character of the police force and its utter demoralization was strikingly shown in the murder of H. B. Trafton, head of the 'morality squad' of the police force, by Assistant Chief of Detectives Frank Florence. The murder grew out of the fact that Trafton, acting under orders and in the line of his duty, raided a house of prostitution which, to the astonishment of the community, turned out to be owned by Florence. When they met Florence drew his weapon; Trafton threw both hands up above his head; but nevertheless Florence shot and killed him in

cold blood. Florence was indicted and tried, but being one of the 'gang' was, of course, acquitted.

"One of the worst crimes ever committed in St. Clair County was the abduction and murder of Alphonso Magarian, 3-year-old son of an Armenian baker. The father of the child complained to the police that a house of prostitution was being conducted next door to his home. Soon thereafter his child disappeared, no trace of it being found until nine days later, when the little headless body was discovered 100 yards away in a dump heap. The head was found a week later in another dump heap. Several pimps and two prostitutes from the house next door were arrested, and one of the women confessed to having assisted in abducting the child. Many threats had been made against her by friends of the accused. Before the trial her mangled corpse was found on a railroad track. A coroner's verdict of suicide was rendered, but it is believed she was first murdered and then placed on the track.

"Strong 'gang' influence was used to save the indicted men, one of whom was a relative of Health Commissioner McCracken. State's Attorney Schaumleffel conducted the prosecution, and again, as a matter of course, there was a verdict of acquittal. The house of prostitution complained of by the father of the murdered child was in a building owned by Thomas Canavan, president of the board of local improvements, and Locke Tarlton, president of the levee board.

"The offenses committed against law, order and decency in East St. Louis and St. Clair County include every known act in the catalogue of crime. We have selected some of the high lights that luridly illumine the landscape of crime.

"One-third of all the stealing from freight cars engaged in interstate commerce, as reported from 27 States, was done in East St. Louis and St. Clair County. It was not only a fertile field for the car thief, but he found a ready sale for his plunder through agencies that were protected by the police and other officials.

"Thousands of dollars' worth of stolen goods were found in the stable of a notorious saloon keeper, who took a prominent part in politics, and he was indicted. There was conclusive evidence of his guilt; but, as was to be expected in that community, many leading officials went to his rescue and testified to his good character. Again, there was a verdict of acquittal.

"The politicians and the police force of East St. Louis and St. Clair County divided among themselves at least $60,000 a year in graft which they exacted from the gamblers and prostitutes for protection.

"Constables and deputy sheriffs picked up some easy money in the vile dance halls that were open on Sunday in the various saloons in St. Clair County. They were each paid $5 a day by proprietors of these places under the pretense of maintaining order, but under their oaths they should have arrested and prosecuted the keepers and all those present for violating the law.

"Records show that more than 300 girls between the ages of 13 and 16 years visited the dance halls run in connection with saloons and so-called hotels, which were in reality assignation houses. These children, their hair hanging down their backs, and in short dresses, publicly engaged in lascivious dances with a motley crew of drunken toughs. The police took no notice of these offenses, nor did the mayor make any effort to close these joints notoriously violating the law.

"A poor widow who had three daughters appealed to Rev. George W. Allison to prosecute the men responsible for their downfall. All of them were ruined in these dance halls. The youngest, 15 years old, visited a saloon one night and was taken to a room in the building and outraged, and nine different men satisfied their lust before a well-known saloon keeper arrived on the scene, when he locked the door and spent the remainder of the night with the despoiled child. There were no indictments, no prosecutions, and no attempts on the part of the police or mayor to arrest the offenders, notwithstanding that officers of the law were eyewitnesses.

"The knowledge of this horrible assault became so widespread that a former State's attorney finally secured an affidavit from the victim, but he went out of office, and the remaining authorities paid no attention to it. Finally, however, some of those involved in the outrage sent the 15-year-old child to California where she gave birth to a boy baby. The name of the saloon keeper who participated in the assault was given to Mayor Mollman, but he made no effort to have him indicted, and even refused to cancel his saloon license.

"A well-known hotel in East St. Louis, with a saloon attachment, was offered for sale, and part of the chattels as set out in writing in the contract were two women, whose earnings as prostitutes it was represented would average $7 a day each. The owner of this hotel lived in New York, and Canavan and Tarlton, both public officials, acting as his agents, rented the property. The vile purpose for which it was used was held out as a reason why the place was worth the price asked.

"Between the 1st of September, 1916, and July 2, 1917, the day of the riot, there were eight hundred crimes of various characters, ranging from larcency to rape and murder, committed in East St. Louis. In hundreds of cases these straw bonds were taken and when the criminals failed to answer a small fine was entered, of which the justice of the peace received two-thirds and the chief of police one-third. It was a profitable business for the justices, one of whom, now dead, is said to have made $25,000 in one year.

"Women of the street in kimonas, with frowsy heads and painted faces, took part in the riots and were, if possible, more brutal than the men. They attacked negro women and children and beat them unmercifully.

"The mayor's secretary made a practice of instructing justices of the peace when to fine criminals; how much they should pay; and also furnished a list of those who were to go free.

"It is worthy of note that with the aid of the votes of the good women East St. Louis now has a commission form of government, which promises to cure some of the evils from which it has suffered for so many years.

"One of the unique features of official life in East St. Louis was that permitting constables to summon juries from the barrel houses and saloons. They were known as 'irrigation juries.' These juries always returned a verdict in favor of the clients of Alexander Flannigan, a friend of the court, or of any other lawyer or gang leader with 'pull;' and it was the invariable custom for the court to impose a sufficient additional fine to pay for a 'treat' all around for the jurymen and officers. These lawyers with a 'pull' proudly took them to a nearby saloon on which was the large sign, 'Court Bar,' where they were 'irrigated.'

"As a matter of record many of the prominent citizens of East St. Louis and many not so prominent refused to pay taxes; and then, under the law, their property was sold. In all such cases the city bought in the property, but never perfected its title, with the result that these taxes were finally barred by the statute of limitation, the city receiving no revenue and the tax dodger retaining his property.

"The saloons made a business of discounting the salaries of city employees, in many cases charging as high as 30 and even 40 per cent. The tougher the saloon the more patrons it had from the city hall.

"A saloon keeper was chairman of one of the assessment boards. He publicly stated that the corporations were assessed too high and the small property owners too low.

"After Mayor Mollman's election, which was brought about by an alliance between corrupt Republican and Democratic gangsters of both races, he was the guest of honor at a banquet given by negroes, and was photographed in the midst of them.

"A witness stated that one of the letters written by a negro to his friend in the South ran about as follows: 'There is a money tree in East St. Louis. All you have to do is to come up here and shake it and get the money.' The negroes came in thousands in answer to this appeal and others like it. They found no money tree; but, instead, some of them found telephone poles from which they were hung at a rope's end.

"During the riot a negro was arrested and taken to jail, that the mob might not get him. He had not committed any offense; and, presumably, was in the safe custody of the jailer. One of the police officers, learning that he had some money in his pocket, constituted himself judge, jury and witness, and fined him $11.50 and also made him contribute $5 additional to raise the assessment of one of his fellow prisoners to the proper amount. This petty crook, in learning afterwards that the negro had some change left, no doubt was surprised at his own moderation.

"One of the famous institutions of Brooklyn, a negro town in St. Clair County, was known as 'Aunt Kate's Honkytonk.' A sign over the door read, 'Something doing every hour.' Many witnesses testified that Aunt Kate was protected by the police, and that her place was vile, even in that degraded community. Indecent dances went on as a continuous performance, and abandoned white women interlined the motley crowd of men by dancing naked on the ball-room floor.

"One of the original dances of 'Aunt Kate's Honkytonk' was the 'Chemise-she-wobble,' a variation of the famous muscle dance of the East. It was a special feature of Aunt Kate's program, and hundreds came from all the countryside to witness it.

"Brooklyn had a high school for negro girls, in which the town took a pardonable pride; but along came a wave of crime and engulfed this center of culture, and 24 out of the 25 girls who were in the graduating class went to the bad in the saloons and dance halls and failed to receive their diplomas.

"It was a frequent occurrence to find drunken, naked white women in the streets of Brooklyn. They had spent the night in the saloons; and, in the quarrels and orgies that took place, were stripped and turned into the street.

"Marie Hall is a noted prostitute in East St. Louis. She not only had a 'pull' with the police, but she was a great admirer of Justice Clark, and presented him with a new office desk, to which he proudly pointed. When joked by his friends about this gift he remarked he was only sorry she had not given him an automobile instead.

"Some years ago the council of East St. Louis gave away an electric franchise to a crowd of freebooters who had neither capital nor credit. They never had any idea of establishing an electric plant nor using any of the valuable privileges so freely granted them. These promoters sold the franchise for $50,000, and ever since East St. Louis has suffered from high prices for electricity, an eastern syndicate finally getting control, paying hundreds of thousands of dollars for the charter. The widow of one of the aldermen exposed the bribery by which the franchise was secured. She filed suit against the original promoters for $1,000, alleging that $14,000 had been promised for the votes of 14 aldermen; that they had lived up to their part of the contract and granted the franchise, and that her husband died before he could receive his share of the boodle—$1,000.

"The looting of the city and county treasury has grown into a habit in East St. Louis. More than $250,000 has been stolen by various defaulting officials in the last five years. In one instance the school fund was robbed of $45,000, but the prosecution of the thief has gone on listlessly for several years without any real effort to convict him. He was not arraigned for trial until after your committee had left East St. Louis. He then pleaded guilty. Everybody knows who were protecting him, but so many similar thefts have been overlooked that there is but little public sentiment against him.

"After one of the defalcations the thieves took everything in the vault but the metal hinges of a loose-leaf ledger, and the fire they started to destroy the evidence of their guilt left that as the only souvenir for the taxpayers.

"The names of the saloons in and about East St. Louis were typical of the wildest West in the mining-camp days; and, while picturesque in their nomenclature, they breathe a spirit of lawless defiance. Prominent among them were 'The Bucket of Blood,' 'The Monkey Cage,' 'The Yellow Dog,' 'Uncle John's Pleasure Palace,' with the seductive appeal, 'Come in and be suited,' and 'Aunt Kate's Honkytonk,' with 'Something doing every hour.'

"In the latter part of 1912 or the first part of 1913 a hod carrier living in East St. Louis died. It was not then known that he had any near relatives, although he carried $1,600 life insurance. The county took charge and the funeral was assigned to William Degen, an undertaker, who was a member of the city council. A relative of the deceased appeared later and claimed the insurance. It was found that all the money had been paid to Degen except about $200. Degen supplied an itemized bill, containing such items as $800 for a casket, $100 for a suit of clothes, $20 for shoes, $5 for shaving the dead man, and other and similar extravagant items.

"The whole matter was exposed in the St. Louis Post-Dispatch, and such a scandal resulted that the authorities exhumed the body. It was found to have been buried in a rough pine box, with scarcely enough clothing to cover it. The whole outfit cost less than $50.

"It was reported at about the same time that the bodies of women were not safe from the degeneracy of an employee of another prominent undertaker. Another employee of this establishment reported one such instance to his employer and was discharged, while the man against whom the accusation was made was retained in the employ of the undertaker.

"On the night of July 1 Mayor Mollman telephoned the acting adjutant general of Illinois that the mob spirit was rampant; that the police were unable to cope with the situation; and that it would take the strong hand of the militia to preserve order.

At 8 o'clock next morning Col. S. O. Tripp, assistant quartermaster general, arrived under orders from the office of the adjutant general of the State. After an unnecessary journey to St. Louis he came to the city hall in East St. Louis and reported for duty to the mayor, who described the situation to him and gave him entire charge to deal with the conditions as the necessities of the case might arise.

"It may be well at this point to describe Col. Tripp, because he fills an important rôle in this tragedy, and responsibility for much that was done and left undone must rest on him.

"When the adjutant general's office summoned Col. Tripp in the early hours of the morning he answered the call to duty arrayed in a seersucker suit and a dainty straw hat, after having, as he informed your committee, hastily packed his hand bag with a lot of toilet articles. Thus ready for any emergency he took the first train for East St. Louis. He brought no uniform with him and, although it was his duty to face and quell a riotous mob, at no time was he garbed as a soldier.

"Evidently it was his intention to secure some bullet-proof coign of vantage from which he could view the turbulent scenes in perfect safety; while, with a megaphone, he could command and dispose of his troops. After hours of consultation with his companion in timidity and inefficiency, the mayor, he ventured in the direction of the mob and, according to his own testimony, saw a helpless negro, with a rope around his neck, being dragged to his death.

"He described, with a great show of courage, how he grabbed a gun from a soldier and, facing this terrible mob, pressed back 1,500 people by his own unaided effort. Your committee was unable to find any evidence to confirm this valiant deed of the redoubtable colonel, where he practically mastered hundreds of infuriated rioters; but, as he states it to be a fact, it must be true.

"It is the unanimous opinion of every witness who saw Col. Tripp on that fateful day that he was a hindrance instead of a help to the troops; that he was ignorant of his duties, blind to his responsibilities and deaf to every intelligent appeal that was made to him. His presence in East St. Louis was a reproach to the assistant adjutant general, who sent him there, and a reflection on the judgment of the governor for burdening his staff with so hopeless an incompetent. Instead of putting himself at the head of his troops, uniformed as a soldier, and going boldly into the mob, dispersing them and, if necessary, risking his own life to rescue the poor wretches who were dragged through the streets by the neck, shot and mutilated, he remained in the city hall from 8 a. m. until 12 o'clock, when he calmly repaired to a restaurant outside the danger zone, secured a delightful lunch which it took him more than an hour to order and masticate, and at 1.30 he resumed his survey of the situation from the safe shelter of the city hall.

"When Col. Tripp was asked why he spent four hours in the city hall, with East St. Louis in the hands of a murderous mob, and failed to go to the scenes of conflict and take charge of his troops who were sorely in need of a commander, he absolved himself of all responsibility by answering, 'The President never goes out of his office'; and so, by comparing himself to the Commander in Chief of the Army and Navy of the United States, he was perfectly satisfied with his conduct. 'Me and the President' was, in his opinion, a complete defense.

"The mayor called the governor on the long-distance telephone and urged that additional troops be sent, saying that the lives and property of the citizens were endangered. But Col. Tripp assured the governor that he 'had the situation well in hand,' and that there was no need for more troops. His judgment in this matter was no better than his ability and courage as a soldier; qualities which he totally lacked.

"Your committee desires to speak a special word in commendation of the conduct, bravery and skill of Col. C. B. Clayton, of the Fourth Infantry, next in command to Col. Tripp. Had it not been for his promptness and determination the mob certainly would have committed many more atrocities.

"Col. Tripp, in his testimony before your committee, undertook to defend his blunders; but he failed utterly. If he had taken hold of the situation upon his arrival, inspired his soldiers with respect for him, gone to the center of the disturbance and turned loaded guns against the mob, he would have spared East St. Louis much of the ignominy from which it now suffers and saved the lives of many innocent men, women and children.

"Your committee invites the attention of the Secretary of War to the record of this officer as set forth under oath by himself and many other witnesses.

"The conduct of the soldiers who were sent to East St. Louis to protect life and property puts a blot on that part of the Illinois militia that served under Col. Tripp. They were scattered over the city, many of them being without officers to direct or control them. In only a few cases did they do their duty. They seemed moved by the same spirit of indifference or cowardice that marked the conduct of the police force. As a rule they fraternized with the mob, joked with them and made no serious effort to restrain them.

"Following are a few of many incidents testified to by responsible witnesses:

"A negro, unarmed, making no resistance, and trying to escape the fury of the mob, was knocked down and cruelly kicked and beaten. His condition was so pitiable that a soldier said to the rioters, 'Boys, he has suffered enough; let him alone.' For answer one of the mob drew his pistol and shot the negro five times, one bullet plowing through his brain. The soldier then put his gun on his shoulder and calmly walked away, making no arrests.

"A number of soldiers openly stated that 'they didn't like niggers' and would not disturb a white man for killing them.

"Three soldiers and two policemen were ordered to close a negro saloon. On their approach two negro men ran, and the soldiers and policemen shot and killed both, although neither had committed any offense.

"The same crowd shot off the arm of the negro servant girl, Minneola McGee, already mentioned. They had no warrant for her; she had not committed any offense; she was not even running away. She was cruelly maimed for life by these official murderers. This unoffending girl was wantonly shot by the soldiers, as testified to by the policemen who have been prosecuted. Your committee was unable to secure the names of these militiamen. They must be known to the military authorities. It is the duty of the governor and the adjutant general of Illinois to find these men and to punish them for their brutal crime. It was one of the most flagrant cases of cruelty revealed to your committee.

"Paul Y. Anderson, reporter for the St. Louis Post-Dispatch, testified that he heard a soldier tell a white man who was loading a revolver 'to kill all the negroes he could, that he didn't like them, either.'

"A member of the Sixth Illinois Infantry boasted that he had fired his gun 17 times during the riot and every time at a 'black target.' Your committee was unable to secure the name of this soldier.

"It was a common expression among the soldiers: 'Have you got your nigger yet?'

"A militiaman in uniform, said to have been on furlough, led a section of the mob that was killing negroes.

"A soldier stabbed a white boy with a bayonet, and the boy bled to death. The boy was carrying a pair of pantaloons across his arm. That was his sole offense. The soldier was drinking and murderously assaulted him. After a full hearing the coroner's jury unanimously held him on a charge of murder. But, later, at a secret trial by the military authorities, he was released.

"Soldiers deliberately shot into a house where seven negroes had taken shelter.

"G. E. Popkess, a reporter for the St. Louis Times, testified that he saw two inoffensive negroes, while fleeing for their lives from a burning building, shot down by soldiers.

"The governor of Illinois has a responsibility in this matter that he can not evade. The militia of the State are under his control. He can arraign militiamen for misconduct; he can remove officers for inefficiency; he can institute a thorough inquiry that will expose the criminal and the incompetent.

"A prominent merchant of East St. Louis testified that within 24 hours after the occurrence he notified the governor of the case of a militiaman who deliberately shot a negro without provocation, a crime committed in cold blood. He did not know the militiaman's name, but it was possible for the governor to learn who he was and to visit proper punishment upon him.

"The governor must be familiar with the wanton stabbing of the boy by a drunken soldier. The facts were reported at the time in all the newspapers as they were testified to before your committee. They are within the reach of the governor in the records of the court-martial which is said to have tried and released this murderer.

"Has any official effort been made to apprehend the three militiamen who next morning after the riot, in company with two policemen, killed two innocent negroes and shot off the arm of the negro girl, Minneola McGee? These men were State militiamen, were in regulation uniform, and subject to the authorities of the great State of Illinois. At that time it would have been an easy matter to identify them and turn them over to the authorities to be tried for their crimes. It is evident that no military inquiry conducted by such courts-martial as sat in similar cases growing out of the East St. Louis riots would have given them their deserts.

"What was to hinder the proper State authorities from making an investigation of this murderous assault? They had the power to search the roster of the companies present at East St. Louis. These men were known to their companions, who could have identified them easily.

"Special commendation is due Attorney General Brundage and Assistant Attorney General Middlekauf. The attorney general answered every appeal made to him by the good people of East St. Louis and St. Clair County and, virtually without assistance from the local authorities, remedied many evils. It was due entirely to his efforts that lawless resorts were closed, and wherever there had been a violation of the State law he was quick to order the arrest and prosecution of the offender.

"Assistant Attorney General Middlekauf had active charge of the prosecutions growing out of the riot, and he showed neither fear nor favor. Capable, determined and courageous, he allowed neither political influence nor personal appeals to swerve him from the strict line of duty.

"As a result of these prosecutions by the attorney general's office 11 negroes and 8 white men are in the State penitentiary; 2 additional white men have been sentenced to prison terms; 14 white men have been given jail sentences; 27 white men, including the former night chief of police and 3 policemen, have pleaded guilty to rioting and have been punished.

"These convictions were obtained in the face of organized, determined effort, backed with abundant funds, to head off the prosecutions and convictions. In the case of Mayor Mollman there seems to have been an open, paid advertising campaign to slander and intimidate the attorney general.

"The State of Illinois is fortunate in having men of ability and character at the head of its law department.

"Your committee wishes to commend the work of Rev. George W. Allison, pastor of the First Baptist Church, of East St. Louis, and to express thanks to him for much information which was of vital assistance in bringing out the criminal life of the city and the political influence that encouraged lawlessness. The Rev. Allison is a man of courage, capacity and determination. Conspiracies against his character and threats against his life did not deter him; the constant danger of bodily harm did not prevent him from continuing his investigations and fighting with all his splendid power the organized forces of evil. If there had been others on the 'Committee of One Hundred' with even half his moral force the example might have leavened that whole lot of selfish incompetents.

"Paul Y. Anderson, reporter of the St. Louis Post-Dispatch, was assigned during the past three years to duty in East St. Louis, and was to your committee an inexhaustible source of valuable information. In serving his newspaper fearlessly he rendered the public a more important service by laying bare the story of faithless officials who could not be lashed, even by exposure, to do their duty. He personally laid before the mayor positive evidence of the guilt and incompetency of his police force, and demanded that he close the gambling houses and the lawless and unlicensed saloons. His investigations, thwarted on every hand, were thorough and trustworthy. He saw everything; reported what he saw without fear of consequences; defied the indignant officials whom he charged with criminal neglect of duty; ran a daily risk of assassination, and rendered an invaluable public service by his exposures. His testimony before your committee was most interesting and illuminating; his harrowing experiences before and during the riot threw a flood of light on conditions.

"Your committee is indebted to Rev. Father Christopher Goelz, pastor of St. Phillips Church, at Edgemont, for much valuable information. He was a power for good in his community, and the fact that it escaped much of the contamination of the greater city was due to his vigilance and the publicity he gave the low characters that attempted to gain a foothold in Edgemont.

"Your committee has not adjourned sine die for the reason that it is possible, at least, that a supplementary report may be made showing the beneficial results of the exposures brought about by the investigation and also by the vigorous prosecutions hereinbefore referred to.

"All of which is respectfully submitted.

"BEN JOHNSON.
"JOHN E. RAKER.
"M. D. FOSTER.
"HENRY ALLEN COOPER."

During the reading of the foregoing,

Mr. KITCHIN. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Kentucky. I will, with the understanding that it will not stop the reading of this report.

Mr. KITCHIN. Would the gentleman be perfectly willing if we stood in recess until 8.30 and take the floor then?

Mr. JOHNSON of Kentucky. Yes.

RECESS.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that the House stand in recess until 8.30 to-night.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that the House stand in recess until 8.30 to-night. Is there objection?

There was no objection.

The SPEAKER. The House stands in recess.

Thereupon (at 6 o'clock and 30 minutes p. m.) the House stood in recess until 8 o'clock and 30 minutes p. m.

EVENING SESSION.

The recess having expired, the House (at 8 o'clock and 30 minutes p. m.) resumed its session.

The SPEAKER. The gentleman from Kentucky [Mr. JOHNSON].

Mr. JOHNSON of Kentucky resumed the reading of the foregoing report.

During the reading,

Mr. LITTLE. Mr. Speaker, will the gentleman from Kentucky yield for a question?

Mr. JOHNSON of Kentucky. I will.

Mr. LITTLE. I merely want to ask if this will be a full and complete report of the committee on the East St. Louis matter?

Mr. JOHNSON of Kentucky. One of the concluding sentences of the report is that the committee has not adjourned sine die.

Mr. LITTLE. But it will be complete down to that point?

Mr. JOHNSON of Kentucky. Yes.

Mr. JOHNSON of Kentucky resumed and completed the reading of the report.

PUBLIC BUILDING AT EATONTON, GA.

Mr. BRAND. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 10609) authorizing the Secretary of the Treasury to exchange the present Federal building site at Eatonton, Ga., for another site on the public square in said city.

The SPEAKER. The gentleman from Georgia asks unanimous consent for the present consideration of a bill which the clerk will report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. WALSH. Mr. Speaker, I object.

UNITED STATES PENITENTIARY, ATLANTA, GA.

Mr. GARD. Mr. Speaker, I ask the Speaker to lay before the House the bill (H. R. 8938) to equip the United States penitentiary, Atlanta, Ga., for the manufacture of supplies for the use of the Government, for the compensation of prisoners for their labor, and for other purposes, with Senate amendments.

The SPEAKER. The Chair lays before the House H. R. 8938 with Senate amendments.

Mr. GARD. I ask that the Senate amendments be read.

The Senate amendments were read.

Mr. GARD. Mr. Speaker, on behalf of the Committee on the Judiciary, I move to concur in the Senate amendments.

The Senate amendments were concurred in.

On motion of Mr. CRISP, a motion to reconsider the vote by which the Senate amendments were concurred in was laid on the table.

ENROLLED BILL SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 11048. An act to amend the war-risk insurance act.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. J. Res. 311. Joint resolution making appropriations for certain necessary operations of the Government and of the District of Columbia for the months of July and August, 1918, and for other purposes;

H. R. 12281. An act making appropriations for the support of the Army for the fiscal year ending June 30, 1919; and

H. R. 9054. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1919.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed the following concurrent resolution:

Senate concurrent resolution 20.

Resolved by the Senate (the House of Representatives concurring), That when the two Houses of Congress adjourn on Saturday, the calendar day of July 6, they adjourn to meet at 12 o'clock meridian on August 12, 1918, unless sooner convened by the President of the United States.

RECESS OF CONGRESS.

Mr. KITCHIN. Mr. Speaker, I move to take from the Speaker's table Senate concurrent resolution No. 20, the resolution for adjournment until August 12, and that it do pass.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Resolved by the Senate (the House of Representatives concurring), That when the two Houses of Congress adjourn on Saturday, the calendar day of July 6, they adjourn to meet at 12 o'clock meridian on August 12, 1918, unless sooner convened by the President of the United States.

Mr. BANKHEAD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BANKHEAD. Is that motion debatable?

The SPEAKER. No.

Mr. BANKHEAD. Would a request for unanimous consent be in order for the purpose of obtaining debate upon the resolution?

The SPEAKER. Of course, a request for unanimous consent is in order for anything on earth.

Mr. BANKHEAD. I make the request, Mr. Speaker, that we have one hour's debate on that proposition, to be equally divided between the two sides.

The SPEAKER. The gentleman from Alabama asks unanimous consent that there be one hour's debate on this resolution. Is there objection?

Mr. GARNER. I object.

Mr. KEATING. Mr. Speaker, I make the point of no quorum.

Mr. FERRIS. Will the gentleman from North Carolina yield for a question?

The SPEAKER. The gentleman from North Carolina makes the point of no quorum present, and the Chair will count. [After counting.] Two hundred and twelve Members present, not a quorum.

Mr. KITCHIN. Mr. Speaker, I move a call of the House.

The SPEAKER. The gentleman from North Carolina moves a call of the House.

A call of the House was ordered.

Mr. SIMS. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. SIMS. On the roll call will the Members vote on the resolution?

The SPEAKER. No.

Mr. SIMS. The gentleman from North Carolina moved to adopt the resolution.

The SPEAKER. He did. No quorum is present. The Doorkeeper will lock the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. Those in favor of this resolution will, when their names are called, answer yea——

Mr. BARKLEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BARKLEY. The House was not dividing on the resolution.

The SPEAKER. The gentleman from Kentucky is right. This is a call of the House. Those who are here will answer present, and the Clerk will call the roll.

The Clerk called the roll and the following Members failed to answer to their names:

Anthony	Dewalt	Hayes	Mann
Ashbrook	Dies	Heaton	Martin
Austin	Dill	Heintz	Mason
Bacharach	Dominick	Hersey	Moon
Baer	Donovan	Hood	Moores, Ind.
Black	Dooling	Houston	Mudd
Bland, Ind.	Doremus	Howard	Neely
Britten	Doughton	Husted	Nelson
Brodbeck	Dowell	Hutchinson	Norton
Browning	Drukker	Ireland	Olney
Brumbaugh	Dyer	James	O'Shaunessy
Burnett	Elston	Johnson, S. Dak.	Paige
Burroughs	Emerson	Juul.	Parker, N. Y.
Butler	Estopinal	Kearns	Peters
Caldwell	Fairchild, G. W.	Kehoe	Phelan
Campbell, Kans.	Farr	Kelley, Mich.	Polk
Campbell, Pa.	Flood	Kelly, Pa.	Porter
Caraway	Flynn	Kennedy, R. I.	Pou
Carew	Foss	Kettner	Powers
Carter, Mass.	Francis	Key, Ohio	Price
Chandler, Okla.	Frear	Kincheloe	Purnell
Clark, Fla.	Freeman	Kreider	Ragsdale
Clark, Pa.	Fuller, Mass.	La Guardia	Ramsey
Claypool	Garland	Lea, Cal.	Rayburn
Cooper, Ohio	Glass	Lehlbach.	Reavis
Cooper, W. Va.	Glynn	Linthicum	Riordan
Copley	Goodall	Littlepage	Rodenberg
Costello	Gould	Lonergan	Rowland
Cramton	Graham, Ill.	Lunn	Rucker
Currie, Mich.	Graham, Pa.	McCormick	Russell
Dale, N. Y.	Greene, Mass.	McFadden	Sabath
Dale, Vt.	Gregg	McKenzie	Saunders, Ind.
Davidson	Griffin	McKinley	Sanders, N. Y.
Delaney	Hamill	McLaughlin, Pa.	Sanford
Dempsey	Hamilton, N. Y.	Madden	Schall
Denison	Hardy	Magee	Scott, Iowa
Dent	Haugen	Maher	Scott, Pa.

Scully	Stedman	Templeton	Watson, Va.
Sells	Steele	Thompson	Weaver
Shackleford	Stephens, Nebr.	Tillman	Webb
Shallenberger	Sterling, Pa.	Tilson	Whaley
Sherwood	Stevenson	Towner	Williams
Siegel	Strong	Van Dyke	Wilson, Ill.
Slayden	Sullivan	Vare	Wood, Ind.
Smith, C. B.	Sweet	Voigt	Young, N. Dak.
Smith, T. F.	Switzer	Waldow	
Snell	Tague	Walker	
Snyder	Talbott	Ward	

The SPEAKER pro tempore [Mr. GARNER]. On this call 242 Members have answered to their names. A quorum is present and the Doorkeeper will open the doors.

Mr. KITCHIN. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent for 10 minutes to make a statement.

The SPEAKER. The gentleman from North Carolina asks to proceed for 10 minutes. Is there objection?

There was no objection.

Mr. KITCHIN. Mr. Speaker, for two or three weeks practically the entire membership of this House has evidenced a great desire to adjourn for 30 days while the Ways and Means Committee was working on the revenue bill. It was perfectly evident that the Ways and Means Committee would not be able to report a bill for the consideration of the House until some time around August 12. I also understood, as we all understood, that a large majority in the Senate was favorable to this adjournment. Before coming to any conclusion, before assuring the House that we would adjourn, or would probably adjourn, I thought it best to take the matter up with the President. I asked Senator MARTIN and Senator SIMMONS to go with me, believing it was due to the President before we took it up to confer with him and ascertain whether he had any important legislation that he desired to have passed in the meantime.

We did confer with the President, went over the whole legislative situation, and the President gave his consent and approval to the adjournment, and practically everybody, so far as I knew, at that time approved of the adjournment, both in the Senate and in the House.

Since then the question of Government control and operation of the telegraph and the telephone companies arose. It was in the President's mind and in the minds of a great many Members of Congress and others that the time had come when for the successful prosecution of the war the President should take charge and supervise these wires and telephones. The House, after several days' hearing on the part of the committee, reported the bill out and the House promptly passed it. It went to the Senate. The question was whether the Senate could pass the bill promptly, and if not, how long a time it would take for the Senate to consider it in the committee and in the Senate.

It was believed that if the Senate would take up the bill immediately and proceed with its consideration, the House could not think of the question of a recess until it was disposed of. Before the Senate took any action to-day upon the question of the recess, Senators SIMMONS and MARTIN and myself at 3.30 o'clock this afternoon had a conference with the President. He told us that he thought the passage of the telegraph and telephone legislation was one of vital importance; that he was very anxious to see the resolution pass at the earliest day possible; and that he was in hopes the Senate would take it up at once and pass it.

The Senators present then told the President in all probability it would take the Commerce Committee of the Senate at least three or four weeks before it could get it into the Senate for consideration, and it then would take some time for the Senate to consider it. They asked the President under the circumstances whether he would give his express consent to the recess. The President said that he could not; that it was not for him to decide. He said that his anxiety and desire were that the telegraph resolution should be passed at the earliest moment possible; that he did not know what the situation in the Senate was, but that if these gentlemen stated the situation correctly, and he did not doubt that they had, then, if in their judgment, if in the judgment of the Senate, if in the judgment of the Commerce Committee of the Senate the recess would quicken and facilitate action by the committee and consideration of the resolution in the Senate, there could be no objection to such adjournment. He said that it was with the Senate to decide the question. Senator MARTIN assured the President that they would not put the question of adjournment before the Senate unless they could secure the pledge of the Commerce Committee of the Senate to stay in session during the recess, if we were to take one, and begin as early as possible hearings and work on the resolution. Members of the Commerce Committee, as I understood Senator MARTIN and Senator SIMMONS, had told them that hearings were necessary.

The President impressed upon us the importance of doing that which would facilitate action of the committee and the Senate on the telegraph resolution. The President's concern and desire were to pass this most important and vital resolution, and that it should be passed at the earliest time possible, and he desired that course to be pursued which would accomplish this.

Senator MARTIN returned to the Capitol and got the members of the Commerce Committee of the Senate, who were in the city, together, a majority of the committee being present, and it seemed to be the sense of the committee—I was present—that a recess or adjournment for 30 days might probably facilitate and expedite the action of the committee and would get the bill before the Senate for consideration earlier, or equally as early, than if Congress was in session. They took the position that if the committee would, as they had pledged themselves to do, sit in Washington and begin hearings with a full day before them, without being called to the Senate on roll calls and for the consideration of other business, they could do more work during the recess in the same length of time than if the Congress were in session.

The Senate to-night passed a resolution for a recess by a majority of one.

Mr. SIMS. How many votes were cast?

Mr. KITCHIN. I do not know. It was carried by one majority.

Mr. SIMS. It was a vote of 27 to 26.

Mr. KITCHIN. It was the belief of the Commerce Committee, before which this telegraph resolution is pending, that it would quicken the passage if we took a recess. Mr. Speaker, while until just recently I felt sure that an overwhelming majority of the House was under the circumstances in favor of the 30 days' adjournment, and so told Senators, I further told Senator MARTIN and other Senators that the House would promptly pass the adjournment resolution when the Senate sent it over. I am convinced now that in spite of this the situation presents itself in such a way that a large majority of the House is now opposed to adjournment. At this apparent change of attitude, as I regarded it, I must confess surprise. I therefore propose to withdraw the resolution of recess, but before doing so let me make one personal reference. I have no personal interest in the recess adjournment, and I never considered it in connection with my personal convenience or interest. As dearly as I would love to go back to my own people and look them in the face and shake their hands and talk with them and be with them for a period of 30 days, even if we had taken the recess it would have been impossible for me to do so. It would have meant to me harder work and closer confinement. I would have been able and compelled to work three or four more hours a day upon the revenue bill than I possibly can with the House in session. To take the recess would have meant more hours of work upon the revenue bill for every single day of the recess, not only to me but to the other members of the Ways and Means Committee. I am confident that before the telegraph legislation arose the sentiment of nine-tenths of the Members on both sides of the aisle was most favorable for a recess of 30 days after, of course, the passage of the war measures and appropriation bills. I feel that it is due myself to make the statement to the House that as far as the recess is concerned it is of no personal interest or convenience to me. I was only interested in it for the membership of the House and because I felt sure that you gentlemen, after passage of the war measures and appropriation bills, desired it, as I knew you deserved it.

Mr. LONDON. Mr. Speaker, will the gentleman yield?

Mr. KITCHIN. In just a moment. Having said this much, Mr. Speaker, I withdraw my motion.

Mr. SIMS. Mr. Speaker, I ask unanimous consent to proceed for two minutes.

The SPEAKER. Is there objection?

SEVERAL MEMBERS. I object.

The SPEAKER. Several Members object.

Mr. SIMS. One would have been enough.

Mr. STAFFORD. Mr. Speaker, I demand the regular order.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 2 minutes p. m.) the House adjourned until Monday, July 8, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of St. Marys and St. Joe Rivers, Idaho (H. Doc. No. 1216); to the Committee on Rivers and Harbors and ordered to be printed.

2. A letter from the Acting Secretary of the Treasury, transmitting a further statement of expenditures under provisions of section 8 of the act of Congress approved April 24, 1917 (Public, No. 3, 65th Cong.) (H. Doc. No. 1218); to the Committee on Expenditures in the Treasury Department and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. ESCH, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 7637) to authorize the construction and maintenance of a dike on Depot Slough, Lincoln County, Oreg., reported the same with amendment, accompanied by a report (No. 751), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. HARRISON of Virginia, from the Committee on Military Affairs, to which was referred the bill (S. 1879) for the relief of John C. Hesse, reported the same without amendment, accompanied by a report (No. 749), which said bill and report were referred to the Private Calendar.

Mr. KEATING, from the Committee on Pensions, to which was referred the bill (S. 4723) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors, reported the same with amendment, accompanied by a report (No. 750), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. STEENERSON: A bill (H. R. 12681) to provide free use of the mails for home newspapers to officers, soldiers, sailors, or marines in the military service of the United States; to the Committee on the Post Office and Post Roads.

By Mr. HILLIARD: A bill (H. R. 12682) to prevent extortion, to impose taxes upon certain incomes in the United States, and for other purposes; to the Committee on Ways and Means.

By Mr. BROWNE: A bill (H. R. 12683) providing that soldiers, sailors, and marines may send letters through the mails free of postage under the rules and regulations prescribed by the Postmaster General; to the Committee on the Post Office and Post Roads.

By Mr. LANGLEY: A bill (H. R. 12684) to relieve Congress from the adjudication of private claims against the Government; to the Committee on the Judiciary.

By Mr. MOTT: A bill (H. R. 12685) to authorize the appointment as lieutenant general of the Provost Marshal General; to the Committee on Military Affairs.

By Mr. WEBB: A bill (H. R. 12697) to amend section 53 of the Judicial Code; to the Committee on the Judiciary.

By Mr. RAKER: A bill (H. R. 12698) to grant rank to the Army Nurse Corps, and for other purposes; to the Committee on Military Affairs.

By Mr. LANGLEY: Resolution (H. Res. 417) to print for the use of the House copies of the speech of Hon. F. C. HICKS on the American flag; to the Committee on Printing.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COSTELLO: A bill (H. R. 12686) granting an increase of pension to Thomas Whalon; to the Committee on Pensions.

By Mr. CRAMTON: A bill (H. R. 12687) granting an increase of pension to Thomas C. Thodey; to the Committee on Invalid Pensions.

By Mr. FULLER of Massachusetts: A bill (H. R. 12688) granting a pension to Isadore J. Rogers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12689) granting a pension to William E. Davis; to the Committee on Pensions.

Also, a bill (H. R. 12690) granting an increase of pension to Frank N. Hunt; to the Committee on Pensions.

Also, a bill (H. R. 12691) granting a pension to Jane P. Hoyt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12692) to correct the military record of George C. Hussey; to the Committee on Military Affairs.

Also, a bill (H. R. 12693) for the relief of Frank Williams; to the Committee on Claims.

By Mr. KETTNER: A bill (H. R. 12694) granting a pension to Jake F. Arnold; to the Committee on Pensions.

By Mr. KREIDER: A bill (H. R. 12695) granting a pension to J. N. Mortimer, alias J. N. Mooney; to the Committee on Pensions.

By Mr. SNELL: A bill (H. R. 12696) granting an increase of pension to Newell B. Clark; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petitions for a national bone-dry law as a war measure by the following: Mrs. E. F. Mahaffy, Downing, Wis.; members of the Wednesday Coterie Club, Butler, Mo.; Chapter C, D. P. O. E. Sisterhood, Washington, Mo.; the Woman's Club, Panama City, Fla.; the Women's Home Missionary Society of the First Methodist Episcopal Church, of St. Paul, Nebr.; the St. Louis University School of Medicine, St. Louis, Mo.; the Home Craft Club, of Chappell, Nebr.; the Sorosis Club, The Dalles, Oreg.; and the Fourteenth Biennial Convention of the General Federation of Women's Clubs; to the Committee on the Judiciary.

Also (by request), resolution of the Missouri Negro Educational and Industrial Commission, approving the work of the food-conservation campaign and asking that this work be extended, especially in the larger cities of Missouri; also a petition of S. H. Sullivan, sr., Sullivan, Mo., urging $2.50 wheat; to the Committee on Agriculture.

Also (by request), resolution of the Union Label Trades Department of the American Federation of Labor, asking for the repeal of the second-class postage provisions of the war-revenue act; to the Committee on Ways and Means.

Also (by request), memorial of national executive committee of the Socialist Party, giving their views of the best way to end the war; also, resolution of the Irish Progressive League, relative to Irish independence; to the Committee on Foreign Affairs.

By Mr. BROWNING: Petition of members of the First Baptist Church of Merchantville, N. J., urging nation-wide prohibition during period of the war; to the Committee on the Judiciary.

By Mr. CARY: Memorial of Ole Bull District Lodge, No. 5, Sons of Norway, asserting their loyal support of the Government in the prosecution of the war; to the Committee on Military Affairs.

By Mr. FULLER of Illinois: Petition of J. H. Bloom, editor and publisher of the Daily and Weekly Journal, of Devils Lake, N. Dak., favoring the zone system for second-class mail; to the Committee on Ways and Means.

By Mr. KETTNER: Resolution of the Women's Club of Santa Ana, Cal., against profiteering by charging men in service excessive prices; to the Committee on Agriculture.

By Mr. KIESS of Pennsylvania: Petition of Sunday school of Newberry (Pa.) Methodist Episcopal Church, favoring war-time prohibition; to the Committee on the Judiciary.

By Mr. MAGEE: Petitions of F. L. Barradough, Mrs. George W. Marvin, L. J. Camp, and others, residents of Warner, N. Y., favoring war prohibition; to the Committee on the Judiciary.

By Mr. MERRITT: Petition of the Advent Christian Church, of East Norwalk, Conn., favoring the adoption of war-time prohibition; to the Committee on the Judiciary.

Also, resolutions adopted by the Lithuanians of Bridgeport, Conn., at an open-air mass meeting held on July 4, 1918, on the premises of St. George's Lithuanian Roman Catholic Church, assuring the country of their support of the war; to the Committee on Military Affairs.

By Mr. MORGAN: Petition signed by numerous citizens of Kay County, Okla., praying for the repeal of the so-called postal-zone law; to the Committee on Ways and Means.

By Mr. OSBORNE: Petition of citizens of Los Angeles, Cal., through the Auto Club of America, International (Ltd.), requesting the passage of a law allowing free transportation on all railroads owned by or under the control of the United States to soldiers on furlough, and recommending street car corporations to allow soldiers in uniform to ride free of charge; to the Committee on Interstate and Foreign Commerce.

By Mr. PRATT: Petitions favoring the prohibition of the beverage liquor traffic during the period of the war as a war measure; to the Committee on the Judiciary.

By Mr. ROBBINS: Petition of Rev. D. C. Mathews and other citizens of New Alexandria, Pa., favoring a bill providing for the substitution of the oath of enlisted men for the oath required of officers; to the Committee on Military Affairs.

By Mr. SANDERS of New York: Petition of H. Genter Wilson, Welorne L. Paine, M. L. Hulin, L. C. Wood, E. Wells, Martha J. Gelser, Mrs. Foster, Loretta B. Caine, C. E. Wyant, Mrs. C. E. Wyant, Mrs. G. S. Robinson, Marion Chase, C. M. Leviat, Ella A. Wood, C. A. Gardner, Sarah Thompson, Eva M. Wilcox, Mr. and Mrs. R. L. Raub, Vina M. Scott, May C. Stevens, Blanche G. Le Clair, and Mrs. E. G. Coe, all of Nunda, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of Mary C. Hatch, Mary Thorpe, and Ethel M. Thorpe, all of Barre, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of Jacob Cosman, E. B. Holden, H. S. Cosman, Walter S. Ryder, Everett D. Coe, Merton S. Williams, Guy P. Wheeler, A. L. Lankton, Frank A. Sweting, Frank R. Miller, Charles Coe, sr., James Corbit, S. W. Marks, C. A. Adams, W. A. Arnold, C. W. Lars, S. J. Adams, Amos J. Coe, Charles Coe, jr., and J. H. Brown, all of Parma, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of Mrs. Frank Rayton, Mrs. Elizabeth Gesell, A. Gesell, George Gesell, Frank Rayton, George Quackenbush, Mrs. George Quackenbush, Mrs. Mary Fuller, G. H. Fuller, Henry Greffrath, Louise Greffrath, Alma B. Porter, Gordon Porter, John A. Porter, Mary Hartland, Mrs. A. F. Beckwith, Mrs. A. G. Beckwith, and Gertrude Beckwith, all of South Lima, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of George Burdick, Roy Scheible, Harold Brown, Mrs. G. B. Quackenbush, Elberta Reed, Erna Scheible, Clara McCaughley, Lucile Beckwith, and Mildred Fugle, members of the young people's branch of the Women's Christian Temperance Union of South Lima, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of F. W. Matthews, F. L. Walkley, J. W. McEwen, F. J. Nash, M. L. Bradle, F. J. Munt, S. J. Campbell, J. Cromwell, E. C. Emple, R. J. Bater, W. H. Robbins, and P. C. Decker, all of Le Roy, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of Bessie Lee Shaw, Pearle S. Schaeffer, Dora J. Robinson, Sadie R. Smith, Lena M. Haight, G. L. Lattin, Louise L. Stacy, Anna D. Sims, Lucretia N. Morse, Flora J. Cox, Ella Balkins, Marion D. Cox, Mrs. Lottie Sedore, Julia M. Beckwith, Grace M. Howe, Bertha M. Leslie, Emma Geitzmer, Mrs. N. Draper, Mrs. A. G. Rowley, Mrs. F. L. Eldredge, A. G. Rowley, A. D. Bliss, Mr. and Mrs. R. L. Jackson, A. W. Woods, Miss D. T. Baldwin, and Mrs. Mary L. Flurnt, all of Albion, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of A. J. Rumsey, Mrs. A. J. Rumsey, Rolla J. Wright, J. H. Wright, Bertha B. Wright, James A. Wright, Lucy L. Wilkes, Mrs. A. A. Parkhurst, Mrs. Albert Parkhurst, William H. Edgerton, Mrs. H. G. Edgerton, Cola Wilford, H. L. Foster, and George G. Bowen, all of Batavia, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of M. J. Wilson, W. H. McConnelly, M. L. Coleman, Emerson B. Perry, James E. Norton, H. O. Holly, H. G. Martin, J. L. Woodworth, A. W. Fisher, and L. M. Andrews, all of Warsaw, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of members of the Woman's Christian Temperanee Union of Warsaw, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of M. Anna Crandall, Clara Van Valkenburg, N. D. Mackey, C. T. Willinan, Anna D. Parker, E. R. McMaster, E. M. Crandall, Mrs. C. L. Barker, Mrs. Minnie Flandern, Anna R. Willinan, Fanny L. Green, Lillian B. Clark, and Anna McMasters, all of Kendall, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of Dr. Mary T. Green, Mary E. Percival, Estella S. G. White, Mable S. Gavitt, Grace M. Parish, Janette S. Hayes, Dr. Fanny Hurd Brown, Lena G. Bowers, Jessica W. Findlay, M. D., Marguerite B. Baker, Mary H. Wing, Mary E. Hickey, Mr. and Mrs. F. A. Bradley, Gertrude G. Barber, W. J. Barber, M. A. Jeffries, Lucia H. Jeffries, W. W. Metcalf, and W. P. Gledhill, all of Castile, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of A. W. Randall, Mrs. Carrie Randall, Catherine Randall, Bowker Hinkley, and Marion Hinkley, all of Spencerport, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of W. H. Hatch, George D. Beckwith, Bert Perkins, A. M. Eddy, Charles Eddy, Jesse Peck, F. E. McNall, Lyman Linson, P. H. Peters, Charles Mansfield, Byron Hayden, E. F. Fancher, E. M. Humphrey, Lyman S. Linson, Mrs. L. S. Linson, and Mrs. R. H. Browse, all of Albion, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of E. K. Arnold, V. F. Arnold, T. G. Corwin, J. L. Matthews, P. S. Cox, William Roper, Mable M. Hayden, M. B. Wisha, Ruth C. Chamberlain, Ruth A. Weeks, and Evelyn Parke, all of Wyoming, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of Rev. Albert E. Herrick, J. S. Watson, E. C. Watson, S. L. Watson, C. W. Beckwith, and L. B. Beckwith, all of Avon, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of Mrs. T. A. Ryers, Mrs. Della Thayer, Mrs. Grace A. Limmore, Mrs. M. E. Dryer, Mrs. M. B. Porter, Erna E. Naugle, Mrs. Sophia Gesell, Frances Ryers, Mrs. Carrie Schuknecht, and Charles Schuknecht, all of Livonia, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union, of Attica, N. Y., Mrs. Julia B. Young, president, favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of George R. Smith, Mrs. Lizzie E. Smith, Bertha E. Smith, Mrs. Effie G. Barnum, Mary A. Hutchinson, E. E. Barnum, Florence C. Barnum, all of Albion, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of Mrs. H. Thompson, Alice McMichael, Louise Deyle, Elizabeth Wilson, Anna Dowd, Maud J. Collins, Neille A. Fonda, Mrs. H. W. Ludwig, George L. Wilson, Harriet H. Shand, M. M. Price, E. M. Price, and D. A. Price, all of Rochester, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of Mrs. Wilson P. Burr, Mrs. E. C. Barret, Miss Clover C. Barret, Minerva Van Brunt, and Miss Lillian Van Brunt, all of Smithtown, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of Mrs. M. A. Shotwell, Miss E. B. Hollister, Mrs. L. G. Robe, Mrs. R. E. Kernahan, Mrs. Frank O'Brien, Mrs. Emma Slater, Mrs. Martha Gardner, Miss Amelia Ritter, Mrs. J. R. Waggoner, and Miss Emma L. Caple, all of Elba, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of J. H. Harris, H. G. Butler, A. V. Park, A. A. Applin, F. C. Broadwell, and D. M. Sturges, all of Carlton, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

By Mr. SMITH of Michigan: Resolution of the Rotary Club of Kalamazoo, favoring good roads; to the Committee on the Post Office and Post Roads.

By Mr. SNELL: Petition of Methodist Episcopal Sunday school of Brasher Falls, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of Eugene Allen, Adeline C. Allen, Henry N. Allen, Ella A. Flagg, Jennie A. Flagg, C. A. Ayers, C. A. McAfee, M. E. Jackson, F. H. Green, M. J. Green, and Dora J. Moody, all of Harrietstown, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of Aaron W. Maddox, W. B. Macneil, Mrs. C. A. Borland, Mrs. J. K. Grant, L. M. Gilmour, Miss Beulah H. Henry, Alexander Murchison, Mrs. F. S. Cameron, Miss Jessie Hinkson, Leon F. Carleton, G. W. Atwood, William Atkinson, Mrs. Eva Carleton, and Miss Gretchen Hinkson, all of Altamont, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of Mrs. Emma Steenberg, Mrs. Harlie Steenberg, Harlie Steenberg, R. J. Robson, Mrs. Edith Bigelow, H. L. Davis, Mrs. Myra N. Davis, Mrs. Effice Robson, Bliss N. Davis, George A. Baker, Sam Rogers, Miss Mamie Heywood, Mr. and Mrs. Castle, Mrs. Florence Munson, Mrs. J. Phelix, and Mr. and Mrs. O. P. Ware, all of Brasher, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of Mrs. Dora J. Van Duzee, Mrs. Lucy A. Turnbull, Mrs. Louisa A. Force, Miss Pearl Force, Winifred M. Force, and H. M. Force, all of Gouverneur, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of Mrs. H. C. Merchant, J. S. Kingston, H. M. Ross, Mr. and Mrs. Adna Close, Miss L. M. Darkell, C. J. McEwen, W. D. Austin, J. B. White, Wright McEwen, Miss Bertha E. Thompson, A. B. Thompson, Miss Mary A. Carpenter, E. F. Hall, Carl Ross, M. H. Ross, and Miss Eunice E. Pearl, all of Lawrence, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of Miss Maude Guibard, E. H. Guibard, and F. I. Colburn, all of Plattsburg, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of members of the Woman's Christian Temperance Union, of Brasher Falls, N. Y., Mrs. Allison Kingston, secretary, favoring war-time prohibition; to the Committee on the Judiciary.

By Mr. STEENERSON: Petition of 29 members of the McCrea Farmers' Club, of Warren; of Mrs. George C. Schimmele and Miss Louise Simon, of Mapleton, all in the State of Minnesota, urging the repeal of the second-class postage rate provision of the war-revenue act; to the Committee on Ways and Means.

By Mr. WASON: Petition of Mrs. Abbie P. Thompson, of Winchester, and 31 other residents of New Hampshire, protesting against the present second-class postal rates; to the Committee on Ways and Means.

SENATE.

MONDAY, *July 8, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, Thou art our sun and shield. Thou wilt give grace and glory. No good thing wilt Thou withhold from them that walk uprightly. We desire in this holy moment at the opening of another session of the Senate to reflect upon Thy holy Name, that we may bring the policy of this Nation into harmony with Thy will, that we may move forward under Thy direction and accomplish nothing except that which Thou hast in Thy purpose for us as a people. To this end do Thou guide us and bless us this day. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of the proceedings of the legislative day of Friday, July 5, 1918, when, on request of Mr. SMOOT and by unanimous consent, the further reading was dispensed with and the Journal was approved.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Hitchcock	Nugent	Smith, Ariz.
Beckham	Jones, N. Mex.	Overman	Smith, Ga.
Borah	Jones, Wash.	Penrose	Smith, S. C.
Brandegee	Kellogg	Phelan	Smoot
Chamberlain	Kendrick	Pittman	Sterling
Colt	Kenyon	Poindexter	Sutherland
Culberson	King	Pomerene	Swanson
Curtis	Lenroot	Ransdell	Thompson
Fernald	Lewis	Reed	Trammell
Fletcher	McCumber	Saulsbury	Underwood
France	McKellar	Shafroth	Vardaman
Gerry	Myers	Sheppard	Walsh
Hale	Nelson	Sherman	Warren
Harding	New	Shields	
Henderson	Norris	Simmons	

Mr. LEWIS. I wish to announce that the senior Senator from Kentucky [Mr. JAMES] is detained by illness, and that the Senator from Mississippi [Mr. WILLIAMS] is absent on account of death in his family.

Mr. SMITH of Arizona. I desire to announce that my colleague, the senior Senator from Arizona [Mr. ASHURST], is detained by illness in his family.

Mr. JONES of Washington. The junior Senator from Michigan [Mr. TOWNSEND] is necessarily absent on account of illness in his family. I will allow this announcement to stand for the day.

Mr. SUTHERLAND. My colleague, the senior Senator from West Virginia [Mr. GOFF], is absent on account of illness. I ask that this announcement may stand for the day.

The PRESIDENT pro tempore. Fifty-eight Senators have answered to their names. There is a quorum present.

SENATOR FROM SOUTH CAROLINA.

Mr. SMITH of South Carolina. Mr. President, I have the honor to present the credentials of Hon. CHRISTIE BENET, recently appointed a Senator from the State of South Carolina, to succeed the late BENJAMIN RYAN TILLMAN. I ask that the credentials be read and filed.

The PRESIDENT pro tempore. The Secretary will read the credentials.

The Secretary read as follows:

The State of South Carolina,
By his excellency the governor and commander in chief in and over the State aforesaid,

To CHRISTIE BENET, Columbia, S. C.:

I, reposing special trust and confidence in your ability, care, prudence, and integrity, have commissioned, constituted, and appointed, and by these presents do commission, constitute, and appoint you, the said CHRISTIE BENET, United States Senator, vice Hon. B. R. TILLMAN, deceased, for the State aforesaid, to have, hold, exercise, and enjoy the said office of United States Senator aforesaid, together with all the rights, privileges, profits, and emoluments whatsoever thereunto belonging, or in any wise appertaining.

This commission to continue in force for the term provided by law.

Given under my hand and the seal of the State, in Columbia, this 6th day of July, in the year of our Lord 1918, and the one hundred and forty-third year of the Independence of the United States of America.

[SEAL.]

RICHARD I. MANNING,
Governor.

W. BANKS DOVE,
Secretary of State.

Mr. WALSH. I inquire of the Senator from South Carolina if he has the statute before him authorizing the appointment by the governor of South Carolina?

Mr. SMITH of South Carolina. I have not the statute before me.

Mr. WALSH. Can the Senator advise us as to when it was enacted?

Mr. SMITH of South Carolina. In 1914, I have been informed. Our statute provides that the governor may appoint for not exceeding six months, and in the interim he must provide for an election.

Mr. WALSH. It was an act of the legislature?

Mr. SMITH of South Carolina. Yes, sir; an act of the legislature.

The PRESIDENT pro tempore. The credentials will be placed on file. The newly appointed Senator from South Carolina will present himself at the desk and the oath of office will be administered to him.

Mr. BENET was escorted to the Vice President's desk by Mr. SMITH of South Carolina; and the oath prescribed by law having been administered to him, he took his seat in the Senate.

STATEMENT OF EXPENDITURES (S. DOC. NO. 262).

The PRESIDENT pro tempore laid before the Senate a communication from the Acting Secretary of the Treasury, transmitting, pursuant to law, a further statement of expenditures under the act of April 24, 1917, as far as such expenditures have been submitted to the department up to June 30, 1918, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

LIST OF CASES (S. DOC. NO. 261).

The PRESIDENT pro tempore laid before the Senate a communication from the Chief Clerk of the Court of Claims, transmitting a certified list of cases dismissed by the court on May 6, 1918, on motion of defendants for want of prosecution, which, with the accompanying paper, was referred to the Committee on Claims and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 8839. An act for the establishment of Oswego, in the State of New York, as a port of entry for immediate transportation without appraisement of dutiable merchandise;

H. R. 12002. An act for the establishment of Bar Harbor, in the State of Maine, as a port of entry and delivery for the immediate transportation without appraisement of dutiable merchandise; and

H. J. Res. 313. Joint resolution providing for the disposition of moneys represented in the Alfred Bernard Nobel peace prize, awarded in 1906.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12229) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 8938) to equip the United States penitentiary, Atlanta, Ga., for the manufacture

of supplies for the use of the Government, for the compensation of prisoners for their labor, and for other purposes, and it was thereupon signed by the President pro tempore.

PETITIONS AND MEMORIALS.

Mr. KELLOGG. Mr. President, I send to the desk two telegrams which I wish to have read. The names of the senders may be omitted from the telegrams in reading.

The PRESIDENT pro tempore. Without objection, the Secretary will read the telegrams.

The Secretary read as follows:

DULUTH, MINN., *July 6, 1918.*

Hon. FRANK KELLOGG,
Senate, Washington, D. C.:

The undersigned operating employees of the Western Union Telegraph Co. at Duluth absolutely and unequivocally deny Mr. Konenkamp's statement that he is acting for us in the calling of a strike on July 8. His organization has no representative in this office whatsoever. His assertion that 25,000 telegraphers will cease work July 8 is a pipe dream, pure and simple. We believe that our first duty is the winning of the war, and refuse to be a party to anything that might prove to be an obstruction to that end. This sentiment we believe to be general among telegraph employees throughout the country. We have faith in the honesty and progressiveness of our company officials, and the proposed association of Western Union employees has the united support of all.

MINNEAPOLIS, MINN., *July 6, 1918.*

Hon. FRANK B. KELLOGG,
United States Senate, Washington, D. C.:

The employees of the Western Union Telegraph Co. at Minneapolis, numbering over 600, wish to inform you that the Commercial Telegraphers' Union of America, or any other outside organization, do not represent them, and that they will prove themselves loyal to their country and company at this critical time.

EMPLOYEES WESTERN UNION TELEGRAPH CO.

Mr. KELLOGG. I have like telegrams from the employees of the telegraph companies in St. Paul, but I shall not ask to have them printed in the RECORD.

Mr. SMOOT. Mr. President, I have received a great many telegrams similar to those that have just been read into the RECORD, not only from my own State but from other States. I have not felt like having them read into the RECORD because I think the employees of the Western Union Telegraph Co., from one end of the country to the other, take the same position that is outlined in the telegrams that have just been read.

I simply wanted to make this statement to show that the telegrams I have received from all parts of the State bear the same message as those which were read.

Mr. PENROSE. Mr. President, I desire to corroborate what the Senator from Utah has said. I have received a great number of telegrams from the employees of the Western Union and other telegraph companies in Pennsylvania and all over the United States, stating that they are in no sympathy whatever with the proposition of a strike. I have refrained from placing them in the RECORD, because if I attempted to place all of the telegrams I receive from the great Commonwealth of Pennsylvania upon public questions in the RECORD, it would be every morning many times its present size, and it is too large now. I simply desire to state that I have similar telegrams in very large number.

Mr. JONES of Washington. Mr. President, I have one telegram, signed by 19 employees of the Western Union at Spokane, that I desire to have read to the Senate. Other telegrams of a similar character I shall not ask to have put into the RECORD.

The PRESIDENT pro tempore. Without objection, the Secretary will read.

The Secretary read as follows:

SPOKANE, WASH., *July 6, 1918.*

Hon. WESLEY JONES,
United States Senate, Washington, D. C.:

On June 6 the employees of this office expressed to President Wilson their attitude in the present attempt by outside parties to influence them to acts of unpatriotism. We desire at this time to reaffirm that we will not be influenced by any outside persons to leave our posts of duty, but will do all in our power to render an efficient telegraphic service.

WESTERN UNION EMPLOYEES.

Mr. SMITH of Arizona. Was unanimous consent asked to have the telegrams read?

The PRESIDENT pro tempore. The request was that they be read, and they were read, without objection.

Mr. WARREN. Mr. President, I have had a large number of telegrams, all expressing the same general thought. I simply ask to have a short one printed in the RECORD. I will state that it represents all the Western Union employees from whom I have heard. All are in the same line.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

CHEYENNE, WYO., *July 6, 1918.*

Hon. FRANCIS E. WARREN,
United States Senate, Washington, D. C.:

The entire force of this office, consisting of 22, one hundred per cent Americans, desire to tender a vote of confidence and loyalty to the service, and assure you that there positively will not be any interruptions to the service in this important jurisdiction during this war that is in our power to prevent.

We respectfully ask your consideration of this fact in connection with legislation pending re Government operation of telegraph lines.

JAMES R. HILL,
Manager,
GILBERT F. HAYES,
Chief Operator,
Western Union Telegraph Co.

Mr. WARREN presented resolutions adopted at a meeting of sundry citizens of Wyoming, favoring the enactment of further prohibition legislation as a war measure, which were ordered to lie on the table.

Mr. SMITH of Georgia. I present a memorial of quite a number of citizens of Georgia, expressing opposition to the passage of Susan B. Anthony amendment to the Constitution. I only ask that it be noted, according to the rule, in the RECORD.

Mr. SMITH of Georgia presented a memorial of sundry citizens of Jeffersonville, Twiggs County, Ga., remonstrating against the adoption of the Susan B. Anthony amendment to the Constitution of the United States, which was ordered to lie on the table.

Mr. LEWIS. Mr. President, I should like to inform the Senate that I am in receipt from the city of Chicago of telegrams of similar import to those presented by the Senator from Minnesota [Mr. KELLOGG] and referred to as being similar to those received by the Senator from Pennsylvania [Mr. PENROSE]. Knowing the rule concerning the RECORD, I do not desire to embarrass the RECORD, but ask to have one of those telegrams, as characteristic of them all, printed. That one I shall choose, not exceeding two pages of telegraphic matter.

The PRESIDENT pro tempore. Is there objection?

Mr. SMITH of Arizona. Mr. President, I object to printing the telegrams in the RECORD. If I had been here, I would have objected to the one last read.

The PRESIDENT pro tempore. Objection is made.

Mr. LEWIS. Being a member of the Committee on Printing, I can not deny but what the objection of the Senator is wholly within the rule which the committee made, and I can not ask to be an exception to it. I, however, desire to state that I have received many telegrams the contents of which are similar to what was stated by the Senator from Pennsylvania and the Senator from Minnesota.

Mr. LENROOT presented a petition of sundry citizens of Milwaukee, Wis., and a petition of sundry citizens of Oneida County, State of Wisconsin, praying for the forfeiture of citizenship of all naturalized persons found guilty of disloyalty to the Government of the United States, which were referred to the Committee on Immigration.

Mr. NELSON presented telegrams in the nature of memorials from sundry employees of the Western Union Telegraph Co., of St. Paul, Minneapolis, and Duluth, all in the State of Minnesota, remonstrating against the proposed telegraphers' strike, which were referred to the Committee on Interstate Commerce.

GRANT OF NEW TRIALS.

Mr. WALSH, from the Committee on the Judiciary, to which was referred the bill (S. 68) to amend section 269 of chapter 231 of the act of March 3, 1911, entitled "An act to codify, revise, and amend the laws relating to the judiciary," reported it with amendments.

THE PRESIDENT'S ADDRESS TO MEXICAN EDITORS.

Mr. PHELAN. Mr. President, I have received many requests for copies of the President's address to Mexican editors, which is not available. The address of the President to the Mexican editors, I am informed, will be of great value to the United States if circulated in the South American and Central American countries. Therefore I request that it be made a public document.

Mr. SMITH of Arizona. Mr. President, there is but one way to have that done, and that is for the Senator to present his resolution and have it referred to the Committee on Printing. The committee will be very glad, whenever they see the importance of the Senator's suggestion, to provide that this may be done. Anything, however, may be done by unanimous consent. Representing the committee, I ask the Senator that he permit the question of printing to be referred to the Committee on Printing.

Mr. PHELAN. I present such a resolution, and ask that it be referred to the Committee on Printing.

Mr. WALSH. Mr. President, I question the propriety of that course, because this is the first time in my experience in this body that any opposition has ever been made——

Mr. SMITH of Arizona. To what?

Mr. WALSH. To the printing as a public document of a public address by the President of the United States.

Mr. SMITH of Arizona. I am afraid that is largely true; but that is exactly what the Committee on Printing is trying to stop.

Mr. WALSH. It does not occur to me, Mr. President, that that is quite sound. It seems to me that an exception might easily be made in respect to a public utterance of this character by the President of the United States upon a very important public question. I trust the Senator from Arizona will not insist on his objection.

Mr. SMITH of Arizona. If the Senator will pardon me, I have not heard what it is proposed to print; but I know there is a proper way of having a document printed. If it be true that this document is an emanation from the President of the United States, which ought to be printed as a public document, the Committee on Printing will not hesitate one minute to see that it is done.

The Senator from Montana will sympathize with me when he knows that my purpose is to place every Member of the Senate in exactly the same attitude, so that printing may be done under the law. Otherwise, we should have no earthly way to stop excessive printing.

Mr. WALSH. I did not entertain any apprehension at all that the Committee on Printing would act unfavorably upon the printing of this document, for it seems to me the probability of favorable action is so pronounced that there would seem to be no occasion for taking that course with reference to a document of this character.

Mr. POINDEXTER. Mr. President, I demand the regular order.

The PRESIDENT pro tempore. There is nothing before the Senate.

Mr. FLETCHER. The regular order is the request of the Senator from California to print as a public document an address by the President of the United States.

The PRESIDENT pro tempore. But to that there has been objection.

Mr. FLETCHER. I do not understand that there was objection, but that the suggestion was made that it ought to be referred to the Committee on Printing. I hope that the chairman of the Committee on Printing will not insist upon any objection, or that he will not make any objection, because this is a very important matter. I supposed the address had already been printed as a public document. I have never heard of an address of the President of the United States being denied this consideration by the Senate, and I hope the chairman of the committee will not insist upon his objection.

Mr. POINDEXTER. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. POINDEXTER. Is the matter before the Senate subject to debate?

The PRESIDENT pro tempore. The Chair does not think at present that discussion is in order.

Mr. POINDEXTER. I call for the regular order.

The PRESIDENT pro tempore. The regular order is the presentation of petitions and memorials.

Mr. PHELAN. I move that——

The PRESIDENT pro tempore. The presentation of petitions and memorials is the regular order before the Senate.

Mr. FLETCHER. Does the Senator from Arizona insist upon his objection.

Mr. SMITH of Arizona. I do not know what it is proposed to print, but I insist upon my objection.

The PRESIDENT pro tempore. The discussion has been ruled out of order. The presentation of petitions and memorials is in order.

Mr. FLETCHER. I submit that it is entirely proper when a request of this sort is made and objection is made, and the Senator making the objection says he does not know what the request is, that he be permitted to be informed of what the request is.

The PRESIDENT pro tempore. The Chair does not think that matters of this character are in order or that requests of this kind are in order during the presentation of petitions and memorials in the morning hour. That is the ruling of the Chair. Are there further petitions or memorials?

Mr. POINDEXTER. I present a petition from the employees of the Western Union Telegraph Co., of Spokane, Wash., signed by W. E. M. Marks and 19 other employees, in which they express their desire to support the Government and the President in the present emergency, and resent the attempts, as they express it, by outside parties to influence them—that is, the employees of the Western Union Telegraph Co.—to commit acts of "unpatriotism."

In that connection, in presenting the petition, I express the hope that the Attorney General of the United States will investigate what outside parties are attempting to influence the employees of the telegraph companies to commit disloyal and unpatriotic acts.

I submit the petition for proper reference.

Mr. SHERMAN. Mr. President, I have a like telegram to that presented by the Senator from Washington [Mr. POINDEXTER], and unless I am permitted to have it printed in the RECORD—not the names of those signing it, but the body of the telegram—I shall read it in a speech on some future occasion, in which I shall comment upon it, thereby consuming much more time and print paper and ink than would be consumed now if the telegram were read.

The PRESIDENT pro tempore. Does the Senator from Illinois request that the telegram be printed in the RECORD?

Mr. SHERMAN. Yes, sir.

Mr. SMITH of Arizona. I object.

The PRESIDENT pro tempore. The question is for the Senate to decide. Shall the request of the Senator from Illinois be granted? [Putting the question.] The noes have it.

Mr. BORAH. Mr. President, I have received a telegram this morning from Mr. Leland, representing the telegraphers of Boise City, Idaho, in about the same language which has been read here. I will state that I present the matter and ask that it be referred to the committee which has charge of the subject.

The PRESIDENT pro tempore. It will be so ordered.

TELEGRAPH AND TELEPHONE CONTROL.

Mr. SMITH of Georgia. I send a resolution to the desk which I desire to have read.

The PRESIDENT pro tempore. The Secretary will read the resolution.

The resolution (S. Res. 279) was read, as follows:

Resolved, That the Committee on Interstate Commerce be discharged from the further consideration of the joint resolution (H. J. Res. 309) to authorize the President, in time of war, to supervise or take possession and assume control of any telegraph, telephone, marine cable, or radio system or systems or any part thereof and to operate the same in such manner as may be needful or desirable for the duration of the war and to provide just compensation therefor.

Mr. SMITH of Georgia. Mr. President, this resolution, under the rule, will go over for a day. I hope it will be unnecessary to call it up, but I have presented it this morning in order that the Senate might be in a position at any time to proceed with its consideration if the Senate wished to do so.

Mr. KELLOGG. Mr. President, should not the resolution be referred to the Committee on Interstate Commerce?

Mr. SMITH of Georgia. No; not at all. The purpose of the resolution is action by the Senate.

Mr. KELLOGG. The purpose of all resolutions is action by one or both Houses of Congress.

Mr. PENROSE. Mr. President, it seems to me rather premature and uncalled for to introduce a resolution to discharge a committee the chairman of which has announced his intention of holding hearings upon a very important question, involving, I think, as will be developed when the hearings take place, many important and complicated propositions. The Senator from Georgia, of course, is within his rights to offer the resolution, but I think he is working overtime in doing so.

Mr. SMITH of Georgia. I thank the Senator for his suggestion, but I will discuss that with him when the resolution is before the Senate for action, which will not be until to-morrow.

Mr. POMERENE. Mr. President, I did not hear the resolution read, but I understand it has reference to the telegraph bill which has been introduced. I may say that a bill was introduced in the Senate several days ago and was referred, I believe, to the Committee on Military Affairs, and then, on motion of the senior Senator from Iowa [Mr. CUMMINS], that committee was discharged from the further consideration of the bill, and it was referred to the Interstate Commerce Committee. A similar bill passed the other House, came to the Senate, and on Saturday, I believe, it was referred to the Interstate Commerce Committee. The Interstate Commerce Committee had a brief session on Saturday evening, when it decided to go forward with the hearings, and a meeting of that committee has been called for 2 o'clock this afternoon. I simply wish the Senate to know the present status of the bill.

FUNERAL EXPENSES OF THE LATE SENATOR TILLMAN.

Mr. THOMPSON, Mr. LEWIS, and Mr. VARDAMAN addressed the Chair.

The PRESIDENT pro tempore. The Senator from Kansas has been seeking recognition for some time, and is recognized.

Mr. THOMPSON. I desire to call up Senate resolution 278, reported by me on Saturday last, authorizing the payment of the funeral expenses of the late Senator TILLMAN, which on objection by the senior Senator from Ohio [Mr. POMERENE] went to the calendar. I should like to have the resolution passed.

The PRESIDENT pro tempore. The Senator can not do that on Monday under the new rule, which was adopted on the 2d of July.

Mr. THOMPSON. Can it not be done by unanimous consent? There is no question as to the resolution.

The PRESIDENT pro tempore. The Chair will submit the question to the Senate. The Senator from Kansas asks unanimous consent for the consideration of the resolution to which he has referred. Is there objection?

Mr. WALSH. Mr. President, for the information of the Senate, may the new rule be read?

The PRESIDENT pro tempore. The Secretary will read the new rule.

The Secretary read the rule adopted on July 2, 1918, as follows:

Provided, however, That on Mondays the calendar shall be called under Rule VIII, and during the morning hour no motion shall be entertained to proceed to the consideration of any bill, resolution, report of a committee, or other subject upon the calendar except the motion to continue the consideration of a bill, resolution, report of a committee, or other subject against objection as provided in Rule VIII.

The PRESIDENT pro tempore. The Chair has no right under that rule to entertain the motion.

Mr. THOMPSON. I think by unanimous consent the Chair can do so. We can do most anything by unanimous consent. We can suspend any rule without notice under the express provision of Rule XL, except as otherwise provided in clause 1, Rule XII, which refers to voting. This is the only exception in the rules.

The PRESIDENT pro tempore. The Chair has no right under that rule to entertain the motion. If the Senator can get the rule suspended, the Chair can entertain it.

Mr. BRANDEGEE. Mr. President, allow me to suggest to the Chair that by unanimous consent the Chair could entertain the motion. A rule can be suspended by a two-thirds vote, and by unanimous consent, if everybody agrees, the rule, of course, can be suspended.

The PRESIDENT pro tempore. The Chair will be very glad to submit the question to the Senate.

Mr. BRANDEGEE. I simply wished to make the suggestion to the Chair, because it seems to me that by unanimous consent we can do anything.

Mr. FLETCHER. May I inquire if the Chair has announced that morning business is over?

The PRESIDENT pro tempore. The Senate is still under the order of concurrent and other resolutions in the morning hour.

Mr. FLETCHER. Then there is an order of business for the consideration of resolutions coming over from a previous day.

The PRESIDENT pro tempore. The resolution referred to by the Senator from Kansas has been reported and is on the calendar.

Mr. THOMPSON. Mr. President, it does seem to me that by unanimous consent we can suspend the rule. It would be extremely technical and might prove very dangerous to hold otherwise in construing the new rule, for to do so would require the calling of the entire calendar when a very important matter requiring immediate consideration might be necessary to be considered, which certainly ought to be permitted by unanimous consent.

The PRESIDENT pro tempore. The Chair will leave the matter to the Senate. The Senator from Kansas asks unanimous consent for the present consideration of the resolution to which he refers. Is there objection?

Mr. HITCHCOCK. I should like to have the resolution stated, so that we may know what it is.

Mr. THOMPSON. It is merely the usual and ordinary resolution to pay the funeral expenses of the late Senator TILLMAN. This is the third time I have attempted to bring it up. The expense has already been incurred, but under the law not a single dollar can be paid until authorized by this resolution, and many are waiting for their money.

Mr. SMITH of Georgia. We merely wished to know what the resolution was.

Mr. THOMPSON. It is the third time I have endeavored to bring up the resolution for consideration, and I shall not do so again. There should never have been any objection to a resolution of this character, and, so far as I know, it is the first time in the history of the Senate when the consideration of such a resolution has been objected to or even delayed by any Senator.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was read, considered, and agreed to, as follows:

Resolved, That the Secetary of the Senate be, and he hereby is, authorized and directed to pay from the miscellaneous items of the contingent fund of the Senate the actual and necessary expenses incurred by the committee appointed by the Vice President in arranging for and attending the funeral of the Hon. BENJAMIN R. TILLMAN, late a Senator from the State of South Carolina, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

THE PRESIDENT'S ADDRESS TO MEXICAN EDITORS.

Mr. PHELAN. Mr. President, what is the regular order?

The PRESIDENT pro tempore. We are still under the order of morning business. The regular order is the presentation of concurrent and other resolutions.

Mr. PHELAN. I submit the resolution which I send to the desk.

The PRESIDENT pro tempore. The resolution will be read.

The Secretary read the resolution (S. Res. 281), as follows:

Resolved, That the address made by the President of the United States to the Mexican editors at the White House on June 7, 1918, be printed as a public document.

Mr. PHELAN. I ask that the resolution be referred to the Committee on Printing.

The PRESIDENT pro tempore. That order will be made. Are there further concurrent or other resolutions?

TELEGRAPH AND TELEPHONE CONTROL.

Mr. LEWIS. Mr. President, I rose a few moments ago, when the very appropriate resolution concerning the payment of the funeral expenses of the late Senator TILLMAN was presented, to add a word, and just a word and no more, to the observations made by the Senator from Ohio [Mr. POMERENE] concerning the resolution of the Interstate Commerce Committee as to entering upon hearings upon the joint resolution to take over the telegraph lines. What I desired to say was concerning the resolution of the Senator from Georgia [Mr. SMITH]. The Senator from Ohio has made it clear that the Senate Committee on Interstate Commerce has passed a resolution to enter at once upon hearings and the consideration of the measure. I desire merely to add that that resolution had been passed and had been disposed of before the resolution was presented to the Senate touching the question of a recess. That has not been generally understood; and to those to whom the subject is interesting at all, I desire to give that information.

Mr. POMERENE. In view of the suggestion made by the Senator from Illinois [Mr. LEWIS], I have before me now a copy of the resolution which was adopted by the Interstate Commerce Committee respecting these hearings, and, if there is no objection, I ask that it be incorporated in the RECORD.

Mr. BRANDEGEE. I ask that the resolution be read.

Mr. VARDAMAN. Let it be read.

The PRESIDENT pro tempore. The reading is called for, and, without objection, the Secretary will read.

The Secretary read as follows:

It is moved that it is the sense of the Interstate Commerce Committee of the Senate that it proceed without delay to enter upon a hearing upon House resolution 309, and that the chairman of the committee be requested to make the necessary arrangement for the attendance of interested parties, and that a report upon the resolution be made as soon as possible.

Mr. BRANDEGEE. Did the Senator from Ohio suggest that that motion had been adopted by the committee?

Mr. POMERENE. It was adopted by the committee.

Mr. LEWIS. On Saturday?

Mr. POMERENE. It was adopted on Saturday evening.

Mr. BRANDEGEE. I wish to ask the Senator from Georgia [Mr. SMITH], who offered a resolution to discharge the Committee on Interstate Commerce from the further consideration of this measure, whether that had the concurrence of the Committee on Interstate Commerce and the Committee on Military Affairs?

I understood the Senator from Iowa [Mr. CUMMINS] the other day, when he successfully moved to discharge the Committee on Military Affairs from the further consideration of this matter and had it referred to the Committee on Interstate Commerce, to state to the Senate that that motion had the consent of both those committees. I wonder what the situation is now.

Mr. SMITH of Georgia. Mr. President, I could not hear the Senator, owing to the noise in the Chamber being so great.

The PRESIDENT pro tempore. Senators will suspend and the Chair will try to obtain order.

Mr. BRANDEGEE. I understood the Senator from Iowa the other day to state that the motion to discharge the Committee on Military Affairs from the further consideration of the House joint resolution providing for the taking over of the telegraph and telephone lines by the Government had the concurrence of both the Military Affairs Committee and the Committee on Interstate Commerce. I wondered if the Senator from Georgia could give me any information in regard to that.

Mr. SMITH of Georgia. Mr. President, I have no information upon that subject, but I will state to the Senator my reasons for introducing the resolution. There was a good deal of talk on Saturday about taking a month's recess while the Interstate Commerce Committee was considering this joint resolution, and the proposition was made to adjourn the Senate for 30 days. I voted against that proposition. I do not believe any such hearing is necessary. I would be very much opposed to delaying the consideration of this question by the Senate for any such time. I do not regard it as a complicated question; I do not regard the joint resolution passed by the House as one about which we need much information that we do not already possess, and I really think that it is a subject that could come to the Senate very shortly for discussion. I introduced this resolution to-day because, under the rules, such a resolution can not be considered until the next day after its introduction, in order that it might be before the Senate, so that at a later day, if I saw fit, without 24 hours' delay, I might call it up. Whether I shall call it up to-morrow I do not know, but I only took the precaution of having it upon the Secretary's desk so that, if it was deemed desirable to bring it up, a delay of 24 hours would not be necessary.

Mr. BRANDEGEE. Mr. President, I understand the Senator's motive in introducing it. What I asked him was whether he had consulted with the Committee on Military Affairs and the Committee on Interstate Commerce, and whether the motion met their views?

Mr. SMITH of Georgia. I was acting simply as a Member of the Senate who believed that this joint resolution might properly come before the Senate for discussion during the present week, and might properly be disposed of in the Senate during the present week, and because I differed from those who, in casual conversation, had expressed the opinion—not speaking for the committee at all, but speaking individually—that the joint resolution should receive before the committee a month's consideration. I do not feel that so lengthy a hearing is necessary. I think it can be properly disposed of at a much earlier time, and I wish to add that the presentation of this resolution was not intended in any way as a reflection upon the Military Affairs Committee or the Interstate Commerce Committee, but as an expression of my dissent from what I had heard, not from members of that committee, but from other Senators upon the subject of delay.

Mr. BRANDEGEE. I should like to ask the Senator another question in that connection. Of course, his resolution is to discharge the committee from the further consideration of this matter. The Senate has sent the joint resolution to the Committee on Interstate Commerce. Does the Senator think the joint resolution ought to have consideration by any committee?

Mr. SMITH of Georgia. I think the joint resolution can very shortly, if not immediately, be considered by the Senate. I think there is very little to be found out by investigation that is not now known; and, so far as I am personally concerned, I am ready for its consideration upon the floor of the Senate.

Mr. REED. Mr. President——

Mr. BRANDEGEE. Mr. President, does the Senator really think that a momentous question of that kind should be taken up on the floor of the Senate without consideration by any committee of the Senate?

Mr. SMITH of Georgia. Ordinarily I would say no; I would think it should be considered; but I do not believe that there is connected with this matter anything that will be elucidated by the investigation that Senators do not now know. I think the controlling problem with reference to this action involves matters that will not be developed by hearings before the committee.

Mr. BRANDEGEE. Mr. President, I am not familiar with the joint resolution that was sent to the Interstate Commerce Committee.

Mr. SMITH of Georgia. I did not intend to bring it up to-day, and I do not know that I shall call it up to-morrow. As I stated, my object in presenting it to-day was that if, later on, I desired to call it up I would not be delayed 24 hours in doing so.

Mr. BRANDEGEE. My purpose in asking the Senator from Georgia the questions which I have asked him was to ascertain from him if his motion should prevail and the committee should be discharged from the consideration of the matter, whether it was his purpose to bring up the matter on the floor of the Senate without any evidence or testimony or consideration of the matter except what Senators could furnish on the floor.

Mr. SMITH of Georgia. If I do call up the resolution later, and it should be adopted by the Senate, it would be with the view of immediate consideration of the subject by the Senate.

Mr. PENROSE. Mr. President, may I ask the Senator a question? He has evidently devoted profound study to this subject, because he is ready to vote on it right away.

Mr. SMITH of Georgia. The Senator is right about that. I congratulate him upon the soundness of his conclusion.

Mr. PENROSE. For myself, I must confess my ignorance, and I want to be shown; but I should like to ask the Senator a question. As the result of his studies, does he believe that a telephone itself should be installed in every post office in the country, and in this measure does he include the 20,000 independent telephone lines, many of them on the verge of bankruptcy, in the proposition of Government ownership?

Mr. SMITH of Georgia. It is not a proposition of Government ownership.

Mr. PENROSE. Well, of Government control.

Mr. SMITH of Georgia. Government supervision or Government control.

Mr. PENROSE. Yes. Does he include the 20,000 independent telephone lines, which are largely on the same basis as the short-line railroads?

Mr. SMITH of Georgia. My own view is that the important control is the long-distance control—the telegraph control especially, and the control of the long-distance telephone lines. I think that a wise action might except from actual Government operation the short-distance lines; but I do believe it most important, in connection with the present military condition of the country, that the telegraph lines and the long-distance telephone lines should be under Government supervision.

Mr. PENROSE. Then the Senator, notwithstanding his prolonged study, which permits him to vote upon this thing to-day, is uncertain as to the extent to which Government control should be extended to the short-distance independent lines on the verge of bankruptcy?

Mr. SMITH of Georgia. And I do not think that will be settled by the investigation of the committee. I do not think it probable that it can be.

Mr. PENROSE. A number of letters are already coming to Senators from persons interested in these semibankrupt telephone lines urging the passage of this joint resolution, and I can see opportunities of a very enlarged character for the gentlemen interested in these concerns. The Senator's views, however, seem to me a little nebulous on this point.

Mr. SMITH of Georgia. It is the Senator's mind which is nebulous that does not grasp them.

Mr. NELSON. Mr. President, will the Senator from Georgia yield to me for a question?

Mr. SMITH of Georgia. Yes.

Mr. NELSON. My question is, Is this measure for taking over the control of the telegraph lines and the telephone lines based upon this alleged threatened "strike," or is it based upon the ground of military necessity?

Mr. SMITH of Georgia. Military necessity.

Mr. NELSON. I want to say to the Senator that if it is based upon the ground of a threatened strike, evidence has appeared here in the numerous telegrams that this strike is a manufactured strike, outside of the regular employees. Is the Senator convinced of that?

Mr. SMITH of Georgia. I am very much gratified that we have the information that came to us this morning upon that subject, and I hope it is true; and, so far as I can see, I believe it is true.

Mr. NELSON. I am glad to hear that.

Mr. LEWIS obtained the floor.

Mr. VARDAMAN. I call for the regular order.

The PRESIDENT pro tempore. The regular order is the introduction of concurrent and other resolutions. The Senator from Illinois was recognized under that head.

Mr. LEWIS. Mr. President, I did not rise to present a resolution, but to respond to the query of the Senator from Connecticut for some information upon this subject, and if that is out of order I will not press it now.

The PRESIDENT pro tempore. The regular order has been called for. Are there further concurrent or other resolutions?

AMENDMENT OF THE RULES.

Mr. JONES of New Mexico. Mr. President, I offer the resolution which I send to the desk and ask that it may be read.

The PRESIDENT pro tempore. The resolution will be read.

The Secretary read the resolution (S. Res. 280), as follows:

Resolved, That Rule XXII of the standing rules of the Senate be, and hereby is, amended as follows:

After the word "debate," where it first occurs in said rule, strike out the period and insert a colon and the following:

"*Provided, however*, That any motion or resolution proposing an adjournment or recess of either or both Houses of Congress for a greater interval of time than three days shall be debatable.

Mr. JONES of New Mexico. Mr. President, I have offered this resolution because I think it was demonstrated here on Saturday night that there is an absolute necessity for it. Upon the question of adjournment for a period longer than three days certainly there should be more nearly a unanimous sentiment than was expressed by the vote on Saturday night. I believe that if we had had an opportunity to debate the question and to get information regarding the situation surrounding the business of the Senate, the Senate would have reached a conclusion more nearly unanimous than it reached at that time. I have no objection to limiting the debate upon such a motion or resolution, and I suggest that the Committee on Rules consider the advisability of limiting the debate, but I certainly feel that there should be debate upon such a question.

I have learned since Saturday night, and learned after the adjournment on Saturday night, that important conferences had been held bearing directly upon the question as to whether or not the Senate should adjourn for a greater period than three days, but I did not have that information until after the Senate had passed the concurrent resolution. The Senator who moved that we concur in the concurrent resolution objected to debate. There was no opportunity to debate it or to gain any information regarding it, and upon such an important matter there should be an opportunity to get some information and to have some kind of debate. I hope the Committee on Rules will consider the advisability of limiting the debate. I think it should be done, although I have not provided for it in the resolution.

The VICE PRESIDENT. The resolution will be referred to the Committee on Rules.

PENSIONS AND INCREASE OF PENSIONS—CONFERENCE REPORT.

Mr. WALSH submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12229) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 10, 15, 19, 21, 27, and 30.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, 4, 7, 8, 9, 12, 13, 14, 16, 17, 18, 20, 22, 23, 24, 25, 26, 28, 29, 31, 32, 33, 34, 36, 37, and 38, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$36"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: Restore the matter stricken out, amended to read as follows:

"The name of Emma L. Randall, widow of George W. Randall, late of Company B, One hundred and ninety-fourth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $12 per month."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$36"; and the Senate agree to the same.

T. J. WALSH,
WILLIAM H. THOMPSON,
REED SMOOT,
Managers on the part of the Senate.

WILLIAM A. ASHBROOK,
JOUETT SHOUSE,
JOHN W. LANGLEY,
Managers on the part of the House.

The PRESIDENT pro tempore. The question is on agreeing to the conference report.

Mr. JONES of Washington. Mr. President, what is the first item in the bill?

The PRESIDENT pro tempore. The Secretary will state it.

The SECRETARY. The first item in the bill is the name of William Wilson.

Mr. JONES of Washington. Very well.

Mr. WALSH. I ask that the Senate agree to the conference report.

The report was agreed to.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on Commerce:

H. R. 8839. An act for the establishment of Oswego, in the State of New York, as a port of entry for immediate transportation without appraisement of dutiable merchandise; and

H. R. 12002. An act for the establishment of Bar Harbor, in the State of Maine, as a port of entry and delivery for the immediate transportation without appraisement of dutiable merchandise.

NOBEL PEACE PRIZE.

H. J. Res. 313. Joint resolution providing for the disposition of moneys represented in the Alfred Bernard Nobel peace prize, awarded in 1906, was read twice by its title.

Mr. JOHNSON of California. Mr. President, I ask unanimous consent for the present consideration of the joint resolution.

The PRESIDENT pro tempore. Is there objection?

Mr. POMERENE. Mr. President, may the joint resolution be read for the information of the Senate?

The PRESIDENT pro tempore. The Secretary will read the joint resolution.

The joint resolution (H. J. Res. 313) was read, as follows:

Whereas in compliance with the expressed desire of Theodore Roosevelt Congress passed an act entitled "An act to establish the Foundation for the Promotion of Industrial Peace," approved March 2, 1907, in which act trustees were created and appointed with power to accept from the said Theodore Roosevelt the money gift carried as a part of the Nobel peace prize awarded him in the year 1906; and

Whereas the trustees, or industrial peace committee, created under said act still has in its custody the moneys represented in the said Nobel prize, and accretions thereto, and has not found it practicable to dispose of the same in accordance with the provisions of said act: Therefore be it

Resolved, etc., That the industrial peace committee, created under an act of Congress entitled "An act to establish the Foundation for the Promotion of Industrial Peace," approved March 2, 1907, be, and they are hereby, authorized and directed to return to the Hon. Theodore Roosevelt the sum of money in its hands, principal and interest, represented in the Nobel peace prize, and placed with it in accord with the expressed desires and purposes of Theodore Roosevelt in 1907.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate as in Committee of the Whole proceeded to consider the joint resolution.

Mr. JOHNSON of California. Mr. President, if I may be permitted just one word of explanation, this matter was in the hands of the senior Senator from Mississippi [Mr. WILLIAMS] on Saturday last. He had a letter from Hon. Theodore Roosevelt in respect to it. The Senator from Mississippi was called away suddenly by a death in his family, and then, by Congressman GALLIVAN, he sent me the letter that had been written to him by Mr. Roosevelt and asked that I present the matter in his stead. That letter I have, and I will ask, please, that the Secretary may read it. It explains the situation.

The PRESIDENT pro tempore. Without objection, the Secretary will read the letter.

The SECRETARY read as follows:

[The Kansas City Star. Office of Theodore Roosevelt. New York Office, 347 Madison Avenue.]

JULY 2, 1918.

MY DEAR SENATOR WILLIAMS: After the Peace of Portsmouth I was awarded the Nobel prize medal. This carried with it the gift to me of the sum of about $40,000. The gift was to me outright, but I did not care to use it for myself under the circumstances, so I gave it as a foundation for an industrial peace fund. Congress created a commission to receive and use it. It seems, however, that it did not prove practicable to make the use intended of the money. Nothing whatever has been done with it and it still is in the hands of the commissioners. We are now in a great crisis and the utmost demand is being made upon the charity of every man and woman, rich or poor. Under these circumstances I do not think it right that this money should lie idle; and I do think it most appropriate that the Nobel peace prize fund should be used through appropriate organizations to care for our soldiers, and for the widows and children and mothers of our soldiers in this great war, waged to secure the only kind of peace worth having—the peace which is founded on right and justice and mercy.

Accordingly I am writing to you and to Congressman GALLIVAN to ask if you will not put this communication immediately before the two Houses of Congress. I desire Congress to give me back, or rather authorize and direct the commissioners created under the prior law of Congress to give me back, the Nobel peace prize fund. I shall then at once apply it for purposes above indicated, through the Red Cross, the Young Men's Christian Association (both white and colored branches), the Knights of Columbus, the Jewish war fund, and any similar organizations which I may think at the moment would do peculiarly good work. At the end of the year I will report to you and to Congressman GALLIVAN the exact disposition made of the fund, sending you, if you so desire, the full correspondence, the stubs of the checks, etc.

I feel that, as the money was given to me to be used as I desired, the proper course to take is the one I have requested. But I feel much more strongly that in any event the money should no longer remain as a "talent wrapped in a napkin and buried in the ground," but should be used to help meet the needs created by this terrible war. Accordingly if there is objection to having me receive and dispose of it as above outlined, I ask that the money be turned over to a committee composed of yourself and Congressman GALLIVAN and the Speaker of the House, who will report by the end of the year to Congress the disposal of the funds they have made; or, if you feel that such extra work should be undertaken by those not pressed by public business, I suggest that you turn the money over to a committee of three, consisting of Mrs. Thomas J. Preston, widow of the late President Cleveland; Maurice Egan, late minister to Denmark; and Nathaniel Elsberg, former State senator of New York. They could report in similar fashion.

The essential thing is that immediate action be taken. Senator LODGE and Congressman LONGWORTH know about the fund, and Mr. Oscar Straus is one of the gentlemen now interested with its administration. I think the Chief Justice is another. I do not see that there can be any objection on grounds of policy to using this idle money immediately for this most worthy of purposes. If there is objection to the money being distributed as above outlined by me, the donor, then I request that either of the committees I have suggested, or some similar committee which may commend itself to your judgment, be appointed to distribute the fund. In any event, I trust there will be immediate action.

Faithfully, yours, THEODORE ROOSEVELT.

Hon. JOHN SHARP WILLIAMS,
United States Senate, Washington, D. C.

Mr. LEWIS. Mr. President, I have long contemplated bringing to the attention of the Senate a very small matter, but one which in honor should have been brought to the attention of the public some time ago. I avail myself of this second, and but for a second, I trust, to impose on the indulgence of the Senate, to bring before the Senate now the matter that should have been made clear by me earlier.

Mr. President, I have listened to this letter. From the letter we all glean the object that the ex-President has. In connection with this matter I have seen it reported in certain press dispatches and as coming from certain gentlemen that consideration should not be extended to the ex-President as he has desired, and among other things it is charged that a Col. Lewis was guilty of insubordination in office in connection with the report made, known as the "embalmed-beef" report, and that Col. Roosevelt issued a round robin in support of this report, and in a manner which violated all the military rules, and it is alleged that this Col. Lewis, as well as Col. Roosevelt, should have been subjected to court-martial; also that Col. Lewis instead of being awarded large sums for an invented gun passed to the Government he should have been submitted to the country for proper punishment for an infraction of military law.

Mr. President, I do not know in detail the controversy between Col. Lewis of the gun and our Government, but that Col. Lewis must not be permitted to bear any odium that attaches to that report frequently now referred to as embalmed-beef report, nor should Theodore Roosevelt be charged with the responsibility. It happens the present Senator from Illinois, JAMES HAMILTON LEWIS, myself, was the Lewis then in the service as inspector general, serving on the staff of Gen. Fred Dent Grant, who now let it be confessed, in an ardor not measured by military discipline, and an impulse perchance not controlled by official dignity, made the report known as the embalmed beef. I stopped the ship *Ohio* from embarking, and after passage of certain telegraphic correspondence I indulged in animadversions against officers of the military administration then in power functioning here at Washington. I was discharging my office on way from Cuba to Porto Rico. It was at Newport News, Va., where the first report adverse to the meat was made by me.

The court-martial that followed the events were addressed to Col. Davis and Gen. Miles, and involved me, as it should. The action of Col. Roosevelt was one that an officer merely took upon the report of facts from another source, to which he gave credence, and which naturally he would have relied upon until the contrary had been proven. Later, upon investigation, he issued his round robin, so called, as a protest against feeding the soldiers the poisonous stuff.

I have had no opportunity officially in this honorable body among my colleagues to meet the matter with propriety as a Senator. Now, since this request within the last few days on the part of Col. Roosevelt has been made, and there have been circulated throughout the country and again been revived all these charges, this much in honor to myself and in justice to all involved I must take the first opportunity to state, as I now have.

The violations of military law at that time were my own, and the infractions of the military code were my own. The impulse or the ardor or the impetuosity which resulted in the lack of respect for superior officers was my own. The Col. Lewis of the gun, I fancy, had no more knowledge of the matter than the honorable chairman of the Senate.

As far as Col. Roosevelt is concerned and Col. Guild, serving at Jacksonville, now dead, a distinguished officer then and a distinguished statesman since, they took their information from a fellow officer and reported upon the facts as they had them.

Now, in closing my observations, I say if what these opponents of the action call "ignominy" must rest upon any man for violating the military laws it must be upon my head the judgment should be visited for doing the undignified thing; the man who ought to bear it under the sacred law of "Give unto Cæsar that which is Cæsar's and unto God that which is God's," is JAMES HAMILTON LEWIS, not Col. Lewis, the inventor.

Whatever may be the faults of Col. Roosevelt, whatever may be the things I oppose in him, whatever may be the political things with which he encountered my opposition, he will no longer be held up before the country, nor Col. Lewis, the inventor of the gun, as being responsible for these violations, if they were of that kind to bring on anyone punishment, criticism, or condemnation, if I can by this correction avoid the unjust censure.

In justice to the situation, in justice to all, I am the individual whose violations should bear the whole brunt and responsibility; and at this moment I make this explanation that hereafter through the country it will be known that the Col. Lewis of the Spanish-American War who violated the law, if such was done, and violated the military regulations, if such was done, and who was the object of court-martial consideration, was myself. That the attitude or the conduct of Col. Roosevelt and his course at that time were based upon reports of a fellow officer which he took for granted as true, and that the subsequent investigation of court-martial, had it been permitted in full at all, would have confirmed the justice of Col. Roosevelt in what he did. At this moment I merely explain the facts.

Mr. POINDEXTER. Mr. President——

Mr. LEWIS. I yield to the Senator.

Mr. POINDEXTER. Is that the reason why the administration refused to supply the Army with the Lewis gun and we have few machine guns except those we buy from the French?

Mr. LEWIS. There may be foundations for the fact that there was a Lewis who was held in certain odium by certain officials in such a way that nothing that carried his name would have been approved even if it had been otherwise acceptable. I was responsible not for the gun or for anything of mechanical perfection. There are certain officials who would give nothing that carried my name their approval, but I do not think any condemnation of his invention was chargeable to me.

I have completed my observations to set the record right for the future, and I should like to at once pass the resolution, and not only pass the resolution but to allow Col. Roosevelt to discharge the expenditure of this fund and administer it in such sense or order as he as a gentleman and patriot would direct, and I would that we shall not make the reflection upon his integrity or sense of justice by committing the expenditure of the fund to any other keeping—of committee or person.

Mr. PHELAN. May I ask the Senator before he takes his seat if I understood him that he was one of the signatories to the round robin?

Mr. LEWIS. I had made the report condemning the beef before the round robin was issued. The round robin was the thing that followed my action. I acted as inspector general, ranking as colonel serving on staff duty, first having been as-

signed to Gen. Brooke at Habana, then later to Gen. Grant in Porto Rico.

The Senator from Texas [Mr. SHEPPARD] has asked me what was the result of the court-martial. In justice, in the first place, my expressions in my communications to the War Department were condemned without qualification. I was charged with having uttered language unbecoming an officer to a superior. The Senator from Georgia [Mr. SMITH] asks if it was true. I regret to say it was true. It was, as I remarked a moment ago, expressions in the fervor of ardor and zeal of an officer at the time with more emotion than dignity.

As to the beef, Mr. President, the attitude of Col. Roosevelt and those in condemning the material on round robin was approved, but Lewis's language and unmilitary reflections on superior officers were not approved.

Mr. PHELAN. May I ask the Senator if the statute of limitations has expired so that the Senator has immunity?

Mr. LEWIS. This particular Senator seeks no protection. It is only fair to say that the lapse of time has gone by sufficiently for people who condemned him then to act more generously to him later.

Mr. BRANDEGEE. Mr. President, the Senator from Illinois having united himself with Cæsar and God, I suppose he has achieved his object. I am heartily in favor of the joint resolution called up by the Senator from California.

Mr. JOHNSON of California. Mr. President, now that the anxiety of a waiting and expectant people has been relieved, I trust we may proceed with the joint resolution.

Mr. LEWIS. Mr. President, I rose to do a thing that I felt I owed. I did not expect to invite the delicate satire of my eminent friend from Connecticut, who, in order to gratify himself in his ambition to emulate the wasp, gave evidence that he is still alive to subject matters of legislation in the Senate by an uncalled-for explosion from his vitriol vial, nor did I expect the honorable Senator from California to give evidence of a sarcasm offensive in its tone as it was empty in its meaning. I sought in no wise in my observations to embarrass anything, nor to address myself to the public, nor to obtain any advantage from any source. I merely sought to do that which I owed under the circumstances, and I deeply regret the standards of gentility of speech adopted by other gentlemen in other places are ignored by the Senator from California to employ in their place observations as offensive to me as they are unbecoming to decency.

Mr. JOHNSON of California. Mr. President, I appreciate, of course, perfectly the retort of the Senator from Illinois. If I had understood what the Senator from Illinois stated, or if it had been at all comprehensible, I probably would have felt infinitely more rebuked; and if by any process of reasoning I could have understood the pertinency of his remarks to the joint resolution, I would stand here wholly abashed. But whether the remarks of the Senator from Illinois were comprehensible or pertinent or related wholly to himself, I had no remarks to make upon this particular joint resolution and have no personal interest in it of any sort, and I do not object in the slightest degree to his self-advertisement if he favors it. Certainly, for myself, I only ask for the passage of the joint resolution.

Mr. SHERMAN. Mr. President, in reply to what my colleague has said I wish to read a telegram, dated July 6, 1918, Chicago, Ill., addressed to myself, as follows:

We believe the Government control of telegraph and telephone lines at this time unwise and unwarranted. The company's officers and employees are experienced in their profession and are loyal citizens, and in our opinion are as equally able to assist the Government under their present organizations as would be the case if these companies were turned over to Government officials already overburdened with other duties. We, the employees of the Western Union Telegraph Co., have no intention of allowing any labor organization interfering with our work, and place our support to our country and the telegraph company.

Mr. BRANDEGEE. Mr. President, in connection with this same matter, I should like the Secretary to read a very brief report which appears in the Washington Times of this noon as to the telegraph strike being called off.

The PRESIDENT pro tempore. The Chair hears no objection, and the Secretary will read.

The Secretary read as follows:

CHICAGO, *July 8.*

Recalled at the eleventh hour, the Commercial Telegraphers' Union strike order to Western Union employees was not effective to-day.

President S. J. Konenkamp, in compliance with requests by Secretary of Labor Wilson and Samuel Gompers, formally withdrew the strike order late yesterday.

Konenkamp declared to-day that there will be no strike until the Government has further opportunity to act.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The preamble was agreed to.

THE CALENDAR.

The PRESIDENT pro tempore. If there is no further morning business, the morning business is closed, and the calendar, under Rule VIII, is in order.

Mr. SMOOT. I ask unanimous consent that we proceed with the calendar, under Rule VIII, beginning with Order of Business 444. I will state to the Senate that is the place where we left off when the calendar was last under consideration, and I ask that we proceed with the consideration of bills on the calendar to which there is no objection.

The PRESIDENT pro tempore. The Senator from Utah asks that the calendar be proceeded with, at the number mentioned, under Rule VIII.

Mr. POMERENE. At what number?

Mr. SMOOT. No. 444, the bill that we reached the last time the calendar was under consideration.

The PRESIDENT pro tempore. If there is no objection, the Secretary will begin with the number mentioned. The Chair hears none.

The bill (S. 4548) to protect the lives and health and morals of women and minor workers in the District of Columbia, and to establish a minimum wage board, and define its powers and duties, and to provide for the fixing of minimum wages for such workers, and for other purposes, was announced as next in order.

Mr. SMOOT. As that bill may lead to some discussion and there are very few Senators here I ask that it may go over.

The PRESIDENT pro tempore. It will go over.

DISTRICT FIRE DEPARTMENT.

The bill (H. R. 11231) to regulate the hours of duty of the officers and members of the fire department of the District of Columbia was considered as in Committee of the Whole.

The bill had been reported from the Committee on the District of Columbia with amendments.

The first amendment was, after the enacting clause to strike out all down to and including line 9 and insert:

That the Commissioners of the District of Columbia shall, when in their judgment a sufficient number of officers and men have been obtained for the maintenance and operation of the fire department of the District of Columbia, and such action can be taken without interference with the efficiency of said department, so regulate the hours of duty of the said officers and men as to provide for a day and night force, respectively, the said forces to alternate on tours of duty once or more every two weeks.

The amendment was agreed to.

The next amendment was, in section 3, page 2, line 11, after the word "are," to strike out "directed" and insert "authorized," so as to make the section read:

SEC. 3. That the Commissioners of the District of Columbia are authorized to appoint a sufficient number of men and officers in addition to the existing force to carry out the objects of this act.

The amendment was agreed to.

The next amendment was, in section 5, page 2, line 22, after the word "acts," to strike out "and shall not annul, modify, or affect any city ordinance, or part or parts thereof."

Mr. KING. Mr. President, this seems to be a very important measure. Apparently it is intended to supplement existing legislation. I should like to ask if there is any member of the committee here who will explain the provisions of the bill. I think I shall ask that it go over.

The PRESIDENT pro tempore. Objection is made, and the bill goes over.

Mr. JONES of Washington subsequently said: Mr. President, I came in just a moment ago, when I think Order of Business 445, being House bill 11231, was before the Senate, but I did not know that that was the bill under consideration. The Senator from Utah [Mr. KING] asked that it go over because there were no members of the Committee on the District of Columbia, from which the bill had been reported, present. I hope the Senator will not insist upon his objection. The measure has passed the other House and I think we also provided in the District of Columbia appropriation bill for the appropriation which is involved.

The purpose of this proposed act is to authorize the Commissioners of the District of Columbia to establish the platoon system as a permanent system, as it has been found to work most splendidly in different cities of the country. I know in the city of Seattle, in my State, it has worked nicely. I hope the Senator from Utah will withdraw his objection to the consideration of the bill.

Mr. KING. Mr. President, I have no objection to the measure. I did not know the extent to which it went, but I knew that it was an important bill, and no member of the committee being present to give us any information regarding it, I asked that it go over. I now withdraw my objection, in view of the statement which has been made by the Senator from Washington.

Mr. JONES of Washington. I thank the Senator from Utah.

The PRESIDENT pro tempore. Without objection, the Senate will return to the consideration of the bill, which has been partially considered.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11231) to regulate the hours of duty of the officers and members of the fire department of the District of Columbia.

The PRESIDENT pro tempore. The pending amendment will be stated.

The SECRETARY. On page 2, section 5, line 22, the Committee on the District of Columbia reported an amendment to strike out the words "and shall not annul, modify, or affect any city ordinance, or part or parts thereof," so as to make the section read:

SEC. 5. That, except as herein provided, the provisions of this act shall not act as a repeal of any act or acts, or part or parts of any act or acts, relating to the salaries, annual leave or vacation, sick or disability leave of absence of the officers and members of the fire-fighting force of the District of Columbia.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

CORPORATIONS IN THE DISTRICT OF COLUMBIA.

The bill (S. 4000) to authorize corporations organized in the District of Columbia to change their names, was considered as in Committee of the Whole.

The bill was reported from the Committee on the District of Columbia with amendments to insert after the enacting clause the following:

That the Code of Law for the District of Columbia be, and the same is hereby, amended by inserting another section, to be known as section 639a, which shall read as follows:

On page 1, line 7, before the word "That" to insert "Sec. 639a"; on page 2, before the word "That," to strike out "Sec. 2"; on page 3, line 6, before the word "That," to strike out "Sec. 3"; and on page 4, line 13, before the word "That," to strike out "Sec. 4," so as to make the bill read:

Be it enacted, etc., That the Code of Law for the District of Columbia be, and the same is hereby, amended by inserting another section, to be known as section 639a, which shall read as follows:

SEC. 639a. That any corporation organized under the laws of the District of Columbia may change its name in the manner following:

"The board of directors shall pass a resolution declaring that such change is advisable and calling a meeting of the stockholders to take action thereon. Such meeting shall be called upon such notice as the by-laws provide, and in the absence of such provision upon 10 days' notice given personally to each stockholder as his address is contained in the records of such corporation, a notice deposited in the United States mail, postage prepaid, at least 10 days prior to such meeting to be considered sufficient notice under this act If two-thirds in interest of each class of stockholders having voting powers and of other persons having like powers shall vote in favor of such a change, a certificate thereof shall be signed by the president and secretary, under the corporate seal, and acknowledged as in the case of deeds of real estate, and such certificate shall be filed in the office of the recorder of deeds of the District of Columbia, and upon the filing of the same the certificate of incorporation shall be deemed to be amended and the name changed accordingly; and the filing of said certificate in conformity with this act shall have the same force and effect as to all future proceedings as if said certificate of incorporation or organization had been originally drafted in conformity with the amendment so made.

"That a certified copy of any such certificate shall be taken and accepted as evidence in all courts and places of all matters legally stated therein; and the recorder of deeds shall keep an index in his office showing the new name and the change from the old name, and the old name showing the change to the new name; and no fees shall be required by the recorder of deeds for filing and recording any such certificate, except that ordinarily required for deeds of real estate of like length.

"That a corporation under its new name shall have the same rights, powers, and privileges, and shall be subject to the same duties, obligations, and liabilities as before, and may sue and be sued by its new name, but no action brought against it or by it under its former name shall be abated on that account, and on motion of either party the new name may be substituted therefor in the action.

"That upon the filing of said certificate for record a copy thereof shall be inserted, by the corporation whose name has been changed as hereinabove provided, once each week for four consecutive weeks, in two daily papers published in the District of Columbia."

The amendments were agreed to.

Mr. KING. The bill was reported from the Committee on the District of Columbia?

The PRESIDENT pro tempore. It was reported by the chairman of the Committee on the District of Columbia.

Mr. KING. I regret very much that the bill was not sent to the Judiciary Committee. I have certain information which the Judiciary Committee now possesses, which will lead to several emendations of the present act of incorporation. One will permit the holding of meetings of corporations under the laws of the District outside of the District and another will permit the selection of more directors who are nonresidents of the District than are now permitted under the present law. Informally some of those questions have been discussed by members of the Judiciary Committee, and there is an apparent inclination upon the part of those to whom I refer to report a bill amending the present statute.

This amendment would be in harmony with the amendments to which I have just referred that it is contemplated shall be made to the present act of incorporation. I think this measure is necessary, but I regret that it is not before the Judiciary Committee so that one bill might have taken care of the entire matter. I shall make no objection, however, to the consideration of this bill.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CONTROL OF STREET PARKING IN THE DISTRICT.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3835) to amend an act entitled "An act to vest in the Commissioners of the District of Columbia control of street parking in said District." It proposes to amend paragraph (b) of section 2 of the act of Congress approved July 1, 1898, entitled "An act to vest in the Commissioners of the District of Columbia control of street parking in said District," so as to read as follows:

(b) All portions of the space in the streets and avenues of the said District, after the same shall have been set aside by the Commissioners of the District of Columbia for park purposes, and all spaces forming parcels, squares, or blocks which have been or may be dedicated to or otherwise acquired by the District of Columbia for park purposes, and which may be transferred to the Chief of Engineers, United States Army, for said purposes.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER.

The bill (H. R. 10891) to amend and reenact an act for the establishment of a probation system for the District of Columbia was announced as next in order.

Mr. SMOOT. Let that bill go over, Mr. President.

The PRESIDING OFFICER (Mr. KING in the chair). The bill goes over.

The bill (S. 3379) to authorize the Secretary of the Interior to exchange public coal lands for private coal lands in certain cases was announced as next in order.

Mr. SMOOT. Let that bill go over, Mr. President.

The PRESIDING OFFICER. The bill goes over.

The bill (S. 4439) to provide for the survey of a national highway connecting certain national monuments in the States of Utah, Arizona, and New Mexico was announced as next in order.

Mr. LENROOT. Let that bill go over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

MINAM NATIONAL FOREST, OREG.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 3864) to add certain lands to the Minam National Forest, Oreg. It proposes to include and make a part of the Minam National Forest, subject to all prior valid adverse rights, the lands to be hereafter subject to all laws affecting national forests: Sections 34 and 35, the north half of section 36, township 7 south, range 43 east, and sections 2 and 3, township 8 south, range 43 east, all of Willamette meridian, in Oregon.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LIZZIE G. GARIN.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 4524) to validate the homestead entry of Lizzie G. Garin. It proposes that the homestead entry numbered 011395, made by Lizzie G. Garin for the west half of southeast quarter, section 3, west half of northeast quarter, section 10, township 35 north, range 3 east, Montana principal meridian, be validated, and the Secretary of the Interior is authorized to issue patent thereon upon the submission of satisfactory proof of compliance with the laws under which the entry was allowed.

Mr. SMOOT. I desire to ask the Senator reporting the bill if this particular legislation was added to the general relief bill, being Senate bill 3797, which passed the Senate May 17, 1918?

Mr. MYERS. No; it was not. This particular bill was sent to the committee by the Secretary of the Interior, and its passage was requested after the passage of the bill referred to by the Senator from Utah. This proposed legislation is not included in that bill.

Mr. SMOOT. The Commissioner of the General Land Office asked the chairman of the Committee on Public Lands of the other House to add it to that bill; and what I wanted to know was whether or not the request of the commissioner had been complied with in the other House?

Mr. MYERS. I do not know whether or not it was complied with in the House; I can not say.

Mr. SMOOT. If it was, it would be unnecessary to pass this measure.

Mr. MYERS. If it was added to the other bill, it would be held up in the House and indefinitely postponed. So the passage of the bill here will do no harm.

Mr. SMOOT. So long as the Senator from Montana is not positively informed as to the matter, I will not object to the passage of this bill.

Mr. MYERS. No; I do not know.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ANTON HIERSCHE.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2323) authorizing Anton Hiersche to select other land in lieu of land now owned by him, required for reclamation purposes. The bill was read as follows:

Be it enacted, etc., That Anton Hiersche, who is the record owner of the northeast quarter of section 16, township 23 north, range 54 west, sixth principal meridian, in Nebraska, which lies partly within the area required for Reservoir No. 2, in the North Platte irrigation project, constructed under the reclamation act of June 17, 1902 (32 Stats., p. 388), and acts amendatory thereof and supplementary thereto, is hereby authorized in lieu of so much thereof as may be flooded by said reservoir to a contour line 6 feet above the sill of the outlet gates therefor, known as Dam No. 2, and in full compensation of whatever damage may be caused to the land in section 16, located above this 6-foot and below the 11-foot contour above this gate sill by reason of seepage or wave wash or other causes, containing 57 acres more or less below said 11-foot contour, to select that portion of the south half of section 9, township 23 north, range 54 west, sixth principal meridian, in Nebraska, and more particularly described as that portion south and east of Dam No. 1½ and south of the outlet channel from Dam No. 1½ to Dam No. 2, exclusive of a strip of land 50 feet in width, extending along the lower toe of Dam No. 1½ and the south water line of said outlet channel, as the same traverses the said section 9, containing 90 acres more or less, of which 67 acres more or less are irrigable, and the Secretary of the Interior is hereby authorized to issue patent therefor: *Provided*, That as to the land selected which is irrigable from the project a lien shall be reserved in the patent to secure the payment in the manner and subject to the conditions specified in the act of August 9, 1912, entitled "An act providing for patents on reclamation entries, and for other purposes": *Provided further*, That such selection of land by said Anton Hiersche and the patenting thereof shall be a waiver to the United States of all his right to the described flooded portion of the northeast quarter of said section 16, and all claim for any damages thereto and to any land below the 11-foot contour above Lead-gate sill at Dam No. 2 on account of its use heretofore or hereafter for a reservoir. This selection of land shall furthermore be a waiver for any damage to the land so selected and patented by reason of erosion, wave wash, seepage, or sloughing along the outlet channel in section 9.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PRESSMEN IN GOVERNMENT PRINTING OFFICE.

The bill (S. 4673) to increase the compensation of pressmen in the Government Printing Office was announced as next in order.

Mr. SMOOT. I ask that that bill be indefinitely postponed, its provisions having already been incorporated in the general deficiency appropriation bill, which is now the law.

The PRESIDING OFFICER. If there is no objection, the request of the Senator from Utah will be granted and the bill will be indefinitely postponed. The Chair hears none.

PAYMENT OF INDEMNITIES TO GREECE.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 4527) authorizing the payment of indemnities to the Government of Greece for injuries inflicted on its nationals during riots occurring in South Omaha, Nebr., February 21, 1909. It proposes, as a matter of grace and without reference to the question of liability therefor, to the Government of Greece, to pay as full indemnity on account of injuries inflicted on its nationals during riots which occurred in South Omaha, Nebr., on February 21, 1909, as set forth in the message of the President of the United States dated January 14, 1916, $40,000.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

INDEMNITY TO MADAME CRIGNIER.

Mr. SMOOT. Mr. President, I notice that the calendar still carries Order of Business No. 467, being the bill (S. 4727) to authorize the payment to the Government of France of $13,511.13 as an indemnity requested in behalf of Madame Crignier for losses sustained by her as the result of a search for the body of Admiral John Paul Jones. That bill was passed by the Senate the last time the calendar, under Rule 8, was under consideration.

The PRESIDING OFFICER. The Chair will advise the Senator from Utah that that bill is not upon the official calendar, and is on the calendar which the Senator has apparently because of an error.

FAMILY OF TATSUJI SAITO.

The bill (S. 4728) to authorize the payment of $2,000 to the Government of Japan for the benefit of the family of Tatsuji Saito, a Japanese subject killed at Camp Geronimo, Mexico, May 25, 1916, was considered as in Committee of the Whole. It proposes to pay, as a matter of grace and without reference to the question of liability therefor, to the Government of Japan $2,000, for the benefit and consolation of the family of Tatsuji Saito, a Japanese subject, killed May 25, 1916, at Camp Geronimo, Mexico, then occupied by American soldiers, as set forth in the message of the President of the United States to the Senate dated May 20, 1918.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER.

The bill (S. 2494) to provide for the exchange with the State of Oregon of certain school lands and indemnity rights within the national forests of that State for an equal area of national-forest land was announced as next in order.

Mr. LENROOT. I ask that that bill go over.

The PRESIDING OFFICER. Objection being made, the bill will be passed over.

ATLAS LUMBER CO. AND OTHERS.

The bill (S. 4225) for the relief of the Atlas Lumber Co., Babcock & Willcox, Johnson, Jackson & Corning Co., and the C. H. Klein Brick Co., each of which companies furnished to Silas N. Opdahl, a failing Government contractor, certain building materials which were used in the construction of Burke Hall, at the Pierre Indian School, in the State of South Dakota, was considered as in Committee of the Whole.

The Secretary read the bill.

Mr. SMOOT. Mr. President, it has always been the rule of Congress not to pay interest on any claims against the Government of the United States, and I ask the Senator from Minnesota [Mr. KELLOGG] if he will not consent that the words relating to interest, wherever they appear in the bill, be stricken out. Then I will have no objection to the bill.

Mr. KELLOGG. Very well, if that is the rule; but the Government has had this money all these years, and has had the use of it. These parties have been out of the money through the fault of the Government and not because of their own fault.

Mr. SMOOT. In the beginning it was not altogether the fault of the Government.

Mr. KELLOGG. It was absolutely the fault of the Government.

Mr. SMOOT. I think, if we pay these claims, we ought to pay them on the same basis as all other claims are paid, and I repeat that it is the rule never to pay interest on claims against the Government. I ask the Senator, therefore, to agree to strike out the words in relation to interest, and then let the bill pass.

Mr. KELLOGG. Very well.

The PRESIDING OFFICER. The Senator from Utah moves that wherever the words relating to interest appear in the bill they be stricken out. The amendments will be stated.

The SECRETARY. On page 3, line 8, after "$3,530.65," it is proposed to strike out the words "with interest thereon at the rate of 6 per cent per annum since the 16th day of October, 1912"; in line 12, after "$456.95," to strike out the words "with interest thereon at the rate of 6 per cent per annum since the 27th day of January, 1913"; on page 4, line 2, after "$855.94," to strike out the words "together with interest thereon at the rate of 6 per cent per annum since the 13th day of June, 1912"; and on the same page, line 7, after "$186.68," to strike out "with interest thereon at the rate of 6 per cent per annum since the 1st day of January, 1913," so as to make the bill read:

Whereas on the 26th day of July, 1911, Silas N. Opdahl entered into a contract with the Commissioner of Indian Affairs for the construction of a brick dormitory, known as Burke Hall, at the Pierre Indian School at Pierre, S. Dak., for $30,200, without requiring a bond from said Opdahl for the protection of labor and material men, as required by the act of Congress of February 24, 1905, amending the act of August 13, 1894; and

Whereas thereafter the firms and corporations hereinafter mentioned furnished building materials to said Opdahl for use in the construction of said Burke Hall upon the belief and understanding that the Commissioner of Indian Affairs had required the said Opdahl to give the bond required by law for the protection of labor and material men and without having any knowledge to the contrary; and

Whereas the said Opdahl did thereafter, to wit, on the 21st day of November, 1912, complete his said contract for the construction of said Burke Hall; and

Whereas thereafter, to wit, on the 30th day of April, 1913, the proper accounting officers of the Government, in making settlement with said Opdahl, suspended the sum of $5,688 as liquidated damages for delay on the part of said contractor in the completion of said work, and which sum was thereafter turned into the Treasury of the United States; and

Whereas the said Silas N. Opdahl ever since the said 30th day of April, 1913, has been and now is insolvent and unable to pay the firms and corporations hereinafter named which furnished him with certain building materials for the erection and construction of said Burke Hall; and

Whereas thereafter, to wit, on the 11th day of December, 1913, Babcock & Willcox instituted a suit, in the name of the United States of America, against the said Silas N. Opdahl and the American Surety Co. of New York, in their own behalf and in behalf of all other persons who supplied labor and material to said Opdahl in the construction of said Burke Hall, whose claims for labor and material were then unpaid; and

Whereas said suit has been prosecuted to final judgment and it has been adjudged and determined that the said American Surety Co. of New York was not liable to material men who furnished materials to said Opdahl under his said contract with the Government (Babcock & Willcox v. American Surety Co. of New York, 236 Fed. Rep., 340); and

Whereas the various firms and corporations hereinafter named have no relief in the premises except through and by virtue of an act of Congress: Therefore

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any moneys in the Treasury of the United States not otherwise appropriated, as follows, to wit: To the Atlas Lumber Co., a West Virginia corporation, at Minneapolis, Minn., the sum of $3,530.65; to C. W. Babcock and T. B. Willcox, copartners as Babcock & Willcox, of Kasota, Minn., the sum of $456.95; to Johnson, Jackson & Corning Co., a Minnesota corporation, of Minneapolis, Minn., the sum of $855.94; and C. H. Klein and C. T. Klein, copartners as the C. H. Klein Brick Co., of Chaska, Minn., the sum of $186.68.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

STIMULATION OF AGRICULTURE.

The PRESIDING OFFICER. The Secretary will state the next business upon the calendar.

The SECRETARY. Order of Business 477, Senate bill 4146——

Mr. PENROSE. Mr. President, is not Order of Business 476 the next matter on the calendar?

Mr. SMOOT. That is the unfinished business.

Mr. PENROSE. Why not go on with it? I rise to a question of order.

The PRESIDING OFFICER. The Senator from Pennsylvania will state it.

Mr. PENROSE. Does the Senator from Utah object to the consideration of the unfinished business?

Mr. SMOOT. No; if the Senator wishes to go on with it.

Mr. FLETCHER. I object.

Mr. PENROSE. I think we might as well meet the question at one time as another and decide it one way or the other.

Mr. SMOOT. I think we ought to finish the calendar.

Mr. FLETCHER. I object to it. I think we ought to finish the calendar while we are on it.

Mr. PENROSE. This is on the calendar.

Mr. FLETCHER. But it can not be finished in five minutes.

Mr. PENROSE. I know that.

Mr. FLETCHER. We are proceeding under the five-minute rule.

Mr. PENROSE. I ask for the regular order, and if some Senator wants to go on record as objecting to the consideration of this bill, very well.

Mr. OVERMAN. There is an objection.

Mr. FLETCHER. I object.

The PRESIDING OFFICER. Objection is made.

Mr. PENROSE. The Senator from Florida objects, then.

LANDS IN SOUTH DAKOTA.

The bill (S. 4146) conferring jurisdiction on the Court of Claims to determine and report upon the interest, title, ownership, and right of possession of the Yankton Tribe of Indians to the Red Pipestone Quarries, S. Dak., was considered as in Committee of the Whole. It confers jurisdiction upon the Court of Claims to determine and report from the finding of facts reported by said court as authorized by section 22 of the act of April 4, 1910, the interest, title, ownership, and right of possession of the Yankton Tribe of Indians in and to the land known as the "Red Pipestone Quarries," described in said act of April 4, 1910.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SINKING FUND FOR RETIREMENT OF UNITED STATES OBLIGATIONS.

The bill (S. 108) to authorize the Secretary of the Treasury to use at his discretion surplus moneys in the Treasury in the purchase or redemption of the outstanding interest-bearing obligations of the United States, was considered as in Committee of the Whole. It repeals all provisions of existing law requiring the establishment and maintenance of a sinking fund for the reduction of the debt of the United States, and in lieu thereof authorizes the Secretary of the Treasury to use, at his discretion, the surplus moneys in the Treasury from time to time, or such portion thereof as he may deem proper, in the purchase or redemption of the outstanding interest-bearing obligations of the United States, and provides that the obligations so purchased or redeemed shall be canceled and retired, and their respective amounts shall be deducted from the outstanding principal of the public debt.

The bill was reported to the Senate without amendment.

Mr. HITCHCOCK. Mr. President, I should like to inquire whether there is any limitation upon the price at which these securities may be purchased?

Mr. SMOOT. Mr. President, I will simply say to the Senator that the bill provides that the act of 1862 shall be repealed. That act provided that a certain percentage of all the moneys collected from customs should be set aside as a sinking fund, but never since the act was passed has that provision been carried out, and the Treasury Department wants the act repealed.

Mr. SMITH of Georgia. And it would really be unwise and impracticable, certainly at this time, to be laying aside a sinking fund and piling it up out of our revenues when we are compelled to increase our bonded indebtedness all the time.

Mr. SMOOT. I will say to the Senator that even if that law had been complied with from the day when it was passed and the 2 per cent was required to be set aside as a sinking fund from the customs duties, it would not amount to half of what the Government has purchased of its outstanding obligations.

Mr. HITCHCOCK. Mr. President, the title of the bill indicates another purpose than that stated by the Senator. According to the title, it is a bill to authorize the Secretary of the Treasury to purchase securities. Now, my question is this: Is he authorized to purchase the securities at a large premium, or is there any limitation upon his discretion?

Mr. SMOOT. The bill provides—

That all provisions of existing law requiring the establishment and maintenance of a sinking fund for the reduction of the debt of the United States be, and the same are hereby, repealed, and in lieu thereof the Secretary of the Treasury is hereby authorized to use at his discretion the surplus moneys in the Treasury, from time to time, or such portion thereof as he may deem proper, in the purchase or redemption of the outstanding interest-bearing obligations of the United States; and the obligations so purchased or redeemed shall be canceled and retired, and their respective amounts shall be deducted from the outstanding principal of the public debt.

That is simply carrying out what the Government of the United States has done since the passage of the act of 1862. There has been no limit, and there should be no limit, because of the fact that the prices of the Government obligations may be above par or they may be below par at the time the Government may have on hand the money to purchase the same. The Treasurer always purchases them at the very lowest point at which it is possible to purchase them at the time he has the money on hand for so doing.

Mr. HITCHCOCK. I presume good judgment would be used; but it seems to me a little extraordinary that no limit should be placed upon the price that the Secretary can pay.

Mr. SMOOT. I will say to the Senator that there is no limit now, and this bill simply repeals that part of the present law requiring a contingent fund of 2 per cent upon the receipts from customs to be set aside year by year.

Mr. HITCHCOCK. That part of it is perfectly reasonable. I can see no possible objection to that; but the title of the bill is:

A bill to authorize the Secretary of the Treasury to use at his discretion surplus moneys in the Treasury in the purchase or redemption of the outstanding interest-bearing obligations of the United States.

Mr. SMOOT. I will say to the Senator that there is no change from the present law, so far as that part of the bill is concerned.

Mr. HITCHCOCK. Then that is entirely unnecessary, if he already has that power.

Mr. SMOOT. He has it and has exercised it.

Mr. HITCHCOCK. I think the Senator must be wrong. There must be some other reason for this, because this subject

has been before the Senate on a number of occasions. It has been on the calendar many times, and has been objected to sometimes.

Mr. SMOOT. It passed the Senate once or twice.

Mr. HITCHCOCK. It may have finally gone through.

Mr. SMOOT. I will say to the Senator that this is an administration measure, and it has been asked for by the Secretary of the Treasury for the last four or five years. If the Senator wants to object, I care nothing about it.

Mr. HITCHCOCK. I am not seeking to object. I am seeking for information as to why the authority is given to the Secretary of the Treasury if, as the Senator says, he already has it.

Mr. OVERMAN. It repeals one part of the present law and reenacts another part.

Mr. SMOOT. We simply repeal a part of the present law.

Mr. WARREN. Mr. President, let me ask the Senator a question. Under the law the 2 per cent has to be set aside from time to time. Now, technically speaking, all that money is supposed to be there, because they have not used it in taking up the bonds. As I understand, the object of this bill is to make that fund, whatever it may be, liquid, so that it can be used in the general business of the country—that is, in buying securities—instead of piling it up under the old law. Nearly all the old securities have been taken up.

Mr. SMOOT. Of course, Mr. President, this 2 per cent of the customs receipts has never been set aside in a special fund for the purpose that the law designated.

Mr. WARREN. We have had that proposition, I know, before the Appropriations Committee. It has been brought to their attention, not only four years ago, but six or eight years ago. The Treasury Department has invariably asked that this law might be changed, and it seems that we have never gotten to it.

Mr. SMOOT. The bill has passed the Senate so late in the session that it has not been acted upon by the House. If there is any objection to the consideration of the bill, Mr. President, I care nothing about it, and it can go over.

The PRESIDING OFFICER. The bill is in the Senate and open to amendment. If there is no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ELDREDGE BROS. LIVE STOCK CO.

The bill (S. 110) for the relief of the Eldredge Bros. Live Stock Co., a corporation, was considered as in Committee of the Whole. It authorizes the Secretary of the Treasury to refund to the Eldredge Bros. Live Stock Co., a corporation organized under the laws of the State of Utah, the sum of $2,738.73 and pay to said corporation the said amount out of any money in the Treasury not otherwise appropriated, same being duties collected from said corporation on cattle temporarily driven into the United States from Canada.

The bill was reported to the Senate without amendment.

Mr. FLETCHER. Mr. President, this bill carries no interest, does it?

Mr. SMOOT. It carries no interest on the claim. It is just what they have paid on cattle coming to this country to graze on the forest reserves and then return to Canada. Under our law the Treasury Department found that they had to pay the money, and it was paid into the Treasury.

Mr. FLETCHER. Very well.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT KNOXVILLE, TENN.

The bill (S. 2898) to provide for the erection of a public building at Knoxville, Knox County, Tenn., was announced as next in order.

Mr. LENROOT. I object.

The PRESIDING OFFICER. Objection is made, and the bill will be passed over.

Mr. SHIELDS. Mr. President, I will ask the Senator not to object to the immediate consideration of that bill. It is a very meritorious measure, providing for the erection of a post office at Knoxville in place of one that was built by the city when it had only one-third of its present population. It is a public improvement that is greatly needed, and does not involve a very large immediate expenditure of money for the purpose. I will ask the Senator to withdraw his objection.

Mr. LENROOT. Mr. President, I have read the report of the committee, and according to the report of the committee there is no greater urgency for the passage of this bill than there is in every State. Every Senator has cases of equal urgency with this. Furthermore, there is no report from the Treasury Department as to any urgency for the passage of this bill. So far as the report shows, it has not even been referred to the Treasury Department for a report as to its urgency. I am opposed to it, because if this bill should pass I have others relating to my State that ought to pass for which even a stronger showing can be made than is made upon the report of the committee with reference to this bill. I object.

The PRESIDING OFFICER. Objection is made.

Mr. SHIELDS. If the Senator from Wisconsin does not care to ask for any relief for cases in his State that require it so much more strongly than this, that is not the fault of the Senators from Tennessee. As there is an objection, Mr. President, I move that the Senate proceed to the consideration of the bill.

Mr. SMOOT. That can not be done under the unanimous-consent agreement, Mr. President.

Mr. SMITH of Georgia. Mr. President——

The PRESIDING OFFICER. The Chair is of the opinion that the motion of the Senator from Tennessee is not in order.

Mr. SMITH of Georgia. Mr. President, if the Chair will turn to the new rule that we adopted, he will see that it expressly allows a motion to proceed to the consideration of the bill under Rule VIII.

Mr. SMOOT. Not after unanimous consent is given.

Mr. SMITH of Georgia. Mr. President, there is not any doubt about my being right about this; and I ask for consideration of it, because in framing this rule we carefully guarded it so as not to destroy the right to proceed to the consideration of bills on motion.

The PRESIDING OFFICER. The Chair will hear the Senator from Georgia, although the Chair has an opinion on the subject. He will hold his opinion in abeyance, however.

Mr. SMITH of Georgia. If the Chair will allow me just a moment——

The PRESIDING OFFICER. Yes.

Mr. SMITH of Georgia. This new rule has just come to us on July 2. It reads as follows:

> That on Mondays the calendar shall be called under Rule VIII, and during the morning hour no motion shall be entertained to proceed to the consideration of any bill, resolution, report of a committee, or other subject upon the calendar except the motion to continue the consideration of a bill, resolution, report of a committee, or other subject against objection as provided in Rule VIII.

We expressly reserved the right to proceed as Rule VIII allows. Now, let us see what that says:

> At the conclusion of the morning business for each day, unless upon motion the Senate shall at any time otherwise order, the Senate will proceed to the consideration of the calendar of bills and resolutions and continue such consideration until 2 o'clock; and bills and resolutions that are not objected to shall be taken up in their order, and each Senator shall be entitled to speak once and for five minutes only upon any question; and the objection may be interposed at any stage of the proceedings, but upon motion the Senate may continue such consideration; and this order shall commence immediately after the call—

And so forth. Rule VIII expressly provides that where objection is made the Senate may continue the consideration of a bill on motion, and our new rule applying Rule VIII for the morning hour on Monday excluded all other motions to proceed with any matter except the motion permitted by Rule VIII. We put that in particularly to preserve the right; and it is very important during these Monday mornings to handle not only those bills on the calendar to which there is no objection, but to proceed with those bills that are reached when the Senate desires to proceed with them.

Mr. GORE. Mr. President, does not that relate to the situation where the consideration has already commenced?

Mr. SMOOT. Certainly.

Mr. GORE. I should like to ask the Senator from Georgia if that rule does not relate to the situation where the consideration of the bill has already commenced?

Mr. SMITH of Georgia. It does this, Mr. President: Rule VIII provides for the consideration of the calendar during the morning hour. It limits you to five minutes if you proceed by unanimous consent; but if you proceed by motion over objection, then debate is broadened under Rule VIII, and you have the right at any time to proceed to the consideration of a bill in spite of the objection. Of course we usually take up business under Rule VIII by a unanimous-consent agreement to dispose of only unobjected-to business; but that is not Rule VIII itself. That is a limitation, by unanimous consent, of the provisions of Rule VIII.

Mr. BRANDEGEE. Mr. President, was not that very unanimous consent given this morning?

Mr. SMOOT. Certainly.

Mr. BRANDEGEE. And are we not proceeding under that?

Mr. SMOOT. The Senator from Georgia would be absolutely right if the unanimous consent had not been given.

The PRESIDING OFFICER. That is the opinion of the Chair.

Mr. SMOOT. But as long as the unanimous consent was given, we ought to proceed with the calendar under Rule VIII.

Mr. BRANDEGEE. The rule is suspended by unanimous consent.

Mr. SMOOT. In other words, all the rule means is that on Monday we shall have a morning hour, and that we will take up the calendar under Rule VIII and proceed with the bills, beginning with the first one on the calendar, and if there is an objection it will go over; but notwithstanding the objection, you can move to proceed with the bill, and if the Senate decides to take it up, it will take it up and discuss it. But before we began in the morning hour the Senator from Utah asked unanimous consent that we proceed with the calendar under Rule VIII, and to consider only bills to which there was no objection, and that we begin at Order of Business No. 444, and that was done.

Mr. SMITH of Georgia. Mr. President, I did not hear that part of the agreement, and I do not believe that kind of an agreement can be made in advance to cut off a bill before it is reached, when this rule expressly preserves the right during the morning hour to move to proceed to the consideration of a bill when it is reached. I did not hear that qualification of Rule VIII.

The PRESIDING OFFICER. If the Senator will pardon the Chair, the Chair had that in mind when the Chair made the announcement that he was of the opinion that the motion of the Senator from Tennessee was not in order. It may be that the contention of the Senator from Georgia is correct that this unanimous-consent agreement could not supersede the rule, but at the present time the Chair is of the opinion that the Senator from Utah is right.

Mr. SMITH of Georgia. I will not insist upon that, because we have so frequently by unanimous consent superseded this rule in that way; but we were very careful to put into this new rule a provision that would preserve the right, and the real theory of the committee in presenting the rule was that during the morning hour one day each week we should have an opportunity to take up the calendar and dispose of measures when we reached them, whether there was objection or whether there was not objection, and give us a chance to dispose of everything on the calendar.

Mr. FLETCHER. Mr. President, may I ask the Senator what is the meaning of the language of the new rule that a motion to proceed with the consideration of a bill shall not be in order? What is the meaning of that?

Mr. SMITH of Georgia. It is this, that no motion shall be in order to proceed with any resolution or any matter pending before the Senate until we take up the Regular Calendar under Rule VIII, and then we take the bills up as we reach them. It defeats the effort by motion to bring up something before we reach the calendar or something that defeats the regular call of the calendar. It forces us to the calendar every Monday morning and to call bills in order on the calendar, with the privilege to move to the consideration of an objected bill when it is reached.

Mr. BRANDEGEE. Mr. President——

STIMULATION OF AGRICULTURE.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 11945) to enable the Secretary of Agriculture to carry out, during the fiscal year ending June 30, 1919, the purposes of the act entitled "An act to provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products."

Mr. OVERMAN. I ask the Senator from Texas [Mr. SHEPPARD] if he will not let the unfinished business be laid aside temporarily until we finish the calendar. We lack only five or six numbers of concluding it and would like to finish it.

Mr. SHEPPARD. I wish to state that the chairman of the committee is now in charge of the bill.

Mr. GORE. I have no objection to that course if it does not last very long.

Mr. OVERMAN. There is just one more page of the calendar.

Mr. GORE. Then I ask that the unfinished business be temporarily laid aside until the calendar is completed, but I reserve the right to call it up should the consideration of the calendar be protracted.

Mr. OVERMAN. The Senator can call it up at any time.

The PRESIDING OFFICER. Is there objection made to the request by the Senator from North Carolina?

Mr. LENROOT. I reserve the right to object until I make an inquiry. I should like to know what the ruling was upon the motion of the Senator from Tennessee.

The PRESIDING OFFICER. The Chair ruled that the motion of the Senator from Tennessee was not in order.

Mr. LENROOT. Very well.

PUBLIC BUILDING AT KNOXVILLE, TENN.

Mr. McKELLAR. I desire to give notice that at the very first opportunity the bill (S. 2898) to provide for the erection of a public building at Knoxville, Knox County, Tenn., will be called up.

ALBERT H. CAMPBELL.

The bill (S. 1661) for the relief of Albert H. Campbell was announced as next in order on the calendar.

Mr. OVERMAN. Let that go over.

The PRESIDENT pro tempore. Objection is made, and the bill will go over.

DISCHARGES FROM MILITARY OR NAVAL SERVICE.

The bill (S. 3995) to amend section 224 of the Revised Statutes of the United States, relating to certificates of discharge, was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment on page 2, line 5, after the word "man," to strike out "or his widow or legal representatives" and insert "or, if he be dead, then to his widow, or, if she be dead, then to his oldest surviving child," so as to make the bill read:

Be it enacted, etc., That section 224 of the Revised Statutes of the United States be, and the same is hereby, amended to read as follows:

"SEC. 224. Whenever satisfactory proof shall be furnished to the War Department or the Navy Department that any officer or enlisted man who has been or shall hereafter be honorably discharged from the military or naval service of the United States has lost his certificate of discharge, or the same has been destroyed without his privity or procurement, the Secretary of War as to such officer or enlisted man in the Army, and the Secretary of the Navy as to such officer or enlisted man in the Navy, shall be authorized to furnish such officer or enlisted man, or, if he be dead, then to his widow, or, if she be dead, then to his oldest surviving child, a certificate of such discharge, to be indelibly marked so that it may be known as a certificate in lieu of a lost or destroyed discharge: *Provided*, That such certificate shall not be accepted as a voucher for the payment of any claim against the United States for pay, bounty, or other allowance, or as evidence in any other case."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SALARY OF COLLECTOR OF CUSTOMS IN NORTH CAROLINA.

The bill (S. 4739) to fix the annual salary of the collector of customs for the district of North Carolina was considered as in Committee of the Whole, and it was read, as follows:

Be it enacted, etc., That the salary of the collector of customs for the district of North Carolina is hereby fixed at $5,000 per annum.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF SHIPPING ACT.

The bill (H. R. 12100) to amend the act approved September 7, 1916, entitled "An act to establish a United States Shipping Board for the purpose of encouraging, developing, and creating a naval auxiliary and naval reserve and a merchant marine to meet the requirements of the commerce of the United States with its Territories and possessions and with foreign countries; to regulate carriers by water in the foreign and interstate commerce of the United States, and for other purposes," was announced as next in order, and the Secretary proceeded to read the bill.

Mr. PENROSE. In order to save further time of the Senate by continuing the reading of the bill, I object to its present consideration, not because I am at the present time opposed to the measure, but it is a very important bill and I think we ought to have an opportunity to look into it.

The PRESIDENT pro tempore. Objection is made, and the bill goes over.

Mr. FLETCHER. Is it not too late to make an objection after the bill has been under consideration?

Mr. PENROSE. No; it was being read for information.

Mr. FLETCHER. It was taken up regularly and is under consideration.

Mr. PENROSE. An objection can be entered at any time. A Senator can not know what is in a bill by the title. It has to be read and then an objection lies.

Mr. FLETCHER. I regret that the Senator insists on his objection. It is a very important bill, reported unanimously

by both the committee of the House and the Senate. It simply refers to the control of the transfer of vessels being built——

Mr. PENROSE. I concede all that the Senator says, but certainly he will not grudge me the short opportunity to examine the measure, and we will be in continuous session from now until October.

Mr. FLETCHER. I do not know about that, but this is a matter that has been before the Senate ever since the 27th of June. A report has been made; the bill is here; we had it up Saturday, more or less. I think it has been pretty well considered. There is nothing complicated about it. It was reported unanimously by the committees of both Houses after thorough consideration.

Mr. PENROSE. It is a House bill?

Mr. FLETCHER. It is a House bill.

Mr. PENROSE. With great reluctance I will withdraw my objection. I have voted for so many questionable measures in the last six months perhaps one more will not weigh upon my conscience nor require a greater reckoning in the day of judgment.

Mr. FLETCHER. I thank the Senator. I assure him that it is a very desirable measure.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with amendments.

The first amendment was, in section 4, page 5, line 23, after "United States," to insert "without expressly stipulating that such construction shall not begin until after the war or emergency proclaimed by the President has ended."

The amendment was agreed to.

The next amendment was, in section 4, page 7, line 13, after "United States," to insert "unless the person to whom the consideration was paid, or in whose interest it was deposited, entered into the transaction in the honest belief that the person who paid or deposited such consideration was a citizen of the United States."

The amendment was agreed to.

The next amendment was, on page 7, line 24, after the word "forfeiture," to strike out "or," so as to read:

SEC. 39. That in any action or proceeding under the provisions of this act to enforce a forfeiture the conviction in a court of criminal jurisdiction of any person for a violation thereof with respect to the subject of the forfeiture shall constitute prima facie evidence of such violation against the person so convicted.

The amendment was agreed to.

The next amendment was, in section 4, page 8, line 23, after the word "by," to insert "said," so as to read:

SEC. 41. That whenever by said sections 9 or 37 the approval of the board is required to render any act or transaction lawful, etc.

The amendment was agreed to.

Mr. BRANDEGEE. I wish to ask the Senator from Florida whether this bill was prepared in the committee or in one of the departments?

Mr. FLETCHER. It was prepared in the House committee after a very full hearing.

Mr. BRANDEGEE. Is it a unanimous report of the committee?

Mr. FLETCHER. It is a unanimous report.

Mr. BRANDEGEE. It is a very comprehensive measure. I have not had time to go through it carefully. If it is the unanimous report of the committee I shall not interpose any objection.

The bill was reported to the Senate as amended and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

EXPULSION OF ANARCHISTS.

The bill (H. R. 12402) to exclude and expel from the United States aliens who are members of the anarchistic and similar classes was announced as next in order, and the Secretary read the bill.

Mr. SMOOT. The other day when this bill was reported to the Senate and unanimous consent asked for its consideration the Senator from Idaho [Mr. BORAH] objected to its present consideration, and while he was on his feet he also made the statement, as I remember, that he desired when the bill was up for consideration to make some remarks upon it. Does the Senator from Oklahoma remember that as I remember it?

Mr. GORE. I remember the Senator from Idaho interposed an objection. His point went to the fact as to what provision would be made for passing on the liability of aliens to be subjected to deportation under the act. I might say that this makes no change in the existing law in that regard.

Mr. REED. Is it to be passed on by the immigration officer?

Mr. GORE. Yes, sir; just as it is now, and as it has been ever since the first immigration act was passed.

Mr. REED. But the Senator understands that the law now contemplates the expulsion of a man from the country upon the mere finding of the immigration officer, no matter how long the man has been here.

Mr. GORE. So far as the enumerated classes are concerned that is true. There are only two or three changes in this act, perhaps I ought to state, as compared with the present law. The present law limits the power to deport to five years, except in cases relating to the white-slave traffic. Sexually immoral cases are subject to deportation at any time. This measure seeks to place anarchists and the enumerated class in the same category with those engaged in the white-slave traffic.

There is one other change. Under the existing law a man must have been an anarchist when he came here. This subjects him to deportation if he became an anarchist or if the fact became known subsequent to his entry into the United States.

So far as deportation is concerned, it would continue to be done as it is now and as it always has been since the first immigration law was passed.

Mr. SMOOT. I think under the circumstances, as there seems to be a misunderstanding or a difference of opinion as to what the bill is, I will ask that it may go over until the Senator from Idaho can be present.

Mr. GORE. I should like to ask the Senator if he knows when the Senator from Idaho will be back?

Mr. SMOOT. I am quite sure he is in the city now, but I take it for granted he is on official business somewhere and he is absent from the Chamber. I will see if the Senator from Idaho can be found and notified to come into the Chamber. I ask the Senator to allow the bill to go over, and if the Senator from Idaho returns before we get through with the calendar we can revert to it.

Mr. GORE. I have no desire to take advantage of the Senator's absence, but I will say in this connection since I made the effort a few days ago to bring up the bill I have received a letter from the Secretary of Labor expressing a very urgent desire that it shall be passed. There are a great many obnoxious aliens it seems who can not be deported under existing law.

Mr. SMOOT. Let us go through with the bills on the calendar, and in the meantime, if the Senator from Idaho comes in, I will ask that we return to the bill.

The PRESIDING OFFICER. The bill will be temporarily passed over.

Mr. REED. I wish to suggest to the Senator in charge of the bill that the Senator from Idaho [Mr. BORAH] yesterday asked that this bill might have due consideration. While, of course, we all abhor the introduction into this country of an alien who is an anarchist, a judicial ascertainment ought to be made of the fact. I think that is a point which is very worthy of consideration. Under the present law or custom an immigration officer may render a decision which involves the right of a human being, and that immigration officer may be ignorant of law, he may refuse anything like a fair hearing, and I believe the courts have held that there is no appeal from his decision; that is to say, his decision will not be interfered with by the courts. I think that is the decision.

Mr. GORE. I will say to the Senator that since section 18 of the act was revised February 5 last the finding of the Secretary of Labor is final, but I think the alien can have a writ of habeas corpus.

Mr. REED. A writ of habeas corpus can not be determined on the merit of the decision.

Mr. GORE. No; nor the legality of the decision.

Mr. REED. Provided there be jurisdiction to render judgment or perform the act the writ will not lie. It lies only where there is something lacking in jurisdiction. As far as I am concerned, I want to say this one word: I think there ought to be in the bill before it is passed a provision giving the right of appeal to a court so that the court may pass upon the merits of the matter.

I wish to call the attention of the chairman of the committee to one thing further. I have had but little time to examine this bill, but I am afraid it is so drawn that a man who would seek to overthrow the Government of Austria or Germany or Turkey might be within its terms. I have read it very hastily, and I may be in error. I think the bill needs some careful consideration on the two points I have suggested. Therefore, I hope it will not be hurried through even if the Secretary of Labor is in a hurry.

Mr. GORE. Mr. President, I will say that I have no desire to press the consideration of the bill before the Senate unduly, but I understand there are a number of aliens in the country who would be subject to the provisions of this act, and it is

claimed that they are a considerable source of trouble, industrially and otherwise. Of that I have no knowledge of my own. But to provide for a trial by jury when an alien is subjected to deportation under the right of the Secretary of Labor would revolutionize the whole immigration system.

Mr. REED. It needs it.

Mr. GORE. That is not the law now and never has been. Of course, an alien is not here as a matter of right but as a matter of courtesy, as a sort of matter of grace, with certain limitations, perhaps, under treaties.

Mr. PENROSE. If the bill goes over on objection, what is the use of discussing it?

Mr. GORE. I was answering the point raised by the Senator from Missouri.

The PRESIDING OFFICER (Mr. JONES of New Mexico in the chair). The bill goes over on objection.

ESTATE OF MOSES M. BANE.

The bill (S. 2885) for the relief of the estate of Moses M. Bane was considered as in Committee of the Whole. It directs the Secretary of the Treasury to pay to the estate of Moses M. Bane, deceased, who was receiver of public moneys for the Territory of Utah, and paid office rent at Salt Lake City for the years 1877 and 1878 and for the first quarter of the years 1878 and 1879, the sum of $1,080, the said sum for office rent having been advanced by the officer out of his private means.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HORACE A. CHOUMARD.

The bill (S. 4562) to reimburse Horace A. Choumard, chaplain in Twenty-third Infantry, for loss of certain personal property was considered as in Committee of the Whole.

The bill was reported from the Committee on Claims with an amendment, page 1, line 7 to strike out "$1,924.35" and insert "$1,500," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Horace A. Choumard, chaplain in Twenty-third Infantry, or his duly authorized representative, the sum of $1,500, the same being in full for and the receipt of the same to be taken and accepted as a full and final release and discharge of the claim of the said Horace A. Choumard for reimbursement for certain personal property lost in the flood and storm at Texas City, Tex., on the 16th and 17th days of August, 1915, without fault or neglect on his part and while in the military service of the United States.

The amendment was agreed to.

Mr. KING. I should like to ask if there was a unanimous report in favor of this bill?

Mr. McKELLAR. I will say to the Senator it is a unanimous report from the Committee on Claims. It changes the amount from $1,924.35 to $1,500, and is a unanimous report. It is a very worthy case. It has been recommended by the War Department, and the bill ought to pass.

Mr. KING. May I ask the Senator from Tennessee if the general statute which has passed recently giving jurisdiction to determine losses on the part of military and naval employees of the Government would not be sufficiently broad to provide for this case?

Mr. McKELLAR. By a ruling of the Treasury Department it does not cover a case of this kind. The bill is recommended by the department, I will state further to the Senator, after an investigation.

Mr. KING. In view of the statement of the Senator from Tennessee I shall make no objection to the consideration of the bill.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WALSTON H. BROWN.

The bill (S. 4460) for the relief of Walston H. Brown, sole surviving partner of the firm of Brown, Howard & Co., and of the Philadelphia & Reading Coal & Iron Co. was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Walston H. Brown, sole surviving partner of the firm of Brown, Howard & Co., the sum of $65,792.53, and to the Philadelphia & Reading Coal & Iron Co., the sum of $26,400.30, these being the amounts severally found due the said Walston H. Brown, sole surviving partner of the firm of Brown, Howard & Co., and the Philadelphia & Reading Coal & Iron Co., by the Court of Claims, and transmitted to Congress on the 7th day of February, 1914.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ABANDONED LIGHTHOUSE AND LIFE-SAVING STATIONS.

The bill (S. 4679) to provide for the disposition of abandoned lighthouse and life-saving stations was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That where reservations of the public lands for lighthouse or life-saving purposes are no longer needed for such purposes the Secretary of the Interior may cause any of such reservations or part thereof to be surveyed into urban, suburban, or villa lots or tracts of suitable size and fix by appraisement of disinterested persons their cash value, and offer the same for sale at public outcry to the highest bidder on such terms as the Secretary of the Interior may direct, and thence afterwards the unsold lots shall be subject to sale at private entry according to such terms and regulations as he may prescribe, but no lots shall be disposed of at public sale or private entry for less than the appraised value thereof, and all such sales shall be conducted by a superintendent of sale to be appointed by the Secretary of the Interior or by the register and receiver of the land office in the district in which the reserves may be situate, in accordance with instructions of the Commissioner of the General Land Office, approved by the Secretary of the Interior.

The bill was reported to the Senate without amendment and ordered to be engrossed for a third reading, read the third time, and passed.

YOSEMITE STONE CO.

The bill (S. 4742) for the relief of the Yosemite Stone Co. was considered as in Committee of the Whole and was read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized to issue a patent to the Yosemite Stone Co., a corporation organized under the laws of Arizona, for the northeast quarter southwest quarter section 13, township 4 south, range 15 east, Mount Diablo meridian, Sacramento, Cal., land district: *Provided*, That such patent shall contain a reservation to the United States and its authorized permittees, licensees, or lessees of the sole right to enter upon, occupy, and use any part or all of such land reasonably necessary for the accomplishment of all purposes connected with the development, generation, transmission, or utilization of hydroelectric power or energy.

The bill was reported to the Senate without amendment and ordered to be engrossed for a third reading, read the third time, and passed.

JOHN MURPHY.

The bill (S. 560) to remove the charge of desertion from the military record of John Murphy was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment to strike out all after the enacting clause and insert:

That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, their widows and dependent relatives, John Murphy, who was a private in Company F, Second Regiment Virginia Volunteer Cavalry, subsequently known as Company F, Second Regiment West Virginia Volunteer Cavalry, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a private of said company and regiment on the 30th day of June, 1865.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of John Murphy."

EXPULSION OF ANARCHISTS.

Mr. BORAH. Mr. President, during my absence a few moments ago, while the Senate was proceeding under Rule VIII, the Senator from Utah [Mr. SMOOT] objected to the consideration of the bill (H. R. 12402) to exclude and expel from the United States aliens who are members of the anarchistic and similar classes, because he understood I had some objection to the bill, and that I desired not to have it considered in my absence. I appreciate the thoughtfulness of the Senator from Utah, but I desire to say that, if the bill should be now called up or called up later, I do not desire longer to be considered as opposing the hearing of the bill. I do not desire it to be understood that I am in favor of the bill, but I am willing that it shall be considered and disposed of.

STIMULATION OF AGRICULTURE.

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11945) to enable the Secretary of Agriculture to carry out, during the fiscal year ending June 30, 1919, the purposes of the act entitled "An act to provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products."

Mr. SMOOT. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Gore	Nelson	Sheppard
Beckham	Hale	New	Sherman
Benet	Henderson	Norris	Shields
Borah	Hitchcock	Nugent	Smith, Ariz.
Brandegee	Johnson, Cal.	Overman	Smith, Md.
Chamberlain	Jones, N. Mex.	Owen	Smoot
Colt	Jones, Wash.	Penrose	Sterling
Culberson	Kendrick	Phelan	Sutherland
Curtis	Kenyon	Pittman	Trammell
Fernald	King	Poindexter	Underwood
Fletcher	Lenroot	Ransdell	Vardaman
France	Lewis	Reed	Walsh
Frelinghuysen	McKellar	Saulsbury	Warren
Gerry	Myers	Shafroth	

Mr. SHAFROTH. I desire to announce the absence of my colleague [Mr. THOMAS] on official business.

Mr. McKELLAR. I desire to announce the unavoidable absence of the Senator from Arkansas [Mr. KIRBY] on official business.

Mr. LEWIS. I wish to announce the absence of the Senator from Kentucky [Mr. JAMES] from personal illness, and of the Senator from Mississippi [Mr. WILLIAMS] because of a death in his family.

The PRESIDENT pro tempore. Fifty-five Senators have answered to their names. There is a quorum present.

Mr. GORE. Mr. President, in a moment I shall ask unanimous consent that the Senate proceed to the consideration of unobjected committee amendments to the bill. In the meantime I wish to say that on page 6 of the bill is the so-called Jones-Norris amendment, in relation to prohibition; and I am directed by the Committee on Agriculture and Forestry to bring in a committee substitute for that amendment as printed in the bill. I ask to have the substitute read, in order that it may be printed and lie on the table, and also in order that Senators who are interested in it may have an opportunity to examine it.

Mr. WARREN. Let me suggest to the chairman of the committee that I think the bill ought to be read in full when it comes to its reading.

Mr. GORE. It has been read in full.

Mr. WARREN. At what time?

Mr. GORE. On Saturday night last.

Mr. WARREN. Was the bill read before these later amendments were offered?

Mr. PENROSE. The bill was read fully on Saturday night. Let the amendment which is now offered be read.

The PRESIDENT pro tempore. The Secretary will state the amendment now offered by the Senator from Oklahoma.

The SECRETARY. In lieu of the amendment of the committee as printed in the bill and found on pages 6 and 7, which is known as the prohibition amendment, it is proposed, on page 6, line 11, after "$6,100,000," to strike out the remainder of the paragraph and insert the following:

That after December 31, 1918, until the conclusion of the present war, for the purpose of conserving the man power of the Nation and to increase efficiency in the production of arms, war munitions, ships, food, and clothing for the Army and Navy, it shall be unlawful to sell for beverage purposes any distilled spirits, and during said time no distilled spirits held in bond shall be removed therefrom for beverage purposes except for export. After November 1, 1918, until the conclusion of the present war, no grain, cereal, fruit, or other food product shall be used in the manufacture or production of beer, wine, or other intoxicating malt or vinous liquor for beverage purposes. After December 31, 1918, until the conclusion of the present war, no beer, wine, or other intoxicating malt or vinous liquor shall be sold for beverage purposes except for export. The Commissioner of Internal Revenue is hereby authorized and directed to prescribe rules and regulations, subject to the approval of the Secretary of the Treasury, in regard to the removal of distilled spirits held in bond after December 31, 1918, for other than beverage purposes; also in regard to the sale and distribution of wine for sacramental, medicinal, or other nonbeverage uses. After the approval of this act no distilled, malt, vinous, or other intoxicating liquors shall be imported into the United States.

Any person who violates any of the foregoing provisions shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine not exceeding $1,000 or by imprisonment not exceeding one year, or both.

Mr. GORE. Mr. President, as chairman of the Committee on Agriculture and Forestry, and under the direction of the committee, I ask to perfect the amendment as printed in the bill by substituting the amendment just read. Then the amendment will lie on the table, subject to inspection and consideration in due course, and will come up in its regular order.

The PRESIDENT pro tempore. Without objection, it will be so ordered.

Mr. GORE. Mr. President, I now ask unanimous consent that the Senate proceed to the consideration of unobjected committee amendments to the bill.

The PRESIDENT pro tempore. Without objection, the Senate will proceed to the consideration of unobjected amendments to the bill.

Mr. PENROSE. I rise to an inquiry. Is it the intention of the Senator from Oklahoma to abandon the consideration of the Agricultural bill at this time?

Mr. GORE. Oh, no. I will say to the Senator my request was that we now consider the unobjected committee amendments to the bill.

Mr. PENROSE. I misunderstood the Senator.

Mr. SHEPPARD. Mr. President, I present two resolutions in behalf of the prohibition amendment and letters transmitting them. I ask that they may be inserted in the RECORD.

The PRESIDENT pro tempore. Without objection, it will be so ordered. The Chair hears none.

The papers referred to are as follows:

WASHINGTON, D. C., *June 6, 1918.*

To the UNITED STATES SENATE,
Washington, D. C.:

As chairman of the commission on temperance and social service of the general conference of the Methodist Episcopal Church South, in accordance with the instructions of that conference, I herewith transmit to your honorable body a copy of the resolutions adopted by the unanimous rising vote of the conference on May 18, 1918.

Very respectfully,

JAMES CANNON, Jr.,
Chairman of Commission on Temperance and Social Service of the Methodist Episcopal Church South.

[Extract from the report of the committee on temperance and social service of the general conference of the Methodist Episcopal Church South, adopted at its session in Atlanta, Ga., May 18, 1918, and sent by order of the conference to the Senate and House of Representatives of the United States with the request that it be read on the floor of each House of Congress, and be entered upon the record of each body as the petition of the representatives of over two and one-quarter million of members of said church.]

This general conference most earnestly petitions Congress to press speedily such legislation as will absolutely prohibit the sale of all kinds of intoxicants for beverage purposes during the period of the war and demobilization thereafter.

We rejoice in the patriotic response of the young men of our Nation to fight the battles of freedom and righteousness. We believe that these choice young men should receive not only food and clothing, and as many comforts as can be afforded them while they are performing their duty to their country and to the world, but that they should also be protected as far as possible from the temptations to dissipation and vice which are so common in camp life. We insist, therefore, that the standard adopted by the Congress of the United States in the passage of the protective law prohibiting the sale of intoxicants to soldiers and sailors in uniform, and the practice of prostitution in the zone of the military and navy camps be maintained without change for our soldiers and sailors in whatever part of the world they may be. Gen. Pershing's order No. 77, "forbidding the soldiers either to buy or to accept as gifts whisky, brandy, champagne, liquors, or other alcoholic beverages other than light wines or beer," should be strengthened at once by striking out the exemption as to light wines and beer, thus prohibiting the purchase, possession, or acceptance as a gift of all kinds of intoxicating liquors, and a similar order should be issued for our naval forces. In order that the law for the Army and Navy at home and abroad shall rest on the same basis of authority, it is further recommended that this order be embodied in a law to be passed by Congress, either in connection with some appropriate bill pending before Congress or as a separate statute. We insist that there shall be no hesitation and no delay in issuing this order and in passing this legislation, as such action will prevent the formation of European wine-drinking habits by American soldiers and sailors, the purchase of strong liquors under the cloak of the wine bottle, and would result in a still greater reduction in sexual vice. We furthermore urge that our Government, either through the Department of State or through the military and naval authorities, request the Governments of Great Britain and France to issue an administrative order prohibiting the sale of intoxicants by residents of these countries to American soldiers and sailors in uniform in deference to the standards concerning intoxicants and prostitution which have been established by the United States Government for her Army and Navy.

WASHINGTON, D. C., *June 7, 1918.*

To the Senate of the United States, Washington, D. C.:

As chairman and secretary of the legislative committee of the Anti-Saloon League of America, in accordance with instructions of the executive committee of the league, we herewith transmit to your honorable body copy of the resolutions adopted by the executive committee on May 24, 1918.

Very respectfully,

JAMES CANNON, Jr., *Chairman.*
WAYNE B. WHEELER, *Secretary.*
Legislative Committee of the Anti-Saloon League of America.

[Resolutions adopted by the executive committee of the Anti-Saloon League of America at Oberlin, Ohio, on May 24, 1918, and ordered to be transmitted to the Senate of the United States by the legislative committee of the league.]

1. *Resolved,* Conditions confronting the Nation to-day emphasize the necessity for war-time prohibition as has been demanded by the moral forces of the Nation for the past year. The executive committee of the Anti-Saloon League of America, in harmony with the action taken by the national convention of the league, and similar action taken by affiliated bodies, therefore insists that such legislation should be speedily adopted by the Congress of the United States.

2. *Resolved,* In view of the conditions surrounding our soldiers and sailors in foreign lands we insist that the standard adopted by the Congress of the United States in the passage of the protective law, pro-

hibiting the sale of intoxicants to soldiers and sailors in uniform, be maintained for our soldiers and sailors in whatever part of the world they may be.

Mr. PHELAN. Mr. President, do I understand that the committee amendment just read by the Secretary is to go over until to-morrow?

Mr. GORE. It lies on the table, and will be taken up in regular order.

Mr. PHELAN. And not necessarily go over until to-morrow?

Mr. GORE. Oh, no. It may be reached to-day or possibly it may be reached to-morrow; but it will come up at the same time that the proposition which is printed in the bill for which it is substituted would have come up. It is merely in order to give Senators an opportunity to examine it that I bring it in at this time.

Mr. PHELAN. There is no printed copy of the amendment?

Mr. GORE. No, sir; there is not.

Mr. PHELAN. Nor a typewritten copy of it?

Mr. GORE. I think not. I will say to the Senator, however, that the principal change made is in reducing the time from June 30, 1919, to December 31, 1918. There may be some other changes, but that is the principal change.

Mr. PHELAN. That is, reducing the time one-half?

Mr. GORE. Yes, sir.

Mr. BRANDEGEE. Mr. President, I wish to ask the Senator from Oklahoma what his understanding is of the parliamentary status of the proposed amendment which he has just presented on behalf of the committee? He speaks of it as lying on the table. I do not understand whether he wishes it substituted for the amendment which the committee formerly recommended and whether it has been so substituted, or whether it lies upon the table.

Mr. GORE. That has been done. It has been substituted and is pending in lieu of the other amendment.

Mr. BRANDEGEE. Then it is not on the table, is it?

Mr. GORE. Well, what I meant to say was that it might lie over, subject to being reached in the due consideration of the bill.

Mr. BRANDEGEE. It will be considered as a committee amendment, will it not?

Mr. GORE. Yes, sir; as the other would have been. I thought Senators ought to have an opportunity to examine it, and so I have presented it in advance.

Mr. PENROSE. It would have been well if the Committee on Agriculture had ordered this important amendment to be printed in time for this session of the Senate, and I suggest that the Secretary of the Senate send the amendment immediately to the Public Printing Office with a view to having copies furnished Senators in the next hour or so, perhaps.

Mr. GORE. If that can be done, I hope it will be done. I think the Senator's request is a very reasonable one.

Mr. PENROSE. I would be glad if the Chair would order the Secretary to have this amendment sent immediately to the Printing Office, with a direction to have copies returned to the Senate as early as possible.

The PRESIDENT pro tempore. The Chair, of course, would follow any order of the Senate. The Chair understands that this is a substitute amendment for that heretofore reported by the committee, and therefore should be printed in the bill in italic in the same way other amendments are printed. Now, is it the wish of the Senate that the bill shall be reprinted throughout with this amendment substituted?

Mr. GORE. I do not think that will be necessary.

Mr. PENROSE. That would take unnecessary time. I think it will be sufficient if we can get the amendment printed. That will take very much less time and labor.

The PRESIDENT pro tempore. That being the understanding, the Chair will direct the Secretary to forward the amendment to the Public Printer, to be printed at once.

Mr. GORE. I will say to the Senator from Pennsylvania that the reason it has not been printed earlier is that it has only been agreed upon since noon, the committee having met at 11 o'clock.

The PRESIDENT pro tempore. The Chair understood there was no objection to proceeding in the order suggested by the Senator with unobjected committee amendments. The Chair hears no objection, and that procedure will be followed. The Secretary will state the first committee amendment.

The first amendment of the Committee on Agriculture and Forestry was, on page 2, line 4, after the word "indicated," to strike out:

Provided, That no part of the money hereby appropriated shall be used in paying salary or expenses of any man who on account of employment in which he is or may be engaged under the provisions of this act has been or shall hereafter be certified by the Secretary of Agriculture, or by any other official of the Department of Agriculture, for deferred classification, or by action of any other Federal official or authority has been or may hereafter be placed in a deferred class under act No. 12, Sixty-fifth Congress, entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, or under any act amendatory thereof that has been or shall hereafter be enacted.

Mr. REED. Mr. President, I presume that it would be in order to perfect the House text before the vote is had upon striking that language from the bill?

Mr. SHEPPARD. If this amendment is objected to it merely goes over, does it not?

The PRESIDENT pro tempore. That will be the case under the order of the Senate.

Mr. GORE. The amendment relates to deferred classification, as I understand?

Mr. REED. Yes.

Mr. BRANDEGEE. Mr. President, I rise to a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state his parliamentary inquiry.

Mr. BRANDEGEE. I desire to ascertain whether it is the understanding of the Senator from Oklahoma that a single objection on the part of any Senator to any committee amendment sends it over and prevents action upon it?

Mr. GORE. Yes, sir; until we finish those that are not objected to; that is the customary procedure.

Mr. BRANDEGEE. Very well.

Mr. PENROSE. Mr. President, I do not believe the Senator from Oklahoma will gain very much by not proceeding in the ordinary way and taking up the amendments as they are reached. I fear there is going to be quite a general objection to nearly all of the features of this bill.

Mr. GORE. I will say that we can clean up the few amendments that are not objected to. Of course, that will require their reading.

Mr. PENROSE. There will be very few to which there is no objection, and perhaps it will not take much time to read them.

Mr. GORE. I think it will not take much time.

Mr. REED. Mr. President, before I vote upon the proposition to strike out this clause inserted by the House, and which has relation to the exemption from military service of men serving in the Agricultural Department, I should like to have some reason offered for striking out the provision. The House must have had some reason for putting it in, and it is perfectly plain to me that there ought to be some reason given for striking it out.

Mr. PENROSE. I can give the Senator one reason. It takes a young man fleet of foot to catch coyotes or squirrels and investigate their habits. A man beyond the military age might be unable to perform those important duties, for which nearly a million dollars is appropriated.

Mr. SHEPPARD. I rise to a point of order.

The PRESIDENT pro tempore. The Senator will state it.

Mr. SHEPPARD. I make the point that debate is out of order for the present.

The PRESIDENT pro tempore. The Chair is unable to determine without hearing Senators whether or not objection is made which, under the order of the Senate, can send the amendment over.

Mr. PENROSE. I object to that amendment very emphatically.

The PRESIDENT pro tempore. Then, under the order of the Senate, the amendment will not now be considered. The Secretary will state the next amendment reported by the committee.

The next amendment reported by the Committee on Agriculture and Forestry was, on page 3, line 7, after the word "furnishing," to strike out "seeds" and insert "seed wheat and beans," so as to read:

Second. For procuring, storing, and furnishing seed wheat and beans, as authorized by section 3 of the act, the appropriations for said purposes of $2,500,000 in section 8 of the act and $4,000,000 under the heading "Department of Agriculture" in the act approved March 28, 1918, entitled "An act making appropriations to supply urgent deficiencies in appropriations for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes," shall be available until the date when said act of August 10, 1917, shall cease to be in effect, etc.

Mr. BORAH. Mr. President, I wish to call attention to a situation throughout the country with reference to the subject which is mentioned in this amendment. While it has no particular bearing upon the amendment, it may as well be disposed of now as at some other time. As a basis for the remarks that I desire to make, I call attention to a letter which I have before me and which I have received from Mr. I. B. Evans, a leading citizen of Preston, Idaho. I ask particularly the attention of those who have given consideration to the Food Administration law and its operation, for, if the power does not exist to deal

with this situation, that power ought to be granted, and perhaps we could insert a clause in this bill which would remedy the situation. This letter is dated Preston, Idaho, June 30, 1918, and is, in part, as follows:

DEAR SIR:

* * * * * * *

I desire to call your attention to the food conditions here in Preston, and I believe the same conditions exist in the other parts of this State. I went to the store the other day to buy 50 pounds of flour, and here is what I paid: Flour, straight grade, $2.45 per 50 pounds. With this I had to buy 50 pounds of substitutes at the following prices: Rice, 15 cents per pound; corn meal, 9 cents per pound; beans, 15 cents per pound; rye flour, 10 cents per pound; oatmeal, 10 cents per pound. It takes about $8 cash to get 50 pounds of flour, or if a person wants 100 pounds of flour it will cost him $16.

That is, Mr. President, because of the fact that in buying 50 or 100 pounds of flour the purchaser is compelled, under the food-administration regulations, also to buy substitutes at these enormous prices—

This is working a hardship on a great many people. Besides it would not be so bad to use substitutes if they could be bought for the same price as flour, but to pay twice as much for an inferior article at best makes a fellow feel as though there is something radically wrong.

The letter further discusses the situation, but the portion of the letter which I have read states the matter fully, and the same statement is coming to me in different ways from all parts of the country.

As I understand, Mr. President, the Food Administration have the same power under the food-control act to fix the price of substitutes that they have to fix the price of the articles the price of which they are fixing. There seems to be an impression throughout the country that the reason why the prices for substitutes are not controlled or fixed is that there is no power conferred upon the Food Administration to fix such prices, but, if I am not in error—and if I am in error I shall be glad to be corrected—there is the same power to fix the price of the substitutes as they are using to fix the price of other articles. I do not say that this power is conferred by the law, but, whether it is conferred or assumed, the same power ought to be exercised in relation to the price of substitutes as they have exercised in connection with the price of other articles. I do not criticize the assumption of power at this time. I only urge that, however the power is derived, it is as full and complete to fix the price of these substitutes as it is to fix the price of the other articles or commodities.

Mr. GORE. Mr. President——

The PRESIDING OFFICER (Mr. HITCHCOCK in the chair). Does the Senator from Idaho yield to the Senator from Oklahoma?

Mr. BORAH. I yield.

Mr. GORE. Mr. President, my information is that the Food Administration gave out a statement, perhaps in February or March last, that the reason the price was not fixed on the substitutes was that the food-control act did not confer that power upon the Food Administration. The Senator has stated the proposition with precision. There is exactly the same power to fix the price of the substitutes as there is to fix the price of wheat flour. There is no power to do either; it is a usurpation of power. And not only that, but it is the worst sort of economy, for it obliges people to clutter up their shelves with stuff they do not want, which means the wasteful use of it; and, more than that, it increases the price of the articles for which an artificial demand is created and raises the price of those articles to the people who do actually need them, who want them, and desire to buy them.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Washington?

Mr. BORAH. I yield.

Mr. POINDEXTER. I think a word ought to be said in this immediate connection in justice to the Food Administration. I do not feel called upon particularly to come to their defense, but I think that they have accomplished a great deal of good and that they are not subject to the charge as made by the Senator from Oklahoma [Mr. GORE]. I do not understand that they have usurped any authority in the matter of fixing the price of wheat. The fact of the case is that the Food Administration, so far as I know, has not done anything more in regard to wheat than the Senator from Oklahoma can do; that is, offer a certain price which he will pay for wheat that he will buy. That is what the Food Administration has done in regard to wheat, and that is the only price fixing which has been undertaken. There is no prohibition in any regulation of the Food Administration against anybody selling his wheat at a less price or a higher price than that which the Government will pay for it.

I intended a moment later to make some comment on the subject of which the Senator from Idaho is speaking, but I will defer that until he has finished.

Mr. GORE. Mr. President, I should like to say that I think the Senator from Washington is approximately correct in his statement. I think the Food Administration has mocked the calamities of the farmer—the calamities which it has imposed upon him—by saying to the farmer, "If you are not willing to take $2.20 for your wheat, or $1.95, or $2, you can sell to anybody that will buy and pay you more." I think that is true; but the Food Administration has licensed all the wheat dealers in the United States and will—or would until recently—revoke the license of any wheat dealer in the United States who would pay one penny more for wheat than the price prescribed by the Food Administration. Certainly the farmer can sell to anybody who will pay more; but men who are in the business are forbidden to pay more, upon the penalty of having their licenses forfeited. Not only that, but the Government, through this administration, has been handling the entire wheat of the country—not merely the wheat desired for the allies, not merely the wheat desired for the armies, but wheat desired for millers, except in certain exceptional cases—and, generally speaking, the entire crop of 1917 was handled through licensed dealers, and they were forbidden, upon penalty of forfeiture of their licenses, to pay one penny more than the prescribed price. I thought that the Food Administration was not quite ingenuous with the farmers when it mocked them by saying, "Sell at any price you can get. We place no limitation upon your receiving $3; certainly not." But who can pay it, and who will pay it when he knows that he can obtain it at the fixed price?

Mr. BORAH. Mr. President, my understanding is that under the license clause of the Food Administration act they have taken possession of the wheat market entirely, and, while they have not directly asserted the power to fix the prices, they have indirectly accomplished the same thing; but with that I am not now going to quarrel, nor am I going to discuss it. What I submit to the Senator from Washington is this: Would there be any different reason why the Food Administrator should not control the price of these substitutes the same as he does control the price of wheat? There would be no reason why he should not exercise whatever that power is, whether it is directly and properly exercised or not, or whether it is encompassed by a roundabout way or not; yet he could deal with the other situation, as I understand it, precisely the same as he deals with wheat, if he desired to do so.

Mr. POINDEXTER. Mr. President, I entirely agree with the Senator from Idaho in that respect. I know that the Food Administration, or somebody connected with it, has answered the innumerable complaints throughout the country—I know there have been many of them in the West and, I assume, in other parts of the country—directed to the enormous prices of substitute flours, flours recommended to be substituted for white flour, and complaints directed against speculation and profiteering in those food or bread substitutes, by saying that they have no authority to fix a price. I have investigated the matter somewhat, and I entirely agree with the Senator from Idaho that while there is no specific authority to fix prices they have the same means by which they can control speculation and profiteering and extortionate prices that they have as to wheat or any other food products which they control and regulate, and I think that is particularly true under section 5 of this act.

If the Senator will pardon me for interrupting him just a little further, he may have noticed in the local newspapers in Washington City a schedule of prices, published as an advertisement by the Food Administration or some agent of the Food Administration, in which they gave the wholesale prices for these substitute flours, and in a parallel column what they recommended as a reasonable retail price, and in the advertisement requested any customer or citizen to report to the Food Administration any greater charge or extortionate prices that retailers were receiving or demanding for these foods. I have received a large number of complaints from the State of Washington, where the conditions are a good deal as they are in the State of Idaho, on this same subject, and I entertain the same views in regard to it that the Senator from Idaho has expressed. I will add that I have taken it up a number of times with the Food Administration and urged them to take some action, and if I recollect clearly my correspondence with them, they stated to me that they had no authority to fix prices. I insisted that they did have authority to control it, and I believe that now they are proceeding to undertake to control these prices, and recently they have informed me that just as soon as the measures which they have taken begin to operate these prices will come down. Whether or not they will be successful I do not know.

Mr. BORAH. Mr. President, reading another paragraph from this letter, the writer says:

There is another thing I desire to call your attention to, and that is this: People are getting loaded up with substitutes, as it is almost impossible to eat them with the 50 pounds of flour.

If a price can be placed on wheat by the Government, why is not a price placed by it on the substitutes? Until this is done, what is there to prevent the substitutes from going still higher? Again, what inducements are offered to the farmer to raise wheat when he can see the advantages in raising substitutes, sell them at any price and at any time, while the price of wheat is regulated, and he is unable even to sell it at all? The farmer who raises wheat is forced to pay twice as much for the substitutes as he is able to get for his wheat, which is really worth twice as much as the inferior substitutes. If these conditions continue, it looks to me as though all another year will go to raising those blessed substitutes. Of course, we are all loyal, but at the same time certain things can be carried too far, and I for one feel that this substitute business has gone far enough, and it is time now for the substitutes to get a price placed on them, and that to be in regard to their true value.

I am calling this letter to the attention of the Senate, and through the Senate to the attention of the Food Administration, for the reason that it is going to work just such a condition of affairs throughout the country as the gentleman writing this letter indicates.

It is going to result necessarily in the decrease of the production of wheat. It is going to result in a great hardship, especially upon that class of people who are not able to pay exorbitant prices, the working people and similar classes of people; and it is going to result in a very large income from profiteering, which is indirectly aided by this method of doing business. Such a chaotic condition of affairs ought not to be permitted to obtain if there is any possible way to prevent it; and if the Food Administration feels that there is not sufficient power in the law now to deal with this situation, I for one should be glad to have that fact made known, and during the long recess which we are now about to enjoy we might be able to find time enough to effectuate a change in the law.

I have here also a resolution, from a committee appointed by one of the county defense organizations, from Moscow, Idaho. It says:

In looking over the Food Administration bill (H. R. 4961) we find that the Food Administration has complete control only over wheat and wheat products. Its control over the price of wheat substitutes is only partial.

It can prevent hoarding, wastage, and speculation in these products; it can control the duration of storage and the amount of profits on storage; but it can not fix the price on wheat substitutes, either for producers or consumers.

We believe that the public is entitled to the same control over wheat substitutes as over wheat, for otherwise the excess profits which have been lost on wheat will be recovered on wheat substitutes.

In asking the public to buy breadstuffs on the 50-50 basis, the Food Administration is creating favorable conditions to make such a recovery possible.

That the wholesale dealers in wheat substitutes are now asking monopoly prices for their products is evident from the following observations:

In July, 1914, the price of wheat flour was 3.2 cents per pound. By June, 1917, it had risen to 8 cents per pound, but, because of the control by the Food Administration, it fell to 5.2 cents per pound in May, 1918.

Mr. REED. Mr. President, what was that statement about "because of the control by the Food Administration"?

Mr. BORAH (reading)—

In July, 1914, the price of wheat flour was 3.2 cents per pound. By June, 1917, it had risen to 8 cents per pound, but, because of the control by the Food Administration, it fell to 5.2 cents per pound in May, 1918.

Mr. REED. Mr. President, the author of that communication had better correct his figures. Neither because of the control by the Food Administration nor, as a matter of fact, did the price go down. The flour that is being used now, every particle of it, is an adulterated flour, measured by the old standards; and it is as dear to-day, and in fact dearer to-day, than it ever was at this time of the year in the history of the world, when it is reduced to the original flour—that is, the flour we formerly had. Whatever reduction came at the time indicated, as can be clearly shown from the previous prices, came because the new wheat was coming on the market.

Mr. VARDAMAN. Mr. President, will the Senator from Idaho permit me to ask a question of the Senator from Missouri?

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Mississippi?

Mr. BORAH. I do.

Mr. VARDAMAN. Do I understand the Senator from Missouri to say that there is no pure flour manufactured and sold now?

Mr. REED. Absolutely none. When I say "pure flour" I mean pure in the sense of the term formerly employed.

Mr. VARDAMAN. That is what I mean.

Mr. REED. Which was that the bran, the shorts, and the middlings had been taken out. You can not buy that kind of flour any more.

Mr. VARDAMAN. It has all been "Hooverized"?

Mr. REED. It all contains these grosser and coarser parts of the grain, which may be perfectly good for food, but they are not what we used to regard as the best kind of flour.

Mr. BORAH. It is probable that this letter is correct upon the face of it, but perhaps the writer did not take into consideration the adulteration of flour, as suggested by the Senator.

Mr. REED. The writer overlooked another thing. I suppose there is no exception to the fact that every year there has been a stiffening of prices at the end of the wheat year, which is approximately from the latter part of May to the middle of June, or even the 1st of July, the crop of wheat being largely exhausted. Then as soon as the new crop begins to come into the market—and that begins along in the month of June, but does not rise to any great height until about the month of July—that influx of new wheat immediately puts down the market price. That has been true every year, but the point I make is that with the single exception of the wheat that was cornered, with the single exception of the great international corner in wheat which was worked just before the creation of the Food Administration, there has been no real reduction in price.

That international corner was created by the various governments, both our allies and the neutrals, reaching into our markets and buying vast quantities of grain; and I have demonstrated time and again, in the statements that have been made in the RECORD, that one of the great causes for that increase in price was the purchases that were made by a committee controlled by Mr. Hoover; that they regularly bulled the market; they regularly bought and sold, and thus helped to create the very condition of which we have spoken. But, now, eliminating that great international corner, which was bigger than any corner that was ever created by Leiter or by Patten or any of those noted speculators, the price of grain and of flour is to-day higher than it ever was at any similar period in our history, and that is where the gentleman who writes the letter is in error.

Mr. BORAH. Of course, the principal point that the writer of the letter was seeking to establish was the point of comparison between wheat flour and substitutes.

Mr. REED. Yes.

Mr. BORAH. Reading further from the resolution:

Corn meal in July, 1914, was 3.1 cents per pound. By June, 1917, it had risen to 5.5 cents per pound. In May, 1918, it is 7.2 cents per pound in 25-pound bags, and 8.5 cents per pound in 10-pound bags, which is the only size the grocers in Moscow carry.

Prior to June, 1917, the price of corn meal per pound was uniformly less than wheat flour. Following the introduction of the Food Administration the price of wheat flour dropped over 30 per cent, but that of corn meal increased 30 per cent.

This rise occurred in spite of the fact that the corn production in 1917 was five times as great as that of wheat, while the export trade was less than one-fifth as much.

The supply of corn in proportion to demand appears to be very much greater than wheat.

This also appears in the fact that on May 21, 1918, the wholesale price of corn was 35 per cent below that of wheat, but the price of corn meal was 35 per cent higher than wheat flour. This makes it evident that we are now paying monopoly prices on wheat substitutes.

Hoover, in his speech before the Senate Committee on Agriculture June 19, 1917, said that some one was taking $50,000,000 a month in excess profits from the American people by the sale of wheat flour. Some one is now taking $25,000,000 a month from the American public by the sale of wheat substitutes.

A great majority of the American people are now making their greatest sacrifice in order to win the war for democracy, but a small minority is taking this self-sacrifice and patriotism as an occasion for self-enrichment.

A minority think that this is an opportunity for mulcting the public out of its hard-earned money.

And then the resolution continues some pertinent comments upon that class of people which I have no doubt are in harmony with the views of the Senate, but are not relevant to the question of the comparison of prices with which we are now concerned. This resolution speaks for itself and portrays a condition calling for consideration. It should not be permitted longer to obtain. I feel the Food Administrator will see the necessity of taking hold and dealing with it at once.

Here is another letter, Mr. President, from Bishop H. R. Merrill, of Preston, Idaho, from which I desire to read a single paragraph or two. Bishop Merrill, who is a public-spirited man and a most active citizen of that part of the State, says:

At present the wheat situation seems very unsatisfactory. A producer of wheat is not allowed to eat all he wants of his own product; is forced to sell it at a stipulated price at inconvenient places and under unfavorable conditions; is forced, further, to buy substitutes at exorbitant prices, etc. At present flour is selling here for $4.90 a hundred. You may buy 50 pounds of flour and 50 pounds of substitutes at a time. The substitutes are corn flour, $10 a hundred; rice flour, $15 a hundred; oat flour, $10 a hundred; oat flakes, $8 a hundred; and barley flour, $8 a hundred. Why should the substitutes be so much higher?

Here is a case: Farmer Jones lives 25 miles from town—some farmers live farther than that. He has 500 bushels of wheat. He tries to dispose of it at the nearest siding, 8 miles away. No one is buying wheat except the mill in town. He hauls his wheat 25 miles. The miller screens it and grades it. He has full power. If the farmer registers a kick, the miller says, "That's Government orders," and so he

pays for the wheat at his own grade price. The farmer wishes flour to take home; he is informed by the miller that he must buy it at the store. The store, I presume, gets about 20 or 25 cents a sack for handling it—that is what they got before the war. The farmer wishes flour. The merchant says, "You may have a 50-pound sack of flour and 50 pounds of substitute." The farmer has a large family. He pays $2.45 for flour and $5 for 50 pounds of substitute. Our women declare that it is impossible to use 50 per cent substitute in bread, consequently part of the substitute must be fed to the animals or must go for mush. He has to make this 50-mile trip every 10 days in order to keep in flour. All the time the Government is preaching conservation. One day out of 10 taken from his farm. He can't help but ask himself why these things are so.

Mr. President, I might read a great many other communications, and I have no doubt similar communications are coming to other Senators from different parts of the country. The point which I desire to emphasize and accentuate is that certainly there should be a control of the price of substitutes if we are to control the price of flour. As I have said here before, personally I have no objection whatever to the attempt to control the price of wheat until the experiment shall have satisfied us all as to results, provided we undertake to control those things which enter into the production of wheat and those things which we are compelled to buy as substitutes for wheat. Unless that course is adopted, we must necessarily have prevailing throughout the country such a condition as is indicated in these letters, greatly to the detriment of the producing classes and finally to the detriment of the consuming classes. I am satisfied myself, after examining the law, that the substitutes can be controlled, so far as prices are concerned, in the same way and just as effectively as the price of wheat.

Mr. CURTIS obtained the floor.

Mr. REED. Mr. President, before the Senator from Idaho takes his seat, if the Senator from Kansas will pardon me——

Mr. CURTIS. Certainly.

Mr. REED. I should like to ask the Senator from Idaho if he believes that the present control is authorized by any law?

Mr. BORAH. Mr. President, technically speaking, I do not. I do not believe it was intended to confer the authority which is not being exercised. But while I am bound to so express myself I do not desire to urge the want of power. The power is being exercised and I only wish to urge that it be exercised fairly and equitably.

Mr. REED. One question further——

Mr. BORAH. Just a word and then I will yield. Of course, what I rose to say and what I wanted to make plain was that the power, whatever it is, whether granted or assumed, must necessarily be the same with reference to substitutes as it is with reference to wheat.

Mr. REED. But the Senator has said that they could be controlled. I think he has almost gone to the extent of saying that if wheat is controlled, the price being forced down, the price of these other farm products should also be forced down. Would not the Senator have to add to that a further condition, that if you are going to control the price of all that the farmer produces—for that is what the proposition amounts to—then the price of what everybody else produces ought to be similarly controlled?

Mr. BORAH. Mr. President, I think I would add that. I have stated that heretofore upon the floor of the Senate. I do not believe, myself, that price fixing is a feasible or practical proposition. I never have believed from the beginning that it could be made effective to accomplish the things which those who were advocating it desired so much to accomplish. I was of that opinion when the Food Administration bill passed and so expressed myself; and I am satisfied we will realize, as they have realized in European countries, that we will have to deal with the situation in some other way than that of price fixing; but I am satisfied of another proposition, that it produces additional chaos and additional calamity to undertake to fix the price of one article and not undertake to fix the price of all other staple articles which enter into the daily living of the people. I am not a believer in price fixing by law. I feel that if we would dispose of the speculator, the profiteer, and so forth, we would likely fare better under the law of demand and supply. But having entered upon the policy, I want it extended to these other articles.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas further yield? The Chair had recognized the Senator from Kansas.

Mr. BORAH. Excuse me.

Mr. REED. I am proceeding by the permission, I thought, of the Senator from Kansas.

Mr. CURTIS. I am perfectly willing to yield to the Senator from Missouri to ask any further question he desires of the Senator from Idaho.

Mr. REED. Then, the proper remedy is not to seize illegally the control of the other farm products, but is to relinquish the control of the one product of which they have seized control. That would be the proper remedy.

Mr. BORAH. Well, Mr. President, it is very apparent that we can not do that.

Mr. REED. That is, the Senator means, it is very apparent that we in the Senate can not accomplish that result.

Mr. BORAH. Exactly.

Mr. REED. Because these powers that have been taken over will be tenaciously clung to; but I want to offer this parting observation for the Senator to consider—the remark of the Senator from Oklahoma [Mr. GORE], sitting beside me—that it will not do to adopt the logic that because one pocket of the farmer has been picked all his other pockets should be likewise rifled.

Mr. CURTIS. Mr. President, I have received a number of letters similar to the letter read by the Senator from Idaho, and I would not take the time of the Senate to read any one of the letters received if it had not been for the fact that I have one here which makes the same complaint that is made by other writers; but in this letter the writer gives the actual cost of corn meal, and I think the Senate ought to be informed on the subject, so that they may know what profit is being made by those who sell corn meal:

> My neighbors complain that in the new food schedule the prices charged for substitutes are excessive. Flour is $2.75, or 5½ cents per pound, while the substitutes all are sold at 10 cents per pound—corn meal 10 cents, barley flour 10 cents, etc. Now, I buy corn and get it ground at a little mill at Hartford, Kans. I pay 15 cents per hundred for grinding. He keeps the bran and gives me 40 pounds of meal per bushel. This makes the meal cost me 3¾ cents per pound. A comparison with schedule prices will show that the poor people of this country are paying 6½ cents per pound more on this article of food than it costs, or nearly 200 per cent above cost.

The letter I have read was received a few days ago and since the schedule of prices has been sent to the dealers.

Mr. POINDEXTER. Mr. President, the Senator from Idaho [Mr. BORAH] did not call attention specifically to the authority which he stated he believed the Food Administration had to regulate the prices of substitute flour. Because of the extensive discussion of this matter and the universal complaint on the subject, I wish to occupy just a moment to call specific attention to just what authority the Food Administration has in that regard. Before doing so I want to say that, while I think the Food Administration has been slow in exercising its powers for the prevention of extortionate prices for corn meal, I believe that, on the whole, the Food Administration has rendered an inestimable service to the people of this country.

Mr. REED. Mr. President——

Mr. POINDEXTER. In just a moment I will yield to the Senator. The debate that has just taken place shows, among other things, that even the critics of the Food Administration admit that but for the Food Administration the price of flour would have been higher than it is now; in other words, that the supply of wheat to the armies and the allies and the people of this country had been made more available by reason of the action of the Food Administration. The complaint is, as near as I can see, that the substitute flours are more expensive than wheat flour, for the reason that the Food Administration has regulated the price of wheat flour but has not regulated the prices of these substitute flours.

Mr. CURTIS. Mr. President——

Mr. POINDEXTER. Thereby admitting as a necessary deduction that the lower price of wheat flour is due to the Food Administration. I yield to the Senator from Kansas.

Mr. CURTIS. I ask the Senator if he thinks it is fair to the purchaser to require him to buy a lot of stuff he will not use and can not use? These letters indicate that that is being done.

Mr. POINDEXTER. I think, without going into the letters the Senator referred to or the specific details of these orders, the action of the Food Administration, which has resulted in the people of this country very largely through their voluntary action under the leadership of the Food Administration using on their tables substitutes for wheat flour, thereby releasing corresponding amounts of wheat flour, has been a valuable service to the country and consequently to the world in this crisis. I believe that the people who by these small denials and sacrifices on their family tables have accomplished a great result for the country in winning this war are entitled to know the extent to which their sacrifices have benefited the country. I do not think they know it. I do not think they understand and appreciate the total savings that these small sacrifices and self-denials have amounted to. I am informed——

Mr. BORAH. Mr. President——

Mr. POINDEXTER. Just a moment. I am informed that by reason of the voluntary limitations which the housekeepers of

the country have placed upon their family use of wheat flour we have been enabled to supply our allies and our armies with 150,000,000 bushels of wheat which otherwise would not have been available.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Missouri?

Mr. POINDEXTER. I yield to the Senator from Idaho first, as he first rose.

Mr. BORAH. I quite agree with the Senator in the proposition that if it had been effectuated, it has been good, to wit, that of inducing the American people to use substitutes in place of flour; but it does not seem to me that that meets the other proposition, that those substitutes which the people have been induced to use ought to be controlled in their price.

Mr. POINDEXTER. I agree with the Senator in that respect.

Mr. CURTIS. I will say, in this connection, the letter read by me indicates that a schedule of prices has been fixed for the substitutes; and the question I asked was, Is it fair to the people to require them to buy substitutes which they do not use at a higher price than they are paying for flour?

Mr. REED. Mr. President——

Mr. POINDEXTER. Let me answer the Senator from Kansas first. I answer him in the affirmative, so far as the principal matter he inquires of is concerned. I think it is wise, good public policy, and, furthermore, it is approved by public opinion, that as a war measure the Food Administration should take such reasonable steps as are necessary to require dealers to sell a quantity of substitute flour with the wheat flour which they sell.

Now, as to the regulation of the prices, I agree with the Senator from Kansas and the Senator from Idaho that they should be regulated just as the price of wheat flour has been regulated.

Mr. CURTIS. I agree with the Senator that millions of bushels of wheat have been saved by the housewives of the country by the use of substitutes and great good has resulted, but I contend it is not fair to make the people pay exorbitant prices for substitutes.

Mr. REED. Will the Senator yield to me?

Mr. POINDEXTER. I yield to the Senator from Missouri.

Mr. REED. Does not the Senator know they have been regulated, and that every pound of corn meal and of oatmeal and of other substitutes that has been sold by the grocery keepers of the United States has been sold at a price fixed by the Food Administration; that they fixed a schedule of prices for the grocers?

Mr. BORAH. Mr. President——

Mr. POINDEXTER. Let me answer the question, since it is directed to a statement I made. I am informed—and I think I am reliably informed—that the Food Administration has not fixed any prices for these matters. I stated myself a moment ago in an interruption of the Senator from Idaho that the Food Administration, at least in some places, had published schedules of prices which they certified to be reasonable prices, and requested the people to inform them of higher charges that were made against them. Now, that has not been universal throughout the country, and there is no definite fixing of prices.

Mr. REED. I do not want my statement to be a particle too broad. This is what I mean to say. Without authority of law the Food Administration made a rule and notified the grocers of the United States, the retail dealers, that any variance from that rule would result in a forfeiture of their license, and of course that meant a destruction of their business and in many cases their bankruptcy. That rule prohibited them, although free American citizens, from selling to another free American citizen a single pound of flour unless he bought an equal quantity of some substitute. In a general way the Food Administration has assumed the authority to regulate the prices of all products sold by the grocers of the United States, and in many instances they have published schedules of prices.

Now, I affirm it to be my understanding of the fact that in these published schedules of prices they have recognized in substance and effect the prices for the substitutes which have been referred to here to-day upon the floor, so that, first, by creating the unnatural demand, forcing these substitutes upon the market, they raised the price; and, second, they have manipulated the licensing power so as to sanction the price and to compel the dealer to handle the goods.

Therefore, I say that whatever there is of excessive or wrong prices, such excessive prices as are evidenced by the statement the Senator from Kansas gave us, are directly chargeable to the Food Administration.

Mr. POINDEXTER. Does the Senator think they have done that for the deliberate purpose of running up these prices?

Mr. REED. I do not want to charge anybody with bad or wicked motives, but I say in answer to that question, when this legislation was proposed we were told that it was not the purpose to affect the primary producer, if I may use that term, it was intended to affect the middleman. We were told it was the middlemen with whom were included the speculators, who constituted the profiteering class, and it was these classes that it was proposed to regulate. Now, this is what happened.

Mr. POINDEXTER. I hope the Senator will not go at length into the subject.

Mr. REED. No; but the Senator asked me if I wanted to make any charge. This is what happened. I will be just as brief as I can.

Mr. POINDEXTER. Very well.

Mr. REED. The board of tradesmen who had been subject to much denunciation, wheat exchangemen and others were licensed, and then they were authorized to make a charge double—and in some instances four times—the charges they formerly laid upon the trade, so that their profits were doubled or quadrupled. The miller was licensed, and the reports are here from the Federal Trade Commission showing that the profits under regulation have been from two to three or four times what they were before. The packer was licensed, and the report of the Federal Trade Commission here is that the packer's profits under license have been five or six times greater than they ever were before; and now it appears from the statement of the Senator from Kansas [Mr. CURTIS] that the corn meal that costs three and a half cents a pound is boosted to 10 cents a pound when it goes through the grocer, and these grocers have all the time been licensed.

Now, taking it altogether, without charging anybody with any criminal purpose or intent, it looks to me as though the policy of the Food Administration had been to silence the protests of the capitalists and the middlemen who have large sums of money and to take advantage of the consumers and the producers.

Mr. POINDEXTER. Mr. President, I will not enter into a discussion of that issue, but content myself with saying that I do not myself entertain any such views of the purposes of the Food Administration. Most of the complaints that I know of in regard to the high prices for food substitutes were made before the recent action of the Food Administration in regard to those substitutes which the Senator from Missouri has just referred to. My experience was, as I said a while ago, I thought that the Food Administration was very slow and hesitant about exercising its proper authority in this matter in order to coordinate the prices of substitute flours with the price of wheat flour.

My information, however, is that quite recently they have acted in the matter. To what extent and to what particulars I have not inquired, but it is asserted only quite recently that it is quite a different attitude which the Food Administration takes now in regard to the matter. It is asserted now by them that they have instituted measures which they believe will have the effect desired. I hope it will. Whether it will or not it remains for the future to determine.

Mr. CURTIS. Mr. President——

Mr. POINDEXTER. That is an entirely different attitude from the one they previously took, which was that they had no authority to fix the prices. They have authority to fix the prices in a rather indirect way, but still it is quite express in the law. I yield to the Senator from Kansas.

Mr. CURTIS. I simply want to state to the Senator that the letter I read was received by me just a few days ago and was written, as I understand it, since the schedule of prices had been sent to the dealers.

Mr. BORAH. If I understand the Senator from Washington, he understands now that the Food Administration are willing to assume authority which they once thought doubtful.

Mr. POINDEXTER. That is my understanding. Section 5 of this act provides:

SEC. 5. That from time to time, whenever the President shall find it essential to license the importation, manufacture, storage, mining, or distribution of any necessaries, in order to carry into effect any of the purposes of this act, and shall publicly so announce, no person shall, after a date fixed in the announcement, engage in or carry on any such business specified in the announcement of importation, manufacture, storage, mining, or distribution of any necessaries as set forth in such announcement, unless he shall secure and hold a license issued pursuant to this section. The President is authorized to issue such licenses and to prescribe regulations for the issuance of licenses and requirements for systems of accounts and auditing of accounts to be kept by licensees, submission of reports by them, with or without oath or affirmation, and the entry and inspection by the President's duly authorized agents of the places of business of licensees. Whenever the President shall find that any storage charge, commission, profit, or practice of any licensee is unjust, or unreasonable, or discriminatory and unfair, or wasteful, and shall order such licensee, within a reasonable time fixed in the order, to discontinue the same, unless such order, which shall recite the facts found, is revoked or suspended, such licensee shall, within the time prescribed in the order, discontinue

such unjust, unreasonable, discriminatory, and unfair storage charge, commission, profit, or practice. The President may, in lieu of any such unjust, unreasonable, discriminatory, and unfair storage charge, commission, profit, or practice, find what is a just, reasonable, nondiscriminatory, and fair storage charge, commission, profit, or practice.

Mr. President, there is absolute and complete authority to meet this situation. The only question is the discretion and the wisdom with which the authority is exercised. The President acts in the exercise of power conferred by this section through the Food Administration, and it is just the same as though instead of saying the President there is said the Food Administration.

The particular point which I want to call attention to is that it is not necessary even to issue licenses to accomplish the purpose which is intended to be accomplished by this act, because the power which is conferred upon them to issue licenses, and then, when the license has been issued to control the practice, and the profit, and the charge is sufficient to enable the Food Administration, which is supposed to be informed about these matters, to notify dealers and the people who are referred to in the letters which have been read to the Senate what a reasonable charge or profit is, and to notify them that if any unjust, unreasonable, or discriminatory charge or profit is continued by them that their stores will be closed up.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Missouri?

Mr. POINDEXTER. I yield to the Senator.

Mr. REED. I know the Senator wishes to arrive at a correct conclusion about this matter, and I want to bring directly his attention to a distinction, while he is on his feet, in discussing this matter. It will take me a moment to state the preliminary part of it. I shall be very brief.

In the act of August 10, 1917, section 5, in the first part of the section, provides that—

Whenever the President shall find it essential to license the importation, manufacture, storage, mining, or distribution of any necessaries, etc.

Then, the President is authorized to issue licenses and prescribe regulations, and so forth. That applies, the Senator will notice, to the importation, the manufacture, the storage, or the mining or distribution of necessaries. Now, coming to the clause under question:

Whenever the President shall find that any storage charge—

That is, a charge for storage—

commission, profit, or practice of any licensee is unjust or unreasonable or discriminatory and unfair or wasteful—

Then he may order the licensee to desist.

What I am calling the Senator's attention to is this: That does not go to the question of price at all, except to this extent, that the price can not be made unjust or unfair by adding an unfair charge or unfair profit. It does not go to the question of the original fixation of the price at all, but it does say that this retailer, this dealer, can not add an unfair charge for himself or engage in a discriminatory practice, and that far they can regulate. Therefore, under this situation, if the price of corn meal was 3½ cents a pound, using the illustration of the Senator from Kansas, they might say to the dealer, "It is unfair for you to charge 6½ cents profit."

I have no doubt of their power to do that under this act, provided the act is at all constitutional, a question that we are not now discussing. But that they can go back and regulate the price on the farm I utterly deny, and I utterly deny it because in the very last part of this section the farmer is expressly excluded. He is excluded first by the language I have just read, but the latter part of the section says:

Provided, That this section shall not apply to any farmer, gardener, cooperative association of farmers or gardeners, including live-stock farmers, or other persons with respect to the products of any farm, garden, or other land owned, leased, or cultivated by him.

Mr. POINDEXTER. Mr. President, in answer to the Senator, I will say that it rather seems to me he wound up on a different question from what he started on. The first part of the section, I think, is applicable to storekeepers and retail dealers. They can be classed as distributors. Undoubtedly, they are distributors. If you can regulate their profits, you can regulate the prices they charge. Then, there is more general language than that in the bill, such as the word "practice," which is broad enough to cover an unfair or extortionate charge.

The amendment was agreed to.

The next amendment was, on page 3, line 7, after the word "furnishings," to strike out "seeds" and insert "seed wheat and beans," and in line 21, before the word "may," to strike out "seeds" and insert "seed wheat and beans," so as to read:

Second. For procuring, storing, and furnishing seed wheat and beans, as authorized by section 3 of the act, the appropriations for said purposes of $2,500,000 in section 8 of the act and $4,000,000 under the heading "Department of Agriculture" in the act approved March 28, 1918, entitled "An act making appropriations to supply urgent deficiencies in appropriations for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes," shall be available until the date when said act of August 10, 1917, shall cease to be in effect, and any moneys heretofore or hereafter received by the United States for furnishing such seed wheat and beans may be used as a revolving fund until said date.

The amendment was agreed to.

The next amendment was, on page 3, line 21, after the word "such," to strike out "seeds" and insert "seed wheat and beans," and in line 22, after the word "date," to insert:

Provided, That of said sum, $2,500,000 is hereby made available to be used by the Secretary of Agriculture, if in his judgment the public interest requires it, to purchase seed wheat and to supply the same on credit to farmers in the Great Plains area west of the ninety-eighth meridian. In no case shall any such advance to any one farmer exceed $300 and in all cases the repayment of such advances shall be guaranteed by a State or National bank or secured by bonds of the United States commonly known as liberty bonds or other obligations of the United States or in part by both such guaranty and security. And it shall be the duty of the Secretary of Agriculture to make collection for all such advances on or before November 1, 1919, and to report such collections in detail to the Congress on the first Monday in December thereafter: *Provided*, That the Secretary of Agriculture may use such obligations of the United States as collateral to borrow money for supplying seed to farmers for cash in pursuance of law. And the Secretary is further empowered to prescribe proper rules and regulations for carrying into effect the provisions hereof: *Provided further*, That when the Secretary purchases such seed from anyone other than the producer thereof, he shall not pay such dealer or intermediary a net profit of more than 10 cents per bushel above cost of such seed to said dealer or intermediary.

Mr. REED. I wish to ask the chairman of the committee why we should at this time be furnishing a fund of $2,500,000 as a revolving fund to buy seed wheat and beans?

Mr. GORE. Speaking for myself, personally, I can not give the Senator a sufficient answer.

Mr. REED. Then I am going to object to this amendment at this time.

Mr. CURTIS. May I ask what amendment it is?

The PRESIDING OFFICER. The amendment of the committee, but it will be passed over.

Mr. CURTIS. Is that the amendment beginning at the bottom of page 3 and continuing over to page 4?

The PRESIDING OFFICER. It is. It will go over.

Mr. KENYON. On page 3, I notice, there was passed over an amendment of the committee. I should like to ask the Senator from Oklahoma in regard to the item providing for live-stock production in the Great Plains region, $100,000.

The PRESIDING OFFICER. That is a part of the bill. It is not an amendment.

Mr. KENYON. There was a motion made to strike it out in committee, and I was under the impression that it carried.

Mr. GORE. I think the Senator is out of order at present. Perhaps he was not present when the Senate proceeded to consider the unobjected amendments reported by the committee.

Mr. KENYON. I was trying to get information about that item. I supposed it was an amendment.

Mr. GORE. No; that is in the bill as passed by the House.

Mr. KENYON. I thought we struck it out in the committee.

Mr. GORE. No; it was discussed, but upon final action it was not stricken out.

Mr. KENYON. I think perhaps that is true.

Mr. GORE. The subcommittee appointed reported back to the whole committee, and when the whole committee considered the subcommittee's report that action was not taken, although there were those in favor of striking it out.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

TELEGRAPH AND TELEPHONE CONTROL.

Mr. SMITH of South Carolina. Mr. President, without recommendation, from the Committee on Interstate Commerce I report back the joint resolution (H. J. Res. 309) to authorize the President, in time of war, to supervise or take possession and assume control of any telegraph, telephone, marine cable, or radio system or systems, or any part thereof, and to operate the same in such manner as may be needful or desirable for the duration of the war, and to provide just compensation therefor.

Mr. PENROSE. Mr. President, I should like to ask the chairman of the committee reporting the joint resolution whether he had not originally announced his intention to hold hearings on this important measure?

Mr. SMITH of South Carolina. The chairman of the committee at the time was not present. It was suggested that action of that kind would be taken, but after due deliberation this afternoon a majority of the committee thought it should not be done, and so voted.

Mr. PENROSE. I should like further to inquire whether there were not a number of requests for hearings from persons interested?

Mr. SMITH of South Carolina. The chairman of the committee has received no requests.

Mr. PENROSE. I have been informed that there were such requests pending before the committee. I was so informed by a member of the committee, and I merely wanted to make the inquiry.

Mr. SMITH of South Carolina. The chairman of the committee has received none, and, so far as he is informed, the requests have not come in any official way.

Mr. PENROSE. If the inquiry is proper, I should like to be assured by the Senator that a quorum of the committee was present.

Mr. SMITH of South Carolina. A quorum of the committee according to the rule of the committee was present.

Mr. PENROSE. What are the rules of the committee as to a quorum?

Mr. SMITH of South Carolina. That a certain number shall constitute a quorum, and that absent Senators may request to be counted as a quorum.

Mr. PENROSE. That is the standing rule of the committee?

Mr. SMITH of South Carolina. It is the standing rule of the committee. Enough were present to make an ordinary working quorum, and the request to be counted as a quorum made it absolute.

Mr. PENROSE. The Senator from South Carolina would hardly term this the ordinary work of the committee?

Mr. SMITH of South Carolina. I do not know whether the Senator would call it ordinary or extraordinary or what kind of terminology he would use, but it is the work of the committee.

Mr. SMOOT. Mr. President, I desire to ask the Senator from South Carolina if it was not understood when the Senator from Iowa [Mr. CUMMINS] left the city that there were to be hearings had upon this joint resolution?

Mr. SMITH of South Carolina. Yes; and it was also the understanding of the chairman of the committee when the Senator from Iowa left the city that we should have a recess.

Mr. SMOOT. Did the committee hear, or did any member of the committee hear, from the Senator from Iowa?

Mr. SMITH of South Carolina. I do not know that they did. The committee took the action they did with full knowledge of the facts, which are now brought out.

Mr. SMOOT. Was there a single Member of the minority party present at the committee meeting?

Mr. SMITH of South Carolina. Yes; I think there were a number of Members present.

Mr. PENROSE. My understanding is that only one Member of the minority party was present.

Mr. SMITH of South Carolina. Perhaps that is so.

Mr. PENROSE. I want to add, if the Senator from Utah will permit me, that I know Senators have left Washington under what they thought was an assurance that hearings would be held, coming from majority members and from the chairman of the Committee on Interstate Commerce.

Mr. SMITH of South Carolina. I think the last statement of the Senator from Pennsylvania needs correction. The chairman of the committee was not here, but the acting chairman, the ranking member of the committee, was present.

Mr. SMOOT. Mr. President, this is rather an unheard of action on the part of the committee. I can not understand it. I can not see what advantage is going to be gained by any such action. It does seem to me that the least the committee could have done would have been to have telegraphed to members of the committee that they were going to hold a meeting within a day or two upon the joint resolution, and then, if those members did not return to Washington, they could have sent whatever answer they desired to members of the committee as to how they stood or what action they desired to have taken.

Mr. SMITH of South Carolina. I desire to state, in justice to the committee, that a minority member of the committee called up the chairman of the committee at his home over the long-distance telephone, informed him of the conditions, and asked when the chairman would be present. He was informed that the chairman would come by the very next train that could bring him. He then said, "I will not leave the city, and I authorize him to call a meeting to-day at 2 o'clock, and to so notify the members," which was done.

Mr. SMOOT. That may have been one Member of the minority; but I should not care whether it was a minority Member or a majority Member.

Mr. SMITH of South Carolina. The point was this, if the Senator will allow me: Thinking that perhaps we were to take a recess and that there would be some time to devote to the matter, there was some understanding arrived at as to hearings—I do not know what it was—but after the possibility of a recess had disappeared, then the question arose as to whether the consideration of the measure should not be proceeded with immediately. I was so informed by my friend. He had made arrangements to go away, but when the recess was defeated he stayed. I was not in the city, and asked him to notify the members of the committee, which was done. That was certainly a very few hours after the action by Congress in refusing to adjourn until August 12.

I desire to state, Mr. President, that nobody has tried to take snap judgment on anybody else.

Mr. PENROSE. Oh, no!

Mr. SMITH of South Carolina. It is simply a question which the Senate has got to decide in the last analysis, and we sent it back here for the determination of the Senate.

Mr. SMOOT. Mr. President, it seems to me a rather strange condition of affairs.

Mr. BORAH. Mr. President——

Mr. SMOOT. Just a moment. Last Saturday there was not a Senator, in my opinion, who did not understand that this joint resolution was of such vital importance that the committee were to hold hearings upon it; that it affected so many people and was of such broad scope that nothing short of a hearing of some sort would justify the reporting of the measure to this body. That was so thoroughly understood that it was stated upon the floor of the Senate that consideration was not given to the joint resolution in the other House, because they expected the Senate to investigate the matter and decide whether or not the joint resolution should be passed. Now, without a change, without a notice, the joint resolution is reported to the Senate with no recommendations whatever. I must admit, Mr. President, that I can not understand it.

Mr. GORE. Mr. President, unless the acting chairman of the committee desires to be heard in answer to what has been said I desire to call for the regular order.

Mr. SMITH of South Carolina. Mr. President, the Senator from Utah [Mr. SMOOT] has said what I thought, perhaps, he had misunderstood, that the committee reported the joint resolution without recommendation. That was done because the joint resolution speaks for itself. It was, in the opinion of the committee, so worded that hearings, either pro or con, from those who were to execute and administer the law as well as those whom it might affect, were not necessary; it was in such a condition that the Senate would have to decide whether the joint resolution should be passed or should not be passed. It was the opinion of the majority of the committee that hearings would not influence the Senate one way or the other, because of the nature of the joint resolution. On that ground we thought, perhaps, without recommendation, we had better lay it before the Senate and let the Senate take such action as in their opinion was justifiable.

Mr. KELLOGG. Mr. President, I agree with the Senator from Utah [Mr. SMOOT]. Here is a joint resolution which proposes to take over not only the big telegraph companies—that is less important, for they are able to take care of themselves—but to take over more than 8,000 small companies all over this country, the independent lines, with more than $200,000,000 of property, and to inaugurate a system of Government operation of the telegraph, telephone, and cable lines of this country; and yet the Senate committee does not give any consideration whatever as to the reasons for such action.

For my part, if there is any military necessity or any reasonable ground to infer that there may be a military necessity for such action, I am ready to vote this minute not only to take over the cable lines, telegraph lines, and the telephone lines, but to take over any public utilities in the country in order to help win the war; but nobody has yet given me any reason for such action. I am not saying that I am opposed to it.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Iowa?

Mr. KELLOGG. I yield.

Mr. KENYON. The Senator from Minnesota is a member of the committee, and I should like to ask him how much time the committee gave to the actual consideration of this joint resolution?

Mr. KELLOGG. Well, the committee met a little after 2 o'clock this afternoon, and the report of the joint resolution was made a few moments ago. The clock shows the time.

Mr. REED. But the RECORD does not.

Mr. KELLOGG. Well, the joint resolution was considered a little over an hour.

Mr. President, I am not saying that I am not in favor of taking over the telegraph and cable lines, and perhaps also the telephone lines, if there is any military necessity for doing so, if the Government could operate them better than the

private companies can. I am willing to vote for it, but I do not believe, after these companies have been in the hands of private owners for the year and three months during which the war has been going on, and no suggestion has been made that the Government should take them over, that a military necessity for doing so has arisen since last Saturday or since last week.

I may be mistaken; I am not going to prejudge the case; I do not know, and I have been unable to find out; but I should like to have some officials of the Government tell me why it should be done. If they say there are reasons that can not be disclosed publicly I shall be satisfied with that statement. I am going to have confidence in the Commander in Chief who is carrying on this war. I have been backing him, and am going to back him, in everything that is necessary; but I do think that we ought to consider the joint resolution in committee and hear some testimony or make some investigation before we pass upon it.

Mr. REED. Mr. President, I should like to ask the Senator from Minnesota a question.

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Missouri?

Mr. KELLOGG. I yield to the Senator.

Mr. REED. I want to ask the Senator whether the question as to the control and management of these properties after they are taken over was in any way discussed by the committee?

Mr. KELLOGG. I do not know whether it is proper to disclose the conversations before the committee; I hardly think it is. I am a new man at the business The committee was in executive session.

Mr. REED. Well, I do not, of course, want to pry into any of the secrets of the committee, but I take it that, this being a public matter, the mere question as to whether or not the committee in the hour and 10 minutes it was in session discussed the question at all of the kind of organization that ought to be created to control these properties or not. It seems to me that is a proper question.

Mr. KELLOGG. I think the question is a fair question, but I should prefer that the chairman of the committee should answer it.

Mr. REED. One reason I asked the question is that I understand there has been introduced by the Senator from Illinois [Mr. LEWIS] a bill having to do with the very important question of the control of these properties. I have not had an opportunity to examine the bill; but, if I do understand the general object the Senator from Illinois is aiming at, it is that there shall be created some sort of organization under the Government which will take control of these public utilities and manage them, not by piecemeal, but as a whole. I understand that it proposes, if the telegraphs and telephones are to be taken over, that as they are intimately associated and connected with the railroads, and as both will be associated to a greater or less extent with the boat lines and the steamship lines, some plan ought to be developed for a bringing of all of these utilities under one common control.

Now, I am not prepared to commit myself to that idea one way or the other; but as we are dealing with questions that involve hundreds of millions of dollars—and, I apprehend, first and last and in its broader aspect, thousands of millions of dollars—and as these questions intimately concern the business of every citizen and almost the rights of every citizen, I had hoped that this committee would give some attention to these subjects.

I do not agree with the chairman of the committee, who says that this resolution is of such character that everything lies upon its face. Of course, the ultimate object of the resolution is perfectly plain. It proposes to take these properties. But upon what terms are we to take them? Is the method of ascertainment of value which is named in the joint resolution a correct method, and if it is not a correct method can a correct method be devised? If that question is at issue, where should it be settled—upon the floor of the Senate, or should it be considered in the committee?

Mr. SMITH of South Carolina. Mr. President, in regard to the question of compensation, the committee was of the opinion that the clause in the joint resolution, which is one that has been written into several acts of legislation, has been the most satisfactory of any that have been proposed, and certainly more satisfactory than the one which, after much labor, we wrote into the railroad law. It is this:

That just compensation shall be made for such supervision, possession, control, or operation, to be determined by the President; and if the amount thereof, so determined by the President, is unsatisfactory to the person entitled to receive the same, such person shall be paid 75 per cent of the amount so determined by the President and shall be entitled to sue the United States to recover such further sum as, added to said 75 per cent, will make up such amount as will be just compensation therefor.

In other words, in place of having a bargaining plan they are remitted to the courts.

Mr. REED. Ah, but, Mr. President, the Senator has not stated the whole question, as I think. No one in the Chamber is more unwilling to reflect in any way upon the judgment of the President of the United States than myself; but notice the language of this joint resolution. It provides that if the company which owns the telegraph or the telephone line is dissatisfied with the price the President may have fixed, it may go to the courts and in the meantime receive 75 per cent. But is it a certainty that the President might not offer a price greater than should be offered? I say this without the slightest reflection upon the President, for we know that the President can not appraise the properties; he individually can not determine their value. If he should undertake to do that, the war would be over before he could get through with one-hundredth part of the work.

He must act through agents. Who will the agent be? Will it be the Postmaster General? Will it be the Department of Justice? Will it be, as has been suggested, Mr. Lewis? Or will it be some of the "dollar-a-day men"? I say that the question of the proper tribunal in which to determine these values is vital; it is not a trifling question. Anybody who so believes will have occasion to revise his opinion.

I know enough about the telephone values of this country to understand that one of the most difficult problems that any court will ever undertake to solve will be the question of the proper valuation of telephone properties. It would take me hours to detail the ramifications of the telephone organization of this country, a thing I happen to know a good deal about, because I was compelled through some litigation to expend a very considerable amount of time in advising myself with reference to it. When it is undertaken to get down to the question of what they are entitled to, it will require the best court in this country and the finest corps of lawyers that can be organized and all the experts that can be assembled, in my opinion not less than a year's time, to fix anything like a proper valuation. Any value that the President, with all his wisdom and all his patriotism and all his sagacity, would put on these properties at the present time would, in the very nature of things, be the wildest kind of a guess.

I am going to ask the attention of the Senate for a moment until I illustrate just one of the intricacies. I know of a telephone property which belongs to the Bell Co. It is a subsidiary company. It was claimed, and by its books it was able to show, that its investment in the property, as the figures now run in my mind, was in excess of $2,500,000. An expert accountant was put upon its books and demonstrated that the original investment of that company was about $38,000, and he demonstrated it from a set of books that had been hidden away, and disclosed that there had been plenty of perjury committed in endeavoring to conceal the real facts.

The system of organization in itself is one that naturally calls for the closest kind of an investigation if any accurate result is to be obtained. Roughly speaking, the parent Bell Telephone Co. was organized with a certain amount of capital stock and bonds. It owned the Bell patents, and it, of course, controlled the territory of the United States. It then proceeded to organize subsidiary companies in this wise: A company would be organized, let me say, in Philadelphia; 49 per cent of the stock would be taken by local people and paid for and 51 per cent would be taken by the Bell Co. in consideration of its privileges, its patents, and its franchises.

Out of the proceeds from the 49 per cent the plant would be built, and the 51 per cent of stock, being the controlling interest, would go into the treasury of the parent company. That is a sufficient complication. But, behold, this Philadelphia company—and I am not saying it is true of that particular company, but I am using it as an illustration of a general situation—would have a territory assigned to it in which it would organize companies on the same basis as the parent Bell company had organized the Philadelphia company; that is to say, the Philadelphia company would organize companies in various cities and towns within a certain territory, which companies would turn over 51 per cent of their capital stock to the Philadelphia company, and out of the 49 per cent, which was sold to the local people, the plant would be built. So that this entire institution, as it existed a few years ago and as it spread itself over the United States, was organized in the manner I have spoken of. The subsidiary companies, being controlled by the parent company, were required to pay large royalties to the parent company. In the case that I have in mind it was proven beyond peradventure

that they were paying royalties of almost prohibitive size upon instruments the patents on which had expired years ago, the royalty in some cases for the use of an instrument for a single year amounting to more than the instrument could be bought for in the open market.

Mr. President, when we propose to take over a thing of that kind and to pay for it at any price which is to be fixed, except at the end of a careful investigation, we are proposing to play fast and loose with the money of the people of the United States.

If I may be pardoned, I will call attention to another fact which I think is of importance and which does not lie upon the face of this joint resolution, and that is the question of the control and management of these properties. Who is to control them? Who is to manage them? Surely that is a great question. I have been a public-ownership man, so far as the telegraph and telephone companies are concerned, nearly all of my life, and I am now at this moment, but I have always believed that before we take over these great utilities a plan ought to be carefully worked out which would result, as nearly as possible, in the employment of sound business methods in their management. We can not disregard business methods in the management of a public utility unless the burden at once falls upon the people of the country; every bit of mismanagement there may be will be paid for by the telephone users of the United States, and they embrace practically the entire population of the United States. So there ought to be a sound system of management provided for. When any committee will put a question of that kind aside as unworthy of consideration and in 50 or 60 or 70 minutes' time report back a measure of this importance, it seems to me that there is only one thing to do, and that is to refer the question to a committee that will act.

Mr. PENROSE. Mr. President, would the Senator mind being interrupted for a moment?

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Pennsylvania?

Mr. REED. I do.

Mr. PENROSE. I do not know whether the Senator fully realizes the iniquity of this proceeding. It is utterly subversive of every principle of a deliberative assembly. The minority Members of this body might just as well withdraw and cease their legislative activities as long as this régime is in existence. When the American people wake up to the way things are being done, there will be an avalanche of protest, disapproval, and repudiation.

Does the Senator from Missouri, who believes in Government ownership, believe that when the Senator from South Carolina, the chairman of the committee, fathered a resolution as late as last Saturday afternoon providing for hearings——

Mr. SMITH of South Carolina. I beg the Senator's pardon. The Senator from South Carolina was not here then. I have said that twice.

Mr. PENROSE. Then his committee.

Mr. SMITH of South Carolina. Well, that is a different proposition.

Mr. PENROSE. Well, it is slightly different, but when members of the committee and other Senators have left Washington upon the assurance that hearings would be held, and other Senators, like myself, have written scores of letters to inquirers assuring them that hearings would be held, and the committee, Mr. President, or the chairman of the committee calls a meeting without giving notice to his own members, he gathers a little handful on a verbal notice at 2 o'clock this afternoon and passes upon one of the most momentous measures that have appeared in the American Congress during the present session, can he defend it? He sits silent in his seat, and he knows he can not defend it.

Mr. SMITH of South Carolina. Mr. President, I just want to make this remark, and perhaps this will be all that I shall have to say:

The joint resolution as it now appears says that for the war emergency, for the prosecution of the war, if the President of the United States deems it necessary to take over the telegraphs and telephones, he is enabled by this joint resolution to do it. The question of compensation is provided for just as in other measures. If he, the head of the military forces of this country, with the stupendous task that is upon him, asks to have access to the means of communication for the prosecution of this war, and to use his discretion as to what part or any or all of it is needed for that purpose, I know, and the Senator from Pennsylvania knows, that it is going to be given to him. It ought to be given to him. It was only a question of knowing what were the private rights involved, which the committee thought were amply taken care of in the measure.

Mr. PENROSE. Mr. President, let it be given to him if good reason is shown for it; but let it be given to him in an orderly and constitutional way, under the light of reason and illuminated by deliberation, and not by arbitrary methods of this kind at the first rumblings heard from the White House.

Mr. REED. Mr. President, I did not mean to yield. I want to complete my statement, because as it now stands it does not fully express my views.

I started to say that I had been for many years a public-ownership man as to telephones and telegraphs. At the same time I have believed that a plan ought to be worked out by which we would be assured that business principles would be employed in the management of these great properties, and that they should be, as far as possible, taken out of politics. They should not become the instrument in the hands of somebody for the purpose of employing them for political reasons. I believe both those things can be done, and I had hoped that this committee would give attention to questions of that kind. It is one thing to take over these properties under proper auspices and protection and regulation and control and quite a different thing simply to take them over and turn them into the hands of somebody who may employ them for more purposes than were originally intended.

There is another question involved upon which we have absolutely no advice, and which the committee ought to have given us. The statement is made that this is a war measure. Mr. President, if it be shown that it is necessary to the proper prosecution of the war that these properties should be taken over, there is not a man in the Congress of the United States but will grant, without any hesitation, the power to do it. But, sir, does such a necessity exist?

The answer will be that the bill is not imperative; it is left to the judgment of the President. Again, without the slightest thought of reflecting upon the judgment of the President, in a question of this kind is not the Congress entitled to be advised? Is it not entitled to some information? Is it not in duty bound to exercise some degree of judgment and of discretion and of opinion? Or is it to utterly and incontinently abandon its duties?

I say upon this subject, as I have said upon other occasions, that you may refuse to perform your duty, but you can not transfer it. That duty which the Constitution reposes in the Congress, that obligation which the people placed upon you when they sent you here to represent them, is a duty that you can not transfer. You may abdicate, you may fail to perform a duty, but you can not transfer it.

Again, I had hoped that the committee would have told us whether it was necessary to take all of these properties or only part thereof. I had hoped that this joint resolution would be so drawn when it came back from the committee that we would not be met as we were with the railroad problem, when the Government first took over all of the railroads, and then, at the moment that Congress was passing a bill to require that all that had been taken over should be kept, at that very moment, with great haste, the department in control of the railroads was letting go some seventeen hundred of them. In other words, the department was trying to defeat the purpose of Congress by letting go of the roads before the legislation could be enacted. I do not want to say a harsh thing, but I regard that sort of thing as almost disgraceful. It is quite a different proposition than it would have been if they had waited until Congress had acted and then protested to Congress or if they had protested before action, before any action, and sought to convince that the contemplated action was unwise; but we witnessed the spectacle of a race to defeat a congressional bill by doing something before Congress had time to act. That was a very remarkable performance.

I had hoped that when we passed this joint resolution we might determine whether only the long-distance telephones were to be taken charge of, whether we were going beyond the long-distance telephones and were to take charge of plants in the large cities, or whether we would take over the entire telephone and telegraph systems of the country. That may not be worth a half hour's consideration by the committee, but I think it is, and I think it is yet worthy of consideration by some committee that will consider it; and I have not so poor an opinion of Congress as to believe that there is not some man in this body, neither have I so poor an opinion of these committees as to believe that there is not some member of one of them, who might shed some light upon this question, who might be of some assistance in solving these great problems.

So, Mr. President, I regret this action. It may be that the only place of honor in the United States is in the coat-tail brigade, and that the stamp of a statesman is to be the zero mark; that the Congressman and the members of committees are to try to do no more than to occupy that mathematical position which the cipher has, having a value only as it bears

relation to an integer; but I do not believe that is true. I never have heard a bill debated upon the floor of Congress for any length of time, or debated in a committee for any length of time, when some good has not come from it; and the first place for consideration of the questions such as are presented by this bill is in committee.

Nobody need get stampeded now. You need not get frightened about strikes, for I say to you that there is enough law on the statute books to-day so that any employee of any telephone or telegraph company who starts a strike and interferes with the conduct of this war and the public business will find himself in a very serious situation. There is a lot of legislation of that character. Besides, we are not going to have any strike for another reason, viz, the employees of the telegraph companies in this country are too patriotic to tie up the lines of communication at a time like this. I am just as certain of it as I am certain that our people are going to respond to the calls of the Government in this war. I believe that if you will count them man for man the telegraphers will be found to be as willing to put on a uniform and fight for their country as the members of any other business; and if that is true I am very certain that in a time like this they will not tie up the business of the country. In addition to these reasons we have the assurance of the press that the telegraphers have determined that there shall be no strike. That is another reason, and a higher and a better reason than the one I first gave, why we need not fear a strike.

There is another reason still why we need not fear a strike. We settled the law a few months ago that Congress had the right to regulate the wages of railroad men because they were engaged in interstate commerce, and under that same principle of law I have not the slightest doubt that we could, if it were necessary, regulate the wages of the men engaged in operating the telegraph and telephone systems. I have not the slightest doubt of it; so there is no danger from a strike. If there were danger, we could meet it in many other ways.

Therefore why this indecent haste? Why not wait until we can act wisely? I am not asking for 30 days of delay. I am not asking even for 30 hours of delay, but I am asking that a committee shall take such time as ought to be taken in order to thoroughly sift and understand this kind of legislation, and they ought to come here and be able to tell Congress a few facts. I undertake to say that there is not a man on the committee who can tell us how many telephone companies there are in the United States. If there is such a man, I should like to have him rise to his feet and tell me.

I undertake to say that they can not tell us how many employees there are on the telephones of the United States, nor how many of them are male and how many of them are female. I undertake to say that the committee can not report back here the number of employees there are in the telegraphs of the United States unless they go and look up the matter; that they can not tell us the number of poles or the number of miles of wire; that they can not come within a hundred million dollars of the amount of money that is invested. The committee, although it is composed of splendid gentlemen, has not been specializing upon this line of work. A few days' time and they could bring all these facts to Congress. If they do not bring them to Congress, then each of us must go out for himself and hunt up the facts as an original proposition. The business of the committee is to get the facts, bring them here, and give us the reasons for this report.

Mr. President, I have said all that I care to say, and at much greater length than I intended. I am not standing here to bar any action that is necessary to the conduct of this war; but I do want to know what I am doing, and when I act I want to act properly.

Mr. PENROSE obtained the floor.

Mr. GORE. Mr. President, I should like very much to proceed with the unfinished business.

Mr. PENROSE. I am speaking on the unfinished business as it bears on the Government ownership of telegraph and telephone companies.

Mr. GORE. Oh! I beg the Senator's pardon.

The PRESIDING OFFICER. The Chair will state that unanimous consent was asked that this report be presented.

Mr. PENROSE. I desire to object to the report being presented at this time, and in connection with the unfinished business I desire to make a few remarks.

Mr. President, I do not think in the history of any legislative body from here to Russia has a more high-handed proceeding been perpetrated than that which we have witnessed this afternoon. I speak coolly and advisedly, although my indignation runs high. We are supposed to be in a battle for liberty and to be engaged in a tremendous conflict to bring about the downfall of autocracy, and yet here in the Senate of the United States every principle of orderly constitutional procedure and of liberty has been outraged and violated.

Let us look at what has been done.

Saturday evening a resolution was solemnly passed by the Committee on Interstate Commerce of the Senate providing for hearings upon the joint resolution for Government control during the period of the war of the telegraph and telephone lines of the country. No opposition was encountered to the proposition. On the contrary, it seemed to have the hearty indorsement of the chairman and all the members of the committee. Senators were informed that the hearings would take place, even if they lasted several weeks. Many of them have left Washington upon that information. We sat here until nearly 11 o'clock on Saturday evening; and at 2 o'clock to-day, without any official notice, the chairman of the committee merely picking up by verbal communication such handful of members as were accessible and available, a meeting of the committee was held.

At the time of that meeting there were in Washington only two members of the minority. The senior Senator from Iowa [Mr. CUMMINS] was absent, having been fully and solemnly assured by official action of the committee that the hearings should be held. The junior Senator from Michigan [Mr. TOWNSEND] was absent on account of sickness in his family. The senior Senator from Wisconsin [Mr. LA FOLLETTE] was absent on account of illness in his family. The junior Senator from Washington [Mr. POINDEXTER], I am informed, appeared in the committee room for a moment and had to return to the floor, as he was engaged in addressing this body, and was unable to attend this meeting, called on such short notice by the Committee on Interstate Commerce. The junior Senator from Connecticut [Mr. MCLEAN] was likewise absent, as was the junior Senator from Indiana [Mr. WATSON], leaving the junior Senator from Minnesota [Mr. KELLOGG] as the only minority member, except one, present in Washington, and the only minority member present at the meeting of the committee. There was no notice, even by telegram, to the senior Senator from Iowa [Mr. CUMMINS] that this resolution, so solemnly passed, was about to be repudiated and a snap meeting of the committee called.

I will read the resolution:

It is moved that it is the sense of the Interstate Commerce Committee of the Senate that it proceed without delay to enter upon a hearing upon House joint resolution 309, and that the chairman of the committee be requested to make the necessary arrangements for the attendance of interested parties and that a report upon the resolution be made as soon as possible.

Mr. SMITH of South Carolina. Mr. President, if the Senator will allow me, that was transmitted to me by wire, and immediately there followed it another to this effect—I am just giving the substance of it:

Since wiring you the recess has fallen through, and it is the sense of the committee that you come to Washington at once and proceed with the hearing with the committee.

Mr. PENROSE. Yes. The Senator corroborates and makes stronger my statement.

Mr. SMITH of South Carolina. It said: "Come and proceed at once." That was at a time when the recess was in contemplation and they were going to go on and take up such leisurely time as they saw fit. But to-day, when the committee met, some of those that were present—others can speak for themselves—after having considered the bill and the facts in the case one of them at least has certainly changed his mind, as some other members of the committee must have done, because a majority to-day took action on this matter, as a majority did the day before.

Mr. PENROSE. Mr. President, I should like to ask the chairman of the committee, since he has seen fit to rise, whether this resolution was ever reconsidered and repealed in the committee this afternoon?

Mr. SMITH of South Carolina. It was not.

Mr. PENROSE. No; so it is still in force.

Mr. SMITH of South Carolina. It was by the same body that the first resolution was passed that that one was passed.

Mr. PENROSE. Can the Senator inform me how many of the members of the committee were actually present?

Mr. SMITH of South Carolina. There were actually present seven members of the committee, and there were two others present by proxy. The committee proceeded, as it has done before, to act by its rules and regulations; and after sufficient consideration, in the majority opinion, to report the bill, we did report it. As a matter of course, if it does not meet with the approval of the Senator from Pennsylvania, he is at perfect liberty to express himself; but the Senate committee were perfectly honest in the action they took, and, as far as the minority members are concerned, I do not think any party aspect was

given it at all. Certainly none was considered in the mind of the chairman, and I do not think any was considered in the mind of any member of the committee.

Mr. PENROSE. Mr. President, there are a great many honest men who have a serious struggle against adverse appearances in this world.

Mr. SMITH of South Carolina. There is nobody who knows that better than the Senator from Pennsylvania.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield to the Senator from Ohio?

Mr. PENROSE. Yes.

Mr. POMERENE. I do not wish to ask a question. I was going to make a brief statement.

Mr. PENROSE. If I do not lose the floor, I shall be very glad to hear the Senator's statement. I only intended to take a few minutes longer; but I will yield.

Mr. POMERENE. I will wait until the Senator has concluded.

Mr. JONES of Washington. Mr. President——

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield to the Senator from Washington?

Mr. PENROSE. For an inquiry.

Mr. JONES of Washington. I will ask the Senator if we did not pass a resolution in the Senate providing that no committee could submit a report unless a majority of the committee was present to agree upon the report? The rule, I think, provides that the committee shall decide what constitutes a quorum, and that may be less than a majority of the committee; but there is a provision that no bill can be reported unless——

Mr. POMERENE. Mr. President, I have before me the rule to which the Senator from Washington refers.

Mr. JONES of Washington. It is some time since I have examined it.

Mr. POMERENE. I will ask the Secretary to read it for the information of the Senate.

Mr. PENROSE. Yes; let the Secretary read it.

Mr. POMERENE. It is on page 28, section 3 of Rule XXV.

The SECRETARY. Paragraph 3 of Rule XXV, at the top of page 28 of the standing rules of the Senate, is as follows:

> That the several standing committees of the Senate having a membership of more than three Senators are hereby respectively authorized to fix, each for itself, the number of its members who shall constitute a quorum thereof for the transaction of such business as may be considered by said committee; but in no case shall a committee acting under authority of this resolution fix as a quorum thereof any number less than one-third of its entire membership, nor shall any report be made to the Senate that is not authorized by the concurrence of more than one-half of a majority of such entire membership.

Mr. PENROSE. The Senator from Washington is entirely right, Mr. President; and I am glad that he has had the rule read to the Senate.

Mr. KENYON. Mr. President, may I ask the Senator a question?

Mr. PENROSE. Yes.

Mr. KENYON. I should like to inquire the date of the resolution to which the Senator has referred.

Mr. PENROSE. This resolution, as I understand, was agreed to late on Saturday.

Mr. KENYON. I know that my colleague [Mr. CUMMINS] left the city thoroughly understanding that there were to be hearings. He has given great attention to this subject, and would not have left otherwise.

Mr. PENROSE. He would not have left otherwise; he so informed me.

Mr. KENYON. He did not leave until after the resolution was adopted.

Mr. PENROSE. He did not leave until after it was adopted and he had been assured that there would be hearings, and everyone was full of zeal for hearings until the face of nature changed this afternoon and the docile committee makes this report.

Let us look at these various steps, Mr. President.

First, this resolution which I have read passes with enthusiasm and zeal, with the light of battle in everyone's eye, and the Senate believing hearings would be held. The senior Senator from Iowa [Mr. CUMMINS], a member of the committee, and other members leave Washington on that official assurance. Then a meeting of the committee is called on practically five minutes' notice. I do not think the chairman of the committee will contend that there was any notice of the meeting, except of a nominal character. A corporal's guard gathered together of those that were within the view of the chairman, or whoever superintended the calling of the meeting. There are 17 members of the Committee on Interstate Commerce, Mr. President; and of that number all of the minority were absent from Washington, largely on the assurance of this resolution that no hasty action would be taken, except, as I have said, the Senator from Washington [Mr. POINDEXTER] and the Senator from Minnesota [Mr. KELLOGG]. The Senator from Washington [Mr. POINDEXTER], I am informed, was only in the committee room for a moment, he being engaged in addressing the Senate, so that he had to return to the floor. Only one of the minority therefore was present.

I am informed that the chairman [Mr. SMITH of South Carolina] was present, the Senator from Ohio [Mr. POMERENE], the Senator from Montana [Mr. MYERS], the Senator from Delaware [Mr. SAULSBURY], the Senator from Illinois [Mr. LEWIS], and the Senator from Alabama [Mr. UNDERWOOD]. All the other members of the majority were absent. In the committee there were 4 votes for the proposition and 3 votes against it, as nearly as my recollection serves me. Therefore, this joint resolution is reported to the Senate by a minority of the committee by the narrow margin of 1 vote, and in defiance of the rule of the Senate which requires that a majority of a committee shall concur in a report. Therefore, I repeat, Mr. President——

The PRESIDING OFFICER. Does the Senator object to the reception of the report because a majority of the majority has not concurred in it?

Mr. PENROSE. Yes; and I object on general principles, so as not to interfere with or delay the prompt consideration of the agricultural bill.

The PRESIDING OFFICER. If the Senator makes that as a point of order, the Chair is disposed to sustain it.

Mr. PENROSE. Then I make the point of order.

Mr. SMITH of South Carolina. Was not the joint resolution reported?

The PRESIDING OFFICER. It has been reported and has been held here on the table. It has not been received. It has not gone to the calendar; and if a point of order is made——

Mr. PENROSE. I make the point of order.

The PRESIDING OFFICER. It must be rejected.

Mr. SMITH of South Carolina. On what grounds?

The PRESIDING OFFICER. On the ground that the third paragraph of Rule XXV requires the majority of a majority of a committee to report a bill.

Mr. SMITH of South Carolina. I merely want to state that if we are to invoke that rule I shall be compelled to invoke it on the present Agricultural bill.

Mr. PENROSE. I will help the Senator.

Mr. SMITH of South Carolina. And I shall invoke it on other bills as well. I submit to the Chair, notwithstanding that rule, the custom of the standing committees, as will be borne out by every chairman, is to have bills reported out habitually by the agreed-upon working quorum of the committee, and to invoke such a rule now in this emergency is overturning a custom that has become a rule by usage.

Mr. PENROSE. To what emergency does the Senator refer?

Mr. SMITH of South Carolina. Just the mere fact of the emergency that seems to be on some to have hearings. I will simply state circumstances, not emergency.

Mr. PENROSE. I am glad the Senator did not use that rather threadbare term "emergency" to get through questionable legislation. We have heard a great deal about it.

Mr. SMITH of South Carolina. I could use the word "emergency," for there is an emergency on us—a very much recognized emergency, that means life or death now.

Mr. PENROSE. Where is the slaughter committed to which the Senator refers?

Mr. SMITH of South Carolina. The slaughter is committed on the battle fields of France.

Mr. PENROSE. This bill has no present bearing on it.

Mr. SMITH of South Carolina. It might have. I am not going to take the chances that it shall not have.

Mr. PENROSE. The Senator has been awakened by a fire alarm. I ask for the ruling of the Chair.

Mr. SMITH of Georgia. Before the Chair rules, let me ask what information has the Chair as to who were present? What formal information has the Chair?

Mr. PENROSE. The chairman of the committee.

Mr. SMITH of Georgia. I do not understand that the chairman of the committee stated who were present.

The PRESIDING OFFICER. The Chair asks if there was a point of order raised?

Mr. PENROSE. I raised it.

The PRESIDING OFFICER. As stated, unless it is shown that a majority of a majority of the committee has concurred in this report, it must be rejected under Rule XXV.

Mr. SMITH of South Carolina. I call the attention of the Chair to the fact that Rule VII provides that no Member shall absent himself from this Chamber without the consent of the Senate. I should like to know why that rule is not invoked. The Members were not here. The chairman of the committee notified every one officially who was here. How could he notify those who were not here, when the rule requires that they shall not absent themselves without the consent of the Senate? Therefore I say now constructively they were present.

Mr. PENROSE. Not at all.

Mr. SMITH of South Carolina. Or else the Senate itself should be blamed, and not the committee or the chairman, for those who were not present.

Mr. PENROSE. They were absent when under this resolution they were assured that hearings were to be given.

Mr. SWANSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield to the Senator from Virginia?

Mr. PENROSE. If I can do so without losing the floor.

Mr. SWANSON. As to whether the committee ought or ought not to have reported, that is another question. On the point of order it seems to me clear from the statement of the chairman of the committee that the report is in order. I understand there were a majority of members present and by proxy.

Mr. PENROSE. The proxy does not count.

Mr. SWANSON. Exclude those by proxy. I understand the committee is composed of 17 members. A majority of the membership is 9. Section 3 of Rule XXV provides that by the concurrence of more than one-half of the majority a report may be made, and a majority is 5. I understand 6 concurred in this report.

Mr. PENROSE. No; there were absentees.

Mr. SWANSON. Nine is a majority of the committee. Then it says one-half of the majority must concur in the report. One-half of 9 is 5. If I understand the statement of the chairman, 6 concurred in this report, and 1 did not.

Mr. PENROSE. No; three were against it. Four to three was the vote.

Mr. SMITH of Georgia. Was the vote 4 to 3?

Mr. PENROSE. Yes. The proxy is only a courtesy.

Mr. SWANSON. The proxy would not be counted?

Mr. PENROSE. No; you can not vote a proxy.

The PRESIDING OFFICER. The Chair is informed that there were only 4 who concurred, and 5 are required to make a report.

Mr. SMITH of Georgia. Mr. President——

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield to the Senator from Georgia?

Mr. PENROSE. For an inquiry.

Mr. SMITH of Georgia. I wish to take the floor in my own time, if the Chair will allow me, and I ask the privilege of doing so before he decides this question.

The PRESIDING OFFICER. The Chair has ruled, and unless there is an appeal his decision will stand. There is not any doubt about it in the mind of the Chair.

Mr. SMITH of Georgia. There is one question of fact that has not been drawn to the attention of the Chair. It is undoubtedly the privilege of committees to allow the votes of absentees to be recorded. Has the chairman of the committee advised the President of the Senate as to whether the two who were there by proxy had authorized reporting the joint resolution?

Mr. PENROSE. Voting by proxy is a good deal abused in committees. Certainly the Senate rule only recognizes a vote of actual Senators present in the committee. The Chair has ruled on it?

The PRESIDING OFFICER. The Chair has ruled on it.

Mr. SMITH of Georgia. I should like to ask if the ruling of the Chair goes to the extent of holding that where a committee agrees that an absent member shall be allowed to vote and have his vote recorded that that is prohibited by the rule of the Senate? I do not understand that the Senator from South Carolina, the chairman of the committee, has expressed himself on that subject and given that information to the Senate.

Mr. SMITH of South Carolina. In reply to that, I am sure that one member of those who were absent left a proxy to be counted as a quorum and voted as the majority voted.

Mr. PENROSE. Can the Senator state what Senator?

Mr. SMITH of South Carolina. No; it is not necessary, for he can state it himself.

Mr. PENROSE. Then any absentee will cover that statement.

Mr. SMITH of South Carolina. Those were the votes that made the majority.

Mr. POMERENE. The chairman does not mean that the Senator's vote was cast?

Mr. SMITH of South Carolina. No; it was only those present who voted, but they asked to be counted as proxies.

Mr. President, I want to have the matter clearly understood. Of course I see the object. The majority of those who were present followed out the invariable rule, the invariable custom. There is pending right now another bill, in which I am sure an investigation will reveal the fact that not a majority of those present formed a majority of the committee, and those voting to report it out did not pass it with a majority of half the committee. I am going to appeal from the decision of the Chair, because of the custom of the Senate and the custom of our committee and in the interest of the expedition of business. I am going to appeal from the decision of the Chair on its ruling, because it seems to me that this matter is of such import that if it applies to this committee, in justice to all parties concerned we must apply it to other committees.

Mr. PENROSE. It ought to apply to all if one raises an objection.

Mr. SMITH of South Carolina. It ought to apply as a matter of course to all if it is made to apply to one.

Mr. PENROSE. I should like to address an inquiry to the Senator. Does he mean to assert that the custom of a committee can override a rule of the Senate?

Mr. SMITH of South Carolina. That is not the question to which I am addressing myself. I am addressing myself to the custom which has grown up here, that has not been questioned. That is the only question now. The reasons have been stated, and the committee from time to time have done what I have asserted. We have what is called a working quorum, and by a majority of that quorum important legislation has been reported out.

Mr. KENYON. I wish to address an inquiry to the Senator from South Carolina. Does the Senator claim that one member of the committee can come in and say "I cast the vote of three or four others" and report out a bill?

Mr. SMITH of South Carolina. The point is this: The committee get together and agree what shall be a working quorum. Knowing the impossibility of getting members in because of the conflicting meetings of different committees, they get together and form what is known as their working quorum. They go to work with that quorum, and they reach a decision by a majority of that working quorum and report out a bill.

Mr. KENYON. Can they have a quorum contrary to the rule of the Senate?

Mr. SMITH of South Carolina. They do, as the Senator knows.

Mr. KENYON. I know it is a vicious practice. I have seen men come in the committee room and vote two or three other Senators on a matter that came up. It is a matter that ought to be stopped.

Mr. SMITH of South Carolina. As the Senator from Iowa knows, if that rule was not adhered to it would practically stop the business of this body.

Mr. KENYON. I do not think so. It is the business of the members of the committees to be there or else they ought to get off the committee.

Mr. SMITH of South Carolina. It is almost impossible to keep from duplicating the meetings of the committees. I maintain here and now that in all good faith the Committee on Interstate Commerce met and considered what in their judgment was best, and, acting according to the rule and custom, we never any more questioned it than I would question the right of the Senator from Iowa to leave this Chamber and go to his home without reporting to anybody about it, because we take it for granted that he would not leave without a just and reasonable cause.

Mr. WARREN. Mr. President, I do not care to enter into the merits of this question, as to what may be done in regard to telegraph and telephones, but the Senator certainly is mistaken when he states what is the rule in committees. It is true that less than a majority of the committee may constitute a working majority, as you say, and where that working majority is unanimous upon directing the committee to report, the bill may be reported; but I know of no committee, and I serve on a number, where less than a quorum, divided as this one was, can authorize the report of a bill. One might as well say that the chairman can report a bill without calling the committee.

Mr. SMITH of South Carolina. No; the working majority. A majority is a working quorum, and I maintain that it is justified by usage and that that is a rule of this body.

Mr. WARREN. If the Senator will allow me, furthermore, the rules of this body are printed, and the Senator may say that some committee may have substituted something as its own rule, but the rule of one committee does not bind the Senate and it should not bind it.

Mr. SWANSON. I understand the committee is composed of 17 members, and under a rule which we passed six constitute a quorum to do business. Then five must concur in the action of the committee. I think in most of the committees on which I serve that have 17 members we have passed such a resolution. It can not be done unless they agree to it.

Mr. WARREN. Is that a majority of the committee in that case? Do five members make a majority?

Mr. SWANSON. The six constitute it.

Mr. WARREN. A committee report carries on its face evidence that the majority of the committee has had under consideration the subject and reports favorably or unfavorably upon it.

Mr. SWANSON. A majority, which would be five, have a right to concur to make the report under that rule.

Mr. SMITH of South Carolina. Mr. President, I wish to make just one remark and then I am done. I said that I would appeal from the decision of the Chair. I believe I will withdraw that for a very obvious reason. I want to state that this has been a custom. It has amounted to a rule. Your committee, with the full knowledge of the responsibility that is on it and the necessity that was upon it and the facts that were divulged to it, brought in this report as the opinion of the majority of its working quorum. If the Senate wants to reverse it and delay the measure and go through a procedure that was not the opinion of a majority of those present, it can take the responsibility. I, as chairman, acting with the majority of that committee, did what in our opinion was for the best interests of the matter in hand, and certainly the best interests of the country, and we did it for that reason and that alone. Now, if that is to be reversed and the custom of the Senate is to be upset, let the responsibility be elsewhere than upon the chairman of the committee and those who acted with him.

Mr. POMERENE. Mr. President, this I regard as a very important measure. I realize that when it came to the question of a report from this committee the vote stood 4 in favor of it and 3 against it as a substitute motion for one which I interposed to the effect that we should begin the hearings to-morrow and then hear the Government officials, and on the day following the officers of the various companies interested, and on the third day the employees; and that we should determine later whether further time should be granted or not to any of these classes of witnesses.

Mr. President, I am exceedingly sorry that I must differ from any of my colleagues. It may be that after deliberation I would come to the same conclusion that four of my colleagues on the committee have reached; but it is my judgment that under all of the circumstances good faith on the part of this committee and good faith on the part of the Senate requires that these different interests should be permitted to be heard by the committee before we take snap judgment against them.

For one Member of the Senate, I am free to say now that when an emergency requires immediate action I shall be among the first to act, but until I can be shown that the emergency does, in fact, exist it is my humble judgment that those parties who are so gravely interested in the consequences of our action here should at least be briefly heard.

Now, Mr. President, what is the situation? It is true that for perhaps a week or more Members of both Houses have been talking about a recess. This was uppermost in the minds of Senators on Saturday.

After certain conferences among the leaders of the Senate, I called the members of the Interstate Commerce Committee together, in the absence of the chairman. There were, I think, at the first meeting nine members present. After a brief intermission the resolution was adopted, which was presented by me to the Senate this morning and to which the Senator from Pennsylvania refers. Seven members concurred in that resolution and no one opposed it. It was given to the press. Everyone believed that reasonable hearings were to be held. The senior Senator from Iowa [Mr. CUMMINS], who is one of the very active members of the committee, was extremely anxious that there should be hearings, and he left the Capital to attend to some matters in his home State in the full confidence that we were to have hearings. I had no doubt about it. Five minutes before the report was authorized by the four members of the committee I did not believe that a report would be made without hearings.

Now, let us see what this situation is——

Mr. BRANDEGEE. Mr. President, will the Senator pardon me there?

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Connecticut?

Mr. POMERENE. I yield.

Mr. BRANDEGEE. How many members of the committee are there?

Mr. POMERENE. There are 17 members of the committee, 9 constituting a majority. Under the rules of the Senate, as I recall, the Committee on Interstate Commerce provided that seven members should constitute a quorum; but, of course, under the rule of the Senate as read it would require more than half of a majority of the committee to authorize a favorable report to the Senate; in other words, five members.

Mr. BRANDEGEE. But the fact remains that, out of a committee of 17 members, less than one-quarter have precipitated this matter before the Senate.

Mr. POMERENE. That is true. Mr. President, these interests are very large. I recognize the fact in this country there are two schools of thought when it comes to the subject of telephones and the telegraphs. One favors public ownership; the other private ownership. That question is not involved here at the present time; but there is involved the taking over of these properties and their control. If the question were limited to the telegraph companies alone, it would probably simplify the responsibilities which rest upon the committee and upon the Senate; but this joint resolution involves the telephone companies as well as the telegraph companies.

I am informed that in the State of Iowa alone there are 3,000 telephone companies; in the State of Minnesota some 1,700; and my belief is that in my own State there is something over 3,000 of them. Some of these companies are prosperous; some of them are not prosperous; some of them perhaps have surpluses, while others have deficits at the end of the year. If we take them over, how are we to control them? How are we to finance them? By what department shall they be administered? What, if anything, ought we to do with respect to these features of the case to which I have just called attention? I recognize the fact that some men have more intellectual capacity than I have and can determine these questions instanter. I have not been endowed with ability enough to do that, and my judgment is that both the stockholders and the employees ought to be permitted at least to present their views to the committee.

I am sorry if I differ from any of my colleagues, but I do. I do not believe it is imperative that we act at once. I think we ought to go on with the hearings, and after we have heard from all sides, then report to the Senate what in our judgment ought to be done.

Mr. PENROSE. Mr. President, will the Senator permit an inquiry there?

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Pennsylvania?

Mr. POMERENE. I do.

Mr. PENROSE. I ask the Senator whether that would not really expedite the consideration of the matter, instead of having the joint resolution reported back to the Senate without any consideration whatever? The committee could save the time of the Senate by going into the matter, and it would in that way curtail discussion after the joint resolution was reported.

Mr. POMERENE. Why, Mr. President, I do not now recall a bill which has been reported to the Senate without a recommendation based upon hearings that did not involve very extensive discussion afterwards; and I am quite sure that, whatever may be my predisposition upon this subject, I can vote upon it with greater satisfaction to myself after we have heard from all parties concerned than I can without hearing from them.

Mr. GORE. What is the pending question, Mr. President?

The PRESIDING OFFICER. The Chair understands the Senator from South Carolina does not desire to press his appeal from the decision of the Chair.

Mr. GORE. The Senator from South Carolina has so announced.

The PRESIDING OFFICER. Very well; the Chair so understands.

ADJOURNMENT.

Mr. GORE. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 25 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, July 9, 1918, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *July 8, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou eternal, invisible, yet ever-present God, our Heavenly Father, from whom cometh all wisdom, power, and goodness, continue, we beseech Thee, Thy ministrations and help us to grow into all that makes men holy; thus into all that makes a nation pure and noble, wise and just, strong and great.

Make straight our paths and lead on to the consummation of Thy purposes, for which all true men long; for Thine is the kingdom and the power and the glory forever. Amen.

The Journal of the proceedings of Saturday, July 6, 1918, was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 3438. An act to prevent corrupt practices in the election of Senators, Representatives, or Delegates in Congress.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 3438. An act to prevent corrupt practices in the election of Senators, Representatives, or Delegates in Congress; to the Committee on Election of President, Vice President, and Representatives in Congress.

ENROLLED BILL SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 8938. An act to equip the United States penitentiary, Atlanta, Ga., for the manufacture of supplies for the use of the Government, for the compensation of prisoners for their labor, and for other purposes.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills:

H. R. 8938. An act to equip the United States penitentiary, Atlanta, Ga., for the manufacture of supplies for the use of the Government, for the compensation of prisoners for their labor, and for other purposes; and

H. R. 11048. An act to amend the war-risk insurance act.

WATER-POWER LEGISLATION.

Mr. JOHNSON of Kentucky rose.

The SPEAKER. The gentleman from Kentucky is recognized.

Mr. SIMS. Mr. Speaker, I want to make a request for unanimous consent.

The SPEAKER. The gentleman will proceed.

Mr. SIMS. Might I have about one minute in which to make a statement?

The SPEAKER. The gentleman from Tennessee asks unanimous consent for one minute. Is there objection? [After a pause.] The Chair hears none.

Mr. SIMS. The object of asking this unanimous-consent request is to try to fix a date for the consideration of the water-power bill (S. 1419). I have tried to find out from members of the Water Power Committee as to their convenience, as I am ready at any time to begin its consideration; but I do not believe it will be convenient for the members of the committee, as well as quite a number of other Members of the House, to begin the consideration of that bill this week. So I was going to suggest unanimous consent that we take up the bill for consideration under the general rules of the House on next Monday, and give way to conference reports, appropriation bills, and other privileged matters.

Mr. FOSTER. Next Monday is unanimous-consent day.

Mr. STEENERSON. Mr. Speaker——

Mr. SIMS. And I want to say further that it is not going to take so long to consider this bill as some Members think. While there is a minority report it is only as to one feature of the bill. There has been much general discussion in the House heretofore on water-power bills, and as a result Members are more or less familiar with water-power questions.

Mr. STEENERSON. When does the gentleman propose to take up the bridge bills?

Mr. SIMS. My intention is to try to get them all considered the first day this week that I can, because there is no opposition to any of them.

Mr. STEENERSON. No; but they have been neglected.

Mr. GILLETT. Mr. Speaker, I ask unanimous consent for one minute.

The SPEAKER. The gentleman from Massachusetts [Mr. GILLETT] asks unanimous consent for one minute. Is there objection? [After a pause.] The Chair hears none.

Mr. GILLETT. Mr. Speaker, the gentleman from Tennessee [Mr. SIMS], the chairman of the Committee on Interstate and Foreign Commerce, has been most insistent that the House should stay here and do business, and has said he wanted to pass this bill. We have stayed here much against our convenience. I think the bill ought to be taken up right away. I do not see why the convenience of the members of the committee should be especially considered. [Applause.] I think we ought to take it up to-morrow. The House has been kept here when the Members wanted to go away.

Mr. SIMS. Out of consideration for the requests of the Members that have been made to me personally, I think the gentleman himself ought to make that request.

Mr. GILLETT. They ought to be here to-morrow. Why are they not here?

Mr. SIMS. They left under the idea that there would be a recess, and it is not my fault or the gentleman's fault.

Mr. STAFFORD. The gentleman has charge of the bill and should make the request.

Mr. SIMS. Then, Mr. Speaker, I make the request that this bill be in order.

The SPEAKER. The water-power bill?

Mr. SIMS. Yes. There has only one been reported. I ask unanimous consent that it be considered under the general rules of the House, beginning to-morrow.

Mr. ANDERSON. Mr. Speaker, reserving the right to object, I do not think this bill ought to be considered under the general rules of the House. The bill reported by the committee is an amendment to the Senate bill, and of course it would be rather inconvenient to consider it in that form. If the House bill can be considered as an original bill, of course, I have no objection.

Mr. SIMS. I would ask, as a matter of course, that when we begin the consideration of the bill that we consider the substitute as though it was a House bill, and reported by the committee as such, and subject to amendment by section and paragraph.

Mr. ANDERSON. Let the gentleman ask it now.

Mr. SIMS. I will ask in connection with the consideration of the bill that unanimous consent be given to consider the substitute as though it was an original House bill, and after it has been completed then it be voted on as an amendment to the Senate bill.

Mr. HELM. Reserving the right to object, that, of course, would give opportunity for general debate?

Mr. SIMS. As a matter of course.

Mr. WALSH. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. WALSH. Reserving the right to object, might I ask the gentleman from Tennessee how much general debate he expects to ask on this measure?

Mr. SIMS. Well, Mr. Speaker, I had this idea about it, that we would begin the general debate without a limit and see how we would get along, and then try to arrange a limitation later on if found to be necessary.

Mr. WALSH. Might I ask another question? The gentleman has no measure pending in his committee which might suddenly be discovered to be of paramount importance to the water-power bill and sidetrack it, as happened recently, has he?

Mr. SIMS. There is nothing now before the committee that I would regard as an emergency war measure.

Mr. WALSH. Nothing accumulating in the atmosphere?

Mr. SIMS. I am not an inhabitant of the atmosphere, and consequently I can not say.

The SPEAKER. The gentleman from Tennessee [Mr. SIMS] asks unanimous consent that the water-power bill be taken up to-morrow and be the continuing order, subject to conference reports, and so forth, appropriation bills, and matters on the Speaker's table, and, of course, it does not bar Calendar Wednesday; to consider the original bill——

Mr. ANDERSON. The House amendment as an original bill?

The SPEAKER. Yes; the House amendment as an original bill.

Mr. SIMS. As a House bill.

Mr. STEENERSON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. STEENERSON. Will this continuing order supersede the business in order next Monday, set aside for the Unanimous Consent Calendar?

The SPEAKER. No. That is excepted, too. Is there objection?

Mr. ELLSWORTH. I object.

Mr. STAFFORD. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The Chair, if nobody objects, would like to make a statement himself.

Mr. SIMS. Mr. Speaker——

The SPEAKER. In a minute, unless the gentleman wishes to object. The Chair is opposed to doing away with the unanimous-consent business and suspension-day business on Monday. That is proposition No. 1. Those things ought to be attended to. They have been shoved out of the way for a considerable time, and some are very important to particular Members. There ought to be a day set apart before long to consider bills on the Private Calendar. [Applause.] Some of them are very important. Gentlemen have acted very nicely about it. They have not raised any disturbance, but a great many of these bills on the Private Calendar are of general importance in a way, and all of them are important to certain Members, and it is nothing but fair that they should have a day in court.

Mr. SIMS. Mr. Speaker, I make the same request, that——

Mr. STAFFORD. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Wisconsin makes the point of order that there is no quorum present. Evidently there is none.

CALL OF THE HOUSE.

Mr. KITCHIN. Mr. Speaker, I move a call of the House.

The SPEAKER. The gentleman from North Carolina moves a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anthony	Elston	Kincheloe	Rucker
Ashbrook	Emerson	King	Russell
Austin	Estopinal	Kreider	Sabath
Bacharach	Fairchild, B. L.	LaGuardia	Sanders, Ind.
Baer	Fairchild, G.W.	Lehlbach	Sanders, N. Y.
Barkley	Farr	Linthicum	Sanford
Black	Flood	Lonergan	Scott, Iowa
Bland, Ind.	Flynn	Lundeen	Scott, Pa.
Bland, Va.	Foss	McAndrews	Scully
Bowers	Francis	McCormick	Sells
Britten	Frear	McFadden	Shackleford
Brodbeck	Freeman	McKenzie	Sherwood
Browning	Fuller, Mass.	McKinley	Siegel
Burnett	Garland	McLaughlin, Pa.	Slayden
Butler	Glass	Madden	Slemp
Caldwell	Glynn	Maher	Smith, Mich.
Caraway	Goodall	Mann	Smith, C. B.
Carew	Gordon	Martin	Smith, T. F.
Carter, Mass.	Gould	Mason	Snell
Chandler, Okla.	Graham, Ill.	Meeker	Snyder
Clark, Fla.	Graham, Pa.	Merritt	Stedman
Clark, Pa.	Greene, Mass.	Miller, Minn.	Steele
Claypool	Gregg	Morin	Stephens, Nebr.
Cooper, Ohio	Griffin	Mott	Stevenson
Cooper, W. Va.	Hamill	Neely	Strong
Costello	Hamilton, N. Y.	Nelson	Sullivan
Crago	Hayes	Norton	Sweet
Cramton	Heaton	Oldfield	Swift
Currie, Mich.	Heintz	Olney	Switzer
Curry, Cal.	Hersey	O'Shaunessy	Tague
Dale, N. Y.	Hicks	Paige	Talbott
Dale, Vt.	Hollingsworth	Peters	Templeton
Davidson	Hood	Phelan	Thompson
Davis	Houston	Platt	Tillman
Delaney	Howard	Polk	Tilson
Dempsey	Husted	Porter	Treadway
Dewalt	Hutchinson	Powers	Voigt
Dies	Ireland	Price	Waldow
Dill	James	Purnell	Walton
Dominick	Johnson, S. Dak.	Ragsdale	Ward
Dovovan	Juul	Ramsey	Watson, Va.
Dooling	Kahn	Rankin	Weaver
Doughton	Kearns	Rayburn	White, Ohio
Dowell	Kehoe	Reavis	Williams
Drane	Kelley, Mich.	Riordan	Winslow
Drukker	Kelly, Pa.	Robbins	Young, N. Dak.
Dyer	Kennedy, R. I.	Robinson	Young, Tex.
Eagan	Key, Ohio	Rowe	Zihlman
Edmonds	Kiess, Pa.	Rowland	

The SPEAKER. On this vote 238 gentlemen have responded to their names, a quorum.

Mr. KITCHIN. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. SANDERS of Indiana, now confined in the hospital since July 4, indefinitely, on account of illness.

ORDER OF BUSINESS.

Mr. SIMS. Mr. Speaker, I want to submit the same unanimous-consent request that I did before, as I understand the gentleman will not object since a quorum has developed. The unanimous-consent request is that we take up the water-power bill (S. 1419) to-morrow for consideration and consider the House amendment to the Senate bill as a House bill, subject to Calendar Wednesday and suspension day next Monday, and to any privileged matters like conference reports, appropriation bills, and other privileged business.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that to-morrow the water-power bill shall be taken up, the House amendment to be considered as an original bill, to be a continuing order, except not to shut out Calendar Wednesday, or unanimous-consent day, or conference reports, or other privileged matters. Is there objection?

Mr. COOPER of Wisconsin. Reserving the right to object, Mr. Speaker, I would like to ask the gentleman from Tennessee, how long he thinks that bill will take?

Mr. SIMS. Mr. Speaker, my recollection is that the other water-power bills did not take more than two or three days. One of them, from the Committee on Interstate and Foreign Commerce, dealt alone with navigable streams. Another one, from the Committee on the Public Lands, dealt with water-power on public lands. This bill deals with all combined water-power legislation, and naturally it will take longer. But I do not think it will take, even with due and fair consideration, more than two or three days. But I can not possibly tell.

Mr. STAFFORD. Reserving the right to object, if this bill is passed and the Unanimous-Consent Calendar is disposed of, would the gentleman be in favor of a recess of Congress?

Mr. SIMS. I will answer that question when the time comes.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

Mr. COOPER of Wisconsin. I object.

The SPEAKER. Does the gentleman from Wisconsin object?

Mr. COOPER of Wisconsin. I do.

DISTRICT OF COLUMBIA BUSINESS.

Mr. JOHNSON of Kentucky. Mr. Speaker, there were two bills on the House Calendar, both introduced by the gentleman from Illinois [Mr. GRAHAM], relative to killing and trapping birds in the District of Columbia. One of them was passed and the other remains on the calendar. I ask that it be stricken from the calendar. It is the bill H. R. 7360.

The SPEAKER. The gentleman from Kentucky asks that the bill H. R. 7360 be stricken from the calendar.

Mr. GARNER. Move that it lie on the table.

Mr. JOHNSON of Kentucky. I ask that it lie on the table.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

A bill (H. R. 7360) to prohibit the killing, trapping, netting, ensnaring, hunting, having in possession, and sale of certain wild birds in the District of Columbia.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that that bill be stricken from the calendar. Is there objection?

Mr. CARY. Reserving the right to object, this is a bill that passed?

Mr. JOHNSON of Kentucky. No. As I said in explanation, the gentleman from Illinois [Mr. GRAHAM] introduced two bills. The one he desired to be passed has already been passed by the House. This other has been uselessly carried on the calendar.

The SPEAKER. Is there objection?

There was no objection.

Mr. JOHNSON of Kentucky. Now, Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of considering District legislation; and, pending that, I would like to get, if possible, an agreement with the gentleman from Wisconsin [Mr. CARY] as to the time for general debate.

PENSIONS—CONFERENCE REPORT (NO. 748).

Mr. SHOUSE. Mr. Speaker, I desire to call up the conference report on the bill (H. R. 12229) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War

and certain widows and dependent children of soldiers and sailors of said war. I think this conference report has the preference.

Mr. JOHNSON of Kentucky. Mr. Speaker, we have already a motion before the House.

The SPEAKER. The rule is that the conference report takes precedence. The Clerk will read the conference report.

Mr. SHOUSE. I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman from Kansas asks unanimous consent that the statement be read in lieu of the report. Is there objection?

There was no objection.

The SPEAKER. Has this conference report been printed?

Mr. SHOUSE. It was printed in the RECORD of Saturday.

The Clerk read the statement of the House conferees.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12229) entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 10, 15, 19, 21, 27, and 30.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, 4, 7, 8, 9, 12, 13, 14, 16, 17, 18, 20, 22, 23, 24, 25, 26, 28, 29, 31, 32, 33, 34, 36, 37, and 38, and agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$36"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: Restore the matter stricken out, amended to read as follows:

"The name of Emma L. Randall, widow of George W. Randall, late of Company B, One hundred and ninety-fourth Regiment, New York Volunteer Infantry, and pay her a pension at the rate of $12 per month."

And the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$36"; and the Senate agree to the same.

WILLIAM A. ASHBROOK,
JOUETT SHOUSE,
JNO. W. LANGLEY,
Managers on the part of the House.

T. J. WALSH,
WM. H. THOMPSON,
REED SMOOT,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12229) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war submit the following written statement in explanation of the effect of the action agreed upon by the conference as to each of said amendments, namely:

On amendment No. 1 (Katharine Schellschmidt): Strikes out the provision for pension.

On amendment No. 2 (Charles T. Wolfe): Provides an increase to $30 per month, as passed by the House, instead as $21, as amended by the Senate.

On amendment No. 3: A correction.

On amendment No. 4 (Edward C. Jeffries): Strikes out the provision for increase of pension.

On amendment No. 5 (Josiah Ketchum): Provides an increase to $32 per month, instead of $40, as passed by the House, and $30, as amended by the Senate.

On amendment No. 6 (John T. Gregory): Provides an increase to $36 per month, instead of $40, as passed by the House, and $30, as amended by the Senate.

On amendment No. 7: A correction.

On amendment No. 8 (Perry Jarrett): Provides an increase to $40 per month, as amended by the Senate, instead of $50, as passed by the House.

On amendment No. 9 (Erastus A. Buck): Strikes out the provision for pension.

On amendment No. 10 (George W. Justice): Provides an increase to $40 per month, as passed by the House, instead of $32, as amended by the Senate.

On amendment No. 11 (Emma L. Randall): Provides a pension of $12 per month, instead of $25, as passed by the House and stricken out by the Senate.

On amendment No. 12 (Thomas J. Morris): Provides an increase to $30 per month, as amended by the Senate, instead of $36, as passed by the House.

On amendment No. 13 (Newton Sigsby): Provides a pension of $21 per month, as amended by the Senate, instead of $30, as passed by the House.

On amendment No. 14: A correction.

On amendment No. 15 (Exira C. Gilmore): Restores the provision for pension, passed by the House, and stricken out by the Senate.

On amendment No. 16 (John B. Lynch): Provides an increase to $25 per month, as amended by the Senate, instead of $36, as passed by the House.

On amendment No. 17 (John L. Wheeler): Strikes out the provision for increase of pension.

On amendment No. 18 (Sylvester Peters): Provides an increase to $30 per month, as amended by the Senate, instead of $36, as passed by the House.

On amendment No. 19 (Henry N. Tippett): Provides an increase to $40 per month, as passed by the House, instead of $30, as amended by the Senate.

On amendment No. 20 (Isaac N. Dysard): Provides an increase to $40 per month, as amended by the Senate, instead of $50, as passed by the House.

On amendment No. 21 (Robert J. Keltner): Provides an increase to $40 per month, as passed by the House, instead of $30, as amended by the Senate.

On amendment No. 22 (Drucilla T. Collier): Strikes out the provision for pension.

On amendment No. 23 (Keziah Zink): Strikes out the provision for pension.

On amendment No. 24 (Francis M. Newgen): Strikes out the provision for increase of pension.

On amendment No. 25: A correction.

On amendment No. 26 (Woodbury Smith): Provides an increase to $32 per month, as amended by the Senate, instead of $40, as passed by the House.

On amendment No. 27 (Anna Bell O'Neal): Restores the provision for pension, passed by the House, and stricken out by the Senate.

On amendment No. 28 (Sylvester A. Simpson): Provides an increase to $40 per month, as amended by the Senate, instead of $50, as passed by the House.

On amendment No. 29 (Myron S. Towne): A correction.

On amendment No. 30 (Susan B. Churchill): Restores the provision for pension, as passed by the House, stricken out by the Senate.

On amendment No. 31: A correction.

On amendment No. 32 (Sarah Keys): Strikes out the provision for pension.

On amendment No. 33 (Margaret L. Cisney): Strikes out the provision for pension.

On amendment No. 34 (Martha R. Benner): Strikes out the provision for pension.

On amendment No. 35 (Allen Morris): Provides an increase to $36 per month, instead of $40, as passed by the House, and $32, as amended by the Senate.

On amendment No. 36: A correction.

On amendment No. 37 (Lydia E. Johnson): Strikes out the provision for pension.

On amendment No. 38 (James A. Jones): Strikes out the provision for increase of pension.

WILLIAM A. ASHBROOK,
JOUETT SHOUSE,
JNO. W. LANGLEY,
Managers on part of House.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. SHOUSE. I yield to the gentleman from Massachusetts.

Mr. WALSH. I notice that this statement was read from the RECORD and not from the original papers. I should like to ask the gentleman where the papers are?

Mr. SHOUSE. The papers were filed on Saturday, and I presume they are in the hands of the Public Printer.

Mr. WALSH. The papers are in the possession of the House?

Mr. SHOUSE. They are in the possession of the House. They were filed Saturday.

Mr. HUDDLESTON. Mr. Speaker, I notice that amendment No. 13 reduces the pension of Newton Sigsby from $30 to $21. Can the gentleman give some idea as to why that was done?

Mr. SHOUSE. The man in question is not eligible to a pension under the general law, having served only 84 days, from February 17, 1865, to May 11, 1865, when the war was practically over. He was given a special pension on account of disabilities which originated in the service, but except for the special act under which he is proposed to be pensioned he would not be entitled to a pension at all.

Mr. HUDDLESTON. That is quite true, but since he is entitled to a pension, why make it $21 instead of $30? This man was entitled to a pension for disability incurred in the service.

Mr. SHOUSE. He was not granted a pension under the general law, but he is given the rate that he would draw under the general law.

Mr. HUDDLESTON. He filed his application for a pension 40 years ago, and it pended in the bureau for 15 or 20 years. If it had been allowed in the bureau, he would have received several thousand dollars of back pension, which he did not receive under the special act.

Mr. SHOUSE. He would not have received more than $21 per month.

Mr. HUDDLESTON. But he would have been drawing it all this time.

Mr. SHOUSE. That is not the fault of the committee. The committee never attempts to correct action of the bureau which denies a man back pension.

Mr. HUDDLESTON. I should like to know what the committee is for then?

Mr. SHOUSE. The committee is for the purpose of granting special pensions to people that it considers deserving, who are not entitled to pensions under existing law. This man was refused a pension by the bureau.

Mr. HUDDLESTON. This is exactly that case.

Mr. SHOUSE. Now, the committee, on account of his disability, think it is fair to pension him at the rate of pension that he would have received under the general law.

Mr. STAFFORD. Will the gentleman explain the change of policy of the committee in granting pensions to men who served less than 90 days?

Mr. HASTINGS. My understanding is that we had a case up last year where a man served less than 90 days and that the committee disallowed the pension. I remember the Morton case very well.

Mr. SHOUSE. I will say to the gentleman that my recollection is that the committee in the last Congress placed a limit of 87 days as the lowest limit under any circumstances under which they granted a special pension act. This year we have placed the limit at either 83 or 84 days; I have forgotten which. The clerk of the committee can tell the gentleman. It is a matter that was acted upon by the committee as a definite policy.

Mr. HASTINGS. What is the reason for the change of policy?

Mr. SHOUSE. The committee thought that in exceptional cases it was proper to do so.

Mr. HASTINGS. I just wanted to know what was the policy of the committee; that is all.

Mr. STAFFORD. Will the gentleman from Kansas kindly elaborate his statement as to the policy that the committee follows in granting pensions to those who served less than 90 days? I have been under the impression and was informed only recently by the clerk of the committee that they were not considering any cases where the service was less than 87 days. Here is a case, to which attention was called by the gentleman from Alabama [Mr. HUDDLESTON], where the soldier served 84 days.

Mr. SHOUSE. Either the clerk of the committee was mistaken in his statement or the gentleman misunderstood him, because there have been several cases in this Congress and in previous Congresses, since I have been a member of the committee, where pensions were granted for service of less than 90 days, under very unusual circumstances and in very deserving cases.

Mr. STAFFORD. What are those unusual conditions?

Mr. SHOUSE. Where a man seems to have pretty clear proof of disabilities of service origin, but where the bureau did not take the view the committee took. The case the gentleman from Alabama cited was pending in the Pension Bureau for many years, and finally was turned down, and the committee felt that there was enough justice in the case to warrant the action by special act to grant a pension of $21.

Mr. STAFFORD. The committee does not report favorably any pension to any soldier who did not serve 90 days unless he has something to base a claim for injuries of service origin?

Mr. SHOUSE. Exactly.

Mr. PLATT. Will the gentleman yield?

Mr. SHOUSE. Yes.

Mr. PLATT. Was not the case the gentleman referred to pending so long in the Pension Bureau, where a soldier had made a claim for service over 90 days?

Mr. SHOUSE. No; he had served 84 days at the close of the war.

Mr. CANNON. Will the gentleman yield?

Mr. SHOUSE. Yes.

Mr. CANNON. It is not a change of law; the general law requires 90 days' service.

Mr. SHOUSE. No; if the gentleman will permit, the general law as contrasted with the act of May 11, 1912, provides for pensions where a man has disabilities of service origin regardless of service——

Mr. CANNON. That I understand; but this is a claim where it was turned down by the Commissioner of Pensions, saying the proof was not sufficient that the injury resulted in the service in the line of duty. Now, my recollection is that that has been frequently done by special act where it has been turned down by the Pension Office where the service had been longer than 90 days.

Mr. SHOUSE. The gentleman knows that under existing law any soldier of 90 days' service is entitled to a pension, and increases have been granted where the bureau has refused them.

Mr. CANNON. That is the same principle. I think if the committee was satisfied from the proof submitted that the Commissioner of Pensions made a mistake in turning it down there is every reason in justice and equity to give the man a pension.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken, and the conference report was agreed to.

MINIMUM WAGE BOARD FOR THE DISTRICT OF COLUMBIA.

Mr. JOHNSON of Kentucky. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of District business.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. BYRNS of Tennessee in the chair.

Mr. JOHNSON of Kentucky. Mr. Chairman, I call up the bill (H. R. 12098) to protect the lives and health and morals of women and minor workers in the District of Columbia, and to establish a minimum wage board, and define its powers and duties, and to provide for the fixing of minimum wages for such workers, and for other purposes.

The Clerk read the bill, as follows:

Be it enacted, etc., That where used in this act—

The term "board" means the minimum wage board created by section 2;

The term "commissioners" means the Commissioners of the District of Columbia;

The term "woman" includes only a woman of 18 years of age or over;

The term "minor" means a person of either sex under the age of 18 years;

The term "occupation" includes a business, industry, trade, or branch thereof.

SEC. 2. That there is hereby created a board to be known as the "minimum wage board," to be composed of three members to be appointed by the Commissioners of the District of Columbia. As far as practicable, the members shall be so chosen that one will represent the interests of the employing class, one the interests of the employed class, and the third will be fair and impartial between employers and employees and work for the best interests of the public as a whole.

The commissioners shall make their first appointments hereunder within 30 days after this act takes effect and shall designate one of the three members first appointed to hold office until January 1, 1919; one to hold office until January 1, 1920; and one to hold office until January 1, 1921. On or before the 1st day of January of each year, beginning with the year 1919, the commissioners shall appoint a member to succeed the member whose term expires on such 1st day of January, and such new appointee shall hold office for the term of three years from such 1st day of January. Each member shall hold office until his successor is appointed and has qualified; and any vacancy that may occur in the membership of the board shall be filled by appointment by the commissioners for the unexpired portion of the term.

A majority of the members shall constitute a quorum to transact business, and the act or decision of such a majority shall be deemed the act or decision of the board; and no vacancy shall impair the right of the remaining members to exercise all the powers of the board.

SEC. 3. That the first members appointed shall, within 20 days after their appointment, meet and organize the board by electing one of their number as chairman and by choosing a secretary, who shall not be a

member of the board; and on or before the 10th day of January of each year thereafter the board shall elect a chairman and choose a secretary for the ensuing year. The chairman and the secretary shall each hold office until his successor is elected or chosen, but the board may at any time remove the secretary. The secretary shall perform such duties as may be prescribed and receive such salary, not in excess of $2,500 per annum, as may be fixed by the board. None of the members shall receive any salary as such. The board shall have power to employ agents and such other assistants as may be necessary for the proper performance of its duties: *Provided*, That until further authorization by Congress the sum which it may expend, including the salary of the secretary, shall not exceed the sum of $5,000.

SEC. 4. That at any public hearing held by the board any person interested in the matter being investigated may appear and testify. Any member of the board shall have power to administer oaths, and the board may require by subpœna the attendance and testimony of witnesses, the production of all books, registers, and other evidence relative to any matters under investigation at any such public hearing or at any session of any conference held as hereinafter provided. In case of disobedience to a subpœna the board may invoke the aid of the Supreme Court of the District of Columbia in requiring the attendance and testimony of witnesses and the production of documentary evidence. In case of contumacy or refusal to obey a subpœna the court may issue an order requiring appearance before the board, the production of documentary evidence, and the giving of evidence touching the matter in question, and any failure to obey such order of the court may be punished by such court as a contempt thereof.

SEC. 5. That the board is hereby authorized and empowered to make rules and regulations for the carrying into effect of this act, including rules and regulations for the selection of members of the conferences hereinafter provided for and the mode of procedure thereof.

SEC. 6. That the board shall, on or before the 1st day of January of the year 1919, and of each year thereafter, make a report to the commissioners of its work and the proceedings under this act.

SEC. 7. That there is hereby authorized to be appropriated, out of the revenues of the District of Columbia, for the fiscal year ending June 30, 1919, the sum of $5,000, or so much thereof as may be necessary, to carry into effect the provisions of this act.

SEC. 8. That the board shall have full power and authority: (1) To investigate and ascertain the wages of women and minors in the different occupations in which they are employed in the District of Columbia; (2) to examine, through any member or authorized representative, any book, pay roll, or other record of any employer of women or minors that in any way appertains to or has a bearing upon the question of wages of any such women or minors; and (3) to require from such employer full and true statements of the wages paid to all women and minors in his employment.

Every employer shall keep a register of the names of the women and minors employed by him in any occupation in the District of Columbia, of the hours worked by each, and of all payments made to each, whether paid by the time or by the piece; and shall, on request, permit any member or authorized representative of the board to examine such register.

To assist the board in carrying out this act the commissioners shall at all times give it any information or statistics in their possession under the act of Congress approved February 24, 1914, entitled "An act to regulate the hours of employment and safeguard the health of females employed in the District of Columbia." (Public, No. 60, 63d Cong.)

SEC. 9. That the board is hereby authorized and empowered to ascertain and declare, in the manner hereinafter provided, the following things: (a) Standards of minimum wages for women in any occupation within the District of Columbia, and what wages are inadequate to supply the necessary cost of living to any such women workers to maintain them in good health and to protect their morals; and (b) standards of minimum wages for minors in any occupation within the District of Columbia, and what wages are unreasonably low for any such minor workers.

SEC. 10. That if, after investigation, the board is of opinion that any substantial number of women workers in any occupation are receiving wages inadequate to supply them with the necessary cost of living and maintain them in health and protect their morals, it may call and convene a conference for the purpose and with the powers of considering and inquiring into and reporting on the subject investigated by the board and submitted by it to such conference. The conference shall be composed of not more than three representatives of the employers in such occupation, of an equal number of representatives of the employees in such occupation, of not more than three disinterested persons representing the public, and of one or more members of the board. The board shall name and appoint all the members of the conference and designate the chairman thereof. Two-thirds of the members of the conference shall constitute a quorum, and the decision or recommendation or report of the conference on any subject submitted shall require a vote of not less than a majority of all its members.

The board shall present to the conference all the information and evidence in its possession or control relating to the subject of the inquiry by the conference, and shall cause to be brought before the conference any witnesses whose testimony the board deems material.

SEC. 11. That after completing its consideration of and inquiry into the subject submitted to it by the board, the conference shall make and transmit to the board a report containing its findings and recommendations on such subject, including recommendations as to standards of minimum wages for women workers in the occupation under inquiry and as to what wages are inadequate to supply the necessary cost of living to women workers in such occupation and to maintain them in health and to protect their morals.

In its recommendations on a question of wages the conference (1) shall, where it appears that any substantial number of women workers in the occupation under inquiry are being paid by piece rates as distinguished from time rate, recommend minimum piece rates as well as minimum time rate and recommend such minimum piece rates as will, in its judgment, be adequate to supply the necessary cost of living to women workers in such occupation of average ordinary ability and to maintain them in health and protect their morals; and (2) shall, when it appears proper or necessary, recommend suitable minimum wages for learners and apprentices in such occupation and the maximum length of time any woman worker may be kept at such wages as a learner or apprentice, which wages shall be less than the regular minimum wages recommended for the regular women workers in such occupation.

SEC. 12. That, upon receipt of any report from any conference, the board shall consider and review the recommendations, and may approve or disapprove any or all of such recommendations, and may resubmit to the same conference, or a new conference, any subject covered by any recommendations so disapproved.

If the board approves any recommendations contained in any report from any conference, it shall publish a notice, once a week, for four successive weeks in a newspaper of general circulation printed in the District of Columbia, that it will, on a date and at a place named in the notice, hold a public hearing at which all persons in favor of or opposed to such recommendations will be heard.

After such hearing the board may, in its discretion, make and render such an order as may be proper or necessary to adopt such recommendations and carry them into effect, requiring all employers in the occupation affected thereby to observe and comply with such order. Such order shall become effective 60 days after it is made. After such order becomes effective, and while it is effective, it shall be unlawful for any employer to violate or disregard any of its terms or provisions, or to employ any woman worker in any occupation covered by such order at lower wages than are authorized or permitted therein.

The board shall, as far as is practicable, mail a copy of such order to every employer affected thereby; and every employer affected by any such order shall keep a copy thereof posted in a conspicuous place in each room in his establishment in which women workers are employed.

SEC. 13. That for any occupation in which only a minimum time-rate wage has been established, the board may issue to a woman physically defective or crippled by age or otherwise impaired, a special license authorizing her employment at such wage less than such minimum time-rate wage as shall be fixed by the board and stated in the license.

SEC. 14. That the board may at any time inquire into wages of minors employed in any occupation in the District of Columbia and determine suitable wages for them. When the board has made such determination it may make such an order as may be proper or necessary to carry such determination into effect. Such order shall become effective 60 days after it is made; and after such order becomes effective and while it is effective it shall be unlawful for any employer in such occupation to employ a minor at less wages than are specified or required in or by such order.

SEC. 15. That any conference may make a separate inquiry into and report on any branch of any occupation, and the board may make a separate order affecting any branch of any occupation.

SEC. 16. That the board shall from time to time investigate and ascertain whether or not employers in the District of Columbia are observing and complying with its orders, and shall report to the corporation counsel of the District of Columbia all violations of this act.

SEC. 17. That all questions of fact arising under the foregoing provisions of this act shall, except as otherwise herein provided, be determined by the board, and there shall be no appeal from the decision of the board on any such question of fact; but there shall be a right of appeal from the board to the Supreme Court of the District of Columbia from any ruling or holding on a question of law included or embodied in any decision or order of the board; and, on the same question of law, from such court to the Court of Appeals of the District of Columbia. In all such appeals the corporation counsel shall appear for and represent the board.

SEC. 18. That whoever violates this act, whether an employer or his agent, or the director, officer, or agent of any corporation, shall be deemed guilty of a misdemeanor; and, upon conviction thereof, shall be punished by a fine of not less than $25 nor more than $100, or by imprisonment not less than 10 days nor more than 3 months, or by both such fine and imprisonment.

SEC. 19. That any employer and his agent, or the director, officer, or agent of any corporation, who discharges or in any other manner discriminates against any employee because such employee has served or is about to serve on any conference, or has testified or is about to testify, or because such employer believes that said employee may serve on any conference or may testify in any investigation or proceedings under or relative to this act, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not less than $25 nor more than $100.

SEC. 20. That any act which, if done or omitted to be done by any agent or officer or director acting for such employer, would constitute a violation of this act, shall also be held to be a violation by the employer and subject such employer to the liability provided for by this act.

SEC. 21. That prosecutions for violations of this act shall be on information filed in the police court of the District of Columbia by the corporation counsel.

SEC. 22. That if any woman worker is paid by her employer less than the minimum wage to which she is entitled under or by virtue of an order of the board, she may recover in a civil action the full amount of such minimum wage, less any amount actually paid to her by the employer, together with such reasonable attorney's fees as may be allowed by the court, and any agreement for her to work for less than such minimum wage shall be no defense to such action.

SEC. 23. That this act shall be known as the "District of Columbia minimum-wage law." The purposes of the act are to protect the women and minors of the District from conditions detrimental to their health and morals, resulting from wages which are inadequate to maintain decent standards of living, and the act in each of its provisions and in its entirety shall be interpreted to effectuate these purposes.

Mr. JOHNSON of Kentucky. Mr. Chairman, the gentleman from Colorado [Mr. HILLIARD] will have charge of the bill, and I yield my time to him.

The CHAIRMAN. The gentleman from Colorado is recognized for an hour.

Mr. HILLIARD. Mr. Chairman, I yield 15 minutes to the gentleman from Colorado [Mr. KEATING], the author of the bill.

Mr. KEATING. Mr. Chairman, this is a bill to establish a minimum-wage board in the District of Columbia. The bill is based on the Oregon law, which has been sustained by the courts of that State and by the Supreme Court of the United States. Therefore there is little question as to the legality of this legislation. The need of the legislation, so far as the District of Columbia is concerned, is shown by the report made by the Bureau of Labor Statistics of the Department of Labor, acting under a resolution adopted by this House.

The subcommittee of the Committee on the District of Columbia, which considered this bill, has submitted a very full

and interesting report to the House, which was prepared by my friend and colleague, Mr. HILLIARD, of Colorado. I would ask every Member of the House to read that report, because I believe it contains all the information needed for the proper consideration of this bill.

It is significant that for the first time in the history of legislation of this character employers and employees have been able to come together on a satisfactory bill. When the committee was holding its hearings the first witness to appear was the representative of the Business Men's Association of the District of Columbia, Mr. Columbus. He represented practically all the business concerns which would be subject to this act, and he assured the committee that the business men, after examining the legislation, were convinced it was fair. The committee also heard from the representatives of workers in various industries, representatives of the American Federation of Labor, and social workers who devote special attention to women and children in industry.

Mr. LONGWORTH. Will the gentleman yield?

Mr. KEATING. Yes.

Mr. LONGWORTH. Does the bill include women employed as domestic servants?

Mr. KEATING. That would be a matter to be determined by the board. If the gentleman will read the bill——

Mr. LONGWORTH. I have read the bill.

Mr. KEATING. It is within the power of the board to consider various industries, one at a time. It would, I think, be within the power of the board, if it saw fit after proper investigation, to consider the condition of those engaged in domestic service.

Mr. LONGWORTH. The board could class that as one of the industries?

Mr. KEATING. I presume so.

Mr. LONGWORTH. Does the gentleman think that is advisable? There is a provision compelling every employer to register every employee and the amount of the wages. Does the gentleman think that would be advisable, to compel the employer of women servants to register their names and the amount of their wages?

Mr. KEATING. I do not know that any employer would object to it. In the first place, the gentleman will bear in mind—because the objection was urged with some force by a lady who visited my office—the only thing the legislation provides is that the worker shall be given a living wage. That is the basis of the whole thing.

I submit that the man or woman who desires a servant should be prepared to pay that worker a living wage, and I know the gentleman from Ohio [Mr. LONGWORTH] agrees with me that the person who can not afford to pay a servant a sufficient amount to enable the servant to live decently should be compelled to do his or her own work.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. KEATING. In a moment. As far as I know, no board clothed with these powers has undertaken to go into the problem of domestic servants which, as the gentleman will recognize and as I recognize, is very intricate.

Mr. WALSH. I think the gentleman has already answered that which I was about to ask, and that is whether in Oregon or any of these 10 other States domestic service, or the work which servants do, has been classed as an industry?

Mr. KEATING. So far as I know it has not been.

Mr. WALSH. So that there is no precedent for the board created by this act to class that occupation as an industry.

Mr. KEATING. No; there is no precedent, and I confess that I can see where the matter might be argued. It would be a matter, it seems to me, for the board first of all to decide, and it is entirely conceivable that eventually that might be subjected to judicial review, but the measure is drawn in such a way as to safeguard the rights of the employer quite as much as the rights of the employee.

Mr. LONGWORTH. Is the Government also regarded as an employer?

Mr. KEATING. I do not think the Government would be regarded as an employer under this act. At least, there is no necessity, in my judgment, for any such provision as that, and it was not so intended.

Mr. CANNON. Mr. Chairman, will the gentleman yield?

Mr. KEATING. Yes.

Mr. CANNON. I have not read the bill, but is it designed to fix the hours of labor?

Mr. KEATING. No. Perhaps it would be well for me to tell just what the bill does. The bill, first of all, is designated to safeguard women and children in industry. It does not go outside of that. The wage to be determined is the minimum wage, the living wage, the irreducible minimum, below which you can not sustain life and live in a decent American way.

The bill provides that the Commissioners of the District of Columbia shall appoint a commission consisting of three members, and in that connection the bill states that, as far as practicable, the members of the board shall be so chosen that one "shall represent the interests of the employing class, one the interests of the employee class, and the third will be fair and impartial between employers and employees and work for the best interests of the public as a whole."

The board may call a conference for the purpose of considering and reporting on the subjects suggested by the board and submitted by it to such conference.

The conference shall be composed of not more than three representatives of the employers in the occupation under consideration, of an equal number of representatives of the employed in such occupation, and of not more than three disinterested persons representing the public, and of one or more members of the board.

This conference shall meet and go over all the evidence in connection with conditions in the particular occupation or industry under consideration, and then make a report to the board. The board may accept that report or reject it, but can not change the figures contained in the report. If the board approves the report, it has power under the provisions of this act to enforce that finding.

Mr. ROSE. Mr. Chairman, will the gentleman yield?

Mr. KEATING. Yes.

Mr. ROSE. The gentleman is a newspaper man himself, and I desire to call his attention to the provisions of section 12, on page 9, wherein it is provided that notice of any recommendations of the board contained in any report from the conference shall be published for four successive weeks in a newspaper of general circulation in the District of Columbia.

I can see trouble arising from such a condition. That is, it is possible that any single newspaper may publish itself as an official newspaper of the District of Columbia, and I suggest the advisability of having the conference reports published in not less than three newspapers of general circulation in order to avoid the difficulty likely to arise, and which is usual under such conditions.

Mr. KEATING. The object in confining it to one newspaper, of course, was to save money. Although I am a newspaper man and am in sympathy with the urgent need of securing funds for the business offices of newspapers, yet I feel that we should restrict expenditures as much as possible under this law. Personally, I think the insertion in one newspaper of general circulation would be sufficient and would not authorize the newspaper to call itself an official organ.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. KEATING. Yes.

Mr. MOORE of Pennsylvania. The title of the bill provides that it is to protect the lives, the health, and the morals of women and minor workers in the District of Columbia. I have been wondering, since this bill has received a great deal of public attention, whether you are not going too far in this undertaking to protect or regulate the morals of women in a minimum wage bill.

Mr. KEATING. I think this is a clear exercise of the police power of the Government, and the language used was taken, as I recall it, from the Oregon law, in order, as the lawyers put it, that we might not venture too far afield and might be quite sure of the constitutionality of the act.

Mr. MOORE of Pennsylvania. Well, the suggestion might be that only the poorer class is immoral?

Mr. KEATING. No; the gentleman, I am sure, fully agrees with me that when it comes to the question of morals the poor may well stand a comparison with the rich, and I am sure when the gentleman considers this bill that he will appreciate that we are not making any attempt to create a "snooping" committee to go out and investigate the morals of the poor. I think the gentleman knows me well enough to know that I would be the last to join in such an expedition. This bill is just what it purports to be on its face, and that is a bill designed to give to women and children who work a living wage.

Mr. MOORE of Pennsylvania. Then why raise the question of morality at all?

Mr. KEATING. Because we are doing it under the police power, and the lawyers drafted the title, which I assume——

The CHAIRMAN. The time of the gentleman has expired.

Mr. HILLIARD. I will yield the gentleman five minutes additional.

Mr. MOORE of Pennsylvania. If the gentleman will yield for a moment more. This is an interesting question and it is an important one. Some time ago the Congress passed a bill the

purpose of which was to correct the morals of the people of the District of Columbia. The gentleman knows that bill very well. Why again refer to the question of morals? The wage question and the question of the morals of the people——

Mr. KEATING. Oh, I fully agree——

Mr. MOORE of Pennsylvania. Then why put it in the bill at all?

Mr. KEATING. Because the language used here is the language used in the Oregon act, as I say.

Mr. MOORE of Pennsylvania. Does not the gentleman think we should have some originality in the Congress of the United States in matters of this kind?

Mr. KEATING. The gentleman is quite right, but, nevertheless, I think we may, with propriety, say that the purpose of the bill is to protect the lives, health, and morals of the women and children engaged in industry by giving them a living wage, but there is absolutely nothing in it to suggest——

Mr. MOORE of Pennsylvania. That far we agree——

Mr. KEATING. I can assure the gentleman that if he will consult with those who are to be benefited by the enactment of this act he will find that they are not raising objections to the title of the bill.

Mr. MOORE of Pennsylvania. I hope the gentleman does not think I am trying to impede the passage of the bill.

Mr. KEATING. I acquit the gentleman of any such intention.

Mr. MOORE of Pennsylvania. The gentleman said a little while ago that the report of the committee, made by the gentleman from Colorado [Mr. HILLIARD], went fully into this subject and constitutes an explanation of the bill.

Mr. KEATING. A very excellent explanation.

Mr. MOORE of Pennsylvania. Will the gentleman state whether there has been any complaint of immorality arising in the District of Columbia since the passage of the so-called Kenyon law?

Mr. KEATING. The gentleman from Colorado has no information on that subject, and of course the question of the regulation of the red-light district has nothing to do with this bill.

Mr. MOORE of Pennsylvania. The gentleman's bill proposes to protect the morals of women——

Mr. KEATING. By the enactment of the minimum-wage law. I think every Member of the House appreciates the real object of the bill.

Mr. WALSH. Will the gentleman yield?

Mr. KEATING. I will yield to the gentleman from Massachusetts.

Mr. WALSH. The gentleman stated the Oregon law has been upheld by the Supreme Court of the United States. I notice that it was upheld by an equally divided court, and there is no opinion written in the case. I want to ask the gentleman if he contends as the author of this measure that because the State of Oregon has the right to enact a minimum-wage law applying to persons employed in Oregon, the Congress would therefore have the right to enact a similar law as applied to the District of Columbia?

Mr. KEATING. Personally I have no doubt about the constitutionality of this bill.

Mr. WALSH. Does the gentleman think because the Oregon law was held constitutional therefore this law would be so held?

Mr. KEATING. I think that fact would carry a great deal of weight.

Mr. FESS. Will the gentleman yield for a question?

Mr. KEATING. I will.

Mr. FESS. There is no attempt in the law to fix a minimum wage?

Mr. KEATING. No; it merely provides the machinery by which the minimum wage may be determined, as I explained a few minutes ago, by the creation of the conferences on which employers and employed are represented. This is the system which prevails in Massachusetts and in other States, and the results have been so extremely gratifying——

Mr. FESS. May I ask if the board that you create by the law is supervisory or has it power to make a contract? Will the board interfere with the contract before it is made and be a party to the contract, and do they supervise?

Mr. KEATING. The board names the members of a conference committee. The conference committee looks into all the facts in relation to a certain occupation or industry, and as the result of that investigation reports a minimum wage to be paid to women in that industry. The minimum wage board provided for in this bill has the power to either accept or reject that finding, but can not change the finding. We will suppose the board fixed $8.50 a week as the minimum wage for women employed in the department stores as saleswomen; the minimum wage board can not make it $8 or $9 a week, but might reject the report and appoint a new conference made up as the first conference was. In case of acceptance the board would be charged with the duty of seeing to it that the finding was enforced.

Mr. FESS. The acceptance of the board would make it a contract enforcible under the law, and any refusal to respect the contract will be subject to a penalty fixed in the law?

Mr. KEATING. The penalty is provided here. Any employer violating the law would be subject to penalty.

Mr. FESS. Does the gentleman say we have already such laws in some of the States?

Mr. KEATING. You have such laws in 12 States, namely, Arizona, Arkansas, California, Colorado, Kansas, Massachusetts, Minnesota, Nebraska, Oregon, Utah, Washington, and Wisconsin. They are not identical by any means, but they are all along the same general lines. The Oregon law was the one that attracted most attention and was finally carried to the Supreme Court of the United States. Massachusetts has proceeded along these same general lines, but in the Massachusetts law there is no penalty for the violation of the decrees of the minimum-wage board. We place the penalty here so that the finding may be enforced. It may interest the House to know that according to the very best authorities a majority of the women in industry are working for less than a living wage. It is estimated by those who have gone into the subject that between 50 and 60 per cent of the women who work day in and day out are drawing less than a living wage, and the conditions found here in the District of Columbia were quite as bad as those developed elsewhere. The investigators of the Bureau of Labor Statistics found that almost one-half of the 600 women workers interviewed and questioned as to their income and expenditures earn less than $8 per week. Over two-thirds earned less than $10 a week.

This low wage was not owing to their youth and inexperience—

Says the report of the committee—

for 72 per cent were 21 years of age or older, and one-half of those earning less than $9 per week had been at work for five years and more.

So the necessity for the enactment of this kind of a law here in the District of Columbia has been amply demonstrated by a thorough investigation conducted by authority of Congress. The legality of the law is sustained by the Supreme Court of the United States, and the sufficiency of the remedy is demonstrated by the experience of a number of States.

Mr. FESS. One more question, if the gentleman will permit. Does the law apply to the people working in the District of Columbia as disassociated from those working for the Government?

Mr. KEATING. Those in Government employ are not affected.

Mr. REED. In the occupations investigated I want to know if the women engaged in domestic service in the District of Columbia were included in the investigation?

Mr. KEATING. I can not state offhand. It was a general investigation, however, and an endeavor was made to cover all occupations.

Mr. REED. Does not the gentleman think that on page 6, lines 12 and 13, where in referring to the standard of minimum wages for "women in any occupation," that that language would include practically any occupation where women were employed, domestic service as well as other service?

Mr. KEATING. Yes. As I stated in answer to another inquiry, I think under this law, if the board saw fit, it might deal with the wages of domestic servants.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

Mr. HILLIARD. I yield to the gentleman two minutes more.

Mr. COX. I would like to ask the gentleman about how many women in the District this would affect now, according to the hearings before the committee?

Mr. KEATING. I do not think the number of women affected has been secured. It is possible the chairman of the subcommittee might be able to give you the information.

Mr. COX. I did not know but probably a census had been taken.

Mr. KEATING. It is possible the figures have been put in.

Mr. COX. Was there anything before the committee as to how many minors would be affected by it?

Mr. KEATING. No. I do not think we had those figures. My impression is that the only figures available are those secured from the last census.

Mr. WATSON of Pennsylvania. If a woman is not satisfied with the wages she is receiving here in the department stores, say, would this law permit her to apply to the commissioners?

Mr. KEATING. The commissioners would have no power to regulate an individual's wages in the sense that if a woman were dissatisfied she might go to the commissioners and say, "I do not think I am getting a sufficient wage, and will you please see to it I get more?" There is nothing of that kind contemplated in this law.

Mr. WATSON of Pennsylvania. How is it going to protect a single woman?

Mr. KEATING. It would have to be taken up as an occupation or industry, and all the women engaged in that industry would have to be considered and the minimum wage would be fixed for all women in that industry.

Mr. WATSON of Pennsylvania. Then all the women, or a sufficient number, would have to petition?

Mr. KEATING. In all probability when this legislation is enacted the first thing to be done would be to take up the condition in the department stores.

Mr. WATSON of Pennsylvania. Suppose the women would not ask for it, would the commission take it up?

Mr. KEATING. The commission might proceed without being requested, but, as a rule, these minimum-wage commissioners will be kept busy taking care of petitions from the various industries. And this fact has been demonstrated, beyond the shadow of a doubt, that it has brought employer and employee together. When they sit around the table and discuss conditions in an industry, it does not take very long to ascertain what the minimum wage should be in that industry.

Mr. WATSON of Pennsylvania. May I ask one more question?

Mr. KEATING. And in none of these States have they had very serious difficulty.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

Mr. HILLIARD. Mr. Chairman, how much time have I used?

The CHAIRMAN. The gentleman has used 27 minutes.

Mr. HILLIARD. I would like the gentleman from Wisconsin to use some of his time.

Mr. CARY. I would like to get recognition in my own right.

Mr. HILLIARD. Mr. Chairman, I reserve the rest of my time.

Mr. GREEN of Iowa. Will that cut off others who desire to speak on this bill?

Mr. CARY. I am not opposed to the bill.

Mr. STAFFORD. There is no limit of time in general debate. Anybody can get recognition for an hour before general debate is closed.

Mr. CARY. I will yield to gentlemen on this side. I yield five minutes to the gentleman from Iowa [Mr. GREEN].

The CHAIRMAN. The gentleman from Iowa is recognized for five minutes.

Mr. GREEN of Iowa. Mr. Chairman, I am most heartily in favor of this bill. It is a step in the right direction, and one that we ought to have taken, in my judgment, long ago; a step that really ought to have been taken first in the District of Columbia. Instead of that, we have let a number of States get ahead of us, and, as the gentleman from Colorado [Mr. KEATING] has very well stated, so far as any report that I can get from any of the various States that have adopted it shows, it has proved highly successful and of great benefit in the States.

In the brief time that is allotted to me I wish to say only a few words with reference to the general proposition which is involved in the bill. The old doctrine of laissez faire has, I am glad to say, become almost obsolete. Even in England, where it originated, it has been repudiated. England has seen the effect of this theory in the deterioration of the physical and moral well-being of its workers. They found when they got into war that the physical condition of the average English workingman was far below what it ought to be, far below what the public had the right to expect, and far below what it might have been had proper care been taken of them in the way of general law. By her old-age pension law and other remedial measures England has shown that she no longer intends that the welfare of her workingmen shall be permitted, like the price of commodities, to be governed solely by the law of supply and demand.

There is one feature of laws of this kind in regard to which I wish to speak most particularly. Gentlemen have noticed from the report that accompanies the bill that, far from being opposed to the bill, the Merchants and Manufacturers' Association of this city have come to its support. They have a reason for this, and a very excellent reason. I believe that the average employer wants to treat his employees fairly and wishes to give them a proper and a living wage, but as long as there are some in competition with him who do not, who wish to grind down their employees to the last cent and care nothing about their well-being, either morally or physically, he is then forced by competition to pay the same wages that they pay and drag his employees down to the same level, although this may be the last thing that he desires.

Now, by reason of this bill, if wages are fairly adjusted all over the District, every employer then can pay a fair and living wage. If he is not willing to do that, he will be compelled to do so, and those who have all the time desired to do that will be able to do so and meet competition on his part.

So far as the public is concerned, I do not believe that it will cost the public anything; but if it did cost the public anything the public ought to, and I believe will gladly, pay the expense. The reason why I believe it will not cost the public anything is because I think that those who are mean enough to mistreat their employees in the matter of wages, to grind them, as I said, down to the last cent for which they could obtain their labor, owing to the conditions which they had to meet—parties that will do this will, if possible, put into their own pockets whatever they are able to sweat from the brows of those that work for them. Consequently, although the sweat shop is created with all its evils, the public pays no less for its products, unless they are of inferior quality.

This bill is necessary, because those who apply for employment can not have the matter determined on the basis of fairness or the returns which they will give for the pay which is granted them. They are often compelled to take whatever the employer offers them. They do not deal on equal terms with the employer. He is, as a rule, in a position to dictate the terms of the agreement, to say what he will pay and no more. The employees, as a rule, have no option. Having no independent means, they must work to make a living. All the time there stares them in the face the necessity of obtaining bread and butter for the morrow, and if they can not obtain it at the desired wage they must take that which they can get, whatever it may be and however low it may fall. The inevitable consequences have been shown, not only in England, as I said, but also in our own country. A wage upon which the employee can not live in decency and in some degree of comfort inevitably tends to lower not only the physical standard, but the moral standard.

Mr. COX. Mr. Chairman, will the gentleman yield for a question?

Mr. GREEN of Iowa. Yes.

Mr. COX. Why not extend it to men as well as women?

Mr. GREEN of Iowa. I know of no objection to that; but in these matters we are compelled sometimes to move only a step at a time, and perhaps it is best in some of these matters that we should move slowly. But I spoke somewhat inadvertently when I said there was no reason why it should not be extended to men. I will qualify that and say there is a greater reason for extending it to the case of women and children.

Mr. COX. I think that is true.

Mr. GREEN of Iowa. There are not so many avenues of employment open to them; they have not so many opportunities to look about and make a choice and to refuse if the proper wage is not offered to them.

Mr. COX. I think the gentleman states the case well, but I can not see any valid reason why it should not be extended to men. Let me ask the gentleman another question for information. I have not looked into this question very much. Reference has been made to the States that have enacted laws on this question, as set out in the report. Do those laws apply only to women or to women and men?

Mr. HILLIARD. They apply only to women and children.

Mr. COX. Is that stated in the report as to the States that have enacted this legislation?

Mr. HILLIARD. Yes.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. LONGWORTH. Section 17 requires that no appeal shall be taken from the decision of the board on any such question of fact. It is hard to tell how far that goes. Does the gentleman think there will be no appeal from the wages set by the board, either to make the wage higher or lower?

Mr. GREEN of Iowa. No; I should not think so. I was not aware that this bill was coming up to-day. Consequently I have not studied it as carefully as I would have studied it if I had known it was to be made the order for to-day; but my offhand opinion as a lawyer would be that appeals would not be absolutely concluded in that way, because the question of the wage would be a mixed question of law and fact.

Mr. LONGWORTH. It is possible that it might be a mixed question, but not necessarily.

Mr. GREEN of Iowa. Not necessarily.

Mr. LONGWORTH. And if you enact a law providing that no appeal shall be taken from the board on any question of fact, I think it is going a little too far. I think the court on appeal ought to be able to consider questions both of law and of fact as to conclusions reached and wages fixed by the board.

Mr. GREEN of Iowa. I hardly think the court would be as well qualified to determine a question which was purely one of fact as the board would be, which is expected to make a special study of all these questions and make its findings from a somewhat broader view of the situation than the court would take as to questions of fact. The questions of law, of course, should be left to the court. At this time, speaking without mature deliberation, which might change my view, my opinion is that the question of what would be a living wage would be a question of fact only, but that regulations to enforce the payment thereof would involve legal questions.

Mr. ROSE. Will the gentleman yield?

Mr. GREEN of Iowa. I yield to the gentleman from Pennsylvania.

Mr. ROSE. Does not the gentleman think the result of the hearings of this board will make the wages in the District of Columbia higher than anywhere else in this country? I notice by the papers that the cost of living in the District of Columbia is from 30 to 40 per cent higher than at any other place in this country.

Mr. GREEN of Iowa. That may be the result, but that does not alter my desire to see the bill become a law.

Mr. ROSE. I agree with the gentleman in that this bill in many of its provisions should be enacted into law.

Mr. GREEN of Iowa. While I think it is possible that that will be the result, I do not think it ought to be the result. I think this Congress ought to do something to regulate the cost of living in the District of Columbia. There is no reason why it should be so much higher than elsewhere, except that profiteering is rampant. Incidentally I will say that I have in my pocket a list of prices of articles of necessity, published in my own town, and if it would not take too much of the time of the committee I should like to call attention to the items of that list, showing that prices there are from 20 to 50 per cent less than here, especially on meats, when there ought to be very little difference in the prices there and in this town. I hope that question will engage the attention of the proper board in this city at some time in the near future. It is a matter in which we are not only interested personally, but we are interested on behalf of all the people of the city.

Mr. REED. Will the gentleman yield for a question about the bill?

Mr. GREEN of Iowa. Yes.

Mr. REED. The author of the bill stated that the board would evidently be kept very busy. The act provides that the members of the board are to receive no salary for their services. Does the gentleman believe we can always have an efficient board in view of that fact, and that it will be imbued with enough of the spirit of altruism to enable it to perform intelligently this service at all times?

Mr. GREEN of Iowa. I think so, on a matter of this kind. We have perhaps sometimes underrated the patriotism of the people of this country. In England they have boards and high commissions whose members, as a rule, receive no salaries whatever, although their duties may take all the time of men of high standing and important business connections. I believe the same thing could be done in this country, especially in a matter of this kind, which would very naturally excite the sympathy and altruistic spirit of those engaged in it. I believe the proper persons can be obtained to carry on the business of the board without any salaries. If salaries were appended to these positions I think naturally it would somewhat tend to lower their real standing. I would like to see those on the board serve without compensation, unless indeed it became necessary in order that the working people should have a proper representation upon the board.

Just one minute more. I am very glad to see this bill come before the House with the unanimous support of the committee on the affairs of the District, and I commend them most heartily for their action. There is no work more needed, no duty more pressing upon us at this time, than to see that in this great crisis of affairs the physical and moral welfare of the working people is taken care of so far as the exigencies of the occasion will admit, and I earnestly support the bill for that reason. [Applause.]

Mr. CARY. I yield five minutes to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE of Pennsylvania. Mr. Chairman, I commend the gentleman from Colorado [Mr. KEATING] for having introduced this bill, and I think he misunderstood the questions I put to him a little while ago about one or two phases of it. To me it seems to be entirely unnecessary and gratuitous to include in the title of the bill or in the body of the bill a suggestion that it is an attempt to regulate the morals of women who have to work. That seems to be an unfair and unnecessary reflection upon those who are less favored in this world than some of their wealthier sisters. The title sets out that the bill is to protect the lives, health, and morals of women and minor workers. It would be quite sufficient to say that it is a bill to protect the lives and health of women and minor workers and leave out the question of morals altogether, because that is a matter that can not well be regulated by law.

Mr. REED. Would the gentleman substitute "social conditions," or something of that kind, which would be a milder term?

Mr. MOORE of Pennsylvania. I do not like that, either, because I do not like the suggestion that because women are obliged to work therefore you must legislate with respect to their morals or their personal rights.

Mr. WHITE of Maine. Does the gentleman doubt that the necessity for protecting the lives and health of the women is a sufficient justification for the law without any regard to the question of morals?

Mr. MOORE of Pennsylvania. I think it is quite sufficient to say that the bill is intended to protect the lives and the health of women and minor workers in the District of Columbia.

Mr. WHITE of Maine. Is not that of itself sufficient to justify the legislation?

Mr. MOORE of Pennsylvania. I think so.

Mr. WHITE of Maine. Right in that connection, if I am not trespassing too much on the gentleman's time, section 9 provides that this board is authorized to ascertain and declare standards of wages and what wages are inadequate to protect the morals of women.

Mr. MOORE of Pennsylvania. That implies an inquiry by the board which, I presume, would be sufficient.

Mr. WHITE of Maine. Right in that connection, the bill provides that this conference shall be called, and is not that in and of itself almost an indictment of the morals of the class of employees into which they are inquiring?

Mr. MOORE of Pennsylvania. I should think so.

Mr. WHITE of Maine. It seems so to me.

Mr. MOORE of Pennsylvania. I do not know how far I shall carry my opposition to the bill on that ground. I am inclined to favor the purpose of the bill. I think the purpose is commendable, and I have commended the gentleman from Colorado, who is generally active in these matters, for having introduced the bill, but he has followed blindly the act of the Legislature of the State of Oregon. My contention is that the Congress of the United States ought to be sufficiently big of itself to originate legislation of this kind without necessarily following the language of the Oregon Legislature.

Mr. KEATING. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. KEATING. The gentleman recognizes that it is desirable, where it is possible to do it, to adopt the language which has been construed by the courts. At least, that seems to be the opinion of competent attorneys. I want to say to the gentleman that I am in complete accord with the position he has taken, and I will readily join with the gentleman in eliminating anything from the bill which can be construed in any way as a reflection upon the morals of those who are to benefit from this legislation, because that was not the intent of those who drafted it. The sole purpose of placing the language in the bill was to bring it within the decision of the Supreme Court, and the courts have held that Oregon has the power to enact legislation for the purpose set forth in the title of the bill, and those interested in the bill felt that we ought to adhere to the language and not take a chance that the Supreme Court might change its mind.

Mr. MOORE of Pennsylvania. I am pleased the gentleman from Colorado has made that statement, and I want to say just this, that inasmuch as this bill now, if it goes through, which I presume it will, will be sanctioned by the Congress of the United States and held up as a model to all the States of the Union, in addition to Oregon, it might be well for the Congress to exercise a little discretion in regard to the language, as well as the effect of the bill. Apart from the question of morals, which we have discussed sufficiently, I want to call attention to section 2 and say that I can not quite agree with the language in that section. We do not want to pass legislation in Congress that will be a reflection upon the morals of the working people. Neither would we want to pass legislation here which would sanction the calling of one part of our people a class as distinguished from another part of our people. But section 2 does this very unusual thing of defining classes, something I do not approve of in any

sense. The gentleman from Colorado in his argument made a little while ago said that one of the advantages of this bill would be that it would group around the council table employers and employees, and that they would get to know each other better.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. CARY. I yield to the gentleman five minutes more.

Mr. MOORE of Pennsylvania. And to that argument of the gentleman from Colorado I subscribe most heartily. But take section 2 as presented, it is provided that when you come to make up this minimum wage board, one of the members shall represent the interest of the employing class. Now, the word "class" is unnecessary in this connection, because the use of it, rather than tending to bring the elements together, would tend to separate them at once. It goes on further to say, "and the other shall be one of the interests of the employed class." Again, I say that that word is out of place. It separates the very people we want to bring together.

When we come to the second section I intend to offer an amendment striking out the word "class," because I think it is unnecessary and dangerous. Rather than help to bring the elements together around the council table, as suggested by the gentleman from Colorado, it will have a reverse tendency. This great country of ours is not a country of classes.

Mr. REED. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. REED. Might not one of these women employed at good wages in a department be an employer herself of labor at home and thereby in both classes?

Mr. MOORE of Pennsylvania. That is very likely to happen. I venture to say that there are thousands of women in the District of Columbia obtaining relatively high wages as Government employees who go home and give orders themselves to those they employ. It would be very harsh of the law to say that a woman who is employed in Government service belongs to one class and the woman who does the household work to another class and the employer in a third class. It is un-American.

Mr. FESS. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. FESS. The gentleman would not object if you should say "one as the representative of the employers and the other as the representative of the employees."

Mr. MOORE of Pennsylvania. No; that it what I was going to suggest.

Mr. FESS. We have in recent legislation done just that thing.

Mr. MOORE of Pennsylvania. When we come to it, I shall offer an amendment which will eliminate the word "class."

I want to illustrate. Workmen employed in the industries who are vital to the prosecution of the war do not like to be called servants, neither do they like to recognize those who employ them as "masters." For a long time the word "master" was applied to various associations of employers, but it became repugnant to those who were employed, and gradually the word "master" was eliminated from the titles of such associations. These words as applied to employers and employees have gone out in modern nomenclature, although the terms "master and servant" are still technically familiar to you gentlemen of the bar. "Master and servant" are no longer American terms. They are entirely foreign to the Government of the United States, which is now contending for a world democracy. "Master" and "servant" and "class" are terms belonging to the feudal age. They are too aristocratic for a democratic Republic. I trust that when the time comes the gentlemen who brought in the bill will consent to have the word "class" stricken out.

I also hope the gentleman from Colorado [Mr. KEATING] will not misunderstand the questions I put to him a little while ago. They were put in good faith and tended to show, as his statement since made tends to show, the wisdom of a little discussion of bills of this kind. I have no purpose to carp over the bill and every desire to pass it, so far as the main purpose of it is concerned.

The CHAIRMAN. The time of the gentleman from Pennsylvania has again expired.

Mr. ROSE. Mr. Chairman, I desire to ask the gentleman a question.

Mr. CARY. I yield two minutes more to the gentleman.

Mr. ROSE. Mr. Chairman, recurring to the former discussion in respect to the word "morals" is it not generally believed that the low wages usually paid to girls has a tendency to their immorality.

Mr. MOORE of Pennsylvania. I think that impression has been spread broadcast.

Mr. ROSE. I would like to see that impression blotted out.

Mr. MOORE of Pennsylvania. We have had numerous uplift societies, which in their reports convey that impression; but I would ask the gentleman if he thinks there is any more immorality among the poor than among the rich. That is the long and the short of it.

Mr. ROSE. I do not, but I always have thought that has been the general belief; that the wages paid to girls should be higher, in order to protect their morals; and I thought that was what this committee had in mind when they presented this bill.

Mr. MOORE of Pennsylvania. We will grant all that; but I will ask again, if the well-dressed girl is any more likely to be moral than the poorly dressed girl?

Mr ROSE. Not in my judgment.

Mr. MOORE of Pennsylvania. Then why raise the question at all?

Mr. ROSE. I am satisfied that it should be eliminated.

Mr. MOORE of Pennsylvania. I think it should go out of the bill. We are dealing with the question of wages and working conditions, and why drag in the question of morality in a way that reflects upon those who, in this instance, happen to be working people.

Mr. ROSE. It surely was never intended as a reflection of that kind.

Mr. MOORE of Pennsylvania. I am satisfied of that, since the gentleman from Colorado [Mr. KEATING] made his statement. I am satisfied that was not the purpose in using the phrase in this bill, and I trust the gentlemen will consent to have it go out.

Mr. ROSE. I am in hopes that the gentleman's remarks will result in having the word eliminated from the bill.

Mr. CARY. Mr. Chairman, I yield five minutes to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Chairman, the question of minimum wage is one in which I have been interested for a good many years. I recognize the basis upon which the claim is made and fully appreciate it. I also recognize the difficulty of administering such a law without doing some injustice both to the one employed as well as to those who employ. The matter came up in Ohio in 1912 in the constitutional convention of which I was a member. It was thoroughly gone into, and after having given it sympathetic study I came to the conclusion that we ought to write in the constitution the sanction for the legislature to pass laws fixing a minimum wage if the legislature could find a basis of operation which would make such a law justifiable. That was in 1912. The legislature, so far as individual members interest go, has had the matter up at different times, but up to the present time have never been able to work out a minimum wage law in our State which was sufficiently grounded to win the support of the legislature. To-day we have no such a law in the State, not primarily because there is opposition to it but because of the difficulty in working it out. From the nature of such legislation it can not be made workable in a large State in which such great variety of conditions exist where labor can not be made uniform throughout the State. So that the question of the minimum wage is not to me one of incidental or fugitive interest since it is one to which I have given a good deal of study. I think that this proposed law removes a good deal of the difficulty in administration by virtue of the fact that you are creating a board to sit upon the individual cases covering classes of employment and to make recommendations which have the force of law to which there is a penalty attached for its violation. This permits a variation in wage not only in classes of employment but localities, if not degrees of efficiency, all of which should be considered. That cures in a marked degree the difficulty that has always appealed to me when you come to make a general minimum law by which you say that a person shall not be employed at a less wage than a certain fixed amount. That has always been a stumbling block to me. It virtully eliminates the main qualifications which are sought by an employer, which makes one man or woman acceptable and another not, and which supply most of the enthusiasm of a workman.

Mr. CANNON. Mr. Chairman, will the gentleman yield?

Mr. FESS. I yield to the gentleman.

Mr. CANNON. I misunderstand the gentleman, I take it. This board that is proposed here will deal with individual cases?

Mr. FESS. It will deal not with individual cases, speaking of the employee, but it will with individual cases, speaking of the employer.

Mr. CANNON. For employment?

Mr. FESS. Yes.

Mr. CANNON. I would like to ask the gentleman: In many cases, especially about the universities and running around the high schools and frequently running around the common schools, people who are not able to get education but get their board or clothing or both, and sometimes some charity mixed with it, have certain employment. Would employment of that kind come under the terms expressed in this law?

Mr. FESS. I am not sufficiently acquainted with the requirements of the law to answer either affirmatively or negatively. The bill includes business, industry, trade, or any branch thereof.

Mr. CANNON. It seems to me it would not. It speaks of occupations. I think it would be an occupation if you take domestic duties. That would be an occupation although you board the party, perhaps board and clothe him?

Mr. FESS. Make that part of the wage.

Mr. CANNON. Precisely. I do not know, I am not opposing the policy of enacting that legislation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CARY. I yield the gentleman five minutes more.

Mr. FESS. I would say to my friend from Illinois that I have never had any sympathy with the suggestion that we make a law forbidding the individual to take less than a certain figure if he wanted to do so. I realize that the purpose of minimum wage legislation is to deal with the factory system and with groups of labor involved by modern industrialism, and with and for the sake of that class I have a great deal of sympathy with the agitation; but for me to vote for a law declaring that you nor I should be permitted to work for a less figure than is fixed in the law, no matter what may be my wish or circumstance, that is, without consulting my own position but simply because it is declared against public policy, and therefore the law, to work for a less figure, I have no sympathy with that sort of an argument or statement at all. Speaking individually, I know the road that one has to travel who has had to work his way through life. I know very distinctly if I had had to wait for employment until I could get a certain figure I would have gone without the means of advancement and would have become a subject of public charity. There is ample proof all about us what willingness to work for what service will command will bring in the end. In all probability most of us would have had no employment many times when we would have been glad to have been employed for what we could get if such a principle had been in vogue in our day. The basis of this legislation is, every worker who has nothing to sell except his labor should be paid a sufficient wage upon which he can live. That appears a humane and justifiable theory for which we should strive. But it should be economic rather than legal. The country owes that to him, and I have a great deal of sympathy for such a principle, but doubt its efficacy in statutory enactment. It must result from our industrial life that every person who has only his labor to sell should have a claim upon somebody to be employed at a wage upon which he can live. The proponents of this legislation demand this standard written into law, and while I admit that there is a great deal of sympathy in my make-up as to that, yet at the same time it is a question with me whether the Government owes me a living in the strict sense of the term, rather than I owe it to myself. It is rather a question whether I am worth what I can make and nothing more. Some people say they are worth so much whether they work or not—the Government owes it to them. I do not share with that view at all. I am worth what my ability will be able to command, and I do not believe in this artificial price fixing in legislation which says you are worth so much no matter whether your service commands it or not. I have no sympathy with that.

Mr. SAUNDERS of Virginia. Will the gentleman yield?

Mr. FESS. I will yield to the gentleman from Virginia.

Mr. SAUNDERS of Virginia. Having in mind what the gentleman says about the basic principle upon which this sort of legislation is supposed to be based, can the gentleman see the obligation on the part of society to furnish what is called a living wage attaches to any one form of labor more than another?

Mr. FESS. I can not.

Mr. SAUNDERS of Virginia. Then, if this is sound, this principle must be extended to every form of labor?

Mr. FESS. Most certainly it must.

Mr. SAUNDERS of Virginia. I am glad the gentleman agrees with me.

Mr. GREEN of Iowa. Will the gentleman yield for a suggestion on my own part?

Mr. FESS. I will.

Mr. GREEN of Iowa. It seems to me this kind of a law is based on the principle that the parties do not deal on terms of equality. If that be the case there may be certain conditions of sex and difference of age which would make the ratio of inequality greater and the necessity for the application of the law greater in certain instances. It has here been applied only to women and children, where it seems to me the necessity is greater. I think also there may be certain occupations in which the necessity will not arise, or the inequality might possibly be shifted from one side to the other, so that in certain instances it may be the employee actually had the advantage of the employer instead of the employer having the advantage of the employee. Therefore, if my friend will pardon me, I take a different view from what I inferred was taken by the gentleman from Virginia.

Mr. FESS. I think in legislation of this sort you ought not to discriminate. I have always opposed any legislation that sets out this or that class. That is one reason why I was originally opposed to what we call the Clayton bill——

The CHAIRMAN. The time of the gentleman has again expired.

Mr. FESS. May I have two minutes?

Mr. CARY. I yield two minutes additional to the gentleman.

Mr. FESS. I did not join with the membership of this House, and the membership was in a large majority, in the Clayton antitrust bill which would permit the prosecution of certain people for violating a certain law and exempt certain other people or classes of people for violating the same law. Such legislation is not only un-American, but it is vicious in its possibilities.

I think that is one of the most dangerous things that this or any other Government can ever enter upon in the form of legislation. For just as certainly as we are here, if we are willing to discriminate in favor of one class as against another in our legislation we must see the day come when that is opening up the way to be discriminated against in due time. And I think it is extremely dangerous that that particular legislation seemed quite popular.

That leads me to make this observation. I just take time to say that that sort of legislation which divides the citizenry of our country into groups is, in my judgment, basically unsound and fundamentally undemocratic, and we ought to studiously avoid it. If I may say so, that is the greatest danger which to-day confronts our American electorate, where you vote in groups and where you do not consider or consult the individual but consult simply the leader. Then the leader will have the ability, because of his influence as head of the group, to say to you, "You do this or I will do that," and so on. His vote is not one, but may be a thousand, or enough to be decisive, when group interest and not the larger public interest rules. That is a serious situation that confronts a democracy. It is legislating for one group as against another group, and is therefore discrimination, in violation of the principle that in a democracy all are equal under the law. In the interest of such principle and for that reason our legislation ought to be uniform. And, secondly, referring to what my friend from Pennsylvania said on the moral side, I fully agree that we do not want to enact any law that would be a reflection or an invitation to a sort of insult from one class as against another. But everybody will recognize that while moral legislation can not take place in this House upon moral grounds primarily, yet if you can find a civil reason for it and make that the basis of it, moral legislation is always legitimate, of course. As I said in the onset, this proposed bill does not fix a minimum wage. It does, however, create a board to consider all cases with reference to a minimum wage. It will operate as an intermediary body between employer and employee, an arbitration board, as it were, and find its decisions upon the facts of each case considered. I am therefore glad to give it my support.

Mr. PLATT. Mr. Chairman, this is an important bill and a good bill, and I think there should be a quorum here to listen to the discussion. I make the point of order that there is no quorum present.

The CHAIRMAN (Mr. CARTER of Oklahoma). The gentleman from New York makes the point of order that there is no quorum present. Evidently there is no quorum present. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Alexander	Black	Burnett	Carew
Anthony	Bland, Ind.	Butler	Carter, Mass.
Ashbrook	Booher	Caldwell	Chandler, Okla.
Austin	Bowers	Campbell, Pa.	Church
Bacharach	Britten	Candler, Miss.	Clark, Pa.
Baer	Browning	Caraway	Claypool

Connelly, Kans.	Goodall	McAndrews	Scott, Iowa
Cooper, Ohio	Gordon	McCormick	Scott, Pa.
Cooper, W. Va.	Gould	McFadden	Scully
Costello	Graham, Ill.	McKenzie	Sells
Crago	Graham, Pa.	McKinley	Shackleford
Cramton	Gray, N. J.	McLaughlin, Pa.	Sherwood
Currie, Mich.	Greene, Mass.	Madden	Siegel
Dale, N. Y.	Gregg	Maher	Sims
Dale, Vt.	Griffin	Mann	Sisson
Davidson	Hamill	Mason	Slayden
Davis	Hamilton, N. Y.	Mays	Slemp
Delaney	Haskell	Meeker	Sloan
Dempsey	Haugen	Merritt	Smith, Idaho
Denison	Hayden	Miller, Minn.	Smith, Mich.
Dent	Hayes	Morin	Smith, C. B.
Dewalt	Heaton	Neely	Smith, T. F.
Dies	Heintz	Nichols, Mich.	Snell
Dill	Hensley	Norton	Snyder
Dominick	Hersey	Olney	Stedman
Donovan	Hicks	O'Shaunessy	Steele
Dooling	Holland	Paige	Stephens, Nebr.
Doughton	Hollingsworth	Peters	Stevenson
Dowell	Hood	Polk	Strong
Drukker	Houston	Porter	Sullivan
Dupré	Howard	Powers	Sweet
Dyer	Husted	Price	Swift
Eagle	Igoe	Purnell	Switzer
Edmonds	Ireland	Ragsdale	Talbott
Elston	James	Raker	Templeton
Emerson	Johnson, S. Dak.	Ramsey	Thompson
Estopinal	Juul	Rankin	Tillman
Fairchild, G. W.	Kahn	Rayburn	Tilson
Farr	Kearns	Reavis	Treadway
Flood	Kehoe	Riordan	Vare
Flynn	Kelley, Mich.	Robbins	Voigt
Fordney	Kelly, Pa.	Roberts	Walton
Fosa	Kennedy, R. I.	Robinson	Ward
Francis	Key, Ohio	Rose	Watson, Va.
Frear	Kiess, Pa.	Rowe	Weaver
Freeman	Kincheloe	Rowland	White, Ohio
Fuller, Mass.	Knutson	Rucker	Williams
Gard	Kreider	Russell	Wilson, Tex.
Garland	LaGuardia	Sabath	Wood, Ind.
Gillett	Lehlbach	Sanders, Ind.	Young, N. Dak.
Glass	Linthicum	Sanders, La.	Young, Tex.
Glynn	Littlepage	Sanders, N. Y.	Zihlman
Godwin, N. C.	Lonergan	Sanford	

Thereupon the committee rose; and the Speaker having resumed the chair, Mr. BYRNS of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill (H. R. 12098) to protect the lives and health and morals of women and minor workers in the District of Columbia, and to establish a minimum-wage board, and define its powers and duties, and to provide for the fixing of minimum wages for such workers, and for other purposes, and finding itself without a quorum, he had directed the roll to be called, whereupon 220 Members—a quorum—had answered to their names, and he submitted a list of absentees for printing in the Journal.

The SPEAKER. The committee will resume its sitting.

The committee resumed its sitting.

Mr. CARY. Mr. Chairman, I yield 10 minutes to the gentleman from Kansas [Mr. CAMPBELL].

The CHAIRMAN. The gentleman from Kansas is recognized for 10 minutes.

Mr. CAMPBELL of Kansas. Mr. Chairman, it is easier to write the title of a bill like this than to write the body of the law that makes it enforceable.

A great question is raised here—that of a living wage. That has been a question through all the ages, and one in which society has never taken a sufficiently intelligent and serious interest. Society can well afford to take enough interest in a matter of this kind to do what is necessary to maintain a minimum wage throughout the entire body of society. It can not be done in selected or particular localities. The minimum wage can not be maintained above the minimum wage paid in near-by or competing communities or counties. In order to maintain, therefore, a living wage, a minimum wage, it is necessary to apply conditions throughout the body of society that will pay that minimum wage. In order to do that, many things must be taken into account. The product produced by the wage earner, the extent to which it is produced in competitive communities, the price that the product brings upon the market, must be taken into account in order to fix and maintain that wage.

I can see how sporadic cases here and there, where the wage does not depend upon the sale of a product that is produced by the wage earner, might be maintained at a higher minimum for a time than is paid to wage earners similarly employed elsewhere. I am speaking now of the fundamental principle underlying this great economic and sociological question. To maintain it there must be a minimum wage below which no employer employs labor at a lower rate of pay than the minimum wage paid in adjacent communities, or in countries where the product of labor similarly employed has access to the same market. If the District of Columbia, that is not an industrial community and has no industries of any consequence in which laborers are employed, fixes a minimum wage for Government clerks and salesmen in stores—and they should be named—and for domestic servants—and they should be so named if they are to be within the scope of the law—that condition may be maintained here in the District of Columbia for a time. But under the title of the act and under the body of the law proposed one is led to believe that it applies to industries that produce products that are offered upon the market for sale. Mr. Chairman, such products will be sold at the lowest price they can be sold for, or must be sold for, in order to be sold at all by the producer; the lowest price they can be sold for and give the employer of wage earners a sufficient profit on his industry to keep it running and pay the wages of the employees; and, second, that being out of the way, then the other question comes in—to enable him to sell his product, notwithstanding the fact that similar products, produced by labor similarly employed elsewhere, are sold upon equal terms in the same market in which he sells his product. These questions do not arise in the District of Columbia, but they are applicable when a minimum wage is considered for the entire body of society, with a view of raising the minimum wage throughout the world; because the products of the world from now on more than ever before will find their way into every accessible market. One of the great problems that immediately confronts the world to-day is the readjustment of society and of sociological conditions, so that, let us all hope, there will be a leveling up of mankind. It will take a high order of statesmanship to do this. It can not be done by denunciation and resolution.

Mr. LONDON. Will the gentleman yield for a question?

Mr. CAMPBELL of Kansas. Yes.

Mr. LONDON. Would not the thought of the gentleman be better served by the expression "elevating the masses" instead of "leveling up"?

Mr. CAMPBELL of Kansas. I do not object to the expression "elevating the masses."

Mr. LONDON. I thought that was what was in the gentleman's mind.

Mr. CAMPBELL of Kansas. Yes. I want to see the people of the whole world brought to the highest level that we have in the United States, and I want to see the lowest in the United States brought up to the highest level we have here. If that is done, I shall have no concern whether we have laws that by taxation bar the products of one part of the world from entering the markets of another section of the world on equal terms or not. If labor throughout the world is paid a similar wage, equal to the highest for producing a like product, then we can maintain a minimum wage throughout the world, and we can not maintain it until then.

Mr. WALSH. Will the gentleman yield?

Mr. CAMPBELL of Kansas. Yes.

Mr. WALSH. Does the gentleman believe that this problem of leveling up or elevating the masses is merely a financial problem?

Mr. CAMPBELL of Kansas. No; but it is a wage problem in a very large sense. After the employee is paid a wage of sufficient amount it will take him even then some time to get out of the atmosphere in which he has lived. For instance, the lowest paid laborer in the world has lived in an atmosphere in which the use and value of money is not fully appreciated, and it is doubtful if a high wage would have the desired effect on the laborer in one generation.

Mr. WALSH. If that be true, then the minimum living wage would be the same minimum for all classes and all industries, would it not?

Mr. CAMPBELL of Kansas. It ought to be the same for those similarly employed, but even then it is difficult to attain that result desired. It ought to be done if it can be. That is why I say this is a very great question, and that it is easier to write the title of this bill than it is to write the body of the law that makes the idea expressed in the title enforcible.

Mr. WALSH. My question was prompted by the statement of the gentleman from Colorado [Mr. KEATING] that all employees should be paid a living wage. Now, if that is the minimum, it ought not to cost a man who works at sweeping the street any more to live than it does the floor walker in a department store, or a person engaged in an office. Is not that so?

Mr. CAMPBELL of Kansas. I leave that to the gentleman from Colorado [Mr. KEATING]. I am not a sociologist in the sense that the gentleman's question would compliment me with being.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. CAMPBELL of Kansas. May I have a minute or two more?

Mr. CARY. I yield to the gentleman two minutes. How much more time have I?

The CHAIRMAN. The gentleman has 15 minutes remaining.

Mr. CAMPBELL of Kansas. I am deeply interested in this question. I do not believe this is even a beginning of its solution. This bill simply raises the question in the minds of men who have given the subject consideration. This law, having a local application, should be specific in its terms. It should name the employers and employees to be affected by it. This is a community in which there are no great industries employing numbers of people. There are no great factories here. If it is desirable to pass a law of this kind for a local community such as this, it should state in the body of the law just what is intended to be done, because a general minimum-wage law is not applicable to this community.

Mr. CANNON. Will the gentleman yield?

Mr. CAMPBELL of Kansas. Yes.

Mr. CANNON. With the great decrease in the purchasing power of money or the great increase in the cost of living under war conditions, if you pass a law saying what the minimum wage shall be, and, lo and behold, the price of money should increase or the cost of living should decrease, would it not keep you pretty busy passing laws?

Mr. CAMPBELL of Kansas. Raising or lowering the minimum?

Mr. CANNON. The minimum to-day might be $2, and yet 24 months from now $2 might buy twice as much as it would to-day, perhaps.

Mr. CAMPBELL of Kansas. Then you would lower the minimum wage.

Mr. CANNON. I am thinking about the difficulty of passing a law every time that the weather changes.

Mr. CAMPBELL of Kansas. As I said in the beginning, it is easier to write the title of a law of this kind than it is to write the body of the law. Until all countries agree on the same general minimum wage for labor similarly employed, each country will have to take such action as is necessary to establish and maintain its own standard of wages and living.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. HILLIARD. I yield 10 minutes to the gentleman from New York [Mr. LONDON].

Mr. LONDON. Mr. Chairman and gentlemen, whether we want it or not, the parliaments of the world are compelled to legislate on industrial matters. I do not believe that a successful minimum-wage law which would gratify all the aspirations of the laboring masses can be adopted under existing conditions even on a national scale. What interests me and what I welcome is the effort of the Legislature to grapple with the problem. The District of Columbia has no industries. The only substantial employers of labor are, first, the Government, the salaries of whose employees are determined by statute, and next the large department stores. So that it is comparatively easy to legislate in the direction of a minimum-wage law for the employees in the District of Columbia. This bill as drawn is rather elastic. There is nothing rigorous about it. It can not be rigorous. It provides for the appointment of commissioners. It provides for conferences between employers and employees, and the most valuable provision of the bill probably is the conference feature. Employers and employees coming together will be able to present their respective claims as to what particular wage should be paid at a particular time.

When the gentleman from Ohio [Mr. FESS] and the gentleman from Pennsylvania [Mr. MOORE] objected to the inclusion of the phrase "employing class" they were right to an extent, but not altogether. Whether you will refer to them as the representatives of the employers or of the employing class or the representatives of the employees or of the wage-working class, no matter what you call them, the law is compelled to recognize the existence of a conflict of interests in modern society between the employing class and those who are employed. It is true that these classes have not the character of a caste. It is true that it is possible for some individuals to transfer themselves by a special effort from the laboring class into the employing class, and these chances are growing fewer and fewer. But a former employee, when he becomes an employer, is very often a most unscrupulous employer of labor and a strong defender of his new interests and of the new class or group, or whatever you may call it, of which he has become a part. So the conflict is there, and the clash of interests is there. The legislator can not afford to close his eyes to the fact. Full light on the condition of the workers as well as full knowledge on the profits of the employers can be obtained only if employers and employees will face each other in conference and a commission will have access to the books of the employer. In some cases there seems to be absolutely no remedy except to eliminate certain employers from industry. The margin of profit is so small that they are compelled to pay starvation wages, and there is no remedy except to destroy that particular branch of industry.

Now, coming down to the fundamental question of a minimum wage, we find that there is a moral principle involved in it. What does a minimum wage mean? It means that no matter how humble an industry or occupation may be—whether it be that of the street cleaner, requiring no skill whatever, or that of the astronomer, studying the stars—one thing is certain, and that is that the human being should get sufficient compensation for his services to be able to live, and to live as a human being. He must have food, he must have clothing, he must have rent, and he must have an opportunity for education. These four elements must be supplied to the human being in any civilized community. Unless the wage paid the worker is sufficient to secure to him these four elements which go into the making of the life of a civilized human being, he can not live a man's life. The larger the number of men and women who work below such a minimum wage, the less stable is society.

The report of the Commission on Industrial Relations—shelved because of the advent of the war—disclosed a state of affairs in the United States which is absolutely shocking so far as compensation of a very large part of the workers of the country is concerned. The people of the United States have been prosperous, more prosperous than others.

They have lived a better life than other nations and their statesmen have become indolent. Here they had a continent large enough to support 500,000,000 people. The country was so young, energetic, full of vigor, that the statemen of America believed that the great industrial problems which were torturing Europe would never become serious in the United States. And because of the negligence of American statesmen the problem became more severe than it would have become had American intellect applied itself to the solution of the problem.

Many years ago the late Justice Brown, of the Supreme Court, pointed out to the young students of America the need of studying the great social problems that were being completely disregarded. We are just beginning to wake up. The English workers demand a minimum wage on a national scale. In other words, they demand that industrial society should be governed by the moral law, and all legislation, which is, after all, economic legislation, should be ruled by a moral law.

Consider the stupidity of some text-book writers who would apply the law of supply and demand to the relation of employer and employee. That is the survival of a doctrine that should find no place in modern society. Apply the doctrine of supply and demand to the relation of human beings and see what an absurdity you will come to. See what a state of cruelty you will reach. What will it mean to apply the so-called law of supply and demand to the returning soldiers, to millions of men coming back from the battle fields? Political economists will say to them, "The law of supply and demand is working now. There are only 500 jobs and there are millions of you, and you are invited to work for nothing." That is the law of supply and demand. These psuedoscientists would continue forever to govern the relations between human beings as the relations between capital and labor are governed now. Capital and labor are but abstractions. It is the relation between man and man that should interest us. When you speak of human society you speak of the relation of man to man. The relations between man and man can not be permitted to be governed by a law which is supposed to control the price of potatoes.

We will have to revise our conception of the law of supply and demand, and if we revise it and apply a moral process to our economic laws and to our legislation, which is based on economic laws, we will find that the beginning of the thing is the minimum wage. In other words, we will say to the employers: "Below that we shall not permit you to go." We will say to the worker: "We shall not permit you to sink, even if you are inclined so to do." A moral law applied to society—that is the basis of minimum wage legislation.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. LONDON. Mr. Chairman, I will ask the gentleman to yield me some more time.

Mr. CARY. Mr. Chairman, I yield five minutes more to the gentleman.

Mr. LONDON. We are now undoubtedly beginning to realize the importance of this legislation.

Mr. NOLAN. Mr. Chairman, will the gentleman yield?

Mr. LONDON. Yes.

Mr. NOLAN. The gentleman referred to a condition that might exist after the war, whereby the law of supply and demand might be applied to men returning from the trenches. I would like to call the gentleman's attention to the fact that the

Government to-day, for the purpose of stabilizing and standardizing wages and labor, is applying the principle not alone of the minimum wage, but they are making the minimum wage in the shipyards the maximum wage.

In other words, if the worker is to be told after he comes back from the trenches that the law of supply and demand ought to be good enough for him, he is told to-day that he is not going to get the benefit of that law. He can not take advantage of the law of supply and demand to-day, because the Government steps in and says that for the purpose of stabilizing labor and standardizing wages it is going to fix that wage, and below that they will not go and above that they will not permit one to go.

Mr. LONDON. As long as these iniquitous principles are practiced by employers, and they take advantage of the law of supply and demand, the same principle is practiced by labor. The result is chaos.

Mr. NOLAN. I call the gentleman's attention to the fact that this not alone applies to the workers in the employ of the Government, but it is being applied to contracts by private employers whereby there is a fixed wage, which is both minimum and maximum, and that the law of supply and demand in a day like this, where the worker would get the benefit of it, is denied to him.

Mr. LONDON. That is a perversion of the principle of the minimum wage. After all, no amount of legislation will help the man who would not help himself. If the workers do not understand how to organize and how to enforce their just demands, no one on earth can protect them. What is legislation, after all? You know that the lawyers are very conservative, and they are an obstruction to progress. You know that judges are even more conservative than lawyers, and they have to be pushed hard in order to move. When do we enact a law? When the moral force of the community makes it imperative, when it becomes irresistible. Then the lawyers come in and the legislators come in and say, "Oh, for years we have been thinking along that line. We have been intensely interested in these problems. Of course we are for the minimum-wage law"—the very same lawyer who only a few years ago insisted upon the sacredness of private contract, who argued that the law should not interfere with private arrangements, although there could be no talk of an arrangement where one was compelled by starvation to accept any terms that were offered to him. Can there be a question of contract when on one side you have a worker with a large family compelled to bring bread home and on the other hand you have an employer with inexhaustible resources? Is there any equality between the two, and could the theory of freedom of contract be applied in discussing their relations? But lawyers, with their lawyerlike minds, who whittle down an idea, who cut it down and trim it until there is nothing left of it—these fellows have always applied the doctrine of freedom of contract to the relations between man and man.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. LONDON. Yes.

Mr. MOORE of Pennsylvania. The gentleman from New York is a pretty good lawyer, is he not?

Mr. LONDON. I admit that I am a good lawyer. [Laughter.] But I look upon the law as a living science, not as a religious dogma. I think that the law should express the awakening conscience of mankind, should anticipate new thought, should lead instead of being compelled to follow. I believe that the jurist, the student of law, should make a special study of the relations between man and man; should take nothing for granted; should not worship institutions simply because they are old; should scrutinize, analyze, examine, ask questions, be ready to march forward with events as life dictates. That is the mission of the lawyer—not merely to be the servant of a particular group, who happen to be strong in society, to help them crush the helpless; and, unfortunately, that is the function of a great majority of the lawyers who are in the service of the ruling interests. Industrial legislation is coming. All legislation will become industrial. When the gentleman from Pennsylvania [Mr. MOORE] expressed such horror in respect to the use of the expression "class," he forgot that the classes are here. By merely denying their existence you do not gain anything.

All legislation in the past has been class legislation. Does the gentleman not know that? What is the feudal system? It is the system of the landlord against the rest of the community. What were the early laws of this Republic when only the man who had property had the right to vote? The property owner as against the rest of the people.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. LONDON. Mr. Chairman, I will ask the gentleman to yield for five minutes more.

Mr. CARY. I yield five minutes more to the gentleman.

Mr. LONDON. Why is it that legislation has been class legislation?

Mr. MOORE of Pennsylvania. I do not want the gentleman to forget the Constitution of the United States upon that point.

Mr. LONDON. I do not. The Constitution first of all represents a document written in 1787. I always bear that in mind. I never forget the calendar. This is 1918. Too many people forget the calendar. After all, when it comes to an interpretation of the Constitution, it will be interpreted in the light of to-day.

When we speak of classes in the United States, of course they have not that rigidity that they have in other countries and can not have it. The democratic instinct is too strong here. Democracy does not mean perfection, it means a chance to fight for improvement, and to the extent to which there is that chance just to that extent there is democracy. It will do no good to deny that there are evil influences, that we are blessed with a Lumber Trust, with a Steel Trust, and with arrogant financial interests. The greater the success of the democratic element in contending with these antidemocratic influences the more will democracy be a reality. Of course, I am using the word democracy in the broadest sense, and not in its narrow political sense. It is in the interest of this Republic, since this contest must go on, since for the very life of society this struggle must continue, that it be transferred as much as possible from the industrial field, with its strikes and lockouts, so that it may find expression in the parliamentary field, where legislators can speak for their districts and speak for the people, and reach a result which will serve the largest number of the people of the United States. [Applause.]

As a Socialist, instead of denying the existence of the class struggle, I seek to minimize its bitterness.

Mr. CARY. Mr. Chairman, I yield two minutes to the gentleman from West Virginia [Mr. REED].

Mr. REED. Mr. Chairman, I am in favor of legislation along the lines laid down in this bill. Its purpose is to relieve a great many worthy people in the District of Columbia who are not adequately remunerated for the work they perform. The bill does not attempt to definitely fix minimum wages, but it does create a board to whom employees may have recourse when they feel that they are not receiving proper compensation for the services they are performing.

The provisions of this bill, properly enforced, will not only benefit those who have their labor to sell, but will protect those who buy labor by placing each employer on an equal footing with all others who employ labor for similar commercial activities. I would like to see the bill amended in some particulars. I was very much interested in the suggestions of my learned and distinguished colleague from Pennsylvania. I fully agree with him that this act should carry no suggestion or intimation that it is legislation enacted primarily for safeguarding the morals of those who toil.

I am unwilling to attach to any legislation in the interest of labor here in the Capital of the world's greatest democracy the implication that there is more immorality among those who must work because they are poor than exists in the ranks of the opulent and well-to-do element of society.

Of the many laws recently passed by Congress having for their ultimate purpose the increase of salaries and wages I recall no instance, either in the titles of the acts or in the debates here on the floor of the House, where it was even hinted that such increases were made necessary because of any tendency toward moral retrogression on the part of the employees who were to be the beneficiaries.

I therefore sincerely hope this bill will not single out what I believe to be a most respectable class of America's workers and brand them with an unwarranted stigma. I want to see this legislation passed without delay, and I hope it can be so amended as to carry the idea that it is being enacted not to correct the morals of any class of workers, but to give a square deal to all who are oppressed and without means to protect themselves. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. CARY. Mr. Chairman, this bill is not only advisable from a humanitarian and sentimental standpoint, but it is the consensus of opinion of sociologists, industrial experts, health commissioners, and practically everyone who in any way is called upon to study conditions of labor and living that some such legislation is absolutely necessary for the protection of women and children under modern industrial conditions. When the hearings were being held before the committee on this bill,

it was significant that no one appeared in opposition to the bill. A remarkable circumstance which has probably never occurred in any previous legislative hearings on a measure affecting wage legislation in this country, was the appearance of the official organized body of employers—the Merchants and Manufacturers' Association of the District—who sent their representative to make a statement indorsing the bill and urging its passage. This association has a membership representing 33 different businesses in Washington—department stores are the largest employers, having in their establishments probably 5,000 persons. The enlightened and progressive position taken by the employers of the District who are directly affected by the measure has properly impressed the committee. Their approval means that such legislation is recognized as being based on sound business principles, because it makes for a more efficient and more contented labor force. It also protects the fair and enlightened employer from underbidding competitors.

Besides the indorsement of employers, approval of minimum-wage legislation comes to us from the workers through their organizations, and also through three representatives who appeared in person. Mr. KEATING, introducer of the bill, read into the record a resolution adopted by the Thirty-third Annual Convention of the American Federation of Labor. It discussed the principle of minimum-wage legislation for unprotected workers, especially women and children, and recommended that provision be made for the proper representation of wage earners on minimum-wage boards and that they be administered "so as to afford the largest measure of protection for women and minor workers."

The president of the Federal Employees' Union appeared to urge the passage of the bill. Two women workers of the national and local Women's Trade Union Leagues told of the need of this legislation from their own experiences as wage earners, and the manifold hardships of attempting to live on wages too low for proper subsistence.

The following excerpt from the report on the bill states briefly and concisely the reasons for reporting it and the need of the legislation:

"The proposed legislation is needed in the District of Columbia because conditions of employment in the laundries, department stores, and such manufacturing establishments as exist here are not materially different from conditions found to exist in other parts of the country. Investigation has shown that a substantial proportion of wage-earning girls and women in this country receive less than a living wage. The same is true here. The Federal Bureau of Labor Statistics has recently published the results of an investigation into the cost of living in the District. Almost one-half (46 per cent) of the 600 women workers interviewed and questioned as to their income and expenditures earned less than $8 per week. Nearly two-thirds (64 per cent) earned less than $10 per week.

"This low wage was not owing to their youth and inexperience, for 72 per cent were 21 years of age or older, and one-half of those earning less than $9 per week had been at work for five years and more.

"In connection with these figures we must consider the actual cost of board and lodging in the District to-day. Owing to the abnormal conditions of war times these costs have risen greatly, even during the past few months. In 1917 the Federal Bureau of Labor Statistics stated that $6 a week was the 'bare minimum' upon which the average woman could obtain board and lodging in Washington. A year later information presented at the hearing on this bill showed that according to the room registration office of the local council of national defense the minimum expense at which a woman can now find board and lodging is $35 per month; that is over $8 per week. That means accommodation for two in a room, and very few rooms can be found at that rate.

"The difficulties of obtaining adequate clothing even with the strictest economy upon the present wages received were brought out by the investigation of the Bureau of Labor Statistics. In 1915 a State commission in New York estimated the 'barest minimum for decent clothing' for a woman to be $88 per year. Two years later nearly half—42 per cent—of the 600 women wage earners interviewed in Washington spent less than that minimum on clothing, in spite of the increased cost of materials. In 1917, according to the Bureau of Labor Statistics, a working woman in Washington to be 'well but not extravagantly dressed,' must spend approximately $125 per year. More than two-thirds—68 per cent—of the women interviewed spent less than that amount. In the lowest income groups 'the average expenditure for every item of clothing is below that which would permit of physical comfort and decency.'

"Dr. W. C. Woodward, health commissioner of the District of Columbia, pointed out at the hearing that in his opinion the health interests of the District, and indeed the health interests of the Nation, are concerned in this legislation. He said:

"Even without reference to a woman's own condition and the maintenance of her own physical, mental, and emotional health, we must bear in mind the fact that when she married and when she bears and rears children for the coming generation, if she has been properly trained and has adequate opportunities to care for herself, we shall be able to maintain the integrity of the race, we shall be able as a Nation to meet the perils that confront us in the future as we are meeting the perils that confront us at the present time, and otherwise we shall fail. We have heard a great deal to-day with respect to the need of the individual woman, but we must go beyond that need and must face the fact that we are acting for the race; we are acting for the Nation.

"The committee concurs heartily in the opinion of this health expert that inadequacy of wages means either of two things, that is, inadequacy of all the essentials—shelter, clothing, food, etc.—'with resultant impoverishment of health'; or, on the other hand, 'it means that from some source the wage must be supplemented with possible resort to wrongdoing.' And the committee further agrees with Dr. Woodward when he says:

"I am very loath, however, to connect up minimum wages with moral questions. The most I care to say there is that when one is tempted the lack of physical stamina and the necessity for maintaining life increase the weight of the inducement, certainly make yielding easier."

Mr. Chairman, we are engaged in the most stupendous war the world has ever seen. To make the world "safe for democracy" will require an enormous wastage of human life and human vitality in this generation, and will leave burdens that will require the most vigorous and efficient kind of men and women in the next generation. We have passed laws for the conservation of natural resources, of mineral wealth, of trees and forests, and water resources; we are agitating daily for the conservation of food. This bill is a step toward the conservation of humanity, and I submit that it is more important to conserve the boys who will be the men of to-morrow and the women who will be the mothers of the men of to-morrow.

Mr. Chairman, I think I have one minute remaining.

The CHAIRMAN. Yes; the gentleman has one minute.

Mr. HILLIARD. I take from what the gentleman from Wisconsin says that they have no further requests. We have one more over here, and I should like to have an agreement that general debate be deemed to be closed at the close of Mr. CROSSER's speech.

Mr. CANNON. He might say something—let us hear his speech and then the gentleman can put his request.

Mr. HILLIARD. I take it that the gentleman objects.

Mr. WALSH. Will the gentleman yield?

Mr. HILLIARD. I will.

Mr. WALSH. Does the gentleman from Colorado, who prepared the report, expect to give any views upon the measure at all?

Mr HILLIARD. Of course, Mr. Chairman, I could enlighten the House, but why? We have had good speeches.

Mr. WALSH. We have had some mighty good speeches, but we have not had speeches on several phases of this legislation which have not been touched upon at all.

Mr. HILLIARD. That may be taken up under the five-minute rule. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has 15 minutes remaining.

Mr. HILLIARD. I yield 10 minutes to the gentleman from Ohio [Mr. CROSSER].

Mr. CROSSER. Mr. Chairman, as a member of the committee I voted for a report of this measure, and while I am not as hopeful as many of the supporters of the bill that it will bring about just conditions of employment, nevertheless I am thoroughly in favor of the measure and hope to see it pass without any serious opposition. I do not believe you can pull yourself up by your boot straps. This measure proposes to authorize a commission to fix a definite standard of wages for certain kinds of employment. That is very necessary at the present time. Until the people determine upon some fundamental measure which will destroy monopoly of the natural resources, which will compel the use of valuable land, resort will be made to palliatives which will at least distribute the burden of injustice more equitably among those who must bear it. We must, however, go deeper to find the real cause of injustice to employees whose protection is sought in this bill.

The more that valuable land suitable for building or factory purposes is held out of use or poorly used the higher will be the rent which must be paid for that which is used. This means that a greater portion of the product will be taken for rent and a lesser portion for wages and for interest upon capital invested. We should encourage building and improvements of every kind. This would increase production, and hence labor would benefit.

If, however, we allow the land monopolist to constantly increase the amount he demands as rent, merely because he

or some predecessor in title has held title and allowed others about him to improve the land, and because population has increased in the vicinity of the land unused or poorly used, the man who applies his labor and the man who uses his capital in the production of something upon land must get less. We should encourage labor and encourage capital by ceasing to tax their products, by ceasing to tax the improvements they put upon the land, and we should also discourage men from holding land out of use or from making only partial use of it by taxing them as much on the value of their land as we tax the man adjacent to him who has put improvements upon his land and has therefore also helped the community. This plan would force men to improve their land, would increase the number of factories, business places, and buildings and consequently increase the demand for labor, and an increased demand for labor—like an increased demand for anything else—means an increased price or wage for it.

To fix wages arbitrarily, however, gives no permanent relief. If men in one trade succeed by joint action in raising their wages 20 per cent, for example, the employer simply adds that to the price of his product, and as men in other trades must buy such products it is only a question of time until a corresponding raise is made in other lines of employment, and hence the prices of all products are raised, and so the employees find themselves in the same relative position of disadvantage as before. If, however, the immense holdings of valuable land held idle were forced into use by the taxing power then employers would begin to compete for the services of the employee, and that would naturally force wages up.

Mr. CAMPBELL of Kansas. Will the gentleman yield?

Mr. CROSSER. Yes.

Mr. CAMPBELL of Kansas. How are you going to sell the product of this labor if you raise the cost of producing it above the average cost of producing that same product?

Mr. CROSSER. That is the point I am making.

Mr. CAMPBELL of Kansas. The labor would, therefore, go out of employment entirely. The result will be, if you do not level up the wage paid to labor similarly employed——

Mr. CROSSER. They would not be able to buy.

Mr. CAMPBELL of Kansas. They would not be able to sell the product at all, and would not be able, therefore, to employ the labor at all.

Mr. CROSSER. That is the point I make. While, as I say, we have these conditions confronting humanity generally, while labor is constantly confronted by this unfair condition of things, I do not believe you can permanently remedy the evil; you can not procure justice for the worker by arbitrarily increasing the wage unless you also abolish monopoly of land and the natural resources.

Mr. KEATING. Will the gentleman yield there for just a suggestion?

Mr. CROSSER. Yes.

Mr. KEATING. The suggestion, I think, is made that if you increase wages you must necessarily increase the cost of the product of labor. Will the gentleman agree that that does not necessarily occur, and that if you give a girl sufficient wages to enable her to buy three square meals a day you will possibly render her so much more efficient than she has been and you will really reduce the cost of living?

Mr. CROSSER. The gentleman anticipated me a little. I was coming to that. The point I make is this, that it is certainly a sound principle that you can not increase the cost, no matter who is being hurt or being helped, without being forced to procure a higher price for what you sell, except to the extent that the efficiency of labor is increased, and that means that the worker is doing more work for more wages. It is true that if they are working under better conditions, they may produce more. But suppose you have reached the point where, as you suggest, they are getting three square meals a day——

Mr. KEATING. The minimum-wage law would not apply to any but the very worst conditions. The minimum-wage law would only reach the "submerged tenth" of society.

Mr. CROSSER. I think it ought to reach a great many classes of people, and I am in favor of having it, for reasons that I will give you in a moment. I believe that while we are fighting the battle for ultimate justice, for fundamental justice, an unmonopolized earth and natural resources, I believe that while we are fighting to win that battle we must have the industrial army as fit as possible to carry on that fight against special privilege for real justice. Everything that can be done to give them strength and courage for the great and final struggle must be done. For that reason I am heartily in favor of this measure, although I feel that it will only partially relieve the injustice and suffering.

I know that the gentleman from New York [Mr. LONDON] would not agree with me entirely on that proposition.

Mr. LONDON. Will the gentleman yield for a moment?

Mr. CROSSER. Yes; in just a moment.

I believe that if you can make it to the advantage of every individual to make the best possible use of the earth you will make a demand for labor, because you bring into use the natural resources of the earth, a great many of which are now kept out of use for the reason that it is now more to the advantage of the man who monopolizes them to keep them out of use. If you do that, it means that you increase the demand for labor, and that means an increased price for labor, like anything else, and I do not think it would be long before the wage question would settle itself satisfactorily.

Mr. LONDON. When the gentleman uses the phrase "natural law" does he mean a physical law, unchangeable by the action of men?

Mr. CROSSER. I mean the laws of economics, sociology, and psychology.

Mr. LONDON. Are they unchangeable?

Mr. CROSSER. What I am talking about is human nature.

Mr. LONDON. You are coming down to human nature, and you are assuming that nature has not changed and we are the same savages we were a million years ago.

Mr. CROSSER. Well, I do not believe that the gentleman will dispute that the average man naturally tries to satisfy his desires with the least exertion necessary. If there has been some new element of human nature developed contrary to that I have not discovered it. I do not say that ultimately we will not reach that altruistic state of society when men will first think of others and see that justice is done them before satisfying their own desires. I surely would welcome such a state. But I say that the great majority of men do not follow that course to-day.

As I have already stated, however, we must accept every remedy which can be had and which will help at all to put men in a more independent position and will give them strength and courage to make the fight for real fundamental justice. If we do not see to it that they get a decent wage, a wage more than merely enough to keep body and soul together, and which will free them from constant worry and anxiety, unless we establish such conditions the victory for real justice will be long postponed. For that reason I earnestly urge the passage of this bill.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. HILLIARD. I yield one minute to the gentleman for that purpose.

The CHAIRMAN. The gentleman is recognized for one minute more.

Mr. CROSSER. Yes; I yield to the gentleman.

Mr. GREENE of Vermont. What does the gentleman say to the time-honored law of economics, that the values represented by money as a medium of exchange can not be arbitrarily fixed by statute? If you agree to-day to pay a man $3 because $3 is the token of corresponding value to-day, it may happen that within a year the $3 will in purchasing power be equal to $6. Then what have you done by your statute?

Mr. CROSSER. I have already explained that values are more or less relative under the present system.

Mr. GREENE of Vermont. How are you going to rearrange prices in accordance with that?

Mr. KEATING. The board has the right to readjust these wages.

Mr. GREENE of Vermont. Then the Congress becomes a body to pass economic laws, instead of statutes, by putting monkey wrenches in the wheels.

Mr. KEATING. There are no "wheels" in this bill.

Mr. GREENE of Vermont. I have a strong suspicion of it.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. CROSSER. Yes.

Mr. WALSH. I wanted to ask the gentleman to state whether, if he did not think this statute will bring a millenium, he has anything in his mind that he thinks will?

Mr. CROSSER. I have already suggested a remedy which would at least carry us in that direction.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

A bill (H. R. 12098) to protect the lives and health and morals of women and minor workers in the District of Columbia, and to establish a minimum-wage board and define its powers and duties, and to provide for the fixing of minimum wages for such workers, and for other purposes.

Mr. MOORE of Pennsylvania. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MOORE of Pennsylvania. Is it in order to offer an amendment to the title, or should we wait until the first section is read?

Mr. CAMPBELL of Kansas. I suggest that the title should be amended after the bill is completed.

The CHAIRMAN. It can be amended after the bill is passed. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That where used in this act—
The term "board" means the minimum-wage board created by section 2.
The term "commissioners" means the Commissioners of the District of Columbia.
The term "woman" includes only a woman of 18 years of age or over.
The term "minor" means a person of either sex under the age of 18 years.
The term "occupation" includes a business, industry, trade, or branch thereof.

Mr. LONGWORTH. Mr. Chairman, I desire to offer an amendment at the end of line 4, to strike out the period and insert a comma and the words "but shall not include domestic servants."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. LONGWORTH: Page 2, line 4, after the word "thereof," strike out the period and insert a comma and the words "but shall not include domestic servants."

Mr. LONGWORTH. Mr. Chairman, it seems doubtful whether or not domestic servants are included in the bill. The author of the bill, the gentleman from Colorado [Mr. KEATING], in replying to a question that I asked him, was not sure, but rather thought that they were included. Let me call the attention of the committee to the paragraph at the bottom of page 5, in section 8:

Every employer shall keep a register of the names of the women and minors employed by him in any occupation in the District of Columbia, of the hours worked by each, and of all payments made to each, whether paid by the time or by the piece.

Now, it would be an utter absurdity, and I think the gentleman from Colorado will realize it——

Mr. KEATING. Mr. Chairman, will the gentleman yield right there for a suggestion?

Mr. LONGWORTH. Yes; with pleasure.

Mr. KEATING. It is possible we might answer the gentleman's objection by inserting "any employer who employs more than a certain number," so far as this registration is concerned.

Mr. LONGWORTH. That would obviate this particular difficulty; but I myself would prefer that domestic servants should not be included in such a bill as this, and I rather think the gentleman from Colorado himself does not intend that they should be included. I gathered from the remarks he made this morning that they have not been included in the laws passed by the various States. As the gentleman from Ohio [Mr. FESS] pointed out, this sort of legislation is designed to get at a condition brought about by the great development of factories and the very large increase in the employment of women in production of various sorts; to deal with large masses of people, as he suggested. I do not think legislation of this sort ought to include the question of employment of female servants. The gentleman has suggested that a definite number should be stated as required in the registry.

Mr. KEATING. Let me call the gentleman's attention to the language. Let us see if it works a hardship. I do not desire to work any hardship on employers, and I do not think anybody interested in the bill so desires. The language is:

Every employer shall keep a registry of the names of the women and minors employed by him in any occupation in the District of Columbia.

Mr. LONGWORTH. So far I am entirely with the gentleman as to the employer of a large number of female employees.

Mr. KEATING. Suppose you had but one employee. Would there be any hardship in keeping a registry of that one employee?

Mr. LONGWORTH. Not of itself. But how would it be possible for any man or woman to return the number of servants employed and the hours of work performed each day? You can not pay them by the day or piece. It is a physical impossibility.

Mr. KEATING. I do not see that that would be a serious objection. If there is an insuperable obstacle, I would like to have that pointed out.

Mr. HELM. Mr. Chairman, will the gentleman yield?

Mr. LONGWORTH. Yes.

Mr. HELM. How would this affect the Willard Hotel or the Raleigh?

Mr. LONGWORTH. Unquestionably the Willard Hotel or the Raleigh would have to keep a register of the number of women employees and the number of hours they worked; or any one of us who has a house here and employed female servants, one or more, would have to make a return every year, stating the number of hours that each one of those had worked every day.

Mr. HELM. Does not the gentleman think that an establishment like the Willard or the Raleigh, or any other hotel that employs a great number of housekeepers, ought to do something to show what they are paid? I am told that they are a very poor class of labor that is underpaid.

Mr. LONGWORTH. It may be. And it may be that the Congress does not pay the scrub women in the House Office Building a sufficient wage. But under this bill I doubt very much whether this House would not have to register and make a return of the number of scrub women employed in that House Office Building and the number of hours they worked each day.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. LONGWORTH. Certainly.

Mr. GREENE of Vermont. If this bill is designed to correct a great injustice, it ought to reach individuals as quickly and as efficiently as it does the masses, should it not? And if that is true, then this register should be kept whether one person is employed or a thousand. Otherwise the bill denies its own philosophy.

Mr. LONGWORTH. I certainly do not believe that Congress ought to pass such legislation. I do not think any supporter of the principle of the minimum wage as applied to women would advocate the proposition that every householder or renter of apartments in the District of Columbia should make a return giving the names and the number of female help and the number of hours employed.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. MAPES. The gentleman understands, does he not, that the employer is not required to make a return unless he is requested so to do by the board?

Mr. LONGWORTH. I did not understand that.

Mr. MAPES. Yes; that is true.

Mr. LONGWORTH. The provision is—

Every employer shall keep a register of the names of the women and minors employed by him in any occupation in the District of Columbia, of the hours worked by each, and of all payments made to each, whether paid by the time or by the piece.

The rest is on request.

Mr. MAPES. And on request make an accounting to the board.

Mr. LONGWORTH. Yes; but he must keep the register without request.

Mr. KEATING. I hope the House will not adopt the amendment submitted by the gentleman from Ohio [Mr. LONGWORTH]. In the first place, let me reiterate what I said this morning. There is no mention of domestic servants in the bill. The question of considering domestic service as a "trade" or "industry" would be one to be determined by the board.

Personally, I confess, I can not understand the argument that domestic servants should be specifically excluded from operations of this bill. What is the object of the bill? It is to provide a living wage for women and children. I contend, as I contended in the beginning, that the man or woman who is not prepared to pay a living wage for domestic service should be compelled to perform his or her own work.

Mr. CANNON. Will the gentleman yield?

Mr. KEATING. Certainly.

Mr. CANNON. I suppose that in most instances, or at least in many instances, domestic servants, besides getting wages, get bed and board without charge.

Mr. KEATING. Quite so.

Mr. CANNON. Which employees in many industries do not.

Mr. KEATING. And under the machinery of this bill all those things will be taken into consideration. To my mind that is one of the very best features of the bill. Instead of attempting to make a flat minimum wage to apply to all industries, the bill provides that each calling shall be taken up by itself, and that all the conditions surrounding that calling shall be considered, just as the gentleman from Illinois very properly suggests. The fact that a domestic servant is provided with room and board and perhaps other necessaries should be considered.

Mr. CANNON. Will my colleague allow me to make another suggestion?

Mr. KEATING. Certainly.

Mr. CANNON. My understanding is that in many department stores the luncheon comes free, while in others it does not. Would that be taken into consideration?

Mr. KEATING. Everything in connection with the employment would be taken into consideration.

Mr. CANNON. So that you would be required to have as many different wages as you have department stores or families.

Mr. KEATING. The minimum wage is to be established for each calling, each industry.

Now, so far as keeping this register is concerned——

Mr. LONGWORTH. I am considering not so much the keeping of the register as the stating of the number of hours of work.

Mr. KEATING. Why can not a housewife state how many hours "Mary" works? Is it possible that "Mary" works so many hours that the housewife can not tell how long she works? Of course she can.

Mr. PADGETT. If she comes one morning at 8 o'clock and the next at 8.15 and the next at 8.20, it would require a system of bookkeeping to keep track of the time she works.

Mr. KEATING. Oh, I think gentlemen are safe in saying that the law would be construed in a reasonable fashion.

Mr. LONGWORTH. If no such amendment is made to the law, will the gentleman feel it his duty, if he maintains an establishment in Washington, to return the number of servants that he has and their hours?

Mr. KEATING. I would probably make an inquiry at the office of the board, and in order to be safe I would keep such a record.

Mr. GREENE of Vermont. Are we passing a law whose interpretation we shall have to submit to somebody else?

Mr. KEATING. Oh, no. I will say to the gentleman that similar laws, with exactly the same language as this, have been passed in 12 States of the Union, and there has been no difficulty about them.

Mr. GREENE of Vermont. But a second wrong is never justified by the first.

Mr. KEATING. No; and there is no first wrong here. My objection is to this amendment, which expressly excludes domestic servants, on the theory that the domestic servant, for some reason, which no gentleman has advanced, is not entitled to a sufficient wage to maintain life. I maintain that the Congress of the United States should hesitate before it goes on record as favoring the proposition that all women workers are entitled to a living wage except the poor woman who enters domestic service.

Mr. GREENE of Vermont. If I am the man of straw whom the gentleman is battering down, I am perfectly willing to pose temporarily in that capacity.

Mr. KEATING. Oh, no. My objection is to the amendment of the gentleman from Ohio [Mr. LONGWORTH] that expressly excludes domestic servants. I hope it will be voted down.

Mr. WALSH. Mr. Chairman, I hope the amendment of the gentleman from Ohio [Mr. LONGWORTH] will be agreed to. As I understand it, and as I believe the gentleman stated, in none of the 11 or 12 States where they have the minimum-wage act in force does domestic service come within the term "industry."

Mr. KEATING. Will the gentleman pardon me just there? What I said was that so far as I knew no minimum-wage board in any State had attempted to regulate the wages of domestic servants, but in no act with which I am familiar has the attempt been made to exclude domestic servants.

Mr. PADGETT. Will the gentleman yield for a question again?

Mr. KEATING. The gentleman from Massachusetts [Mr. WALSH] has the floor.

Mr. WALSH. Even under the qualified statement of the gentleman from Colorado [Mr. KEATING], it seems to me it ought to be perfectly apparent that we ought not to pass an act here which may include domestic service, particularly for the District of Columbia. Now, conditions here are very much different from what they are elsewhere, as we all know. People come here and many are here only for a short time. The character of the service is different than what it is at home. The terms people make for these services are different than they make when they are at home.

Mr. PADGETT. Will the gentleman yield?

Mr. WALSH. Yes.

Mr. PADGETT. The underlying principle and theory upon which this legislation is predicated is that people are incompetent to make their own contracts?

Mr. WALSH. No; I do not think so, although I do not wonder that the gentleman might draw that conclusion from some of the arguments that have been advanced in favor of the measure. But I want to say that I think the State of Massachusetts was the first State to adopt a minimum-wage law. It was, of course, looked at with suspicion at first, and thought to be somewhat of a fad, and that it would not work out in its operation. But it has, and we have a board, I think, made up of five or seven members that has authority somewhat similar to that granted by this act. They issue their regulations, they require the posting of the regulations and a schedule of hours in various establishments, but they have not invaded the sanctity of the home. They have not required that a person who is conducting a household should have to consider matters on the same plan as one conducting a commercial establishment. You do not have to commercialize your own personal home and have to keep a book and enter the hours of labor, the rate of pay, and all the details. It seems to me that we might well defer requiring that or even permitting it to be done here in the District. We are legislating for the people of the District and we are seeking to make conditions, so far as the operation of this law goes, the same as in the States which have already adopted it. I submit that it would hardly be proper to write into the law definitions which would permit this board to say to Mrs. Brown, "I want you to keep a register and tell me how many hours Mary Smith works and how many hours your janitor works, and what you pay him; how much you have given him for food, in the way of clothing," and so forth. It seems to me you are not going to get any benefit from that, because in these enlightened days there are very few domestic servants employed anywhere but what are getting at least a living wage. A great many of them live where they are employed, and certainly they get their living; they get their clothing and they get their lodging and they get their food and whatever else they get in addition to that will be considered, of course, as a part of their wages, and it is above a living wage. That is one of the difficulties of this measure.

Mr. FESS. Will the gentleman yield?

Mr. WALSH. Yes.

Mr. FESS. A careful reading of lines 3 and 4, page 2, gives you the impression that domestic servants are included?

Mr. WALSH. Yes; or might be included.

Mr. FESS. I think there is very little doubt about it.

Mr. HILLIARD. Mr. Chairman, I want to make just an observation. Occupation is defined by this proposed measure. It has to do not with what domestic servants might be doing, but as to the business of the employer. Occupation includes business, industry, trade, or branch thereof. Now, in the section on page 5, from which there has been a quotation, are the words, "Every employer shall keep a register of the names of the women or minors employed by him in any occupation in the District of Columbia." So I take it, Mr. Chairman, that it would be unnecessary for the Congress to limit this in the manner indicated by the proposed amendment of the gentleman from Ohio, because the law itself defines the matter clearly—namely, that such employment would not come within the purview of the act.

Mr. LONGWORTH. Will the gentleman yield?

Mr. HILLIARD. Yes.

Mr. LONGWORTH. I am surprised that the gentleman should be in such a disagreement with his colleague, the author of the bill, who says that occupation does mean domestic service.

Mr. HILLIARD. It is not necessary that my colleague and I should agree on all things. I do not understand, however, that Mr. KEATING says that necessarily domestic service is included in the law. The definition of occupation is made plain, and the only register that is required is of those employed in an occupation.

Mr. WALSH. Will the gentleman yield?

Mr. HILLIARD. Yes.

Mr. WALSH. Let me direct the gentleman's attention to the words, beginning on line 3, page 2, "The term 'occupation' includes a business, industry, trade, or branch thereof." It does not say that it means business, trade, or branch thereof. It merely says that it includes; but it may include something else. Just above it says, "The term 'minor' means a person of either sex under the age of 18 years."

Mr. HILLIARD. Does the gentleman say that it is an occupation on the part of the house owner to keep house?

Mr. WALSH. Yes; if housekeeping is not an occupation I will remain quiet for a while. [Laughter.]

Mr. HILLIARD. I say that the amendment should be defeated because it is wholly unnecessary, and if it is not it ought to be defeated anyway. [Laughter.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

The question was taken; and on a division (demanded by Mr. KEATING) there were 24 ayes and 15 noes.

So the amendment was agreed to.

Mr. VOLSTEAD. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

After line 4, page 2, insert "The term 'cost of living' shall mean the cost of all those things necessary to maintain a worker in good health or supply him with the conditions and comforts necessary for his or her reasonable well-being, and the term 'minimum wage' shall mean a wage sufficient to pay the 'cost of living'."

Mr. VOLSTEAD. Mr. Chairman, it seems to me a careful reading of the bill will show that there is nothing in it from which you can gather what is intended by the terms "cost of living" and "minimum wage." I simply attempt to define these terms so we may know just what we mean by their use. I notice that the Minnesota minimum-wage law defines these terms, and I think properly so. It seems to me that in drawing a statute of this kind we ought to give the commission that is to act under it something to go by; a definition which they can follow. Otherwise, I can not help but feel that the commission in fixing a minimum wage or finding the cost of living is up in the air. It can guess that a minimum wage is one thing or it can guess that it is something else. It can guess that the cost of living is one thing or something else. We ought to have a rule by which the commission can be guided in making its determinations.

Mr. WALSH. Would not the adoption of the gentleman's definition give them a standard by which they could apply the rules to the different lines of industry, whereas without that, they might have a different standard for each?

Mr. VOLSTEAD. That is what I aim to do. I also aim to eliminate the objectionable words that have been called to the attention of the committee, words that may be construed to reflect upon women workers as immoral. It is undoubtedly true that an inadequate wage tends to force women into immoral lives, but it is not necessary to put that into the statute. We ought to prescribe these standards and eliminate the objectionable words. I think it unnecessary to put into the statute any language that may tend to reflect on the women workers, and hope this amendment may be adopted.

Mr. CANNON. Mr. Chairman, while I have great respect for the mover of the amendment, yet I doubt its wisdom. This thing of regulating what you shall eat and what you shall wear, that the strong shall become as the weak, whether you are the first cousin of an idiot, or are old and senile, or young and vigorous, creates perplexing conditions; and yet under universal law that governs matter we have had all kinds of people and will continue to have. We are pretty well fixed in this country. Every fellow takes care of himself, and when he gets married of his wife and then of his children. He cares for the household. Some of them have hog and hominy. Some people like hog and hominy better than they do ice cream and other things of different kinds. Some people eat a great deal more than others. Some will get fat on a very small amount and some will get lean although they have many times as much as some other people. My friend from Pennsylvania [Mr. TEMPLE] has just asked me if I had ever read Ten Thousand a Year. Yes; I read it, and I suspect everyone has read it. Tittlebat Titmouse, by virtue of the firm of Quirk, Gammon & Snap, in fixing up litigation and forging evidence and sustaining it by perjury, won a peerage for its client Titmouse, and he became a member of the House of Lords. He introduced a bill there, and what did it provide? To this effect—

Be it enacted, etc., That everybody shall have everything.

[Laughter.]

That was his notion about it, and I am reminded now in my recollection that after he had won the peerage he once went to the house of Mr. Quirk, one of the firm that had won the lawsuit for him. Quite a number of people were there, and they began to say smart things. Presumably they had had some port and—yes, some champagne, and so forth. After a time the name of Tittlebat Titmouse was called, and he was asked what he could do in the way of poetry. He rose to the occasion all right. My recollection is that it was as follows:

Tittlebat Titmouse is my name,
England is my nation;
London is my dwelling place,
And Christ is my salvation!

That is the kind of a fellow that Tittlebat was, who wanted to pass a law that everybody should have everything. You know there are some people in this world to-day who think that all you have to do to remedy some condition that they happen to have rise to plague them is to pass a law—be it enacted, and so forth.

Oh, let us be serious for a moment. He that reaps, being normal, must sow. If everyone is to have a divide in this world, then there will not be much of effort. There might be something of starvation, and ten times more than there is now. If I had my way about it, every normal individual should make his own living. When I say normal, I mean normal, for I believe that every abnormal individual, if he be a thief, should be supported in the penitentiary, upon conviction, or in the county jail. You may talk about all men being born equal politically, entitled to be equal before the law, but we are not equal in other ways. I still think, on the average, we will support the abnormal and the poor and the unfortunate, those who can not make their way, whether it be because of physical disqualification or mental disqualification. In this country we care for the insane and the feeble-minded perhaps better than they do in any other country on earth. Marvelous improvement has been made in the way in which we take care of the insane and the feeble-minded. They are entitled how to care and to support from the Treasury. Each normal individual must care for himself and only the abnormal become a public charge.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Minnesota.

The question was taken; and on a division there were—ayes 16, noes 17.

Mr. WALSH. Mr. Chairman, are there enough here to get tellers if the demand is made? Oh, well, I shall not make the demand.

So the amendment was rejected.

Mr. GOOD. Mr. Chairman, I move to strike out the last word. In reading over the bill I see that in drafting the bill the gentleman has followed the Oregon law somewhat, and I want to call his attention to the definition of the term "minor." As I understand it, the Oregon law has the same provision with regard to the use of the word "minor" that the gentleman has employed in this bill; but in the District of Columbia we have a law, if I remember correctly, fixing the legal age at which one may make a contract at 21 years. Now, here we are saying that the term "minor" means a person of either sex under 18 years of age. I would like to ask the gentleman if it would not be better to change the word "minor" here, if it is desired to leave the term at 18, to the word "child" or "young person," and then change it subsequently through the bill. Otherwise, we will have two laws in the District defining a minor, one fixing the age at 18 and the other at 21 years.

Mr. HILLIARD. If the gentleman will yield for a moment, it is limited to this act.

Mr. GOOD. I know it is; but here you have a person aged 18. He is a minor when it comes to a contract, and yet he is not a minor under the terms of this law. It seems to me that we can use another word or term and obviate that confusion. I do not know in how many places it appears in the bill, but it seems to me we should avoid the confusion.

Mr. HILLIARD. It seems to me we could hardly choose a better word; I do not know what would be better language.

Mr. GOOD. We have already defined in the District what a minor is. Now, you have a person employed in one of the stores 19 years of age. He is not a minor under the terms of this bill, yet when he comes to make a contract under the laws of the District he is a minor.

Mr. HILLIARD. It is a fact we must define him here, and he is a minor at 18 for the purposes of this act. We had to define him.

Mr. GOOD. I see the suggestion of the gentleman, but why not use the word "child" instead of the word "minor"?

Mr. HILLIARD. I do not think that would be a good word.

Mr. GOOD. Why not?

Mr. HILLIARD. A person 18 years of age does not like to be called a child. I do not think "minor" is objectionable.

Mr. WALSH. Mr. Chairman, I move to strike out, page 2, line 2, the word "eighteen" and insert the word "twenty-one."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 2, strike out the word "eighteen" and insert in lieu thereof "twenty-one."

Mr. WALSH. Mr. Chairman, it seems to me that the argument suggested by the gentleman from Iowa is perfectly sound, and if the amendment suggested by me is adopted it will broaden the scope of those who are to come under the benefits of this act, and it would seem we ought not to call persons minors who may infringe other laws when they are 19 years of age, but when you come to apply this law if they are 18 years and 6 months they are not minors. In other words, it seems to me that people who are in all other respects and under all other statutes called minors should be so designated by this act.

Mr. LONDON. Will the gentleman yield?

Mr. WALSH. I will.

Mr. LONDON. Under the English law they have a division into children, young persons and minors. In all labor laws—I do not recall the exact age, but as far as my recollection serves—up to 15 they are designated as children, between 15 and 18 they are designated as young persons, and then as minors.

Mr. WALSH. I do not think that classification is provided in any jurisdiction in this country.

Mr. LONDON. I know it is not.

Mr. WALSH. And after they are 21 I suppose in England they are called adults; I think they are.

Mr. KEATING. Let me call attention to a provision of the bill which may possibly have some influence in determining the gentleman's conclusion. The bill provides that the wages of adult women shall be determined by a conference and that the wages of minors shall be determined by the board and not by a conference. Now, if you raise the limit to 21 years you are going, of course, to broaden the jurisdiction of the board. All minimum-wage legislation has been drafted on the theory that the board itself might be trusted with the task of investigating and fixing the wages to be paid to boys and girls under 18 years, and I think it would be rather a serious matter to raise that to 21.

Mr. WALSH. Will the gentleman permit? Simply because a person should happen to be 18 years and 2 months of age, why should they be deprived of the benefits of the act which will be granted to a person who is 17 years and 10 months of age?

Mr. KEATING. Of course, I might make much the same argument against 21 years.

Mr. WALSH. No; because 21 years is universally recognized, both in Federal statutes and in the various State jurisdictions, as the age at which the person ceases to be a minor.

Mr. KEATING. But, as a matter of practice, in industry the worker ceases to be a minor when he passes 18. That is the practical experience.

Mr. WALSH. It may be as a matter of custom or practice, but not as a matter of law.

Mr. KEATING. We are not so much interested in the legal definition here, because what we are trying to get at is the solution of an industrial problem.

Mr. WALSH. Let me remind the gentleman that while the committee or the people interested in this measure may not have interest in the legal definition, when you pass this act you make a legal definition.

Mr. KEATING. So far as this act is concerned.

Mr. WALSH. Yes; and it seemed to me it would be better in this one particular at least not to set up a new class for a specific purpose and create a new standard upon passing that limit—children who in other respects would be minors, but in this act would not.

Mr. KEATING. The gentleman should bear this in mind, that it happens to be a fact that in industry when women and men get above 18 years they are able to represent themselves very well, or they belong to associations or organizations that can represent them, but if below that age they would scarcely be capable of sitting around this conference table we have mentioned here and represent their interests. Now, that is the reason we have hit upon 18 years. Experience sustains the age limit of 18, and I hope it will not be changed.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LONDON. Mr. Chairman, I ask unanimous consent that the time of the gentleman from Massachusetts be extended one minute.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. LONDON. Will the gentleman from Massachusetts yield?

Mr. WALSH. Certainly.

Mr. LONDON. Would not the expression "persons under the age of 18" cover the situation?

Mr. WALSH. Yes; it would.

Mr. LONDON. So that we would not have to put in the two lines defining the term "minor," as meaning a person of either sex under the age of 18 years. In the law, according to the very title of the bill, you will have to protect the lives and health of women and young persons, and we may have it later on that a young person means a person of either sex under the age of 18 years. I think that would be better. There is some confusion about the word "minor." In every other law a person is supposed to be a minor who is under the age of 21. I suggest the word "minor" be stricken out and we insert the words "young person" instead.

Mr. WALSH. I think if that is done you might have to make several other amendments in the bill. My object was to have the word "minor" defined as a person of either sex under the age of 21, and make it uniform.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. WALSH].

The question was taken; and the Chair announced that the noes seemed to have it.

Mr. WALSH. Division, Mr. Chairman.

The committee divided; and there were—ayes 9, noes 15.

So the amendment was rejected.

The Clerk read as follows:

SEC. 2. That there is hereby created a board to be known as the minimum-wage board, to be composed of three members to be appointed by the Commissioners of the District of Columbia. As far as practicable the members shall be so chosen that one will represent the interests of the employing class, one the interests of the employed class, and the third will be fair and impartial between employers and employees and work for the best interests of the public as a whole.

The commissioners shall make their first appointments hereunder within 30 days after this act takes effect, and shall designate one of the three members first appointed to hold office until January 1, 1919; one to hold office until January 1, 1920; and one to hold office until January 1, 1921. On or before the 1st day of January of each year, beginning with the year 1919, the commissioners shall appoint a member to succeed the member whose term expires on such 1st day of January, and such new appointee shall hold office for the term of three years from such 1st day of January. Each member shall hold office until his successor is appointed and has qualified; and any vacancy that may occur in the membership of the board shall be filled by appointment by the commissioners for the unexpired portion of the term.

A majority of the members shall constitute a quorum to transact business, and the act or decision of such a majority shall be deemed the act or decision of the board; and no vacancy shall impair the right of the remaining members to exercise all the powers of the board.

Mr. MOORE of Pennsylvania. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MOORE of Pennsylvania: Page 2, line 9, after the word "one," strike out all to the end of the paragraph, and in lieu thereof insert the following: "will be representative of the employers, one representative of the employees, and one representing the public."

Mr. GOOD. Mr. Chairman, I offer a substitute for the amendment.

The CHAIRMAN. The gentleman from Iowa offers a substitute to the amendment.

Mr. GOOD. Striking out, after the word "Columbia," all the rest of the paragraph, and inserting the following.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. GOOD as a substitute for the amendment offered by Mr. MOORE of Pennsylvania: Page 2, line 8, after the word "Columbia," strike out the remainder of the paragraph and insert in lieu thereof the following:

"So far as practicable no person shall be appointed to membership on said board who is interested or partial in the determination of any question which said board is authorized to determine. No person shall be appointed on said board who represents either the employer or employed class. Said board shall work for the best interest of the public as a whole and shall be fair and impartial to both employer and employee in the solution of any question which said board must determine."

Mr. GOOD. Mr. Chairman, this board, if I understand the real scope of the act, will act as a sort of court of dernier resort. It must, therefore, determine the soundness of the findings of another tribunal that is called upon to make the investigation.

This board ought not to be a packed board. It ought to be a board constituted of men of open minds, men who can look at this question in a broad way, uninfluenced by the fact that one member represents the employer and the other member represents the employee, and that the third, as expressed in the bill, will be one who "will be fair and impartial."

What we ought to have here is a board that is impartial; and yet by the very terms of this law we have a packed board, one representing the employer, one representing the employee, and only the third who is described as "fair and impartial."

Now, think of a court constituted in that way. Think of a court that is to try a lawsuit, where one of the members on the bench represents the plaintiff, and another member on the bench represents the defendant, and only the third judge is to be "fair and impartial." If we are to constitute a board, for heaven's sake let it be a board in which the employer and the employee will both have confidence, in which the public will have confidence; a board that is not packed. Let these men who are interested come before the board and place before it their grievances. Let them lay before the board the things that they believe in. But let the board be a tribunal of high-minded men, having in mind the good of both the employer and the employee.

Such a board can be found. There are men here occupying high positions in the courts of the District as judges, there are many men who are here as students in the District, who, if appointed on such a board, would have in mind the importance of the questions concerning which they were called upon to

determine, and such men would have in mind only the good of the public as a whole. I do not believe that Congress ought to place on the statute books of the United States a law purporting to create an impartial tribunal, but when we say in the law itself that one man must be partial to labor and one man must be partial to the employer and the third is to be fair and will measure out equal justice to both the employer and the employee we announce a rather peculiar standard. It seems to me that some program creating an impartial tribunal as that ought to be written into this bill rather than one that creates a packed tribunal.

Mr. WALSH. Mr. Chairman, I can not quite agree with the gentleman from Iowa [Mr. GOOD], and am not in favor of his substitute.

Of course, we have very many tribunals that are constituted just as it is proposed to constitute this one. That is to say, here is a board that is to deal with the compensation or wages paid to employees. Now, one member of the board is to be chosen so that he will have the views of the employer, and he will be a representative of the interests of the employer. Another will be the representative of the workers' interests, knowing what their desires and views are. The third will be one who is not allied with and has not any particular interest in either class.

Mr. GOOD. Mr. Chairman, will the gentleman yield? Read the language.

Mr. WALSH. The gentleman says, "Read the language," which I am most happy to do. The language is:

As far as practicable, the members shall be so chosen that one will represent the interests of the employing class, one the interests of the employed class, and the third will be fair and impartial between employers and employees and work for the best interests of the public as a whole.

Now, as I interpret that, it means the third man will not represent either the employer or the employee.

Mr. GOOD. The gentleman is keen at interpretation of language of this kind. What has he to say about the first? Is he to work for the interests of the public as a whole?

Mr. WALSH. Certainly.

Mr. GOOD. Where does the gentleman find anything that will warrant that interpretation?

Mr. WALSH. I find that from the rest of the proposed act.

Mr. GOOD. I am talking about the language now in section 2. The first person——

Mr. WALSH. Will be a representative of the employer. Now, if he is the representative of the employer, that does not preclude him from working for the public?

Mr. GOOD. Yes; but the expression of one thing is the exclusion of the other, is it not?

Mr. WALSH. No. I do not think so in the language that is used; one will represent the interests of the employing class, one the interests of the employed class, and the third will be fair and impartial between the two.

Mr. GOOD. "And work for the best interests of the public as a whole." The gentleman must concede that the other two will not "work for the best interests of the public as a whole," but one for the interests of the laboring class and the other for the interests of the employing class.

Mr. WALSH. I will agree with the gentleman thus far that the language employed is perhaps unfortunate, but I think that the principle included within the language used is all right. We make up various tribunals along that very line. The gentleman states that it would be absurd to think of a court constituted of one judge representing the plaintiff, another the defendant, and the third impartial. I have no doubt the gentleman has tried cases before courts made up just about like that. I have heard of them. But the point I am making is that while perhaps the language may not be the best that might be employed, it would seem to me that on a board of this sort the employers of labor ought to have a member who can represent their views, who knows the problems they have to contend with, and that likewise the employees should have a man who knows the problems they have to meet, and who is familiar with the conditions that confront them, and that the third man should not be a representative of either class, but that he should be somebody who could come to the consideration of these questions with a free and unbiased mind, and that he should not come with any prejudice or inclination toward the views of an employer or toward the views of an employee. But I do think that this section should be amended in this respect, that these appointments should be made by the President and not by the Commissioners of the District of Columbia.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FESS. Mr. Chairman, I rise to make one observation that I want those in charge of the bill to note. I rather think the language in lines 11, 12, and 13, on page 2, is somewhat unhappy. I am sure that what the committee wants to do is justifiable, that this board should be made up so that the two interests will be represented, and that there shall be one person who is not identified with either. The committee will recall that that was one subject of considerable controversy in the vocational-education bill when we made up that board. It was insisted that the manufacturing and commercial interests should be represented, that the laboring interests should be represented, and that the agricultural interests should be represented; and the language of the vocational bill is this:

One of said three citizens shall be a representative of the manufacturing and commercial interests, one a representative of the agricultural interests, and one a representative of the labor interests.

I think it would be better to leave out the word "class" and just let it read "a representative of the employers, another a representative of the employees, and another a representative of the public."

Mr. HILLIARD. Mr. Chairman, in reply to the gentleman from Ohio, I am inclined to think he is right about that. So far as I am concerned, I think the amendment of the gentleman from Pennsylvania [Mr. MOORE] fits the situation. I think the substitute should be defeated, and I am quite willing to agree to the amendment offered by the gentleman from Pennsylvania.

Mr. MOORE of Pennsylvania. Mr. Chairman, the substitute offered by the gentleman from Iowa [Mr. GOOD] strikes me as being somewhat afield of the main question. Of course, I should prefer that the amendment offered by myself should be considered favorably. The amendment offered by the gentleman from Iowa [Mr. GOOD] carries with it the unhappy phrase which my amendment seeks to eliminate from the bill. He continues the use of the word "class," which my amendment would strike out. I might as well make the statement now that I intended to make on the original amendment. The use of the word "class" as employed in section 2, the one now under consideration, is distinctly undemocratic and un-American. The gentleman from Colorado [Mr. KEATING], who speaks well for the working people, and who may be said to be a representative of them in this House, indicated himself that the purpose of this section was to enable the employer and the employee to get together around the council table, so that they might better understand each other. The use of the word "class" in a labor bill is most unfortunate and would not contribute in the slightest to bringing the employer and employee together around the council table, but would tend to perpetuate unfriendly relations that have been handed down from the days of the barons.

Mr. KEATING. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I yield to the gentleman.

Mr. KEATING. Again I find myself in complete accord with the gentleman from Pennsylvania as to class distinctions; but will the gentleman permit me to say that the language of which he complains is the exact language of the Oregon law, and that is how it happened to get into this bill. As the gentleman has offered an amendment which is better phrased, I think we should get together and adopt it.

Mr. MOORE of Pennsylvania. Then in the remainder of my time I will ask that my amendment be read.

The CHAIRMAN. Without objection, the Clerk will report the amendment offered by the gentleman from Pennsylvania.

The Clerk read as follows:

Amendment offered by Mr. MOORE of Pennsylvania: Page 2, line 9, after the word "one," strike out all to the end of the paragraph and in lieu thereof insert the following: "will be representative of the employers, one representative of the employees, and one representing the public."

Mr. MOORE of Pennsylvania. I would urge that the Good substitute be voted down and this amendment be voted up.

Mr. KEATING. Would it not be well to strike out the word "the" before the word "employers" and before the word "employees" so that it will read "shall represent employers and employees"?

Mr. MOORE of Pennsylvania. That would be all right.

Mr. FESS. Will the gentleman let me make another suggestion? In one place you use the word "representative" and in another you use the word "representing."

Mr. MOORE of Pennsylvania. I used the word "representing" because the language of my amendment covers the language on page 7, in the body of the bill, where the word "class" is stricken out. In the body of the bill it says:

The conference shall be composed of not more than three representatives of the employers in such occupation, of an equal number of representatives of the employees in such occupation, of not more than three disinterested persons representing the public, and of one or more members of the board.

I followed that language in the amendment.

Mr. FESS. I think it would be better to say "one representing the employers and one representing the employees and one representing the public."

Mr. MOORE of Pennsylvania. We are dealing with it in the plural.

Mr. FESS. It is immaterial, however.

Mr. LONDON. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. Does the gentleman from Pennsylvania desire to modify his amendment?

Mr. MOORE of Pennsylvania. The gentleman from Colorado suggested that we strike out the word "the."

Mr. KEATING. What I feared was that, as the amendment stood, it might refer to the employers who are engaged in the particular industry under investigation. The idea of the bill is to permit employers to sit and have a representation on the board.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask unanimous consent to modify the amendment by striking out the word "the" before the word "employers," and by striking out the word "the" before the word "employees."

The CHAIRMAN. Without objection, the amendment will be so modified.

There was no objection.

Mr. LONDON. Mr. Chairman, opposing the amendment of the gentleman from Pennsylvania, as modified by the suggestion of the gentleman from Colorado, I want to say that both the gentleman from Pennsylvania and the gentleman from Colorado fail to understand the value of this section. It is the object of this section and of the Oregon bill to create a board which is to consist of an advocate of the interests of the employees, of an advocate in the interest of the employers, and of a representative of the public. The three members of the board are not to be impartial judges. Industrial disputes can not be settled by courts. In all these boards of negotiation and boards of arbitration of industry the members of the board try to reach unanimous decisions. The very first moment that their decisions are not unanimous they cease to be useful. It is the intention of the law, it is the intention of all legislative dealings with boards of negotiation and boards of arbitration in industry, to create an institution in which the laboring man can have an advocate, a lawyer, to represent him; a man who is bound to represent his interests; and the same thing is true about the employer. The employer is to have a representative of the employer's interests, and that is why the Oregon statute speaks distinctly of the representative of the employer's class. In other words, the man who represents the employer is not to speak in behalf of humanity, of universal truth, justice, and beauty; he is to represent the temporal and material interests of the employer. It is only when the two conflicting interests are represented that the truth can be ascertained and the facts found. The third person, the representative of the public, is to aid in reaching a unanimous decision. If you examine the records of the boards of arbtration, you will find that the very first moment the board had ceased to render unanimous decisions its usefulness was gone. They can only reach a unanimous decision when the representative of the employers looks upon himself as the representative of certain interests which he is to defend, which he is to represent; and the same thing should be true about the representative of labor.

The language of the Oregon statute repeated here should be retained. The language of the gentleman from Pennsylvania will not, in the least, improve it.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. LONDON. Yes.

Mr. MOORE of Pennsylvania. The board is to be a permanent board; it is to sit indefinitely, as it were?

Mr. LONDON. Yes.

Mr. MOORE of Pennsylvania. One member is to be a representative of employers and therefore——

Mr. LONDON. If the gentleman will permit, "a representative of the employers" is a meaningless expression, representative in what sense?

Mr. MOORE of Pennsylvania. That he has been of the employers, and he knows their side generally, and is in sympathy with the employers. If you do not use that term and say "representing the interests," then you put an interested party in the position of being a mediator on this board.

Mr. LONDON. There is where the gentleman is mistaken. He is not there as a mediator, he is there as a negotiator.

Mr. MOORE of Pennsylvania. That is the way he ought to be there. I think the gentleman misunderstands the purpose of the amendment. We are to have a permanent board of three, one a representative of employers generally, one a representative of employees generally, and one representing the public.

Mr. LONDON. The gentleman from Pennsylvania speaks of one as though he were to be the representative of the psychology of the employer. That is not the intention of the bill. We do not want one who is the representative of the psychology of the employer, who has the prejudices of the employer. We want one who is there to represent the material interests of the employer.

Mr. MOORE of Pennsylvania. It is just the same as if we said one "who is versed in the law." We want one on the board who knows something about the employer's side generally and one on the board who represents the views of the employee generally. The third one is the representative of the public.

Mr. LONDON. It is not sufficient that the representative of the employers should represent the employers' psychology. He must know the particular material interests of the employers at that particular moment.

Mr. MOORE of Pennsylvania. Yes; but the evidence is to be brought up to the three sitting as a board.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa as a substitute for the amendment offered by the gentleman from Pennsylvania.

The substitute was rejected.

The CHAIRMAN. The question now recurs on the amendment offered by the gentleman from Pennsylvania.

The amendment was agreed to.

Mr. LONGWORTH. Mr. Chairman, I offer the following amendment: On page 2, line 7, strike out the words "the Commissioners of the District of Columbia" and substitute the words "the President, by and with the advice and consent of the Senate."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 7, strike out the words "the Commissioners of the District of Columbia" and insert in lieu thereof the words "the President, by and with the advice and consent of the Senate."

Mr. WALSH. Mr. Chairman, this is a rather important amendment, and out of respect to the Chief Executive, upon whom it is intended to confer this additional authority, I think we should have more Members present. I therefore make the point of order that there is no quorum present.

Mr. HILLIARD. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. BYRNS of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12098 and had come to no resolution thereon.

WATER-POWER LEGISLATION.

Mr. SIMS. Mr. Speaker, I ask unanimous consent that on to-morrow the House take up for consideration the water-power bill (S. 1419), that the same be made the continuing order, subject to business in order on Calendar Wednesday and unanimous-consent day, and to all conference reports, appropriation bills, and other privileged matters, to continue until the bill is finally passed, and that the amendment to the Senate bill be considered as a House bill, subject to amendment.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that to-morrow there shall be taken up for consideration the water-power bill; that the amendment reported from the House committee shall be considered as the bill itself; and that it shall be the continuing order, not to interfere with business in order on Calendar Wednesday or unanimous-consent day, nor to interfere with conference reports or any other privileged matters. Is there objection?

Mr. MOORE of Pennsylvania. Mr. Speaker, reserving the right to object, I have been asked by a number of Members to inquire whether the gentleman intends to press this bill to a vote before Friday?

Mr. SIMS. Mr. Speaker, the bill is to be considered in Committee of the Whole, and I think it ought to be considered thoroughly. I do not believe it could possibly come to a vote by Friday.

Mr. MOORE of Pennsylvania. There are some gentlemen who were under the impression that the recess would take place who would like to be here by Friday to vote on the bill.

Mr. SIMS. There will be.

Mr. MOORE of Pennsylvania. And no attempt to limit debate on the bill?

Mr. SIMS. Not at this time.

Mr. MOORE of Pennsylvania. It is fair to say it will run one or two days?

Mr. SIMS. I do not think there is any doubt about it.

Mr. MOORE of Pennsylvania. Two days?

Mr. SIMS. I do not think there is any doubt about it.

Mr. WALSH. Mr. Speaker, reserving the right to object, of course there are very few here now, and when the request was made this morning objection was made. It would seem as though this is hardly the time to make that request, with just a mere handful present, particularly when objection was made earlier in the day. Could not the gentleman make that request in the morning? It is necessary to have a quorum here in order to consider it.

Mr. SIMS. I want to say to the gentleman that I spoke to the gentleman who objected to the request this morning and told him that I was going to make the same request again this afternoon, and those who objected this morning could be here now and are not here, and therefore I do not think they really care to make any further objection.

Mr. WALSH. Of course, I do not know, if the gentleman has conferred with those gentlemen——

Mr. SIMS. I went to one of them and said that I wanted to make the request again but did not want to take advantage of him. If he had any real objection to the request being made this afternoon, I think he would be here now or would have requested me not to make it.

Mr. WALSH. Of course, I know the great expedition with which this bill must be passed and how it has been pressed and urged and how nearly vital the bill has become, but I will not object.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. CARY. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Wisconsin rise?

Mr. CARY. I wish to ask unanimous consent to extend my remarks on the bill we have had up to-day.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. TIMBERLAKE. Mr. Speaker, I ask unanimous consent to speak for one minute.

The SPEAKER. The gentleman from Colorado asks unanimous consent to speak for one minute. Is there objection? [After a pause.] The Chair hears none.

Mr. TIMBERLAKE. Mr. Speaker, on last Saturday when the Agricultural appropriation bill was being considered in the House, by reason of a previous engagement I was at that hour engaged upon a very important matter at one of the departments in the city and had not the privilege of being present. I felt very keenly that the price upon which the difference occurred between the conferees of the Senate and the House of $2.50 a bushel for wheat was not an excessive price in view of the increase in the cost of its production by reason of the high price of labor, increased cost of machinery, and every article used in that connection. I am sorry to have missed the opportunity to vote for the motion of the gentlemen from Michigan [Mr. MCLAUGHLIN] to accede to the Senate provision with an amendment for the price of $2.40 a bushel. Had I been present I should have voted for that motion.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 3009. An act granting the consent of Congress to the P. M. C. Coal Co. to construct and maintain a bridge across Tug River, connecting Pike County, Ky., and Mingo County, W. Va.

ADJOURNMENT.

Mr. HILLIARD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 10 minutes p. m.) the House adjourned until to-morrow, Tuesday, July 9, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Navy, submitting supplemental estimates of appropriations required by the Navy Department (H. Doc. No. 1219), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROWNE: A bill (H. R. 12699) granting a pension to James Warren; to the Committee on Invalid Pensions.

By Mr. DENTON: A bill (H. R. 12700) granting an increase of pension to Mary L. Nevill; to the Committee on Invalid Pensions.

By Mr. SCOTT of Michigan: A bill (H. R. 12701) granting an increase of pension to Henry C. Swafford; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. COOPER of Wisconsin: Petition of the Women's Club of Kenosha, Wis., asking for the enactment of bone-dry prohibition legislation; to the Committee on the Judiciary.

By Mr. ESCH: Petition of many citizens of Sauk County, Wis., urging prohibition as a war measure; to the Committee on the Judiciary.

By Mr. FULLER of Illinois: Memorial of the board of directors of the Winnebago National Bank, of Rockford, Ill., opposing legislation for the guarantee of bank deposits; to the Committee on Banking and Currency.

By Mr. HAMILTON of New York: Telegram from the Panama (N. Y.) Methodist Episcopal Church and Sunday School, favoring the passage of war prohibition; to the Committee on the Judiciary.

By Mr. HEATON: Resolutions adopted by the Lithuanians of Shenandoah, Pa., on July 4, 1918, pledging unswerving allegiance to the United States and its principles; to the Committee on Military Affairs.

By Mr. HUTCHINSON: Resolution adopted by the board of commissioners of the city of Trenton, N. J., urging immediate action on the proposition for the establishment of a system of inland waterways from Boston, Mass., to Key West; to the Committee on the Merchant Marine and Fisheries.

By Mr. MAPES: Petition of 191 citizens of Allegan County, Mich., urging the passage of the war prohibition bill now pending in Congress; to the Committee on the Judiciary.

By Mr. SNELL: Petition of Mrs. E. H. Hackett, Nelly A. Talcott, Edna C. Babcock, Ernestine Hutchins, Grace L. Kirkey, Nellie M. Cline, Mary F. Crary, Anna E. Hervey, Georgiana B. Manse, Sarah E. Sutton, Effie Keeler, Emma Elliott, and Carrie E. Carton, all of Massena, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of Edwin Whittemore, Alma Whittemore, Mrs. Charles Williams, Walty D. Johnson, Friend C. Smith, Edwin Cleland, M. E. Cleland, Mrs. Alice Johnson, Mrs. Friend C. Smith, and L. S. Marshall, all of Lewis, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of Mrs. Lewis Grue, Mr. and Mrs. Ole Larson, Mrs. Thomas Nelson, Myra Dustin, Harry Dustin, and Mrs. Frank Fountain, all of Lyon Mountain, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of C. O. R. Bell, Jennie H. Montpelier, Frank N. Spencer, J. R. Bell, and Edna G. Brown, all of Ogdensburg, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of L. S. Rice, B. M. Wiley, S. M. Chandler, E. S. Chandler, S. H. Wiley, Ruth E. Wallin, Marion C. Hopkins, and Edith N. F. Rice, all of Brushton, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of E. L. McKnight, J. C. Long, Emma J. Phillips, Mrs. J. C. Long, J. A. Lyons, Minnie E. Sarivet, Mrs. J. A. Lyons, Rev. John Neil Robertson, and H. H. Wray, all of Mooers, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of L. A. D. Able (pastor), C. D. Carlton, Lucy E. Carnes, Bessie E. Outterson, Jane E. Merriam, Mrs. H. D. Carlton, Mrs. Jos. Casserah, Mrs. E. Mack, John Anderson, Mrs. John Anderson, Mr. and Mrs. E. B. Miller, S. C. Stiles, and Emily J. Brown, all of West Chazy, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of Louise Storie, Jennie Storie, Hester Davis, Gomer Davis, Jessie Bigelow, Mary Grittiths, and Mabelle Bigelow, all of De Kalb Junction, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of Mrs. Susie Treola, Gladys H. Rich, Faith Avery, Nellie E. Hutchins, Mrs. M. E. Shoen, Ivez Shoen, Mrs. G. F. Donahue, Ida Miles, Pearl M. Tonkin, W. S. H. Keefe, Mary M. Freeman, I. I. Merrick, George F. Donalson, William J. Smith, Philip Tonkin, Willis H. Freeman, Earl Matteson, J. G. Creaighton, H. W. Merrick, Bertha J. Matteson, M. Alice Shepherd, Mrs. Anna Koch, Harriet S. Merrick, and Maude A. Reynolds, all of Fort Covington, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of Mr. and Mrs. J. B. Kent, Mr. and Mrs. O. T. Hardy, Mrs. Gayle M. Kent, and J. Raymond Seaver, all of Stockholm, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of Rev. F. E. Loan, D. C. Palmer, Myrtle Walker, Earl Walker, Mr. and Mrs. C. G. Leonard, Mrs. Palmer, Mrs. Earl Bush, Adelina Smith, Edna G. Gardner, Edna Overacker, Annie Reynolds, Elizabeth Reynolds, Edith Loan, Eliza Kennedy, and C. M. Jones, all of Richville, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of A. M. Moore, Bombay, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of Mabel L. Miller, Celeste A. Bidgood, Hannan L. Peck, Mr. and Mrs. Orlin Russell, Mr. and Mrs. Julius Gale, and Mrs. E. H. Sturgess, all of Moira, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of Neal D. Harrison, John F. White, Francis Smith, Frank Hughes, William Boyce, Willis Wells, Ed Marshall, George Ware, Frank F. Alford, and Wilbur Hurlburt, all of North Elba, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of R. C. Landon, Ella A. Landon, I. E. Bartholomew, George W. Carvill, A. L. Spring, and R. J. Scott, all of Ticonderoga, N. Y., favoring prohibition; to the Committee on the Judiciary.

Also, petition of W. P. Morrison, Port Henry, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of Presbyterian Church of Brasher Falls, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

SENATE.

TUESDAY, *July 9, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we pray for such measure of Thy grace and truth as that every action taken by this Senate may be justified by the test of time, that we may feel that we are working together with God, that we are building not only a great empire in this West but an eternal habitation wherein dwelleth righteousness and peace and truth. We pray Thee to fit us for the high and holy obligations of this office and of this Senate. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

LIST OF CASES (S. DOC. NO. 263).

The PRESIDENT pro tempore laid before the Senate a communication from the chief clerk of the Court of Claims, transmitting a list of cases dismissed by the court on May 7, 1918, on motion of the defendants, for want of prosecution, which was referred to the Committee on Claims and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the House disagrees to the amendments of the Senate to the bill (H. R. 12099) to confer on the President power to prescribe charter rates and freight rates and to requisition vessels, and for other purposes, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. ALEXANDER, Mr. HARDY, Mr. SAUNDERS of Virginia, Mr. EDMONDS, and Mr. HADLEY managers at the conference on the part of the House.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (S. 3009) granting the consent of Congress to the P. M. C. Coal Co. to construct and maintain a bridge across Tug River, connecting Pike County, Ky., and Mingo County, W. Va., and it was thereupon signed by the President pro tempore.

CONTROL OF TELEGRAPH LINES.

Mr. MYERS presented a telegram in the nature of a memorial from sundry employees of the Western Union Telegraph Co., of Helena, Mont., and a telegram in the nature of a memorial from sundry employees of the Western Union Telegraph Co., of Billings, Mont., remonstrating against Government control of telegraph lines, which were referred to the Committee on Interstate Commerce.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CURTIS (for Mr. GOFF):

A bill (S. 4812) granting an increase of pension to Amos C. Scott; and

A bill (S. 4813) granting an increase of pension to Lizzie Dovener (with accompanying papers); to the Committee on Pensions.

By Mr. BECKHAM:

A bill (S. 4814) granting a pension to Charles W. Vogler;

A bill (S. 4815) granting an increase of pension to William W. Ferguson; and

A bill (S. 4816) granting a pension to John C. Anderson; to the Committee on Pensions.

By Mr. MYERS:

A bill (S. 4817) granting a pension to David W. Beaver; to the Committee on Pensions.

DATA RELATIVE TO MILK PRODUCTS.

Mr. JONES of Washington submitted the following resolution (S. Res. 282), which was read, considered by unanimous consent, and agreed to:

Resolved, That the United States Food Administration be directed to furnish to the Senate the following information:

1. What steps it has taken to fix or regulate the prices for the products of the milk condensaries of the United States.
2. What steps it has taken to fix or regulate the prices to be paid by the condensaries to the milk producers for their milk.
3. What action has been taken by the condensaries with the knowledge or approval of the United States Food Administration, to fix or control the prices of their products or the profits they shall make during the war.
4. If no steps have been taken by the United States Food Administration to regulate or control the prices charged or the profits made by the condensaries, why such action has not been taken.
5. What steps have been taken to ascertain whether the prices paid the milk producers is ample to pay the cost of production; and if no such steps have been taken, why it has not been done.

CHARTER RATES AND FREIGHT RATES.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 12099) to confer on the President power to prescribe charter rates and freight rates and to requisition vessels, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. FLETCHER. I move that the Senate insist upon its amendments and agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the President pro tempore appointed Mr. FLETCHER, Mr. RANSDELL, and Mr. NELSON conferees on the part of the Senate.

CALLING OF THE ROLL.

The PRESIDENT pro tempore. If there is no further morning business, the morning business is closed.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Baird	Henderson	Nelson	Sherman
Bankhead	Hitchcock	New	Shields
Beckham	Johnson, Cal.	Norris	Smith, Ariz.
Benet	Jones, N. Mex.	Nugent	Smith, Ga.
Chamberlain	Jones, Wash.	Overman	Smith, Md.
Colt	Kendrick	Penrose	Smoot
Culberson	Kenyon	Phelan	Sterling
Curtis	King	Pittman	Sutherland
Fernald	Knox	Poindexter	Swanson
Fletcher	Lewis	Reed	Thomas
France	McCumber	Saulsbury	Trammell
Gerry	McKellar	Shafroth	Vardaman
Harding	Martin	Sheppard	Walsh

Mr. BECKHAM. My colleague, the senior Senator from Kentucky [Mr. JAMES], is detained by illness.

Mr. LEWIS. I wish to announce that the Senator from North Carolina [Mr. SIMMONS] and the Senator from Arizona [Mr. ASHURST] are detained on official business.

Mr. SMITH of Arizona. I desire to announce that my colleague, the senior Senator from Arizona [Mr. ASHURST], is detained by illness in his family.

Mr. MCKELLAR. I wish to announce that the Senator from Arkansas [Mr. KIRBY] is detained on official business. I will let this announcement stand for the day.

Mr. JONES of Washington. The junior Senator from Michigan [Mr. TOWNSEND] is necessarily absent on account of illness in his family. I will allow this announcement to stand for the day.

Mr. SUTHERLAND. The senior Senator from West Virginia [Mr. GOFF] is absent on account of illness. I ask that this announcement may stand for the day.

Mr. POINDEXTER. I desire to state that the Senator from South Carolina [Mr. SMITH], the Senator from Minnesota [Mr. KELLOGG], the Senator from Ohio [Mr. POMERENE], the Senator

from Kansas [Mr. THOMPSON], the Senator from Alabama [Mr. UNDERWOOD], and the Senator from Oklahoma [Mr. GORE] are engaged in a meeting of the Committee on Interstate Commerce.

Mr. LEWIS. Mr. President, may I be permitted to supplement the announcement of the Senator from Washington [Mr. POINDEXTER] to say that the committee desire also not to be sent for unless there be some urgency, and that they prefer to sit until the present matter which they have before them is concluded, which may be in a couple of hours? I desire to have the President of the Senate send any message to them should anything arise in the Senate of sufficient importance to bring them here.

The PRESIDENT pro tempore. The Senator asks that the committee be authorized to sit during the session of the Senate?

Mr. LEWIS. To-day.

The PRESIDENT pro tempore. The Chair is informed by the Secretary that they have been given that authority.

Mr. LEWIS. I did not know that, Mr. President. I thank the Chair.

The PRESIDENT pro tempore. Fifty-two Senators have answered to their names. There is a quorum present.

MILITARY SERVICE OF BRITISH AND CANADIAN SUBJECTS.

Mr. PHELAN. Mr. President, I desire to call the attention of the chairman of the Committee on Foreign Relations to a circumstance that came under my observation.

A British subject in my own employ received a notice within the last few days to appear before the British recruiting office, giving him the opportunity to enlist, according to the notice, in either the British or the Canadian Army. The matter was by him referred to me. I inquired and ascertained, so far as I was able, that there has been no ratification of the treaty recently entered into between the United States and the Government of Great Britain, and that even after ratification there are allowed 60 days, if I am correctly informed, within which it is possible for a British subject to avoid enlistment in either the British or the Canadian Army and to enlist in the Army of the United States.

This particular person expressed a preference for service in the Army of the United States, in which I encouraged him, because, as he stated, his object after service is to return to the United States and to enjoy the benefit of our Army act. Furthermore, it means a replenishment of our man power after the war.

The purpose of my rising now is to ascertain whether I am correctly informed, so far as the chairman of the Committee on Foreign Relations can advise me.

Mr. HITCHCOCK. Mr. President, I think the Senator from California is substantially correct. Until the exchange of ratifications occurs between the United States and Great Britain the matter is as it has been heretofore. After that exchange of ratifications any British subject in the United States between the ages of 20 and 44 years, both inclusive, has 60 days within which to decide whether he will proceed to Great Britain or to Canada and enlist voluntarily in the Canadian or British Army, and if he fails during that 60 days to exercise his privilege, he then becomes subject to be drafted into the Army of the United States.

At the present time he is subject neither to draft in the American Army nor is he forced to decide the question at all. A man less than 20 years of age has 30 days to decide after becoming 20 years of age.

Mr. PHELAN. I understand, then, that if he does not decide within the 60 days after an exchange of ratifications he is subject to draft in the country of his present residence; that is, the United States.

Mr. HITCHCOCK. That is correct.

Mr. PHELAN. I am very glad that this matter has been elucidated, because I think it is valuable public information. Doubtless there are many others besides the particular person to whom I refer who are in doubt as to the effect of the treaty recently entered into between the two high contracting parties, and by the dissemination of this information such a person may be able to exercise—which would be perfectly, I am sure, in harmony with the great purposes of the war—his right to enlist in the American Army, and thus after the war be in a position to return to this country with the American Army and possibly take up the duties of American citizenship and be an accession of man power to the United States.

STIMULATION OF AGRICULTURE.

Mr. SHEPPARD. Mr. President, I move that the Senate proceed to the consideration of House bill 11945.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11945) to enable the Secretary of Agriculture to carry out, during the fiscal year ending June 30, 1919, the purposes of the act entitled "An act to provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products."

The PRESIDENT pro tempore. The next amendment reported by the Committee on Agriculture and Forestry will be stated.

The next amendment was, on page 5, line 5, after the word "stock," to strike out "$30,000" and insert "$7,500"; in line 8, after "$10,000," to strike out "field supervision of war-garden work, $7,500"; and in line 22, after the words "in all," to strike out "$811,300" and insert "$721,300," so as to make the clause read:

Third. For the prevention, control, and eradication of insects and plant diseases injurious to agriculture, and the conservation and utilization of plant products; for the following stated purposes and in amounts as follows: Cereal-smut eradication, $50,000; peanut conservation and utilization, $15,000; control of cotton, truck, and forage-crop diseases, $117,550; farm storage of sweet potatoes, $30,000; location of Irish-potato seed stock, $7,500; plant-disease survey, $23,000; castor-bean production and utilization, $20,000; maintenance of field-bean seed supply, $10,000; production of cereals and grain sorghums, $53,250; sugar-beet nematode work, $10,000; pathological inspection of fruits during processes of marketing, $18,000; control of a new sugar-cane disease, $20,000; production of rice, $5,000; control of cereal and forage insects, $55,000; control of stored-product insects, $22,000; control of vegetable and truck-crop insects, $35,000; control of sweet-potato weevil, $30,000; control of deciduous-fruit insects, $45,000; control of citrus-fruit insects, $10,000; control of insects injurious to live stock, $20,000; control of rice insects, $3,000; control of sugar-cane insects, $9,000; general supervision of emergency insect-control work, $3,000; prevention of plant-dust explosions and fires, $75,000; fruit and vegetable utilization, $35,000; in all, $721,300.

The amendment was agreed to.

The next amendment was, on page 5, line 25, after the word "food," to insert "including eatable nuts," so as to read:

Fourth. For increasing food production and eliminating waste and promoting conservation of food, including eatable nuts, by educational and demonstrational methods, through county, district, and urban agents and others; for the following stated purposes and in amounts as follows: General administration of extension work, $35,000; home-economics work, $25,000; extension work in the Northern and Western States, $134,200; county-agent work, $1,893,000; boys' and girls' club work, $382,900; home-demonstration work, $1,327,400; extension work in the Southern States, $90,000; county-agent work, $1,333,815; boys' club work, $75,300; home-demonstration work, $803,385; in all, $6,100,000.

The amendment was agreed to.

The next amendment was, on page 6, line 11, after "$6,100,000," to strike out:

No part of this appropriation shall be available for any purpose unless there shall have been previously issued the proclamation authorized by section 15 of the act of August 10, 1917, entitled "An act to provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products," such proclamation being the prohibition of the use of foods, fruits, food materials, or feeds in the production of malt or vinous liquors for beverage purposes.

And in lieu thereof to insert:

That after December 31, 1918, until the conclusion of the present war, for the purpose of conserving the man power of the Nation and to increase efficiency in the production of arms, war munitions, ships, food, and clothing for the Army and Navy, it shall be unlawful to sell for beverage purposes any distilled spirits, and during said time no distilled spirits held in bond shall be removed therefrom for beverage purposes except for export. After November 1, 1918, until the conclusion of the present war, no grain, cereal, fruit, or other food product shall be used in the manufacture or production of beer, wine, or other intoxicating malt or vinous liquor for beverage purposes. After December 31, 1918, until the conclusion of the present war, no beer, wine, or other intoxicating malt or vinous liquor shall be sold for beverage purposes except for export. The Commissioner of Internal Revenue is hereby authorized and directed to prescribe rules and regulations, subject to the approval of the Secretary of the Treasury, in regard to the removal of distilled spirits held in bond after December 31, 1918, for other than beverage purposes, also in regard to the sale and distribution of wine for sacramental, medicinal, or other nonbeverage uses. After the approval of this act no distilled, malt, vinous, or other intoxicating liquors shall be imported into the United States.

Any person who violates any of the foregoing provisions shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding $1,000 or by imprisonment not exceeding one year, or both.

Mr. PENROSE. Mr. President, as I understand, the Secretary has completed the reading of an amendment reported by the committee on yesterday to the amendment contained in the bill as reported from the committee. I suggest it would be well for the Secretary to read the committee amendment in the bill. Has that yet been read?

The SECRETARY. It is in the bill now, and it was put in on yesterday.

Mr. PENROSE. I understand, but it has not been read.

The PRESIDENT pro tempore. The Chair will inform the Senator that by unanimous consent, the Chair thinks, on yesterday, certainly under the ruling of the Chair, the present occupant being then in the chair, this amendment was substituted

by the committee for the amendment which had been theretofore proposed by the committee.

Mr. PENROSE. Well, Mr. President, I should like to have in the RECORD the original amendment proposed by the committee, and I will ask that the Secretary read the amendment for which this is a substitute.

The PRESIDENT pro tempore. The Secretary will read as requested.

Mr. FLETCHER. Mr. President, may I inquire whether the substitute offered by the committee has ever been printed? I do not see a copy of it on my desk.

Mr. PENROSE. The printed copies of the amendment are available.

The PRESIDENT pro tempore. The Secretary will read the original amendment reported by the committee.

The SECRETARY. The part proposed to be inserted originally by the committee reads as follows:

That after June 30, 1919, until the conclusion of the present war, for the purpose of conserving the man power of the Nation and to increase the efficiency in the production of arms, war munitions, food, and clothing for the Army and Navy, it shall be unlawful to sell for beverage purposes, except for export, any distilled spirits, and no distilled spirits held in bond after June 30, 1919, shall be removed therefrom for beverage purposes except for export. The Commissioner of Internal Revenue is hereby authorized and directed to prescribe rules and regulations, subject to the approval of the Secretary of the Treasury, in regard to the removal of distilled spirits held in bond after June 30, 1919, for other than beverage purposes or for export. After three months from the approval of this act until the conclusion of the present war, no grain, cereal, or other food product shall be used in the manufacture or production of beer or other intoxicating malt liquors, and after the approval of this act no beer or other intoxicating malt liquors shall be imported into the United States for beverage purposes. After June 30, 1919, until the conclusion of the present war, no foods or fruits shall be used in the manufacture or production of vinous intoxicating liquors except for export. Any person who violates any of the foregoing provisions or any of said rules and regulations made to carry the same into effect shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding $5,000 or by imprisonment not exceeding two years, or both.

Mr. PENROSE. Mr. President, I desire to enter a point of order on the amendment as reported in the bill from the committee and on the amendment reported on yesterday as a substitute therefor, that both amendments, and more particularly the recent one, are general legislation on an appropriation bill in violation of the rule of the Senate. I shall not ask the Chair to rule immediately on the point, because I think a fuller attendance of the Senate is desirable, and I am informed that several Senators desire to speak on the general phases of the bill. I desire, however, to enter the point of order now and will ask the Chair to make the ruling at the proper time.

Mr. NORRIS. May I interrupt the Senator from Pennsylvania?

Mr. PENROSE. Yes.

Mr. NORRIS. Under the unanimous-consent agreement under which we are proceeding, as I understand, all the amendments which are objected to will go over. Personally I have no objection to the point of order on the amendment being entered now, but I would suggest to the Senator from Pennsylvania that if under the unanimous-consent agreement he objects to the amendment, it would automatically go over until the unobjected amendments should be disposed of. The only point I want to make is that if we are going to take up this amendment now—personally, I do not care which course is pursued—then we ought to finish it finally, and not have some Senator object after we have considered it for two or three hours.

The PRESIDENT pro tempore. The point of order, if made, the Chair will treat as an objection under the unanimous-consent agreement, and therefore the amendment will go over until the unobjected amendments shall have been disposed of.

Mr. PENROSE. I want to say to the Senator from Nebraska that that was the idea I meant to convey.

Mr. NORRIS. That suits me. Now, I should like to clear the matter up a little, Mr. President. I think the Senator from Pennsylvania will agree with me that if he makes the point of order against the amendment as printed in the bill—of course that in reality is not in the bill——

Mr. PENROSE. And also against the substitute.

Mr. NORRIS. Yes; it is the substitute, if you call it a substitute, though it is not a substitute, as I understand the ruling of the Chair under what took place yesterday; it is a committee amendment, and the point of order against that is properly made, of course; but there is not any such thing as making the point of order against the other amendment that has gone out.

Mr. PENROSE. Well, Mr. President, I was not looking at the parliamentary status of the matter with a microscope. I did not know but that, if this amendment should be defeated, perchance then there would be before the Senate the original amendment.

Mr. NORRIS. No.

Mr. PENROSE. But I do not care anything about that detail; that is immaterial.

Mr. NORRIS. I do not either. The committee has offered another amendment, and this is the committee amendment.

Mr. PENROSE. I enter the point of order against the last amendment of the committee, which I now understand is contained in the bill as the report of the committee.

Mr. NORRIS. Yes.

Mr. PENROSE. And I will let the matter go over, if it is objected to.

The PRESIDENT pro tempore. The Secretary will state the next committee amendment.

Mr. SHERMAN. Mr. President, with the understanding that the point of order is reserved—a question about which I desire to make no comment at this time—I wish to address myself to the general features of the bill.

The bill that is immediately pending before the Senate, being House bill 11945, has a multitude of supplemental items running up into a considerable sum of money. These are additional items to those contained in House bill 9054, which itself carries a total of $28,491,253. I presume it is almost regarded as sacrilegious to lay profane hands upon a bill referring to agriculture. For some 12 or 15 years this character of bill has been immune from criticism, and under the cover of that immunity items have crept in from year to year and from session to session until, like the proverbial mantle of charity, an Agricultural appropriation bill covers a multitude of sins. It is about time that a proper rebuke to some of those items should be administered. I know that many of us have sat in our seats here without evidencing any protest against a multitude of such expenditures. Possibly we have been derelict in our duty; we may be sharing in the moral responsibility of permitting those appropriations that have been made from the Treasury in the sessions or the years past, because we have voiced no audible protest against them. However, even if we may by our critics be put in the attitude of Satan rebuking sin, nevertheless it is better late than never.

I understand that years ago when heretics used to be tried—and the Senator from California [Mr. PHELAN] referred to this several days ago—or when an evil cause was pending before Papal authority, even the devil had an advocate to present, as best he could, the cause of that evil influence in the world. So even in the case of this Agricultural bill, I presume, items of an apparently indefensible character will have their advocates here on the floor, as they ought to have, for, if there is any good in them, let it be brought out. These items, however, have risen to that number so that in the aggregate they involve such a sum of money that it is about time that we called a halt.

I know that everything that is intended to be for the benefit of the farmer is supposed to be thereby sanctified, without any regard to what the nature of the item may be. I will refer, therefore, to these items in turn in order that a distinction may be sharply drawn between those items which are actually beneficial to agriculture, horticulture, live stock, and other branches of the agricultural industry, and those that are merely of a speculative character, designed more to pad pay rolls, in my judgment, than anything else.

Mr. PENROSE. Mr. President, will the Senator permit a suggestion?

Mr. SHERMAN. Certainly.

Mr. PENROSE. I desire to call the Senator's attention to the fact that in its title this bill is described as a bill to stimulate agriculture for war purposes, and it is important to bear in mind in analyzing the bill whether the items are of a character pertaining to this war crisis.

Mr. SHERMAN. Yes, sir; that only makes——

Mr. PENROSE. It makes stronger the statement made by the Senator.

Mr. SHERMAN. Yes, sir; it only gives it a more limited scope than it ordinarily would have, for unless these items can fairly be connected with something that will strengthen us for the war, then there can be no excuse for many of the items in the supplemental bill or in the regular bill heretofore referred to.

The title of the bill declares that it is "to carry out * * * the purposes of the act entitled 'An act to provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products.'" The first purpose is the stimulation of agriculture to strengthen us for war. There is no use to talk about the distribution of something we have not. So the more limited scope of this bill would confine it to the stimulation which is justifiable by the declared purpose of the measure. This would limit it to a much narrower scope than the ordinary bill which is omnibus

in character and designed to apply in that undefined territory known as agriculture and the production of food products of all kinds.

There are lurking in all these bills, as there have been for some four or five years, a great variety of items providing for the eradication of all kinds of pests—coyotes, wolves, foxes, badgers, prairie dogs, and noxious insects of all kinds, those that prey both upon the animal and the vegetable world—a variety of items that have aggregated vast sums of money.

The prairie dogs in the West are sometimes quite offensive; they burrow holes in the plains and render it unsafe for those who would ride beyond a mild trot. I have seen suggestions in various documents sent out by the Agricultural Department and by gentlemen who have taken counsel with wise chemists on how to destroy prairie dogs by the use of various kinds of poisonous gases. Nitrous oxide, or laughing gas, I once saw specified in a prescription for their extermination. It was mistaken for poisonous gas which would have exterminated the pest; but, at any rate, it was no worse than what I saw in a printed report from the Committee on Agriculture, in which one of the live-stock experts testified about Polled Angus cattle being the best dairy cattle in the world. If he had been asked the question what Holsteins and Jerseys were good for, I suppose he would have put them down as beef cattle. It is on a par with some of the proposed benefits to be derived from the extermination of various kind of disturbing vermin, both for man and domestic animals, and for the plant and vegetable kingdom.

Mr. REED. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Illinois yield to the Senator from Missouri?

Mr. SHERMAN. Yes, sir.

Mr. REED. I think the remarks of the Senator upon prairie dogs and laughing gas are of such interest that we ought to have a fuller attendance; and if it is not disagreeable to the Senator, I should like to suggest the absence of a quorum.

Mr. SHERMAN. I have no objection, Mr. President, to the Senator suggesting the absence of a quorum, but it is immaterial to me whether they come or not. I shall talk to the galleries or to the seats. I do not expect to convert many Senators; I will admit that; but I think, in common with the Senator from Missouri and the Senator from Pennsylvania, it is high time that these items in the Agricultural appropriation bills were considered.

Mr. REED. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gore	McKellar	Sheppard
Baird	Harding	Martin	Sherman
Bankhead	Henderson	Nelson	Shields
Beckham	Hitchcock	New	Smith, Ariz.
Benet	Johnson, Cal.	Norris	Smith, Md.
Brandegee	Jones, N. Mex.	Nugent	Smoot
Calder	Jones, Wash.	Overman	Sterling
Chamberlain	Kendrick	Penrose	Swanson
Colt	Kenyon	Phelan	Thomas
Culberson	King	Pittman	Trammell
Curtis	Knox	Ransdell	Vardaman
Fletcher	Lenroot	Reed	Walsh
France	Lewis	Saulsbury	Warren
Gerry	McCumber	Shafroth	

Mr. LEWIS. Mr. President, at this moment indulge me to say that the Senators whose names were given by the Senator from Washington [Mr. POINDEXTER] upon the previous roll call are still detained at the hearing of the Interstate Commerce Committee.

The PRESIDENT pro tempore. Fifty-five Senators have answered to their names. There is a quorum present.

Mr. SHERMAN. Mr. President, in the bill now pending before the Senate I find, on pages 2 and 3, what is a duplication—the eradication of cattle ticks, the eradication of influenza and strangle, and so forth. When these are taken with other general items in the regular appropriation bill, I believe it amounts to an extravagance and a useless expenditure of public money.

The production of sheep is provided for in an item of $60,000, on page 3. I wish to consider this in connection with an item in the regular appropriation bill on page 62. The production of sheep is not a question merely of time and range, or of the natural increase of the animal. It is a question of the preservation of the animal life after it shall have been made into potential additions to the wealth of the country. On page 62 it is provided in the House bill that $10,000, or so much thereof as may be necessary, shall be used for investigating the extent and effect of the killing and harassing by dogs of sheep and other meat-producing animals, and of the best methods for reducing and preventing the same. That was in the House bill, and has been stricken out by the Senate, and no substitute has been provided in any other amendment, unless it should be an amendment of a general character which is merely discretionary with the power expending the money.

This House provision ought to stay in if any of them stay in. I regard it as much more important to check the inroads of useless dogs on the sheep supply of the country than to investigate the best way of exterminating coyotes. They are both in the same class. One is not more destructive than another. A sheep-killing dog can do more damage in the sheep belt than any other known animal. When that is taken in connection with the item of $60,000 for the production of sheep, on page 3 of the supplemental bill, it would work out an actual benefit; but the sheep production does not include the sheep preservation, so the $60,000 item, under the rule of strict construction ordinarily adopted by the department, would preclude the method of diminishing the available supply of useless dogs in the country. I think there is more necessity for that than there is for attempting to exterminate many of the noxious insects and animals that are provided for specifically in many of the items.

I believe a good dog license would do something toward that end. I think there ought to be a capitation or excise tax placed upon all the dogs of the country. It is a source of revenue and it is a means of regulation. This remedy probably never will be carried out until the useless curs of the country are subjected to some financial burden, to be paid by the owner.

If the $10,000 item should be restored the methods to be used are very simple. It does not require an expert from the live-stock department to ascertain the best method of stopping the destruction of the sheep supply through dogs. All you have to do is to locate the dog and kill him. A clothesline is available for that purpose. You need not waste explosives on him in war times. Just take a clothesline and hang him. That is the easiest way; but nobody seems to have thought of it in the Department of Agriculture. There are all kinds of high-priced methods of exterminating the animal, such as chloroform and expensive poisons. The chloroform does no good unless you catch the dog, so that ordinarily it is a question of the activity of the investigator; but the $10,000 item, if it should be restored, ought to be devoted to taking a census of the dog population of the 48 States first, and especially in the sheep belt the character of the dog ought to be investigated. That can be helped along, probably, for the $10,000. Whenever the dog is under suspicion no chances ought to be taken in the sheep belt. Dogs are very prolific—much more so than sheep, in proportion. While they have been objects of invidious legislation for many centuries, the dog has survived from primeval times. It is easy enough to get a supply of dogs. The only question is about preserving the sheep supply for wool and mutton. Instead of taking that sensible way of diminishing the risk to the sheep production, it seems that they are taking the roundabout bypath of some scientific method. I suppose they will need a psychologist on the dog before it is done, in order to enable them to investigate the mentality of the dog and discover why it is that a dog has an appetite for mutton, and thereby, if you would destroy the appetite, you would remove the evil, instead of removing the dog. If you would revive what was referred to in the esteemed Speaker's lyric in 1912, when he was a candidate in the national Democratic convention, "Quit kicking my hound dog around," and develop a good crop of hounds of the Missouri breed, it would do more to preserve and multiply the sheep supply than all the appropriations, including Mr. Houston as the head of the Department of Agriculture, that have been known since this administration began.

The trouble is the dog has disappeared as a useful animal. He has become an ornamental beast.

I would rather have one good hound dog, with a tan border and an ear like a Persian rug, turned loose to preserve the food supply and to preserve the balance of food products than all of the pampered white pests that are going around town led by a darkey maid, with a cable attached to a collar around his neck, taking the air every morning. There is more time spent with those degenerate, sore-eyed brutes than there is on all the babies in Washington. I would discriminate in the taxation. One that is kept for ornamental purposes as a canine luxury ought to be taxed, in a childless household, $50 as a minimum. That would produce revenue; with that and with the $10,000 provided on page 62 of the Agricultural appropriation bill it will enable us to kill off all of the useless ones and start on the coyotes to preserve the supply of sheep.

I think this amendment, Mr. President, ought to be restored in lieu of the one on page 3, to which I made allusion the other evening in an inquiry when the Senator from Pennsylvania [Mr. PENROSE] had the floor, an item of $52,950 for making cottage cheese on the farm.

I do not know whether some of the earlier tribe to which I belong have too little respect for the modern way to make these old-time food products or not, but to me this item is ridiculous, supremely so. What is cottage cheese? If you are lucky enough to have milk in the crock during a thunderstorm, it will cottage cheese itself without an appropriation. All you need is to sour the milk, and either hot weather or patience will do it—either one. Just let it alone for a while, and after it is soured all you have to do, when it is reduced to a curd, is to beat it up a little; and if you like any kind of seasoning in it put it in; if not, eat it in a natural state. It is nutritious. It is a good thing to eat. It is said to be an antidote for old age, and it ought to be extremely popular in the Senate. The chemists some years ago in the valleys of the Ural investigated the great longevity of the people residing in that country. It led up to the fact that they were habitual consumers of curds, sour milk. Then they went to analyzing, and they found that it had in it what the chemists call a beneficial microbe; it made war on the microbe of old age. It purified the blood, made it active, fortified one against hardening of the arteries and softening of the brain and an indisposition to exercise and the tendency to enlarge the waist band of the trousers and keep you down to your normal size. I read a report on that from a very learned chemist at one time that occupied me nearly a half day. It was full of information, but the result of it was eat cottage cheese or drink sour milk or eat curds.

When using the scientific name, I notice they do not call it cottage cheese. They call it by a dignified name. I remember when the Senator from Alabama [Mr. UNDERWOOD] once spoke of oleomargarine, he wanted to leave the "oleo" off. That means oil, and it seemed to be a little bit too thick. He wanted to leave it off and just call it "margarine"; it was more euphonious. So, in referring to cottage cheese, I shall refer to it hereafter as curds. That is the chemical name.

Mr. PENROSE. Perhaps some member of the Committee on Agriculture and Forestry may enlighten us as to what is the objective in the investigation of cottage cheese. It might be interesting to ascertain whether there is any member of the committee who knows what it is.

Mr. SHERMAN. I would be very glad if any member of the committee has original information on the subject.

Mr. PENROSE. The Senator from Wyoming [Mr. WARREN] is here.

Mr. SHERMAN. Or any Member of the Senate outside of the committee, so that we may learn what it is.

Mr. NELSON. May I ask the Senator from Illinois a question?

Mr. SHERMAN. Yes, sir.

Mr. NELSON. Will he please inform the Senate the distinction between cottage cheese and Limburger cheese?

Mr. SHERMAN. There are two vital points, Mr. President, in which they differ and by which a novice would not make a mistake. It is the age and the odor. You might mistake one, but you never can mistake the other.

Mr. PENROSE. The Senator from Wyoming, if the Senator will permit an interruption, is a member of the committee, and I should like to ask him if he has any information as to the purpose of the department in this cottage-cheese investigation as a war measure?

Mr. WARREN. Mr. President, I must confess that when this bill was under consideration I did not spend an hour or a moment in the Committee on Agriculture. Every day that that committee was in session I was in attendance upon the Committee on Military Affairs as a member of a subcommittee or as a member of a conference committee.

I may say, while I am on my feet, that I do not approve of this bill as a whole, nor in many of the particulars.

Mr. NELSON. Will the Senator from Illinois yield to me?

Mr. SHERMAN. I yield with pleasure.

Mr. NELSON. I had a letter some time ago from a lady in Iowa referring to this cottage-cheese matter. She said there were women traveling around the State giving instructions to the farmers' wives how to make cottage cheese. They claimed to be employees of the Government and were getting $8 a day and their expenses. She wrote to me a very inquiring letter and wanted to know if these things were so. She felt that, if true, it was a great piece of extravagance. I referred her letter to one of the executive departments and never heard any more from it. Can the Senator give us any information on that point? Has the Government men and women out instructing farmers' wives in the West and Northwest how to make cottage cheese?

Mr. PENROSE. At $8 a day.

Mr. NELSON. At $8 a day, or $6, or any other per diem? I am curious to know, because I am very sorry I did not keep a copy of the letter. I sent it to a department for investigation, but I have had no return. However, I have given the Senator the substance of it.

Mr. SHERMAN. I would have been glad if the Senator had preserved a copy of the letter. It is apparently a small matter, that one item of $52,950 proposed in the bill for a purpose of this kind, but it is well enough to take some time over it. That $52,950 may look larger to me than to the average Senator, but I suppose most of us are not worth that much, if we had our debts paid and our rent bills in the District here settled.

I have had both oral communications and, I think, a few letters, if I had time to search my files, of the same kind the Senator from Minnesota [Mr. NELSON] has mentioned, to the effect that experts have been going among the women on the farms and giving them information on how to take care of dairy products, including curds. It had not reached that great elaboration and detail that it has now; but upon two occasions, in oral conversations with ladies and their husbands from agricultural districts in the West or Northwest, they have spoken of this great desire to illuminate the farm kitchens of the country. I refer to the women who come here, the farmers' wives, the ones who do not keep house by proxy, by servants. With them it is a matter of supreme concern. One old lady who was here said they came out into her kitchen and began to tell her about things which she knew were not so, for she tried it for 40 years in her kitchen, and it would not work.

Here is something that is of very great advantage on the cottage-cheese end of it, while I am talking about this item. If we are going to have any genuine conservation of food products so as to utilize the sour milk, Mr. President, the first thing we have got to do is to take dilettante of this country in tow and cultivate their appetites. There will be no consumption of cottage cheese unless there is an appetite for that brand of edible. To the average man looking over a bill of fare in the city whose appetite has become debased or degenerated by a long course of survival on such a menu as ordinarily is put forth at a hotel or a public eating place, he has lived on caviar, preserved animal products of uncertain age, or canned goods, or bread made from patent flour, or things that have as little nutriment in them as an Egyptian mummy. I would just as lief go down to the Smithsonian Institution and eat a mummy that was wrapped 4,600 years ago during one of the reigns of the forgotten Rameses. We have eaten such stuff until we have had our appetite somewhat perverted.

Men complain to me about eating war bread. A Senator told me not long ago that even the coal miners in his State when they went to buy 25 pounds of wheat flour and had to buy 25 pounds of the substitute at the enhanced price to which the Senator from Idaho [Mr. BORAH] referred yesterday, in going home threw the substitute in the gutter and took the 25 pounds of flour home. They would not eat corn meal; they would not eat barley flour or rye; they had been accustomed to eating wheat-flour bread; and they would not eat a mixture. They will not eat war bread. They would be healthier if they did.

So it is the people's appetite. The healthiest bread there is in the world is the bread made from the whole wheat berry without taking a thing out of it. The man who invented patent flour or the bolting process by which all the coarser portions of the grain were taken out and nothing but the purified flour left did not add anything to the happiness or health of the human race. Patent flour has not in it much more nutriment than that much putty. There is nothing in it but gluten. I looked over an analysis of whole-wheat flour, made out of the entire berry, without a thing taken out, and an analysis of a sample of patent flour. You could not feed dumb brutes with the cereal product that a human being is eating, and keep them alive for 12 months. The greatest tribute to the toughness of the human race physically is the fact that it can live on what it eats and keep a reasonable degree of health.

If we are to come to a cottage-cheese basis, the first thing we must do is to cultivate the appetite of the consumer. You will have to have lectures dilating on the value of cottage cheese as a food product. I can imagine having gentlemen of the kind that need these lectures in a hall, a thousand of them.

Mr. NELSON. Mr. President, will the Senator yield to me?

Mr. SHERMAN. Yes, sir.

Mr. NELSON. Speaking about the cultivation of the appetite, there is a kind of a cheese they call Brick cheese. The Senator has probably heard about it. That was introduced and the taste for it was cultivated over the lager-beer counter. Could not something of the kind be done with cottage cheese?

Mr. SHERMAN. If we had something to act as a stimulus it is possible.

Mr. PENROSE. How can that happen if we get national prohibition?

Mr. SHERMAN. Of course, that presents an appalling possibility.

Mr. PENROSE. It shows that prohibition is a menace to cottage cheese. [Laughter.]

Mr. SHERMAN. It is also a menace to the pretzel, but really the only thing offensive in the pretzel is its shape, like some human beings. It is really a nourishing product. People could very well exchange their cereal food and put pretzels on the table if you would only change the form. They are unpopular now because of the nature of our public enemy. Along with sauerkraut it has become almost a prohibitive article. Anybody who would say a good word for either might possibly be given a trip on a rail.

Mr. PENROSE. Twenty years.

Mr. SHERMAN. Yes.

Mr. SUTHERLAND. Will the Senator yield to me?

Mr. SHERMAN. I yield.

Mr. SUTHERLAND. I wish to ask the Senator whether he has noticed that in addition to these substitutes, some of which are entirely palatable, they compel the householders to buy a large quantity of bran with the flour they have been eating, thereby raising the cost of cow feed to an extraordinary height and compelling human beings to eat it?

Mr. SHERMAN. Yes, sir; I have noticed that. In fact, I have been a devotee of bran diet for several years myself, not with a desire to injure the cow, however. I take the ordinary flour, and in order to get back what ought never to have been taken out, according to my standard of living, I buy bran and eat them both. I have to buy them separately. I can not mix them, but the result is just the same.

What the Senator from West Virginia refers to as compelling purchasers to buy bran is true. It is making stock food higher. That is a form of substitute for wheat flour. If the whole grain were milled together and the bran were left in, you would get a whole wheat bread that would not require these regulations from the Food Department.

But the cottage-cheese item of $52,950 ought to be stricken out, Mr. President, because it serves no useful purpose. People will not eat cottage cheese outside of a limited few unless their appetites are very radically changed. Certain people in the city want it. They get it, some of them, from the regular dairy driver, who brings it around for them, but only by special arrangement. If you go to the bill of fare and look at it at any place, it is very seldom you find it, and it is chiefly some very frugal cook who takes the sour milk that is a waste product otherwise of the establishment and converts it into cottage cheese. If you will notice on the bills of fare where cottage cheese is accessible there will not be one person out of ten who ever orders it. They never will order it until their appetites are cultivated. I have seen them order Roquefort or Schweitzer. I have seen them send for Limburger. It is never upon the table ordinarily, for prudential reasons, but it can be ordered, and I have seen them eat all these compounds, but not one time in ten have I seen them order cottage cheese.

Not only is it barren of any odoriferous taint, but it has in it all the elements of the high-priced cheese, some of which was brought before the war from across the seas. If there were to-day a crusade entered upon by which the different varieties of cheese would be simplified, I would have no objection to devoting some money to that purpose; but Roquefort cheese, while it is very palatable and in a reasonable amount is healthful, yet ordinarily to the novice who has not acquired the cultivated habit of eating it it looks like cottage cheese in the last and extremest stages of putrefaction. The more green streaks it has in it, the more variegated yellow that comes up close to the border, and the greater the prismatic landscape that can be seen in a cube of Roquefort cheese, the more nearly perfect it was in its manufacture.

That is largely a question which appeals to the eye. Those who are experts in eating it like to look at it just as the smoker of a Habana likes to look at the curling smoke. A man can shut his eyes and derive but very little satisfaction from a cigar that costs from 25 cents to $1, whereas he may get a Pittsburgh stogy or a rope made in the local shops at home, open his eyes, and see it curl toward the zenith with admiration, although it comes at a price of three for a nickel. That shows that human imagination is very largely involved in the element of pleasure.

It is possible, as I was going to suggest when I was diverted from that line of thought a while ago, that if these gentlemen whose appetites need cultivation were gotten together in a hall some place by some expert from the Agricultural Department they could be reasoned with. I have tried to visualize the kind of an audience the expert would have that he would gather in from the curbstone. They would be always distinguishable. If you look at their index finger the yellow mark ordinarily is on the right hand. Sometimes if they are left-handers it is on the left-hand index finger, but they are never to be misunderstood. The yellow stain proclaims them as habitual cigarette smokers. Not the kind that merely take the smoke in and eject it in the ordinary way, but inhale it into their lungs, thereby obtaining a prolonged satisfaction at the expense of their bronchial tubes and other respiratory organs. They never eat cottage cheese. If they ever eat anything, it is the manufactured cheese and the pretzel. The ordinary gentlemen of that kind in Chicago, inside of the "loop" of the first ward, are the kind who need the instruction. They are free-lunch fiends. For many years they have subsisted, the greater part of their lives, on free lunches. What prohibition will do with them is left to a merciful Providence. I shall not undertake to analyze their condition in that event; but with the stimulus taken away from them by the foam-crested "schooner," the cheap gin, inside of the "loop," which costs 3 cents for each slug administered to the patient—when they have that, the pretzel, and the overaged accompaniments that go with it, and the lower meat products manufactured into viands of various degrees of stringiness and toughness, which look well enough, will make trouble; if a man had to eat it sober, I do not know what would become of him. It requires a certain amount of stimulus of some kind to be able to absorb nutriment of that character. He is the type you have got to take in and educate to eat cottage cheese. He would never eat it if he is let alone.

Go to the opposite pole of the social equation and you find the man who is a habitual diner out, who is a seasoned, hardened veteran, a banqueter of many courses, of nine kinds of liquor, and of many years' experience. It is no use to tell such a man he is digging his grave with his teeth. He prefers to have a good time while he is here, and to let the grave take its chances of being dug. So on he goes. His appetite will no more be addicted to cottage cheese than it will be to branch water as the ordinary method of slaking his thirst.

I am moved to inquire whether the Department of Agriculture knows the kind of a problem it is undertaking. I do not think it does know it, nor do I believe it very much cares. What it does care for is that some supposedly wise person, male or female, has suggested that $52,950 would just about reach the requirements of the persons out on the road now, together with seasonable additions for the next 12 months' line of food endeavor.

In further explanation of why that ought to go out I will say that on page 12 of the general Agricultural appropriation bill, in lines 11 and 12, are certain items explaining the purposes for which they are given.

> To enable the Secretary of Agriculture to collect and disseminate information concerning live stock, dairy, and other animal products.

This is a dairy product. Under that item, which is quite liberal, there is an abundant opportunity, without any violent construction of the language, to provide for such instruction on the production and consumption of dairy cheese as may be necessary.

Mr. PENROSE. Mr. President, the Senator will note that over a million dollars in the general Agricultural appropriation bill is appropriated for the kind of investigation he is referring to—$500,000 in the paragraph ending in line 11, page 13, and another $500,000 in line 19.

Mr. SHERMAN. I have not found the page where it is summed up.

Mr. PENROSE. It is over a million dollars for that one purpose.

Mr. SHERMAN. The fact that over a million dollars is provided for that purpose is ample reason why this specific item of $52,950 in the other bill, which appears to be in that particular an afterthought, ought not to be allowed.

Then, on page 15 of the general bill there is a further appropriation, which is cumulative to the one already spoken of for the purpose of cottage cheese. The provision is:

> For all necessary expenses for investigations and experiments in dairy industry, cooperative investigations of the dairy industry in the various States, inspection of renovated-butter factories and markets, $364,390.

That is an investigation of the dairy industry. Cottage cheese is a part of the dairy industry. There is no reason for this item of $52,950 to be in addition to those two provisions already made, either of which is amply broad enough to provide for the investigation of this particular item.

Then, leaving this subject of cottage cheese, I will remark as to renovated-butter factories that I have several of those in my particular bailiwick. They are scattered around over various parts of the United States, often in close proximity to large dairy sections. I have noticed that the renovated-butter factory is always lurking in the vicinity of a great dairy belt.

The butter that becomes rancid in a grocery or which spoils before it reaches the retail dealer, either from insufficient icing, from improper handling, or from the native filth that may be incorporated in it by the original producer, all hastening to produce that rancid state which repels the consumer—many thousand pounds of that variety of butter are collected at a single point and shipped to the renovated-butter factory. It is there treated with boracic acid; it is churned with unskimmed milk and coloring matter is added. It is churned with that preservative and sometimes illegitimately with other preservatives that are much more unhealthy than is boracic acid or the trace that is left in it after the butter is washed.

It is then sent to Washington and sold as original Elgin butter from the Fox River Valley, Illinois. I know the difference between reworked butter coming out of a renovated-butter factory and the original product. If they want to investigate that, I have no objection to it. It serves a useful purpose, but it needs supervision by some authority outside of those who are preparing the product and getting it to the consumer. Under that item they can just as well investigate the question of manufacturing cottage cheese as to have a separate item of $364,000 and over provided for that purpose.

On page 26 of the regular appropriation bill—and I take all of these items in connection with each other, because the two bills are interrelated, and while one is a stimulus—the smaller bill, known as House bill 11945—yet they dovetail in together. Beginning on line 7 we find:

For the investigation and improvement of fruits, and the methods of fruit growing, harvesting, and, in cooperation with the Bureau of Markets, studies of the behavior of fruits during the processes of marketing and while in commercial storage, $85,280.

I do not know just what they will discover as to "the behavior of fruits during the process of marketing," but I have discovered some phenomena that are worthy of investigation. One is an inevitable tendency on the part of the boxes or packages holding the fruit. The particular amount for this purpose is $85,280. I do not know how this estimate was reached, and I would be glad to inquire from some member of the committee if he or any other member knows how this particular amount was arrived at. What is the $280 for? Why was it not made a round $100,000 or $200,000?

Mr. PENROSE. At least.

Mr. SHERMAN. Yes; at least, as the Senator from Pennsylvania suggests. It is a mere matter of figures. It is like suing a person. When you are laying the damages at the end of the declaration, you might just as well sue for a million dollars as for 10 cents; it is merely a matter of a few curls of the pen or the depression of a few typewriter keys. Why was it not made a couple of hundred thousand dollars? How did they arrive at $85,280? I might have a suspicion that it was to fit an existing pay roll, with possibly a 10 per cent addition or whatever was thought to be a legitimate increase in the requirements of that part of the department's activities.

But "the behavior of fruits" is something that interests everybody in Washington. I have noticed a most reprehensible tendency on the part of the bottom of the package or box containing fruits to rise; it gets farther and farther from the outside margin of what had once been the bottom. I think Isaac Newton discovered the law of gravity that pulls everything down. I should like to have some wise man in the Department of Agriculture discover the law that pulls the bottom of boxes up.

There is another thing which I can understand, namely, that the boxes are never full. Last week I measured one of the boxes of blackberries that I took home, and it lacked nearly an inch—eleven-twelfths of an inch—of reaching the top edge of the box. I do not think the grower of the blackberries brings them in in that way. I took this particular box and turned it upside down, and I found that the bottom of the box, in addition to obeying the mysterious law of rising, had three thicknesses of brown paper folded up and laid in. I did not buy brown paper; that is not a nutritious article of food; I bought berries; but not only did the bottom of the box rise, but the bottom of the box was bolstered up and padded worse than any actress ever seen in Washington—padded with brown paper; and when I measured it after compression I found that the entire stolen space in that box was 1¼ inches.

That occurred where? In the District of Columbia. This is the model city of North America. Here it is that an example is set for all the world, and especially for all of the heathen that come from west of Pittsburgh. We are asked for such appropriations as this to enable some expert to tell us how to market berries and to enable him to study "the behavior of fruits during the process of marketing." I want them first to investigate and discover the behavior of the boxes.

Mr. PENROSE. Well, these are war measures.

Mr. SHERMAN. Yes, sir; that is correct. And after the dealer gets the box with the fruit in it, I should like the department to investigate him. I will wager any official of the Department of Agriculture a silk tile—which he can have at my expense—that I can go out with any investigator of the department in the city of Washington, and I can find duplicates of that box in hundreds of places in Washintgon. It will encourage us to fight the Hun if we can get what we pay for. Here, where the benignant countenance of that colossal figure that rests on the dome of the Capitol looks eastward to warn all the monarchs of the world that free government is our birthright, we can not, even in the city of Washington, stop the fruit dealers and those handling berries from swindling us out of an inch and a quarter of depth in their boxes. Before the department attempts to remove the mote from the eye of the old lady in the kitchen out on the western farm and to instruct her in the mysteries of cottage cheese, I want them to pluck the beam out of the eye of the Washington fruit and berry dealer.

Mr. KING. Mr. President, I suggest to my distinguished friend, that in talking so much about the law of gravitation, he has perhaps forgotten that the law of capillary attraction may prompt the bottom of the box to rise.

Mr. SHERMAN. I had not thought of that, and I thank the Senator from Utah for making the valuable suggestion. I think I will communicate with some of the great professors of physics and advise them that the law of capillary attraction in the case of a piece of brown paper has been so strong as to spring the bottom of a wooden box. [Laughter.] I never knew that before; it is an explanation, however, that is worthy of investigation out of this $85,280 fund.

On page 57 of the general agricultural appropriation bill—and I wish to hurry along, Mr. President, because I do not desire to take any more time than actually is necessary to call attention to these matters—I find the following item:

For investigations of insects affecting deciduous fruits, orchards, vineyards, and nuts, $93,380—

There is that degree of certainty and particularity in the appropriation that makes me anxious for information from some member of the committee as to how this particular sum was arrived at—

Provided, That $9,600 of said sum shall be available for the investigation of insects affecting the pecan and method of control of same.

There is one insect in the country that affects the pecan more than anything else, and a town constable or a deputy sheriff can cure it. I refer to the gentlemen who go out and cut the pecan trees down. Instead of taking the nuts off the tree—they could steal the nuts, and that would be bad enough—they cut the tree down. That has been the besetting evil all up and down the northern pecan belt. It is a nut which assumes considerable importance, and the regulation of this evil would do more even than to track the insects that are supposed to be waging destructive warfare on this article of food.

Then, in line 11, on page 57, of the same bill, I find the following item:

For investigations of insects affecting cereal and forage crops, including a special investigation of the Hessian fly and the chinch bug, $122,060.

I wish to go forward now to page 58, where, in lines 7 and 8, is found the following:

For investigations, identification, and systematic classification of miscellaneous insects, including the study of insects affecting the health of man and domestic animals, household insects, and the importation and exchange of useful insects, $52,330.

There are useful insects in the country, but their number unfortunately is very small compared with the number of noxious ones. It is like the eternal struggle between good and evil except that in a pronounced degree the evil insects overbalance the good. There is more difficulty in finding useful insects, those that will do good and will prey upon the evil ones, than there is in finding the other kind.

But this exchange of useful insects will be construed with the language at the bottom of page 58, where the gypsy moth and brown-tail moth, or both the same kind, shall be hedged against by introducing and establishing the parasites and natural enemies of these insects and colonizing them within the infested territory. This provides another appropriation of $304,050, making a total appropriation of nearly $1,000,000—$986,680 all together.

Mr. President, these provisions are specific in amount. I should like to inquire from some member of the Committee on Agriculture and Forestry if any investigation has been had that will tend to destroy the insect known as *Cimex lectularius?* Is there any member of the committee here? This insect is one of the greatest pests known to civilized man. It is nocturnal in

its habits. It is carnivorous in its diet. It is indestructible in its longevity and its ability to escape the efforts of man to exterminate it. It is not found in primeval times and ages. Like the English sparrow, it is an attendant of civilized communities.

Prior to coming to this Chamber, I spent a good part of my life on the road, and I had a vast experience with this insect. It is known to polite society and to hotel keepers and to scientists as *Cimex lectularius*. By the proletariat it is called the bedbug. I wish to inquire from the head of the Department of Agriculture and from the chairman of the committee, when he shall resume his seat, if there are any efforts in their investigation of interstate commerce to stop the spread of this carnivorous pest? It has done more to sap the vitality of the human race and interfere with the ability successfully to make war on the Kaiser than anything I know of. It is worse than the chinch bug. The chinch bug is a relic compared with his primeval forays. It is an insect that belongs to an earlier age. It is no longer the pest that it was. With the country settled up, with the grass burned out, with no longer the opportunity for it to hide and hatch as in days gone by, the chinch bug is not now the standing menace to the crops that it was. There is provision made here for taking care of chinch bugs. I do not know how many other bugs could be provided for; but the writer of the bill, or those in the department who have had charge of that, have unwittingly allowed a vast number of insects to escape. I can think of any number of noxious insects that are not specifically mentioned in this bill, and can only be covered by the general phrase of "other hurtful insects." They seem to have exhausted their stock of information on noxious insects.

I have already referred to the clause that is stricken out on page 62, preventing sheep-killing dogs from continuing their devastations.

On page 82 there is what seems to me a wholly indefensible item:

To enable the Secretary of Agriculture to make studies of cooperation among farmers in the United States in matters of rural credits and of other forms of cooperation in rural communities.

What is the use of that? Reduced to practical effect, it is a colporteur going in rural districts teaching farmers how to borrow money from the Government. Note its language:

To enable the Secretary of Agriculture to make studies of cooperation among farmers in the United States in matters of rural credits.

There is the rural-credit bank. The farmer already knows how to cooperate to take care of himself, to spread useful information about crop raising, about live stock. He knows how to take care of the restoration of his soil. He learns that by local laws. All the great agricultural and live-stock States of the Union now have a system of their own. They have county agents; they have State authorities. Under their State universities they are getting detailed and accurate information upon how to take care of these different problems. In proportion as they have learned these things the demand on borrowing money from the Treasury subsides. Here is an invitation to the Secretary of Agriculture to send out investigators to teach the farmers of certain parts of the United States how to approach the Treasury to borrow money. I think it is utterly indefensible, Mr. President, and it ought to be stricken out.

On page 83 is a cumulative provision of $5,000, reading as follows:

To enable the Secretary of Agriculture to carry into effect the act entitled "An act to fix standards for Climax baskets for grapes and other fruits and vegetables, and to fix standards for baskets and other containers for small fruits, berries, and vegetables, and for other purposes," approved August 31, 1916, including the employment of such persons and means as the Secretary of Agriculture may deem necessary, in the city of Washington and elsewhere, $5,000.

That item ought to go out. There is no reason why that ought to be in the bill in addition to the sum already provided for on page 26, with precisely the same purpose; and this serves no other purpose, that I can see, except to expend $5,000 more.

Then, on page 88, is this item:

To enable the Secretary of Agriculture, in cooperation with the authorities of the States concerned, or with individuals, to make such investigations and demonstrations as may be necessary in connection with the development of live-stock production in the cane-sugar and cotton districts of the United States, including the erection of barns and other necessary buildings, and the employment of persons and means in the city of Washington and elsewhere, $60,000.

That reminds me that in the cane-sugar country there must be some occasion for an appropriation of this kind. It must be because the cane-sugar industry in some places has decayed. It is no longer profitable. For some reason, prior to the beginning of the war it was found that no returns could be had on the investment. Some of the cane-sugar manufacturers are in the business not of original choice, but because they have inherited the property; it has come down to them from their ancestors. Some of them are very small in their holdings. They are of the French blood. They do not part with land; and as the family multiplies the land itself is subdivided into very small holdings; and anyone who is familiar with that country knows that these small holders, in the aggregate, amount to a considerable part of the cane-sugar producers. Now, the large sugar-plantation men, those like Mr. Matthews and others out a way from New Orleans, have very large investments. They buy the crude sugar from the small producers and put it in shape where they themselves can job it to the sugar refineries. But the mere fact that on page 88 of the Agricultural appropriation bill $60,000 is thought to be necessary to restore the prosperity of the cane-sugar area is a tremendous commentary upon what has occurred under certain economic conditions. I shall not oppose that. If these men who found in peace times that it was no longer profitable to produce sugar can be helped to the extent of $60,000, I have no objection to that item. I only call attention to the necessity for such an item and the fact that we are running on an economic principle that requires such appropriations.

Again, on page 91:

To enable the Secretary of Agriculture to meet the emergency caused by the existence of the pink bollworm of cotton in Mexico, and to prevent the establishment of such insect in the United States by the employment of all means necessary, including rent outside of the District of Columbia.

There is one part of that that is impossible to be performed—the provision here that the Secretary shall meet the emergency of the pink bollworm of cotton in Mexico. I do not think any investigator will care to go across the line into the cotton-producing area in Mexico, outside of a comparatively small area along the border, just on the other side of the Rio Grande. To reach the parts where the pink bollworm comes from, its origin in the most dangerous form, you must reach the interior of Mexico.

To do that involves an investigator in considerable risk. There are worse things than pink worms there. This is an impossible item in that much of it; and I would suggest to the chairman of the committee that that much of it be modified, because this is a $50,000 item, and, so far as it expects an investigator to go across the border to look into the destruction of the pink bollworm there, it is on a par with the item of $52,950 for cottage cheese. It is absolutely impossible under present conditions to be usefully expended.

I do not enter at great length upon this item in elaborating the reasons; but carrying over farther, after page 91, on page 92, beginning in line 14, I find the following:

To make surveys to determine the actual distribution of the pink bollworm in Mexico and to exterminate local infestations in Mexico near the border of the United States, in cooperation with the Mexican Government or local Mexican authorities, $25,000;

To investigate in Mexico or elsewhere the pink bollworm as a basis for control measures, $25,000.

Here is a total of $100,000, a part of which may reasonably be expected to be expended in the interior of Mexico or across the line. There is no safety, nor is there any certainty that anybody can produce any useful results by an investigation across the border. It seems to me that these items ought to be reduced so as to bring them within the possibility of performance.

Upon page 99 is a general provision, in section 14, as follows:

That whenever the President shall find that an emergency exists requiring stimulation of the production of wheat and that it is essential that the producers of wheat, produced within the United States, shall have the benefits from time to time, seasonably and as far in advance of seeding time as practicable, to determine and fix and to give public notice of what, under specified conditions, is a reasonable guaranteed price for wheat, in order to assure such producers a reasonable profit. The President shall thereupon fix such guaranteed price for each of the official grain standards for wheat as established under the United States grain-standards act, approved August 11, 1916. The President shall from time to time establish and promulgate such regulations as he shall deem wise in connection with such guaranteed prices, and in particular governing conditions of delivery and payment and differences in price for the several standard grades at the local elevator or the local railway market where such wheat is delivered from the farm where produced, adopting No. 1 northern spring or its equivalent as the basis. Thereupon the Government of the United States hereby guarantees every producer of wheat produced within the United States that, upon compliance by him with the regulations prescribed, he shall receive for any wheat produced in reliance upon this guaranty within the period, not exceeding 18 months, prescribed in the notice a price not less than the guaranteed price therefor as fixed pursuant to this section. In such regulations the President shall prescribe the terms and conditions upon which any such producer shall be entitled to the benefits of such guaranty. The guaranteed prices for the several standard grades of wheat for the crop of 1918 shall be based upon No. 2 northern spring or its equivalent at not less than $2.50 per bushel at the local elevator or the local railway market where such wheat is delivered from the farm where produced.

This is a committee amendment, the reading of which I have just completed. It places in the hands of the President the power to fix prices for wheat. It is entirely dependent upon the President. It depends upon no congressional action after the passage of this bill containing section 14, the committee

amendment; but it takes away from Congress, unless it should legislate by amending this article, or repealing it, any further power in the way of price regulation of wheat. It seems to me that Congress should keep that power. We have entered upon the era of price fixing. Two dollars and twenty cents was fixed here in former legislation as the basic price. If Congress has once entered upon the course of price fixing, it must keep the power and must continue from time to time to regulate the prices. I do not believe that power should be delegated to a department. In name it is delegated to the President, but we all know that that is only a nominal delegation of power; that practically it puts the fixing of the price of wheat in the hands of the Secretary of Agriculture, who in turn will delegate it out to some employees or subordinates.

In fact, it puts upon the President a power which can be exercised by him only by again delegating the power which we vest in him. It leaves it in the hands of persons with this delegated power, then, to fix the price of wheat from time to time. Where it will come from, who it will be, how they will exercise that power, what degree of wisdom or folly will manifest itself in judging of market conditions under which the farmer or wheat producer will dispose of his surplus products, we know nothing. We delegate in general blanket terms that power. I believe Congress ought to keep the power and fix by its own action a basic price, subject to amendment from time to time, instead of delegating it to a department.

But, if we have once delegated it to a department, it will stay there. All of us know how extremely difficult it is to recall a delegated power and resume its operation by Congress. It is there subject to the usual amplification, to the elaboration which the department finds upon the application to which it inevitably becomes subject. These matters, I think, Mr. President, are ones that would properly call for an amendment of the general bill.

In regard to the amendment offered this morning striking out the former committee amendment on page 6, I wish to comment briefly. This is what is known as the prohibition amendment. I would prefer the original committee amendment, if my will controlled on that matter.

There are now available in stock in the country about 200,000,000 gallons of whisky which ordinarily would be devoted to beverage purposes. Former legislation destroyed the distillery in this country, so far as it produces a beverage. All the distilling of potable liquors coming from distilleries were discontinued pursuant to the last act of Congress on that subject. The distillers of this country have acquiesced in that arrangement. They have, as far as possible, converted their distilleries into plants for the production of industrial alcohol. Of the parts of a distillery that could be used only for the manufacture of whisky, the large warehouses required for storing it in bond, some will now be unavailable or will not be needed. The parts or the structures where the whisky is racked off, a large part of the cooperage used, will no longer be valuable property. They acquiesced in the arrangement. They have adjusted their business to the former amendment.

The banks of the country have loaned on warehouse certificates of a very large quantity of whisky held in bond considerable sums of money. I am not overly tender about the property rights that attach to intoxicating liquors to be used as a beverage. I believe, however, some fairer arrangement to take care of the established credit on the basis of warehouse certificates on whisky in other forms should be had before the ban of the law is put upon that form of what heretofore has been legitimate property.

I would vote, Mr. President, for the Government to take over the whole of the 200,000,000 gallons, export it, sell it for legitimate purposes to hospitals, use it for medical purposes until the last gallon of it shall have been consumed, rather than to disturb the credit and bring on possible bankruptcy—not to say, in some communities, panic—where the sums loaned to individual holders of warehouse certificates will exceed the capital stock of the bank making the loan. I do not believe this matter has been given altogether as much consideration as it ought to have. I am not prepared to say that if some fair solution of it can not be worked out I will not vote for it in its original severity, but I do believe that more care ought to be had in the protection of the property rights involved.

Mr. KENDRICK. Mr. President——

The PRESIDING OFFICER (Mr. ASHURST in the chair). Does the Senator from Illinois yield to the Senator from Wyoming?

Mr. SHERMAN. Yes, sir.

Mr. KENDRICK. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Wyoming suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Jones, N. Mex.	Nugent	Smith, Md.
Baird	Jones, Wash.	Overman	Smith, S. C.
Bankhead	Kellogg	Penrose	Smoot
Borah	Kendrick	Phelan	Sutherland
Calder	Kenyon	Poindexter	Swanson
Chamberlain	King	Pomerene	Thomas
Colt	Lenroot	Ransdell	Thompson
Culberson	Lewis	Saulsbury	Trammell
Curtis	McCumber	Shafroth	Underwood
Fernald	McKellar	Sheppard	Vardaman
Fletcher	Martin	Sherman	Walsh
France	Nelson	Shields	Warren
Gore	New	Simmons	
Johnson, Cal.	Norris	Smith, Ariz.	

The PRESIDING OFFICER. Fifty-four Senators have answered to their names. There is a quorum present.

Mr. PENROSE. Mr. President, I rise to a parliamentary inquiry. Does the first amendment in the bill go over under objection, the amendment permitting the Secretary of Agriculture to employ persons within the draft age?

The PRESIDING OFFICER. The Chair is informed that it went over on the request of the Senator from Pennsylvania.

Mr. PENROSE. My recollection was that it went over, but I was not certain that the Secretary had made a note of it.

The PRESIDING OFFICER. The Secretary so informs the Chair. The question is on agreeing to the amendment of the committee, which will be stated.

The SECRETARY. On page 8, line 15, strike out the words "grain, hay" and the comma.

The amendment was agreed to.

The SECRETARY. The next amendment is, in line 16, strike out "$180,720" and insert "$30,000."

Mr. KING. Is this subject to amendment?

The PRESIDING OFFICER. It is.

Mr. KING. I move to amend by striking out the entire item.

The PRESIDING OFFICER. The Senator from Utah moves to amend the amendment by striking out the entire item.

The amendment to the amendment was agreed to.

Mr. KING. That will necessitate the elimination of the words "market news service on feeds and seeds."

The SECRETARY. Strike out, on page 8, lines 15 and 16, the following: "Market news service on feeds and seeds, $30,000," up to the semicolon. It leaves in the semicolon.

The amendment as amended was agreed to.

The PRESIDING OFFICER. The Secretary will state the next amendment.

The SECRETARY. In line 17 strike out the word "surveys" and insert "survey."

The amendment was agreed to.

The SECRETARY. In line 17, strike out "$449,700" and insert "$100,000."

Mr. KING. I move to amend that by striking out "$100,000."

Mr. FLETCHER. That would leave it without any appropriation at all.

Mr. KING. Exactly.

Mr. FLETCHER. The department could not pay the salaries.

Mr. KING. Exactly.

Mr. FLETCHER. I do not think it ought to be stricken out. Either the whole provision ought to be stricken out or the appropriation should be left in.

Mr. KING. I regard the whole thing as useless, a work of supererogation, a purpose to give employment to a number of incompetent men, as most of these items are for.

Mr. FLETCHER. The fertilizer situation is very important.

Mr. NORRIS. I make a point of order on the amendment.

The PRESIDING OFFICER. The Senator will please state it.

Mr. NORRIS. I understand we are considering only committee amendments now.

Mr. PENROSE. This is a committee amendment.

Mr. NORRIS. If the committee amendment prevails, then there is not anything to vote on after the committee amendment is left in the bill. I concede the Senator might move to cut down the amount as small as he wants, but I object to cutting it all out. In fact, it will have just the opposite effect, as I understand it, from what the Senator is trying to accomplish.

Mr. KING. It seems to me the mere fact that the House agreed upon a certain amount and the Senate committee amended it, and the question is upon agreeing to the amendment offered by the Senate committee would not preclude an emandation by the Senate eliminating the entire item. I do not understand that it would be subject to the point of order. Therefore, to make the matter very clear, I move to strike out the following words, found in line 17, page 8:

Fertilizer survey of the United States, $100,000.

Mr. NELSON. The Senator ought to include the words in line 16, "food and."

Mr. KING. I move to amend by striking out the following: "Food and fertilizer."

Mr. FLETCHER. I understand we have already agreed to the committee amendment striking out "surveys" and inserting "survey."

The PRESIDING OFFICER. That is correct.

Mr. FLETCHER. The Senator can not therefore move to amend it.

Mr. KING. If that be true, then my amendment will go only to the word "fertilizer," in line 16, and the words "survey of the United States, $100,000," in line 17.

Mr. SHEPPARD. Mr. President, I make the point of order that we are proceeding under a unanimous-consent agreement by which we are to consider only unobjected amendments.

The PRESIDING OFFICER. The Chair was not aware of that unanimous-consent agreement.

Mr. KING. I should like to ask the Senator from Texas if the unanimous-consent agreement, of which I was not aware, would preclude an amendment to the committee amendment?

Mr. SHEPPARD. For the present it would.

Mr. SMOOT. Oh, no; that can not be so.

The PRESIDING OFFICER. The Secretary will please state the unanimous-consent agreement. The present occupant of the chair knows nothing about it.

Mr. SMOOT. By the unanimous-consent agreement asked—and I take it for granted it was consented to by the Senate—we are to consider only committee amendments, but that does not preclude an amendment to a committee amendment.

The PRESIDING OFFICER. The Chair is now advised of the situation. Unanimous consent was asked and granted that the committee amendments only should be considered first, and committee amendments are always amendable. So the amendment of the Senator from Utah is in order. He seeks only to amend the committee amendment.

Mr. FLETCHER. I suggest that the word "survey" having been inserted by a vote of the Senate, that amendment having been agreed to, it is not in order now to move to strike it out. You would have to reconsider that vote.

The PRESIDING OFFICER. It can only be stricken out after a motion to reconsider. The question is on the amendment of the committee, in line 17, to strike out "$449,700" and insert "$100,000."

Mr. SHIELDS. Mr. President, I wish to see if I understand the motion to strike out. I understand it applies to the provisions in lines 16 and 17, "fertilizer survey of the United States, $100,000." Am I correct in that? I should like to hear from some member of the committee what survey is intended to be covered by this amendment. It may be a very important provision.

Mr. PENROSE. If the Senator will permit me, I think there ought to be here the chairman or some member of the committee to explain these items. I agree with the Senator from Tennessee. It is not fair to the Senate to ask us to pass upon these wasteful, improvident, and unnecessary appropriations without some explanation. There is no member of the committee here. What Senator is in charge of the bill? The Senator from Wyoming [Mr. WARREN] has not attended any meetings. The Senator from Oregon [Mr. CHAMBERLAIN] just informed me that he attended no meeting of the committee.

Mr. WARREN. The Senator from Iowa [Mr. KENYON] is here.

Mr. PENROSE. The Senator from Iowa does not appear to be redolent with knowledge. What member of the majority party is in charge of the bill?

Mr. SHEPPARD. Mr. President, I was called out of the Chamber temporarily, and I did not hear the inquiry of the Senator from Pennsylvania.

Mr. PENROSE. If the Senator from Tennessee will permit me, I made the statement that it is only ordinary courtesy to the Senate that there should be some member of the Committee on Agriculture to explain these items, which to many of us appear wasteful, improvident, and unnecessary.

Mr. SHEPPARD. I shall be glad to give the Senator any information he may desire if I can possibly give it to him.

Mr. PENROSE. I do not hear the Senator.

Mr. SHEPPARD. I say I would be glad to furnish him with any information that I have. I am a member of the committee.

The PRESIDING OFFICER. Let there be order in the Chamber.

Mr. PENROSE. I hesitate to ask the Senator from Texas, because he confessed on Saturday night that he was not a member of the committee and knew nothing about the bill and was unable and unwilling to explain any details.

Mr. SHEPPARD. Not at all, Mr. President.

Mr. PENROSE. The RECORD will show that.

Mr. SHEPPARD. No; the RECORD will not show it.

Mr. PENROSE. The Senator expressed the thought that his only knowledge of the bill was contained in the paragraph relating to the prohibition rider, and he emphatically denied responsibility for the rest of the measure.

Mr. SHEPPARD. Not at all, Mr. President.

Mr. PENROSE. If the Senator has had an opportunity over Sunday to study the measure——

Mr. SHEPPARD. The Senator is in error. The Senator's recollection is at fault.

Mr. PENROSE. With all the varied accomplishments of the Senator from Texas, I think the Senate is entitled to have a member of the committee here.

Mr. SHEPPARD. I am a member of the committee.

Mr. SHIELDS. I think I have the floor, Mr. President.

The PRESIDING OFFICER. The Senator from Tennessee has the floor.

Mr. SHIELDS. I ask that this amendment may go over until some member of the committee can explain it.

Mr. SHEPPARD. I am a member of the committee and will be glad to give the Senator any information he may request.

Mr. SHIELDS. I understood the Senator from Pennsylvania to say you are not a member of the committee.

Mr. PENROSE. I thought he was not.

Mr. SHIELDS. I will ask the Senator from Texas to explain what survey is proposed by the provision in lines 16 and 17 in these words:

Fertilizer survey of the United States, $100,000.

It seems that the House provided for $449,700 for this survey. The subject matter is a very interesting one and a very important one, and the item ought not to be stricken out without a very full explanation of it.

Mr. SHEPPARD. Mr. President, before I proceed with the explanation I want to say to the Senator from Pennsylvania that he has, I am sure unintentionally, done me an injustice. What I said Saturday evening was that I was not the chairman of the committee; and therefore had no authority to consent to the elimination of items in the bill. He has simply indulged to-day in one of his characteristic pieces of persiflage with which he entertains the Senate on numerous occasions.

The Department of Agriculture has the following to say on the subject of food and fertilizer surveys:

Surveys have been made of (a) quantities of raw food products on farms, (b) stocks in the hand of manufacturing, storing, and wholesale and retail concerns, (c) quantities of certain kinds of food preserved for home use, quantities actually on hand in the household, and estimated amounts of family consumption, and (d) fertilizing materials.

The Department of Agriculture further represents that—

(a) With the cooperation of the Bureau of Crop Estimates, information regarding stocks on farms, principally quantities of cereals and numbers of live stock, including poultry, were obtained as of August 31, 1917.

The department says further that a more comprehensive survey was made as of December 31, 1917.

Furthermore, the department represents that—

(b) For commercial concerns, a preliminary survey covering 18 items was made under date of August 31, 1917, and a more comprehensive survey, covering 86 items, under date of December 31, 1917.

The department says that—

Schedules were sent out by mail to all concerns whose names and addresses could be ascertained. In connection with the more comprehensive survey, 500,000 schedules had been returned by the end of February.

It says further——

Mr. SHIELDS. Do I understand that relates to fertilizer or merely food?

Mr. SHEPPARD. It relates to food and fertilizer. It includes both.

Mr. SHIELDS. I suppose the Senator will reach the point applicable to fertilizer in his reading.

Mr. SHEPPARD. I will. I want to give full information on this point, inasmuch as it has been requested. The department says:

Special surveys of retail establishments were made by personal canvass in 41 representative counties, including cities of all sizes, for the purpose of obtaining complete returns from such establishments in these representative communities. The information obtained in this way is being used to check by comparison the returns received by mail and to furnish a basis for estimating the holdings of very small concerns whose names and addresses generally could not be ascertained.

The department further states that—

(c) Surveys have been undertaken and are approaching completion by placing more than 40,000 schedules in the hands of representative families in the various States, requesting information concerning the preservation, uses, holdings, and consumption of foods in the household as a basis for making estimates for the 22,000,000 families of the entire country. A separate dietary survey is under way for the purpose

of collecting detailed information from a large number of families at all seasons of the year in order to show food habits and customs, food waste and consumption, and the use of food according to its nutritive value.

Mr. PENROSE. The Senator is speaking of the fertilizer survey?

Mr. SHEPPARD. I am speaking of the food and fertilizer survey of the United States.

Mr. PENROSE. But the food survey is eliminated.

Mr. SHEPPARD. I understand. It was my impression, however, that information was wanted on this entire item. I am now approaching the fertilizer phase.

Mr. PENROSE. The interesting recital about food partakes a little of a variety of camouflage, it seems to me, because the committee has not been impressed by the argument of the department and has eliminated the food survey. Now, unless fertilizers are used on food I think it would be well if the Senator would confine himself to fertilizers.

Mr. SHIELDS. I understand the Senator from Texas is reading the explanation given by the Agricultural Department as to the entire item as it appears in the bill as passed by the House.

Mr. SHEPPARD. I am.

Mr. SHIELDS. And he will come to the part applicable to the fertilizers in a few minutes.

Mr. SHEPPARD. I was just about to take up the fertilizer phase, when the Senator from Pennsylvania appeared upon the scene. The department says that—

(d) A fertilizer survey was made showing the stocks on hand of 26 items of important fertilizer material as of October 1, 1917.

Further food surveys should be made and monthly reports obtained regarding important items of food, such as wheat, flour, corn, beans, sugar, pork products, potatoes, etc., held by leading classes of concerns, especially manufacturers storages, and large wholesale establishments, in order to secure information necessary to formulate policies regarding the conservation of foods and the encouragement of production. Dietary surveys should be completed and additional fertilizer surveys be provided for.

That is the recommendation of the department. It has already made a survey of the fertilizers on hand, of 26 items of important fertilizing materials, on October 1, 1917.

Mr. PENROSE. But if I may be permitted, Mr. President, how does the Senator arrive at these figures? They all seem to be split up in a mysterious way. For instance, I find for "food and fertilizer surveys, $449,700." Why did they not make it a half million dollars at once? How do they come to pennies?

Mr. SHEPPARD. I have here detailed statements as to how the money is expended.

Mr. PENROSE. I have no doubt they have provided for the expenditure of the money; but what I want to get at is how these figures are arrived at.

Mr. SHEPPARD. I shall gladly tell the Senator. For instance——

Mr. PENROSE. There is a mysterious split of the figures which I do not quite understand. Why the appropriation should be just $720 extra in the item for grain, hay, feed, and seed? Why should it not be $180,700? There is such a mathematical and wonderful accuracy in these figures that I am a little puzzled to know how they were arrived at. Does the Senator from Texas know?

Mr. SHEPPARD. I was just about to give the Senator detailed estimates.

Mr. PENROSE. Well, anyone can read the report; but I supposed the Senator was so familiar with the matter that he could tell the Senate.

Mr. SHEPPARD. Why, Mr. President, it is impossible to recollect the various details of these expenditures.

Mr. PENROSE. Well, how were the figures "720" arrived at, which are almost too insignificant to bother with in an Agricultural or in any other appropriation bill?

Mr. SHEPPARD. To what particular item is the Senator from Pennsylvania referring now?

Mr. PENROSE. I am referring to the item which the Senator is discussing, right in front of him, on line 16—"grain, hay, feeds, and seed," which was originally put at $180,720. It is a mystery to many of us on this side of the Chamber, and perhaps on the other, how the $720 was arrived at.

Mr. SHEPPARD. If the Senator will allow me, I shall endeavor to explain it.

Mr. PENROSE. I hope the Senator from Texas will do so.

Mr. SHEPPARD. The department asked for $280,186 for the fiscal year of 1919, stating that this sum should be expended as follows: One specialist at $3,780; one assistant at $2,400; another assistant at $2,220; another at $1,500; two clerks at $1,800; another clerk at $1,680; five clerks at $1,620; five clerks at $1,400; one clerk at $1,320; 26 clerks at $1,200; 40 clerks at $1,100; 74 clerks at $1,000; 53 clerks, messengers, and telephone operators, $900 to $420; 1 multigraph operator, $1,200; another at $1,000; and 140 miscellaneous clerks; the total being $280,186, which the department estimated would be needed for salaries. Then follow specifications for the remainder of the estimate.

What standard or what methods the House committee followed in fixing the amount at $180,720, of course I do not know, but I give the Senator the figures, showing how the department arrived at the original estimate as to what it thought would be required for the fiscal year 1919.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Utah?

Mr. SHEPPARD. I do.

Mr. KING. Does the Senator from Texas mean to state that under the item "Market news service on grain, hay, feeds, and seeds," which calls for an appropriation of some two hundred and odd thousand dollars, the number of employees just stated by the Senator was required?

Mr. SHEPPARD. No; I am speaking now of the item of food and fertilizer survey. I can give the Senator the estimate as to the employees in the market news service on grain, hay, feed, and seeds if he desires.

Mr. KING. If the Senator will pardon me, I shall be glad to have that information. But does the Senator mean to state that of this appropriation for food and fertilizer surveys of the United States of $449,700, more than $200,000 of it is to be consumed in paying the clerks? In other words, we appropriate four hundred and some odd thousand dollars, and more than half of it is to be consumed in paying the clerks and other employees?

Mr. SHEPPARD. That is the estimate of the department.

Mr. KING. Well, I think if that is the method of appropriation it ought to be revised, and somebody else ought to furnish information as a basis for the drafting of bills and the making of appropriations than those who have supplied this information to the Senate.

Mr. SHEPPARD. The department states how many clerks it desires for the work and how much is to be paid each one. What else would the Senator want?

Mr. KING. Well, it would seem that, in order to expend this two hundred and odd thousand dollars, there are needed not only a few but scores of clerks.

Mr. SHEPPARD. Well, these clerks are required in order to make the survey; they perform the bulk of the work.

Mr. KING. What is the amount appropriated for the employees furnished under the preceding item?

Mr. SHEPPARD. The total amount is $88,480.

Mr. KING. Out of the $180,000?

Mr. SHEPPARD. Yes; that is true.

Mr. SHIELDS. That applies to feeds and seeds, but not to food and fertilizer.

Mr. KING. That refers to the market news service on grain, hay, feeds, and seeds; that is, to furnish the market news service on feeds and seeds—grain and hay having been stricken out—it costs $80,000 for clerk hire.

Mr. SHEPPARD. About 63 clerks are required under that item of $88,000.

Mr. SHIELDS. That is not the item under consideration; the item under consideration is the appropriation of $100,000 for the survey of fertilizers.

Mr. SHEPPARD. The Senator from Utah is simply inquiring about the preceding item in connection with an inquiry regarding this. The department has filed a very detailed estimate as to what it needs and has also given a statement as to what it has done and what it intends to do.

Mr. SMOOT. Mr. President, will the Senator from Texas advise the Senate as to how much was appropriated for this purpose in the general Agricultural appropriation bill?

Mr. SHEPPARD. For this item I do not think any amount is carried in the general appropriation bill.

Mr. SMOOT. I am not positive as to whether or not it was in that bill, but I think there has been a general appropriation made for this purpose every year for years past.

Mr. SHEPPARD. At any rate, the theory of this bill is that it is carrying out the emergency food-production act of last year, which was in addition and supplementary to the general Agricultural appropriation bill.

Mr. GORE. The Senator from Utah has probably confused with the general appropriation bill the special food-survey bill that was passed last August, which did make provision for this survey.

Mr. SMOOT. Can the Senator say how much the appropriation amounted to in that general food-survey bill?

Mr. GORE. My recollection is it was something like $700,000, but I am not certain.

Mr. SMOOT. That is as I remember it. I thought it was $750,000; but it does seem to me that that is all the money that ought to be expended for that purpose. It looks to me as though we were going crazy on the expenditure of money.

Mr. SHEPPARD. That is for the Senate to say.

Mr. SMOOT. I think that is true; I think the Senator is correct in saying that, and I think the Senate ought to strike out this item of the bill, because there is already appropriated seven hundred thousand and some odd dollars for this very purpose. It is a waste of money.

Mr. GORE. I will say to the Senator that the appropriation has undoubtedly been exhausted. The survey was made as of August 31 of last year and also December 31, and this appears to be a continuing reiteration of surveys. I think there is some force in the proposition that the fertilizer supply ought to be kept in sight and that the department ought to do what it can to see that the supply is ample. That is the view of the committee.

Mr. SHIELDS. I should like to ask the Senator from Oklahoma what sort of a survey of fertilizers and foods is to be made?

Mr. GORE. I assume that it is to ascertain the location of all of the principal ingredients entering into fertilizer, and to bring that location to the attention of those who are interested in the manufacture of it or who are interested in obtaining it.

Mr. SHEPPARD. The object of the survey is to show the stocks of fertilizer on hand and where they are located.

Mr. SHIELDS. I presume it is not intended to ascertain as to the constituent elements of fertilizer, because it would not reach that at all; but if it is the intention to ascertain the quantities of commercial fertilizer available for use and on hand in the United States it is a very wise provision, and ought to be kept in the bill.

Mr. SHEPPARD. The language used by the department is this:

> A fertilizer survey was made showing the stocks on hand of 26 items of important fertilizer material as of October 1, 1917.

Mr. SMOOT. That survey has already been made.

Mr. SHEPPARD. A survey has already been made; and the department now recommends that additional fertilizer surveys be provided for.

Mr. SMOOT. Do I understand, then, that the Senator contends that we have got to make a survey every year of the amount of fertilizer on hand?

Mr. SHEPPARD. I make no contention. I am simply giving what the department says about it.

Mr. SHIELDS. The fertilizer is exhausted every year, and the users of the fertilizers are to be kept informed, and so an annual survey ought to be made.

Mr. VARDAMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Mississippi?

Mr. SHIELDS. I do.

Mr. VARDAMAN. I should like for my own information to inquire if this survey is not for the purpose of discovering the source of all supplies of fertilizer?

Mr. SHEPPARD. And materials for fertilizer; where they are located.

Mr. VARDAMAN. And also the amount already manufactured, is it not?

Mr. SHEPPARD. Exactly.

Mr. VARDAMAN. And the source of the supply of the fertilizers of the country?

Mr. SHEPPARD. That is true.

Mr. VARDAMAN. It seems to me that it is very necessary, and that it ought to be done. The yield of the crops depends very largely upon the amount of fertilizer used, and the necessity for the crop all will admit.

Mr. SHIELDS. Mr. President, if the Senator will allow me, as I understand, this appropriation is not only for the purpose of investigating the supply but also for ascertaining the price at which fertilizers are being sold, so as to determine whether the consumers of fertilizer are being oppressed or whether there is any extortion being practiced on them, for the supply will more or less control the price.

Mr. SMOOT. Mr. President, the Senator will remember that there was a revolving fund provided for by Congress for the purpose of enabling the Government to purchase fertilizer and fertilizer contents. I presume the Government has been expending that money as rapidly as it can, and is furnishing fertilizer wherever it is required. There is no question, Mr. President, that a survey was made, as stated in the report of the Agricultural Department. That was less than a year ago; and to make an appropriation now for another survey, when they know exactly how much fertilizer there is on hand, seems to me an absolute waste of money. The Secretary of Agriculture does not say that this proposed appropriation is to ascertain where the ingredients of fertilizer are located or where they can be obtained as raw material, but the survey is to ascertain the amount of fertilizer there is in the country. Such a survey has already been made; and I repeat that it is a waste of money to appropriate any money at this time for that purpose.

Mr. SHEPPARD. It says "items of fertilizer material."

Mr. SMOOT. Yes; but that means the items that are on hand that go into fertilizer.

Mr. SHEPPARD. Does not that mean the raw materials of which fertilizer is made?

Mr. SMOOT. A proper survey ought to ascertain where the ingredients are produced, and whether they can be produced in this country or not, whether found in the shape of phosphate rock, or whether they are manufactured by means of chemical processes.

Mr. KENDRICK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Wyoming?

Mr. SMOOT. I yield.

Mr. KENDRICK. Mr. President, I call the attention of the Senator from Utah to the fact that already in the past two years there have been discovered, because of such investigations as are in part provided for here, great opportunities for the production of potash in the western country; and the potash produced there to-day is taking the place of potash that formerly was imported, as I understand, from Germany into this country.

Mr. SMOOT. I presume the Senator refers——

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from Utah?

Mr. SMOOT. I had the floor, Mr. President, and I thought the Senator was through. I will wait until he concludes.

Mr. KENDRICK. I merely wish to add that I have no doubt that deposits of the same material can be found both in the State of Utah and in my own State, and not only would such deposits serve us well at this particular time when we are unable to get potash from other countries, but they would serve us after the war is over. In my judgment, the amount carried by the bill is a very small amount for such an investigation as is desirable.

Mr. SMOOT. I wish to say to the Senator that this appropriation is not for that purpose at all. I presume the Searles Lake proposition is the one to which the Senator has reference.

Mr. KENDRICK. No; Mr. President, there have been erected within the past two years enormous plants for the production of potash in the western part of the State of Nebraska. Very prosperous communities which never existed before have been built up there since the discovery was made.

Mr. SMOOT. Mr. President, everybody knows why potash is produced in Nebraska. From the water in the lakes in the western part of that State at this time, but it has been known that potash existed there for years past; and the only reason that it is made use of now is because the price of potash is so high that the process of extracting the potash from the waters there has been made profitable. If the price of potash was the same to-day as it was several years ago those waters would be there just as they have been perhaps for centuries, and the potash in them would not be extracted.

Mr. KENDRICK. Mr. President, I will ask the Senator if he intends to say that the information has been available for many years that those waters did contain potash to an extent that would permit of the commercial production of potash?

Mr. SMOOT. For many years it has been known that potash was there; but the price of potash was so low that its extraction was not justified.

Mr. KENDRICK. Mr. President, within the week I have talked to one of the manufacturers who told me in detail about the way this information was obtained. As nearly as I can gather from that and other information, little or nothing was known about the matter until within the past two or three years.

Mr. SMOOT. Mr. President, it is the same with the lakes there as it is with Searles Lake. It has been known for years and years that the waters of that lake contained potash; but it has been tied up, as the Senator knows, because of the withdrawal of the land and because of the doubt as to whether the Government would give title to the lands or would hold them and leave the properties unworked until Congress passed a leasing law. Congress has passed a leasing law, and I presume by this time Searles Lake is being worked for potash.

I wish to say to the Senator that in the southeastern portion of my State potash rock has been known to exist for years, but the problem has been as to extracting it and making enough out of the process to pay expenses. To-day there is a great mill located there, and we are producing in that State, I presume, as much potash as in almost any other State in the Union. In quantity it is unlimited; and if the price remains as it is to-day four or five mills could be erected there, for there is plenty of material to furnish the work for that number of mills. There is, however, no appropriation asked for that purpose. The work is being done by private parties.

Mr. FLETCHER. Mr. President, will the Senator state the price at which it is being sold?

Mr. SMOOT. I have not looked at the quotations of late, but the price is twice as high as it was a few years ago.

I wish to say that this appropriation is not for the purpose of hunting potash material; it is not to determine how it may be extracted; but it is for the purpose of ascertaining how much of the manufactured material is on hand; that is all it is for.

Mr. KENDRICK and Mr. SHIELDS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Utah yield; and if so, to whom?

Mr. SMOOT. I yield first to the Senator from Wyoming.

Mr. KENDRICK. I wish to correct the Senator's statement in regard to the withdrawal of lands. Nearly every foot of land included within the sand-hill lakes is now, and has been for some years, in the hands of private owners.

Mr. SMOOT. I was referring to Searles Lake. I know that the lakes in Nebraska were in private ownership.

Mr. KENDRICK. Mr. President, I will ask the chairman of the Committee on Agriculture, if the Senator from Utah will permit, if it is not true that this appropriation is intended for the purpose of making investigations concerning materials out of which fertilizer may be made?

Mr. GORE. Mr. President, my information is—it may not be accurate—that it does not relate to fertilizer materials in place or in native form, unmined or unmoved from the native place, but relates to fertilizer materials that have assumed a commercial form, the ingredients and the finished product both, I assume.

Mr. SMOOT. That is exactly as I understand it, and as I stated it. So far as finding out where potash is located, I will say that I think that enough potash could be extracted from the waters of Salt Lake to furnish all the fertilizer material needed in the United States. The only question is as to extracting the potash from those waters at a cost that would justify selling the fertilizer throughout the country.

Mr. SHIELDS. Then, I understand the Senator to mean that these supplies are known, but the cost of extracting them is prohibitive, except under certain conditions?

Mr. SMOOT. That is exactly it, Mr. President.

Mr. SHIELDS. Then, it will be very wise to make the survey to discover deposits where the cost would not be prohibitive; but I do not understand that this appropriation is for that purpose at all.

Mr. SMOOT. It is not for that purpose.

Mr. SHIELDS. It is for the purpose of ascertaining the quantity of fertilizer now manufactured and ready for use and ready to be sold to the consumer.

Mr. SMOOT. Every fertilizer company advertises the amount of fertilizer it has on hand. There is not a retail distributer in the United States who does not know where the wholesale distributer is, and he places his orders in the same way as he has done for years past; and if the wholesaler has the stock on hand the retailer gets the fertilizer at the price agreed upon.

Mr. SHIELDS. If the Senator will allow me a suggestion right there, this is not for the benefit of the retailer or the wholesaler or the manufacturer, but it is for the benefit of the consumers, so that they may know what supply is on hand and whether or not they are paying a reasonable price.

Mr. SMOOT. The Government is now shipping fertilizer from Chile and paying for it out of the revolving fund which we appropriated a year or so ago. The Government fixes the price at which that fertilizer shall be sold.

Mr. SHIELDS. But, notwithstanding that, the price has more than doubled in the last two years.

Mr. SMOOT. There is no doubt of that; and I will say to the Senator that nearly everything else has more than doubled in price; and this commodity has advanced perhaps in no greater proportion than has everything else in this country.

Mr. SHIELDS. It has advanced so that it is hardly possible to use it any longer.

Mr. BRANDEGEE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Harding	Martin	Shafroth
Beckham	Henderson	Myers	Sheppard
Borah	Hitchcock	Nelson	Shields
Brandegee	Johnson, Cal.	New	Simmons
Calder	Jones, N. Mex.	Norris	Smith, Md.
Chamberlain	Jones, Wash.	Nugent	Smith, S. C.
Colt	Kellogg	Overman	Smoot
Culberson	Kendrick	Penrose	Sterling
Curtis	Kenyon	Phelan	Sutherland
Fernald	King	Pittman	Swanson
Fletcher	Knox	Poindexter	Thomas
France	Lenroot	Pomerene	Thompson
Gerry	Lewis	Ransdell	Trammell
Gore	McKellar	Saulsbury	Warren

Mr. BORAH. I desire to announce the absence of the Senator from Mississippi [Mr. VARDAMAN] on official business.

The PRESIDENT pro tempore. Fifty-six Senators have answered to their names. There is a quorum present.

Mr. SMOOT. Mr. President, I can not see why the Senate should appropriate $100,000 for a thing that anybody can find out who is interested in knowing about it by spending the price of a postage stamp and writing to a fertilizer journal, and within a week he will receive the information that is asked for under this appropriation. It is simply a waste of money, for no other purpose than to send men all over the country, at the expense of the Government, to collect information that is known and collected from other sources and can be and will be gladly distributed upon request. Therefore I trust that the motion will prevail and that this item will be stricken out.

Mr. THOMAS. Mr. President, inasmuch as the discussion is now regarding fertilizers, and I have discovered what seems to me to be the absence of a much-needed appropriation, I ask to fertilize this bill by proposing the amendment which I send to the desk and ask to have read and lie on the table.

The PRESIDENT pro tempore. The amendment will be read for the information of the Senate.

The SECRETARY. On page 3, after the figures "$52,950," on line 5, it is proposed to insert the words "and making cottage cheese off the farm, $53,000."

The PRESIDENT pro tempore. The Chair understands that objection is made, under the agreement, to the amendment on line 17, and therefore it will be passed over. The Secretary will state the next amendment of the committee.

The next amendment was, on page 8, line 18, after the word "conservation," to strike out "and" and insert "of," so as to read:

Conservation of food products in transportation and storage.

The amendment was agreed to.

The next amendment was, on page 8, line 19, after the word "storage," to strike out "$229,937" and insert "$204,484," so as to read:

Conservation of food products in transportation and storage, $204,484.

Mr. KING. Mr. President, I move to amend the amendment by striking out the figures "20," so that it will read "$4,484" instead of "$204,484."

The PRESIDENT pro tempore. The Senator from Utah proposes an amendment to the amendment, which will be stated.

The SECRETARY. On line 19 it is proposed to strike out "$204,484" and to insert "$4,484."

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Utah to the amendment of the committee.

The amendment to the amendment was agreed to.

Mr. PENROSE. Mr. President, while we are moving along on the bill I notice as I cast my eye over the Senate the presence of the chairman of the committee, which is a rarity during the discussion of the measure; and I will take advantage of his presence here to ask him the total amount that this bill carries.

Mr. GORE. Something more than $19,000,000, I believe.

Mr. PENROSE. This supplemental bill?

Mr. GORE. I think so; yes, sir.

Mr. PENROSE. And the original bill carried nearly thirty million?

Mr. GORE. About twenty-seven million.

Mr. PENROSE. Over twenty-eight million?

Mr. GORE. Yes.

Mr. PENROSE. Twenty-eight million dollars and nearly $20,000,000 more is nearly $50,000,000. Mr. President, three-quarters of which, I think it is gradually being shown, might just as well be poured into the gutter.

Mr. KING. Mr. President, if the Senator will pardon me, as we recently appropriated——

Mr. PENROSE. I was coming to that point, if the Senator will permit me. I should like to ask the chairman of the committee another question. A little while ago we passed the general Agricultural bill, and only a few days ago we agreed to the report of the conferees, and it has been for some two days in the hands of the President. Hardly had we completed that act when this bill chases it along and comes out of the committee, adding another $20,000,000. Now, I am interested in finding out why these items were suddenly discovered as necessary to stimulate agriculture for the war. Why did not the committee, when they were framing the general bill, have cognizance of these other items?

Mr. GORE. I think the explanation of that is this: On August 10 last, or prior to that time, I may say, we had passed what was known as the food-survey or food-production act. I differentiate it from what is known as the food-control act. It was intended and passed as an emergency measure. Its alleged object, and I presume its real object, was to stimulate and increase production to meet the extraordinary requirements of the war. Under that special act a special organization has been erected, and special activities looking to the meeting of the emergency have been perfected. Now, it is desirable on the part of the department to keep the regular, ordinary services of the department which were administered prior to the war, and which will continue to be administered after the war, separated from these special activities. The normal and usual activities which will continue in the future, when peace returns, will be cared for under the regular appropriation. It is imagined that this bill will cease with the war, that the special activities will cease, the special appropriations will cease, and the special organization will cease; and it is, of course, desirable to keep the special organization separate from the regular organization, so that there will be some reason when the war is over to dismantle the one without interfering with the other. I can not say that I quite lay the flattering unction to my soul that all these appropriations will be discontinued when the war is over.

Mr. PENROSE. None of them will ever be discontinued unless the attention of the Senate is very forcibly called to them. They are here to stay, with a constant increase, as long as there is an appropriation bill that passes without being read by Senators.

I should like to ask the chairman of the committee why these special appropriations in this special war measure can be fairly described as relating to the war crisis. Is there anything in the situation on the western line that directly, indirectly, or remotely is connected with the investigation of the habits and practices of prairie dogs and coyotes? That is in this extra bill, and I should be very glad if the Senator would enlighten me on that point.

Mr. GORE. Mr. President, I really am reinspired, I may say, by the confidence of the Senator from Pennsylvania, that he imagines we can really win this war and carry our arms to triumph on the western front without devoting proper attention to the prairie dogs in Wyoming.

Mr. PENROSE. I admit that they would create disquiet on the rear, and perhaps divert the attention of the population; but in all seriousness I should like to ask the Senator why nearly a half million dollars should be spent on prairie dogs at a moment when the very last dollar is being wrung from the individual and the corporation by taxes or loans?

Mr. GORE. Of course, speaking seriously——

Mr. PENROSE. I am speaking seriously.

Mr. GORE. Yes; I appreciate that—it was the feeling of those who were back of this legislation, and who support it now, that the war creates an extraordinary demand for food.

Mr. KENDRICK. Mr. President——

Mr. GORE. And that, in order to meet this demand, food production should be stimulated, conservation should be stimulated, and those agencies which destroy or interfere with the production of food should, as far as possible, be placed under control and destroyed. Now, of course, the prairie dogs have gone through many a battle in this Chamber.

Mr. PENROSE. And they are still there.

Mr. GORE. So with predatory animals, the coyote and the wolf; they are regular combatants in the gladiatorial scene which always takes place here when the Agricultural bill is under consideration. It is contended, I believe, that $100,000 worth of cattle and sheep, perhaps more, are destroyed annually by the coyote and the wolf. Now, the prairie dogs also prey on vegetation, and interfere with the production of food. That is the contention back of this appropriation; and if we can exterminate that pest, and rescue from their maws or jaws the food they now consume, that much more will be available for the Army and Navy of the United States and the allies.

Mr. PENROSE. I am not surprised that the Senator smiles as he makes his explanation, because this bill is largely a work of humor. Nearly $400,000 is appropriated to destroy these pests, who, in turn, it is alleged, destroy, at the most, $100,000 worth of food.

Mr. KENDRICK. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Pennsylvania yield to the Senator from Wyoming?

Mr. PENROSE. Yes; I yield the floor for the present.

Mr. KENDRICK. As I, in part, represent one of the Western States that is vitally interested in at least a portion of this legislation, I think it worth while to say, in answer to the Senator from Pennsylvania, that this appropriation for the destruction of predatory animals and even prairie dogs has more real merit than it would seem to have when it is made a subject for levity here in the Senate. I know personally of ranchmen in the West who have expended thousands of dollars for the destruction of both prairie dogs and predatory animals in territory over which they did not exercise any control whatever, and have done so to the benefit of themselvse and the communities around them.

The difficulty about both of these questions is found in the fact that the work of extermination can not be limited to individuals or counties or even States, because, as in the case of predatory animals, they do not confine their rovings to the borders even of the States.

Mr. PENROSE. Mr. President, will the Senator permit an inquiry?

Mr. KENDRICK. I yield.

Mr. PENROSE. In the same appropriation there is a large allowance doubtless for the domestication of mink and marten. Can the Senator explain how they bear relation to the war crisis?

Mr. KENDRICK. Mr. President, I have no knowledge whatever on that point.

Mr. PENROSE. The Senator was starting out with apparently a very complete knowledge of everything and therefore I hazarded the inquiry.

Mr. KENDRICK. I am certainly in a position to speak upon the two points I have just mentioned—the question of predatory animals and its direct application to food production.

Mr. PENROSE. Have the mink and the marten any defender here in their relation to the western front or food production?

Mr. GORE. Mr. President, I merely want to say one word with regard to predatory animals.

Mr. PENROSE. I should like to ask the chairman of the committee the question I have just propounded.

Mr. GORE. I suppose that is to encourage fur-producing animals, so as to substitute their fur as far as we can for the wool, which has soared to such a high price recently.

Mr. PENROSE. Has any estimate been made as to when the mink and marten will be so numerous as to dot every hillside and produce a crop of fur that will be appreciable in the census returns?

Mr. GORE. No; that is a process of evolution.

Mr. PENROSE. Yes; evolution with an appropriation.

Mr. GORE. No one can exactly foresee the æons to come and tell just when this evolution will have been consummated.

Mr. PENROSE. Then the Senator is a little weak on mink and marten?

Mr. GORE. I am not so strong on mink and marten as I am on the predatory animals. I differentiate the predatory animals from mink and marten, and even from prairie dogs, to some extent.

Mr. PENROSE. If so, then I would move to strike out that part of the appropriation.

Mr. GORE. There can be no doubt that the appropriation for the destruction of predatory animals is a very wise appropriation. It is necessary, because the ravages of these animals amount to multiplied millions, perhaps $100,000,000, a year. Their extermination is a thing that in the years to come can be completely accomplished, and the cattleman and the sheepman can be emancipated from that threat and that destructive agency. The conservation that will result from it will be enormous, and it will be a general benefit which will be well worth the money which has been appropriated for that object. I think the prairie-dog appropriation certainly has not so many arguments in its favor. Perhaps the destruction caused by them is not so general; at least, I do not realize it to be so; but from what the Senator from Wyoming says, that appropriation is very well justified.

Mr. President, the Senator from Pennsylvania made some reference to the fact that I was not in the Chamber. I want to say that during the morning hour I was listening to the

hearings before the Interstate Commerce Committee—hearings that were insisted upon by the Senator from Pennsylvania and others yesterday. I have to report at the committee meeting now. It is meeting at 3 o'clock, and I shall be obliged to absent myself from the Chamber for a while on that account; but I trust that in my absence the prairie dog and marten and mink will continue to receive the gentle attentions of the Senator from Pennsylvania and others.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the committee on line 19, as amended.

Mr. THOMAS. Mr. President, I have opposed these and similar appropriations, but without success, ever since I have been a Member of this body. I believe these appropriations are unnecessary, and I do not think they are at all beneficial, except possibly to multiply the species which is sought to be exterminated.

Mr. KENDRICK. Mr. President, will the Senator yield?

Mr. THOMAS. I yield.

Mr. KENDRICK. I just wish to say to the Senator, in regard to the predatory animals and the efforts by the Government to destroy those animals, that the agencies set up by the Federal Government have proved so efficient that in the past two or three years the authorities of some of the Western States who have been paying countless thousands of dollars in bounties for this same purpose have seriously considered a plan of increasing the efficiency of the Government by adding a State appropriation to the money appropriated by the Federal Government, so as to carry this work along in a general way instead of a local way, which is bound to be a failure. I want to say further to the Senator, in regard to that one question, that it is incumbent upon the Government to take some action because of the great territory in the West, such as Indian reservations and forest reserves, in his State and mine, over which the Government exercises almost complete and exclusive control. These territories provide breeding grounds for these animals; and if the Federal Government will not lend a hand in destroying them it is impossible for the people living in adjoining sections to get any protection whatever. Local effort is entirely fruitless.

Mr. THOMAS. Mr. President, the only argument I have ever heard which seemed to me to be a plausible one in behalf of these appropriations for the extinction of predatory animals is the fact that the Government has created large reservations over which it exercises practically exclusive jurisdiction, and that consequently it should itself exterminate the pests which are bred in these reservations, and to which the State laws, generally speaking, do not apply; but I know that in the days when bounties were offered for predatory animals, and so much was paid for every scalp—a practice which I think still prevails in the West—the animals which were the subject of the bounty seemed impossible of extermination. They constituted a constant and perpetual source of revenue for those who took advantage of the bounty laws, and who received the greater portion of the moneys designed for that purpose.

The Senator from Wyoming is much better informed with regard to the operation of this law than am I, because the subject matter of the appropriations peculiarly affects his pursuit in life; and I am going to accept his statement regarding the beneficial effect of these appropriations upon the subjects involved, because I know that what he has stated about the matter can be accepted absolutely by the Senate. I have stated here on two or three occasions, however, that the natural effect of these appropriations would be the same that is observed in the matter of the boll weevil, the potato bug, and other insectivorous life for which we appropriate millions every year, but which thrive under the appropriation. Now, the prairie dog, Mr. President, is a very attractive and interesting little animal, whose chief characteristic is that he associates underground with rattlesnakes, and between them they divide the good things of life in so far as their limited areas are concerned; and yet it is a singular fact that thus far—I suppose it will come—these appropriations do not provide for the joint extermination of the two particular inhabitants of these villages, the rattlesnake and the prairie dog. I do not know what the Government has done in Wyoming or in Utah with regard to prairie-dog extermination, but in my State the festive little animal thrives upon destructive appropriations. Evidently he is there to stay, and his boon companion, the rattlesnake, keeps him constant and unfailing company; and I think—although I state this with some hesitation, because my duties here have made it impossible for me to spend as much time as I should like in my home—I think the effect of this appropriation has been to stimulate the prairie-dog industry; and if it be necessary to legislate by money appropriations for the increase of our food production during the war, then perhaps this legislation will produce that consequence, provided the prairie dog is an edible animal. I think in all probability if this appropriation is administered as its predecessors have been, prairie-dog meat may become a staple article of diet, and Mr. Hoover will then request us to devote ourselves to that form of meat food so as to make the beef supply more available for our allies. In that sense it may be that this appropriation will produce the desired result; but while I am on my feet I want to speak about my own amendment, because I think it is quite appropriate.

I am opposed to class legislation. I have voted for it occasionally, because I have had to; but I believe in the good old Democratic doctrine of "special privileges to none and equal rights to all." Now, here is an appropriation of $52,950 for making cottage cheese on the farm. I do not see why it is necessary to encourage the making of cottage cheese on the farm. Making cottage cheese off the farm, however, is a different proposition. If we are to encourage the making of cottage cheese in this country at all, let us encourage making it off the farm, in the cities and elsewhere, and by that means add very materially to our food production. Therefore I have offered an amendment providing for an appropriation of $53,000 for making cottage cheese off the farm. Apart from the fact that that relieves this appropriation from the charge of being class legislation, we make it universal; and if it be true that he blesses the world who makes two blades of grass grow where only one blade grew before, then think what a great benefit my amendment will confer upon the world, if it establishes the making of cottage cheese off the farm.

I hope, Mr. President, that when we reach that amendment in due course it will be unanimously adopted.

Mr. REED. Mr. President, I should like to inquire of the Senator how far off the farm it must be made?

Mr. THOMAS. Mr. President, that reminds me of the old quotation:

Thou art so near, and yet so far!

If it is off the farm I do not think the authorities should discriminate as to distance. I have no doubt that the matter may become the subject of a number of technical rules of a department which will determine what is cottage cheese on the farm and what is cottage cheese off the farm; but if we particularize too much ourselves, I am afraid that we may invite the very difficulty which is suggested by the question of the Senator from Missouri.

Mr. PENROSE. Mr. President, I should like to ask the Senator whether he has any remote notion as to what would result from an investigation of cottage cheese? What is the objective or the purpose of investigating cottage cheese?

Mr. THOMAS. This is not the investigating of cottage cheese; it is the making of cottage cheese.

Mr. PENROSE. Very well; it is the same thing.

Mr. THOMAS. The result of the investigation would depend upon the age of the cheese.

Mr. PENROSE. Are new purposes to be discovered by a variety of manufacture, or what is wrong with the way it has been made for 10,000 years?

Mr. THOMAS. Mr. President, I can not answer that question, because I had nothing to do with the insertion of this clause. My only concern is to rob it of the imputation of being class legislation and to extend its benefits to the making of cottage cheese off the farm as well as cottage cheese on the farm. I may say that I offered that amendment when the Senator was temporarily absent from the Chamber.

Mr. PENROSE. Does the Senator think the appropriation is large enough for this important purpose?

Mr. THOMAS. I made mine a little larger. I made mine $53,000, first, because I believe in round numbers, and, second, because I think the disadvantages attending making cottage cheese off the farm are such that it is a few hundred dollars to the bad as compared with making cottage cheese on the farm.

Mr. PENROSE. That seems reasonable.

Mr. THOMAS. I thought I would convince the Senator from Pennsylvania, if I failed in other directions.

The PRESIDING OFFICER (Mr. JONES of New Mexico in the chair). The question is on the amendment as amended. Without objection, it is agreed to.

Mr. KING. May the Secretary please report the amendment?

The SECRETARY. The amendment just agreed to is in line 19, to strike out "$204,484" and to insert "$4,484."

Mr. KING. I have an amendment to offer to the next paragraph, when that shall be read.

The PRESIDING OFFICER. The Chair understands that the amendment of the Senator from Utah was adopted, and now the question is on adopting the amendment as amended.

Mr. KING. I beg the Chair's pardon.

The SECRETARY. The next amendment is, in line 22, to strike out "$2,136,028" and insert "$1,610,155," so as to read "in all, $1,610,155."

Mr. SMOOT. I wish to know whether the words "survey of the United States, $449,700," were stricken out?

The PRESIDING OFFICER. That item went over by request.

Mr. BRANDEGEE. This is an amendment to strike out "$2,136,028" and substitute "$1,610,155," and it covers several items such as city market service, $66,131; direct market activities, $85,100; special market activities, $109,440. Is there anyone who can inform me what direct market activities are as distinguished from special market activities?

Mr. KING. I was just going to state to the Senator that I shall submit a motion at the proper time to strike out each of those items.

Mr. PENROSE. It seems to me the Senator on a little reflection will see that that is a very excellent reason for getting an additional appropriation by a different name.

Mr. BRANDEGEE. Of course, I realize that those items are not a committee amendment, and it may not be strictly in order now to vote upon them; but they are a part of the total of $2,136,000, which the committee amendment proposes to reduce to $1,610,000. Therefore I thought it was pertinent to inquire what is meant by that language. It seems to me when we are taxing the people to the extent we are the Senate ought to know something about what these sums are and what the purposes are for which they are appropriating these sums and taxing the people. There is no word of explanation about it at all.

Mr. KENDRICK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Wyoming?

Mr. BRANDEGEE. I yield.

Mr. KENDRICK. As the Senator from Pennsylvania has well said, it seems a pity that some member of the committee can not be present and explain these items in detail. I regret that I am not better informed, but it is my impression from experience with such things myself, and from a good deal of agitation on this particular subject, that the object to be served here is to bring to the consumers of products better information and better facilities for securing the products of the farm and of the ranch than are to be had at the present time.

There has been for some years a strong protest against a situation that increases so materially the prices of products to the consumer, as compared to the prices received by the producer, and undoubtedly these items are intended to serve the purpose of bringing the producer and consumer nearer together.

For the information of the Senator from Connecticut, I will say that there is now a strong movement on foot to establish in all the cities of the country at the largest consuming points municipal markets for all kinds of meat products, for the purpose of eliminating at least a part of the well-known excessive cost that is levied upon the consumer by the middlemen. I am not opposed to the middleman in his activities, I will say; but this question has been agitated, and there is an increasing effort to bring about a reform in that situation. I am persuaded that these items are intended to cover that point.

Mr. BRANDEGEE. Now, Mr. President, that is just a sample of the way we are legislating. Here is a great supply bill, an appropriation bill, and when a Senator is asked for what purpose the three items to which I have called attention, aggregating $260,671, as I figure it, over a quarter of a million dollars is to be devoted, the Senator says he assumes and presumes thus and so. The language of the bill allows the department to do anything they have a mind to do with the money. It does not limit them to any purpose whatever. They can say for direct market activities or for special market activities. They can do anything they want with the money. It is not wise legislation, and it ought not to appear here before the Senate from any committee that has not given it careful consideration.

That is all I have to say about it. Of course I know it will pass, but it is not my idea of a proper performance of our duties to pass items of that kind in this way and under this information.

Mr. SMOOT and Mr. KING addressed the Chair.

The PRESIDING OFFICER. The senior Senator from Utah.

Mr. SMOOT. Mr. President, I think it is almost a farce to try to consider a $19,000,000 appropriation bill as this bill has been considered this afternoon. It is nearly 4 o'clock, and I think if Senators who are interested in this bill will not stay in the Chamber and it is not possible for us to keep a quorum here the Senate ought to adjourn and wait until a time when we can take up the bill and have Senators here.

Mr. KING. I will say to my colleague that that is the purpose for which I just addressed the Chair. I move that the Senate adjourn.

Mr. SHEPPARD. Will the Senator allow me to state the explanation the department gives of these three items?

Mr. SMOOT. The Senator can do that to-morrow.

Mr. KING. I suggest to the Senator, if it meets his approval, he can do that to-morrow when more Senators will be present.

The PRESIDING OFFICER. The junior Senator from Utah moves that the Senate adjourn.

The motion was agreed to; and (at 3 o'clock and 35 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, July 10, 1918, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

TUESDAY, *July 9, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D, offered the following prayer:

We bless Thee, our Father in heaven, for the law of compensation which follows the abnormal upheavals, physically, mentally, morally, in the course of human events. Hence, we confidently look forward to a readjustment of the political, social, and religious conditions when the war, which has shaken the world from center to circumference, shall have passed into history through a victory for right; when shams shall give way to the genuine, royalty shall be recognized by character, nobility by nobility of soul, and religion by a life hid in Thee; when all men shall be recognized as sons of the living God; in the spirit of the Lord Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

LEAVES OF ABSENCE.

Mr. ESCH. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. ESCH. To prefer a request. I ask unanimous consent for an indefinite leave of absence for my colleague, Mr. DAVIDSON, on account of sickness.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. WHITE of Maine. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. WHITE of Maine. I desire to ask unanimous consent for five weeks' leave of absence for Mr. GOODALL, on account of illness.

The SPEAKER. The gentleman from Maine asks unanimous consent for five weeks' leave of absence for his colleague, Mr. GOODALL, on account of sickness. Is there objection? [After a pause.] The Chair hears none.

SHIPPING LEGISLATION—CONFERENCE.

Mr. ALEXANDER. Mr. Speaker, I desire to call from the Speaker's table the bill H. R. 12099 and ask unanimous consent to disagree to the Senate amendments and ask for a conference.

The SPEAKER. The gentleman from Missouri asks to take from the Speaker's table the bill H. R. 12099, disagree to the Senate amendments, and ask for a conference.

Mr. MILLER of Minnesota. Mr. Speaker, reserving the right to object, I would like to inquire what the subject matter of this bill is.

Mr. ALEXANDER. It is the bill we passed recently giving the President power to commandeer ships and regulate ocean freight rates.

The SPEAKER. The Clerk will report it by title.

The Clerk read as follows:

A bill (H. R. 12099) to confer on the President power to prescribe charter rates and freight rates and to requisition vessels, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. ALEXANDER]? [After a pause.] The Chair hears none.

The Speaker announced the following conferees: Mr. ALEXANDER, Mr. HARDY, Mr. SAUNDERS of Virginia, Mr. EDMONDS, and Mr. HADLEY.

LEAVE OF ABSENCE.

The SPEAKER laid before the House the following communication:

HOUSE OF REPRESENTATIVES,
Washington, July 8, 1918.

Hon. CHAMP CLARK,
Speaker of the House.

DEAR MR. SPEAKER: I request leave of absence for one week to attend to personal business.

Very truly, yours, (Signed) ALBERT F. POLK.

The SPEAKER. Is there objection to the request? [After a pause.] The Chair hears none.

DEPARTMENT EMPLOYEES SUBJECT TO MILITARY DUTY.

The SPEAKER laid before the House the following communication from the Secretary of Commerce, in response to House resolution 380, which communication was read, and with the accompanying list ordered printed in the RECORD and to lie on the Speaker's table:

DEPARTMENT OF COMMERCE,
OFFICE OF THE SECRETARY,
Washington, July 8, 1918.

Hon. CHAMP CLARK,
Speaker House of Representatives, Washington, D. C.

DEAR SIR: In compliance with House resolution No. 380, of June 3, 1918, I submit herewith statement showing the total number of employees of the Department of Commerce who were on January 5, 1917, between the ages of 21 and 31 years and for whom request for exemption from military duty or for deferred classification has been asked by the department and allowed.

The statement gives the name and home address of each person, the character of work he is performing, and the length of time of such service. The principal reason for the action of the department in each case is given, with general explanations respecting each service.

The total number of employees of the department is approximately 10,000. In two services—the Bureau of the Census and the Steamboat-Inspection Service—no exemptions or deferred classifications have been asked. In the case of the Bureau of Navigation but one has been asked. The facts respecting the other five services are given in detail. In no case has exemptions or deferred classification been asked for any of the clerical staff except in so far as the chief clerk of the lighthouse depot at Tompkinsville, N. Y., engaged on naval work, may be considered such.

The statement for each bureau shows the total force subject to draft, the number entering military service, and those for whom deferred classification or exemption has been requested.

The statements under the heading of each service give the particular circumstances respecting that service.

Yours, very truly,
WILLIAM C. REDFIELD,
Secretary.

STATEMENT AS TO EMPLOYEES OF THE DEPARTMENT OF COMMERCE FOR WHOM CLAIMS FOR EXEMPTION OR DEFERRED CLASSIFICATION IN CONNECTION WITH ARMY DRAFT HAVE BEEN MADE AND ALLOWED.

SUMMARY.

Exemptions	0

DEFERRED CLASSIFICATION.

Office of the Secretary	0
Bureau of the Census	0
Steamboat-Inspection Service	0
Bureau of Foreign and Domestic Commerce	18
Bureau of Navigation	1
Coast and Geodetic Survey	28
Bureau of Fisheries	8
Lighthouse Service	77
Bureau of Standards	229
Total	361

OFFICE OF THE SECRETARY.

Out of an approximate number of 172 employees in the office of the Secretary, 16 have left for service in the Army or Navy. Of those now in the office, 20 are within the draft age, but no claims for exemption or deferred classification have been made.

BUREAU OF THE CENSUS.

The expert statistical force of this bureau has rendered considerable assistance to the Provost Marshal General in connection with the Army draft and is now cooperating with other branches of the service in statistical work.

It has an office force of 638. Sixty employees have left for service in the Army or Navy. Forty-nine of its present employees are within the draft age, but no claims for exemption or deferred classification have been made.

STEAMBOAT-INSPECTION SERVICE.

Extra duties have been devolved upon the personnel of this service by the examination of the increased number of candidates or officers for the enlarged merchant marine and other additional work in connection with the inspection of vessels being constructed and the materials used therein.

Out of a force of approximately 320 employees, 24 have left for service in the Army or Navy. Nineteen of its present employees are within the draft age. No claims for exemption or deferred classification have been made.

BUREAU OF FOREIGN AND DOMESTIC SERVICE.

Since the beginning of the war the Bureau of Foreign and Domestic Commerce has been the central information office for export and import statistics of the United States, for export and import statistics of foreign countries, for reports on the raw-material situation, the shipping situation, Government control of exports and imports, and similar important subjects of interest with reference to foreign countries. The United States Shipping Board, the War Trade Board, the Food Administration, the Fuel Administration, the Naval Consulting Board, the Military Intelligence Branch of the War Department, and other organizations engaged in war work have made constant demands on the bureau for economic and statistical information with reference to exports and imports, commodities, and foreign countries. The commercial-attaché service and the commercial agents, special agents, and trade commissioners of the bureau in foreign countries have been engaged largely in making investigations and reports on matters of war importance, particularly reports on the trade in important commodities. In addition to its statistical publications, the bureau has issued reports on Germany's foreign-trade organization, German trade and the war, reconstruction in France, and has published currently in its daily paper economic and trade reports and discussions of legislation having war significance.

Only six deferred classifications have been recommended of the entire staff in Washington, these recommendations referring only to men doing responsible administrative work; only four deferred classifications recommended for men in our district-office service, all four being trained men on responsible work; and the remaining recommendations all having reference to men in the foreign service who were appointed because of their special university and other qualifications for foreign service, and who could only be replaced with the greatest difficulty, with loss of time and efficiency, and at a substantial expense.

Eliot G. Mears, 3708 Patterson Street, Chevy Chase, D. C. Length of service: 2 years 11 months. Character of work and reason for claim: In direct charge of administrative work connected with the 11 foreign offices of the commercial-attaché service. Specialized education in business administration and years of administrative experience. Persons of equal qualifications and training not available.

Oliver C. Moles, 2607 Eleventh Street NW., Washington, D. C. Length of service: 3 years 2 months. Character of work and reason for claim: Expert in foreign trade-marks and on patent and trade-mark laws in foreign countries; good linguist; assistant chief of division. Persons with like qualifications very rare. Work would be seriously curtailed if the bureau lost his services.

Lynn W. Meekins, 109 Waverly Place, New York City. Length of service: 1 year 8 months. Character of work and reason for claim: Commercial agent in New York office of the bureau. The only trained man available for special work in that office. Good linguist, report writer; would require long training to replace him; all other agents of same type have entered military service. His withdrawal from the work would detract considerably from the value of the office at this time.

Paul J. Croghan, 1719 Willard Street NW., Washington, D. C. Length of service: 3 years and 9 months. Character of work and reason for claim: Assistant Chief of Trade Information Section. Thoroughly conversant with activities of the bureau and with sources of trade information throughout the country. Could not be replaced except by man with similar extensive experience; none available.

Harvey W. Haun, 1714 U Street NW., Washington, D. C. Length of service: 6 years and 7 months. Character of work and reason for claim: Chief of Auditing Division. Impossible at the present time to obtain men with a knowledge of Government methods of handling accounts, and separation of Mr. Haun with his experience would throw that branch of the work in great confusion. Failed to pass physical examination on first quota of draft.

Charles E. Herring, 1775 California Street NW., Washington, D. C. Length of service: 4 years and 4 months. Character of work and reason for claim: Chief of Division of Commercial Agents. Directing work of special investigators in this country and abroad. Linguist and trade expert. Separation of Mr. Herring would interfere seriously with investigations being made in foreign countries.

Thomas L. Gaukel, 3545 Thirteenth Street NW., Washington, D. C. Length of service: 3 years and 7 months. Character of work and reason for claim: Assistant Chief of Division of District Offices. Expert in district-office management. About to be assigned to bureau's office at Chicago, Ill.

John F. Hurst, American Embassy, Petrograd, Russia. Length of service: 1 year and 2 months Character of work and reason for claim: Secretary to commercial attaché at Petrograd, Russia. Practically impossible to find a man with his knowledge of European languages and experience in consular-office work who would be available for a position at the salary laid down.

Harold E. Everley, in South America traveling. Lenth of service: 1 year and 3 months. Character of work and reason for claim: Special agent investigating furniture markets in South America. If recalled would necessitate postponement of the investigation, the result of which is awaited with interest by manufacturers, as men of like qualifications could not easily be obtained; it took several months for bureau to find a man with proper equipment—Mr. Everley, who had had South American experience.

Arthur L. Hill, 1400 East Fifty-third Street, Chicago, Ill. Length of service: 2 years and 7 months. Character of work and reason for claim: Just returned from bureau work in Japan. Assistant to commercial agent in charge of Chicago office. Experienced in bureau and district-office work. About to be transferred to Washington as assistant to the chief of the Division of District Offices.

Norman L. Anderson, in foreign service at Christiania, Norway. Length of service: 1 year and 10 months. Character of work and reason for claim: Commercial agent at Christiania, Norway. Few suitable men available with knowledge of Scandinavian languages. Very desirable that Mr. Anderson should carry on the important work on which engaged; formerly in Army, was released for this very important mission.

John F. Butler, in foreign service at Paris, France. Length of service: 3 years and 8 months. Character of work and reason for claim: Clerk to commercial attaché at Paris, France. Experienced in work, been abroad for two years, services most valuable at present time and impossible to replace him without material loss to trade promotion interests; doing much war work in present capacity.

Axel H. Oxholm, in foreign service, traveling in Scandinavian countries. Length of service: 1 year and 7 months. Character of work and reason for claim: Special agent investigating markets for American lumber in Scandinavian countries. Knowledge of Scandinavian languages and experience in lumber trade. His recall would curtail investigation seriously and would involve a considerable waste of money spent.

T. O. Klath, 318 West Fifty-seventh Street, New York City. Length of service: 1 year 9 months. Character of work and reason for claim: Commercial agent in charge of the bureau's sample exhibit room at New York. Exhibit comprises samples of foreign-made goods collected at considerable expense throughout the world; requires a man with extensive bureau experience.

Paul L. Edwards, The Hague, Netherlands. Length of service: 3 years 6 months. Character of work and reason for claim: Commercial attaché at The Hague, Netherlands. Experienced in commercial attaché work. Because of his knowledge of foreign languages and his familiarity with conditions in Germany and the Netherlands since the outbreak of the war it is believed that he could not be replaced by any other man who would handle the work as he is now doing it. Only because of unusual equipment that such a young man appointed to such an important post. Doing much war work.

Lew B. Clark, in foreign service at Buenos Aires, Argentina. Length of service: 3 years. Character of work and reason for claim: Clerk to commercial attaché at Buenos Aires, Argentina. Considerable experience in South America, speaking Spanish like a native, and is of great value to bureau because of his qualifications and experience. He could be replaced with great difficulty.

Herman G. Brock, 2304 Woodridge Street NE., Washington, D. C. Length of service: 3 years 2 months. Character of work and reason for claim: Special agent making special commercial investigations in foreign countries. Has been investigating markets for American goods in South America for the past year and a half. Owing to his unusual language equipment (French, German, Spanish, Italian, and Portuguese) and his experience in South America and in district office work, his training renders him peculiarly valuable to the bureau. About to be sent to England to make commercial investigations and assist in war work.

Paul M. La Rose, 5015 Cabanne Avenue, St. Louis, Mo. Length of service: 2 years 11 months. Character of work and reason for claim: Commercial agent in charge of district office at St. Louis. By reason of experience the district work would be seriously hampered if his services were withdrawn; one of very few young men left in our district-office service, others having enlisted or been drafted.

Deferred classification was asked for 18 out of a total force of 175; 7 of the 18 are in service abroad.

The service has thus far lost 26 men in the draft from its Washington office alone.

BUREAU OF NAVIGATION.

One of the bureau's vessels, the *Dixie*, has been turned over to the Navy Department.

Eighteen members of the radio inspection force of this bureau have been transferred to the Army or Navy. A substitute radio service has been organized, and it is now conducting in five centers schools where radiotelegraphy is being taught without charge to those who desire to enter the military service of the United States as radio operators. No claims for exemption have been made for the force of this bureau, and only one claim for deferred classification, that of—

Arthur Batcheller, 103 Belvedere Street, Boston, Mass. Length of service: 1 year 3 months. Character of work and reason for claim: Radio inspector in charge of Boston office. Conducting an evening school.

COAST AND GEODETIC SURVEY.

A mere pro forma tabulation of those in the Coast and Geodetic Survey for whom deferred classification has been asked and granted without some explanation of how this bureau is peculiarly an adjunct of both arms of the military service under normal conditions and how essential are the results of its work to the Army and the Navy in the present emergency would be both misleading and unfair to the bureau. The personnel of the bureau is composed generally of persons of technical training along lines that require university education for admission and considerable experience after admission before they become proficient.

Such are the special qualifications of these technical men that Congress has provided legislation whereby, in time of national emergency, the President is authorized to transfer and commission them in the Army and the Navy. Under this authorization more than 70 of these technically qualified men have been transferred to the Army and the Navy by Executive order. Also, five vessels of the bureau with their crews have been transferred to the Navy Department by Executive order.

The withdrawal of so many of the technical employees of the bureau would be of little significance if the activities of the bureau could in this measure be decreased, but the bureau is still under weighty obligations to the Navy, the merchant marine, and even the Army in the matter of supplying navigation charts and in making emergency surveys. The bureau is responsible for the production of charts of the coasts of the United States and all outlying possessions. Further, the Navy has called upon the bureau for important confidential military surveys, and the Army has required special geodetic work as a basis for military maps of certain regions of our country.

To fulfill these war obligations the remaining technical personnel of the bureau, augmented from time to time by new employees as those properly qualified could be found, has been diligently employed, and it has been only for the purpose of saving to the bureau these technically qualified employees that the claim for deferred classification has been exercised.

For these reasons claims for deferred classification have been made for the following:

H. W. Hemple, 2326 South 60 Court, Cicero, Ill. Length of service: 9 months.

F. L. Gallen, Coast and Geodetic Survey. Length of service: 9 months.

Character of work and reason for claim: Deck officers. Engaged on wire-drag work at request of Navy Department. Deck officers come to the bureau through an exacting civil-service examination and must have university training before they are admitted to the examination.

Joe Belmont, Coast and Geodetic Survey. Length of service: 10 months.

E. Hanson, Coast and Geodetic Survey. Length of service: 1 year 1 month.

Character of work and reason for claim: Seamen. Seamen on survey vessels are also used as rodmen, leadsmen, etc. Experience necessary. If serving in merchant marine deferred classification would be granted.

Holger Simonsen, Coast and Geodetic Survey steamer *Patterson*, Seattle, Wash. Length of service: 1 year 2 months. Character of work: Quartermaster on steamer *Patterson*.

S. Sandelius, Coast and Geodetic Survey steamer *Patterson*, Seattle, Wash. Length of service: 4 years 1 month. Character of work: Boatswain, steamer *Patterson*.

Addison Kilgore, Coast and Geodetic Survey steamer *Patterson*, Seattle, Wash. Length of service: 1 year 2 months.

Fred Moe, steamer *Explorer*, Seattle, Wash. Length of service: 2 years 2 months.

James F. Gilbert, steamer *Explorer*, Seattle, Wash. Length of service: 5 years 1 month. Character of work: Assistants to engineer, steamers *Patterson* and *Explorer*.

M. Dean Graves, steamer *Patterson*, Seattle, Wash. Length of service: 9 months. Character of work: Chief writer, steamer *Patterson*.

E. Dahlstrom, steamer *Patterson*, Seattle, Wash. Length of service: 6 years 3 months. Character of work: Chief carpenter's mate, steamer *Patterson*.

Reasons for claim: Deferred classification in these cases were requested by reason of special qualifications and experience. If they were serving in the merchant marine they could obtain deferred classification.

Kenneth Reynolds, 424 East Capitol Street, Washington, D. C. Length of service: 3 years 6 months.

Wm. Evans Johnson, Apartment 24, The Alamo, 1233 Twelfth Street NW., Washington, D. C. Length of service: 8 years.

Samuel L. Rosenberg, 1705 Sixth Street NW., Washington, D. C. Length of service: 6 years 2 months.

Charles P. Geyer, 1128 East North Avenue, Baltimore, Md. Length of service: 1 year 2 months.

Frank B. Gehring, Jackson Avenue, near Montana Avenue, Raspeburg, Md. Length of service: 1 year 2 months.

H. S. Coe, 1838 Second Street NW., Washington, D. C. Length of service: 7 years 9 months.

John Mewes, 109 Pennsylvania Avenue NW., Washington, D. C. Length of service: 1 year 1 month.

John H. Buscher, Good Hope, Anacostia Station, Washington, D. C. Length of service: 1 year 1 month.

Thomas J. A. Shea, jr., 94 Bates Street, Washington, D. C. Length of service: 4 years 6 months.

Gilbert Fayette Winslow, 103 Maryland Avenue NE., Washington, D. C. Length of service: 5 years 10 months.

Orland P. Sutherland, 1811 Wyoming Avenue, apartment 32, Washington, D. C. Length of service: 1 year 10 months.

Nathaniel Pendleton White, St. Paul Street, Kensington, Md. Length of service: 3 years 4 months.

Walter D. Sutcliffe, 435 Tenth Street NE., Washington, D. C. Length of service: 4 years 11 months.

Joseph Zucker, 412 Eleventh Street NE., Washington, D. C. Length of service: 1 year 9 months.

Character of work and reasons for claim: These men are draftsmen, lithographic transferers, pressmen, computers, etc., engaged in the several branches connected with computations for and production of maps and charts for the use of the Army, Navy, and mercantile marine. Their withdrawal from the work would seriously delay the same.

Frank Neumann, Honolulu Magnetic Observatory, post-office box 48, Ewa, Oahu, Hawaii. Length of service: 7 years 2 months. Character of work and reason for claim: Magnetic observer in charge of observatory near Honolulu. His withdrawal would result in a serious break in the observatory record, which has been continuous since 1902.

G. E. Maddox, steamer *Explorer*, Seattle, Wash. Length of service, 1 year 10 months. Character of work and reason for claim: Radio operator, steamer *Explorer*. If deferred classification were refused Mr. Maddox, he could enlist in the merchant-marine service and there obtain same.

E. Duvall Bromley, Coast and Geodetic Survey, Washington. Length of service: 1 year 1 month. Character of work and reason for claim: Observer in charge of field party. His withdrawal would seriously injure the work.

BUREAU OF FISHERIES.

The Bureau of Fisheries has turned over to the Navy Department four of its vessels, and is aiding in the war by special efforts to increase the use of fish as food by adding to the classes of fish accepted as such and by promoting the distribution and marketing of the same. It is also endeavoring to bring about a reduction in the price of fish hitherto wasted and to utilize waste products in the production of oil, fish feed, and fertilizers, also the extension of leather manufacture from fish skins.

Clarence A. Anderson, Seattle, Wash. Length of service: 1 year 1 month. Character of work and reason for claim: Instructing fishermen in the Pacific Coast States and in Alaska in the best methods of curing fish and in promoting effective cooperation between fishermen, dealers, and distributors. Deferred classification asked on account of his special knowledge of the important work of preserving fish as food. Work requested by governor of Alaska.

Harry J. Christoffers, London, Wis. Length of service: 7 years 10 months. Character of work and reason for claim: Engaged in promoting the use of neglected aquatic food products and expanding the production of aquatic leathers; miscellaneous work in connection with the fur-seal fisheries. Deferred classification asked on account of his services being needed on the Pribilof Islands and his special knowledge and experience in connection with the work there.

Donald R. Crawford, Key West, Fla. Length of service: 1 year 1 month. Character of work and reason for claim: Instructing fishermen and packers in the proper methods of preserving fish as food and in the investigation of problems affecting the food supply in various waters of the Gulf of Mexico.

James S. Gutsell, Ithaca, N. Y. Length of service: 1 year 8 months. Character of work and reason for claim: Investigations and experiments for the guidance of oyster planters, and for the production of an increased supply of food from coastal waters. Special knowledge and training for the work in which he is engaged.

Joseph Kemmerich, Blaine, Wash. Length of service: 9 years 7 months. Character of work and reason for claim: In charge of the Baker Lake (Wash.) fish hatchery. Special training in the particular branch of fish culture in which he is engaged.

Austin F. Shira, Fairport, Iowa. Length of service: 7 years 8 months. Character of work and reason for claim: Superintendent of the Fairport Laboratory, the work of which is, as a whole, directed to the increase of fish-food supplies from inland waters. Deferred classification requested on account of his experience and knowledge of fish culture and the utilization of fishery products.

William P. Studdart, Seattle, Wash. Length of service: 1 year 1 month. Character of work and reason for claim: Instructing fishermen in the Pacific Coast States and in Alaska in the best methods of curing fish and in promoting effective cooperation between fishermen, dealers, and distributors. Deferred classification requested on account of his special knowledge of methods of preserving fish as food.

Harden F. Taylor, District of Columbia. Length of service: 3 years. Character of work and reason for claim: Highly technical work and experiments which relate to the preservation and preparation of fish as food. Deferred classification requested on account of his experience and expert technical knowledge.

The total of statutory positions in this bureau held by men during the past fiscal year is 370. Among these positions there were, on June 30, 42 vacancies. The number of employees inducted into the military service to June 30 was 31.

No deferred classification was asked for any of the clerical staff of this service.

LIGHTHOUSE SERVICE.

Fifty vessels and a total personnel of 1,132 have been transferred to the Navy. The depots of the service have been utilized for berthing and repairing naval vessels. A large part of the space at Tompkinsville, N. Y., has been turned over to the Navy Department to be utilized as a naval base, and provides headquarters for 20 or more boats, with storehouses, offices, barracks, quarters, etc.

The efficient maintenance of the lighthouses, light vessels, and other aids to navigation is of the utmost importance during war time to the vessels of the Navy as well as to all shipping. Exemptions asked have been only of persons indispensable to this end.

Reason for claims: Deferred classification was requested in the following cases because the employees were stationed on lighthouse vessels or at light stations of the highest importance to be maintained in an efficient manner, and these well-trained and tried men could not be replaced under present conditions without great difficulty, if at all.

Peter D. Ance, Charlevoix, Mich. Length of service: 7 years 7 months. Character of work: Master Grays Reef Light Vessel, Michigan.

Thomas L. Kelly, Key West, Fla. Length of service: 5 years 8 months. Character of work: Assistant keeper Carysfort Reef Light Station, Florida.

Axel Lorentzen, 458 Court Street, Brooklyn, N. Y. Length of service: 1 year 3 months. Character of work: Assistant engineer Five Fathom Bank Light Vessel, New Jersey.

Sverre Carlson, 203 Lafayette Avenue, Staten Island, N. Y. Length of service: 1 year 8 months. Character of work: Fireman Ambrose Channel Light Vessel, New York.

Francis T. Douglass, 121 East Eighty-eighth Street, New York. Length of service: 5 years 7 months. Character of work: Engineer Relief Light Vessel *No. 51*, Tompkinsville, N. Y.

Edwin H. Humburg, 643 Cauldwell Avenue, The Bronx, N. Y. Length of service: 1 year 7 months. Character of work: Assistant engineer Cornfield Point Light Vessel *No. 48*, Connecticut.

Roy L. Murphy, Ogdensburg, N. Y. Length of service: 9 months. Character of work: Assistant keeper Cleveland Harbor Lights, Ohio.

Samuel E. Crozier, Youngstown, N. Y. Length of service: 9 months. Character of work: Assistant keeper Cleveland Harbor Lights, Ohio.

Daniel C. Corlett, Cheboygan, Mich. Length of service: 1 year 10 months. Character of work: Engineer Buffalo Light Vessel, New York.

Henrik G. Olsen, Aloha, Mich. Length of service: 9 years 9 months. Character of work: Assistant keeper, White Shoal Light Station, Mich.

Wesley Gray, 247 Cumberland Avenue, Portland, Me. Length of service: 3 years 6 months. Character of work: Assistant keeper, Halfway Rock Light Station, Me.

Peter Rasmussen, 124 Cedar Grove Avenue, New London, Conn. Length of service: 2 years 2 months. Character of work: Engineer, Cornfield Point Light Vessel, Conn.

George C. Birch, Lewes, Del. Length of service: 2 years 2 months. Character of work: Fireman, Overfalls Light Vessel *No. 69*, Del.

Herman F. Metevier, 200 State Street, Cheboygan, Mich. Length of service: 1 year 3 months. Character of work: Assistant engineer, Martin Reef Light Vessel, Mich.

Edward Kott, Calumet Harbor Light Station, South Chicago, Ill. Length of service: 4 years. Character of work: Assistant keeper, Calumet Harbor Light Station, Ill.

Carl A. Madsen, R. F. D. No. 4, Falmouth, Me. Length of service: 1 year 4 months. Character of work: Mate, Portland Light Vessel, Me.

Frank A. Davis, Duxbury Pier Light, Plymouth Harbor, Mass. Length of service: 1 year 11 months. Character of Work: Keeper, Duxbury Pier Light, Mass.

James K. Haleamau, Kailua, Hawaii, T. H. Length of service: 4 years 10 months. Character of work: Keeper, Kailua Light Station, Hawaii.

George Ah Choy, Kohala, Hawaii, T. H. Length of service: 1 year 3 months. Character of work: Keeper, Kauhola Point Light Station, Hawaii.

Mark McDonough, Ketchikan, Alaska. Length of service: 6 months. Character of work: Fireman, lighthouse tender *Cedar*.

Andre H. Roness, Ketchikan, Alaska. Length of service: 7 months. Character of work: Quartermaster, lighthouse tender *Cedar*.

Nels M. Jensen, Ketchikan, Alaska. Length of service: 3 months. Character of work: Seaman, lighthouse tender *Cedar*.

Charles Nerup, Ketchikan, Alaska. Length of service: 4 years 7 months. Character of work: Boatswain, lighthouse tender *Cedar*.

Harry F. Howard, Ketchikan, Alaska. Length of service: 8 months. Character of work: Machinist, lighthouse tender *Cedar*.

James J. Jefferson, Ketchikan, Alaska. Length of service: 3 years 11 months. Character of work: Assistant engineer, lighthouse tender *Cedar*.

Fred. O. Daggett, Ketchikan, Alaska. Length of service: 8 months. Character of work: Machinist, lighthouse tender *Cedar*.

Thomas Donahey, Ketchikan, Alaska. Length of service: 5 months. Character of work: Seaman, lighthouse tender *Cedar*.

Charles R. Moore, Ketchikan, Alaska. Length of service: 10 months. Character of work: Second officer lighthouse tender *Cedar*.

Charles G. Johnson, Ketchikan, Alaska. Length of service: 10 months. Character of work: Fireman, lighthouse tender *Cedar*.

George L. Metzger, Ketchikan, Alaska. Length of service: 1½ months. Character of work: Seaman, lighthouse tender *Cedar*.

William H. Barton, Ketchikan, Alaska. Length of service: 4 years 8 months. Character of work: First officer lighthouse tender *Cedar*.

Francis Britt, Ketchikan, Alaska. Length of service: 5 months. Character of work: Quartermaster, lighthouse tender *Cedar*.

Robert Martin, Ketchikan, Alaska. Length of service: 7 months. Character of work: Quartermaster, lighthouse tender *Cedar*.

Ole Ericson, Bartlett Reef Light Vessel, Conn. Length of service: 7 months. Character of work: Seaman, Bartlett Reef light vessel, Conn.

Jack W. Storey, Ketchikan, Alaska. Length of service: 3 months. Character of work: Seaman, lighthouse tender *Cedar*.

Scotty O. Therrien, Mackinac Island, Mich. Length of service: 1 year 1 month. Character of work: Assistant keeper, Chicago Harbor Light Station, Ill.

John Freeman, 4610 West Willow Street, Seattle, Wash. Length of service: 9 months. Character of work: Seaman, Umatilla Reef Light Vessel *No. 67*, Wash.

John C. Taylor, Erma, N. J. Length of service: 7 months. Character of work: Seaman, Five-Fathom Bank Light Vessel *No. 79*, N. J.

Nicholas Eckel, 419 Chestnut Street, Detroit, Mich. Length of service: 11 months. Character of work: Assistant keeper, Rock of Ages Light Station, Mich.

Thomas J. Eckel, 419 Chestnut Street, Detroit, Mich. Length of service: 11 months. Character of work: Assistant keeper, Rock of Ages Light Station, Mich.

John H. Sullivan, Cross Village, Mich. Length of service: 3 years. Character of work: Assistant keeper, White Shoal Light Station, Mich.

Thomas F. Smith, 418 Customhouse, St. Louis, Mo. Length of service: 8 years. Character of work: Engineer, lighthouse tender *Oleander*.

Carlton Roberts, Key West, Fla. Length of service: 5 years 8 months. Character of work: Assistant keeper Alligator Reef Light Station, Fla.

Judson Colbeth, 847 Main Street, Westbrook, Me. Length of service: 3 months. Character of work: Assistant keeper Crabtree Ledge Light Station, Me.

Andrew Larsen, Brenton Reef Light Vessel, R. I. Length of service: 5 years 10 months. Character of work: Machinist, Brenton Reef Light Vessel *No. 39*, R. I.

Louis Hudak, Cheboygan, Mich. Length of service: 4 years 9 months. Character of work: Assistant keeper Spectacle Reef Light Station, Mich.

Reasons for claims: Deferred classification was requested in the following cases because of the same reasons stated for the preceding group, and also because the men named were stationed on vessels of the Lighthouse Service transferred to the Navy in accordance with law, and hence were actually in the naval service:

James L. Benjamin, Astoria, Oreg. Length of service: 8 months. Character of work: Fireman, lighthouse tender *Manzanita*.

Axel, E. J. Anderson, 1577 Harrison Street, Astoria, Oreg. Length of service: 3 years 3 months. Character of work: Machinist, lighthouse tender *Manzanita*.

Ole J. Lilleoren, Astoria, Oreg. Length of service: 5 years 8 months. Character of work: Second officer lighthouse tender *Heather*.

Henry Carlson, Astoria, Oreg. Length of service: 2 years 9 months. Character of work: Machinist, lighthouse tender *Manzanita*.

Nicolas Schurgel, 471 Valley Street, San Francisco, Cal. Length of service: 6 months. Character of work: Assistant engineer lighthouse tender *Manzanita*.

Emil Raanti, 104 Washington Street, Astoria, Oreg. Length of service: 2 months. Character of work: Fireman, lighthouse tender *Manzanita*.

Thorvald Thorkilson, Astoria, Oreg. Length of service: 1 year 2 months. Character of work: Seaman, lighthouse tender *Manzanita*.

C. L. Nielsen, Astoria, Oreg. Length of service: 1 year 6 months. Character of work: Seaman, lighthouse tender *Heather*.

Ben Larsen, Astoria, Oreg. Length of service: 7 months. Character of work: Seaman, lighthouse tender *Heather*.

Ole Nelson, Astoria, Oreg. Length of service: 1 year 7 months. Character of work: Seaman, lighthouse tender *Manzanita*.

Sverre Christensen, Astoria, Oreg. Length of service: 10 months. Character of work: Quartermaster lighthouse tender *Heather*.

Marcus Jacobsen, Astoria, Oreg. Length of service: 2 years. Character of work: Fireman, lighthouse tender *Heather*.

Lars Bjelland, Astoria, Oreg. Length of service: 2 years 5 months. Character of work: Quartermaster lighthouse tender *Heather*.

Ole Volden, Astoria, Oreg. Length of service: 1 month. Character of work: Seaman, lighthouse tender *Columbine*.

Gus Montague, Wanchese, N. C. Length of service: 4 years. Character of work: First officer lighthouse tender *John Rodgers*.

Hjalmar Herlin, 1381 Franklin Avenue, Astoria, Oreg. Length of service: 3 months. Character of work: Quartermaster lighthouse tender *Manzanita*.

Ivar Brevik, 427 Thirtieth Street, Astoria, Oreg. Length of service: 3½ months. Character of work: Seaman, lighthouse tender *Manzanita*.

Reason for claim: Deferred classification was requested in the following cases because these employees are engaged in repairing and installing illuminating apparatus peculiar to the Lighthouse Service, in which work they are specially skilled and could not be replaced without much delay, which would be seriously detrimental to the upkeep of the aids to navigation, especially essential during the continuance of the war:

Roger P. Leonard, 706 North Montford Avenue, Baltimore, Md. Length of service: 3 years 8 months. Character of work: Foreman machinist, Lazaretto Lighthouse Depot, Md.

Harry W. Howard, 376 Connecticut Street, Buffalo, N. Y. Length of service: 2 years 10 months. Character of work: Assistant mechanician, tenth lighthouse district.

William C. Helbig, Buffalo, N. Y. Length of service: 12 years 5 months. Character of work: Mechanician, tenth lighthouse district.

Sydnor M. Falconer, jr., 5425 Ninth Street NW., Washington, D. C. Length of service: 3 years 4 months. Character of work and reason for claim: Draftsman, especially experienced in unusual problems presented by lighthouse work. It would be very difficult to obtain draftsmen qualified for such work.

Thomas H. Soyster, 1401 Columbia Road NW., Washington, D. C. Length of service: 6 months. Character of work and reasons for claim: Marine draftsman, especially experienced in unusual problems presented by lighthouse work. It is now extremely difficult or impossible to obtain draftsmen.

Reasons for claim: Deferred classification was asked for the following because these mechanics were specially trained in the work of the Lighthouse Service and are employed also on work done at the General Lighthouse Depot for the Navy Department, and it is extremely difficult under present conditions to fill their places:

Henry C. Kortbein, 464 Cary Avenue, West New Brighton, N. Y.: Length of service: 7 years. Character of work, boiler maker, general lighthouse depot, Tompkinsville, N. Y.

Frank A. Schneider, 124 Van Duzer Street, Tompkinsville, N. Y.: Length of service: 5 days. Character of work, boiler maker, general lighthouse depot, Tompkinsville, N. Y.

John J. Kendra, Great Kills, N. Y.: Length of service: 11 months. Character of work, blacksmith, general lighthouse depot, Tompkinsville, N. Y.

John J. Osinski, 56 John Street, Port Richmond, N. Y.: Length of service: 6 years 8 months. Character of work, boiler maker, general lighthouse depot, Tompkinsville, N. Y.

Roswell G. Lamb, 208 Richmond Turnpike, Staten Island, N. Y.: Length of service: 1 year 5 months. Character of work and reason for claim, employed on superintendence of construction and repair work and in drafting work, and has had especially valuable experience. It is practically impossible to fill existing vacancies in similar positions under the present conditions.

William F. Lynch, Ivy Road, Wilmington, Del.: Length of service, 4 years 3 months. Reid O'Meara, Hamilton, Md.: Length of service: 1 month. Character of work and reason for claims: Foremen, working party, fifth lighthouse district, in charge of repair and construction parties. Work of urgent military importance in connection with operations of naval and commercial vessels. Very difficult to replace these men.

Ward J. Lawton, 68 Berkley Place, Brooklyn, N. Y.: Length of service: 3 years 10 months. Character of work and reason for claim, chief clerk, third lighthouse district, Tompkinsville, N. Y., in charge of the large office force at the general lighthouse depot, where much work is being done directly and indirectly for the Navy. Specially trained in work of this depot, and unable to replace with competent, experienced, and capable person.

BUREAU OF STANDARDS.

The work of this service is now almost wholly war work in connection with nearly all the branches of both the Army and Navy. For this purpose a force of 470 on April 1, 1917, has expanded to a total of 1,117 to-day. The demands from the military services come at an average rate of over 20 daily. Among the war activities are the development, production, or testing of various materials and instruments for aircraft parts and for military work, researches for materials for substitutes, cooperation in constructing and testing (to the number

of 5,000 monthly) of gauges for munition manufactures, inventing and developing devices for locating enemy batteries in the artillery service.

The employees named in the following are either scientific specialists, by training and qualifications peculiarly fitted for the work they do or are technical experts in the mechanical trades and in the lines of work on which they are engaged.

Deferred classification was requested in the cases named, because, first, the men are directly employed upon specific war activities; second, they are specially qualified by training and experience for such activities; third, it would be impossible to replace them (if that were possible at all) without seriously interrupting the progress of urgent war work:

Leon Adler, Champaign, Ill.: Length of service: 9 months. Character of work, research in chemical metallurgy, gases in steel, and the development of methods of limiting manganese in steel.

Max Albert, Pittsburgh, Pa.: Length of service: 11 months. Character of work, experimental cement researches for military departments.

Gilbert V. Anderson, Philadelphia, Pa. Length of service: 2 months. Character of work: Research and testing of military airplane motors.

H. A. Anderson, Brooklyn, N. Y. Length of service: 8 months. Character of work: Investigating the use of bakelite in propeller construction for airplanes and other materials for aircraft construction.

William C. Andrea, Baltimore, Md. Length of service: 11 months. Character of work: Designing apparatus and instruments for testing military master gauges used in the manufacture of munitions, Liberty motors, and Liberty trucks.

A. F. Beal, Marshall, Mich. Length of service: 9 months. Character of work: Testing of timepieces for the ships of the Emergency Fleet Corporation and for airplanes of the Signal Corps and testing stop watches for the Ordnance Department for the study of gun firing.

H. S. Bean, Stockton, Cal. Length of service: 7 months: Character of work: Engaged in the inspection and testing of master gauges for munitions, standard motor trucks, and Liberty motors.

E. H. Berger, York County, Pa. Length of service: 8 months. Character of work: Laboratory investigation of bituminous materials.

Robert W. Boreman, Middlebourne, W. Va. Length of service: 2 months. Character of work: Experimental investigation of airplane engine performance at high altitudes.

R. D. Bowker, Athol, Mass. Length of service: 5 months. Character of work: Investigation of sole leather for Army shoes.

H. A. Bright, Washington, D. C. Length of service: 5 years. Character of work: Expert engaged in the investigation and testing of cement materials required by the military departments.

W. B. Brown, Prec. 49, Alameda County, Cal. Length of service: 1 year. Character of work: Expert engaged in research on airplane motor radiators.

Roy W. Bruner, Wellsburg, W. Va. Length of service: 5 months. Character of work: Instrumental work on military problems.

S. M. Burka, Baltimore, Md. Length of service: 1 year and 1 month. Character of work: Engaged in study of the weathering of optical glass for military instruments and in the spectroscopic analysis of war materials.

R. A. Castleman, Ellicott City, Md. Length of service: 11 months. Character of work: Experimental investigation of airplane radiator performance.

W. C. Chapin, Washington, D. C. Length of service: 1 year and 8 months. Character of work: Expert in the inspection of railroad track scales.

W. L. Chency, Chardon, Ohio. Length of service: 8 months. Character of work: Research in connection with the testing of and specifications for the leather to be used in the manufacture of Army shoes.

E. R. Clark, Washington, D. C. Length of service: 1 year. Character of work: Chemical work on textiles used in making military fabrics.

Simon Collier, Salem, Mass. Length of service: 3 months. Character of work: Research and testing of rubber supplies for military purposes.

E. W. Commery, 1912 East Ninety-seventh Street, Cleveland, Ohio. Length of service: 5 months. Character of work: Development and testing of rifle lights and trench flares and of portable lights for the Army.

Arthur L. Conaty, Providence, R. I. Length of service: 2 months. Character of work: Testing of master gauges for munition plants.

W. E. Congdon, Portland, Me. Length of service: 3 months. Character of work: Development of technical standards practice codes for construction and operation of Government plants.

A. D. Conley, Portland, Me. Length of service: 1 year and 11 months. Character of work: Experimental development of new types of wall board to be used by the Army for the construction of cantonments and other structures here and in France.

J. W. Cook, 213 Second Street SE., Washington, D. C. Length of service: 5 years and 8 months. Character of work: Research problems for the military departments involving liquid air.

Rudolph A. Corvey, Newark, N. J. Length of service: 2 months. Character of work: Inspection and testing of electric lamps for military departments.

C. S. Cragoe, Washington, D. C. Length of service: 4 years. Character of work: Research on airplane spark plugs.

S. J. Crooker, Washington, D. C. Length of service: 11 months. Character of work: Research on telephone problems of special importance to military telephone service.

B. L. Cushing, Rockland, Mass. Length of service: 6 months. Character of work: Investigating the strength of materials for airplane construction.

H. J. Daignault, Woonsocket, R. I. Length of service: 2 months. Character of work: Testing military fabrics.

L. I. Dana, 1942 Calvert Street, Washington, D. C. Length of service: 11 months. Character of work: Standardization of temperature-measuring instruments for use in arsenals and industrial plants engaged on important war work.

H. A. Davis, Washington, D. C. Length of service: 6 years 10 months. Character of work: Problems involving expert knowledge of supplies required in war work.

R. Davis, 1422 Perry Place NW., Washington, D. C. Length of service: 6 years 10 months. Character of work: Applications of photography to military problems.

W. Davis, 900 Eleventh Street SE., Washington, D. C. Length of service: 11 months. Character of work: Testing Portland cement for military purposes.

L. H. Dawson, Needham, Mass. Length of service: 10 months. Character of work: Inspection of gauges used in the manufacture of munitions.

J. H. Dellinger, Montgomery County, Md. Length of service: 10 months. Character of work: Military research on radio communications.

E. E. Dickson, Chicopee, Mass. Length of service: 6 months. Character of work: Testing of military fabrics and research on the design of balloon and airplane fabrics.

A. Domovsky, 1116 Trenton Avenue, New York City. Length of service: 10 months. Character of work: Testing military supplies.

R. C. Duncan, 5001 Irving Street, Philadelphia, Pa. Length of service: 11 months. Character of work: Development of electrical equipment for military purposes.

J. R. Dwyer, Washington, D. C. Length of service: 7 months. Character of work: Testing Portland cement for the War and Navy Departments.

William J. A. Ebert, Northampton, Pa. Length of service: 8 months. Character of work: Testing of Portland cement for the War and Navy Departments.

Arthur F. Eckle, Chicago, Ill. Length of service: 7 months. Character of work: Computing and design of military optical instruments.

E. A. Eckhardt, Philadelphia, Pa. Length of service: 11 months. Character of work: Developing military apparatus.

C. R. Edwards, Chester County, Pa. Length of service: 4 years 2 months. Character of work: Inspection of railroad track scales.

Junius D. Edwards, Washington, D. C. Length of service: 4 years 10 months. Character of work: Military aircraft problems.

Samuel W. Epstein, Warren, Pa. Length of service: 1 year. Character of work: Analysis of rubber materials.

A. J. Erichsen, Atlantic City, N. J. Length of service: 10 months. Character of work: Testing of adhesives for military purposes.

Fred H. Engles, Kingfisher, Okla.: Length of service: 10 months. Character of work: Making of apparatus and appliances used in the military researches of the bureau.

C. A. Fairchild, Washington, D. C. Length of service: 3 years and 2 months. Character of work: Engaged in precision measurements of high temperature and heat tests for military departments.

F. Finklestein, Boston, Mass. Length of service: 1 year and 11 months. Character of work: Testing of thermometers to supply the demands of military departments.

M. F. Fischer, Washington, D. C. Length of service: 4 years and 7 months. Character of work: Engaged in testing compasses for the Signal Corps and Shipping Board.

J. C. Fisher, Berkeley County, W. Va. Length of service: 10 months. Character of work: Military investigation for the Army and Navy.

John Henry Fisher, Washington, D. C. Length of service: 4 months. Character of work: Military research on new cylinder pressures in aeronautic engines of military airplanes.

Russell T. Fisher, Washington, D. C. Length of service: 8 months. Character of work: Design and construction of apparatus for investigating military fabrics.

R. O. Fitch, Washington, D. C.: Length of service: 4 years and 11 months. Character of work: Military problems, including materials used in construction of cantonments and hospital buildings.

P. D. Foote, Pittsburgh, Pa. Length of service: 6 years and 11 months. Character of work: High temperature testing and research work which the bureau is doing for the several military bureaus, arsenals, etc.

E. L. Fonseca, Washington, D. C. Length of service: 1 year and 6 months. Character of work: Technical investigation of spark-plug behavior in military airplane engines and handling spark-plug tests for the Signal Corps.

R. D. France, Washington, D. C. Length of service: 9 months. Character of work: Ingot investigation and manganese investigation, both of fundamental military importance.

Leopold Freedman, New York City. Length of service: 7 months. Character of work: Construction of apparatus required directly for military use.

H. M. Freeman, Monongalia County, W. Va. Length of service: 11 months. Character of work: Testing and development of radio apparatus required by both the Army and Navy.

J. R. Freeman, jr., Providence, R. I. Length of service: 10 months. Character of work: Development of light aluminum alloys for aviation.

I. H. Fullmer, Elyria, Ohio. Length of service: 11 months. Character of work: Inspector of gauges for munitions, Army motor trucks, and Liberty motors.

Barnett D. Gordon, Washington, D. C. Length of service: 5 months. Character of work: Research on the properties of balloon gases.

D. Goren, Washington, D. C. Length of service: 3 years and 8 months. Character of work: Work for the improvement of methods of locating hostile batteries.

W. S. Gorton, Baltimore, Md. Length of service: 11 months. Character of work: Work on military applications of X-ray apparatus.

Thomas P. Green, Washington, D. C. Length of service: 7 years and 7 months. Character of work: Most important duties in the care, distribution, and keeping records of stocks of chemicals used in the tests made for military departments.

Albert H. Greenwald, Pittsburgh, Pa. Length of service: 5 years and 5 months. Character of work: Inspecting and testing cement which is bought by the Government for use of the War Department.

Morris C. Gregory, Corning, N. Y. Length of service: 1 year. Character of work: Manufacture of optical glass for the use of the Army and Navy.

Marcus A. Grossman, Washington, D. C. Length of service: 9 months. Character of work: Study of coated metallurgical material for aviation.

Kasson S. Gibson, Washington, D. C. Length of service: 1 year and 6 months. Character of work: Engaged in making optical investigation in ultraviolet spectrophotometry.

Louis J. Gurevich, Washington, D. C. Length of service: 1 year and 10 months. Character of work: Investigation of physical metallurgical methods of platinum testing for purity, and the development of platinum substitutes, in response to direct requests from military departments.

A. E. Hanson, Quincy, Mass. Length of service: 1 year and 9 months. Character of work: Testing and inspection of gauges used in the manufacture of munitions, Army trucks, and Liberty motors.

T. R Harrison, Washington, D. C. Length of service: 1 year and 11 months. Character of work: High-temperature experimentation for the Military Establishments.

R. W. Hart, Stamford, Conn. Length of service: 8 months. Character of work: Testing of and specifications for leather used in the manufacture of Army shoes.

J. M. Hartman, Junction City, Kans. Length of service: 6 months. Character of work: Determining the reliability of various extensometers for use in the inspection of shells and shrapnel.

F. W. Hartman, Milwaukee, Wis. Length of service: 7 months. Character of work: Tests on steel used in airplane construction.

A. R. Harvey, Butler County, Ohio. Length of service: 5 months. Character of work: Investigation of radiator design for both Army and Navy.

A. S. Hathaway, Washington, D. C. Length of service: 1 year and 9 months. Character of work: Inspector of construction on the new war emergency laboratory and other emergency buildings.

B. D. Hathcock, Pittsburgh, Pa. Length of service: 1 year and 10 months. Character of work: Tests on rope, cable, porcelain, insulators, steel, cement, and other engineering materials used in military construction.

R. H. Heald, Washington, D. C. Length of service: 4 months. Character of work: Engaged in testing of airplane models and equipment.

A. M. Heinzlemann, Washington, D. C. Length of service: 2 years and 2 months. Character of work: Testing of ink and ink products, especially on secret inks, for the Bureau of Navy Intelligence.

Mayo D. Hersey, City Hall, Cambridge, Mass. Length of service: 7 years and 10 months. Character of work: Testing of airplane instruments for military purposes.

Walter J. Hinkle, Pittsburgh, Pa. Length of service: 11 months. Character of work: Engaged in the manufacture of optical glass for military purposes and the making of military optical instruments.

B. H. Hirschensohn, Newport, R. I. Length of service: 10 months. Character of work: Testing of the haemacytometer pipettes used in the Army and Navy hospitals, and in testing glass volumetric apparatus.

Earle D. Hoats, Northampton, Pa. Length of service: 7 years and 11 months. Character of work: Testing Portland cement for military purposes.

O. J. Hodge, Washington, D. C. Length of service: 1 year and 11 months. Character of work: Investigation work of water-current meters in the development of water resources, and engaged in making tests of immediate military urgency.

C. P. Hoffman, Hudson County, N. J. Length of service: 1 year and 5 months. Character of work: Technical manipulator of the large testing machine which is in constant use for military researches on cast-steel motor-truck wheels for the Army trucks, etc.

L. A. Hoffman, Boston, Mass. Length of service: 6 months. Character of work: Research work on the aeronautic instruments.

F. S. Holbrook, Washington, D. C. Length of service: 8 years and 10 months. Character of work: Supervisor of bureau's track-scale testing equipments used in the testing of railroad-track scales.

H. D. Holler, Columbus, Ohio. Length of service: 3 years and 4 months. Character of work: Electroplating of military materials, chemical investigation of dry cells for military uses.

R. K. Honoman, Lancaster, Pa. Length of service: 10 months. Character of work: Engaged in important airplane investigation for the aviation service of Signal Corps.

H. Insley, Haverstraw, N. Y. Length of service: 11 months. Character of work: Testing optical glass for military instruments and in petrographic research on silica brick, porcelain, and other ceramic materials required in military work.

A. Isaacs, Washington, D. C. Length of service: 4 years and 7 months. Character of work: Technical problems connected with refrigeration of great importance to the Military Establishments.

I. M. Jacobsohn, Chicago, Ill. Length of service: 1 year and 4 months. Character of work: Analysis of metallic materials used by the military branches of the Government.

W. S. James, Washington, D. C. Length of service: 7 years. Character of work: Expert in charge of military investigations and the design of cooling radiators for use on military airplanes.

L. Jordon, Urbana, Ill. Length of service: 5 months. Character of work: Research on problems of a special military importance.

A. Joseshof, New York, N. Y. Length of service: 6 months. Character of work: Expert inspector of gauges for munitions.

L. V. Judson, Worcester, Mass. Length of service: 11 months. Character of work: Determinations of precision measurements of standards for testing meter gauges in the manufacture of munitions and standardizing munition gauges.

H. J. Kaiser, Washington, D. C. Length of service: 7 years 7 months. Character of work: Construction of apparatus required in the military researches for the military departments.

J. C. Karcher, Hennessey, Okla. Length of service: 11 months. Character of work: Confidential scientific investigations for new and improved methods of locating hostile batteries.

W. Kinney, Northampton, Pa. Length of service: 5 months. Character of work: Testing and investigating Portland cement required for military purposes.

Frank A. Kirkpatrick, Pittsburgh, Pa. Length of service: 1 year 8 months. Character of work: Investigations of lime and gypsum of special value in Government construction work.

R. S. Jessup, Baskerville, Va. Length of service: 1 year 9 months. Character of work: Investigations in the heat laboratories of the bureau for military purposes.

J. A. Keehn, 30 Miller Street, Rochester, N. Y. Length of service: 6 months. Character of work: Construction of apparatus especially designated for testing gauges used in the manufacture of munitions of war.

W. J. Keiss, Washington, D. C. Length of service: 7 years 9 months. Character of work: Inspecting Portland cement for military purposes.

R. Kleinoshmidt, Washington, D. C. Length of service: 9 months. Character of work: Investigation of the design and construction of airplane radiators.

Howard B. Knowles, Taunton, Mass. Length of service: 4 years 11 months. Character of work: Military testing for the Ordnance Department to insure the soundness and other qualities in the metals used in the manufacture of munitions and other military supplies.

Clarence E. Lane, Corydon, Iowa Length of service: 2 months. Character of work: Development of methods and apparatus for locating enemy batteries.

O. A. Lansche, Brighton, Ill. Length of service: 1 year and 8 months. Character of work: Installation of equipment for the testing of military airplane engines under high altitude conditions.

L. J. Larson, Champaign, Ill. Length of service: 1 year and 10 months. Character of work: Military researches on airplane woods.

C. S. Laubly, Washington, D. C. Length of service: 3 years and 11 months. Character of work: Important structural materials, research work for the Navy Department.

E. B. Laughlin, Washington, D. C. Length of service: 6 years and 9 months. Character of work: Inspection and testing of master gauges.

P. G. Ledig, Alta Loma, Cal. Length of service: 11 months. Character of work: Investigations of military aircraft problems.

A. J. Lewis, Rockland, Mass. Length of service: 1 year and 5 months. Character of work: Analysis of varnishes, linseed oil, etc.

H. A. Linendoll, Champaign, Ill. Length of service: 11 months. Character of work: Investigation and tests of coated metals for military airplane construction.

M. B. Long, Lincoln, Nebr. Length of service: 8 months. Character of work: Standardizing the radiation of quartz mercury vapor lamps for fabrics, also developing a radiometric signaling device for military purposes.

F. D. Lowell, Washington, D. C. Length of service: 5 years and 4 months. Character of work: Calibration of radio instruments required by the Army and Navy radio services.

G. E. Lund, Washington, D. C. Length of service: 9 months. Character of work: Construction of apparatus required for military use.

W. O. Lytle, 1313 Vermont Street, Lawrence, Kans. Length of service: 11 months. Character of work: Radio investigations and military tests involving radio problems.

Oscar L. Maag, Pittsburgh, Pa. Length of service: 3 months. Character of work: Manufacture of optical glass for military instruments.

G. V. Maconi, New Haven, Conn. Length of service: 1 month. Character of work: Special tests on concrete to find a lightweight concrete of suitable building strength for shipbuilding.

F. W. Martin, Boston, Mass. Length of service: 5 years and 7 months. Character of work: Testing thermometers for the military departments.

J. J. R. Martin, Bridgeport, Conn. Length of service: 5 months. Character of work: Testing master gauges for military purposes.

L. O. Maxwell, Urbana, Ill. Length of service: 11 months. Character of work: Working on steels to be used for military purposes.

R. S. McBride, 20 Hesketh Street, Chevy Chase, Md. Length of service: 8 years and 9 months. Character of work: Researches involving gas production, quality and distribution.

F. J. McGrath, Washington, D. C. Length of service: 9 months. Character of work: Experimental study of the heat-retaining properties of military clothing materials.

H. J. McNicholas, Washington, D. C. Length of service: 1 year and 10 months. Character of work: Study of military glasses having selective color absorption, a subject of importance to the military departments.

A. T. McPherson, Austin, Tex. Length of service: 4 months. Character of work: Confidential researches on certain gases used in warfare.

W. F. Meggers, Washington, D. C. Length of service: 4 years. Character of work: Highly technical work having direct military application.

Lewis L. Mellor, Cleveland Heights, Ohio. Length of service: 4 months. Character of work: Testing and investigation of optical military instruments for the use in the war.

P. D. Merica, Washington, D. C. Length of service: 3 years and 10 months. Character of work: Development and investigation of light alloys for aircraft construction.

P. W. Merrill, Washington, D. C. Length of service: 1 year and 11 months. Character of work: Technical problems in optical glass production for military purposes.

G. E. Merritt, New York City, N. Y. Length of service: 11 months. Character of work: In charge of the index measurements of optical glass, a work of great military importance.

C. H. Meyers, Gresham, Oreg. Length of service: 4 years and 1 month. Character of work: Engaged on military investigations involving his expert knowledge and skill in heat measurements.

R. F. Miller, Altoona, Pa. Length of service: 1 year and 6 months. Character of work: Testing haemacytometer for use in Army and Navy hospitals and glass volumetric apparatus used in munitions laboratories.

H. H. Moore, Washington, D. C. Length of service: 3 years 5 months. Character of work: Design and construction of apparatus for naval-gun firing.

I. L. Moore, Worcester, Mass. Length of service: 10 months. Character of work: Investigations of military aircraft problems.

R. Morgan, Cambridge City, Ind. Length of service: 6 months. Character of work: Measurement of inductance coils and condensers for the Army and Navy radio service.

R. C. Morse, Humboldt County, Iowa. Length of service: 6 months. Character of work: Testing master gauges used in the manufacture of munitions, etc.

D. J. Murphy, 95 Soho Street, Pittsburgh, Pa. Length of service: 1 year 9 months. Character of work: Inspecting and testing cement used by the military departments.

H. A. Nelson, McPherson, Kans. Length of service: 8 months. Character of work: Analysis of chemicals of direct importance in military problems.

P. F. Newell, Pittsburgh, Pa. Length of service: 11 months. Character of work: Testing ropes, cables, porcelain, insulators, and other engineering materials for the military departments.

T. W. Nunheimer, Washington, D. C. Length of service: 6 months. Character of work: Construction of apparatus required by the bureau for making researches on military problems.

C. E. Oakes, Benton, Oreg. Length of service: 10 months. Character of work: Engaged on technical standard quality for electric service.

G. F. O'Conner, Washington, D. C. Length of service: 1 year 10 months. Character of work: Investigations on refrigeration, the results of which are being used for military purposes.

C. A. Osborne, Ames, Iowa. Length of service: 10 months. Character of work: Inspection of master gauges used in the manufacture of Liberty motor trucks and munitions of war.

R. S. Ould, Oswego County, N. Y. Length of service: 3 months. Character of work: Experimental work on radio communication for military purposes.

Albert W. Owens, Champaign, Ill. Length of service: 3 months. Character of work: Preparing the light alloys used in the construction of military aircraft.

E. C. Patrick, Washington, D. C. Length of service: 5 years 9 months. Character of work: Testing of rubber products for military purposes.

S. R. Parson, Washington, D. C. Length of service: 5 months. Character of work: Engine testing to determine the performance of military aircraft engines at high altitudes.

W. E. Parson, Pittsburgh, Pa. Length of service: 1 year 6 months. Character of work: Inspecting and testing Portland cement for the military departments.

A. R. Payne, San Diego, Cal. Length of service: 6 months. Character of work: Designing and testing of optical instruments for use by the Army and Navy.

Albert B. Peck, Pittsburgh, Pa. Length of service: 11 months. Character of work: Testing optical glass, etc.

G. G. Peters, Washington, D. C. Length of service: 5 years. Character of work: Measurement of expansion coefficients of small samples and interferometry, the results of which are used by the military departments.

F. P. Phelps, Washington, D. C. Length of service: 6 years 4 months. Character of work: Appraisal of raw sugar and standardization of quartz-control plates used by the Customs Service as technical basis for collection of import duties.

S. F. Pickering, Elyria, Ohio. Length of service: 7 months. Character of work: Engaged in testing balloon fabric.

E. S. Purington, Mechanics Falls, Me. Length of service: 2 years 10 months. Character of work: Experimental work on a military problem of great importance to the Army and Navy.

S. N. Quick, Fairfax, Va. Length of service: 8 months. Character of work: Inspecting the master gauges used in the manufacture of munitions of war, Army trucks, etc.

R. L. Templin, Minneapolis, Kans. Length of service: 10 months. Character of work: Designing a thrust and torque meter to determine actual engine performance of airplane engines under service conditions.

R. L. Rankin, Washington, D. C. Length of service: 8 months. Character of work: Inspector of gauges for munitions, standard motor trucks, and Liberty motors.

J. F. Rawson, Washington, D. C. Length of service: 5 months. Character of work: Construction of apparatus specially designed for the testing of master gauges.

Albert Rebsamen, Sharpsburg, Pa. Length of service: 10 months. Character of work: Technical manufacture of optical glass for military purposes for both Army and Navy.

J. A. Reinhardt, East St. Louis, Ill. Length of service: 10 months. Character of work: Construction of apparatus required directly for military use or in military research.

Lamarr Ritchie, Washington, D. C. Length of service: 7 months. Character of work: Protective electroplating of military materials and equipment.

O. Rognaly, Minneapolis, Minn. Length of service: 5 months. Character of work: Design and testing of navigation compasses.

H. M. Rosser, Washington, D. C. Length of service: 1 month. Character of work: Testing balances, weights, scales, and other weighing apparatus demanded by both Army and Navy.

G. P. Rourke, Washington, D. C. Length of service: 5 months. Character of work: Manufacture of master gauges, testing apparatus.

Herbert F. Royal, Barnstable, Mass. Length of service: 3 months. Character of work: Manufacture of optical glass for military instruments for Army and Navy.

T. P. Sager, Syracuse, N. Y. Length of service: 10 months. Character of work: Investigations and tests of bituminous materials for the military departments.

P. A. B. Sahm, Washington, D. C. Length of service: 7 months. Character of work: Developing standards for the operation of electric-service stations.

N. J. Schaal, Washington, D. C. Length of service: 10 months. Character of work: Expert inspector of master gauges used in the manufacture of munitions of war.

Merrill K. Scheirer, Northampton, Pa. Length of service: 5 years and 7 months. Character of work: Engaged in testing and inspecting Portland cement for the War and Navy Departments.

R. B. Strang, Brooklyn, N. Y. Length of service: 1 year 8 months. Character of work: Engaged in the Government inspection of railroad-track scales and other scales.

C. L. Stretch, Washington, D. C. Length of service: 8 months. Character of work: Expert inspector of master gauges for munitions, Army motor trucks, and Liberty motors.

Tom L. Sorey, Oklahoma City, Okla. Length of service: 6 months. Character of work: Working on the measurement of the hardness of the steel used in munitions on problems affecting the efficiency of manufacture.

Walter J. Stampfle, North Pittsburgh, Pa. Length of service: 8 months. Character of work: Engaged in the manufacture of optical glass for military purposes.

Howard O. Stearns, Haverhill, Mass. Length of service: 4 months. Character of work: Developing and testing oxygen-control apparatus for use of the military aviators at high altitudes.

R. C. Sylvander, Washington, D. C. Length of service: 6 months. Character of work: Engaged on research work on aeronautic instruments.

C. S. Taylor, Washington, D. C. Length of service: 4 years 8 months. Character of work: Engaged in investigations and problems of refrigeration and purification of materials required for both Army and Navy.

William H. Taylor, Pittsburgh, Pa. Length of service: 1 year 8 months. Character of work: Expert in charge of the testing of optical glass furnished to the Navy Department for making gun sights, range finders, periscopes, etc.

F. J. Schlink, Peoria, Ill. Length of service: 4 years 10 months. Character of work: Engaged in routing, expediting, and collating the results of urgent military researches and tests.

H. Scott, Washington, D. C. Length of service: 5 years 8 months. Character of work: Engaged in metallurgical testing and investigations, thermal analysis, and heat treatment of metals for military purposes.

M. D. Shannon, Washington, D. C. Length of service: 4 years 3 months. Character of work: Engaged on the special and confidential military and technical photographing of apparatus appliances and of tests of a military nature.

H. I. Shultz, Washington, D. C. Length of service: 4 year 8 months. Character of work: Designing and testing optical systems, and in charge of work of great military importance.

F. B. Silsbee, Washington, D. C. Length of service: 6 years 8 months. Character of work: Engaged on urgent investigations for the aviation work of the Signal Corps.

Benjamin E. Sive, Washington, D. C. Length of service: 1 year 11 months. Character of work: Investigation of chemical reagents, a work of special importance and urgency under the present war conditions.

Tom S. Sligh, Bellefonte, Pa. Length of service: 11 months. Character of work: Working on important and confidential military research for use of the Signal Corps.

G. A. Smith, Washington, D. C. Length of service: 1 year and 4 months. Character of work: Important research for the Navy Department and the Shipping Board.

W. H. Smith, Philadelphia, Pa. Length of service: 7 years 10 months. Character of work: Expert on military airplane dopes for wing fabric, engaged in military work.

C. F. Snyder, Washington, D. C. Length of service: 8 years 6 months. Character of work: Check testing the appraisal of raw sugar and molasses by optical methods.

B. A. Solotaroff, 1440 Crotona Park East, Bronx, N. Y. Length of service: 1 year 7 months. Character of work: Portland-cement testing and inspecting for the War and Navy Departments.

G. C. Southworth, Crawford, Pa. Length of service: 11 months. Character of work: Engaged in testing and development of radio apparatus for military purposes.

W. H. Stannard, Washington, D. C. Length of service: 9 years 5 months. Character of work: Engaged in designing electrical instruments and experimental military work for the War Department.

H. F. Stimson, Leicester, Mass. Length of service: 2 years. Character of work: Engaged on important technical military investigations.

S. H. Stobbe, Washington, D. C. Length of service: 4 years and 9 months. Character of work: Construction of apparatus required for military use.

W. G. Stretch, Meridan, Conn. Length of service: 6 months. Character of work: Construction of apparatus specially designed for the testing of master gauges in the manufacture of munitions of war.

M. S. Strock, Denver, Colo. Length of service: 6 months. Character of work: Testing electrical materials for use of the military and other departments of the Government.

H. H. Turner, Chicago, Ill. Length of service: 5 months. Character of work: Design and construction of aeronautic engine and accesories.

E. P. T. Tyndall, Richmond, Va. Length of service: 9 months. Character of work: Testing the efficiency of searchlights and the application of color screens in connection with protective coloration.

Fred P. Upton, Boston, Mass. Length of service: 7 months. Character of work: Development and test of airplane models, propellers, and airplane parts.

J. Valasek, Washington, D. C. Length of service: 1 year and 1 month. Character of work: High temperature measurements to meet the demands made by the Military Establishment arsenals.

M. S. Van Dusen, Washington, D. C. Length of service: 3 years and 10 months. Character of work: Scientific and technical investigations on refrigerations for military purposes.

H. L. Van Keuren, Washington, D. C. Length of service: 4 years. Character of work: Testing and inspection of master gauges for war munitions, etc.

L. E. Voorhees, Champaign, Ill. Length of service: 11 months. Character of work: Investigation of airplane radiator designs.

E. D. Walen, Washington, D. C. Length of service: 3 years and 6 months. Character of work: Experiments on military fabrics such as airplane wings, balloon fabrics, blankets, uniform cloths, etc.

C. O. Walden, Washington, D. C. Length of service: 6 months. Character of work: Operation of engines devoted to the investigation of ignition problems and the development of spark plugs.

R. G. Waltemberg, Washington, D. C. Length of service: 5 years and 10 months. Character of work: Investigative tests of metals of a miscellaneous nature submitted by the military departments.

G. E. Washburn, Lexington, Mass. Length of service: 11 months. Character of work: In charge of the rachometer work of vital importance as part of airplane equipment.

E. R. Weaver, Washington, D. C. Length of service: 6 years and 1 month. Character of work: Engaged on gas problems of vital importance to military operations.

F. C. Weaver, Washington, D. C. Length of service: 7 years and 11 months. Character of work: In charge of optical shop and of the optical work of a military nature.

L. Weichsler, Washington, D. C. Length of service: 1 year and 9 months. Character of work: Engaged on the analysis of nonferrous alloys for the War Department.

R. V. Wells, Washington, D. C. Length of service: 5 years. Character of work: Expert in turbidity—a subject of great importance in the production of optical glass for both the Army and Navy Departments.

F. V. Wetherill, Washington, D. C. Length of service: 1 year and 2 months. Character of work: In charge of service tests of spark plugs for aeronautic use of the military avation service.

H. T. Wenzel, Washington, D. C. Length of service: 11 months. Character of work: In charge of the testing of binoculars and other military optical instruments.

F. A. Wertz, Washington, D. C. Length of service: 5 years 4 months. Character of work: Testing and investigation of paint materials for the military departments.

L. M. Whitmore, Madison, Wis. Length of service: 1 year. Character of work: Problems of military importance, such as leather testing and analysis.

E. Wichers, Zeeland, Mich. Length of service: 10 months. Character of work: Study of metals of the platinum group which has a direct bearing on military needs.

J. A. Willoughby, Florence, S. C. Length of service: 2 years 2 months. Character of work: Radio work, particularly in making careful measurements in connection with radio work.

B. S. Willis, Waseca County, Minn. Length of service: 9 months. Character of work: Engaged in the testing of military instruments.

R. M. Wilhelm, Washington, D. C. Length of service: 9 years 9 months. Character of work: In charge of thermometer testing, working almost exclusively to satisfy the demands of the military departments.

H. W. Wilber, Keensville, Tex. Length of service: 9 months. Character of work: Steel analysis for the military branches of the Government.

G. M. Williams, Washington, D. C. Length of service: 6 years 10 months. Character of work: Chief inspector of construction on new War Emergency Laboratory and other emergency buildings.

F. M. Washburn, Minneapolis, Minn. Length of service: 10 months. Character of work: Investigation of aeronautic instruments, especially tachometers and other measuring instruments used in military aviation.

L. E. Whittemore, Topeka, Kans. Length of service: 9 months. Character of work: Study of problems in radio work for both Army and Navy Departments.

R. W. Woodward, Washington, D. C. Length of service: 3 years 7 months. Character of work: Researches on the failure of railway materials and the investigation of properties and production of sound ingots—a problem of greatest importance in munition manufacture.

J. W. Wright, Champaign, Ill. Length of service: 11 months. Character of work: Working out of new special glass pots used for the melting of optical glass used by both the Army and Navy.

W. R. Wright, Ann Arbor, Mich. Length of service: 9 months. Character of work: Investigating problems of great military importance.

L. R. Wylie, Chicago, Ill. Length of service: 7 months. Character of work: Expert tester of watches, clocks, and other instruments required for the ships of the United States Shipping Board and for use on airplanes.

L. Yurow, Washington, D. C. Length of service: 4 years 6 months. Character of work: Analysis of rubber materials used by military branches of the Government.

Edward D. Gordon, Washington, D. C. Length of service: 3 years 5 months. Character of work: Technical problems on munitions and master gauges.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 4000. An act to authorize corporations organized in the District of Columbia to change their names;

S. 3835. An act to amend an act entitled "An act to vest in the Commissioners of the District of Columbia control of street parking in said District";

S. 3864. An act to add certain lands to the Minam National Forest, Oreg.;

S. 4524. An act to validate the homestead entry of Lizzie G. Garin;

S. 2323. An act authorizing Anton Hiersche to select other land in lieu of land now owned by him, required for reclamation purposes;

S. 4527. An act authorizing the payment of indemnities to the Government of Greece for injuries inflicted on its nationals during riots occurring in South Omaha, Nebr., February 21, 1909;

S. 4728. An act to authorize the payment of $2,000 to the Government of Japan for the benefit of the family of Tatsuji Saito, a Japanese subject, killed at Camp Geronimo, Mexico, May 25, 1916;

S. 4225. An act for the relief of the Atlas Lumber Co.; Babcock & Willcox; Johnson, Jackson & Corning Co.; and the C. H. Klein Brick Co., each of which companies furnished to Silas N. Opdahl, a failing Government contractor, certain building materials which were used in the construction of Burke Hall at the Pierre Indian School in the State of South Dakota;

S. 4146. An act conferring jurisdiction on the Court of Claims to determine and report upon the interest, title, ownership, and right of possession of the Yankton Tribe of Indians to the Red Pipestone Quarries, South Dakota;

S. 108. An act to authorize the Secretary of the Treasury to use at his discretion surplus moneys in the Treasury in the purchase or redemption of the outstanding interest-bearing obligations of the United States;

S. 110. An act for the relief of the Eldredge Bros. Live Stock Co., a corporation;

S. 3995. An act to amend section 224 of the Revised Statutes of the United States, relating to certificates of discharge;

S. 4739. An act to fix the annual salary of the collector of customs for the district of North Carolina;

S. 2885. An act for the relief of the estate of Moses M. Bane;

S. 4562. An act to reimburse Horace A. Choumard, chaplain in Twenty-third Infantry, for loss of certain personal property;

S. 4460. An act for the relief of Walston H. Brown, sole surviving partner of the firm of Brown, Howard & Co. and of the Philadelphia & Reading Coal & Iron Co.;

S. 4679. An act to provide for the disposition of abandoned lighthouse and life-saving stations;

S. 4742. An act for the relief of the Yosemite Stone Co.; and

S. 560. An act for the relief of John Murphy.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12229) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

The message also announced that the Senate had passed with amendment the bill (H. R. 11231) to regulate the hours of duty of the officers and members of the fire department of the District of Columbia, in which the concurrence of the House of Representatives was requested.

The message also announced that the Senate had passed without amendment joint resolution of the following title:

H. J. Res. 313. Joint resolution providing for the disposition of moneys represented in the Alfred Bernard Nobel peace prize awarded in 1906.

The message also announced that the Senate had passed with amendments the bill (H. R. 12100) to amend the act approved September 7, 1916, entitled "An act to establish a United States Shipping Board for the purpose of encouraging, developing, and creating a naval auxiliary and naval reserve and a merchant marine to meet the requirements of the commerce of the United States with its Territories and possessions and with foreign countries; to regulate carriers by water in the foreign and interstate commerce of the United States; and for other purposes," in which the concurrence of the House of Representatives was requested.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 4460. An act for the relief of Walston H. Brown, sole surviving partner of the firm of Brown, Howard & Co., and of the Philadelphia & Reading Coal & Iron Co.; to the Committee on Claims.

S. 4524. An act to validate the homestead entry of Lizzie G. Garin; to the Committee on the Public Lands.

S. 560. An act for the relief of John Murphy; to the Committee on Military Affairs.

S. 2323. An act authorizing Anton Hiersche to select other land in lieu of land now owned by him, required for reclamation purposes; to the Committee on the Public Lands.

S. 4000. An act to authorize corporations organized in the District of Columbia to change their names; to the Committee on the District of Columbia.

S. 2885. An act for the relief of the estate of Moses M. Bane; to the Committee on Claims.

S. 4225. An act for the relief of the Atlas Lumber Co.; Babcock & Willcox; Johnson, Jackson & Corning Co.; and the C. H. Klein Brick Co., each of which companies furnished to Silas N. Opdahl, a failing Government contractor, certain building materials which were used in the construction of Burke Hall at the Pierre Indian School in the State of South Dakota; to the Committee on Claims.

S. 3864. An act to add certain lands to the Minam National Forest, Oreg.; to the Committee on the Public Lands.

S. 110. An act for the relief of the Eldredge Bros. Live Stock Co., a corporation; to the Committee on Ways and Means.

S. 4679. An act to provide for the disposition of abandoned lighthouse and life-saving stations; to the Committee on the Public Lands.

S. 4562. An act to reimburse Horace A. Choumard, chaplain in Twenty-third Infantry, for loss of certain personal property; to the Committee on Claims.

S. 4728. An act to authorize the payment of $2,000 to the Government of Japan for the benefit of the family of Tatsuji Saito, a Japanese subject, killed at Camp Geronimo, Mexico, May 25, 1916; to the Committee on Foreign Affairs.

S. 3995. An act to amend section 224 of the Revised Statutes of the United States, relating to certificates of discharge; to the Committee on Military Affairs.

S. 3835. An act to amend an act entitled "An act to vest in the Commissioners of the District of Columbia control of street parking in said District"; to the Committee on the District of Columbia.

S. 4742. An act for the relief of the Yosemite Stone Co.; to the Committee on the Public Lands.

S. 108. An act to authorize the Secretary of the Treasury to use at his discretion surplus moneys in the Treasury in the purchase or redemption of the outstanding interest-bearing obligations of the United States; to the Committee on Ways and Means.

S. 4739. An act to fix the annual salary of the collector of customs for the district of North Carolina; to the Committee on Ways and Means.

S. 4146. An act conferring jurisdiction on the Court of Claims to determine and report upon the interest, title, ownership, and right of possession of the Yankton Tribe of Indians to the Red Pipestone Quarries, S. Dak.; to the Committee on Claims.

ELECTION TO COMMITTEE.

Mr. KITCHIN. Mr. Speaker, I move the election of the Hon. SCHUYLER OTIS BLAND to membership on the Committee on Insular Affairs.

The SPEAKER. The gentleman from North Carolina moves the election of Mr. BLAND of Virginia to the Committee on Insular Affairs. Is there any other nomination? [After a pause.] The Chair hears none. The question is on the motion of the gentleman from North Carolina [Mr. KITCHIN].

The motion was agreed to.

CORRECTION.

Mr. COOPER of Wisconsin. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. COOPER of Wisconsin. To correct the RECORD.

On page 8869 of the RECORD appears the following:

Mr. COOPER of Wisconsin. Reserving the right to object, Mr. Speaker, I would like to ask the gentleman from Tennessee, how long he thinks that bill will take?

Mr. SIMS. Mr. Speaker, my recollection is that the other water-power bills did not take more than two or three days. One of them, from the Committee on Interstate and Foreign Commerce, dealt alone with navigable streams. Another one, from the Committee on the Public Lands, dealt with water power on public lands. This bill deals with all combined water-power legislation, and naturally it will take longer. But I do not think it will take, even with due and fair consideration, more than two or three days. But I can not possibly tell.

Now, there is omitted from the RECORD at this point an important demand which a gentleman on that side of the aisle made and which every person on the floor heard:

Mr. Speaker, I call for the regular order.

Mr. DENISON. That was the gentleman from Kentucky [Mr. JOHNSON].

Mr. COOPER of Wisconsin. The gentleman from Illinois [Mr. DENISON] heard the demand for the regular order, and says that it was made by the gentleman from Kentucky [Mr. JOHNSON]. I also heard him make it, as did everybody else in the House. Then follows:

Mr. STAFFORD. Reserving the right to object, if this bill is passed and the Unanimous-Consent Calendar is disposed of, would the gentleman be in favor of a recess of Congress?

Mr. SIMS. I will answer that question when the time comes.

Mr. STAFFORD. Did he say that in reply to me, or did he put that in afterwards?

Mr. COOPER of Wisconsin. I do not know. Did the gentleman from Wisconsin say that?

Mr. STAFFORD. I asked that of the gentleman from Tennessee [Mr. SIMS], but did not get any reply, because the gentleman from Kentucky [Mr. JOHNSON] asked for the regular order.

Mr. DENISON. He made the reply.

Mr. COOPER of Wisconsin. Then follows:

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

Mr. COOPER of Wisconsin. I object.

The SPEAKER. Does the gentleman from Wisconsin object?

Mr. COOPER of Wisconsin. I do.

The demand for the regular order prevented any further discussion, and therefore before making objection I said that if I was not to be permitted to ask a question or two I should object. I did object and supposed that the matter of unanimous consent was ended for that day. But I was mistaken, and in view of what was said later in the day by the gentleman from Tennessee [Mr. SIMS], when he secured unanimous consent for the taking up of the same bill to-day, I wish to say that the gentleman from Tennessee did come to see me immediately after I had made the objection.

He said that he had first asked unanimous consent to have the bill taken up on Monday next, and that to this the gentleman from Massachusetts had objected, and that therefore at the suggestion of the gentleman from Massachusetts he had asked unanimous consent to take it up to-day. In reply I said: "There is nothing urgent about this. It is very important, but it is not a war measure. The work can not be done during the war. The bill can much better be considered later during this Congress," and so forth. He said that he wanted to bring it up, but did not want to take advantage of me during my absence. I remained here all of the time until about 5 o'clock, when, seeing that the bill then being discussed could not reach a vote before adjournment, I went to my office to attend to some mail. I had only just gone, as the RECORD shows, before the gentleman from Tennessee arose and said that he understood that the gentleman to whom he had spoken had no objection to taking up this important bill at this time.

The SPEAKER. What does the gentleman want done about this RECORD?

Mr. COOPER of Wisconsin. I can not now do anything except to express my profound grief that the gentleman from Tennessee should have misunderstood so perfectly what I said. [Laughter.]

Mr. SIMS. Mr. Speaker, I ask unanimous consent for one minute.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to address the House for one minute. Is there objection?

There was no objection.

Mr. SIMS. There were a number of requests by Members of the House, after I had the talk with the gentleman from Wisconsin [Mr. COOPER], that we should get to work on this water-power bill as early as possible. It is true I did not make the request until about the time the gentleman said I did, but the reason I did not was that the House was in Committee of the Whole, considering another bill, and I could not make my request until the committee rose. I understood that the gentleman from Wisconsin, in talking about the matter, said that he really had not had time to read the bill and understand it. I drew the inference at the time when the regular order was demanded and the gentleman from Wisconsin said that if he could not get opportunity to ask a few questions about it that he would object. That made the impression on my mind that the objection was rather on account of the demand for the regular order than anything else. I did not want to bring up the request again without notifying him and asking if he was serious in his objection to the bill. The gentleman did say in substance all he has stated. I did not want to take any advantage of him. Such was not my intention.

The SPEAKER. The time of the gentleman from Tennessee has expired.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had insisted upon its amendments to the bill (H. R. 12099) to confer on the President power to prescribe charter rates and freight rates and to requisition vessels, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. FLETCHER, Mr. RANSDELL, and Mr. NELSON as the conferees on the part of the Senate.

DISPOSITION OF NARCOTIC DRUGS.

Mr. HENRY T. RAINEY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

A bill (H. R. 9830) providing for the disposition of opium, its salts and derivatives, coca leaves, their salts and derivatives, and any other drugs seized by the United States Government in the enforcement of the provisions of the act of October 1, 1890, as amended by the act of March 3, 1897, February 9, 1909, and January 17, 1914, or the act of December 17, 1914.

Mr. GILLETT. I will have to object. We ought to have unanimous-consent day pretty soon.

The SPEAKER. The gentleman from Massachusetts objects.

Mr. HENRY T. RAINEY. I will withdraw it if there is any opposition to it.

Mr. GILLETT. It will come up by unanimous consent on Monday. I think the gentleman ought to wait until then.

Mr. RAKER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk Senate joint resolution 164.

Mr. GILLETT. I will make the same objection to that.

PERSONAL STATEMENT.

Mr. COOPER of Wisconsin. Mr. Speaker, I ask unanimous consent for one minute.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent to address the House for one minute. Is there objection?

There was no objection.

Mr. COOPER of Wisconsin. There is a further statement in this connection which I desire to make. This matter of having the Spanish-American War widows' bill considered had been presented to the Committee on Rules, by petition signed by a large number of the Members of the House, and it was my distinct understanding, after talking with gentlemen interested in the bill and with others interested in the water-power bill—and one of these gentlemen was a member of the Committee on Rules itself—that both bills were to be considered by the Committee on Rules; that a rule would be brought in to have both bills considered by the House and making the Spanish-American War widows' bill first in order, because it had in previous Congresses three times passed the House, and would now require but little, if any, time for debate. I went to my office with the distinct understanding that the Committee on Rules was to bring in such a rule for the consideration of the two bills, and that the Spanish-American War widows' bill would have the right of way.

Mr. RAKER. Mr. Speaker, I ask unanimous consent to proceed for three minutes.

The SPEAKER. The gentleman from California asks unanimous consent to proceed for three minutes.

Mr. FOSTER. Let us have the regular order, Mr. Speaker.

The SPEAKER. The gentleman from Illinois objects.

LEGISLATION RESPECTING THE NAVY.

Mr. PADGETT. Mr. Speaker, there are four bills upon the Union Calendar which have been enacted in legislation in the general appropriation bill, and I want to have them taken from

the calendar and move that they lie on the table. They are the bills H. R. 6982, Union Calendar No. 120; H. R. 9390, Union Calendar No. 132; Senate bill 3126, Union Calendar 134; and H. R. 9747, Union Calendar 197. These have been enacted on the appropriation bill.

The SPEAKER. The gentleman from Tennessee asks that the bills that he cites by number lie on the table, because they have already been enacted into law in another way. The Clerk will announce them.

The Clerk read as follows:

H. R. 6982, No. 120 on the Union Calendar; H. R. 9390, No. 132 on the Union Calendar; S. 3126, No. 134 on the Union Calendar; and H. R. 9747, No. 197 on the Union Calendar.

The SPEAKER. Without objection, they will lie on the table.

There was no objection.

WATER-POWER LEGISLATION.

Mr. SIMS. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill S. 1419; but prior to that I wish to see if we can make an agreement between Mr. ESCH of Wisconsin and myself as to the control of the debate. I submit this as a unanimous-consent request, that the time of general debate be equally divided between the gentleman from Wisconsin and myself, he to control one-half and myself one-half.

The SPEAKER. The gentleman from Tennessee [Mr. SIMS] moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of S. 1419, the water-power bill, and pending that he asks unanimous consent that he control one half the time, and the gentleman from Wisconsin [Mr. ESCH] the other half.

Mr. JOHNSON of Washington. Mr. Speaker, reserving the right to object, I want to ask the chairman how it is going to be possible for the membership who want to know something about this subject to get Part I of the hearings, consisting of more than 600 pages? Where can we get copies?

Mr. SIMS. Mr. Speaker, I asked that a copy be mailed to every Member, and I believe it was so mailed. That took more than half of what we had printed, and the others have been given out at the request of Members.

Mr. JOHNSON of Washington. I have had no copy of Part I. On several occasions I sent to the committee rooms for copies, and have been unable to get a copy of the first part, 600 printed pages, of the more than 800 pages.

Mr. SIMS. There has been one copy mailed to every Member of the House. I do not know whether they got them or not. I could not follow them up, but there was one mailed to every Member of the House as soon as they were printed. I think we have remaining one copy for each member of the committee.

Mr. JOHNSON of Washington. So that 600 pages of these hearings are not available, and unless a Member has seen them he is entirely dependent on the debate for information?

Mr. SIMS. The other copies of the hearings were given out on the request of Members very largely. Of course, there were some persons who appeared before the committee who received copies, and copies were sent to libraries and one thing and another throughout the country.

Mr. JOHNSON of Washington. I doubt if one-tenth of the membership of this House have seen copies of Part I of the hearings.

Mr. SIMS. I regret it very much, but I can not follow up to see whether Members get their mail.

Mr. WALSH. Will the gentleman yield? I have tried to get a copy of Part I of the hearings, but have been unable to do so. I have got the other two or three parts, and there seem to be plenty of them. Now, why are there not going to be some more of the first part printed?

Mr. SIMS. I would be very glad indeed if we could have a reprint of the first number, but it takes an order of the House to get it. I shall be glad to have it, if it can be done.

Mr. WALSH. Reserving the right to object, the gentleman has no intention, I assume, of closing the general debate to-day?

Mr. SIMS. I have no thought of it.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

Mr. CANNON. The debate had better run on without any attempt to close it.

The SPEAKER. This is not an attempt to close debate.

Mr. CANNON. I have no objection to an equal division of the time.

Mr. FERRIS. I understand there will be a disposition to yield to those who oppose certain features of the bill, as well as to those who favor it.

Mr. SIMS. As far as I am concerned, absolutely so.

Mr. FERRIS. And if need be they will be yielded an equal amount of time?

Mr. SIMS. Yes; there is no intention of cutting off anybody.

The SPEAKER. Is there objection?

There was no objection.

The motion of Mr. SIMS was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the bill (S. 1419) to amend an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906, as amended by the act approved June 23, 1910, and to provide for the improvement and development of waterways for the uses of interstate and foreign commerce, with Mr. WEBB in the chair.

Mr. SIMS. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

Mr. WALSH. Mr. Chairman, I know this is quite a long bill, but it is also quite an important one, and we are to be asked to substitute the House amendment for the Senate bill. I think at least the House amendment ought to be read, and I will object to dispensing with the first reading.

Mr. SIMS. But the gentleman is willing that the House amendment shall be read, and not the Senate bill?

Mr. WALSH. I only ask that the House amendment be read.

The CHAIRMAN. Does the gentleman modify his request?

Mr. SIMS. Yes; I ask that the House amendment be read.

The CHAIRMAN. The Clerk will read the House amendment.

The Clerk proceeded with the reading of the bill.

During the reading,

Mr. CANNON. Mr. Chairman, where is the Clerk reading?

The CHAIRMAN. He is just beginning section 18.

Mr. CANNON. I will ask to dispense with the further reading, because nobody can skip from one page to another to keep pace with the reading. I am not complaining of the Clerk at all, but I think maybe discussion would be better——

The CHAIRMAN. The Chair desires to state to the gentleman from Illinois that the Clerk has read every word of the language up to the present point. The Chair has followed him, and he has not skipped anything.

Mr. SIMS. I should be very glad to dispense with the further reading. I asked to dispense with all of the first reading, but there was objection on that side.

Mr. CANNON. On what page is the Clerk reading?

The CHAIRMAN. Page 45.

Mr. CANNON. If the Chair says the Clerk has read it all, then he has, but he has made most marvelous progress.

Mr. SIMS. The consecutive paging includes the Senate bill, which was stricken out, as well as the House amendment, which he is reading.

Mr. WELLING. The Clerk has read only 22 pages. The first 23 pages are the Senate bill, which he has not read.

The CHAIRMAN. The Clerk has read only 22 pages, which is not an excessive amount to read within the time that he has been reading.

Mr. SIMS. Mr. Chairman, I ask unanimous consent that the further first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that the further reading of the bill be dispensed with. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Tennessee [Mr. SIMS] is recognized.

Mr. CANNON. Mr. Speaker, I have no desire to obstruct the consideration of this bill. Unless somebody understands it better than I do, after pretty nearly an all night's work reading the bill, not many of us can get outside of it; but as the chairman of the committee is about to address the House, I think there ought to be a quorum to hear him.

The CHAIRMAN. Does the gentleman from Illinois make the point of no quorum?

Mr. CANNON. I do.

The CHAIRMAN. The gentleman from Illinois makes the point of no quorum. The Chair will count. [After counting.] Fifty-seven Members present, not a quorum, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names

Anderson	Britten	Caraway	Claypool
Anthony	Brodbeck	Carew	Cleary
Ashbrook	Browning	Carter, Mass.	Cooper, Ohio
Austin	Brumbaugh	Carter, Okla.	Cooper, W. Va.
Bacharach	Burnett	Chandler, Okla.	Cooper, Wis.
Baer	Butler	Church	Copley
Black	Caldwell	Clark, Fla.	Costello
Bland, Ind.	Cantrill	Clark, Pa.	Crago

Cramton	Gould	McKinley	Sells
Currie, Mich.	Graham, Ill.	McLaughlin, Pa.	Shackleford
Curry, Cal.	Graham, Pa.	Madden	Sherwood
Dale, N. Y.	Gray, N. J.	Maher	Siegel
Dale, Vt.	Greene, Mass.	Mann	Slayden
Davidson	Gregg	Mason	Small
Davis	Griffin	Meeker	Smith, Mich.
Delaney	Hamilton, N. Y.	Merritt	Smith, C. B.
Dempsey	Harrison, Va.	Miller, Minn.	Smith, T. F.
Dewalt	Haskell	Moore, Pa.	Snell
Dickinson	Hayes	Morin	Snyder
Dies	Heaton	Mudd	Stedman
Dill	Heintz	Neely	Steele
Dominick	Hersey	Nelson	Stephens, Nebr.
Donovan	Hicks	Norton	Sterling, Pa.
Dooling	Hollingsworth	Olney	Stevenson
Doremus	Hood	O'Shaunessy	Strong
Doughton	Houston	Paige	Sullivan
Dowell	Howard	Peters	Sweet
Drukker	Hull, Iowa	Phelan	Swift
Dyer	Husted	Polk	Switzer
Elston	Ireland	Porter	Talbott
Emerson	James	Powers	Templeton
Estopinal	Johnson, S. Dak.	Price	Thompson
Fairchild, B. L.	Juul	Purnell	Tillman
Fairchild, G. W.	Kahn	Ragsdale	Tilson
Fairfield	Kearns	Ramsey	Treadway
Farr	Kehoe	Rankin	Vare
Fields	Kelley, Mich.	Rayburn	Voigt
Flood	Kelly, Pa.	Reavis	Volstead
Flynn	Kennedy, R. I.	Riordan	Waldow
Focht	Key, Ohio	Robinson	Walton
Foss	Kiess, Pa.	Rowe	Ward
Francis	Kincheloe	Rowland	Watson, Pa.
Freeman	King	Rucker	Watson, Va.
Fuller, Ill.	Kreider	Russell	Weaver
Fuller, Mass.	LaGuardia	Sabath	White, Ohio
Gallagher	Lehlbach	Sanders, Ind.	Wilson, La.
Garland	Lunn	Sanders, N. Y.	Wilson, Tex.
Glass	McAndrews	Sanford	Winslow
Glynn	McCormick	Scott, Iowa	Young, N. Dak.
Goodall	McCulloch	Scott, Pa.	Young, Tex.
Gordon	McKenzie	Scully	

The committee rose; and the Speaker having resumed the chair, Mr. WEBB, Chairman of the Committee of the Whole House on the state of the Union, reported that the committee having under consideration the bill S. 1419, the water-power bill, found itself without a quorum, whereupon he caused the roll to be called, and 228 Members answered to their names, and he presented a list of the absentees.

The committee resumed its session.

Mr. SIMS. Mr. Chairman, I wish to request the membership of the committee that as long as they are present they do not disturb me by conversation on the floor. I will take no exception whatever to any gentleman leaving the Hall on account of looking after matters which he feels that he ought to look after, but I would like to have the attention of those present while they are here. I have no set speech. All I want to do is to try, as well as I can, to give the House the parliamentary situation, as well as a general outline of the fundamental propositions involved in the bill before us.

The Senate has passed heretofore water-power bills which came to the House, and we have passed substitutes for them which went to conference, but there has never been a complete agreement between the conferees on the part of the House and the conferees on the part of the Senate on any bill of either House. All bills that have been heretofore considered have been either those confined to the navigable rivers of the country or to power sites on the public lands.

A bill was passed in the Senate last December providing for the development of water-power dams on navigable rivers. That is the bill we are now considering, with a House amendment. Heretofore in former Congresses bills have been reported by the Committee on the Public Lands, passed by the House, but have failed of passage in the Senate.

At the beginning of this session of Congress the President requested a conference with the members of the Committee on Agriculture, the members of the Committee on the Public Lands, the members of the Committee on Interstate and Foreign Commerce, and also the Committee on Rules, for the purpose of having a special committee formed to which all water-power bills should be referred, with a view of having one bill to cover all legislation required for the different projects. He stated to the Members when we appeared that he had requested the Secretary of War, the Secretary of the Interior, and the Secretary of Agriculture to draft a bill that would cover all these water-power questions and jurisdictions and to provide that the three Secretaries should constitute a water-power commission, to whom all applications for license as provided for under the proposed act should be made, and clothed with power to execute the law fully.

The Interstate and Foreign Commerce Committee has always had jurisdiction of all legislation with reference to dams on navigable streams for navigation purposes, and the Secretary of War had jurisdiction of such dams and passed on the question of whether or not they were needed for navigation purposes. The Secretary of the Interior has primary charge of public lands not embraced in the forest reserves. The Secretary of Agriculture has primary jurisdiction and supervision of lands in the forest reserves. The committee was formed, as you all remember, by a special rule which was introduced and adopted carrying out the President's suggestion. By virtue of the rule all water-power bills of every kind were referred to the special committee. Among others, was the bill S. 1419, passed in December, and the committee thought it would be advisable to take up the Senate bill and amend it, so that when it passes the House and goes back to the Senate it can go to conference at once, and in that way get as early action as possible. According to estimates that have been made by very competent men, there has been developed in the United States water-power developments as follows: In national forests, 755,000 horsepower; in public domain, 173,000 horsepower; through reservoir development, 72,000 horsepower; requiring right of way over public lands, 1,000,000 horsepower; in navigable streams, 1,000,000 horsepower; in nonnavigable streams and involving lands privately owned, 3,000,000, constituting 6,000,000 horsepower in all that has been developed in the United States.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. SIMS. Yes.

Mr. GREENE of Vermont. Perhaps, for the better understanding of this bill, it might be wise here to try to arrive at a part of its intent and application by the process of elimination, leaving that which may be thought debatable hereafter to be discussed. For example, take my own State of Vermont, bounded on the east by the Connecticut River, the upper stretches of which are not navigable, the river being navigable only a part of the way from the sea, and bounded on the west by Lake Champlain, technically navigable, and actually navigable, but not a water likely to be appropriated to water-power purposes.

What becomes of the interior waters of a State so situated? None of those interior waters are considered as navigable streams—with one exception or so—but they are feeders running down into the Connecticut on the one side of the mountains and to Lake Champlain on the other. Will this bill give jurisdiction to the Federal Government over those interior waters so that private capital may not under the laws of the State develop water power hereafter as it has in the past?

Mr. SIMS. Not at all; unless projects to be developed are on lands owned by the United States or are developed on navigable streams. It is possible that impounding waters in tributaries of navigable streams may reduce the flow and the depth of water in the navigable part of the stream, and might in this way so interfere with navigation as to require a permit to develop it.

Mr. GREENE of Vermont. But in the opinion of the gentleman, then, those would be isolated cases which would stand upon their own merits with relation to the general purposes of the bill?

Mr. SIMS. Yes.

Mr. GREENE of Vermont. But as a public policy it is not the purpose of this bill to take away from the State government the right to direct and oversee or to license the use of those interior waters according to State law now existing or hereafter to be passed?

Mr. SIMS. Not at all; and could not, I think. In other words, if we passed such a law, it would be void as to such projects.

Mr. CANNON. Mr. Chairman, will the gentleman yield?

Mr. SIMS. Yes.

Mr. CANNON. I am under the impression that in what we used to call the "West," and I am quite sure it is true in Illinois and Indiana and perhaps in many other States, scores and scores of acts of Congress have declared spring branches navigable.

Mr. SIMS. They are navigable as a matter of law.

Mr. CANNON. Precisely; and would come under the bill?

Mr. SIMS. Yes. Any navigable stream that is within the jurisdiction of the Secretary of War or the Congress of the United States, with reference to interstate commerce is a navigable stream, as I understand it, within the meaning of this bill.

Mr. GREENE of Vermont. Mr. Chairman, if I may follow just a moment with my questions, the interior waters of my State, as I have said, run on either side to waters that are, of course, technically navigable; but in no case—with the exception noted—do the waters bordering that State on either side in their capacity as navigable waters have any relation to navigation such as is contemplated by the bill. The Connecticut

River is as we say navigable only part way from the sea, and therefrom up to the Canadian line it is simply a great stream.

Lake Champlain, of course, is a body of water that does not of itself develop any water power. What becomes of these feeders if they are to be by some association of ideas thrown in as a part of this navigable system? Will the policy of the bill prevent people utilizing that power except through the Federal authorities because those interior streams are in some sense a part of the network of navigable streams or waters?

Mr. SIMS. Not at all, unless the building of the structures should so reduce the flow of the water as to impair navigation in the navigable part of the river into which they flow.

Mr. GREENE of Vermont. In these cases these little streams must of necessity flow over the dam on their own way again to the waters which continue to the navigable waters.

Mr. SIMS. And therefore would not affect the navigable part. I do not think the gentleman need to have any apprehension as to any disturbance on such streams as that. Such is not contemplated.

Mr. GREENE of Vermont. Yet they still go to make up navigable waters.

Mr. SIMS. If you impair or destroy navigation, or the navigable part of the river, why then that impediment could be removed by the Secretary of War.

Mr. GREENE of Vermont. Exactly, and that is the point I want to get at. Who is to determine whether the first intention to use those waters at all must first be submitted to the Federal Government?

Mr. SIMS. I do not see any need of submitting to the Federal Government under this law or any other law in order to have a dam constructed on a stream which is entirely and wholly within a State——

Mr. GREENE of Vermont. Well, there is always the possibility that somebody may afterwards raise the question whether this interferes with navigation, whereas the work contemplated in the first intention is under State law and by State authority and supposedly exclusively under State jurisdiction.

Mr. SIMS. Unless the fact has been ascertained or demonstrated that there was an impeding of the water, an impounding of the water, a diverting of it, to such an extent as to impair the navigable portion of the river——

Mr. GREENE of Vermont. Does not that mean eventually under the policy of this law you have to first make sure you do not do anything to obstruct the navigability and submit to a Federal authority as to whether you can at all or not?

Mr. SIMS. I do not think the provisions of this bill are as broad as that. Such is not contemplated.

Mr. SINNOTT. Will the gentleman yield right there?

Mr. SIMS. Certainly.

Mr. SINNOTT. I understand all the navigable waters come within the provisions of this act. That is true.

Mr. SIMS. That is my understanding.

Mr. SINNOTT. Section 3, on the top of page 26, defines "navigable waters" as "all streams or parts of streams and other bodies of water or parts thereof, over which Congress has jurisdiction under its authority to regulate commerce with foreign nations and among the several States." Now, is it not generally conceded that Congress has jurisdiction over nonnavigable feeders flowing into navigable streams?

Mr. SIMS. Not unless it interferes so as to impair the navigability of the stream into which it flows.

Mr. SINNOTT. Then Congress has jurisdiction over that nonnavigable part for the purpose of protecting the navigable part and the flow of water?

Mr. SIMS. Only to the extent it may impair navigation.

Mr. SINNOTT. Therefore Congress having jurisdiction over that small feeder, that small feeder under the provisions of this act is what is termed "navigable water," and therefore that small feeder would come under the provisions of this act?

Mr. SIMS. Providing it would have the effect of impeding the navigation of the principal stream into which it flows, which is a question of fact to be determined as such.

Mr. SINNOTT. That is not the provision of the act and that definition is one feature of the act I object to, thereby surrendering the jurisdiction to the Government over these small feeders.

Mr. SIMS. The Supreme Court of the United States has passed on that question.

Mr. SINNOTT. Unless it is necessary to conserve the water in the feeder for the navigation in the larger stream I object to requiring anyone who desires to develop power on privately owned land, on these little nonnavigable feeders, to apply to a Federal commission.

Mr. SIMS. I do not think there is any provision in the law that contemplates any such regulation.

Mr. GREENE of Vermont. Does it not follow as a matter of logical sequence that if the Federal Government has power to stop something which has been done because it injures a Federal right, then it has the right to prevent it being done at all?

Mr. SIMS. Providing that fact is alleged, charged, and proven.

Mr. GREENE of Vermont. Precisely, and that means in order to be sure you will not have anything stopped you must first go and find out whether it can be begun or not?

Mr. SHERLEY. If the gentleman will permit, is not that the condition irrespective of whether this act is passed or not?

Mr. GREENE of Vermont. It may be; but this bill is to make more specific definition of what are Federal rights.

Mr. SHERLEY. Of course, the bill in its definition can not enlarge the scope of Federal jurisdiction over navigable streams.

Mr. GREENE of Vermont. But the bill by implication merely——

Mr. SHERLEY. It does not matter what you write into it the fact remains Congress can not by simply saying it has jurisdiction get jurisdiction.

Mr. GREENE of Vermont. I want to make certain there shall not be a hold-up of the right the man received under State law until he finds out whether he has any such right under the Federal Government.

Mr. SHERLEY. Is he not in a better situation where he can go to a definite forum and have a determination of the fact instead of simply now acting without real knowledge as to whether or not he is violating the Federal law?

Mr. GREENE of Vermont. Would the gentleman be willing to make that same application to all the other commercial and business relations of men so that we would better consult a Federal statute or the Federal Government before we do anything under State laws.

Mr. SHERLEY. No; but I say that when a man undertakes to do something that may be against Federal law the burden is on him to see that it is not.

Mr. GREENE of Vermont. Exactly so; but up to this time nobody has ever held that mountain streams or other small streams in the interior of a State had any relation to a Federal stream as to navigation.

Mr. SHERLEY. In the first place, I would not accept the statement as absolutely accurate; but to the extent it is accurate I do not think this bill sustains it.

Mr. GREENE of Vermont. Has the gentleman some specific declaration in this bill in mind in support of it?

Mr. SHERLEY. I do not think it follows that because a stream in a State is not navigable in a physical sense it is exclusively in the jurisdiction of the State, and I do not think any good lawyer has so contended.

Mr. GREENE of Vermont. I do not contend that.

Mr. SHERLEY. On the other hand, I do not think this bill undertakes to make a stream, where the facts do not warrant it, within the jurisdiction of the Federal Government.

Mr. TAYLOR of Colorado. Will the gentleman submit to a question?

Mr. SHERLEY. I will.

Mr. TAYLOR of Colorado. There is no specific disclaimer in the bill protecting the very thing the gentleman refers to.

Mr. SHERLEY. You do not have to have a disclaimer. A legislative body does not have to disclaim taking jurisdiction of a thing it can not take jurisdiction of.

Mr. GREENE of Vermont. Here is the point that is apparent to any of us, whether friends of the bill or opponents of it: Every one of the interior waters interlocks with another, and eventually finds its way down to navigability.

Mr. SHERLEY. The determination of that would have to depend in each instance on the actual physical condition in connection with the stream.

Mr. GREENE of Vermont. This water all runs down hill.

Mr. SHERLEY. Of course it does. We do not make it all within the jurisdiction of the Federal Government.

Mr. GREENE of Vermont. Now then, I want to know how precisely the limitations are fixed, so that a man who wants to do business knows when he is safe?

Mr. SHERLEY. The only way he will know that he is safe is by a knowledge of the physical conditions and not by any enactment here.

Mr. GREENE of Vermont. That would be ordinary common sense if they were not supervised by some one under the terms of this law, but who will interpret this law and say where the

State jurisdiction begins and where it leaves off, with the water all the time running down hill?

Mr. SHERLEY. I do not think it is possible to make the definition so as to determine the physical fact, and that is the thing that will affect the jurisdiction.

Mr. GREENE of Vermont. This looks to me a good deal like another reaching out of the Federal hand beyond State lines.

Mr. CANNON. Would the gentleman allow me? I am in perfect good faith in asking the question. When flat boats went to New Orleans, it being the only way we got to market before the day of railroads, the Wabash, including all of it, was declared to be a navigable stream. The Vermillion River, which runs past my town, floated flat boats down from Danville. On the Sugar River and the Eel River, and a great many tributaries, flat boats were constructed, and they floated down at high water. Now, on the statute books there are scores and scores of these little streams that are nonnavigable, in fact, that are declared to be navigable. Does the gentleman propose to repeal the laws that made them navigable?

Mr. SIMS. The bill provides in plain language what is meant by navigable waters, but to me it is almost no definition, and it is for the reason given by the gentleman from Kentucky [Mr. SHERLEY]. Navigation is a question of fact, or the impairing of navigation is a question of fact, and that has to be gone into when the question arises. We could not set out in the law details as to when a certain state of facts would amount to impeding or impairing navigation.

Mr. CANNON. I suppose in the end the question of fact would lead to masses of litigation.

Mr. SHERLEY. Has not the gentleman from Illinois [Mr. CANNON] stated that situation rather conversely? Has not this frequently happened, that Congress has declared a technically navigable stream nonnavigable rather than declared navigable streams that are in fact not navigable?

Mr. CANNON. They did not so declare. I do not know of any special act that declares any stream nonnavigable.

Mr. SHERLEY. I think there have been any number of them in connection with the granting of permits to build bridges, and so forth.

Mr. CANNON. Permission to build bridges?

Mr. SHERLEY. The declaration that a stream was nonnavigable so as to take it out of the restrictions touching navigable streams.

Mr. CANNON. You probably best do it by wholesale, then, if this bill is to become a law.

Mr. SIMS. Mr. Chairman, I want to make a statement to the committee at this point. I agreed before going into the Committee of the Whole, and before beginning my speech, that if the Committee on Rules made report of a certain rule I would ask the committee to rise and let that rule be considered. The Committee on Rules is now ready with the rule, and I am therefore going to ask the committee to rise for the purpose of carrying out my promise that the rule may be considered. Inasmuch as I have hardly begun my speech, it seems it would be as good a time now as any.

Mr. CANNON. Is this a report from the Committee on Rules?

Mr. SIMS. Yes.

Mr. CANNON. Does it pertain to this bill?

Mr. SIMS. Not at all. But I agreed to rise. I move that the committee do now rise, Mr. Chairman.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the Chair, Mr. WEBB, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (S. 1419) to amend an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906, as amended by the act approved June 23, 1910, and to provide for the improvement and development of waterways for the uses of interstate and foreign commerce, and had come to no resolution thereon.

Mr. FOSTER. Mr. Speaker, I present a privileged report from the Committee on Rules.

Mr. KITCHIN. Mr. Speaker, will the gentleman withhold that a moment?

Mr. FOSTER. Yes.

ELECTION OF A COMMITTEE MEMBER.

Mr. KITCHIN. Some time ago—and it seems that the Clerk did not get it—I nominated and the House elected Hon. FELIX CORDOVA DAVILA, of Porto Rico, a member of the Committee on Insular Affairs. It seems there is no record of it. Anyhow I renominate him.

The SPEAKER. The gentleman from North Carolina renominates Hon. FELIX CORDOVA DAVILA, of Porto Rico, as a member of the Committee on Insular Affairs. Is there objection?

There was no objection.

The SPEAKER. The question is on confirming the nomination already made.

The nomination was confirmed.

PENSIONS TO DEPENDENTS OF SPANISH WAR VETERANS.

Mr. FOSTER. Now, Mr. Speaker, I present a privileged report (No. 752) from the Committee on Rules.

The SPEAKER. The gentleman from Illinois presents a privileged report from the Committee on Rules, which the Clerk will report.

The Clerk read as follows:

House resolution 415.

Resolved, That immediately upon the adoption of this resolution the House shall resolve itself into the Committee of the Whole House on the state of the Union for the consideration of S. 4444, entitled "An act to pension widows and minor children of officers and enlisted men who served in the War with Spain, Philippine insurrection, or in China"; that there shall be not to exceed one hour of general debate, to be divided between those supporting and those opposing the bill. At the conclusion of such general debate the bill shall be considered for amendments under the five-minute rule. After the act shall have been perfected in the Committee of the Whole House on the state of the Union the same shall be reported to the House with such recommendation as the committee may make, whereupon the previous question shall be considered as ordered upon the act and all amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. FOSTER. Mr. Speaker, I move the previous question on the resolution.

The SPEAKER. The gentleman from Illinois moves the previous question on the resolution.

Mr. LONDON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LONDON. Is it in order for the Committee on Rules to interrupt the consideration of a bill by bringing in a rule, and thus to interrupt the consideration of a bill?

Mr. SIMS. I moved that the committee rise.

The SPEAKER. The House interrupted. The committee had risen. The question is on agreeing to the motion for the previous question.

The previous question was ordered.

The SPEAKER. The gentleman from Illinois [Mr. FOSTER] has 20 minutes and the gentleman from Kansas [Mr. CAMPBELL] has 20.

Mr. FOSTER. Mr. Speaker, the resolution provides for the consideration of the bill S. 4444, which is known as the bill to pension widows and minor children of officers and enlisted men who served in the War with Spain, the Philippine insurrection, or in China in the Boxer war.

This bill provides for the pensioning of these widows who were married before the passage of this act at $12 a month, provided they have not an income to exceed $250 a year, and for the payment of $2 per month for any minor child under 16 years of age. Where a child is idiotic or helpless the bill provides that the pension may continue after 16 years of age.

The resolution gives one nour of general debate on the bill and then provides that the bill shall be considered under the five-minute rule in the Committee of the Whole House on the state of the Union.

Mr. DUPRÉ. Mr. Speaker, will the gentleman yield?

Mr. FOSTER. Yes.

Mr. DUPRÉ. This bill is similar to the one that passed the House before?

Mr. FOSTER. Yes. It passed the House two or three times, and in each case it failed to pass the Senate. In this case it has passed the Senate, and it is proposed to take up the Senate bill.

Mr. GOOD. In what respect does this bill differ from the provision of the law first enacted by Congress granting pensions to widows of soldiers of the Civil War?

Mr. FOSTER. This is very similar to the bill that passed Congress giving $8 a month to widows of soldiers of the Civil War, in which it was provided that the income should not exceed $250 a year and where they were compelled to earn their living by daily work.

Mr. DUPRÉ. Mr. Speaker, will the gentleman yield again?

Mr. FOSTER. Yes.

Mr. DUPRÉ. In the gentleman's experience will he say whether the Pension Bureau is inclined to be very severe in passing upon the question of income and things of that sort?

Mr. FOSTER. I think the Pension Commissioner has always required proof to show that the income was not $250 a year. How severe he was I could not tell. But I think from what experience I have had in the Pension Office that he has always required that the evidence be produced. Of course it might happen

that to-day the widow has an income of $250, and a year from now she might not have that, and she would then be entitled to a pension.

Mr. DUPRÉ. My reason for asking the question is that I do not think that an income of that sort should be taken into consideration by the Government. It is so small that it is almost negligible in these days.

Mr. FOSTER. Of course the pension is only $12 a month.

Mr. LEA of California. Is that income personal to the widow?

Mr. FOSTER. I think it is an income derived from her daily labor.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

The SPEAKER. The House automatically resolves itself into Committee of the Whole House on the state of the Union, with the gentleman from Tennessee [Mr. GARRETT] in the chair.

Thereupon the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the bill S. 4444, with Mr. GARRETT of Tennessee in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill which the Clerk will report.

The Clerk read as follows:

A bill (S. 4444) to pension widows and minor children of officers and enlisted men who served in the War with Spain, Philippine insurrection, or in China.

The CHAIRMAN. The Clerk will read the bill. Is there a request for dispensing with the first reading of the bill?

Mr. WELTY. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Ohio makes the point of order that there is no quorum present. The Chair will count. [After counting.] Seventy-nine gentlemen, not a quorum, are present. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anthony	Estopinal	King	Russell
Ashbrook	Fairchild, G. W.	Kreider	Sabath
Austin	Farr	LaGuardia	Sanders, Ind.
Bacharach	Fisher	Lehlbach	Sanders, N. Y.
Baer	Flood	Lobeck	Sanford
Black	Flynn	Longworth	Saunders, Va.
Bland, Ind.	Fordney	Lunn	Scott, Iowa
Britten	Foss	McAndrews	Scott, Pa.
Brodbeck	Francis	McCormick	Scully
Browning	Freeman	McCulloch	Sells
Burnett	Fuller, Ill.	McKenzie	Shackleford
Butler	Fuller, Mass.	McKinley	Sherwood
Caldwell	Garland	McLaughlin, Pa.	Siegel
Caraway	Glass	Madden	Slayden
Carew	Glynn	Magee	Sloan
Carter, Mass.	Goodall	Maher	Small
Chandler, Okla.	Gordon	Mann	Smith, Mich.
Church	Gould	Martin	Smith, C. B.
Clark, Pa.	Graham, Ill.	Mason	Smith, T. F.
Claypool	Graham, Pa.	Meeker	Snell
Cleary	Gray, N. J.	Merritt	Snyder
Cooper, Ohio.	Greene, Mass.	Morin	Stafford
Cooper, W. Va.	Gregg	Mott	Stedman
Cooper, Wis.	Griffin	Mudd	Steele
Copley	Hamilton, N. Y.	Neely	Stephens, Nebr.
Costello	Harrison, Va.	Nelson	Sterling, Pa.
Crago	Haskell	Nolan	Stevenson
Cramton	Hayes	Norton	Strong
Currie, Mich.	Heaton	Olney	Sullivan
Curry, Cal.	Heintz	O'Shaunessy	Sweet
Dale, N. Y.	Hersey	Paige	Swift
Dale, Vt.	Hicks	Peters	Switzer
Davidson	Hollingsworth	Phelan	Talbott
Davis	Hood	Platt	Templeton
Delaney	Houston	Polk	Thompson
Dempsey	Howard	Porter	Tillman
Dent	Husted	Pou	Tilson
Dewalt	Ireland	Powers	Treadway
Dies	James	Price	Vare
Dill	Johnson, S. Dak.	Purnell	Voigt
Dominick	Juul	Ragsdale	Waldow
Donovan	Kahn	Rainey, H. T.	Walton
Dooling	Kearns	Ramsey	Ward
Doremus	Kehoe	Rankin	Watson, Pa.
Doughton	Kelley, Mich.	Rayburn	Watson, Va.
Dowell	Kelly, Pa.	Reavis	Weaver
Drukker	Kennedy, R. I.	Robinson	White, Ohio
Dyer	Key, Ohio	Rowe	Woods, Iowa
Elston	Kiess, Pa.	Rowland	Young, N. Dak.
Emerson	Kincheloe	Rucker	Young, Tex.

The committee rose; and Mr. BANKHEAD having taken the chair as Speaker pro tempore, Mr. GARRETT of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the bill (S. 4444) to pension widows and minor children of officers and enlisted men who served in the War with Spain, Philippine insurrection, or in China, found itself without a quorum; whereupon he caused the roll to be called, when 232 Members, a quorum, answered to their names, and he presented the names of the absentees to be printed in the Journal and RECORD.

The SPEAKER pro tempore. A quorum is present. The committee will resume its session.

Accordingly the committee resumed its session.

Mr. KEATING. Mr. Chairman, I ask that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Colorado asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Colorado [Mr. KEATING] is recognized for 30 minutes.

Mr. KEATING. Mr. Chairman, this measure has passed this House on three occasions. On December 4, 1912, in the Sixty-second Congress, the bill was passed with only 25 dissenting votes.

On April 1, 1914, in the Sixty-third Congress, the bill was passed with only 75 dissenting votes.

On February 16, 1916, it passed in the Sixty-fourth Congress without a roll call, and during the general debate only two Members spoke against the measure.

There is only one amendment. On page 1, lines 9 and 10, the words "including all furloughs" have been stricken from the bill. With that exception the measure is the same as the bills put through in other Congresses.

This bill passed the Senate on June 3 and was referred to the Committee on Pensions of the House. The committee made a unanimous report in its favor.

Mr. Chairman, the chairman of the House Committee on Pensions, the distinguished gentleman from Ohio, Mr. KEY, is unavoidably absent this afternoon because of illness. During three Congresses this bill has borne his name and on each occasion he has assumed responsibility for guiding it through the House. He has asked me to take his place this afternoon, and it affords me genuine pleasure to comply, because, like Mr. KEY, I have, during the six years I have served in Congress, earnestly advocated the enactment of this legislation. With the permission of the House I will insert in the RECORD at this point an argument in support of the bill prepared by Mr. KEY:

This bill is identical in its provision with H. R. 54, which was considered and passed by the House of Representatives in the Sixty-fourth Congress, and a like bill was passed in the Sixty-third Congress by the House. Neither of these former bills ever reached final consideration in the Senate, though both were approved by the Senate Committee on Pensions and placed upon the calendar.

I would like to invite the attention of the House to some very striking comparative figures presented by the first 12 months of the great world war now going on and the War with Spain, with which this bill has to do. In the present war, from April, 1917, to June, 1918, about 800,000 American soldiers and sailors and marines have been engaged mostly upon the western front in France. In that time, I am informed from reliable sources of information, that the casualties from wounds and diseases were 8,634. In the Spanish War for a similar period the casualties from wounds and diseases were 12,000. I speak of deaths in both instances. In the War with Spain there were about 335,000 Volunteers and 100,000 Regulars, 435,000 in all. It will be noted with about double the number of men in the present conflict for the first year there was almost one-third less deaths than in the first 12 months during the War with Spain. I only mention these facts to give some idea to those who entertain different views that the War with Spain was not entirely a frolic.

I am informed that from 20 to 25 per cent of the veterans of the War with Spain have reentered the United States military or naval service and are now serving in the great world war. In event they should suffer from wounds, injuries, or diseases leading to their death their dependent relatives would not come within the purview of the pending bill as they would undoubtedly take advantage of the far more liberal provisions of the war-risk insurance act.

From the best information and data the Committee on Pensions of the House of Representatives was able to secure when this and the similar bills I have mentioned were before it for consideration, there would not be more than about 4,000 needy widows who would seek pensions and obtain same in the first year or two after the bill becomes a law; and in view of the fact that only about 400,000 veterans of the Army and Navy of the United States whose widows or minor children could possibly have title, it is not believed that there would ever be any large number of applicants for pension or that the bill if enacted into a law would ever call for any very large expenditure of money.

No Member of this body is more earnestly opposed than I am to saddling upon the taxpayers of this country unmerited and

unwise pensions, and I will always oppose efforts leading to granting by special or general legislation pensions to those in my opinion not entitled thereto; but I believe in this case that the needy widows and minor children of our brave Spanish War veterans are entitled to the pensions which this bill seeks to provide, and I believe a majority of this House concurs with me in this view and will pass the bill just as they passed the same bill in the Sixty-second, Sixty-third, and Sixty-fourth Congresses. I urge that this be done not only because it is just and proper in my opinion, but also because for too long these pensions have been denied. I think the provisions of this bill should have been enacted into law six years ago.

The bill provides for only widows of soldiers and sailors who actually served 90 days during the War with Spain, received an honorable discharge, and the widow is now not in receipt of a net income in excess of $250 per annum. Exactly the same language is used in this bill as in the law of June 27, 1890, as amended May 9, 1900, relative to dependent widows of Civil War soldiers and sailors.

It provides for minor children until they are 16 years of age.

This bill does not provide pension for the widow or the minor children of a soldier or a sailor of the Regular Establishment unless he actually left the confines of the United States and participated actively in the War with Spain.

Of course it is impossible, as shown by the report accompanying this bill, which is identical with the report on that point filed in the Sixty-third and Sixty-fourth Congresses with the bill just like this introduced by me, to state the exact cost of this bill in event it becomes a law. However, from the best available information which could be obtained by diligent effort of the Committee on Pensions during the Sixty-third, Sixty-fourth, and Sixty-fifth Congresses it is not believed that the first few years' annual cost of this law would be in excess of a million dollars, with a gradual increase annually until a maximum of perhaps two and a half to three million would be reached.

Of course, this is but a small fraction of the amount of money which will be annually turned into the Treasury by the Pension Bureau on account of the death of aged pensioners from the Mexican, Indian, and Civil Wars.

Mr. Chairman, on account of the pressure of other business we are anxious to get this measure through as speedily as possible, and I will reserve the balance of my time, and ask that the bill be read under the five-minute rule, or that the gentleman on the other side use some of his time.

The CHAIRMAN. Does anyone desire to be recognized in opposition to the bill?

Mr. JOHNSON of Washington. I ask unanimous consent to insert in the RECORD a brief digest of pension legislation, including this measure.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to insert in the RECORD a brief digest of pension legislation, including this measure. Is there objection?

There was no objection.

Mr. ROBBINS. I want to ask the gentleman from Colorado a question, if he will yield.

Mr. KEATING. I yield to the gentleman.

Mr. ROBBINS. I am very much interested in this bill, and I should like to know why the rate of pension for Spanish-American War widows has been fixed at $12, when we recently fixed the pensions of widows at $25?

Mr. KEATING. This is the form in which the bill passed the Senate. It was the amount fixed in the bills which passed other Congresses, and the Association of Spanish-American War Veterans and others interested felt that it was best not to attempt to raise the rate at this time.

Mr. ROBBINS. I am a Spanish War veteran myself, and I am very much interested in this bill, but I should like to see the amount fixed at $25.

Mr. KEATING. I sympathize with the gentleman's suggestion. There is just as much reason why the widow of a Spanish-American War veteran should have $25 as the widow of any other veteran, but I call the attention of the gentleman to the fact that an effort has been made for a number of years to secure this legislation. As I said before, it has passed this House three or four times. At last it has gone through the Senate. We have an opportunity to-day to put the bill through in its present form. I hope the House will pass it in that form, so that it may become a law at once. The question of raising the amount can be considered hereafter.

Mr. ROBBINS. I shall favor its passage in this form rather than imperil its passage by amending it.

Mr. CANNON. I certainly approve of the bill and shall vote for it. The gentleman from Colorado says there is just as much reason for giving $25 a month to the widow of a Spanish War veteran as there is to give that amount to the widow of a Civil War veteran. The gentleman must recollect that it was a long time before Civil War widows got $8 a month.

Mr. KEATING. Yes; I appreciate that, and then there is the difference in age to be considered. The gentleman is quite right.

Mr. CANNON. There is the question of age, and all that kind of thing. Widows of Civil War veterans are in the main too old to marry again, and some of them are helpless. This is the most generous service pension bill for widows of soldiers of the Republic that has ever passed, everything considered, and I quite approve it, because it is only within the last few years that a service pension was granted to widows of the Civil War up to $12, and I believe it is only during this Congress that it has been increased to $25.

Mr. KEATING. The thought I had in mind was that while the Spanish-American widow is younger than the Civil War widow, she is very likely to have dependent children, and not much can be done in these days of the high cost of living with $12 a month for the widow and $2 a month for each dependent child.

Mr. DENISON. Are not the widows of Spanish-American War soldiers who lost their lives in the service entitled to the benefits of the pension law passed some time back by this Congress?

Mr. KEATING. If she can show that the soldier died of disability incurred in the service, a Spanish-American War widow can secure $25 under existing law, but the bill under consideration is a service pension. I will say to the gentleman that it has been extremely difficult in some cases to secure proof that the death of the soldier was due to disability incurred in the service. The Pension Bureau is not disposed to lay proper emphasis upon the effects of malarial fever. Personally I think those soldiers who served in the Tropics and contracted malaria there have seldom recovered from the effects of the disease, and that frequently complications have ensued, and some of the deaths attributed to tuberculosis and other diseases are really traceable to the malaria contracted in the Tropics.

Mr. DENISON. There is no distinction between the widows of soldiers of the Civil War who lost their lives in the service and those who have died from other causes, so far as the amount is concerned.

Mr. KEATING. So far as the widows of Civil War veterans are concerned, they all get $25 a month, without regard to the cause of death.

Mr. DENISON. Does the gentleman think there ought to be a distinction made in that respect between the widows of the Spanish-American War veterans and those of the Civil War?

Mr. KEATING. As I suggested a few minutes ago, considering the high cost of living and all the attendant circumstances, it would be extremely desirable to place all the Spanish-American War widows on the same plane. We are face to face, or at least think we are, with a legislative fact, and we feel that there is an opportunity now to secure for those widows a pension of $12 a month. Under all the circumstances your committee feels that it is best to pass the legislation at that rate and leave the question of increase to future Congresses.

Mr. DENISON. If the bill passes as it is reported, the status of the war widows will be about this: That the widow of the Civil War veteran who lost his life in the service and the widows of those who died since of other causes are each entitled to $25. The widow of the Spanish-American War veteran who lost his life in the service will be entitled to $25, but the widow of a veteran who died from other causes will only be entitled to $12 a month.

Mr. KEATING. And the widows of the soldiers of the Regular Establishment will be entitled to $12 a month.

Mr. DENISON. I am certainly in favor of the bill, but I do not understand why the difference.

Mr. LANGLEY. Will the gentleman yield?

Mr. KEATING. Yes.

Mr. LANGLEY. I did not hear the first part of the gentleman's statement, but has attention been called to this: This bill proposes a pension to the widows of Spanish War veterans several years earlier than was done in the case of widows of the Civil War, where the soldier's death is not shown to have been of service origin. In other words, it is now only 20 years since the War with Spain, while the widows of veterans of the Civil War were not granted a pension without proof that the soldier's death was due to service, until over 25 years following the close of the Civil War, and then the latter only got $8 at the start. In these respects this bill is more liberal than was the old laws relating to Civil War widows.

Mr. KEATING. The gentleman is quite right, and that matter was called to the attention of the committee by the gentleman from Illinois [Mr. CANNON].

Mr. BARKLEY. Will the gentelman yield?

Mr. KEATING. I will.

Mr. BARKLEY. My attention has been called to two or three cases where the soldier has become helpless since his service, but unable to demonstrate to the Pension Office that it was due to disease or injury contracted in the line of service. He can not draw a pension, and the Pension Committee takes the same view—that unless he can trace his condition to disease or injury contracted in the service he is not pensionable, even by special act. How does it happen that a man who actually served in the war, who is helpless, who, by reason of malaria or some other disease, is unable to prove that it was contracted in the service, is not entitled to a pension, but as soon as he dies his widow will be entitled to a pension? Does not the gentleman think that some legislation ought to be passed liberalizing these strict requirements in the Pension Office?

Mr. KEATING. Perhaps the best answer is that the Spanish War veterans themselves, the men who actually did the fighting, have, in so far as they have expressed themselves officially, asked that the widows might be recognized first. I think that is a fact that should be recorded in the CONGRESSIONAL RECORD, that these veterans of the Spanish-American War ask for legislation for the widows of their comrades before they ask for legislation for themselves. [Applause.] And so to-day the Spanish-American War Veteran Association is urging that we care for this legislation first.

Mr. BARKLEY. I think that is proper and the correct attitude for these men to assume; and yet it seems to me that some correction ought to be made where a man is himself helpless, has a family, wife, and children to support, but is unable to do anything himself for them, having been a Spanish-American War veteran and can not draw a pension because he is unable to prove that his present condition is traceable to the service. I am not averse to the widows getting a pension when entitled to it, but justice requires that the soldier himself ought to be pensioned, too, so that he might enjoy some of its benefits while alive.

Mr. KEATING. As I stated, in response to a question a few moments ago, I think the Pension Office should revise its rulings concerning the results of malarial fever, and in that way some of the cases referred to by the gentleman would be cared for.

Mr. VAN DYKE. Will the gentleman yield?

Mr. KEATING. Yes.

Mr. VAN DYKE. I want to just make a statement that the veterans of the Spanish-American War throughout the country at the present time ask that we take care of their comrades' widows, and it is to relieve that situation that we are trying to get this legislation through to-day.

Mr. PARKER of New York. Will the gentleman yield?

Mr. KEATING. Yes.

Mr. PARKER of New York. On page 2 there is a provision to pay $2 a month to orphans. I have in mind two cases where the soldier died from disease that was contracted in the Philippines, but it was not traceable to service disability. His wife is also dead, leaving children under the age of 16. How do you interpret this clause in the bill? Would the children get the pension of $12 that the mother would have been entitled to had she lived, or will they only get $2 a month? It seems to me that $2 a month for a minor is a small pension. I am not going to try to amend the bill, because $2 is better than nothing. Do they get $12 a month and the $2 in addition?

Mr. KEATING. They will receive the mother's pension.

Mr. LANGLEY. Yes; the gentleman is quite correct. That has always been the policy of the pension law in such cases.

Mr. LITTLE rose.

Mr. KEATING. I will yield two minutes to the gentleman from Kansas.

Mr. LITTLE. Mr. Chairman, I want to confirm what the gentleman from Colorado just stated in regard to the attitude of the Spanish-American War veterans in preferring this legislation for the widows of their comrades before they ask it for themselves. Since I have been here I have never received a request from a Spanish War Veterans' Association of my State asking me for general legislation for the veterans, but they have continually come to me with requests that I support this bill and see that it went through. Ten or twelve years ago, when I was the department commander of the Spanish-American War veterans in the State of Kansas, we took the position then, and it was unanimous, that before we asked anything for the boys themselves we would try and get the widows on the pention roll, so that when the boys passed on the women and the children would be provided for. The gentleman from Colorado [Mr. KEATING] has stated exactly the attitude of the Spanish-American War veterans. The gentleman from Kentucky [Mr. LANGLEY] has repeatedly suggested that the veterans themselves who were disabled and crippled ought to be pensioned, and I doubt not at the proper time that matter will be presented and attended to, but in the meantime the veterans want the widows provided for first.

Mr. LANGLEY. I thank the gentleman for calling attention to my efforts in behalf of the Spanish War veterans. I agree with him, however, and with the Spanish War Veterans' Association, that the widows should be cared for first, and you can not make this bill too liberal for me. I am heartily for it, and I wish it gave them all $25 a month. I was merely seeking to call attention to some pertinent facts that happened to be within my knowledge, and I thought it an opportune time to say a word for the Spanish War veterans themselves, and that is why I have been making these interruptions.

Mr. LITTLE. I hope that the House will now take the golden opportunity to put into the statute book a provision for these ladies. You must remember that it is 20 years now since that war began, and those who were young women then have begun to go down hill, and if you are ever going to help them, for God's sake do it now.

Mr. LANGLEY. Does not the gentleman think, as suggested by my colleague from Kentucky [Mr. BARKLEY], that cases like those to which he referred should be provided for, especially in view of the added difficulty, as compared with Civil War veterans, that these Spanish War veterans have labored under in getting up proof of service origin of disability? In fact, does he not think that it is about time they should all be pensioned who are disabled, without regard to proof of the connection between their present disability and their service?

Mr. LITTLE. I do.

Mr. LANGLEY. I think so, too. It is not quite as long after the War with Spain as it was after the Civil War before a service-pension law was passed for the Civil War veterans, but, under present conditions, I do not think we should delay any longer.

Mr. LITTLE. It is too long in both cases.

Mr. LANGLEY. I have had such a bill pending for a long time, and I hope it will pass in the near future.

Mr. LITTLE. Well, I am for it.

Mr. DENISON. Mr. Chairman, will the gentleman from Colorado yield again?

Mr. KEATING. Yes.

Mr. DENISON. While we are discussing this question I would like to get a little information about other widows. What is the status of the widow of a soldier who fought down on the Mexican border about a couple of years ago? I want to know whether that is considered war or not, and what is the status of the widow of a soldier who fought down there on the border?

Mr. KEATING. My impression is that her pension would be $12 a month. She would come under the regular service.

Mr. DENISON. I asked the question for this reason: The widow of a lieutenant who went down there with the forces from my own district, Lieut. Bryden, applied for a pension after her husband died. He came back home after his service was over and the troops were taken to Chicago, which was a much colder climate than the Mexican border. He there contracted a cold, from which he afterwards died. She has been unable to prove that his death was the result of his service, and the Pension Office has denied her a pension recently.

Mr. McCLINTIC. Mr. Chairman, will the gentleman yield?

Mr. KEATING. Yes.

Mr. McCLINTIC. How long was her husband in the service?

Mr. DENISON. All of the time that they were down on the border.

Mr. McCLINTIC. It was more than 90 days?

Mr. DENISON. Oh, yes; a year, I think.

Mr. KEATING. The gentleman has run afoul of the Pension Office in this case, as a number of Spanish-American War veterans and their widows have in the cases to which I referred a short time ago, in connection with the results of malarial fever. I suggest to the gentleman that he introduce a special bill for the widow of his constituent.

Mr. DENISON. I intend to do that, of course; but I was under the impression that they already had a pensionable status.

Mr. KEATING. They have a pensionable status; but the difficulty in this case is that the widow has not presented sufficient evidence to satisfy the Pension Office.

Mr. LANGLEY. It is purely a question of proof under the existing law. If the evidence is not sufficient to satisfy the Pension Bureau, they will deny her a pension.

Mr. KEATING. But the gentleman might succeed in convincing the Committee on Pensions.

Mr. DENISON. The point I make is that the widows of those soldiers still are not entitled to a pension unless they can make the proof that their husbands died from causes resulting from their military service.

Mr. KEATING. They are not entitled to a service pension. The bill now under consideration is a service pension.

Mr. SMITH of Idaho. Did the officer die before he was discharged?

Mr. DENISON. No; he died immediately after he was discharged.

Mr. LANGLEY. It is all a question of proof.

Mr. PARKER of New York. Mr. Chairman, to revert to the same question I asked before, if the mother is dead, then she, of course, can not apply for the widow's pension; but will the children, then, under this act, still be entitled to receive the $12 a month as well as the $2?

Mr. KEATING. The same law applies.

Mr. PARKER of New York. Then they will be entitled to the $12 and the $2 additional if the mother was dead before this bill becomes a law.

Mr. KEATING. And they were under 16 years of age.

Mr. PARKER of New York. Under 16 years of age, of course.

Mr. MONTAGUE. Do I understand from the gentleman that, irrespective of the merits of the bill, it is his opinion that it is this bill now or nothing?

Mr. KEATING. That is my judgment.

Mr. MONTAGUE. Under the present conditions.

Mr. KEATING. Yes. Mr. Chairman, I ask that the bill be read for amendment.

The CHAIRMAN. The gentleman reserves the balance of his time, and if nobody desires to be heard in that position the Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That from and after the passage of this act if any volunteer officer or enlisted man who served 90 days or more in the Army, Navy, or Marine Corps of the United States during the War with Spain or the Philippine insurrection, between April 21, 1898, and July 4, 1902, inclusive, service to be computed from date of enlistment to date of discharge, or any officer or enlisted man of the Regular Establishment who rendered 90 days or more actual military or naval service in the United States Army, Navy, or Marine Corps in the War with Spain or the Philippine insurrection between April 21, 1898, and July 4, 1902, inclusive, or as a participant in the Chinese Boxer rebellion campaign between June 16, 1900, and October 1, 1900, and who has been honorably discharged therefrom, has died or shall hereafter die leaving a widow without means of support other than her daily labor, and an actual net income not exceeding $250 per year, or leaving a minor child or children under the age of 16 years, such widow shall upon due proof of her husband's death, without proving his death to be the result of his Army or Navy service, be placed on the pension roll from the date of the filing of her application therefor under this act, at the rate of $12 per month during her widowhood, and shall also be paid $2 per month for each child of such officer or enlisted man under 16 years of age, and in case of the death or remarriage of the widow, leaving a child or children of such officer or enlisted man under the age of 16 years, such pension shall be paid such child or children until the age of 16: *Provided*, That in case a minor child is insane, idiotic, or otherwise permanently helpless, the pension shall continue during the life of said child, or during the period of such disability, and shall commence from the date of application therefor after the passage of this act: *Provided further*, That said widow shall have married said officer or enlisted man previous to the passage of this act: *Provided, however*, That this act shall not be so construed as to reduce any pension under any act, public or private.

Mr. WELTY. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 2, line 8, after the word "and" insert the words "in addition."

Mr. WELTY. So that the bill will read—

without means of support other than her daily labor, and, in addition, an actual net income not exceeding $250 per year.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Ohio.

Mr. WELTY. The language, without the words "in addition," should be clear enough to mean that if the widow's net income is $250 in addition to her earnings, without this proposed amendment; but I find that the Pension Department as well as the courts are inclined to construe the law against the beneficiary and in favor of the Government, and I think that the language can not be too clearly expressed, so that there can be no doubt of the intent of Congress.

Mr. LANGLEY. Mr. Chairman, will the gentleman yield?

Mr. WELTY. Yes.

Mr. LANGLEY. I think the language of the bill is perfectly clear as it is framed now. The Pension Bureau so construed that. It is similar to the language of the previous acts. It does not mean the income from her labor, but a net income independent of whatever she may earn herself.

Mr. WELTY. I know, but several Members of the House came to the conclusion that the Pension Department would construe the language otherwise. That is why I offered the amendment.

Mr. LANGLEY. I think the amendment is wholly unnecessary.

Mr. McLAUGHLIN of Michigan. Will the gentleman yield?

Mr. WELTY. I will.

Mr. McLAUGHLIN of Michigan. I have sent to the Clerk's desk an amendment to strike out all of line 8 and all of line 9 to and including the word "year," so as to permit widows to receive a pension without regard to the daily labor or income of $250. Would not the gentleman from Ohio now consent to have my amendment voted on, and if adopted, as I think it should be, it would clear up the entire situation; and if it be not carried, then the gentleman can offer his amendment, which will improve it in some respects.

Mr. WELTY. Well, a pension is for the support of those who really deserve it and need it, for the widows especially who have children and who do not get anything at all; and I do not think we should open the doors wide and give everyone a pension.

Mr. McLAUGHLIN of Michigan. I have simply tried to place the widows of the Spanish War soldiers somewhat near the footing the widows of the soldiers of the Civil War sustain. It seems to me they ought not to pay a pension dependent on an income, and besides those who have had experience with pension matters know that more than any other provision causes trouble. There is more difficulty in making investigations to learn a widow's income, the value of her property, the renting of it, and all that than all the rest of the things put together. It seems to me unwise, improper, and it is unjust——

Mr. WELTY. This refers to net income.

Mr. LITTLE. Will the gentleman yield for a question?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. LITTLE. Is it not a fact that the amendment of the gentleman from Michigan will also obviate any feeling on their part that this is any charity——

Mr. McLAUGHLIN of Michigan. That is true.

Mr. LITTLE. Which is very embarrassing.

Mr. WELTY. That may be true, but some of the widows of the Spanish-American War have now been shifting for themselves for almost 20 years and many have not been able to show that the death of their husband could be directly traced to an injury received while in the service, and yet death no doubt often was the result of a weakened condition caused by the foul and unhealthy camps, from which they never fully recovered. But the gentleman from Michigan [Mr. McLAUGHLIN] should not forget that the House passed a similar bill on three different occasions, and each time was turned down by the Senate. I am not saying this is a just bill to these widows who have thus suffered, but to me it appears the best possible bill which the Senate will accept, and my amendment simply tends to clarify the language. I have great respect for the opinion of the gentleman from Kentucky [Mr. LANGLEY], for he has made a special study of pension matters, and if he tells the House that the Pension Department has construed this very language as indicated by my proposed amendment, I shall not further press the amendment.

Mr. KEATING. Mr. Chairman, I hope the amendment of the gentleman from Ohio will be voted down, and trust when the gentleman from Michigan offers his amendment it will be voted down.

So far as the amendment offered by the gentleman from Ohio is concerned, I do not think it is necessary. The Pension Bureau has construed similar language, so that I do not think there can be any question that the $250 per year income mentioned is in addition to the income derived from the woman's daily labor.

I think the amendment is unnecessary; but another reason why I ask that it be voted down is that the friends of this legislation are anxious to insure the passage of this bill.

The Members of the House know the history of this struggle to secure pensions for widows of the Spanish-American War veterans. The bills have always died in the Senate. We could get them through the House because of our rules, which would permit us to shut off debate and get action. Now, for the first time, a bill has been put through the Senate, and I ask the friends of this legislation to refrain from carrying amendments, in order that we may pass this bill to-night and send it to the President.

Mr. FESS. Will the gentleman yield for a question?

Mr. KEATING. Certainly.

Mr. FESS. I think there is no doubt whatever that the gentleman is correct that, with the punctuation of this law, the

comma before the word "and" sets off the additional income just as truly as if you used the two words "in addition."

Mr. KEATING. I will say to the gentleman that the objection expressed by the gentleman from Ohio [Mr. WELTY] occurred to me some time ago while I was examining this bill. I spoke to a gentleman who was supposed to be a pension expert, and, while I am not at liberty to give his name, he assured me that the decisions of the Pension Office were as I have stated them.

Mr. FESS. If the gentleman would permit, I had some sympathy with the amendment that is offered by the gentleman from Michigan, but I believe that the position that the author of the bill has taken——

Mr. KEATING. I am merely acting on behalf of my colleague, the gentleman from Ohio [Mr. KEY], who is chairman of the committee, who is not able to be here to-day on account of illness.

Mr. FESS. I will modify my statement and say the bill that is now under consideration. The statement that has been made by the gentleman from Colorado, I think, is very pertinent, in view of the fact that the House has passed this three times. We have been unable to have it acted upon in another body, and therefore I think it very wise that it be passed without amendment, if possible.

Mr. LITTLE. Mr. Chairman, in view of the gentleman's statement that the words "in addition" will add nothing to the force, but it would mean what it would then mean, I am going to vote against that amendment.

Mr. KEATING. I hope the gentleman will have no cause to regret it.

Mr. WELTY. Mr. Chairman, in view of the opinion of Members of the House here that it does carry the same force, I withdraw my amendment, for, as indicated by the gentleman from Colorado [Mr. KEATING], who is in charge of the bill, it would be best to pass the bill without the crossing of a "t" or the dotting of an "i," for this bill is similar to the one heretofore passed on three different occasions by the House, and since the Senate has passed the same we should let well enough alone and be thankful, even though Congress has granted a pension of $25 to widows of the Civil War.

However, it does seem an injustice to see a widow of the Spanish-American War, with a family to keep, only receiving $12 per month, and thus be compelled to be away from home and earn her own living as long as the children needed a mother's care. I do hope that this bill will pass the House.

It has been 20 years since the boys responded to a call of their country, and at no time did they ask any legislation in the way of pension for themselves, but they do ask that the country see that their widows and minor children should not suffer and be thrown on charity when they are no more.

Mr. Chairman, I withdraw my amendment, as indicated, and hope that this bill will pass the House just as it came from the Senate, so that it can not be defeated in conference.

The CHAIRMAN. Without objection, the amendment will be withdrawn. Is there objection? [After a pause.] The Chair hears none.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I offer the following amendment.

The Clerk will report the amendment.

The Clerk read as follows:

Page 2, lines 8 and 9, strike out the following words: "Without means of support other than her daily labor, and an actual net income not exceeding $250 per year."

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I dislike very much to be in the position of seeming to oppose this bill or endanger its passage, but I very much object to passing a measure even under those circumstances with a provision in it which is very objectionable. I think those lines should be stricken out. It is hard to believe the Senate would refuse to accept the House amendment or that the passage of the bill would be delayed if it were amended as I think it ought to be. Now, every Member here has had more or less experience with pension matters. The older Members—those longer in service, I mean—will remember that the pension laws, not those in force now but some of those formerly in force, contained a provision that the widow was denied a pension unless she could show that her annual income was below $250. They all remember, too, how much trouble it caused. I had several of those cases. I have had hundreds of pension cases altogether, but the few involving widows' incomes caused more trouble than all the rest, and I believe that has been the experience of others. There is no more disagreeable fact to establish, no fact more difficult to establish, no investigation that causes more difference of opinion, ill feeling, than the matter of going into the income of an applicant, the appraisal of the property, the determination of the rental value, what did you do with this money, how much did you expend on repairs, and why did you do it, and why did you not carry it to net income, and all that. All can be obviated by striking out those words. And in common justice to the widows of the soldiers of the Spanish War and that they may be placed on an equal footing with the widows of soldiers of other wars I insist that those words have no place in this bill. I can not believe that the Senate would object to the amendment. I can not believe that it would delay the passage of this bill one hour, but just take time enough to have it called to the attention of the Senate and the conferees fix up the matter.

Mr. LANGLEY. Will the gentleman yield to me there?

Mr. McLAUGHLIN of Michigan. I will.

Mr. LANGLEY. It strikes me the Senate must have had some reason for putting that language in.

Mr. McLAUGHLIN of Michigan. Heretofore, or in other bills, the House has put in a similar provision. The committees of the House have reported bills with similar provisions and the House has always rejected them.

Mr. LANGLEY. I am in some sympathy with the gentleman's argument, but I am afraid it will delay this bill.

Mr. McLAUGHLIN of Michigan. Let it be delayed so that it can be corrected, but final passage will not be in danger.

Mr. LANGLEY. I would rather see it speedily passed, and then it can be fixed later.

Mr. McLAUGHLIN of Michigan. It was stated yesterday by several Senators that we are to be in session until October without intermission, and we will have plenty of time. Let this bill be right.

Mr. GREENE of Vermont. Will the gentleman yield.

Mr. McLAUGHLIN of Michigan. I yield.

Mr. GREENE of Vermont. To my certain knowledge the gentleman has been present through several Congresses in which this bill regularly came up and probably has, like myself, voted for it three times running now.

Mr. McLAUGHLIN of Michigan. Yes.

Mr. GREENE of Vermont. And the gentleman, as an experienced legislator, knows, whatever might be the academic judgment of the majority of the Senate, when the bill as he would perfect it would be before the Senators, the very delicacy of legislation under this old Dome is in getting a bill around where anybody will consider it at all. That is the particular obstacle, it might be suggested, if it were not against the rules to say so, that is against us in another Chamber.

Mr. McLAUGHLIN of Michigan. The bill will go to conference, and undoubtedly the conferees of each House will report an agreement to this amendment. And whoever heard of a conference on a pension-bill report being held up?

Mr. GREENE of Vermont. What?

Mr. McLAUGHLIN of Michigan. That is, one of any consequence. I do not believe for a moment that this bill will be held up.

Mr. GREENE of Vermont. I am in sympathy with the gentleman's amendment.

Mr. McLAUGHLIN of Michigan. Then vote for it.

Mr. GREENE of Vermont. I do not want to vote for something that we will not get when we can vote for something we will get.

Mr. CARY. Does the gentleman think that we can change that at the next session rather than doing it now and not delay this bill?

Mr. GOOD. Mr. Chairman, it will be observed that this bill carries $4 a month more to the Spanish-American War widows than the first bill that Congress enacted making provision for the payment of pensions to the widows of the Civil War—a very generous increase. That bill was passed when the Treasury of the United States was in comparatively good condition. We were at peace. To-day we are at war, and people are called upon to buy bonds, and thrift stamps, and war-savings stamps, and are called upon to pay heavy taxes in order to carry on the war and meet the ordinary expenses of the Government. I think, when we pass a law of this kind, the provisions of the law, the safeguards that are thrown about it, should take those things into consideration, and I am very glad that the bill which has been reported does provide that the widow who does not need the pension should not at this time be paid the pension. I think they have made a wise discrimination. We ought not do the unnecessary thing now.

Now, Mr. Chairman, with regard to sending this bill to conference, I think we ought to pass it as it is, without the dotting of an "i" or the crossing of a "t," if we are really in favor of this legislation. [Applause.] We could improve it by amendment, but we might jeopardize its passage by such action. You send it to conference and you may not have a bill during this

session. We ought to pass it now. There are other objections to the bill that I would like to see corrected. I have some misgivings as to whether the amount any such widow might receive for daily labor would be included in the $250. But I am informed by the chairman that the committee that reported this bill had considered this matter and that there was no question but that a widow would be entitled to this pension if she had an income of $1,000 a year from personal services or for her daily labor, if she had an income of $250 or less from other sources. At any rate, this seems to be the desire and intention of Congress. In determining the question as to whether a widow is entitled to a pension under this act, the amount such widow receives for personal services is not to be considered. That seems to be agreed to. And therefore I am inclined to think we ought to pass the bill as it has been reported by the committee and let it become a law. If the thing that the gentleman from Michigan [Mr. MCLAUGHLIN] complains of does become burdensome, after this war is over, when the Treasury is in a little better condition, if it is thought wise to give a pension to a widow of such a soldier, even though she have an income of $5,000 a year, it can be taken care of then. I think, under these conditions, the committee has wisely made some limit as to payment.

The CHAIRMAN. The question is on the amendment of the gentleman from Michigan [Mr. MCLAUGHLIN].

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 2. That no agent, attorney, or other person engaged in preparing, presenting, or prosecuting any claim under the provisions of this act shall, directly or indirectly, contract for, demand, receive, or retain for such services in preparing, presenting, or prosecuting such claim a sum greater than $10, which sum shall be payable only on the order of the Commissioner of Pensions; and any person who shall violate any of the provisions of this section, or shall wrongfully withhold from the pensioner or claimant the whole or any part of a pension or claim allowed or due such pensioner or claimant under this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall, for each and every offense, be fined not exceeding $500 or be imprisoned not exceeding one year, or both, in the discretion of the court.

Mr. RAKER. Mr. Chairman, I offer an amendment. I move to strike out, on lines 10, 11, and 12, page 3, the following words, "a sum greater than $10, which sum shall be payable only on the order of the Commissioner of Pensions," and insert in lieu thereof "any sum or fee therefor."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. RAKER: Page 3, lines 10, 11, and 12, after the word "claim," in line 10, strike out the following: "a sum greater than $10, which sum shall be payable only on the order of the Commissioner of Pensions," and insert in lieu thereof the following: "any sum or fee therefor."

Mr. RAKER. Mr. Chairman, the chairman of the committee and the gentleman from Iowa made an appealing statement that if you amend the bill, cross a "t" or dot an "i," you would be sure to lose the bill, and that no opportunity should be had for an amendment. There is all reason why the proper amendment should be allowed. The rest of us are in favor of this legislation. There is no question about it. But there is no possible excuse to-day under the procedure of the Pension Bureau, where claims are prepared and made out, where the affidavits are prepared and where Members of Congress look after the cases, and where there is no expense to the applicant, for having $10 taken from the widow or the minor child. It is wholly unjustifiable.

Mr. LANGLEY. Will the gentleman yield to me?

Mr. RAKER. In just a moment. No man under the pension law to-day can justify a charge of $10 or any other sum to the widow of any soldier under the present procedure of the Pension Bureau.

Mr. LINTHICUM. Mr. Chairman, will the gentleman yield?

Mr. RAKER. Not just at present. Every assistance is given to them to secure the pension. This $10 is solely and entirely for the purpose of maintaining bureaus here in Washington for the purpose of taking out of these widows' portions $10, and nothing else. The Government is appropriating this money for the pension attorneys. The time has come when that sort of a provision ought to be taken out of these pension bills. There can be no justification for it. There is no reason for it. There is no occasion for it; and instead of the amendment that I offer here being a charge, it strikes out the permission of a fee and makes it a felony for a man to retain or charge any sum for assisting or preparing the papers.

Mr. LANGLEY. Mr. Chairman, will the gentleman yield?

Mr. RAKER. Any attorney, any notary public, anyone in a clerical position is always ready and willing to assist the claimant in getting her papers properly made out so she can get her money. There is no question about it. There is no doubt in it. This is clean graft to the lawyer and to the firms that are here in Washington grafting from these widows. I am using my words advisedly, and the Members of this House know it.

Now I yield to the distinguished gentleman from Kentucky.

Mr. LANGLEY. This is a voluntary provision. You do not have to employ an attorney. There are many widows in my district who will not have to employ an attorney.

Mr. RAKER. Why not vote to strike it out?

Mr. LANGLEY. I would if it were not for the danger of preventing the early passage of this bill.

Mr. RAKER. Oh, we are here for several months. We are not going to adjourn. We are here for proper legislation, and there is no reason for robbing these widows out of this $10. It is wrong and should be stopped. There can be no justification for it.

Mr. BARNHART. Mr. Chairman, will the gentleman yield?

Mr. RAKER. Yes.

Mr. BARNHART. If the gentleman struck out this provision with the safeguards that are placed about it, would not the grafting lawyers be able to take any sort of sum from these widows?

Mr. RAKER. No; not with the language that follows. It says:

That no agent, attorney, or other person engaged in preparing, presenting, or prosecuting any claim under the provisions of this act shall, directly or indirectly, contract for, demand, receive, or retain for such services in preparing, presenting, or prosecuting such claim—

Any sum or fee therefor. Now, any "such person who shall violate any of the provisions of this section or shall wrongfully withhold from the pensioner or claimant the whole or any part of a pension or claim allowed due such pensioner or claimant under this act shall be deemed guilty of a misdemeanor," and so forth. That is as it ought to be. Ninety-nine per cent of the claims are voluntarily presented now. But I want to tell you the agent sends out the word, and when you in your district do the work for them Mr. Pension Agent draws down $10 for the work that you do. That is what the situation is.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. RAKER. Yes.

Mr. GREENE of Vermont. The gentleman still believes that "a bird in the hand is worth two in the bush"?

Mr. RAKER. Yes; I believe that "a bird in the hand is worth two in the bush," but I do not think this House can justify taking illegitimately $10 away from these widows.

Mr. GREENE of Vermont. I am talking about a bird "in the bush." Does the gentleman believe that "a bird in the hand is worth two in the bush"? [Laughter.]

Mr. RAKER. Oh, that trite old saying, that old, nonsensical provision, amounts to nothing. [Laughter.]

Mr. GREENE of Vermont. What I am afraid of is that the gentleman's cross-eyed amendment will never find its way back from the Senate.

Mr. RAKER. If it is adopted, it will get back all right. It is the same old cry. If you do not give these fellows just what they demand, then the cry is raised that to amend the bill properly it might endanger its passage. That is moonshine, pure and simple. I want this legislation to pass and become a law. To correct any glaring errors in it is the duty of every Member and the business of the committee and the House. Because the wrong is carried in prior laws it is no reason that it should be continued in this. There is no better time to lop off this "little graft" on the widows and minors than at the present time. I am strongly for this bill and shall vote for it, would like to see this amendment adopted, and then the bill would be in fine shape.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from California [Mr. RAKER].

The question was taken, and the Chairman announced that the "noes" seemed to have it.

Mr. RAKER. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 9, noes 43.

So the amendment was rejected.

Mr. KEATING. Mr. Chairman, I move that the committee do now rise and report the bill to the House with the recommendation that the bill pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GARRETT of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (S. 4444) to pension widows and minor children of officers and enlisted men who served in the war with Spain, Philippine insurrection, or in China, and had directed him to report the same back to the House with the recommendation that it pass.

The SPEAKER. The question is on the third reading of the Senate bill.

The Senate bill was ordered to be read a third time and was read the third time.

The SPEAKER. The question is, Shall the bill pass?

The question was taken, and the Speaker announced that the bill was passed.

Mr. KEATING. Mr. Speaker, I move to reconsider the vote whereby the bill was passed and move to lay that motion on the table.

Mr. RAKER. Mr. Speaker, no quorum!

Mr. SIMS. You are on the Water Power Committee. Are you going to do that sort of a job?

Mr. RAKER. I am going to make a point of no quorum when I want to.

The SPEAKER. The gentleman from California makes a point of no quorum. The Chair will count.

Mr. KEATING. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. KEATING. In case the Chair would find a quorum is not present, would the vote come on the bill? The Chair had declared the bill passed, and I had started to make a motion to reconsider and lay on the table when the gentleman from California interposed the point of no quorum.

The SPEAKER. What is it that the gentleman wants to know?

Mr. KEATING. I want to know, if a quorum is not present, whether a vote will come on the passage of the bill?

The SPEAKER. Yes; it is an automatic call.

Mr. FOSTER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FOSTER. If a quorum does not develop the bill fails?

The SPEAKER. We will stay here and get a quorum.

Mr. RAKER. There is a quorum here, and we should spend whatever time is necessary.

Mr. SCOTT of Michigan rose.

The SPEAKER. For what purpose does the gentleman from Michigan rise?

Mr. SCOTT of Michigan. Do I understand the Speaker to say that he had not indicated that the bill had passed?

The SPEAKER. Oh, no. The Chair did not say anything of the sort. He said it had passed, and immediately the gentleman from California raised the point of no quorum. It simply precipitates an automatic roll call. There are only 110 Members here, not a quorum, and the Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. The question is on the passage of the bill. Those in favor of the passage of the bill will answer "yea" when their names are called; those opposed will answer "nay."

The question was taken; and there were—yeas 228, nays 7, answered "present" 3, not voting 193, as follows:

YEAS—228.

Alexander	Dallinger	Hamlin	Lobeck
Almon	Decker	Hardy	London
Anderson	Denison	Harrison, Miss.	Lonergan
Aswell	Denton	Harrison, Va.	Lufkin
Ayres	Dickinson	Hastings	Lundeen
Bankhead	Dillon	Haugen	McArthur
Barkley	Dixon	Hawley	McClintic
Barnhart	Doolittle	Hayden	McFadden
Beakes	Drane	Heflin	McKeown
Bell	Dunn	Helvering	McLaughlin, Mich.
Beshlin	Dupré	Hensley	McLemore
Blackmon	Eagan	Hilliard	Mansfield
Bland, Va.	Eagle	Holland	Mapes
Booher	Edmonds	Huddleston	Martin
Borland	Elliott	Hull, Iowa	Mays
Bowers	Ellsworth	Hull, Tenn.	Miller, Minn.
Brand	Esch	Humphreys	Miller, Wash.
Brodbeck	Evans	Husted	Mondell
Browne	Fairchild, B. L.	Hutchinson	Montague
Brumbaugh	Fairfield	Igoe	Moon
Burroughs	Ferris	Jacoway	Moore, Pa.
Byrnes, S. C.	Fess	Johnson, Ky.	Moores, Ind.
Campbell, Kans.	Fields	Johnson, Wash.	Morgan
Candler, Miss.	Focht	Kahn	Mott
Cannon	Foster	Keating	Nelson
Cantrill	Frear	Kennedy, Iowa	Nicholls, S. C.
Carlin	French	Kettner	Nichols, Mich.
Carter, Okla.	Gallagher	Kinkaid	Oldfield
Cary	Gallivan	Kitchin	Oliver, Ala.
Chandler, N. Y.	Gandy	Knutson	Oliver, N. Y.
Church	Garrett, Tex.	Kraus	Olney
Clark, Fla.	Gillett	La Follette	Osborne
Classon	Godwin, N. C.	Langley	Overmyer
Cleary	Good	Larsen	Overstreet
Coady	Goodwin, Ark.	Lazaro	Padgett
Collier	Green, Iowa	Lea, Cal.	Park
Connelly, Kans.	Greene, Vt.	Lee, Ga.	Parker, N. J.
Copley	Griest	Lesher	Parker, N. Y.
Cox	Griffin	Lever	Platt
Crisp	Hadley	Lilhcum	Pratt
Crosser	Hamill	Little	Rainey, H. T.
Curry, Cal.	Hamilton, Mich.	Littlepage	Rainey, J. W.
Raker	Sears	Taylor, Colo.	Welling
Ramseyer	Shallenberger	Temple	Welty
Randall	Sherley	Thomas	Whaley
Riordan	Shouse	Timberlake	Wheeler
Robbins	Sims	Tinkham	White, Me.
Roberts	Sinnott	Towner	Williams
Rodenberg	Sloan	Van Dyke	Wilson, Ill.
Rogers	Smith, Idaho	Venable	Wilson, La.
Romjue	Snook	Vestal	Wilson, Tex.
Rose	Steagall	Vinson	Wingo
Rouse	Steenerson	Walker	Winslow
Rubey	Stephens, Miss.	Walsh	Woods, Iowa
Sanders, La.	Stiness	Wason	Woodyard
Schall	Tague	Watkins	Wright
Scott, Mich.	Taylor, Ark.	Webb	Zihlman

NAYS—7.

Blanton	Connally, Tex.	Garrett, Tenn.	Quin
Buchanan	Garner	Jones	

ANSWERED "PRESENT"—3.

Helm	Sisson	Sumners

NOT VOTING—193.

Anthony	Fairchild, G. W.	LaGuardia	Scott, Pa.
Ashbrook	Farr	Lehlbach	Scully
Austin	Fisher	Longworth	Sells
Bacharach	Flood	Lunn	Shackleford
Baer	Flynn	McAndrews	Sherwood
Black	Fordney	McCormick	Siegel
Bland, Ind.	Foss	McCulloch	Slayden
Britten	Francis	McKenzie	Slemp
Browning	Freeman	McKinley	Small
Burnett	Fuller, Ill.	McLaughlin, Pa.	Smith, Mich.
Butler	Fuller, Mass.	Madden	Smith, C. B.
Byrns, Tenn.	Gard	Magee	Smith, T. F.
Caldwell	Garland	Maher	Snell
Campbell, Pa.	Glass	Mann	Snyder
Caraway	Glynn	Mason	Stafford
Carew	Goodall	Meeker	Stedman
Carter, Mass.	Gordon	Merritt	Steele
Chandler, Okla.	Gould	Morin	Stephens, Nebr.
Clark, Pa.	Graham, Ill.	Mudd	Sterling, Ill.
Claypool	Graham, Pa.	Neely	Sterling, Pa.
Cooper, Ohio	Gray, Ala.	Nolan	Stevenson
Cooper, W. Va.	Gray, N. J.	Norton	Strong
Cooper, Wis.	Greene, Mass.	O'Shaunessy	Sullivan
Costello	Gregg	Paige	Sweet
Crago	Hamilton, N. Y.	Peters	Swift
Cramton	Haskell	Phelan	Switzer
Currie, Mich.	Hayes	Polk	Talbott
Dale, N. Y.	Heaton	Porter	Templeton
Dale, Vt.	Heintz	Pou	Thompson
Darrow	Hersey	Powers	Tillman
Davidson	Hicks	Price	Tilson
Davis	Hollingsworth	Purnell	Treadway
Delaney	Hood	Ragsdale	Vare
Dempsey	Houston	Ramsey	Voigt
Dent	Howard	Rankin	Volstead
Dewalt	Ireland	Rayburn	Waldow
Dies	James	Reavis	Walton
Dill	Johnson, S. Dak.	Reed	Ward
Dominick	Juul	Robinson	Watson, Pa.
Donovan	Kearns	Rowe	Watson, Va.
Dooling	Kehoe	Rowland	Weaver
Doremus	Kelley, Mich.	Rucker	White, Ohio
Doughton	Kelly, Pa.	Russell	Wise
Dowell	Kennedy, R. I.	Sabath	Wood, Ind.
Drukker	Key, Ohio	Sanders, Ind.	Young, N. Dak.
Dyer	Kiess, Pa.	Sanders, N. Y.	Young, Tex.
Elston	Kincheloe	Sanford	
Emerson	King	Saunders, Va.	
Estopinal	Kreider	Scott, Iowa	

So the bill was passed.

The Clerk announced the following pairs:

Until further notice:

Mr. POU with Mr. SANDERS of Indiana.

Mr. RUCKER with Mr. STERLING of Illinois.

Mr. SHERWOOD with Mr. WOOD of Indiana.

Mr. STEDMAN with Mr. IRELAND.

Mr. PRICE with Mr. SANDERS of New York.

Mr. RUSSELL with Mr. KIESS of Pennsylvania.

Mr. SMALL with Mr. LONGWORTH.

Mr. RAGSDALE with Mr. SANFORD.

Mr. STERLING of Pennsylvania with Mr. KING.

Mr. SCULLY with Mr. LEHLBACH.

Mr. THOMAS F. SMITH with Mr. SNELL.

Mr. SULLIVAN with Mr. MCCULLOCH.

Mr. RAYBURN with Mr. STRONG.

Mr. WALTON with Mr. SWIFT.

Mr. SHACKLEFORD with Mr. MCKENZIE.

Mr. CHARLES B. SMITH with Mr. MUDD.

Mr. WEAVER with Mr. MAGEE.

Mr. ROBINSON with Mr. PAIGE.

Mr. WHITE with Mr. SIEGEL.

Mr. WISE with Mr. ROWE.

Mr. YOUNG of Texas with Mr. WALDOW.

Mr. WATSON of Virginia with Mr. KEARNS.

Mr. KELLY of Pennsylvania with Mr. JAMES.

Mr. DEWALT with Mr. EMERSON.

Mr. HOOD with Mr. FRANCIS.

Mr. HOUSTON with Mr. CURRIE of Michigan.

Mr. DOOLING with Mr. GRAHAM of Pennsylvania.

Mr. HOWARD with Mr. HAYES.

Mr. KEY of Ohio with Mr. GEORGE W. FAIRCHILD.
Mr. DIES with Mr. HEATON.
Mr. KINCHELOE with Mr. DARROW.
Mr. MCANDREWS with Mr. FULLER of Massachusetts.
Mr. FISHER with Mr. HERSEY.
Mr. GARD with Mr. FREEMAN.
Mr. MAHER with Mr. GLYNN.
Mr. NEELY with Mr. DAVIDSON.
Mr. DOREMUS with Mr. GRAHAM of Illinois.
Mr. O'SHAUNESSY with Mr. FARR.
Mr. DOMINICK with Mr. GRAY of New Jersey.
Mr. GLASS with Mr. FORDNEY.
Mr. FLOOD with Mr. GARLAND.
Mr. GRAY of Alabama with Mr. FOSS.
Mr. DONOVAN with Mr. HASKELL.
Mr. FLYNN with Mr. DAVIS.
Mr. GORDON with Mr. GOODALL.
Mr. DOUGHTON with Mr. GOULD.
Mr. PHELAN with Mr. DYER.
Mr. POLK with Mr. FULLER of Illinois.
Mr. STEPHENS of Nebraska with Mr. AUSTIN.
Mr. SABATH with Mr. PURNELL.
Mr. SLAYDEN with Mr. MCKINLEY.
Mr. TALBOTT with Mr. BROWNING.
Mr. TILLMAN with Mr. DOWELL.
Mr. STEVENSON with Mr. SNYDER.
Mr. SUMNERS with Mr. REAVIS.
Mr. DILL with Mr. HICKS.
Mr. BLACK with Mr. COOPER of Ohio.
Mr. THOMPSON with Mr. GREENE of Massachusetts.
Mr. LUNN with Mr. ELSTON.
Mr. ASHBROOK with Mr. ANTHONY.
Mr. CAMPBELL of Pennsylvania with Mr. CARTER of Massachusetts.
Mr. CARAWAY with Mr. COOPER of Wisconsin.
Mr. BURNETT with Mr. BACHARACH.
Mr. CAREW with Mr. COSTELLO.
Mr. DALE of New York with Mr. BLAND of Indiana.
Mr. BYRNS of Tennessee with Mr. CHANDLER of Oklahoma.
Mr. DELANEY with Mr. COOPER of West Virginia.
Mr. CALDWELL with Mr. BRITTEN.
Mr. DENT with Mr. CRAGO.
Mr. STEELE with Mr. BUTLER.
Mr. CLAYPOOL with Mr. CLARK of Pennsylvania.

On this vote:

Mr. KENNEDY of Rhode Island (for) with Mr. HELM (against).

Mr. HELM. Mr. Speaker, how am I recorded?

The SPEAKER. In the negative.

Mr. HELM. I am paired with the gentleman from Rhode Island, Mr. KENNEDY, and I desire to withdraw my vote and answer "present."

Mr. GREENE of Vermont. Mr. Speaker, my colleague Mr. DALE of Vermont is unavoidably absent. If present, I am certain he would vote "yea."

Mr. MAPES. I was requested by my colleague Mr. CRAMTON to say that if he were present on this roll call he would vote "yea."

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will unlock the doors. The bill is passed.

On motion of Mr. KEATING, a motion to reconsider the vote by which the bill was passed was laid on the table.

AMERICAN MERCHANT MARINE.

Mr. ALEXANDER. Mr. Speaker, I call from the Speaker's table H. R. 12100 and move to concur in the Senate amendments.

The SPEAKER laid before the House the bill (H. R. 12100) to amend the act approved September 7, 1916, entitled "An act to establish a United States Shipping Board for the purpose of encouraging, developing, and creating a naval auxiliary and naval reserve and a merchant marine to meet the requirements of the commerce of the United States with its Territories and possessions and with foreign countries; to regulate carriers by water in the foreign and interstate commerce of the United States; and for other purposes," with Senate amendments.

The SPEAKER. What is the legislative parliamentary status of this bill?

Mr. ALEXANDER. The House passed the bill and it comes back here with Senate amendments.

The SPEAKER. Does any Senate amendment require action in the Committee of the Whole?

Mr. ALEXANDER. It does not.

The SPEAKER. The Clerk will read the Senate amendments.

The Senate amendments were read.

Mr. CANNON. Mr. Speaker, I would like to know what this bill is.

Mr. ALEXANDER. It is a bill that passed the House a few days ago amending the shipping act. The purpose of it is in the main to prevent American ships passing to a foreign flag without the consent of the Government, through the Shipping Board, and also to give the Government control over the shipyards and other shipbuilding facilities used in building ships. The first amendment the Senate made to the bill is on page 5, subdivision "c," where the House prohibited the entering "into any contract, agreement, or understanding to construct a vessel within the United States for or to be delivered to any person not a citizen of the United States," and the Senate added this language: "without expressly stipulating that such construction shall not begin until after the war or emergency proclaimed by the President has ended."

Mr. CANNON. I have not got a bill with the Senate amendments.

Mr. ALEXANDER. The bill has not been printed with the Senate amendments.

Mr. CANNON. I think it ought to be printed.

Mr. ALEXANDER. It is a privileged bill and was reported back to the House to-day.

Mr. CANNON. It may be a privileged bill, but what the gentleman has said is just so much Greek to me. It is familiar to the gentleman, but I doubt if there are a dozen men in the House who recollect, in the first place, what was in the bill as it passed the House, and, second, who know what the amendments do.

Mr. ALEXANDER. It liberalizes the provisions of the House bill to this extent: Under the Senate amendment American shipyards may contract to build ships for foreign account provided they expressly stipulate that such construction shall not begin until the war or the emergency has ended. As the bill passed the House, shipyards were prohibited from entering into any contract or agreement or understanding to construct a vessel in the United States to be delivered to any person not a citizen of the United States. The Senate amendments provided that they may enter into a contract, provided it is expressly stipulated that the construction should not begin until after the war or the emergency has ended. As we passed the bill, they could not enter into the contract at all.

Mr. CANNON. This allows them to enter into a contract?

Mr. ALEXANDER. Yes; but it expressly stipulates that they shall not enter into the construction until the emergency is over.

Mr. CANNON. That is one amendment. What is the next?

Mr. ALEXANDER. On page 7 the House bill provided:

Any such sale, mortgage, lease, charter, delivery, transfer, documentation, or agreement therefor shall be void, whether made within or without the United States, and any consideration paid therefor or deposited in connection therewith shall be recoverable at the suit of the person who has paid or deposited the same, or of his successors or assigns, after the tender of such vessel, shipyard, dry dock, shipbuilding or ship-repairing plant or facilities, or interest therein, or of such stocks, bonds, or other securities, to the person entitled thereto, or after forfeiture thereof to the United States—

And the Senate added this language—

unless the person to whom the consideration was paid, or in whose interest it was deposited, entered into the transaction in the honest belief that the person who paid or deposited such consideration was a citizen of the United States.

The other Senate amendments are merely verbal.

At the bottom of page 7 the word "or" is stricken out; its insertion was a typographical error. Then in line 23, page 8, the word "said" is inserted to make the reference to sections 9 and 37 more specific.

Mr. WALSH. Will the gentleman yield?

Mr. ALEXANDER. Yes; I yield.

Mr. WALSH. I note that in the print of the bill that we have the language in italics is the language of the two Senate amendments as reported to the Senate by the committee of the Senate. Now, what is there that we can get to show us the bill as it passed the Senate?

Mr. ALEXANDER. I have examined the engrossed bill as it passed the Senate.

Mr. WALSH. And it contains the identical amendments as reported to the Senate?

Mr. ALEXANDER. Yes.

Mr. WALSH. Now, this language on page 7 says—

unless the person to whom the consideration was paid, or in whose interest it was deposited, entered into the transaction in the honest belief that the person who paid or deposited such consideration was a citizen of the United States.

That will, it would seem, destroy or nullify the rest of the section. He is not put on his guard and there is nothing for him to inquire about. He can go into the transaction and say that he honestly believed the man was a citizen of the United States, and that is enough to absolve him.

Mr. ALEXANDER. I do not think any man would do anything prohibited here and take those chances unless he was acting in good faith.

Mr. WALSH. If he says he was acting in good faith, and under the provisions of the bill if he says he had an honest belief, that ends it, whether there was any justification for him to have had that belief or not.

It seems to me that the language used in this amendment is rather unfortunate in exempting the party receiving this consideration from the operations of the act, if he simply says he had an honest belief that the person who paid or deposited the consideration was a citizen of the United States. He may have that honest belief as the result of collusion between the other parties, of which he has no knowledge.

Mr. ALEXANDER. I hardly think that is true. Of course, if the Committee on Merchant Marine and Fisheries had framed that amendment I think they would have framed it in happier language, but it was framed by the Committee on Commerce in the Senate, and they reported it out of the committee in that form and it was agreed to in the Senate, and while it does not meet my entire approval, yet the legal department of the Shipping Board feel that it is not so serious that the bill should be sent to conference upon that account.

Mr. WALSH. I have seen bills sent to conference for matters of less consequence.

Mr. ALEXANDER. I have advised with the members of my committee about it, those who are here, and who would be members of the conference committee, and we have agreed that it is advisable to take the course that I have indicated.

Mr. WALSH. As I understand the gentleman, he thinks that this language is not strictly necessary and that there is no real need for adding to the provision as reported by his committee.

Mr. ALEXANDER. The Senate committee thought so——

Mr. WALSH. No; but I am talking about the gentleman's committee.

Mr. ALEXANDER. And their idea was to protect the innocent purchaser, and there is reason why that may be done; but they——

Mr. WALSH. If this measure went to conference, does not the gentleman think that the idea sought to be expressed in this language might be incorporated in the bill in language that would be a little more definite and would not permit opportunities for fraud.

Mr. ALEXANDER. As I said to the gentleman, I think if the Committee on the Merchant Marine and Fisheries had framed the language it would have been happier and clearer.

Mr. WALSH. I will say to the gentleman that his committee has brought some very important measures into this House and they have been very carefully phrased and have been reported after careful consideration. It does not seem that we ought to clutter up a bill which was very carefully prepared by his committee, by language framed loosely somewhere else, and I am sorry the gentleman did not ask to have this measure go to conference.

Mr. TOWNER. Mr. Speaker, will the gentleman yield?

Mr. ALEXANDER. Yes.

Mr. TOWNER. I would like to ask the gentleman from Missouri if he is sure that this amendment proposed by the committee was adopted by the Senate.

Mr. ALEXANDER. I know it was. I have examined the report.

Mr. TOWNER. I did not know whether the gentleman knew it or not.

Mr. ALEXANDER. Certainly; it was adopted by the Senate.

Mr. TOWNER. There is nothing before the House to show that the amendment was adopted by the Senate.

Mr. ALEXANDER. The Senate bill is here and I have examined the engrossed copy and the report accompanying it, and there is no doubt about it, in my mind.

Mr. TOWNER. But that is not available to Members of the House. What I wanted to call attention to, and I think it is a very serious matter, is this: Two or three times bills have been sent over in just the condition that this is in. We have been taking things on faith. The gentleman from Missouri [Mr. ALEXANDER] has made a very complete explanation. I have no objection whatever in this particular case, but I am quite sure that he will agree with me that these bills ought not to be passed on by the House unless they have the opportunity of really knowing what are the amendments proposed, and the only way that this can be done is by providing that they shall be printed as Senate amendments and adopted by the Senate. Then the House may have the right to consider them and know what they mean and understand their effect. We do not always have the benefit of such complete and satisfactory explanations as has been made by the chairman of the committee, but what we ought to have in all cases are the amendments of the Senate just as they have been made, so that the House may really see them and know what they are.

Mr. ALEXANDER. I agree with the gentleman, but the rules do not provide that the bill shall be printed showing the Senate amendments unless it is referred to the committee. The rules should provide that bills shall be printed with the Senate amendments when they come over from the Senate to the House.

The SPEAKER. The question is on concurring in the Senate amendments.

The Senate amendments were concurred in.

On motion of Mr. ALEXANDER, a motion to reconsider the vote by which the Senate amendments were concurred in was laid on the table.

EXTENSION OF REMARKS.

Mr. WELTY. Mr. Speaker, I ask unanimous consent to revise and extend my remarks on the bill S. 4444.

The SPEAKER. Is there objection?

There was no objection.

Mr. KEATING. Mr. Speaker, I ask unanimous consent that the House grant general leave to Members to extend their remarks on the pension bill (S. 4444) which has just been passed for three legislative days.

The SPEAKER. Is there objection?

Mr. WALSH. Mr. Speaker, I object.

Mr. KEATING. Mr. Speaker, I ask leave to extend and revise my own remarks on that bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. SLOAN. Mr. Speaker, I make the same request.

Mr. WILLIAMS. Mr. Speaker, I make the same request.

Mr. BARNHART Mr. Speaker, I make the same request.

Mr. ROBBINS. Mr. Speaker, I make the same request.

The SPEAKER. The gentleman from Nebraska [Mr. SLOAN], the gentleman from Illinois [Mr. WILLIAMS], the gentleman from Indiana [Mr. BARNHART], and the gentleman from Pennsylvania [Mr. ROBBINS] all make the same request. Is there objection?

Mr. WALSH. Mr. Speaker, reserving the right to object, I shall object unless the request is so framed as to have the extensions made within five legislative days.

The SPEAKER. The gentlemen ask unanimous consent to extend their remarks upon the pension bill just passed within five legislative days. Is there objection?

There was no objection.

Mr. AYRES. Mr. Speaker, I make the same request.

The SPEAKER. Is there objection?

There was no objection.

Mr. SIMS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill S. 1419, the water-power bill.

Mr. MILLER of Minnesota. Will the gentleman kindly withhold that for a moment?

ADJOURNMENT TO FRIDAY, JULY 12, 1918.

Mr. SIMS. Mr. Speaker, I want to submit another request. Mr. Speaker, I am informed from almost every source that there are quite a number of Members of the House who will not be here and can not be here to-morrow, having made a previous engagement thinking the House would recess, and that there will be no quorum to-morrow and no business done, and I am going to ask that when the House adjourns to-day it adjourn to meet on Thursday next.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that when the House adjourns to-day it adjourn to meet next Thursday. Is there objection?

Mr. WALSH. Mr. Speaker, reserving the right to object, the distinguished chairman of the committee has not stated the reason that a great many Members will not be here, but I have been advised that a reason for the absence of a great many Members to-morrow will also preclude their being present on Thursday.

Mr. SIMS. There will be no vote on Thursday.

Mr. WALSH. Well, I think there is a disposition on the part of Members interested in this measure to have it considered only when a quorum is present, and if there is not going to be

one here Thursday there is no need of attempting to proceed with its consideration any more than to-morrow.

Mr. SIMS. In general debate, as the gentleman knows, there is never a quorum in attendance on the committee.

Mr. WALSH. You only have general debate to-morrow, and yet the gentleman says——

Mr. SIMS. Then I will change the request, Mr. Speaker, and ask that when the House adjourns to-day it adjourn to meet on Friday next for the same reason I stated at first.

Mr. ALEXANDER. Mr. Speaker, reserving the right to object, will the gentleman explain to the House and the country why he wants to adjourn over until Thursday?

Mr. SIMS. Because I understand there will not be a quorum here to-morrow or the next day.

Mr. ALEXANDER. Why not? A great many of us want to get home. Why should we adjourn over to-morrow or the next day?

Mr. SIMS. I make this upon the request of the leaders on both sides of the House, who think it will not delay anything.

Mr. ALEXANDER. Is there any reason?

Mr. SIMS. There will not be a quorum.

Mr. ALEXANDER. Why not a quorum to-morrow?

Mr. SIMS. That is the explanation——

Mr. CANNON. Does the gentleman want me to whisper in his ear?

Mr. SIMS. It is not my personal request; I am requesting this on account of the statement made to me by the leaders on both sides.

Mr. ALEXANDER. I withdraw any objection I have.

The SPEAKER. Is there objection?

Mr. DOOLITTLE. Mr. Speaker, reserving the right to object, what is the reason?

Mr. SIMS. I have said, I do not know how often, the information is there will be no quorum here to-morrow or the next day, and the gentleman from Massachusetts has just said the water-power bill can not proceed without a quorum.

Mr. DOOLITTLE. And if we hold a session to-morrow there will be no quorum to-morrow or the next day if we are in session?

Mr. SIMS. No matter whether we are in session or not, that is my information.

Mr. FERRIS. Mr. Speaker, if the gentleman will yield to me, I desire to say that I am not at all mealy-mouthed about telling what the reason is. There is nothing to evade as far as I can observe. Some two or three weeks ago everyone expected there would be a recess, and accepted an invitation to go to Atlantic City to attend the national Elks' convention, a very respectable and proper thing to do, and it is very embarrassing now for Members to be held here; and, inasmuch as the chairman of the Committee on Water Power has made this request, I see no impropriety and no reason why Members should not carry out their program in the acceptance of the invitation. I am willing to accept what responsibility may devolve upon me in reference to stating the reason. Some 225 men have accepted the invitation, and it will probably break a quorum, whether we adjourn over or whether we do not.

Mr. GREENE of Vermont. Mr. Speaker, if I may have just a moment. I understood this bill was taken up under the express consideration that Calendar Wednesday was not to be interfered with?

The SPEAKER. That is right.

Mr. GREENE of Vermont. To-morrow is Calendar Wednesday. How will that affect the arrangement that may be made about a quorum, which applies, I understand, only to the water-power bill? Now, to-morrow is Calendar Wednesday, and you do not need a quorum here to-morrow.

The SPEAKER. The Chair knows; but this request of the gentleman from Tennessee cuts out to-morrow, which is Calendar Wednesday. The gentleman from Tennessee [Mr. SIMS] asks unanimous consent that when the House adjourns to-day it adjourn to meet on Friday at 12 o'clock noon. Is there objection? [After a pause.] The Chair hears none.

CONVENTION BETWEEN THE UNITED STATES AND GREAT BRITAIN (H. DOC. NO. 1220).

Mr. MILLER of Minnesota. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. MILLER of Minnesota. I want to make a unanimous-consent request for a publication as a document, if I may have one moment's time. Mr. Speaker, I ask unanimous consent that there be printed as a House document 10,000 copies, to be distributed through the document room of the House, of the message of the President of the United States setting forth the treaty which has just been ratified between the United States and Great Britain defining the military service and status of the citizens of each country resident in the other country, and together therewith the general legislation carrying this treaty into effect in the United States that was carried in the annual Army bill that was passed two or three days ago.

The SPEAKER. The gentleman from Minnesota [Mr. MILLER] asks unanimous consent that 10,000 copies of the President's message on the subject of the treaty between the United States and Great Britain, together with legislation set out in the Army bill, be printed as a document and sent to the document room. Is there objection? [After a pause.] The Chair hears none.

EXTENSION OF REMARKS.

Mr. CROSSER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. On what?

Mr. CROSSER. On the general situation.

The SPEAKER. The gentleman from Ohio asks leave to extend his remarks on general subjects.

Mr. WALSH. The state of the Union?

The SPEAKER. Is there objection?

Mr. BARNHART. Reserving the right to object, are these the gentleman's own remarks?

Mr. CROSSER. Yes; my remarks.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

WAR-RISK INSURANCE LAW AND ITS OPERATIONS.

Mr. SIMS. Mr. Speaker, I ask unanimous consent to have printed as a document the report that was made, at the instance of the Secretary of the Treasury and Secretary of War, by Col. Robert M. Lord, Maj. Wolfe, and Mr. Herbert D. Brown, Chief of the United States Bureau of Efficiency, with reference to the war-risk insurance law and its operations. It is a report that will be of great benefit to the bureau and of great benefit to the Members of the House.

The SPEAKER. The gentleman asks unanimous consent that a report made by Col. Lord, and the others he has mentioned, be printed as a House document.

Mr. WALSH. Oh, well, Mr. Speaker, reserving the right to object, why does not the Treasury Department print it as a document?

Mr. SIMS. I do not know.

Mr. WALSH. They ought to do so. We ought not to be printing documents.

The SPEAKER. Is there objection?

Mr. BARNHART. I object, Mr. Speaker.

Mr. SIMS. Mr. Speaker, I ask that it be printed in the CONGRESSIONAL RECORD for the benefit of the Members.

Mr. WALSH. I object.

WATER-POWER LEGISLATION.

Mr. SIMS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill S. 1419.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill S. 1419.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill S. 1419, the water-power bill, with Mr. WEBB in the chair.

The CHAIRMAN. The gentleman from Tennessee [Mr. SIMS] is recognized.

Mr. SIMS. Mr. Chairman, I had commenced to make a statement, but on account of questions being asked which were very pertinent, and in trying to answer them, and having made a motion to rise, I had hardly begun my speech on the general purposes and provisions of the bill.

Mr. GREENE of Vermont. Will the gentleman pardon me if I continue those questions along the same line until the subject has been concluded, to this point, at least?

It will be recalled that we were determining, if we could, in anticipation of the purpose and the construction to be given to this law, whether a man undertaking to develop water power on one of the nonnavigable interior streams of a State would be obliged to apply to the Federal Government for authority to begin that work, or whether he could continue, as he has in the past, under the authority of the State law. Is the gentleman prepared to give any definite answer to that proposition as he is informed now?

Mr. SIMS. I will reply as I did before, that the improvement of a navigable stream, of course, depends entirely upon the consent of Congress. With reference to whether or not a pro-

posed improvement or dam would affect adversely the navigation of the river, or that a stream which is a tributary of a navigable river, if dammed for water-power purposes, would so divert the course of the stream as to materially reduce the flow of water and its depth for navigable purposes in the navigable portion of the river of which it is a tributary would be a question of fact to be determined in each case.

Mr. GREENE of Vermont. That we went over. All I want to try to ascertain—and I can see, perhaps, the hopelessness of it—is whether, if the gentleman or any of us were undertaking a private venture on those heretofore comparatively unnoticed streams, he would think that we ought to go to the Federal Government in the first instance or go along, as we have heretofore, and make our application to our State government as a matter of course?

Mr. SIMS. As set forth by the gentleman, I think there will be no danger to your State authorities giving no heed to the Federal Government.

Mr. GREENE of Vermont. With that in mind, I would like to suggest this to the gentleman: On page 26, lines 1, 2, 3, 4, and 5, of the bill now under consideration, there is given a definition of so-called navigable waters, as follows:

"Navigable waters" means all streams or parts of streams, and other bodies of water or parts thereof, over which Congress has jurisdiction under its authority to regulate commerce with foreign nations and among the several States.

On page 22 of the print of this bill we have in the text of the Senate bill—which was stricken out by the House Committee on Interstate and Foreign Commerce in reporting the bill back to the House—a definition of navigable waters and the purposes of this act with regard to them that it seems to me might well be substituted for the definition given in the House committee's report on page 26. The text of the Senate definition is as follows.

That the term "navigable waters" as used in this act and as applied to streams shall be construed to include only such streams or parts of streams as are in their ordinary natural condition used for the transportation of persons or property in interstate or foreign commerce or which through improvement heretofore or hereafter made have been or shall become usable in such commerce. As to all other streams or parts of streams over which Congress has jurisdiction, under its authority to regulate commerce with foreign nations and among the several States, permission is hereby given to construct dams therein, subject, however, to removal or reconstruction, without expense to the United States unless utilized by the United States, whenever the United States enters upon the improvement thereof for the purpose of making the same usable for interstate or foreign transportation: *Provided*, That any person who proposes to construct a dam in any such last-mentioned stream or part of stream may make application to the Secretary of War, and thereupon may receive a permit under the conditions with all the rights and privileges herein provided for streams or parts of streams used for the transportation of persons or property in interstate or foreign commerce in their ordinary, natural, or improved condition. Nothing in this section shall be construed to grant any right to occupy or use any public land.

May I ask the gentleman, if it does not trespass upon his good nature, whether he might not be willing to accept an amendment at the proper time that substituted the Senate text on page 22 for the House definition given in lines 1 to 5, on page 26?

Mr. SIMS. In reply to the gentleman I will say that, representing the action of the committee or the majority of it, of course, I could not consent unless it had been submitted to the committee and it had agreed to it. Personally I think the definition on page 26 is hardly a definition at all. It depends on the facts with reference to each stream. The definition in the Senate bill, page 22, is more definite, but whether or not it is more accurate as a legal question is something I would not want to undertake to pass on.

Mr. LA FOLLETTE. Would the gentleman allow me to make a suggestion right there?

Mr. SIMS. Yes.

Mr. LA FOLLETTE. The provision on page 22, the language stricken out in the Senate bill, is the gist of a Supreme Court decision covering the case of navigable streams, already passed upon by the United States Supreme Court.

Mr. SIMS. We will have plenty of time to consider that in the amending stage of the bill.

When this matter came up I had just made a statement from the hearings that there is now, or was in 1916, 6,000,000 horsepower of developed water power in the United States; that one-half, or 3,000,000 of it, would not be affected in the slightest by the passage of this or any other bill by the Federal Government, as I understand it. This 3,000,000, or one-half of all of it, was developed on streams not navigable or not situated on the public lands. The entire amount of water power that has been developed that would be subject to this bill or its provisions now amounts to 3,000,000 horsepower. It is estimated by Mr. Merrill, chief engineer of the Forest Service of the Department of Agriculture, that there is about, as I now recall, 26,000,000 potential horsepower undeveloped in the United States. Other estimators, perhaps less accurate—and Mr. Merrill admits that it is more or less a guess—have estimated that the potential horsepower in the United States amounts to fifty or sixty millions. It is also estimated that there is fifty or sixty millions undeveloped horsepower in the Dominion of Canada.

The power shortage in the United States has become exceedingly acute. There is a greater demand for the increase of mechanical power at this time than there has ever been before in the United States. It is more acute now, perhops, during the war than it will ever be again, unless there is another war. But it will grow no less. The question of the development of hydroelectric power means that you are converting water power for the purpose of transmission, for the purpose of shipment, so to speak. Water power is just as potential, just as needful, and just as serviceable as is electric power. But raw material, in the first place, would have to be shipped, transported to the site of the water power, and finished products or manufactured products would then have to be transported from the water power to the markets. Therefore by converting water power into electric power we can avoid a great drain upon the traffic facilities of the country, the railroads and the rivers, for the reason that you transport the energy to the place where perhaps the raw material may be in large supply, possibly where it is cheaper to transport the raw material, if it has to be transported, than it would to transport it to the site of the water power. So, after all, this is a transportation question, a question of transportation of physical property.

For instance, here may be an iron-ore bank, a large deposit of iron, and near by, as in the case of Birmingham, Ala., large deposits of coal. If a water power exists within reach of Birmingham, although the coal may be near the iron ore, or the iron ore may be near the coal, yet if we can transmit or transport electric current by reason of the development of a water power, it can be generated cheaply, we can actually operate machinery in Birmingham near the iron ore and coal mines at a less cost than could be done if we had to transport either the coal or iron ore a short distance, or both a short distance, to the manufacturing plant. It saves an immense expenditure in motive power. Consequently the increased cost of coal alone, the great draft upon the railway motive power at present, if there was nothing else in it, would of itself constitute a very great demand for the development of hydroelectric power by the development of water powers.

Take the case on the Pacific coast. Take the State of California, where at present their entire power supply must either come from water-power produced electricity or from coal that costs $6 or $8 a ton, or fuel oil, which is now the chief supply of power in the State of California. The oil wells of California are gradually being exhausted. The supply is growing less and less every year. Hence the great necessity of an early development of additional water power in California because of the rapid exhaustion of fuel oil.

California has but few streams that are navigable on which water power can be developed, but there are a great number of water powers that can be created by impounding the waters in the mountains which are on public lands, and it is extremely necessary that we should have legislation with reference to further development of water power upon the public lands adjacent to those Western States, while the water-power development in the States east of the Mississippi River and, in fact, east of the Rocky Mountains, is confined almost altogether to navigable streams; not altogether, but those that would be immediately developed under the provisions of this bill would be those developed through power dams upon navigable streams.

The Senate bill which we are amending applied only to navigable rivers. The Adamson bill, which was passed by the House last Congress, applied only to the navigable rivers. The Ferris bill applied to the public lands only. All of which is combined in this one bill. The power shortage in the Eastern States, on the Atlantic seaboard, and where our great war industries are now located, is very great.

I will admit that ordinarily in the development of a water-power site for the manufacture of electricity the time required, first, in order to make preliminary surveys of the sites to ascertain what can be done in the way of financing the scheme, is considerable. It takes time, and it takes a long time, to build a tremendous dam. A water-power dam in some places, on some watercourses, is estimated to cost as high as $25,000,000. But there are a number of Government dams, navigation dams, dams that have been built on navigable rivers for the purpose of improving navigation, that are now unavailable simply because there is no law that permits their utilization. Those dams, or the water powers produced by Government navigation dams, can be made available immediately; that is, just as soon as

the electric generating machinery and transmission wires can be constructed. The Government is getting no return, not a dollar, on the money in the navigation dams. There is a dam of that kind in Arkansas; three, I believe, in the State of Minnesota; there are three or four in the State of Ohio; perhaps one or more in Alabama, that as soon as the bill is passed and improvement made, either by the Government itself or by private capital under permit or license, as provided for in this bill, can be made available in time to be of very great benefit during the war, unless the war fortunately ends in less time than we have hope that it will end.

Mr. BANKHEAD. Will the chairman of the committee yield for a question?

Mr. SIMS. Certainly.

Mr. BANKHEAD. I am curious to know what the committee had in mind with reference to the utilization of these water powers by the Government. Is it the thought of the committee that Government use is only contemplated for war-time purposes, or is any use by the Government contemplated after the cessation of the war, in peace times?

Mr. SIMS. The bill provides for the development of water powers either by private capital or by the Government.

Mr. BANKHEAD. I know, but what thought had the committee in mind with reference to its utilization by the Government? For what purposes was it contemplated that it might be used?

Mr. SIMS. It is not limited, but naturally it is supposed that it will be utilized by the Government for Government purposes; but there is nothing in the bill that will prevent the Government from operating hydroelectric energy just as the Government itself may determine that its necessities require.

Mr. CANNON. Will the gentleman yield?

Mr. SIMS. Certainly.

Mr. CANNON. I have hop-skip-and-jumped through this bill. I want to see if my conclusion is correct. It is a bill of many pages, and I regard it as a bill of importance; but I came to the conclusion after finishing the reading that no one in the United States, except a man needing a conservator, would ever buy a bond if a private individual undertook to finance one of these improvements under all the provisions of the bill. Therefore it seems to me it is a bill in effect to promote universal Government development.

Mr. SIMS. I do not understand the gentleman from Illinois to mean that the practical effect of it will be that there will be no improvement by private capital. Is that what the gentleman means?

Mr. CANNON. Precisely. I have read the bill, and if I understand it I think it is so hedged about with provisions and exceptions, with regulation by the States and then regulation by the National Government, that it seems to me no man could finance the improvement, for the simple reason that these companies do not make these improvements with their own money. They do not finance in that way. So while the bill professes to provide for financing by individuals or by citizens, it seems to me that there will never be any of that kind of financing, and it strikes me there will be no financing at all unless it is done by the Government.

Mr. SIMS. In reply to the gentleman from Illinois, I beg to say that men who are engineers and have expert knowledge of water-power development and who know its cost and the methods of financing, I think without one exception, who have been before our committee have spoken in very high terms of the bill, and have said they think there is no question that there will be development under the bill as it is reported to the House. Besides that a member of the investment banking house of Harris, Forbes & Co. appeared before the committee and made a statement as to what his firm or bank would do.

Mr. BENJAMIN L. FAIRCHILD. Will the gentleman mention the name of the member of Harris, Forbes & Co. who appeared before the committee?

Mr. SIMS. Mr. Krauthoff, who is a very intelligent man. His statement would interest anybody. Harris, Forbes & Co. are one of the model investment banking houses of the United States, and all others that are models would act along the same line. Mr. Krauthoff stated that the firm of Harris, Forbes & Co. will not buy a bond or advance one dollar for construction purposes under this bill or under any other.

This is a broken way to discuss this subject, but after all it is a very good way to do it. The gentleman from Illinois asks a question that puts everybody's mind on the subject and that gives me an opportunity to turn to that portion of the hearing that will answer the gentleman's question. That is a very good way to do. It takes time, but we seem to have a reasonable amount of time before us. Now, I want to read to you what Mr. Krauthoff said on that very subject, as to what a good house like his will do and what they will not do with reference to financing these propositions. On page 451 of the hearings, Mr. Krauthoff says:

> I would like to give you, very briefly, some idea of the care with which we go into a public-utility situation prior to our undertaking any bond financing thereon. In the first place, the property, of course, has to be on an established and going basis. We do not finance so-called construction propositions in any stage. They have to have a record of operations and of earnings before we are interested at all. The construction-money stage has to be financed by the junior people, who get back some of their money later on through the sale of the bonds.
>
> The first phase of our investigation is to send out an engineer to make a report on the property, including a very conservative valuation or appraisal of the purely physical property, because this physical-property valuation is what, in the last analysis, we base our bond issue on. In other words, we figure that if our bonds are well within that valuation they are safe, other factors being equally favorable. The legal phases of the situation are gone over most carefully by our attorneys, a detailed report on its business aspects is made by a member of our organization, and the earnings are reported on and verified by our accountant.
>
> Then these various expert reports and opinions are taken together and discussed by the house in order to determine, in view of the facts brought out in the reports and opinions, whether it is conservative to loan on that property at all, and, if it is, what is a conservative amount for the proposed bond issue, and by what restrictions such a bond issue should be safeguarded? We have never handled a share of stock in our entire career, and we have no personal interest at stake in the junior end or any other end of the situation except, of course, from the broad standpoint of the economic advantages which will accrue to this country from the development of its enormous water-power resources, an advantage which was never more obvious than under the conditions which exist to-day. There will be plenty of other business coming to us if we do not care to take hold of any particular proposition—hydroelectric or otherwise. There is always a far greater demand for our funds than there are projects that we are willing to go into. In fact, out of all the projects that come to us I do not suppose that we handle one in ten, which means there is not one in ten that will meet all our requirements.

That is the statement from high authority, that they will not advance one dollar for construction purposes, that they will not buy a bond until the project is a completed, going, money-earning concern. At another place in the same hearing his statement is, as I now recall it, that the project must earn net twice the amount of the interest on the indebtedness before they will loan at any stage.

Now, a very proper question arises, very germane to the whole inquiry, How are we going to develop these vast and expensive water-power projects at all?

During war prices the labor to the extent it is used would perhaps cost twice what it would at any other time. Materials would cost perhaps twice what they did before the war. The construction work not only of the dam but the water-power dam, the generating machinery, transmission lines, distribution plants—all of it would cost double what it would in normal times. Therefore a project would have to be exceedingly inviting in the way of future profits to justify the investment of capital at this time in a 50-year contract. The license is not to exceed 50 years. As a matter of course, all money that is put into the construction is entitled to just as much in the way of a fair return as money put into the bonds 10 years after it is a going concern. They are just as much entitled to fair earnings on it as if it was money put into the purchase of bonds. I can not see how it is possible at this time for private capital to develop water-power construction at all with any hope of getting a fair return during the whole license period, in view of the prices they will be permitted to charge for a period of 50 years; but such projects as may be devoted to governmental activities or war purposes ought to be developed regardless of whether it will cost more or less, regardless of profits to be made on it, measured by dollars and cents, ought to be undertaken by the Government, provided it can develop them in time to be used for governmental purposes during the existence of the war.

Mr. ESCH. Will the gentleman yield?

Mr. SIMS. Certainly.

Mr. ESCH. The bill provides for preliminary permits not to exceed three years in order to give capital and parties interested an opportunity to demonstrate whether or not they might have a suitable location for a dam. That could go on during the period of the war, and so it would be wise to pass the bill now.

Mr. SIMS. I was coming to that as one of the reasons. Naturally the question would arise, If private capital can not now finance these developments, why pass the bill? The gentleman from Wisconsin suggests the very matter that I was going to bring before the House, that, so far as the immediate development by the installation of machinery and the actual operation of it, I do not see how it can be done by private capital; but the bill provides for issuing preliminary permits for the purpose of making investigation and surveys not to exceed three years. There is no doubt that private persons and corporations already know where all of the good projects are. These projects are not like mines of hidden gold; they are on the surface. You can see where water power exists and where one can be developed, and there is no doubt that they know every available

water power in the United States at this moment. The very moment the bill is passed and a permit can be issued, the best projects will all be filed on immediately. The permits to develop will be sought immediately by those who know where these projects are, and the poor ones will not be developed at all, because the rich and great ones, the profitable ones, will make it impossible for the poor ones to operate in competition with them.

Mr. BANKHEAD. Will the gentleman yield?

Mr. SIMS. I will.

Mr. BANKHEAD. With reference to granting permits for preliminary investigations, does the bill contemplate that only one permit can be issued on one particular site, or will more than one permit be authorized for investigation by different concerns?

Mr. SIMS. The bill, as I understand it, only authorizes the issuance of one permit at a time.

Mr. BANKHEAD. That will give the party three years.

Mr. SIMS. It might extend for three years; but we provide that States and municipalities shall have the preference.

Mr. BANKHEAD. Does not the gentleman think it would be better to throw the field open a little wider, so that those interested in water-power development might be on terms of equality with reference to investigations?

Mr. SIMS. I do not know whether it is practicable for two applicants to investigate at the same time. If it is, I do not see why it should not be allowed. But I know this, that those who know the good projects are going to file immediately; they will file the very moment the President signs the bill. Of course, the projects that will pay the greatest returns on the least capital will be filed on immediately, except those that may be given to States or municipalities.

Mr. HUMPHREYS. Will the gentleman yield?

Mr. SIMS. Yes.

Mr. HUMPHREYS. The gentleman speaks about the good projects and the inferior ones, and that the good projects will be attractive and will be seized on at once because of the great returns to be made. As I understand the bill, it does not make much difference to the private investor, the private individual, who is to develop the project, because you are going to limit the returns that he can receive. You say he shall not have anything beyond a fixed return whether it is a good one or a bad one, so that the only people that are interested in this extra profit that can be made where large returns come in from the investment will be those who purchase the power from those who produce it, because, as I understand the bill, it limits the amount of returns that the individual can get.

As to all over that, he has to adopt the principle of the Ford Automobile Co., and at the end of the year, because he has made a little too much, give it back to the people who patronize him. If that be true, what difference does it make to the investor whether it is a good or bad project?

Mr. SIMS. The gentleman has asked a pertinent question, and one that ought to be answered. I intended to discuss that feature of the bill or any other bill that may be offered. It is utterly impossible, in my view of it, to regulate the price of the current to the consumers so as to say they shall make 5 per cent or any certain specified return upon the investment after meeting operating cost and interest upon the investment.

Mr. HUMPHREYS. That is what the bill provides.

Mr. SIMS. It is impracticable and impossible.

Mr. HUMPHREYS. And it is something else besides. [Laughter.]

Mr. SIMS. It is always an attractive idea. It is always a catch phrase to say that we will give to the consumer the benefit of these things by regulation. There is hardly a water power in the United States that can supply its electric-current demand wholly by the use of the water-power plant, and why? In different States and different localities there are different situations, but in nearly all of the water powers the watercourses have a high-water season and a low-water season, and to build a dam high enough to impound water enough to have a head all the year round would make the initial cost so great and the interest upon the investment so great that it would materially reduce the net income. So, instead of building a dam high enough and expensive enough to impound water enough to supply all demands during the entire season, they build a lower dam, less expensive, which is sufficient in the high-water period, and in addition to that have a steam-power plant to supplement it in the low-water season, or during the peak of the load sometimes during these high-water seasons. So that when they begin to fix the price of power to the purchaser they will fix it based upon the average cost of operating the water and the steam plants as one, but that is not all.

Take Buffalo, for instance, for that is a good illustration. Niagara Falls are near Buffalo; there is tremendous power development upon the American side and also upon the Canadian side. They are both at the Falls and both have the same head. The power on the Canadian side sells at $9 per horsepower per annum, while on the American side it sells at $18 per horsepower per annum, or double the amount. You will ask, naturally, whether or not New York has a good public-service commission. New York has. Then why not give Buffalo and the American manufacturer upon the American side power as cheaply as the Canadian power plant does on the Canadian side? It comes about in this way: On the Canadian side they can furnish all of the demand for power by hydroelectric production, while on the American side they can not furnish half the demand—at least not over half—by hydroelectric development. Consequently if they fix the price for hydroelectric power generated at Niagara Falls to Buffalo and the vicinity not at what is a fair price or what would give fair earnings upon the investment, it can not furnish half the demand, because the steam-produced power could not meet it. So what do they do? The steam-produced power makes the price and the hydroelectric producer gets double what he otherwise would, and yet they have a regulating commission, and because the commission can not regulate so as to deny Buffalo and the vicinity all the power they must have, as would be the case if they were to fix the price at a fair profit to the hydroelectric producers. If such was to be the case it would drive every steam-producing electric power producer out of business, and the result would be that Buffalo and the vicinity would famish for the lack of power. You can not regulate these things so that they can not get more than a fair profit out of it unless there is electric power enough to supply the entire demand. Then we will have other troubles. What is happening now on the Canadian side? They are producing power at cost and selling it to all consumers without any profit. The hydroelectric commission of Ontario is selling power at cost. It is a community-owned power manufacturing and distributing corporation. Two hundred and twenty-six municipalities own the whole thing. What is the result? Many American manufacturers are leaving our own side, where money is cheaper and where the market is greater, because they can not compete with the price they have to pay for power in the United States with that upon the Canadian side, and they have gone over there and are manufacturing their products at least to sufficiently supply their export demand.

What else happened? Manufacturers in the United States who had to have power have actually left the United States and gone to Norway because they could buy power there at $7 per horsepower per annum. Now, you can not regulate unless you can regulate the source of the supply of power, because the most expensive producer will fix the price in spite of any State commission. Now, a man from Niagara Falls, a large manufacturer, told me that he was paying from $14 to $110 per horsepower at this time—from $14 for hydroelectric power that he had a contract for made years ago up to as high as $110 per horsepower at this time for power produced by steam on the American side. If the coal goes up, the power produced by that coal goes up. I said to this man, "How do you know how to price your products?" He said, "I take all the power I need and average the cost." His company has put up a $6,000,000 concern in Norway in order to compete with the cheap Canadian power in this country. Many manufacturers in the United States are now going over into the Province of Ontario on account of cheap power. Ontario is making a great effort to reduce the cost of power all the time in order to attract the manufacturers of this country to their Province, and a great many are leaving us.

Mr. HUMPHREYS. Will the gentleman yield?

Mr. SIMS. I will.

Mr. HUMPHREYS. In view of what the gentleman says, why do you require that when the license is given to the prospective developer of power, when the license is given to him to go and develop and maintain and operate his plant, why do you specify in the license the return that he is to receive on that investment? Now, as I understood the gentleman just now, he says that can not be ascertained until at the end of the year, and then they average up the whole cost. It says:

Such surplus earnings to be paid into and held in such reserve shall be set forth in the license.

Mr. SIMS. That is reserves for depreciation or amortization.

Mr. ANDERSON. That is the maximum return which can be earned upon the net investment.

Mr. HUMPHREYS. Now, can you fix the maximum return?

Mr. SIMS. Suppose there is a California development. They have got a public-service commission for regulating hydroelectric power, current, and all that sort of thing. They fix it, but if you did not allow a return that would bring about a development California would be ruined, and consequently they are not going to allow it; but the cheapest produced power will

make more money than the more expensive produced power when it is all needed for consumption.

Mr. LA FOLLETTE. The gentleman will find that this bill provides for the States to have a regulation of the price in every case where they have a commission. The only place where the Government interferes between the States is where they have not any commission, and if there is any charge of monopoly usually it is the fault of the State and not the fault of this law or the commission.

Mr. ANDERSON. Will the gentleman allow me to suggest to the gentleman from Mississippi that the maximum return is not the maximum in the sense that they never can earn a rate above that amount, but it is a maximum in the sense that the commission has a right to require that a certain proportion of the return above that rate shall be put back into their surplus or into their amortization of the plant.

Mr. HUMPHREYS. To see if I get it right, there will be no incentive whatever to a man who is developing power to make any improvement in his machinery. If he has got an old, out-of-date plant that may yield him 10 per cent, if he makes any more than 10 per cent, why the Government is going to take it. Why should he undertake to develop the plant by putting in something on scientific principles that will produce far cheaper? Why should he do that? It will not be of any advantage to him if the commission is going to take it away from him and give it to somebody else. Why not run along in the old beaten path and just make his 10 per cent? It occurs to me that when you put a limit on the amount that these people can make, except, of course, to regulate the rates and practices, you put a stumbling block in the way of progress in matters of development.

Mr. SIMS. You are speaking, of course, with reference to powers developed under this bill?

Mr. HUMPHREYS. Under this bill.

Mr. SIMS. Whether the United States shall have the power to say whether he shall have any at all or not. They have the power to say that.

Mr. HUMPHREYS. We do say it, and I am very much afraid you are saying it emphatically in this bill.

Mr. SIMS. Let me call the attention of the gentleman to the fact that the Government is not hunting up people to give them permits to make money for themselves.

Mr. HUMPHREYS. Who does the Government expect the people of the country who are going to develop water power are going to work to make money for if it is not for themselves?

Mr. SIMS. If it is for development of water power not on a navigable stream or public lands, they can charge all they want for current, so far as the Government of the United States is concerned.

Mr. HUMPHREYS. We can induce people to work for a dollar a year and can induce people to make sacrifices for the public and give their services to the Government free in time of war, but I dare say that in times of peace the gentleman will find some difficulty in getting any considerable number of people in this country to invest their money in a water-power plant in order to make money for somebody else.

Mr. SIMS. I want to say to the gentleman, speaking for myself—and I will not undertake to represent the views of any other member of the committee—that I am not wearing my life out here to try to provide a general law that is simply to attract accumulated capital, especially, as Mr. CANNON said a while ago, when it is within the possibilities, when it is within the power, of the Government of the United States to develop every one of these powers on its own account, at its own expense, and sell the power at cost, like the hydroelectric commission does in Ontario, Canada.

Now, these investment bankers say, "You must give us this and that and the other, or we will not buy the bonds." I say, "You must do so-and-so, or we will not give you any opportunity to buy bonds." Now, the gentleman's question comes up with reference alone to guaranteeing and insuring the private investor that he will get back every cent he ever put in if the Government ever takes it over or allows a municipality to take it over. Now, when a licensee gets a 50-year permit, with 3 years' time in which to make a preliminary examination, with the best engineering talent in the country at his command, the gentleman need not be afraid of ever losing any money on any project that they will undertake. Besides, the increasing demand for power and the increasing cost of every kind of mechanical power, as well as electric power, is such that when the licensee gets his permit and license, which prescribes what he may earn for 50 years, maximum earnings, if the business is well managed, it will grow larger every year. The Government could not, unless it does it itself, sell the power at a fixed percentage on the investment and not ruin the communities that would have power in excess of that produced by the particular project.

Mr. LA FOLLETTE. May I suggest to the gentleman that if they put in the improved machinery he speaks of, it increases the earning power, and they earn the extra per cent on the money they put in the machinery just the same as they did on the other class of machinery. By putting it in they get a per cent on that right along, just as much as they would on the original investment.

Mr. HUMPHREYS. I do not know whether they would or not. Here you have an old plant, one that is inefficient, and it does not develop the power that it ought to develop.

Mr. SIMS. Why do you put in an old, inefficient plant?

Mr. HUMPHREYS. Because when we put it in we did not know any better. They put it in at Niagara when they first started there, and they developed 20 horsepower for so many cubic feet. That has not been so many years ago. By virtue of improvements that have been made in machinery they can now produce the same horsepower on one-half the cubic feet of water.

Mr. SINNOTT. This provides that the commission may require the power company to operate its plant efficiently, to make the necessary repairs and replacements for that purpose, and guard against the obsolescence that the gentleman referred to.

Mr. HUMPHREYS. And who will have any incentive to ascertain which is the most efficient? It occurs to me that it takes the initiative away from the private investor—from the individual. It destroys the initiative to improve, and it leaves it entirely with the commission. The man who invests his money is getting his return, and it does not make any difference to him whether he has a better machine or not.

Mr. GREENE of Vermont. Mr. Chairman, may I suggest to the gentleman from Mississippi that perhaps he and I are thinking along the same line as to the possible purpose of this bill? It seems to squint at a much-proposed and often-advocated theory of Government ownership of public utilities and natural resources, but first permitting private capital to develop those natural resources at its own expense to the point where it would be profitable for the Government to take them over.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. SIMS. Yes; that is about all I am doing. I can not refuse my friend from Massachusetts.

Mr. WALSH. The gentleman is very generous. I assume that he will not be able to complete his very interesting remarks this afternoon, and it seems as though we should have more Members here listening to him and to the statement he is making. Considering the fact that he is the chairman of this special committee, I think it is to be regretted that more Members have not remained to listen to the opening statement by him on this important measure.

Mr. SIMS. May I have five minutes to explain that Niagara matter to the gentleman from Mississippi?

Mr. WALSH. It is now 5 minutes to 5.

Mr. SIMS. The gentleman from Mississippi [Mr. HUMPHREYS] talks about Niagara. They put in their generating plant with a head of 165 feet. One company, as I am told, on the American side has a surplus of $5,000,000 and the other a surplus of $1,000,000. On the other side the Hydroelectric Commission of Ontario has bought out the largest concern over there, and are proposing scrapping it and building an enormous ship canal on that side and expect to put up a new plant near Lewistown with a 306-foot head, and the increased power that they have down there with the same amount of water enables them to throw away the vast investment they have up at the Falls and make money on the whole investment.

Mr. BANKHEAD. Mr. Chairman, will the gentleman yield?

Mr. SIMS. Certainly.

Mr. BANKHEAD. Does the Canadian Government put any limitation on the amount that the developers shall charge in their rates?

Mr. SIMS. That is done by the power commission, which sells at cost.

Mr. BANKHEAD. Does it provide for the redistribution of the excess?

Mr. SIMS. No. They have been reducing the cost all the time.

Mr. FAIRFIELD. Mr. Chairman, will the gentleman yield?

Mr. SIMS. Yes.

Mr. FAIRFIELD. We did not understand whether, when a plant was worthless, thrown away, and a new plant put in, the cost of both plants would be that upon which the return would be allowed by the commission.

Mr. SIMS. Certainly not. If they wear out one plant in making money and buy a new one, I do not see why they should continue to make money on the old investment when they are making more money on the new one than they did on the old one.

Mr. FAIRFIELD. I do not think that ought to be true, according to the statement made by the gentleman from Kentucky.

Mr. SIMS. It ought not to be true.

Mr. Chairman, I am now at a good stopping place and the gentleman from Massachusetts [Mr. WALSH] is anxious that I have a good audience on Friday, and therefore I will discontinue my remarks and move that the committee do now rise.

Mr. WALSH. I want to say to the gentleman that I think that it is due to him as chairman of the committee that there should be a larger audience here to listen to his discussion of the bill. I did not make the suggestion on my own account. I regard his statement as of great interest.

Mr. SIMS. I understand the gentleman's suggestion was not made on his own account. Now, Mr. Chairman, I move that the committee rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. WEBB, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (S. 1419) to amend an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906, as amended by the act approved June 23, 1910, and to provide for the improvement and development of waterways for the uses of interstate and foreign commerce, and had come to no resolution thereon.

PERSONAL EXPLANATIONS.

Mr. NOLAN. Mr. Speaker, I ask unanimous consent to make a statement of not over one minute.

The SPEAKER. The gentleman from California asks leave to address the House for one minute. Is there objection?

There was no objection.

Mr. NOLAN. This afternoon I was unavoidably absent during the time the Spanish War widows' pension bill was under consideration. I was out of the Chamber on important business. Had I been present I would have voted for the bill.

Mr. COOPER of Wisconsin. Mr. Speaker, I ask a moment to make a personal explanation.

The SPEAKER. How much—two minutes?

Mr. COOPER of Wisconsin. Yes.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent to address the House for two minutes. Is there objection?

There was no objection.

Mr. COOPER of Wisconsin. Mr. Speaker, my absence, like that of the gentleman from California, was unavoidable, as I went to visit a department on business for a constituent from whom I received a very important letter. Before going I went to the desk of the pair clerk and was paired. I left the Chamber knowing that under the unanimous-consent agreement the general debate on the water-power bill was to continue certainly all of the remainder of this day, and in all probability all of some succeeding days, during which no vote would be taken. But I was greatly surprised on my return a few minutes ago to know that during my absence the Spanish War widows' pension bill had in a most unusual manner been voted on. In three previous Congresses I voted for a similar bill, and would of course have voted to pass the bill to-day had I been present. I did as much, I think, as did any other gentleman to get the bill before the House this time and to secure its passage.

Mr. GARNER. Mr. Speaker, will the gentleman yield?

Mr. COOPER of Wisconsin. Yes.

Mr. GARNER. I am aware of the gentleman's earnest desire for the enactment of this legislation, and I think it is unfortunate for the gentleman's record that he was not here when the bill was passed. He has been agitating and criticizing me for objecting to it.

Mr. COOPER of Wisconsin. Why, Mr. Speaker, that is entirely gratuitous, because during the debate on Friday last I did not criticize the gentleman at all. I simply urged him not to object to the consideration of the bill. I did not criticize his action. Knowing how apt the gentleman is to become irascible when criticized, I refrained from anything of the kind. [Laughter.]

Mr. FESS. Mr. Speaker, will the gentleman yield?

Mr. COOPER of Wisconsin. Yes.

Mr. FESS. I would like to testify to my friend's urgency on this measure, because he asked me as a member of the Committee on Rules if I would not assist in bringing it out, and we then went into the Chamber and brought it out.

ENROLLED JOINT RESOLUTION SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolution of the following title, when the Speaker signed the same:

H. J. Res. 313. Joint resolution providing for the disposition of moneys represented in the Alfred Bernard Nobel peace prize awarded in 1906.

ADJOURNMENT.

Mr. SIMS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 5 minutes p. m.) the House adjourned, under its previous order, until Friday, July 12, 1918, at 12 o'clock noon.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SIEGEL: A bill (H. R. 12702) to make the French national holiday a legal holiday in the United States of America; to the Committee on the Judiciary.

By Mr. HAMILL: A bill (H. R. 12703) granting transportation rates of 1 cent per mile to and from their home towns for soldiers and sailors and nurses on furlough during the period of the war and for six months thereafter; to the Committee on Interstate and Foreign Commerce.

By Mr. HADLEY: Resolution (H. Res. 418) directing the United States Food Administration to furnish certain information to the House of Representatives; to the Committee on Agriculture.

By Mr. DALE of New York: Memorial of the Legislature of the State of Louisiana, favoring the expansion and development of the Department of Commerce; to the Committee on Interstate and Foreign Commerce.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. DALE of New York: Resolution of the union-label trades department of the American Federation of Labor, urging the repeal of the zone system as applied to second-class mail; to the Committee on Ways and Means.

Also, resolution of the Washington Heights Taxpayers' Association, of New York City, urging the passage of the bill introduced by Congressman SMITH for two ice-breaking vessels for New York Harbor; also, memorial of the Philip N. Cassidy Democratic Association, favoring 1-cent mileage for sailors and soldiers; to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Central Labor Union of Brooklyn and Queens, relative to the Mooney trial; also, petition of citizens of Watertown, N. Y., against war prohibition; to the Committee on the Judiciary.

By Mr. ESCH: Petition of bankers of Monroe County, Wis., pledging our loyalty and support to the Nation; to the Committee on Military Affairs.

By Mr. LINTHICUM: Petition of William Deiches & Co., of Baltimore, Md., favoring the repeal of zone law affecting mailing rates on periodicals; to the Committee on Ways and Means.

Also, petition of Conrad Anschutz, for the Henry W. Lawton Camp, No. 5, Spanish-American War Veterans, favoring Senate bill 4444; to the Committee on Pensions.

Also, petition of the Mercantile Trust & Deposit Co., the Maryland Bankers' Association, and the Fidelity Trust Co., all of Baltimore, Md., against the passage of Senate bill 4426; to the Committee on Banking and Currency.

By Mr. LONERGAN: Petition of Woman's Christian Temperance Union of Connecticut, favoring war-time prohibition; to the Committee on the Judiciary.

By Mr. LUFKIN: Memorial of Lithuanians of Haverhill, Mass., pledging unswerving allegiance to the United States and loyal support of its cause in the present war; to the Committee on Military Affairs.

By Mr. MAGEE: Memorial of the Free Methodist Church, of Syracuse, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of Mrs. William A. Glasgow and other residents of the village of Fabius, N. Y., favoring war prohibition; to the Committee on the Judiciary.

By Mr. MEEKER: Petition of the International Brotherhood of Foundry Employees, of St. Louis, Mo., favoring bill for Government control of all telegraph companies; to the Committee on the Judiciary.

By Mr. PRATT: Petition for national war prohibition signed by numerous residents of Pine Valley, Chemung County, N. Y.; to the Committee on the Judiciary.

By Mr. TEMPLE: Petition of P. D. Smith, of New Castle, Pa., favoring passage of war-time prohibition; to the Committee on the Judiciary.

By Mr. WINSLOW: Resolution of loyalty to the Government of the United States adopted by the Lithuanian residents of Worcester, Mass., in convention assembled on July 4, 1918; to the Committee on Foreign Affairs.

SENATE.

WEDNESDAY, *July 10, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, day by day we call upon Thy name that we may be imbued with wisdom from on high and be workmen that need not be ashamed. We are not satisfied that our Nation expresses the highest achievements of human philosophy in government; we desire at the end to accomplish the will of God. Before us is the great achievement, working together with God in the accomplishment of a great design. Lead us this day with wisdom and grace, with gentleness, with forbearance, and with courage, that we may do Thy will, and that we may have Thy sanction and blessing upon the work of our hands. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

MOVEMENT OF SOLDIERS' MAIL (S. DOC. NO. 266).

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the 5th instant, certain information covering the operation of the War Department as to the movement of the mails to and from our troops and auxiliaries abroad, which was referred to the Committee on Military Affairs and ordered to be printed.

PETITIONS.

Mr. FERNALD presented a petition of Victory Lodge, No. 308, Independent Order of Good Templars, of Lisbon Falls, Me., praying for national prohibition as a war measure, which was ordered to lie on the table.

Mr. KNOX presented a petition of sundry citizens of Westmoreland County, Pa., and a petition of sundry citizens of Beaver County, Pa., praying for the enactment of legislation to provide for the substitution of the oath required of enlisted men for the oath required of officers, in order to relieve those who object on conscientious grounds to the oath prescribed by law for officers, which were referred to the Committee on Military Affairs.

He also presented petitions of sundry citizens of Marion Center, McKees Rocks, Oakdale, Moon Run, Cliff Mine, and Carnegie, all in the State of Pennsylvania, praying for national prohibition as a war measure, which were ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of Nanticoke, Pa., praying for the adoption of an amendment to the Constitution of the United States to prohibit polygamy, which was referred to the Committee on the Judiciary.

Mr. HALE presented a petition of Victory Lodge, No. 308, Independent Order of Good Templars, of Lisbon Falls, Me., praying for national prohibition as a war measure, which was ordered to lie on the table.

Mr. COLT presented a telegram in the nature of a petition from sundry citizens of Greater Providence, R. I., praying for national prohibition as a war measure, which was ordered to lie on the table.

THE PRESIDENT'S ADDRESS TO MEXICAN EDITORS (S. DOC. NO. 264).

Mr. SMITH of Arizona. I ask unanimous consent for the present consideration of a resolution, which I report from the Committee on Printing, to publish the address made by the President of the United States to the visiting editors from the Republic of Mexico. I had it referred to the committee. If I had known at the time, and in the confusion could have heard distinctly, I would not have objected to its consideration; but I am glad it has gone through the course it has. It went to the committee and is favorably reported, and the estimated cost is $10.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. PENROSE. Let it be read for information.

The PRESIDENT pro tempore. It will be read.

The Secretary read the resolution (S. Res. 281), as follows:

Resolved, That the address made by the President of the United States to the Mexican editors at the White House on June 7, 1918, be printed as a Senate document.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. SMOOT. I have no objection to the printing of the address, but I wish to state that the Senator from California [Mr. PHELAN] in presenting the address and asking that it be printed as a public document wanted to have it printed for the purpose of sending it into Mexico. If I am informed correctly, all the papers of Mexico have already published this address, together with another letter that was sent to Mexico in parallel columns. I do not think that the address itself has done any good in Mexico, and I think that it ought to be published for use in the United States.

Mr. SMITH of Arizona. The Senator is misinformed about the purpose of the Senator from California. As I understand it, many of the business interests connected with interests in Mexico are writing for this document, so that their agents in Mexico may distribute the document, as far as possible, to those with whom they come in contact, and I thought it a very wise provision that such a distribution should be made of it.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution? The Chair hears none, and the resolution is agreed to.

TELEGRAPH AND TELEPHONE CONTROL.

Mr. SMITH of South Carolina. I report the following joint resolution favorably from the Committee on Interstate Commerce, and I ask for its immediate consideration.

Mr. PENROSE. I object.

The PRESIDENT pro tempore. Objection is made, and the report will go to the calendar.

Mr. SIMMONS. I hope that the joint resolution will be read. I do not know what it is about.

Mr. PENROSE. I do not either, but I suspect what it is about.

Mr. SIMMONS. Let us have our suspicions verified.

The PRESIDENT pro tempore. The Secretary will read the joint resolution by title.

The SECRETARY. A joint resolution (H. J. Res. 309) to authorize the President, in time of war, to supervise or take possession and assume control of any telegraph, telephone, marine cable, or radio system or systems or any part thereof and to operate the same in such manner as may be needful or desirable for the duration of the war, and to provide just compensation therefor.

Mr. SIMMONS. So far as I am concerned, that is a sufficient reading.

Mr. PENROSE. Mr. President, I renew my objection, if it is necessary to do so.

The PRESIDENT pro tempore. Objection is made, and the joint resolution will go to the calendar.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follow:

By Mr. CALDER:

A bill (S. 4818) granting a pension to Jenny E. Aisenman; to the Committee on Pensions.

By Mr. PENROSE:

A bill (S. 4819) granting an increase of pension to Eliza M. Miller; and

A bill (S. 4820) granting an increase of pension to Faion Brady; to the Committee on Pensions.

By Mr. FERNALD:

A bill (S. 4821) granting an increase of pension to Charles H. Skillings (with accompanying papers); to the Committee on Pensions.

By Mr. SMITH of Michigan:

A bill (S. 4822) granting an increase of pension to Caroline E. Sweet; to the Committee on Pensions.

ADDRESS BY SENATOR COLT (S. DOC. NO. 265).

Mr. KENYON. Mr. President, I wish to ask consent to have printed as a public document the address of the Senator from Rhode Island [Mr. COLT] delivered at Bristol, R. I., on the Fourth of July. I think it is one of the most patriotic addresses that has been delivered on a war subject. I ask unanimous consent that it be printed as a public document.

Mr. SMITH of Arizona. I think it ought to be referred to the Committee on Printing.

Mr. KENYON. Very well; I will ask that it go to the Senator's committee.

Mr. SMITH of Arizona. Let it go there, and there will be a resolution reported out, and the regular orderly proceeding had about it. In that way the committee can keep charge of such matters.

Mr. KENYON. I shall be very glad to do that. I move that the address delivered by Senator COLT on the Fourth of July, at Bristol, R. I., be printed as a public document, and ask that the motion be referred to the Committee on Printing.

Mr. SMOOT. I understand the request is to print the speech of a Senator delivered outside of the Chamber as a public document, and not in the RECORD.

Mr. KENYON. Yes; as a public document. I did not ask to have it printed in the RECORD, because I think the Senator from Arizona objects to that course, and it ought to be stopped.

Mr. SMOOT. I want to ask the chairman of the committee if we can not agree to the request without having the matter go to the committee. It has always been done in the past when one of our own body makes a speech outside of the Chamber and a request is made that it be printed as a public document.

Mr. SMITH of Arizona. I have not the slightest doubt that it has always been done, and I would be the last man to invade that rule. I will make a report by sundown, as I had intended to do if the request was put before the committee, but I withdraw my objection.

Mr. KENYON. The Senator from Arizona withdraws his objection, and I make my request for unanimous consent that the address be printed as a public document.

Mr. JONES of Washington. Mr. President, I am not going to object, but I am going to express my own preference that it should be printed in the RECORD, because if printed as a public document it is gone; when a Senator wants it he does not know where to find it unless he goes hunting in some library somewhere, and he does not know whether he will find it there or not; but if printed in the RECORD a Senator knows the speech was printed and he can find it and make use of it, and some use will be made of it. Personally I would much prefer to have it printed in the RECORD than printed as a public document. I very seldom see these public documents that we order printed, but I do know where to find something in the CONGRESSIONAL RECORD. However, I am not going to object.

Mr. SMITH of Arizona. A Senator looks into the CONGRESSIONAL RECORD to find what has been said in the two Houses of Congress.

Mr. JONES of Washington. No; I do not think so at all.

Mr. KENYON. The CONGRESSIONAL RECORD ought to be for the proceedings of Congress. I thoroughly indorse the position the Senator from Arizona takes.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Iowa? The Chair hears none, and it is so ordered.

LETTER FROM MR. HERBERT HOOVER.

Mr. SIMMONS. Mr. President, I am in receipt of a letter from the Food Administrator, Mr. Herbert Hoover, in reply to a letter which I transmitted to him in connection with price fixing by the Government as it may affect the revenue of the Government. The letter is very carefully written and a very valuable contribution to the problem, and I think it is a letter that the Members of the Senate and House and the people of the country will be greatly interested in.

Mr. BRANDEGEE. Mr. President, I should like to have order, so that we can hear the Senator.

Mr. PENROSE. We are unable to hear the Senator on this side of the aisle.

The PRESIDENT pro tempore. The Chair can not hear. The Senate will be in order.

Mr. SIMMONS. I stated that I am in receipt of a letter from the Food Administrator, Mr. Hoover, in reply to a letter which I transmitted to him with reference to price fixing by the Government in connection with the revenue to be derived from any levy that we may impose. I think the discussion of the question by Mr. Hoover, and it is a careful, well-considered discussion, will be of great interest and value to Senators and Members of the House and to the country. I ask unanimous consent that this letter be printed in the RECORD.

The PRESIDENT pro tempore. The Senator from North Carolina asks unanimous consent for printing in the RECORD the letter referred to. Is there objection?

Mr. PENROSE. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Baird	Henderson	Norris	Smith, Ariz.
Bankhead	Johnson, Cal.	Nugent	Smith, Ga.
Beckham	Jones, N. Mex.	Overman	Smith, Mich.
Benet	Jones, Wash.	Owen	Smith, S. C.
Brandegee	Kellogg	Penrose	Smoot
Calder	Kendrick	Pittman	Sutherland
Chamberlain	Kenyon	Poindexter	Swanson
Colt	King	Pomerene	Thomas
Culberson	Knox	Ransdell	Thompson
Curtis	Lenroot	Reed	Trammell
Fernald	McKellar	Saulsbury	Vardaman
France	Martin	Shafroth	Wadsworth
Frelinghuysen	Myers	Sheppard	Watson
Hale	Nelson	Shields	
Harding	New	Simmons	

Mr. TRAMMELL. I desire to announce the temporary absence of my colleague [Mr. FLETCHER] on official business.

Mr. McKELLAR. I wish to state that the Senator from Arkansas [Mr. KIRBY] is absent on official business. I ask that this announcement may stand for the day.

Mr. SMITH of Arizona. I desire to announce that my colleague [Mr. ASHURST] is detained by illness in his family.

Mr. BECKHAM. My colleague, the senior Senator from Kentucky [Mr. JAMES], is detained by illness.

Mr. KING. I wish to announce that the Senator from Mississippi [Mr. WILLIAMS] is detained on account of death in his family.

The PRESIDENT pro tempore. Fifty-eight Senators have answered to their names. There is a quorum present.

The Chair stated the request of the Senator from North Carolina [Mr. SIMMONS] to print a certain communication in the RECORD, and before knowing whether any objection would be made, the absence of a quorum was suggested. Is there objection? The Chair hears none, and it is so ordered.

The letter referred to is as follows:

UNITED STATES FOOD ADMINISTRATION,
Washington, July 8, 1918.

MY DEAR SENATOR: I have before me your kind letter asking that I should, before leaving, give to you, for your consideration in connection with impending tax legislation, such views as I have been able to formulate in our experience upon the questions of profiteering. Because of the considerable emotion often introduced into these discussions, it seems to me that it is worth while to distinguish between the moral and economic phases. On the moral side the Nation is endeavoring to draw a distinction between a profit commensurate with the effort or capital employed and stimulative to enterprise and production, and the profit that is abnormally large due to war conditions. The latter, I take it, is what is meant by profiteering. Too often they are confused in discussion. Extra profits out of war are hateful. That any man taking a profit in greater measure because the goods he produces are needed for war or because of the scarcity created by war is abhorrent to all decent people. and rightly so, when the youth of the Nation are being called upon to sacrifice all that they have. I do not think it will be denied that our whole production and distribution system is based on earning of profits, and that it is a primary thing to say that the distribution system has got to proceed on this basis and that, therefore, normal profits are not immoral.

The Government is, through many departments, endeavoring to reduce profiteering through regulation and trade agreements and with a great measure of success. There are, however, certain economic necessities which must dominate war regulation of industry and which, in themselves, can not entirely eliminate profiteering and which, in my view, can only be accomplished if reenforced by taxation on war profits.

In the face of shortage—and we are short of most commodities to-day—the maximum production of that commodity is positively essential. In Government regulation, to safeguard production, all profits or prices must be based either directly through price or indirectly through profits on the stimulation of production. The consequence is that it is necessary to set these standards sufficiently high to maintain and stimulate a certain level of high-cost producers. There is, however, a point in profits or price where the increase in production is not commensurate and restraint is needed lest price ascend to a height where the people of the more limited means can no longer buy. This is conservation for the rich and not for the poor. On the other hand, neither the cost nor the profits in any two units of production will be the same, and while the high-cost producers may be limited to low margins the low-cost producers under these conditions will make profiteering profits. While I am convinced that regulation of the types in practice by many executive departments are fundamentally essential to prevent runaway markets and vicious speculation, I can see no remedy for the intermediate situations below such regulations, except a graduated excess-profits tax that will restore that excess of profits

made from public necessity back to the public. It is my belief from an intimate contact with many industries that such a course of enlarged taxation will be patriotically supported by them. A good case in point is sugar. If sugar were unrestrained by agreements, the price would, in the face of this world shortage, go to 20 cents per pound, as it has in countries where no restraint exists. As the American people consume 8,000,000,000 pounds, such a rise in price would cost the consumers $800,000,000. The great majority of producers, manufacturers, and the public agree that restraint is essential. In considering the costs of production we find that a certain level is necessary to protect the high-cost producers. Yet at this level a minority of the beet factories will be earning profits of from 40 per cent to 100 per cent upon their investment. This minority creates the impression of profiteering. Their profits are inordinate. While the public can receive its major protection through the measures taken, the correction of this minority profiteering can only be remedied by stronger taxation of war profits.

There is an additional phase of the limitation of profits by regulation where such regulation needs coordination with taxation. If a regulation of profits or price is placed at so low a level as to restrain the profits of the low-cost producer to a normal profit, it will not only cut off high-cost producers and increase the shortage, but sometimes gives to the low-cost producer the entire field and means the crowding out of many business concerns. In many industries it means bigger businesses will survive and the smaller businesses will be extinguished. This is typically the case in the meat-packing industry. The five large concerns together kill about 40 per cent of the animals of the country. They will this year produce about 7,000,000,000 pounds of meat products. They are so regulated as to profits on animal business (in fact, on all business except foreign holdings and nonfood business) that their earnings could not exceed 1 cent per pound of meat products produced. Yet if they earned this amount they would earn $70,000,000 per annum. I am sure the packers themselves will agree upon their prewar experience that this would be an inordinate profit. On the other hand, a further drastic lowering of profits would, in some branches of the business covered by the packers, drive struggling competition from the field.

There is one feature in all regulation of profits—in food trades particularly—that is sometimes overlooked. These trades are nearly all seasonal, and they are in the vast majority dealing with perishable products. By taking a few months during the season of prime operations, their profits may appear large, but they must face largely reduced profits or even losses over the balance of the year. This is particularly true in the grain and vegetable handling and in cereal-milling trades. Regulated margins, while placed at levels preventive of extortion, must still be high enough to cover risks and inequalities in earnings, and the excess profits of the more fortunate operators can only be further equalized by strong taxation of war profits.

There is still another feature of this work that needs emphasis. In the administration of regulatory measures or the formulation of trade agreements affecting profits and prices to the public and to the Government, all officials are under great pressure to keep margins at a very low ebb. The tendency is to be too narrow in such negotiations and to endanger production. Furthermore, in an effort to prevent profiteering and secure the best terms these arrangements are elaborated to cover all sorts of conditions, and the economic reactions from this paternalism are often bad. If there were a strong excess-profits tax on war profits, all these measures could be formulated with a broader hand and a real reduction of Government interference.

As to the food trades generally, I am convinced that the unreasonable profits, since regulations as to reasonable margins on various commodity operations were established, have greatly diminished. A scientifically worked-out index shows in the margin between the prices received by the producer and those received by wholesalers for the prepared foods a reduction of approximately 30 per cent during the past year.

It is always possible that either certain favorably situated and managed concerns will make undue profits or that unpatriotic men will violate regulations or agreements. The latter can, and will, be reached in the food trades when a sufficient period to permit of action based on just procedure has been covered. The abnormal profits out of war conditions of the favorably situated producer can only be reached by taxation, unless, by regulation, we take the risk of curtailing production and the demoralization of the economic conditions of the country. Furthermore, if such increased taxation were imposed, it would enable regulation to be carried out with a more liberal hand and less friction.

In summary, my view is that broad regulatory restraints now in force are essential in commodity handling in the face of shortages. I am equally convinced that a large percentage of extra normal profits earned out of war conditions, whether by more fortunately situated members of regulated trades or otherwise, should be appropriated to the Public Treasury through taxation.

Yours, faithfully,

HERBERT HOOVER.

Hon. F. M. SIMMONS,
United States Senate, Washington, D. C.

REPLY OF AMERICAN METAL CO.

Mr. CALDER. Mr. President, in the report of the Federal Trade Commission published in the CONGRESSIONAL RECORD the other day an implication of irregularity has been given widespread publicity in so far as the report affects the American Metal Co. Because of that fact a reply from the company has been prepared, and I ask unanimous consent that it be inserted in the RECORD. It will take about a third of a column of the RECORD.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JULY 5, 1918.

The honorable the FEDERAL TRADE COMMISSION,
Washington, D. C.

SIRS: We have refrained from commenting upon the published summaries of the report of your commission of June 28 until we could secure and examine an official copy. We note from a careful reading thereof that it contains no charge or allegation such as was implied in some of the newspapers, that the payment of tantiemes, or profit-sharing allotments, to the officers and managers of our company was made for the purpose of evading taxation, although that was the natural inference to be drawn from the facts stated.

In order to correct certain misapprehensions existing in your commission, as well as to rectify as far as possible the injury which has been done to our company and its officers before the public, we beg to lay before you the following facts:

I. The tantieme, or profit-sharing, system was not recently devised, but has been in vogue in the American Metal Co. since its incorporation, more than 30 years ago. In 1887, when our company was incorporated, its organizers, who furnished the necessary capital, made an agreement with the managers whereby the net earnings of the company in excess of 6 per cent on its capital stock should be divided between stockholders and managers in a given proportion in lieu of the customary salaries. This system was, therefore, started long before the days of income or excess-profits taxes, and has been continued to this day, and adequate provisions covering it are contained in the company's charter. The profit-sharing practice is not at all unusual in large companies, although this particular form may be to a certain extent unique. Promoters and organizers of large enterprises usually receive the fruits of years of labor through stock acquisition and earnings thereon by means of capitalizing surplus, good will, etc. By our method there is a continuing inducement to extra and intelligent endeavor in the management of the company's affairs, for the reason that succession in office and a share in the profits depend not on shareholdings but solely on services rendered.

The Government also fares better, because the progressive features of the income and excess-profits tax laws impose heavier rates of taxation upon the individuals than would have been imposed upon the corporation had the total salaries and commissions paid to them been taxed to the corporation on the excess-profits tax basis. These facts are apparent from the tax returns of our corporation, its subsidiaries, and its individual officers, which were months ago filed with the Treasury Department.

II. The tantiemes paid to our officers are not included in the items going to make up our production costs. It seems extraordinary to us that the personal affairs of our officers and managers, which would normally be considered a matter entirely between them and the stockholders, should have been made public by your commission. It is apparent, however, from the text of your report that this action was taken on the theory that these salaries and commissions, having been charged to expense account, entered into the cost of production of the metals produced by our company and required by the Government in the prosecution of the war. We wish to state that this theory is entirely incorrect. At the time your investigators examined our accounts, we gave them our complete cost records and pointed out to them that our subsidiary companies were

largely managed and operated by the officers and department heads of the parent company; that these men receive no compensation from the subsidiary companies, and that no charge is included in the cost accounts of our subsidiaries for salaries or overhead central-office management. We can not emphasize too strongly, therefore, that the individual earnings of our officers and directors are not charged to production costs, but are figured on the profits of the company's entire commercial, financial, and industrial business, not only in this country but also in the allied and neutral world. In the year 1917 our total business amounted to upward of $150,000,000, of which our zinc industry, contrary to inference, constituted only about one-third. It is therefore apparent that the company's profits are very moderate, considering the volume of its transactions, and that the inference of profiteering drawn by certain newspapers is entirely unjustified.

We are transmitting copies of this letter to the press for the purpose of correcting, as far as possible, the public misunderstanding which has arisen with reference to our company and its officers through the published summaries of your report.

Respectfully,

THE AMERICAN METAL CO. (LTD.),
By C. M. LOEB, *President*.

CONTROL OF TELEGRAPH LINES.

Mr. REED. Mr. President, I desire to present to the Senate certain telegrams which I have received and I ask that they be printed in the RECORD. I want to read one of them, and the rest of them I shall not ask to have printed in full. The one I desire to read is as follows:

KANSAS CITY, MO., *July 9, 1918.*

Hon. JAMES A. REED,
Washington, D. C.:

Three thousand employees Western Union Telegraph Co., Kansas City and vicinity, pledge, through me as their representative to convention Chicago, July 10, for purpose of organization, their loyalty to Government and company. They are not in any manner in sympathy with organization known as Commercial Telegraphers' Union of America or its method; that they will not join in any strike called for or by that organization, but will always give their best services for their Government and their employers. We beg you use your influence to perpetuate the great rapidity present organization is handling Government traffic. You must agree this is no time to experiment.

Signed by H. M. Schwarz and a large number of telegraphers.

There is another telegram of the same date.

Mr. SMOOT. Mr. President, will the Senator from Missouri state whether they are on the same subject?

Mr. REED. Yes; but it is a little different kind of a telegram. Its reading will take only a moment.

Mr. SMOOT. Very well.

Mr. REED. The telegram is as follows:

Outside influences are trying to inject discord among the loyal employees of the Western Union Telegraph Co. We are loyal to the Government first and the Western Union next, and outside interference will (if not stopped at once) do harm to all. Therefore we beg that the Senate take their vacation without any action toward Government control of telegraph and telephone systems, and when the Senate reassembles they will find the telegraph system working first for the Government business, then for the public.

Verification and original signatures by mail.

WESTERN UNION EMPLOYEES.

Mr. SMOOT. Will the Senator from Missouri now simply announce the number of the telegrams, and state that they run along the same line, and present them without having them printed in the RECORD?

Mr. REED. I have a telegram from the employees of the Western Union Telegraph office at St. Louis, in which they protest that they are not parties to any strike agitation now being conducted against the Western Union; that they are loyal Americans, and, as such, appreciate that the present time is no time for disloyal acts. They had previously advised President Wilson that they would stick to their posts, and intended to do so. This telegram is signed by T. Sennewald and about 200 other employees.

I have a similar telegram from St. Louis, in which the statement is made that the undersigned repudiate the statements appearing in the public press, to the effect that they are parties to the strike agitation, and they protest that they will stick by their posts and will stand by the Government and the President. This telegram is certainly signed by 250 or more telegraph operators.

Mr. President, on another subject I desire to call attention to this telegram——

Mr. KELLOGG. Mr. President, before the Senator leaves that subject I should like to ask him a question.

Mr. REED. Very well. I will yield to the Senator from Minnesota.

Mr. KELLOGG. I should like to ask the Senator from Missouri if he is aware of the fact that the union which called the strike has not a single member on the Western Union line? It only has a little over 2,000 members in Canada and the United States, while there are 75,000 commercial telegraphers.

Mr. REED. I did not know that; but the telegrams I have presented are from employees who protest that that union, whatever it is, does not represent them. If it is true, as the Senator from Minnesota evidently thinks it is—of course if he asserts it as a fact, I take his word, but I understand he makes his statement on information—that the so-called strike which has been called, or was originally called, by some organization does not have a single employee on the Western Union, and I presume he would include in that the Postal Telegraph Co.——

Mr. KELLOGG. I presume that is true of the Postal Telegraph Co.

Mr. REED. Then, it seems to me, that this effort to alarm the country because of a pretended strike ought to be a lesson to us from which we should draw the conclusion that we had better understand what we are doing before we act.

Mr. KELLOGG. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Minnesota?

Mr. REED. I do.

Mr. KELLOGG. I desire to ask the Senator from Missouri if he will allow me to include with the telegrams he has presented on that subject one which has been sent to me, and to have it printed in the RECORD?

Mr. REED. Certainly, so far as I am concerned it may go in at this point.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

The telegram referred to is as follows:

MINNEAPOLIS, MINN., *July 9, 1918.*

Hon. F. B. KELLOGG,
United States Senate, Washington, D. C.:

The employees of the Western Union Telegraph Co., in this city, numbering nearly 1,000, are loyal to their country and employer, and, as far as the secrecy of Government traffic is concerned, all employees stand as one behind the Government in this world crisis. There seems to be considerable agitation for Government control of telegraph lines, which is being given wide publicity in the country's newspapers. We feel that this agitation and publicity is unwarranted. We hope you will not support this move.

MINNEAPOLIS WESTERN UNION EMPLOYEES.

Mr. GORE. Mr. President, I should like to say to the Senator from Missouri [Mr. REED] that those who threatened to strike number less than 2,500, about 1,200 of whom, as I understand, live in the United States, and are principally employed on private wires for boards of trade, exchanges, and organizations of that sort, and for individuals. Not one of them, according to my information, is connected with the Western Union Co. or the Postal Telegraph Co. There is not any threat, and there has been no threat, of a strike on the part of a single employee of the Western Union Telegraph Co. in the United States.

Mr. REED. Mr. President, I took occasion to say the other day, merely from my general acquaintance with the telegraphers with whom I have the good fortune to be acquainted, that I believed that, as a class, they were as loyal as were any other class of our citizens; that I did not believe loyal men would strike and tie up the telegraph lines of the United States at this juncture; and that I believed that the people of the United States were not divided into special classes. My idea is that it is as ridiculous to say that the telegraph operators are willing to tie up the business of the country, as it would be to say that the farmers of the country are willing to tie up the business of the country, or that the bankers are willing to tie up the business of the country, or that the newspaper men are willing to do so. There may be some men in each of those vocations in life who are selfish and who would be willing to do anything for their own benefit; but I am thankful that pretty nearly all of the American people are loyal. I do not believe there has been any danger of a strike, and I am glad to have this cumulative evidence to that effect.

Mr. GORE. Mr. President, the threatened strike, as I understand, by this Commercial Telegraphers' Union—I think that is the name of it—was because the Western Union Telegraph Co. would not employ members of that organization. None of the Western Union employees belong to the organization, and this threatened strike was to bring into the Western Union employment those employees. That was the grievance.

PRICE OF WHEAT.

Mr. REED. Mr. President, upon another subject, and while I have the floor, I desire to read the telegram which I hold in my hand. I will say to the Senate that it comes from the secretary of agriculture of the State of Missouri. I call attention to it because I think it ought to have an important bearing upon

the question of the price fixing on wheat. It is dated July 9, from Jefferson City, Mo., and is as follows:

Guaranteeing 1919 wheat at about $2.50 on basis of No. 2 before adjournment is essential to sustain and increase 1919 acreage. Plowing begins here next week.

JEWELL MAYS.

This is fall plowing for winter wheat.

The Senate by an enormous majority wrote $2.50 wheat into the Agricultural appropriation bill before the spring sowing of the past spring, intending to encourage the sowing of spring wheat. The committee of the House of Representatives held that bill until all the spring sowing was over and until the harvest was almost over, and I think did it for the purpose of being able to claim that there was no occasion to increase the price, because it could not encourage sowing after the sowing season had passed. They forgot two things. One was that many farmers of the United States undoubtedly believed that the House of Representatives would be permitted at least to vote upon a measure that had received a decisive vote in the Senate and that they would receive the benefits of the guaranty; and I think that any House of Congress or any committee of a House of Congress under such circumstances ought to have passed the bill, because it undoubtedly had been relied upon. Instead of that, they seemed to act on the theory that if a farmer planted his wheat and did not have a bond actually signed it was a good time to defraud him. It is a practice that I would not like to comment on, because if I did I would trespass upon parliamentary regulations.

Mr. GORE. Mr. President——

Mr. REED. I have not completed my statement. The next thing they overlooked was that the wheat seasons almost run together. They had no sooner laid down the proposition that there was no use to pass that bill, because the spring-wheat crop had already been sown, until they ran into the fall-wheat sowing. This telegram from the secretary of agriculture of the State of Missouri calls attention to the fact that if we are to encourage the planting of a large crop of wheat for next year we must do it at once, because the plowing for winter wheat will begin in the State of Missouri in two weeks, and that means that the plowing has already begun in States farther South.

I now yield to the Senator from Oklahoma.

Mr. GORE. Mr. President, I desire to ask the Senator from Missouri, in that connection, if his attention has been called to the fact that on the 2d day of this month an increase in the price of copper was made by the War Industries Board amounting to 2½ cents a pound? The price previous to that was 23½ cents. The price now is 26 cents a pound. That is an increase of a little more than 10 per cent. The price fixed upon wheat in the bill, which is now in the hands of the President, is a little less than 10 per cent at Chicago, a little more than 10 per cent in some of the western interior markets, and considerably less than 10 per cent in some of the eastern markets; but a price has been granted upon copper—and I do not animadvert upon that; if the increase was based upon a proved necessity I do not complain—and I have in my hand the order issued on the 2d day of this month granting an increase of the price of copper to the extent of 2½ cents a pound. I say I do not complain of that; but it is a larger increase on copper than the increase proposed in the bill now in the President's hands upon wheat at a number of the interior markets; in other words, the price on copper has been advanced more than the bill seeks to increase it upon wheat in many instances.

Mr. REED. But, Mr. President, that is not the only increase, for, if I understand—and I am simply taking the statement of the press—the price of steel has recently been very generously increased. The wages of the country have been increased, and the price of steel and the price of copper have both, I think, been increased by the War Industries Board.

Mr. GORE. Copper, I know, has been; I am not advised as to steel.

Mr. REED. But the Senator overlooks one important fact, namely, that the steel industry and the copper industry are both in the hands of very capable organizations that have their representatives in Washington, and they have the right to have them in Washington. They are, therefore, able to present their case; but who is there here to represent the farmers of the United States?

Mr. GORE. Mr. President, on that point, of course, I am aware that Mr. Baruch is at the head of the War Industries Board; and my information is that it is a price-fixing committee of that board which granted the increase in the price of copper. To what extent Mr. Baruch is interested in copper I do not know. I think he was formerly interested in copper. I have a statement here on my desk upon the subject, which I have not had an opportunity to examine as yet.

EXPULSION OF ANARCHISTS.

The PRESIDENT pro tempore. If there be no further morning business, morning business is closed.

Mr. GORE. I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 489, which is the anarchist bill, and which has been up for consideration on one or two previous occasions.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 12402) to exclude and expel from the United States aliens who are members of the anarchistic and similar classes.

Mr. GORE. I think the bill has been read in extenso.

The PRESIDENT pro tempore. The Chair is informed by the Secretary that, so far as it is known at the desk, the bill has not yet been read in full. The Secretary will read the bill.

The Secretary read the bill, as follows:

Be it enacted, etc., That aliens who are anarchists; aliens who believe in or advocate the overthrow by force or violence of the Government of the United States or of all forms of law; aliens who disbelieve in or are opposed to all organized government; aliens who advocate or teach the assassination of public officials; aliens who advocate or teach the unlawful destruction of property; aliens who are members of or affiliated with any organization that entertains a belief in, teaches, or advocates the overthrow by force or violence of the Government of the United States or of all forms of law, or that entertains or teaches disbelief in or opposition to all organized government, or that advocates the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or of officers generally, of the Government of the United States or of any other organized government, because of his or their official character, or that advocates or teaches the unlawful destruction of property shall be excluded from admission into the United States.

SEC. 2. That any alien who, at any time after entering the United States, is found to have been at the time of entry, or to have become thereafter, a member of any one of the classes of aliens enumerated in section one of this act, shall, upon the warrant of the Secretary of Labor, be taken into custody and deported in the manner provided in the immigration act of February 5, 1917. The provisions of this section shall be applicable to the classes of aliens mentioned in this act irrespective of the time of their entry into the United States.

SEC. 3. That any alien who shall, after he has been excluded and deported or arrested and deported in pursuance of the provisions of this act, thereafter return to or enter the United States or attempt to return to or to enter the United States shall be deemed guilty of a felony, and upon conviction thereof shall be punished by imprisonment for a term of not more than five years; and shall, upon the termination of such imprisonment, be taken into custody, upon the warrant of the Secretary of Labor, and deported in the manner provided in the immigration act of February 5, 1917.

The PRESIDENT pro tempore. The bill is before the Senate as in Committee of the Whole and open to amendment.

Mr. PENROSE. Mr. President, I should like to ask the Senator having charge of the bill a question. On line 10, page 3, section 2, it says:

That any alien who, at any time after entering the United States, is found to have been at the time of entry or to have become thereafter, a member of any one of the classes of aliens enumerated—

Who is to make that discovery or finding?

Mr. GORE. Mr. President, it is made in the same way that the discovery is now made with respect to those who were anarchists when they came here, and where the discovery was made within five years. I will say to the Senator that it does not change the principles of the present law in that regard, excepting in this particular instance: As I understand the existing law, the person must have been an anarchist when he came here. Under the pending bill if he became an anarchist or if the fact developed that he was an anarchist after his coming into the United States, that would subject him to deportation in exactly the same way that he is now subject to deportation if he was an anarchist before he came and if the fact is discovered within five years.

I should say to the Senator that the five-year limitation is removed, and I think that is the principal object of the bill. It is contended by the Department of Labor that there are a good many anarchists here, particularly in the far-western States, and it is claimed that they are coached when they come here not to reveal the fact that they are anarchists within a period of five years. After the expiration of the five years it is alleged that they become extremely active, because they enjoy perfect immunity. The object is to take away that immunity and to subject them after five years to exactly the same liability to deportation as if the fact were discovered before five years.

Mr. PENROSE. Mr. President, do I understand, then, that the trial of the alleged anarchists is to be held before the immigration officials?

Mr. GORE. The party is apprehended upon a writ issued by the Secretary of Labor. I will say to the Senator that that is the law now in all cases of deportation. That has been the practice since the passage of the immigration law a quarter

of a century or more ago. There is no change in that particular.

Mr. PENROSE. Then, Mr. President, all the bill does in that respect is to remove the limitation of five years, apparently.

Mr. GORE. It does this, further, that if the alien becomes an anarchist after he comes into the country it subjects him to deportation as well as if he were an anarchist when he came.

Mr. PENROSE. One further question, and I am through. I do not intend to obstruct the bill, although I think it rather vaguely drawn in many particulars. How are some of these aliens to be deported; for instance, an alien anarchist from Germany? How is he to be sent back to Germany?

Mr. GORE. I will say to the Senator that I am not able to answer his question in detail, but I assume that the law as it is now administered with respect to cases subject to deportation will be likewise administered in regard to these particular cases. Of course, an anarchist coming from Germany, if he is an alien, is an alien enemy, and that question would not really arise, because he could be interned.

Mr. PENROSE. He could not very well be sent back to Germany without very great peril to the escorting party.

Mr. GORE. That is true. The escorting party would perhaps decline the courtesy.

Mr. PENROSE. Most people would decline the position.

Mr. GORE. Probably we would not be harassed with applicants for that particular office.

Mr. PENROSE. And he could not very well be sent back to Russia or to Austria.

Mr. GORE. I do not know that there would be any difficulty in sending him back to Russia, providing he were willing to go.

Mr. PENROSE. It is quite a long journey.

Mr. GORE. Yes, sir.

Mr. PENROSE. As I say, Mr. President, while the bill seems to be loosely drawn, so many similar measures are being passed by the Senate that I shall not object.

Mr. GORE. I will say to the Senator that one of the objects of the bill is to correct an apparent and perhaps a real looseness in the existing law, and I will call the Senator's attention to this fact: There is no change in the classes enumerated. There is no change in the classes to be subjected to deportation, excepting those who have been here over five years and those who become anarchists after their entry into the country.

The existing law begins:

Anarchists, or persons who believe in or advocate—

the various doctrines enumerated. Now, the pending bill enumerates exactly the same classes as the existing law, with the addition of the class of those who become anarchists after their arrival; but the pending bill says "Anarchists, or aliens who" instead of "or persons who." It is insisted by some—I think the representatives of some of these aliens—that the word "persons" is simply definitive of the word "anarchists," and that the various classes enumerated do not constitute separate categories, and that proof must be made in each instance that the alien is an anarchist and that he openly advocates the destruction of government, and so forth. It is to make it more explicit in that regard that the word "aliens" is used instead of "persons," so as to indicate that it is an enumeration of separate and distinct classes.

That is the principal object of the bill. There is no revolution, I may say, in the existing immigration law.

Mr. REED. Mr. President, I should like to ask the Senator if there is not a change of the law in this respect——

Mr. GORE. I will say to the Senator that there are three or four changes.

Mr. REED. The law as it now stands, at least as I have always understood it to be—I have not had an opportunity to examine it recently—excludes from its terms political refugees.

Mr. GORE. I will say to the Senator that there is no change in that respect.

Mr. REED. I am afraid there is a change, because the language of the bill as it is now presented——

Mr. GORE. If the Senator will listen to the reading of the enumerations in the existing law and in the pending bill, I think he will see that there is no change made with respect to political offenders.

Mr. KING. Mr. President, the old law, being "An act to regulate the immigration of aliens to and the residence of aliens in the United States," passed February 5, 1917, contains this language:

That the following classes of aliens shall be excluded from admission into the United States.

Then it proceeds to enumerate the classes, among them being idiots, imbeciles, and a large number of others. Coming down to the class under consideration, the language is as follows:

Anarchists, or persons who believe in or advocate the overthrow by force or violence of the Government of the United States, or of all forms of law, or who disbelieve in or are opposed to organized government, or who advocate the assassination of public officials, or who advocate or teach the unlawful destruction of property; persons who are members of or affiliated with any organization entertaining and teaching disbelief in or opposition to organized government, or who advocate or teach the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or of officers generally, of the Government of the United States or of any other organized government, because of his or their official character, or who advocate or teach the unlawful destruction of property.

Mr. REED. Is there not in the bill an exception of political offenses?

Mr. GORE. The pending bill?

Mr. REED. No; in the old law?

Mr. GORE. No, sir; that is the enumeration, and then follows——

Mr. REED. I think there is an exception in the old law.

Mr. GORE. If there is, it would stand, because the pending bill does not affect it.

Mr. REED. I think it would, unless——

Mr. GORE. Oh, no; it recites the same enumeration, with the addition of the class of those who become anarchists after they come in. As I recollect, that is the only change.

Mr. REED. But the point is this: The old law named these particular individuals, just as the present bill does; and then the old law added a proviso that political offenders should not be included. That would, of course, except them from the old law.

Mr. GORE. Yes.

Mr. REED. Now, if we pass this bill without making the same exception it would be the controlling statute, because it would be the latest.

Mr. KING. Mr. President, will the Senator yield?

Mr. REED. I yield.

Mr. KING. The Senator does not mean, does he, that political offenders who are aliens and who are anarchists ought to have some immunity or be excluded from the operation of this bill?

Mr. REED. Oh, no. This is what I have in mind——

Mr. GORE. I see the Senator's point.

Mr. REED. I have in mind men like Kossuth; these men who were revolutionists in their own country and who therefore taught unlawful resistance to the constituted authorities of their country, and who taught the destruction of property, not as anarchists but as revolutionists. These men who have heretofore been admitted to this country because they are the disciples of liberty, would come within this bill as it is now drawn, or might come within it.

Mr. GORE. I think the Senator is in error, because it does not relate to that at all.

Mr. REED. I think it does.

Mr. GORE. It simply enumerates the same classes; and any exception in the law that is not affected by the pending bill would, of course, stand.

Mr. REED. No; not at all, this being the later bill.

Mr. GORE. If they were in conflict that might be, but there would be no conflict, because it enumerates the same classes, and it does not say "all forms of government," but "all forms of law."

Mr. REED. I can not agree with the Senator; and this is what I have to suggest: I want to see the necessary laws passed to get rid of every anarchist in our country. We have been too long a refuge of anarchists. If I understand the facts, there are a lot of scoundrels who loafed around in the United States and agitated here, and then went over and helped to produce this revolution in Russia. The sooner we get rid of that kind of people the better; but, on the other hand, I do not want some Secretary of Labor, now or in the future, to seize some man who may have undertaken to overthrow a tyrannical government and send him back to execution. Our country never has done that, and I think this bill ought to be carefully scanned to see that it does not do that; and I think we can lay it over for one day, particularly in view of the fact that we have this very important Agricultural bill ready for consideration.

Mr. GORE. Mr. President, in view of the Senator's statement, and in order to afford him an opportunity to compare the pending bill with existing law, which I think will obviate his objection, I ask that the unfinished business be laid before the Senate.

Mr. WALSH. Mr. President, before the Senator from Oklahoma makes that motion I want to inquire concerning House bill 12402. That bill, I observe, authorizes the deportation of one who becomes an anarchist in this country, without respect to time.

Mr. GORE. Yes, sir. I may say to the Senator that that is the material difference between the pending bill and the existing law.

Mr. WALSH. So that one may come to this country not tinctured with that sort of idea at all, become a citizen of this country——

Mr. GORE. No; not a citizen. This relates only to aliens.

Mr. WALSH. An alien living in this country for any length of time, and then becoming an anarchist by reason of conditions in this country which meet his disapproval, may then be sent back to the country from which he came?

Mr. GORE. The Senator's interpretation of the bill is exactly correct.

Mr. WALSH. I want to inquire of the Senator, then, whether there are any statutes or treaties with foreign countries against which we would offend by that course of conduct?

Mr. GORE. I may say to the Senator that I assume not, because this Government now exercises the right of deportation in many cases up to a residence of five years, and in respect to the white-slave traffic the limitation is entirely removed. It is intended to place anarchists of this sort in the same category in that regard as the white-slave traffic. There is no limitation as to the time. But the Senator has put his finger on the exact point. When a person becomes an anarchist after coming into this country the bill subjects him to deportation; and I may say to the Senator that it is contended by the department that anarchists come in here and conceal their anarchistic views for the period of five years, and are coached by their fellows, and after the expiration of the five years they then enjoy immunity under the law. A number of aliens of that description are now giving considerable annoyance to the department and stirring up considerable agitation in the country, and I may say frankly that it is in order to get rid of those anarchist aliens that this legislation is brought in.

Mr. WALSH. I asked the Senator because I had in mind the fact that it is said that there is no small number of people who come into this country and return to Russia, or even of our own people who go to Russia, and there imbibe anarchistic sentiments; and I was wondering what attitude our Government would take if the Government of Russia should undertake to unload those people upon us.

Mr. GORE. Mr. President, I suppose it would be a sort of obnoxious reciprocity to which we would be obliged to submit.

Mr. BORAH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Oklahoma yield to the Senator from Idaho?

Mr. GORE. I do; but I will say to the Senator that I have requested that the unfinished business be laid before the Senate, with a view to laying this bill aside for the present.

Mr. BORAH. Very well.

Mr. HITCHCOCK. Mr. President, before the bill is laid aside I should like to ask the Senator whether it is intended to send a man out of the country simply because he holds a belief?

Mr. GORE. A certain description of belief; yes, sir.

Mr. HITCHCOCK. Regardless of whether he advocates it or teaches it?

Mr. GORE. I think that is true now.

Mr. HITCHCOCK. How are you going to find out whether or not he holds the belief?

Mr. GORE. Of course, there would be no way to find out unless he gave evidence of it either by spoken word or by act.

Mr. HITCHCOCK. Then should not this language be changed? In line 3 it is stated:

Aliens who believe in or advocate the overthrow by force or violence—

Should not that be "aliens who believe in and advocate the overthrow"? You certainly do not propose to set up some tribunal to inquire into a man's belief.

Mr. GORE. I feel the force of the Senator's objection, but I will say that the pending bill simply reiterates existing law in that regard.

Mr. HITCHCOCK. I certainly think the word "or" ought to be changed to "and," because we do not want to undertake in any tribunal to test a man's belief.

STIMULATION OF AGRICULTURE.

Mr. GORE. Mr. President, I renew my request that the unfinished business be laid before the Senate.

The PRESIDENT pro tempore. The Senator from Oklahoma moves that the Senate proceed to the consideration of the unfinished business.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11945) to enable the Secretary of Agriculture to carry out, during the fiscal year ending June 30, 1919, the purposes of the act entitled "An act to provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products."

The PRESIDENT pro tempore. The Secretary will report the pending amendment of the Committee on Agriculture and Forestry.

The SECRETARY. On page 8, line 22, the committee proposes to change the total appearing in that line by striking out "$2,136,028" and in lieu inserting "$1,610,155."

Mr. JONES of Washington. I ask that the amendment may go over.

The PRESIDENT pro tempore. Under the rule of procedure the amendment will be passed over. The Secretary will report the next amendment.

The SECRETARY. On page 9, line 15, after the words "preparation of sweet sirups" insert a comma and the words "including grape sirup."

Mr. JONES of Washington. Let that go over.

The PRESIDENT pro tempore. Under the agreement the amendment will go over.

The SECRETARY. The next amendment is, on page 9, lines 20 and 21, where the committee proposes to strike out "control of noxious rodents, $100,000," and the semicolon.

Mr. JONES of Washington. I ask that that may go over.

Mr. PENROSE. I should like to ask the chairman why the appropriation of $100,000 for noxious rodents was stricken from the bill.

Mr. GORE. It was due to the anticipated eloquence of the senior Senator from Pennsylvania.

Mr. PENROSE. I do not intend to oppose the amendment, but I was curious to know why it had been stricken out. If it had been merely rodents, it might have been stricken out; but to strike out a noxious rodent struck me rather unfavorably.

Mr. GORE. People's tastes, of course, change, and probably we are more fastidious in classing them as noxious rodents. But the Senator from Washington objects, and I ask that the amendment may go over.

Mr. PENROSE. Can the Senator tell me just what variety of rodents are described as noxious?

Mr. GORE. I may say to the Senator, as he seems to have a very statesmanlike curiosity on this subject, the explanation by the department made it manifest, I think, that they intended to make an assault on rats and mice in dwellings. We thought perhaps that was going a little too far in these strenuous times, and we would leave the individual and our great individualistic theory to combat the mice, at least for a time.

Mr. PENROSE. They are to have temporary immunity.

Mr. GORE. Since we are to have woman suffrage it was thought the women ought to combat the mice. At least that was the argument that was made before the committee.

Mr. THOMAS. Mr. President——

Mr. PENROSE. I yield to the Senator.

Mr. THOMAS. I was going to suggest to the Senator from Pennsylvania that there are perhaps two sorts of rodents, noxious and obnoxious, and inasmuch as this amendment was drawn so as to enable the department to do away with the noxious rodents it is quite obvious that the obnoxious rodents are not at this session to be included in the Agricultural appropriation bill.

Mr. GORE. We were afraid this item might prove obnoxious to certain Senators and therefore struck it out.

Mr. PENROSE. I regret to see the food supply in this war crisis imperiled by the elimination of an item of this kind.

The PRESIDENT pro tempore. Under the objection of the Senator from Washington the amendment will be passed over and the next amendment will be stated.

The SECRETARY. The next amendment of the committee is, on page 9, line 22, in the total. The committee proposes to strike out "$1,105,980" and to insert in lieu "$1,005,980."

Mr. SMOOT. That had better go over.

The PRESIDENT pro tempore. Under objection, it goes over.

The SECRETARY. Beginning with the word "*Provided*," in line 23, page 9, the committee proposes to strike out all of the bill down to and including line 17, on page 10.

Mr. REED. Let that go over.

Mr. JONES of Washington. That may go over.

The PRESIDENT pro tempore. It will go over, and the next amendment will be stated.

The SECRETARY. On page 10 the committee proposes to insert a new section as section 2.

Mr. REED. Let that go over. Let all the remaining amendments go over.

The PRESIDENT pro tempore. Objection is made, and the remaining amendments go over. The bill is as in Committee of the Whole and open to amendment.

Mr. CURTIS. I have an amendment pending on page 3, I think it is.

Mr. SMOOT. Under the unanimous-consent agreement I take it that the Secretary will now report the amendments that have been passed over, beginning with the first.

The PRESIDENT pro tempore. There has been no agreement to that effect. The only agreement the Chair recalls was that unobjected amendments should be first disposed of.

Mr. PENROSE. If the Senator will permit me, why not dispose of the point of order raised by me yesterday concerning the last amendment to the bill and get it out of the way, one way or the other, and then discuss the general provisions of the bill and the amendments objected to?

The PRESIDENT pro tempore. That would be a perfectly proper course.

Mr. REED. I withdraw my objection to the amendment.

The PRESIDENT pro tempore. The Senator from Pennsylvania calls up the amendment, which will be read.

Mr. PENROSE. I raise a point of order on the amendment that it is general legislation on an appropriation bill.

Mr. GORE. Did the Senator reserve the point of order?

Mr. PENROSE. I did. I entered the point of order and now bring it up so that we may dispose of it one way or the other. I made the point of order, I may say, not only on this, but on the committee substitute which was printed as a separate sheet, and which, as I understand it, is technically in the bill as reported from the committee. I call it up now.

The PRESIDENT pro tempore. Is there objection on the part of the Senate to considering the amendment which has been called up at this time? The Chair hears none.

Mr. JONES of Washington. The amendment is called up for consideration?

The PRESIDENT pro tempore. It is. It will be read:

The SECRETARY. On page 6, beginning with line 11, the committee proposes to strike out down to and including line 20, and to insert the following:

That after June 30, 1919, until the conclusion of the present war, for the purpose of conserving the man power of the Nation and to increase the efficiency in the production of arms, war munitions, food, and clothing for the Army and Navy, it shall be unlawful to sell for beverage purposes, except for export, any distilled spirits, and no distilled spirits held in bond after June 30, 1919, shall be removed therefrom for beverage purposes except for export. The Commissioner of Internal Revenue is hereby authorized and directed to prescribe rules and regulations, subject to the approval of the Secretary of the Treasury, in regard to the removal of distilled spirits held in bond after June 30, 1919, for other than beverage purposes or for export. After three months from the approval of this act until the conclusion of the present war no grain, cereal, or other food product shall be used in the manufacture or production of beer or other intoxicating malt liquors, and after the approval of this act no beer or other intoxicating malt liquors shall be imported into the United States for beverage purposes. After June 30, 1919, until the conclusion of the present war, no foods or fruits shall be used in the manufacture or production of vinous intoxicating liquors except for export. Any person who violates any of the foregoing provisions or any of said rules and regulations made to carry the same into effect shall be deemed guilty of a misdemeanor and, on conviction thereof, shall be punished by a fine not exceeding $5,000 or by imprisonment not exceeding two years, or both.

Mr. JONES of Washington. I suggest the absence of a quorum, Mr. President.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Baird	Jones, N. Mex.	Penrose	Smith, S. C.
Bankhead	Jones, Wash.	Phelan	Smoot
Beckham	Kellogg	Pittman	Sterling
Benet	Kendrick	Poindexter	Sutherland
Borah	Kenyon	Pomerene	Swanson
Brandegee	King	Ransdell	Thomas
Calder	Lenroot	Reed	Thompson
Curtis	Lewis	Saulsbury	Trammell
France	McKellar	Shafroth	Underwood
Frelinghuysen	Martin	Sheppard	Vardaman
Gerry	Myers	Sherman	Wadsworth
Gore	Nelson	Shields	Walsh
Hale	New	Simmons	Warren
Harding	Norris	Smith, Ariz.	Watson
Henderson	Nugent	Smith, Ga.	Wolcott
Johnson, Cal.	Overman	Smith, Md.	

Mr. LEWIS. I wish to announce that the Senator from Oregon [Mr. CHAMBERLAIN] is detained on official business.

Mr. JONES of Washington. I desire to state that the junior Senator from Michigan [Mr. TOWNSEND] is necessarily absent on account of illness in his family. I will allow this announcement to stand for the day.

Mr. TRAMMELL. I wish to announce that my colleague [Mr. FLETCHER] is temporarily absent on official business.

The PRESIDENT pro tempore. Sixty-three Senators have answered to their names. There is a quorum present.

Mr. JONES of Washington. I understand that the Senator from Pennsylvania made a point of order against this amendment on the ground that it is general legislation proposed to a general appropriation bill. I should like to discuss that for just a few moments, if the Chair will permit me.

The PRESIDENT pro tempore. The Chair will be very glad to hear the Senator.

Mr. JONES of Washington. I think there is more involved in this question than an ordinary point of order. In the first place, the Chair is called upon to decide whether this is a general appropriation bill or not. It is not a bill mentioned by the rules or anywhere brought within my judgment in the scope of that term. So, with all due respect to the Chair, I suggest that that proposition ought to be decided by the Senate; that the Senate itself should determine what is or what is not a general appropriation bill. The Senate having determined what is a general appropriation bill, then it is, I think, very proper to leave the matter to the Chair as to whether a proposal to amend such a bill is in order under the rules of the Senate. I wish to make that suggestion to the Chair at the outset with the greatest respect. I have great confidence in the judgment of the Chair, but a fundamental matter like this should be settled by the Senate itself.

Mr. President, this bill does not even purport by its title to be an appropriation bill. The word appropriation is not mentioned in the title of the bill. The title of the bill is "An act to enable the Secretary of Agriculture to carry out, during the fiscal year ending June 30, 1919, the purposes of the act entitled 'An act to provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products.'"

Mr. President, anyone reading that title would have no information as to whether it carries any appropriation at all.

Mr. PENROSE. If the Senator will permit an interruption——

Mr. JONES of Washington. I yield.

Mr. PENROSE. I call his attention to the fact, however, that the act applies to the fiscal year and operates during the fiscal year. Certainly it is not the custom in special legislation to confine it to the fiscal year.

Mr. JONES of Washington. The title of the act speaks very plainly. I have simply called attention to the proposition that the title of the act does not indicate that it is an appropriation bill at all. It simply says it is an act to enable the Secretary of Agriculture to do certain things and carry out certain acts. Then, with reference to the suggestion the Senator has just made, the act that it is intended to carry out is not permanent legislation at all. It is purely temporary.

Mr. PENROSE. For the fiscal year.

Mr. JONES of Washington. No; it may last the fiscal year and it may not. The act that this title proposes to carry out is an act entitled "An act to provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products," and then section 12 of the act of August 10, 1917, provides—

That the provisions of this act shall cease to be in effect when the national emergency resulting from the existing state of war shall have passed, the date of which shall be ascertained and proclaimed by the President; but the date when this act shall cease to be in effect shall not be later than the beginning of the next fiscal year after the termination, as ascertained by the President, of the present war between the United States and Germany.

Mr. PHELAN. May I interrupt the Senator?

Mr. JONES of Washington. I yield to the Senator from California.

Mr. PHELAN. The Senator read that the purpose of the present act was to further provide. Will he explain what that means? Does not the word "further" mean in furtherance of the general agricultural appropriation purposes?

Mr. JONES of Washington. The act speaks for itself.

Mr. PHELAN. I should like the Senator to tell me.

Mr. JONES of Washington. There are a great many different provisions in it.

Mr. PHELAN. What is the construction of the word "further" in that connection?

Mr. JONES of Washington. I do not think that is material at all.

Mr. PHELAN. It certainly relates to something.

Mr. JONES of Washington. What difference does that make?

Mr. PHELAN. It indicates that this bill becomes supplementary to the general Agricultural appropriation bill.

Mr. JONES of Washington. Not at all; it does not relate to the general appropriation bill.

Mr. PHELAN. That depends on the interpretation of the word "further."

Mr. JONES of Washington. That is not an appropriation act. This is what it proposes to carry into effect:

That, for the purpose of more effectually providing for the national security and defense and carrying on the war with Germany by gathering authoritative information concerning the food supply, by increasing production, by preventing waste of the food supply, by regulating

the distribution thereof, and by such other means and methods as are hereinafter provided, the powers, authorities, duties, obligations, and prohibitions hereinafter set forth are conferred and prescribed.

That is the purpose of the act as expressed in the first section. Of course a good deal of work has to be done and appropriations must be made, but they are temporary and for certain special purposes. Here is the work provided for that is also carried on under the general appropriation act. What did the chairman of the committee say yesterday with reference to this matter?

Mr. PENROSE. Mr. President——

Mr. JONES of Washington. I hope the Senator will just wait a moment.

Mr. PENROSE. I will.

Mr. JONES of Washington. He said that this bill is being passed for a special purpose, that the appropriations are made for a special organization, and that this organization should be kept separate in the Agricultural Department, and that it will end with the war. That is true. This work he suggested would be carried on separately; and that is true, because it is of purely a temporary character. It ends when this emergency ends. Now I yield to the Senator from Pennsylvania.

Mr. PENROSE. I only want to call the Senator's attention to the fact that there is literally hardly a line in this bill which does not contain figures indicating the amount of an appropriation.

Mr. JONES of Washington. The Senator did not need to call my attention to that. I have read the bill over quite a number of times. I know that is true, but that does not make it a general appropriation act.

Mr. SMOOT and Mr. POINDEXTER addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Washington yield; and if so, to whom?

Mr. JONES of Washington. I yield to my colleague, because he rose first.

Mr. POINDEXTER. Even if it was conceded that it was an appropriation act, I ask the Senator if, in order to bring it under the rule and make it obnoxious to the point of order, it would not have to be a general appropriation act?

Mr. JONES of Washington. Certainly.

Mr. POINDEXTER. And, in further inquiry of the Senator, I would ask him if it is not a fact, which is obvious on the face of the bill—not only in the title but in all of its provisions—that it is a special appropriation bill to meet special conditions not provided for in the general appropriation act?

Mr. JONES of Washington. There can not be any doubt about that, Mr. President.

Mr. SMOOT rose.

Mr. JONES of Washington. I yield to the Senator from Utah.

Mr. SMOOT. Mr. President, I think the question which was asked by the colleague of the Senator from Washington [Mr. POINDEXTER] covers the question that I was going to ask the Senator; but I was going to ask it in another way; and I might as well do it now. Does the Senator believe that, if this act had originated in the Senate, it would have been accepted in the other House and passed upon by the House as a special appropriation act; or, in other words, does the Senator hold that this bill ought to have originated in the other House, as all appropriation bills do? But it having originated there, of course, it was not originated as a general appropriation bill, but as a special appropriation bill? Is that the position which the Senator takes?

Mr. JONES of Washington. No. I do not care anything about the origination of the bill. There is quite a controversy as to whether or not appropriation bills must originate in the House of Representatives or in the Senate, and, as I understand, the Senate has always contended that appropriation bills may originate in the Senate. I have here Gilfry's Precedents on that very proposition.

Mr. PENROSE. But they are special bills.

Mr. JONES of Washington. Not at all.

Mr. PENROSE. General appropriation bills can not originate here in the Senate.

Mr. JONES of Washington. I wish the Senator would listen to what I shall now read from page 59 of Gilfry's Precedents. I there find this:

> The House of Representatives has assumed to itself the exclusive power to originate appropriation bills, but a plain and literal interpretation of the first clause of the seventh section of the first article of the Constitution which says, "All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills," gives the power to originate to the Senate, as well as to the House. This interpretation was clearly upheld in the Senate by reports from a conference committee of March 2, 1871, and from the Committee on Privileges and Elections, April 24, 1872, by Mr. Carpenter, who said, "The fact that the Constitution so carefully provides that 'bills for raising revenue' shall originate in the House of Representatives, and made no such provision in regard to bills appropriating money, is conclusive that it was intended to restrict the Senate in the one case and not in the other." Mr. Knott, on February 2, 1881, from the Committee on the Judiciary of the House of Representatives, elaborately discussed the power of the two Houses to originate appropriation bills; and the committee recommended the adoption of the following resolution relating to an appropriation bill passed by the Senate and referred to them "authorizing the Secretary of the Treasury to purchase additional lots of ground adjoining the new building for the Bureau of Engraving and Printing:
>
> *Resolved*, That the Senate had the constitutional power to originate the bill referred, and that the power to originate bills appropriating money from the Treasury of the United States is not exclusive in the House of Representatives. By recommendation of the committee, the bill was referred to the Committee on Appropriations.

So there is a controversy between the two Houses with reference to that matter, which is not settled by the dictions of any Senator.

Mr. PENROSE. If the Senator will permit me, all those bills were special bills. I have myself on numerous occasions gotten through bills appropriating considerable amounts, which have originated in the Senate; but we would not undertake to get through the Senate a general appropriation bill for a fiscal year for a Government department, because the House of Representatives would not receive such a bill.

Mr. JONES of Washington. Well, Mr. President, what I have read does not refer to special appropriation bills at all, but refers to appropriation bills generally; and while the Senator from Pennsylvania on this occasion is very earnestly insisting, of course, that general appropriation bills must originate in the House of Representatives and not in the Senate, I venture to say that, under ordinary circumstances, he would contend for the rights of the Senate with reference to the origination of such bills if the proposition were presented. In my judgment this bill could originate in the Senate just the same as in the House.

Mr. President, the question of my colleague [Mr. POINDEXTER] covers the whole situation. This is not a general appropriation bill, and no one would think it to be a general appropriation bill on an examination of the terms or the title or the purpose of the bill. It is an act to carry out an act that was only temporary in character. It is only for a special purpose, not general, not permanent; but, as I have said, it is special, for a particular emergency and to last only for a particular time. So this bill is expressly temporary; it is expressly for a special purpose; it has not any of the characteristics of what we generally consider general appropriations or general appropriation bills.

Mr. President, I do not want to take very much of the time of the Senate; I am satisfied that Senators have their minds pretty well made up, and yet I wish to refer to an authority or two, which possibly Senators may not have examined. I have here the CONGRESSIONAL RECORD, volume VIII, part 3, of the Forty-fifth Congress, third session, at page 1981. The Senate had under consideration a bill which by title purported to be an appropriation bill. I read as follows:

> The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 6462) making appropriations for the payment of the arrears of pensions granted by act of Congress approved January 25, 1879, and for other purposes.

That was an act to appropriate money to carry out another act, which applied generally throughout the country with reference to all persons who were entitled to arrears of pensions under that act. During the pendency of the bill, Senator Ingalls, of Kansas, proposed an amendment, which was clearly general legislation, and Senator Edmunds made a point of order against the amendment. He said:

> I make the point of order that it is legislation on a general appropriation bill.

Senators argued about it, and Mr. Ingalls suggested that the amendment had been reported by a standing committee. Mr. Edmunds said:

> That does not help it any. It is legislation, and I make the point of order that it is not germane, either. I insist upon all points in Rule XXIX, Mr. President.

Then the Chair made an examination, and this is what the Presiding Officer said:

> The PRESIDING OFFICER. The question of order of the Senator from Vermont embraces some five or six points, and the Chair is examining the rules and the bill before he gives his opinion. [A pause.] The Chair is of opinion that this is not a general appropriation bill. The term "general appropriation bill" derives its meaning from the usages of the two branches of Congress. In the House of Representatives the bills treated as general appropriation bills are specially mentioned and described in their rules and obliged by the rules to be reported within a particular time. The Chair is of opinion that the phrase "general appropriation bill," according to the rules of the Senate, applies to the regular annual appropriation bills, and to no others. The Chair will, if desired, submit the question whether the amendment is germane to the bill to the Senate.

I take it that you can not get a much clearer or a more definite precedent than that.

Mr. VARDAMAN. I desire to ask the Senator from Washington if that decision was rendered by the Vice President or by some Senator temporarily occupying the chair?

Mr. JONES of Washington. The CONGRESSIONAL RECORD merely says "the Presiding Officer." At the beginning of that day's session, on page 1980, the Vice President appears to have been in the chair. I have not examined it to ascertain whether or not there is any reference to a change of presiding officers. The debate goes right on to the next page, and so I assume that the Vice President was in the chair. However, the Senator from Wyoming [Mr. WARREN] suggests that if it reads "the Presiding Officer" the Vice President was not in the chair. On examining closer, I see that in the preceding column it says:

The Presiding Officer (Mr. Harris in the chair).

So Senator Harris was in the chair at the time. But I want to call attention to something further in connection with this same proposition. The amendment which had been proposed by Mr. Ingalls was discussed for some little time; other Senators came in; and the point was again raised, and I find that Mr. Thurman came in and suggested:

Mr. THURMAN. I understand the Chair to rule that this is not a general appropriation bill. I do not know where is the distinction between a general appropriation and a special or particular appropriation bill. It seems to me under our rules, but I say it with great submission, that upon any appropriation bill (and this is plainly an appropriation bill) it is competent to move to lay an amendment on the table.

Mr. INGALLS. I call the attention of the Chair to the last clause of Rule 29, which says:

"And any amendment to a general appropriation bill may be laid on the table without prejudice to the bill."

The irresistible inference from that would be that if the bill be not a general appropriation bill, laying the amendment on the table would also make the same disposition of the bill.

The PRESIDING OFFICER. The Chair has so stated.

Mr. THURMAN. Will the Senator from Kansas please tell me what is a general appropriation bill?

Mr. INGALLS. A general appropriation bill, as I understand, is one acted on by the Committee on Appropriations under what is known as the long-established custom of the Government as a general appropriation bill.

This bill does not come within any definition of that character.

Mr. MYERS. Mr. President, may I ask the Senator a question?

Mr. JONES of Washington. Yes.

Mr. MYERS. Was the ruling of the occupant of the chair, Mr. Harris, overruled by the Senate?

Mr. JONES of Washington. I will call the Senator's attention to what was done in just a moment. Mr. Ingalls continued:

I should call a special appropriation bill, a river and harbor bill, for instance, or a bill making appropriations to pay particular claims.

Mr. THURMAN. Now the Senator has hit the nail on the head. An individual appropriation bill is one thing; but when a bill comprises a whole mass of individuals like the pensioners of the United States, to call that a special appropriation bill strikes me as very singular.

Mr. INGALLS. The rule does not apply to that.

The PRESIDING OFFICER. The Chair has already ruled, when the Senator from Ohio was not in his seat, that the term "general appropriation bill," in the opinion of the Chair, includes the 12 annual appropriation bills which are reported year by year for the general expenses of the Government, and that it does not include bills like this which come up only on a special occasion and are not of annual recurrence and are not to carry on the general operations of the Government. The practice of the Senate, which has existed for some years, in regard to a somewhat similar bill to carry out the decisions of the Southern Claims Commission, is to the same effect. That bill is never treated as a general appropriation bill, but is referred to the Committee on Claims, and not to the Committee on Appropriations.

Mr. Edmunds said—and he used about the same argument that is presented with reference to this measure by those with whom I have talked privately:

Now, here is a bill to carry into effect and furnish the money to carry out a general law of Congress which has provided that the whole class of the people of the United States who fall within certain descriptions shall be entitled to certain sums of money, just as the legislative bill provides that a whole class of certain of the people of the United States who fall within certain descriptions—that is, those who hold office—shall be paid their salaries. I wish the Chair would submit—because I do not desire to appeal; it is too late for that—I wish the Chair would submit the question to the Senate whether this falls within the principle of a general appropriation bill.

The PRESIDING OFFICER. The Chair will do so cheerfully. The Chair will submit to the Senate the question as requested by the Senator from Vermont. Is the pending bill a general appropriation bill within the meaning of Rule XXIX?

Then the vote was taken, the Presiding Officer putting the question as follows:

The PRESIDING OFFICER. Is this a general appropriation bill within the meaning of the twenty-ninth rule? Those of that opinion will say "aye"; those of the contrary opinion will say "no" [putting the question].

The question being put, there were on a division—ayes 13, noes 25; no quorum voting.

Mr. WITHERS. There are several Senators in the Chamber who have not voted either way. I ask that there be another division on the question to secure the expression of the opinion of a quorum of the body.

The PRESIDING OFFICER. The Chair will again put the question.

The question being again put, there were on a division—ayes 14, noes 30.

The PRESIDING OFFICER. The point of order is overruled by the Senate.

So that, Mr. President, we have not only the ruling of the Presiding Officer, but we have the ruling of the Senate itself when the matter was submitted to the Senate as to whether or not a measure of this kind was a general appropriation bill, that it was not thus practically confirming the ruling and opinion expressed by the Chair.

I have not examined the terms of the bill then under discussion; but, according to the argument made by Senator Edmunds, it was substantially the same sort of a bill as we have now before us except that it had more of a permanent character than the pending measure. It was to carry out legislation of a general character that would remain upon the statute books until the whole object was carried out or the act repealed. This bill is simply to carry into effect, as I said a moment ago, the provisions of an act which by its terms is declared to be temporary and special.

As I said when I began, Mr. President, the substantial proposition here is, Is this a general appropriation bill? That is a proposition that ought to be determined by the Senate, with all due respect to the Chair. Of course, if it is determined to be a general appropriation bill, then the proposed legislation, I concede, as a general proposition and considered without regard to the action of the House, is subject to a point of order, even though it is temporary and expires with the bill.

I come now to another proposition, namely, that if it is a general appropriation bill, under the circumstances existing here this amendment is not subject to a point of order, for the reason that the House has already acted upon the proposition. It has not acted very definitely; it has not acted very certainly; but it has acted, and, under the ruling of the present Vice President, the House having opened the door, having opened the field, the Senate can explore it to the limit.

First, however, allow me to suggest this: While I know that in Congress not very much force is given to the title of a bill, and we may put almost any provision in a bill without regard to its title, I submit that it is proper to look at the title of the bill to determine its purpose, and that, in doing so, we can be guided as to our judgment or conclusion as to whether or not a proposal comes within that title. That has been followed by the President of this body. A few years ago there was an Indian appropriation bill pending before the Senate. An amendment was offered to which a point of order was made. The Vice President referred to the title of the bill to determine his action, and that seemed to influence him very largely in his conclusions. I have here the CONGRESSIONAL RECORD of the Sixty-third Congress, first session, where, at page 2087, this ruling was made by the Vice President:

The Chair is of opinion that the citation of authorities from Bouvier's Law Dictionary is not of any value in construing the rules of the Senate. The definitions have to do with constitutional enactments with reference to general and special and public and private legislation. But from the statement made by the Senator from Oklahoma [Mr. OWEN], accepting that to be the fact about the matter, that this is money which is to be distributed in accordance with treaty stipulations, and the title of the bill providing that it is for fulfilling treaty stipulations with various Indian tribes, the Chair holds that it is not general legislation.

So the Chair referred to the title of the bill to assist him in reaching a conclusion as to whether or not the proposal was subject to a point of order.

Mr. President, the title of this bill is "To enable the Secretary of Agriculture to carry out * * * the purposes of the act entitled 'An act to provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products,'" and so forth. This amendment is clearly within the terms and provisions and purposes of the act which this bill is intended to carry out, because it is conducive to the national strength, the national security, and is for the conservation of food products, and so forth.

Now, Mr. President, I come to the point to which I wish to refer briefly, as to the effect of the action of the House. Even if we grant that this is a general appropriation bill—which I do not grant at all—then the action of the House authorizes the Senate under its rules to enact this legislation.

In the Sixty-fourth Congress, in the first session, at page 11087, I find this ruling by the Vice President. This was on the Post Office appropriation bill:

Notwithstanding the rule of the Senate to the effect that general legislation may not be attached to an appropriation bill, still when the House of Representatives opens the door and proceeds to enter upon a field of general legislation which has to do with a subject of this character, the Chair is going to rule, but of course the Senate can reverse the ruling of the Chair, that the House having opened the door the Senate of the United States can walk in through the door and pursue the field.

And the Chair overruled the point of order made by the Senator from Georgia [Mr. HARDWICK], and this ruling stood as the ruling of the Senate.

Mr. OVERMAN. Mr. President, was not this bill considered by the House of Representatives to be a general appropriation bill, in that the committee submitted a limitation upon the appropriation in order to make it in order?

Mr. JONES of Washington. We are not controlled by the rules of the House. We are controlled by our own rules.

Mr. OVERMAN. No; but I am asking the Senator if he does not think the manner in which the amendment was put on that bill shows that they considered it necessary to put it in the form of a limitation in order to make it in order?

Mr. JONES of Washington. I do not know, and it does not make any difference what I think about it.

Mr. OVERMAN. In the House of Representatives, if it is a limitation upon the expenditure of money, it is in order. The Senator is a former Member of the House, and I am asking him as to the procedure in the House.

Mr. JONES of Washington. I will say that I do not think this would be subject to a point of order even in the House under the House rules, and that it would not be necessary for them to put on the limitation instead of putting on the legislation; but whether or not that question was raised in the House, I do not know. I have not examined the RECORD in that respect. I do not believe this is a general appropriation bill; and on that assumption, under the rule of the House, it would not be obnoxious to their rule, although I have not examined their recent rules. I am trying to have this question decided upon the rules of the Senate, where I think it should be decided.

Mr. NORRIS. Mr. President——

Mr. OVERMAN. I understand that. The reason why I asked the question is because we want to decide whether or not this is a general appropriation bill. That is the first question.

Mr. JONES of Washington. We can decide that question upon our own precedents.

Mr. OVERMAN. I understand that.

Mr. JONES of Washington. It is not mentioned anyway in the House; and the Presiding Officer, in the decision to which I have referred, says that the custom and practice of the House and the Senate lead him to conclude——

Mr. OVERMAN. I am not taking any issue with the Senator. I am trying to get information.

Mr. JONES of Washington. I am giving the Senator all the information I have.

Mr. OVERMAN. The fact that that amendment was put on as a limitation upon the appropriation looks as though they considered it a general appropriation bill.

Mr. NORRIS. That is the question about which I wanted to ask the Senator.

Mr. JONES of Washington. Very well; I yield.

Mr. NORRIS. In that case—I did not pay any attention to which one it was—the case where the Senate decided that even though it was a general appropriation bill, and general legislation, the House having entered the field the Senate could pursue it, is it not true that the House entered the field by way of an amendment for a limitation, exactly as they did in this case?

Mr. JONES of Washington. I am coming to that case now.

Mr. NORRIS. That is the case to which I have reference.

Mr. JONES of Washington. This is another case, where the Vice President made his first ruling that where the House opened the door of the field the Senate could walk through it.

Mr. NORRIS. The case I had in mind is the one the Senator is coming to.

Mr. JONES of Washington. I have that case right here. It covers the very proposition, I think.

Mr. SMITH of South Carolina. Mr. President, the point which the Senator from North Carolina [Mr. OVERMAN] was bringing out was that a limitation placed upon the appropriation carried in a general appropriation bill made the amendment in order, and had the Senate maintained that limitation in its amendment it would have still been in order; but that the Senate modified the House's point by removing the limitation, therefore not bringing it within the point of order.

Mr. JONES of Washington. The Senator has not explored this matter.

Mr. SMITH of South Carolina. This amendment does not place any limitation upon any appropriation in this bill, but the House amendment did.

Mr. JONES of Washington. I know; and I have a case here that is squarely in point and holds contrary to those who contend that this amendment is subject to the point of order, if I can understand precedents; and it is a precedent made by the Senate itself. I am glad to have the opportunity to call these matters to the attention of the Senate, because it seems to me that we have direct precedents to refute every claim that is made by those who contend that this amendment is subject to a point of order.

I have here a case arising in 1916. The Post Office appropriation bill came over here with a limitation upon a certain appropriation—just a pure limitation. That was clearly put on by the House in order to comply with its rules. There was no question but that the Post Office appropriation bill was a general appropriation bill; and I will say to the Senator from North Carolina that I have not examined the RECORD with reference to the discussion of this particular bill in the House to see whether or not the question was actually raised as to whether it was a general appropriation bill or whether they just assumed that only a limitation would be in order. I have not examined that matter; but here is a case where there could be no question but that the bill before the House was a general appropriation bill. It was the general Post Office appropriation bill, and here is the limitation that the House put upon a provision of that bill:

Provided, That no part of the money herein appropriated for rural delivery service shall be used to cover any expense upon any motor-vehicle route until a majority of the patrons to be served by such motor-vehicle route shall by written petition ask the Post Office Department to establish such motor-vehicle route.

That was purely a limitation and was in order under the House rules. That came over to the Senate, just as this limitation came over. It went to the Committee on Post Offices and Post Roads. That committee struck out that limitation, just as this committee has stricken out this limitation. That committee did not stop with striking out that limitation. It went further and proposed an amendment that was clearly legislation of a very broad character. It is a long amendment. The committee proposed to strike that out and insert:

That rural mail delivery shall be extended so as to serve, as nearly as practicable, the entire rural population of the United States.

Those are the first two lines in it—broad legislation, covering the whole United States, extending the Rural Delivery System of the country.

Hereafter—

Showing that it is intended to be permanent—real, permanent legislation—

Hereafter all rural mail-delivery routes shall be divided into two classes to be known as—

Standard horse-drawn vehicle routes, which shall be 24 miles in length; and

Standard motor-vehicle routes—

And so forth.

There is a half column containing legislation pure and simple, legislation of a general character, legislation of a permanent character. When that came before the Senate the Senator from Florida [Mr. Bryan] made the point of order against it that it was legislation upon an appropriation bill, just exactly the point of order that is made here, granting for the sake of the argument only that this is a general appropriation bill. I am not going to take the time of the Senate to read the argument that was presented by the Senator from Georgia [Mr. HARDWICK] in combating the point of order made by Mr. Bryan.

Mr. SMITH of South Carolina. What was the decision of the Chair?

Mr. JONES of Washington. I want to see if there is not something here that I want to read to the Senator, as well as the decision of the Chair.

Mr. SMITH of South Carolina. I am just asking for information.

Mr. JONES of Washington. I am going to give the Senator information. They discussed a whole lot of matters here. The Senator from Georgia [Mr. HARDWICK] argued in this way on behalf of the committee and on behalf of the action of the committee:

The committee insists to-day, just as it did yesterday to the Vice President, that the House having taken this matter up and having eliminated it from the operations of Rule XVI any substitute that the Senate committee or the Senate itself may care to adopt is before this body for full, unimpeded action by the Senate—

That is what we contend here. Granting for the sake of the argument that this is a general appropriation act, we contend that the House having acted the Senate has the right to act unimpeded by Rule XVI, because Rule XVI has been in a way obviated by the action of the House—

It would be preposterous, I think, to say that we are bound to the mere limits of the exact proposition submitted by the House, and that we can only say "yes" or "no" to the exact and precise proposition submitted by the House of Representatives. We therefore urge that view against the point of order submitted by the Senator from Florida.

Then he says:

We say on all three grounds—

He had three different grounds—

that the point of order of the Senator from Florida is not good:

First, that the House of Representatives having undertaken to deal with this matter in a legislative way, the Senate has a full, free right to deal with this same question and the various branches of it in whatever way seems best to the Senate, and that the limitations under which it can deal with it are not such as are fixed by the ordinary rules of the Senate, because to the text of the House bill the ordinary rules of the Senate can not be applied.

The Presiding Officer submitted the matter to the Senate of the United States for its decision, and said:

The question is, Shall the point of order raised by the Senator from Florida be sustained?

A roll call was asked for and ordered, upon which the yeas were 13 and the nays were 37; and the Presiding Officer said.

So the point of order is overruled.

Mr. OVERMAN. Why not put the roll call in the RECORD?

Mr. JONES of Washington. The Senator from North Carolina wants to know if it would not be well to put the roll call in the RECORD. I think it would be a good idea to do that, and I think I shall.

The yeas, holding that the point of order was good, and that the legislation was not in order under Rule XVI, were 13, as follows: Messrs. Borah, Bryan, Gore, Husting, Johnson of Maine, Johnson of South Dakota, Kern, La Follette, Lee of Maryland, Smoot, Tillman, Walsh, and Williams. The nays, 37, were Messrs. Ashurst, Bankhead, Brady, Broussard, Chamberlain, Clapp, Culberson, Cummins, Curtis, Fletcher, Harding, Hardwick, Hitchcock, James, Lane, McLean, Martin of Virginia, Martine of New Jersey, Myers, Nelson, Norris, Oliver, Overman, Page, Poindexter, Shafroth, Sheppard, Sherman, Shields, Simmons, Smith of Georgia, Sterling, Thompson, Townsend, Vardaman, Weeks, and Works.

Mr. President, the Senators who voted to sustain the point of order are fully justified, in view of the decision of the Senate, in accepting the verdict of the Senate upon this question, which is squarely upon all fours with the one submitted to the Senate, and accepting that as the settled ruling and decision of the Senate. They will not be acting inconsistently to vote now against sustaining this point of order, upon the theory that when the Senate has solemnly acted upon a proposition of this kind, in order to have stability and certainty, its decisions should be followed in the future. We can maintain our rules in no other way.

Mr. SMITH of South Carolina. Mr. President, I have not read the amendment offered by the Senate committee in lieu of the House amendment in the case the Senator has before him. Was there any limitation at all in the Senate proposition?

Mr. JONES of Washington. No; no limitation. I have read the first few lines of it.

Mr. SMITH of South Carolina. I thought perhaps there might have been a limitation further on in the amendment.

Mr. JONES of Washington. I will read the amendment in full. I do not think it would make any difference even if it did have a limitation, because it did contain legislation of the broadest and widest scope with reference to the Rural Delivery Service; but I will read the whole amendment.

Mr. SMITH of South Carolina. The point I wanted to make clear was that the position of the House seemed to be that no matter if an amendment carries general legislation, if it also carries a general limitation which is in its nature a limitation upon the appropriation, it is in order; but if there is no limitation upon the appropriation, then it is purely general legislation, without reference to the subject matter contained in the appropriation.

Mr. JONES of Washington. Mr. President, I think the Senator does not state quite correctly the position of the House. The position of the House is that you can not put general legislation upon a general appropriation bill.

Mr. SMITH of South Carolina. Unless——

Mr. JONES of Washington. No; there is no "unless" about it. You can put a limitation upon a general appropriation bill, and that is all you can do. You can prohibit the use of the money for certain purposes, but you can not go on and put in general legislation under the guise of a limitation.

Mr. SMITH of South Carolina. I am not familiar with the rule of the House; but the idea in my mind was that if the limitation itself took on the nature of and was in effect general legislation, but was a general limitation, then, despite the fact that it was general legislation, it could not be ruled out, because it was a limitation, just like this proposed prohibition amendment of the House is evidently general legislation when it says that certain things shall not be done unless the President does so and so, meaning that the very limitation itself implies general legislation.

Mr. JONES of Washington. That contention strengthens my argument that the Senate can now act.

Mr. SMITH of South Carolina. I should imagine that if the Senate struck out every limitation and then inserted a substitute without any limitation upon the appropriation in the bill, and it was a general appropriation bill, they had gone outside the scope of the amendment as it was put in in the House. Hence I say to the Senator that if the substitute proposed by the Senate committee in lieu of that of the House contained no limitation whatever, and the Senate acted as the Senator has just shown us that it did act, then it seems to me that the Senator's point is well made.

Mr. JONES of Washington. I will ask the Senator to notice while I read this amendment. I have not read it clear through, but I do not expect to find any limitation in it. The amendment was to strike out certain matter and insert the following:

That rural mail delivery shall be extended so as to serve, as nearly as practicable, the entire rural population of the United States.

Hereafter all rural mail-delivery routes shall be divided into two classes, to be known as—

Standard horse-drawn vehicle routes, which shall be 24 miles in length, and

Standard motor-vehicle routes, which shall be 50 miles in length, and shall only be established upon certificate of the duly qualified county road officials that the character of the roads proposed to be used, as well as climatic conditions, will warrant regular and practically uninterrupted service throughout the year.

Nothing herein contained shall be construed to prohibit the establishment of horse-drawn vehicle routes of less length than the standard of 24 miles: *Provided*, That if in extraordinary cases, in order to render more complete service, it should be necessary to do so, the Postmaster General is hereby authorized to increase the length of routes not to exceed 20 per cent above the standards herein prescribed: *Provided further*, That carriers in rural mail-delivery service shall furnish and maintain at their own expense all necessary vehicle equipment for prompt handling of the mail: *And provided further*, That nothing herein shall be construed, and no order shall be issued, to prevent the use of motor vehicles on horse-drawn vehicle routes: *And provided further*, That the Postmaster General may, in his discretion, allow and pay additional compensation to rural letter carriers who are required to carry pouch mail to intermediate post offices or for intersecting loop routes in all cases where it appears that the carriage of such pouches increases the expense of the equipment required by the carrier or materially increases the amount of labor performed by him, such compensation not to exceed the sum of $12 per annum for each mile such carrier is required to carry such pouch or pouches.

The Postmaster General is hereby authorized and directed to reorganize and readjust existing rural mail-delivery service where necessary to conform to the standards herein prescribed: *Provided*, That in making appointments of rural carriers for service on new routes which may be created by the reorganization herein ordered preference shall be given to carriers who were formerly employed in rural delivery service and who were separated therefrom on or after June 30, 1915, by reason of any previous reorganization of the service and without charges against them: *And provided further*, That the Postmaster General is authorized and directed to pay, out of the appropriations already made and still available and unexpended for rural free-delivery service for the fiscal year ending June 30, 1915, to all letter carriers in the Rural Free Delivery Service during the fiscal year ending June 30, 1915, their executors or administrators, the difference between what they received for their said services and the amount that would have been paid to them in accordance with the proviso contained in joint resolution making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1916, approved March 4, 1915.

There is the end of it, and I fail to find any limitation of any kind or character. As a matter of fact, the Senate cut out the limitation of the House and inserted in lieu of it general legislation of a permanent character, and the Senate, by a vote of nearly 3 to 1, held it in order.

Mr. LENROOT. Mr. President——

Mr. JONES of Washington. I yield to the Senator.

Mr. LENROOT. Assuming that the first contention of the Senator is not sustained, and I hope it will be sustained, I want to ask him whether this amendment must not be treated in the same way, and if this is not merely a limitation, as far as the Senate is concerned, upon the question of germaneness; in other words, whether an amendment proposed must not be germane to the House provision in the bill in order to come within the rule which the Senator invokes?

Mr. JONES of Washington. I do not think I just catch the point the Senator makes.

Mr. LENROOT. I am speaking now of the germaneness of the Senate amendment to the House limitation.

Mr. JONES of Washington. Of course, if this is a general appropriation bill, then the question of germaneness must be submitted to the Senate; but if it is not a general appropriation bill, then there is no question of germaneness which arises at all.

Mr. LENROOT. I understand that. I am speaking only of the second contention.

Mr. JONES of Washington. So either way, the question should be submitted to the Senate.

Mr. LENROOT. That is true as to the question of germaneness; but I want to ask the Senator this question, then: The House limitation relates only to the use of food in the produc-

tion of liquor, while the Senate committee amendment relates to the sale in part.

Mr. JONES of Washington. It goes further than the House provision. Certainly I do not think there will be any question about its being germane to that proposition, but there is nothing in these rulings here that requires the amendment of the Senate to even be germane to the proposal. Of course, that question does not seem to have been submitted or raised.

Mr. LENROOT. I was going to ask the Senator if that question had been raised.

Mr. JONES of Washington. I think not. That was not the question before the Senate which was passed upon in the matter referred to. I do not know that that was ever passed upon by the Senate.

Mr. President, I think that is all, and I am not going to take the time of the Senate further in discussing this matter. It is perfectly clear to me that this is not a general appropriation bill within the general and accepted meaning of the term that is used in the rule either of the Senate or the House, but it is a bill which by its very terms shows it is a special bill that is being passed for a special purpose and is temporary in character, and it is not intended to be lasting and general or permanent; furthermore, that if it is a general appropriation bill, the Senate by its action in former cases, in view of the action taken by the House, has ruled that a point of order is not good, and, in any case, the question as to whether this is a general appropriation bill should be submitted to the Senate for the Senate to decide for itself.

Mr. SMITH of Georgia. Mr. President, the rule which limits the right to add general legislation to a general appropriation bill is most important in the conduct of the business of the Senate. General appropriation bills, not special for an individual, but dealing with the general welfare intended to help care for the general welfare of the country, are essential. It would be unfortunate if they could be loaded down by special appropriations offered on the floor of the Senate, ill advised and not well considered, or if general legislation could be added to them on the floor of the Senate, and that they should be used to carry through some pet legislation that could not stand by itself.

Now, the object of our rule, Rule XVI, is to make it possible and practicable for us to legislate with reference to appropriations that bear upon the general welfare and are general in their nature without having them subjected to additions that have not been considered by the committee or estimated for by the department.

It is this kind of general appropriations that are to be protected under Rule XVI not only from general legislation but from increased estimates or increased figures presented on the floor of the Senate not recommended by the committee or estimated for by the department.

The reason of the rule certainly applies to a bill of this kind. What is this bill? It is a bill which carries an appropriation of over $10,000,000. What is it to be used for? In many different ways all over the country for the general welfare. It is not the first appropriation bill of this session for agriculture, but is a second general appropriation bill for that department.

The first paragraph carries $1,058,975. It is to encourage the eradication of diseases among stock, the eradication of diseases among horses, to encourage live-stock production upon the plains, the production of pork, the production of poultry, the production of sheep, the production of cheese, the utilization of creamery by-products, and for other purposes.

The next paragraph has reference to seed wheat and beans. It is to help furnish seed all over the United States in different parts of it where required.

Mr. KING. Will the Senator yield to me?

Mr. SMITH of Georgia. Yes.

Mr. KING. I suggest to the Senator many of these items are of the same character as those found in the Agricultural appropriation bill. They rather duplicate appropriations carried in what is denominated by all, and conceded by all, to be the general appropriation bill.

Mr. SMITH of Georgia. I thank the Senator. I was coming to that after I had called attention to a few more of these items.

The third is to protect against disease among plants, $721,000.

The fourth is to increase food production generally by demonstration work. This amounts to $6,100,000 for agricultural demonstration work of all varieties all over the United States.

The fifth is for the distribution of authoritative information in connection with the demand for the production, supply, distribution, and utilization of food, preventing waste of food, for the Market Bureau to facilitate the sale of food, for a survey of the food supplies, $1,610,000.

The sixth is for the pay of Assistant Secretaries in the department, distribution of information from the department, instruction about preparation of fish and storage of fish, waterproofing leather for the Government and farm use, destruction of predatory animals, and so forth, and so forth, amounting to one million and odd dollars.

Mr. President, I have gone far enough in calling attention to the bill to show that it spreads over the entire field of agriculture. It reaches from the Atlantic to the Pacific, from the Lakes to the Gulf.

Now, how does it differ from the first Agricultural appropriation bill? It deals with the same subject; it is the same character of bill. Rule XVI does not say that one general appropriation bill with reference to agriculture shall be subject to its limitation. No one questions the fact that our first appropriation bill for the Agricultural Department was subject to this rule and was a general appropriation bill. This is also a general appropriation bill, because it appropriates money for agriculture all over the United States and in many, many varieties. I said it amounted to over $10,000,000. The suggestion is made to me that it amounts to nearly $20,000,000. It is territorially general. It is general as to its subjects. I will read a definition from Bouvier which seems to draw the distinction between general and special as applied to legislation:

> Laws that are framed in general terms, restricted to no locality, and operating equally upon all of a group of objects which, having regard to the purpose of the legislation, * * * laws which apply to and operate uniformly upon all members of any class of persons, places, or things.

The Senator from Washington called attention to a precedent in the Congress of 1878 or 1879. The subject was up in 1880. Attention was called then to the previous consideration of what constituted a general appropriation bill, and it was very elaborately discussed by the Senators. The question of what constituted a general appropriation bill covered by Rule XVI was separated from the other question raised, which was that the proposed amendment was general legislation upon a general appropriation bill. The particular bill then before the House was a deficiency bill.

The insistence was made that a general appropriation bill covered by Rule XVI was limited to the bill specifically named, and that a deficiency bill was not so named and not a general appropriation bill. The subject was fully considered by the Senate. On the request of Senator Edmunds it was segregated from the further proposition as to whether the amendment was general legislation, and the Senate determined to consider as a distinct and separate proposition the question whether the bill was a general appropriation covered by Rule XVI. The contention on the one side was that there were certain appropriation bills that must be presented at each session and that general appropriation bills were only those which were specifically required each term as a necessary incident to legislation providing appropriations. On the other hand, it was insisted that any appropriation bill, general in its nature, was covered by Rule XVI.

It was contended that wherever the appropriations carried funds generally throughout the country it fell within the provision of this rule and that they could not be amended upon the floor by adding appropriations not recommended by the committee and not estimated for by the department. This limitation of amendments is perhaps the most important. It is absolutely essential to protect general appropriation bills from speedy and reckless appropriations upon the floor.

Senator Edmunds contended that the emergency deficiency bill was not one of the required appropriation bills, not one of those specifically named that must always be made, but that any appropriation bill which generally distributed money supplementing a former appropriation bill upon the same subject still was a general appropriation bill just as much as the original appropriation bill was a general appropriation bill. The same view was supported by Senator Garland, of Arkansas; the same view was supported by Senator Hoar, of Massachusetts; the same view was supported by Senator Eaton, by Senator Conkling, and finally the Senate voted upon it. The question was whether the rule applied only to the first regular appropriation bill or whether the character of the bill—general or special—should be determined from the nature of the provisions of the bill under consideration. It was the same question in principle that is involved here.

We had our first Agricultural appropriation bill. We now have a second Agricultural appropriation bill, amounting to nearly $20,000,000 to be spent during the next fiscal year, just as the original appropriation provided for expenditures, and spread all over the country from ocean to ocean and from the Lakes to the Gulf.

Mr. WARREN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Georgia yield to the Senator from Wyoming?

Mr. SMITH of Georgia. I yield.

Mr. WARREN. The Senator will remember that since the outbreak of the war nearly all our regular appropriation bills have been added to, sometimes several times as much, under the name perhaps of deficiencies, but they are really general appropriation bills. This case is all the more strong because deficiencies even for the Army go to the Committee on Appropriations instead of the Committee on Military Affairs; but here comes a second appropriation bill from the same committee that reported the first Agricultural appropriation bill. That can only give the supposition that on account of the war and changing conditions, not having appropriated enough the first time, they appropriate the second time and spread it over an equally large area of country, and in the way of amount it is nearly $20,000,000 as against, or in addition to, the first Agricultural appropriation bill amounting to some $28,000,000. In every way except in the title it is a general appropriation bill for the Agricultural Department.

Mr. SMITH of Georgia. There is nothing in Rule XVI which limits its application to the first general appropriation bill for the Agricultural Department or the first general appropriation bill for the Army or the first general appropriation bill for the Navy, but it declares if the bill is a general appropriation bill increased appropriation can not be made upon the floor of the Senate unless estimated for by the department or unless recommended by the committee. As the Senator from Wyoming [Mr. WARREN] has said, during the past 12 months our second appropriation bills for the Army have been perhaps even larger than the first, and this appropriation bill carries to the Department of Agriculture about half as much as the first.

Mr. WALSH. Will the Senator give us his idea of an appropriation bill that is not a general appropriation bill?

Mr. SMITH of Georgia. Yes; I can very easily name one. Suppose you have a special appropriation to pay a particular pension. Suppose you have a special appropriation to pay a particular Indian claim. Suppose you have an appropriation to build a bridge or to put up a public building. The general bill for buildings would be general legislation, but it could be so confined to one locality or one purpose that it would be classed as special legislation rather than general.

Mr. WALSH. So, as I understand the Senator, in the case of a general public building bill the rule applies, but if an appropriation were made for the purpose of constructing a post-office building at Savannah, Ga., the rule would not apply.

Mr. SMITH of Georgia. This particular rule would not. I do not think it would be classed as a general appropriation bill.

Mr. WALSH. Then, just one other question. I want to know, then, from the Senator how many items there must be in the second bill in order to make it a general appropriation bill?

Mr. SMITH of Georgia. I would not be able to decide it simply by items. It must be so general in its nature; general in territorial effect.

Mr. PENROSE. Will the Senator permit an interruption?

Mr. SMITH of Georgia. Yes.

Mr. PENROSE. Would not one line of distinction be that where it applied to the department for the fiscal year it would pretty nearly be a general bill?

Mr. PHELAN. Mr. President——

Mr. SMITH of Georgia. I yield to the Senator.

Mr. PHELAN. The Senator is discussing Rule XVI, section 3. Section 4 reads:

> No amendment the object of which is to provide for a private claim shall be received to any general appropriation bill.

I should like to ask the Senator from Montana if it would not be competent for the Senate to attach a private claim to this bill?

Mr. SMITH of Georgia. I would prefer not to suspend my remarks for a colloquy between the Senator from California and the Senator from Montana.

Mr. PHELAN. Very well; I will raise the question in my own time.

Mr. SMITH of Georgia. I will be glad for the Senator to do it later.

I was coming to the action of the Senate upon this question. I have called attention to the arguments presented in the Senate by Senator Edmunds, by Senator Garland, by Senator Hoar, and by Senator Eaton in support of the proposition that although it was a second appropriation bill on the same subject, although the regular first appropriation bill had been passed for the particular department, the subsequent appropriation bill if it was general in its nature should be classed as a general appropriation bill and fall within this rule.

Mr. WALSH. Mr. President——

Mr. SMITH of Georgia. One moment. What I desired to do was to present the final vote by the Senate upon this subject. After full discussion, after calling attention to the fact that there had been varying rules by the Senate prior to that time, the ruling called attention by the Senator from Washington being one of them, the subject was submitted to the Senate for determination without a ruling by the Presiding Officer, and the vote stood 47 to 4. Among those who voted to sustain the view that the second appropriation bill, if it was general in its character, fell within the limitation of this rule as a general appropriation bill were such men as Senator Bayard, Senator Beck, Senator Carpenter, Senator Conkling, Senator Dawes, Senator Eaton, Senator Edmunds, Senator Garland, Senator Hampton, Senator Harris, Senator Hill of Georgia, Senator Hoar, Senator Ingalls, and many others.

Mr. WALSH. Mr. President, I inquire of the Senator from Georgia if the bill under consideration there was not the ordinary general deficiency bill?

Mr. SMITH of Georgia. In that particular case it was a general deficiency bill, but the general deficiency bill is not one of those named in the list.

Mr. WALSH. Quite true. A general deficiency bill, as I understand the matter, is intended to take care of deficiencies that may occur in the appropriations made for the various departments of the Government—a general deficiency bill to take care of all deficiencies; but I ask the Senator from Georgia now if there is a special deficiency bill, not to take care of deficiencies generally in all the departments, but a deficiency bill to take care of deficiencies only in one branch—the Agricultural Department, for instance—would the same rule apply?

Mr. SMITH of Georgia. The same rule has been applied to an urgent deficiency bill, and going beyond the general deficiency bill.

Mr. WALSH. But is not that one of the bills that are regularly and ordinarily passed at each succeeding session of Congress?

Mr. SMITH of Georgia. An urgent deficiency bill is not necessarily so.

Mr. WALSH. Has there been any session which the Senator from Georgia has attended when that has not been done—when an urgent deficiency bill has not been considered?

Mr. SMITH of Georgia. I do not recall such a case.

Mr. WALSH. Neither do I.

Mr. SMITH of Georgia. But the general deficiency appropriation bill is not one of the regular appropriations that must be brought forward. It would not be brought forward unless a deficiency existed.

Mr. WALSH. Just one further question: Is it not denominated "the urgent deficiency bill"; not "an urgent deficiency bill," but "the urgent deficiency bill"?

Mr. SMITH of Georgia. I do not think the manner of its denomination at all settles whether or not it is a general appropriation bill.

Mr. WALSH. But is it not persuasive that it is a bill that is regularly passed?

Mr. SMITH of Georgia. No; I do not think so. This pending bill is a bill "to enable the Secretary of Agriculture to carry out, during the fiscal year ending June 30," and so forth. It applies to the whole year; it applies to continued work; it applies to the whole country; it applies to a great department; and it applies to no one locality, but to all localities. It is just as general as was the first appropriation bill for the Department of Agriculture; and there is nothing in our rules which says that we shall only recognize as a general appropriation bill the first general appropriation bill for a department. We determine not whether it is the first or the second bill but whether the appropriations for the department are general. The reason for the rule is just as strong on an appropriation of this kind as it would be on the first appropriation. The reason is to protect this general appropriation bill, which is large in size, spreading through all localities, spreading to diversified interests, from being loaded down with special appropriations offered on the floor; from being loaded down with general legislation on the floor. There is just as much reason for protecting this bill as there was for protecting the first general appropriation bill in reference to this department.

Mr. WALSH. If the Senator will pardon another interruption, I desire to say that I fully agree with him, that it does not make a bit of difference about which bill comes first. If it is of interest to the Senator, I would say, that my own idea about it is that the general Agricultural appropriation bill is the bill that makes provision for the usual and ordinary expenditures of that department, which provides for the salary of the chief and the salaries for all of his subordinates and all of his clerks, and which makes the usual and ordinary appro-

priations for that purpose. That, I understand, is the general Agricultural appropriation bill.

Mr. SMITH of Georgia. It is a general Agricultural appropriation bill; but this rule is not limited to that general appropriation bill. The general bills mentioned in this rule are:

The bill making appropriations for rivers and harbors, to the Committee on Commerce; the Agricultural bill, to the Committee on Agriculture and Forestry; the Army and Military Academy bills, to the Committee on Military Affairs; the Indian bill, to the Committee on Indian Affairs; the naval bill, to the Committee on Naval Affairs; the pension bill, to the Committee on Pensions; the Post Office bill, to the Committee on Post Offices and Post Roads; and no amendments shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law or treaty stipulation.

It will be observed that after naming certain committees to which certain appropriation bills shall be referred the rules proceed:

No amendments shall be received to any general appropriation bill the effect of which will be to increase an appropriation—

And so forth.

The prohibition is against certain amendments to "any general appropriation" bill, not simply to those general appropriation bills named.

That is the first portion of the rule. The line of thought pressed in the particular case to which I have referred was that certain general appropriation bills were mentioned in this rule, and that a deficiency bill was not mentioned and would not be covered by the rule. The question was whether the language of the rule should be broadly applied to any bill which was a general appropriation bill. Upon that subject the view, I think, was soundly presented that the reason of the rule should be considered. The reason of the rule, first, was to protect a large appropriation bill, one general in its effect, from being loaded down and made a carrying vehicle for increases and special items presented upon the floor, for which the department had never estimated and which the committee had never recommended.

Mr. BRANDEGEE rose.

Mr. SMITH of Georgia. That is the first limitation, and perhaps the most important; and as was urged by Senator Edmunds, I think, with so much force in the case which I have cited, the same reason for protecting one general appropriation bill would apply to protecting another, even though it were the second bill for the same department at the same session of Congress.

I now yield to the Senator from Connecticut.

Mr. BRANDEGEE. Mr. President, I was going to suggest to the Senator from Georgia, inasmuch as the phrase "general appropriation bill" has never been accurately defined by a rule of the Senate, but simply voted this way and voted that way on particular bills, if he does not take the view that the object of the rule as to a general appropriation bill is to protect the supply bills of the Government from general legislation and from particular legislation, and to keep them separate from all other contested matters?

Mr. SMITH of Georgia. That is just the view I was seeking to urge, and that was just the view which was pressed so vigorously by the Senators who finally secured from the Senate, upon this exact question, an almost overwhelming vote; that the supply bills, these general appropriation bills, whether the first supply bill for the department or the second supply bill for the department, the important question being that it was a supply bill for the Government, general in its nature, and which must be protected, whether the first one or the second one or the third.

Mr. BRANDEGEE. And the word "general" does not mean "universal," or anything of that kind, but that it means an appropriation for a governmental function—a supply bill?

Mr. SMITH of Georgia. The contention at that time was that as certain bills were named in the rule—the Agricultural bill to the Committee on Agriculture; the bill to make appropriations for rivers and harbors to the Committee on Commerce, and so forth—it simply meant the first one that they must introduce, the regular one that must come, but did not mean to apply to subsequent ones on the same line. The reply was that the reason of the rule must be considered, which was to protect these supply bills from improper loading, whether by increased appropriations or by ill considered or general legislation; that these supply bills must have a chance to be enacted into legislation without being loaded down with other measures.

As I have already stated, I repeat, only four Senators, after elaborate discussion of this question, failed to agree with the view that the supply bills would be considered as general appropriation bills, whether the first supply bill for the department or the second or the third. Since that time urgent deficiency bills, all classes of supply bills, whether first, second, or third, so far as I have seen, have been regarded as general appropriation bills.

Mr. SIMMONS. Mr. President, I understand the contention of the Senator from Georgia is that the committees having the duty of providing for the expenditures of the great departments are not compelled to include all the items or subjects of expenditure in one bill, if they should see fit, after we have passed one appropriation bill for that purpose, to bring in another appropriation bill; that, if the committee should afterwards decide to bring in another bill dealing with the general subjects committed to that particular department, the fact that it did not bring in these items of expenditure in the first bill would not remove the second bill from the character of being a general appropriation bill, but that it is still given the protection of this rule of the Senate.

Mr. SMITH of Georgia. The Senator from North Carolina has stated my contention exactly; and, as he states it, the importance and soundness of it is evident, for to take from the committee that privilege, to subject all but the first supply bills from a committee to all kinds of amendments, without regard to the estimates by the department or action by the committee, would endanger every subsequent supply bill and would handicap legislation without any reason whatever.

Mr. SIMMONS. The Senator from Georgia is entirely right; but, to make it stronger, if subsequent to the passage of a general appropriation bill Congress should create in a particular department an entirely new service, involving large governmental expenditures, the Senator would hold, I take it, that the committee might bring in a second bill making appropriations to pay the expense of that special service?

Mr. SMITH of Georgia. Yes.

Mr. SIMMONS. That is very clear, is it not?

Mr. SMITH of Georgia. Yes.

Mr. SIMMONS. Now, I ask the Senator if, in substance, that is not just what has happened in this case? The Agricultural Department is a permanent institution——

Mr. SMITH of Georgia. Mr. President, I had about finished what I wanted to say, and I yield the floor to the Senator from North Carolina.

Mr. SIMMONS. I want to know the Senator's idea about this.

The PRESIDENT pro tempore. The Chair would like to suggest that the Chair of necessity must limit debate, and, after the Senator has finished, the Chair is going to indicate very strongly his willingness to decide the question, because to occupy the chair hour after hour, as the present occupant must necessarily do out of courtesy to the Senate, is of course a considerable punishment.

Mr. SIMMONS. Mr. President, I am not going to occupy any time. My only purpose is to fortify the argument made by the Senator from Georgia [Mr. SMITH], and I was presenting to him a view that probably had not occurred to him. I had just inquired of the Senator if, subsequently to the passage of the regular appropriation bill, Congress should pass an act creating a new service in the department, involving large appropriations, and the committee should bring in a second bill appropriating the money necessary to execute the powers and functions provided for by the new legislation, if that would not clearly be a general appropriation bill, as much so as the original appropriation bill?

Mr. SMITH of Georgia. I think so; undoubtedly.

Mr. SIMMONS. Now, Mr. President, the point I propose to make is—and I want to know if it has the approval of the judgment of the Senator from Georgia—that Congress passed on the 10th of August, 1917, an act the title of which is "An act to provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products." That act confers upon the Secretary of Agriculture large powers; it imposes duties upon him which are to be performed and which can not be performed without increasing the organization of his department and largely increasing the expenditures of his department. In that act appropriations were made, but to a large extent they were lump-sum appropriations. One of the lump-sum appropriations was for $850,000; another lump-sum appropriation was for $2,500,000; another for $441,000 and another for $2,522,000. Thus lump-sum appropriations were made for the purpose of carrying out the duties imposed upon the Secretary of Agriculture by that act. In the bill which we are discussing here to-day, and which it is proposed to amend, instead of providing the Secretary of Agriculture with lump sums to pay the expenses of this service the committee has seen fit to reduce those appro-

priations to special or specific appropriations covering the estimated expenditure for doing the various and sundry things imposed upon the Secretary of Agriculture in that act.

Mr. NORRIS. Mr. President, may I interrupt the Senator?

Mr. SIMMONS. If the Senator will permit me one word further, then I will yield to him. This is, therefore, an appropriation intended to carry out an additional service created in the Agricultural Department, and it appropriates specifically, not merely for one thing he is to do; it appropriates not one particular amount for a particular service, but it purports to appropriate the entire amount that is necessary to accomplish the purposes and to perform the services required of him by that act. In other words, this is a new service created in the department, calling for expenditures aggregating $19,000,000 in small sums, and the appropriations for that service are made by this bill. Therefore, Mr. President, this bill is for the purpose of carrying out the specific legislation referred to, and is as much a general appropriation bill as the first Agricultural appropriation bill, which was for the purpose of carrying out the functions heretofore permanently invested in the Secretary of Agriculture.

Mr. NORRIS. May I ask the Senator a question now?

The PRESIDENT pro tempore. Does the Senator from North Carolina yield to the Senator from Nebraska?

Mr. SIMMONS. I yield.

Mr. NORRIS. The appropriations of which the Senator speaks as being provided for in lump sums were in the act of August 10, 1917.

Mr. SIMMONS. Yes.

Mr. NORRIS. And the Senator says, does he, that this particular appropriation bill, if he calls it that, now before the Senate, is to make the same kind of appropriations authorized in that act?

Mr. SIMMONS. Oh, no; not the same kind of appropriations; but the very title of the act——

Mr. NORRIS. Well, making them in detail, instead of in lump sums?

Mr. SIMMONS. The very title of the bill that we are considering now is:

To enable the Secretary of Agriculture to carry out during the fiscal year 1919 the purposes of the act—

The one to which I have referred—

entitled "An act to provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products."

Mr. NORRIS. Yes. These are the same kind of appropriations, then, that were contained in that act, as I understand?

Mr. SIMMONS. No; the original act made certain lump-sum appropriations——

Mr. NORRIS. I understand that, and this bill itemizes them.

Mr. SIMMONS. While this bill very much broadens the scope of the activities of the department. The new activities of the department——

Mr. NORRIS. What I want to ask the Senator is this——

Mr. SIMMONS. If the Senator will pardon me until I finish the sentence—the new activities of the department as first organized and, according probably to the first estimates which were presented to the committee, were circumscribed, and the amounts required were small compared with the amounts required now; but that service has been expanding and enlarging; and now the Secretary of Agriculture comes to the committee with his estimates, and those estimates amount to $19,000,000, divided up probably into 50 or 60 different items.

Mr. NORRIS. The question I want to ask the Senator——

Mr. SIMMONS. It is an expansion of the service; that is all.

Mr. NORRIS. Will the Senator permit me to interrupt him?

Mr. SIMMONS. Yes; I will.

Mr. NORRIS. In as much as the Senator argues that the appropriations now before the Senate simply provide for doing in detail what the act of August 10 did by lump-sum appropriations, I want to ask him if that argument is not good as to——

Mr. SIMMONS. That was not my argument, if the Senator will pardon me.

Mr. NORRIS. That is the idea I got of it.

Mr. SIMMONS. The argument I made was that this bill purports to appropriate all the money which the Agricultural Department estimates will be necessary to carry out the general legislation contained in the act of August 10, 1917.

Mr. NORRIS. The Senator said just a moment ago that the appropriations as made by the act of August 10 were in lump sums, while now they are itemized.

Mr. SIMMONS. The first appropriation was for the service contemplated then.

Mr. NORRIS. Yes.

Mr. SIMMONS. But the service has, under the provisions of the act, as was legitimate and proper, been largely expanded and extended.

Mr. NORRIS. Yes; but, it seems to me—and I want to ask the Senator if this is not the conclusion we must come to—if the Senator's argument is true, and this is a general appropriation bill, then the act of August 10, 1917, was also a general appropriation bill.

Mr. SIMMONS. For that service; yes.

The PRESIDENT pro tempore. The Chair desires, if there be no further debate on this subject——

Mr. VARDAMAN. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The SECRETARY called the roll, and the following Senators answered to their names:

Baird	Henderson	Nugent	Smoot
Bankhead	Johnson, Cal.	Overman	Sterling
Beckham	Jones, N. Mex.	Penrose	Sutherland
Benet	Jones, Wash.	Phelan	Swanson
Brandegee	Kellogg	Poindexter	Thomas
Calder	Kendrick	Ransdell	Thompson
Chamberlain	Kenyon	Reed	Trammell
Colt	King	Saulsbury	Underwood
Curtis	Knox	Shafroth	Vardaman
Fletcher	Lenroot	Sheppard	Wadsworth
France	Lewis	Shields	Walsh
Frelinghuysen	McKellar	Simmons	Warren
Gerry	Martin	Smith, Ariz.	Watson
Gore	Myers	Smith, Ga.	Wolcott
Hale	Nelson	Smith, Md.	
Harding	New	Smith, Mich.	
Hardwick	Norris	Smith, S. C.	

The PRESIDENT pro tempore. Sixty-five Senators have answered to their names. There is a quorum present.

The point of order which has been raised by the Senator from Pennsylvania [Mr. PENROSE] to the amendment reported by the Committee on Agriculture and Forestry to the pending bill, the Chair thinks, is one which he ought to decide, because his views are quite clear on it, from such examination as he has been able to give it since the point was made yesterday and from the arguments which he has heard to-day. The Chair thinks it unnecessary to go deeply into the reasons for his decision. The arguments have been very able, both by the Senator from Washington [Mr. JONES] and the Senator from Georgia [Mr. SMITH] and have covered the ground very thoroughly.

There is no doubt in the mind of the Chair that the amendment proposed is general legislation. On the question as to whether this bill is a general appropriation bill the Chair is equally clear, not understanding how such a great variety of subjects may be appropriated for in a bill carrying as this does, by varying estimates, as the Chair has heard from the floor, from eleven to twenty-two million dollars, and, as the Chair conceives, either appropriating or affecting appropriations for over $17,000,000, without its being a general appropriation bill.

The Chair, therefore, sustains the point of order made by the Senator from Pennsylvania [Mr. PENROSE].

Mr. JONES of Washington. Mr. President, I respectfully appeal from the decision of the Chair.

Mr. VARDAMAN. I call for the yeas and nays on the appeal.

The PRESIDENT pro tempore. The Senator from Washington appeals from the decision of the Chair. The question the Senate will decide is, Shall the ruling of the Chair stand as the judgment of the Senate?

Mr. HITCHCOCK. Mr. President, a vote in the affirmative is to sustain the ruling of the Chair?

The PRESIDENT pro tempore. A vote in the affirmative is to sustain the ruling of the Chair.

Mr. SMOOT. Mr. President I want to take just a moment of the time of the Senate, for I think I ought to do so in justice to myself.

The Senate knows that whenever a question of suspending the rules of the Senate has been before the Senate I have stated that I never would vote to suspend the rules unless something of vital interest to my country was at stake. I have also stated that whenever I thought a ruling of the Chair was in conformity with the rules of the Senate I never would vote against that ruling.

Mr. President, I am heartily in favor of nation-wide prohibition. I shall vote for prohibition whenever I get a chance, but I believe that the ruling of the Chair is a correct one under our rules, and therefore I shall vote to sustain the Chair in his ruling. If it is overruled, I shall then vote for the amendment offered.

I do not think it is necessary for me to go into details as to why I think the ruling is correct. I would have done so, but

the Chair announced that he had heard all that he cared to hear upon that point. Therefore I shall not take any more of the time of the Senate, except to say that as I believe the ruling of the Chair is correct I shall have to vote to sustain that ruling.

Mr. GORE. Mr. President, I wish to say by way of explanation, that I shall be obliged to vote to sustain the decision of the Chair. I shall do so because I think the ruling was in accordance with the rules of the Senate.

I think there can be no doubt that the pending amendment is general legislation. The only question that is really open to controversy, as I see it, is the question as to whether or not the pending bill is a general appropriation bill. I regret to say that in my judgment it is, because there are certain amendments in relation to wheat and cotton which I should like to offer to this bill if they were not subject to a point of order.

I may say that this conviction of mine not only arises from the character of the bill itself, but when this bill was pending in the House of Representatives a point of order was made to the proviso proposed to be stricken out, and the presiding officer in the House held that the bill was an appropriation bill. He held that it was an appropriation bill of the character which must originate in the House of Representatives, and which can originate in the House of Representatives alone.

To my mind that ruling of the presiding officer in the House was not only correct but it is in great measure binding upon this body. The only question in the mind of the presiding officer in the House was as to whether or not this was a limitation upon an appropriation bill. There was no doubt indicated that it was an appropriation bill; and I may say that, as chairman of the Committee on Agriculture and Forestry, I feel obliged to protect an appropriation bill, so far as I can, against general legislation. I speak generally upon that point, and not with special reference to the pending amendment.

Mr. President, I desire to have printed in the RECORD the ruling of the Chair upon the point of order in the House of Representatives.

The PRESIDING OFFICER (Mr. KING in the chair). Does the Senator desire to have it printed or read?

Mr. GORE. I will not ask to have it read if other Senators do not desire it, but I should like to have it printed in the RECORD, as showing the decision on this point in the House.

The PRESIDING OFFICER. Without objection, the request of the Senator from Oklahoma is granted.

The matter referred to is as follows:

[From page 6868 of the CONGRESSIONAL RECORD of May 21, 1918.]

The CHAIRMAN. A different principle from that of germaneness is involved in the point of order to this amendment. If the Chair understands the amendment it is intended as a limitation on the payment of any money under this paragraph until the President has issued a certain indicated proclamation which in his discretion he may, or may not issue. This amendment does not compel him to issue it, but so long as it is unissued the House does not propose, if the amendment is adopted, to allow the Agricultural Department to have the benefit of the appropriation in this paragraph. In other words, the amendment proposes to utilize the right of the House to appropriate, or not to appropriate, in its discretion, to an object authorized by law. This of course is the fundamental principle upon which this amendment must depend.

Mr. STAFFORD. If the Chairman will permit——

The CHAIRMAN. In a moment. This amendment does not compel the President to issue the proclamation referred to. He may issue it, or refuse to issue it in his discretion. But the amendment in substance says to the Department of Agriculture, we propose to withhold from you the benefit of this appropriation during the full period of time during which this proclamation is unissued. That may be a very unreasonable ground for the House to take, but after all is not this question merely one of competency, or power, resting upon our authority to refuse or award an appropriation? If we choose to withhold it, who is to say nay to us? We can be unreasonable, if we choose to be unreasonable.

The matter proposed to be dealt with is an appropriation of money, and this body has the absolute power to determine whether it will, or will not appropriate. In the exercise of that power we may do unreasonable things, arbitrary things, whimsical and absurd things, but after all the question is whether, with respect to the action proposed, we are within our powers and within our rules—in a word, whether this is a limitation, in a parliamentary sense, on an appropriation bill. The Chair is not altogether certain in his own mind that this amendment in the form submitted is strictly and technically a limitation, and being in doubt he resolves that doubt in favor of the amendment, and remits the same to the determination of the committee.

Mr. SHEPPARD. Mr. President, I do not think this controversy should turn upon the question as to whether this is a general or a special appropriation bill. Conceding that it is a general appropriation bill, I do not think the amendment is properly subject to the point of order.

It has been held in the Senate recently that whenever the House opens a particular subject in a general appropriation bill and makes it a part of that appropriation bill, the Senate may proceed with it and enlarge it, although the amendment may be, in reality, general legislation. Let me say in this connection that the Randall amendment opened the subject of prohibition in connection with this appropriation bill in the House. Complying, therefore, with its own precedents, the Senate has a perfect right to enlarge the proposition, to continue the legislation, and to deal with the subject in a larger degree, although the amendment in question may be conceded to be general legislation. I do not consider, however, that this prohibition amendment is general legislation in spirit and in effect, because it is special, emergency legislation offered in connection with the emergency of the present war and limited to the duration of the war.

I now desire to call the attention of the Senate to a decision on the subject of general legislation by former Vice President Fairbanks. He said:

The Senator from Idaho [Mr. BORAH] makes the point of order that the pending amendment contravenes paragraph 3 of Rule XVI, which provides: "No amendment which proposes general legislation shall be received to any general appropriation bill." What is general legislation upon a general appropriation bill under Rule XVI has long been a sharply debated question. The rule is an old one. It has been frequently invoked, and the discussion has invariably disclosed the same conflicting views which have been expressed with respect to the point of order now interposed.

The question there was whether an amendment making the salary of the Speaker of the House of Representatives $20,000 per annum was general legislation in connection with a general appropriation bill. Mr. Fairbanks submitted the matter to the Senate, and the Senate decided that the amendment could be attached to a general appropriation bill.

The Vice President continued:

There is no well-defined uniform line of decisions, either by the Chair or by the Senate, when the question has been submitted by the Chair to its determination or when the question has been brought before it by an appeal from the decision of the Chair. The impression created upon the mind of the present occupant of the chair, after a somewhat careful and thorough examination of the subject, is that the Senate has been largely controlled in its interpretation of the rule for more than a third of a century by a consideration of the public interest involved at the time being, rather than by any regard for its technical meaning or strict application.

And such is the situation that confronts us to-day—the question of the public interest, rather than any technical matter of parliamentary law.

Mr. President, the Senate held on a former occasion that the Jones-Works excise law, establishing an elaborate system of regulation for the liquor traffic in the District of Columbia, was not general legislation under the rules and precedents of the Senate, and permitted the Jones-Works excise law to be enacted in connection with the District of Columbia appropriation bill.

As Vice President Fairbanks has said, the process of deciding what is general legislation on appropriation bills is frequently made a method of developing the views of the Senate on great public questions. This is an opportunity to obtain war-time prohibition, and to obtain it under the precedents of the Senate. This vital fact overshadows all others. I beg to express the earnest hope, therefore, that the decision of the Chair will be respectfully overruled.

Mr. REED. Mr. President, I thought that the Senator from Texas [Mr. SHEPPARD], who is always frank, would before he sat down tell us what he really wanted the Senate to do, and the grounds upon which he wanted the Senate to act. I fully understand, and the Senate now understands, that the Senator from Texas wants this point of order overruled, not upon its merits, but he wants the rules of the Senate disregarded because he wants to force immediate prohibition upon the country. He is very frank about that; and if a man is going to break down the rules of a body of which he is a Member it is commendable that he should avow his purpose.

Mr. SHEPPARD. Mr. President, I simply took the position occupied by a former Vice President of the United States.

Mr. REED. No; the former Vice President, in a critical way, speaking of past action of the Senate, in substance and effect, said that the Senate had trespassed upon its duty by deciding questions not according to their merits but according to the wishes of the Members. I take it that his statement was a criticism. I could regard it as nothing else than as equivalent to saying of and concerning the judge of a court that he decided a case, not according to the law, but according to his own desires.

Mr. President, since the Senator presents that aspect of the case—which ought not to be the controlling matter, because these questions ought to be decided in a manner that will preserve the integrity of the rules of the body, for a body without rules soon becomes a lawless body—since he has raised the question in this direct way, let me state very briefly just what the situation is. I shall be very brief.

Prior to July 3 the Senate and the House of Representatives passed a bill prohibiting the sale of liquors in the District of Columbia. It was brought forward as a war measure. On August 1, 1917, the Senate passed a joint resolution submitting to the States nation-wide prohibition. It was generally under-

stood at that time that that would end prohibition agitation in the Senae, and that the question would be turned over to the great referendum of the States. But only a few days passed until we had before us an act to provide for the national security and defense by encouraging the production and controlling the distribution of food products, and it was at that time that the controversy was again brought forward of prohibition; and at that time this amendment was written in the bill, and it is now the law of the land. I want to call attention to it:

That from and after 30 days from the date of the approval of this act no foods, fruits, food materials, or feeds shall be used in the production of distilled spirits for beverage purposes; * * * nor—

I make some omissions that are immaterial—

nor shall there be imported into the United States any distilled spirits.

Now, notice this language:

Whenever the President shall find that limitation, regulation, or prohibition of the use of foods, fruits, food materials, or feeds in the production of malt or vinous liquors for beverage purposes, or that reduction of the alcoholic content of any such malt or vinous liquor, is essential, in order to assure an adequate and continuous supply of food, or that the national security and defense will be subserved thereby, he is authorized, from time to time, to prescribe and give public notice of the extent of the limitation, regulation, prohibition, or reduction so necessitated.

So, Mr. President, at the present time, by the express act of Congress and as a part of our war legislation, the President of the United States is vested with plenary power to immediately prohibit, if he deems it for the public welfare or in the interest of the prosecution of this war, the manufacture or sale of a single additional particle of liquor of any kind. In the conduct of this war we have trusted him with regulating the number of men who shall be called forth and the character of our men who shall be called forth. We have trusted him absolutely as to the number of men to be sent abroad. We have given him a discretion to expend billions upon billions of money. We have given him the power to build ships costing billions of money. We have trusted him in all of these things; and there has been no man who has more urgently insisted that the President should be trusted in all things than the Senator from Texas [Mr. SHEPPARD]. He has stood upon the floor of the Senate and in substance and effect said that even though the Constitution of the United States stood in the way, he would, if the President desired, vote for its abrogation.

Mr. SHEPPARD. Mr. President, will the Senator repeat that statement?

Mr. REED. I say that in substance and effect the Senator from Texas has upon this floor said that even though the Constitution of the United States stood in the way, he would, if requested by the President of the United States, vote in its teeth.

Mr. SHEPPARD. The Senator is mistaken.

Mr. REED. Then I have misunderstood many statements made by the Senator. I have certainly misunderstood him, and the rest of the Senate have misunderstood him.

Now, I say this: I have not been one of those who have said that Congress should absolutely lay aside its discretion in matters of public legislation. There are certain questions, however, that are very largely executive, and here is a proposition that is before the President to-day: Revenue to carry on the war; such action as will not disturb business conditions by giving them a violent wrench; such action as will not produce discontent among certain classes of people. In other words, a moderate and temperate and wise discretion ought to be used. We vested that power in the President. He has reduced the alcoholic content of these liquors. He has proceeded along a line which has made for temperance. He has the power under the law as it stands to-day to absolutely prohibit; and I say that the wise thing to do is not to endeavor to force his hand, is not to endeavor to coerce and compel him. The wise thing to do is to trust the President upon this matter, because it is a question with many angles at the present time that ought to be considered from many standpoints; and surely nobody will claim that the President is a whisky man, or that he is in any way aligned with those interests.

I present these considerations upon the merits, since the merits have been entered into.

Mr. WALSH. Mr. President, feeling constrained to support the appeal taken from the ruling of the Chair, I feel moved to state briefly the considerations which impel me to that course.

When this question was first precipitated I felt entirely satisfied that the bill under consideration fell within the rule forbidding general legislation upon a general appropriation bill; but upon further reflection I can not reach the conclusion that the bill before us is such a bill as it was contemplated when this rule was framed should be within its scope.

Mr. President, all must agree that not all appropriation bills come within this particular rule. It is only general appropriation bills to which amendments carrying general legislation can not be attached. It becomes necessary, therefore, for each Senator, in resolving this particular question, to determine in his own mind what is a general appropriation bill and what is a special appropriation bill.

I am certain that in many cases the solution of that question will be involved in a great deal of doubt. It will often be difficult to know what is a general appropriation bill and what is a special appropriation bill; and no one can be blamed if, with respect to any particular bill, different opinions may prevail.

Mr. President, I have before me—because in the pertinent remarks of the President pro tempore in ruling on the question the amount carried by this particular bill was adverted to—House bill 11250, passed by that body and now before the Mines and Mining Committee. That is an appropriation bill. It carries an appropriation of $10,000,000, but I apprehend that no one would contend that it is a general appropriation bill. In the course of the discussion some one has suggested that the words "general appropriation bill" in the rule under consideration are synonymous with "supply bill." I dare say that, in a general way, that is correct; but, Mr. President, this appropriation bill is in that sense, and in a very proper sense, a supply bill. It places this whole amount of $10,000,000 in the hands of the Secretary of the Interior, and practically in the hands of the Director of the Bureau of Mines; it makes provision for adding to the Bureau of Mines a large number of employees; it makes provision for the compensation of all of those employees; and yet I undertake to say that no one will contend that this particular bill is a general appropriation bill, or that it falls within the class of bills referred to in this particular rule.

My idea of what is a general appropriation bill was indicated in the course of a colloquy between myself and the senior Senator from the State of Georgia [Mr. SMITH]. My idea about a general appropriation bill is that it is that kind of a bill which takes care of the ordinary and usual and legitimate expenditures of the various departments of the Government, and in that sense is a supply bill; that is to say, it is a bill making appropriations for the various departments of the Government, without which the department could not operate at all. It makes provision for the salary of the head of the department; it makes provision for the payment of all of his subordinates; it makes provision for all the ordinary activities of that particular department.

Mr. President, the rule is undoubtedly more comprehensive than that. It undoubtedly includes a general deficiency bill, making provision for deficiencies that exist in the appropriations for all of the departments. It doubtless includes the urgent deficiency bill, which includes likewise deficiencies that may be regarded as urgent; but, Mr. President, when that kind of a bill is passed, when the bill is passed taking care of the usual expenditures of the Government, without which the department can not carry on its operations, we have passed the general appropriation bill with reference to that department.

Mr. SMOOT. Mr. President——

Mr. WALSH. I will ask the Senator to pardon me for just a moment. Now, then, after we have passed a bill of that character, if any particular department comes before us, as the Department of the Interior did in the case of the bill to which I have adverted, and desires to have an appropriation made for some particular purpose or purposes not covered in the general appropriation bill, or to have some further appropiations made in addition to those made in the bill, that, in my judgment, becomes a special appropriation bill, and is not subject to the rule.

I now yield to the Senator from Utah.

Mr. SMOOT. The Senator will no doubt remember that there is already on the statute books a law that prevents deficiencies being created. I will admit that it has been violated by every department of the Government, but a deficiency is against existing law. If the officials would adhere to the law, there never would be a deficiency bill; there could not be one. I will admit that upon nearly every deficiency bill there is general legislation reported from the committee and added on the floor, but always by unanimous consent; but in my opinion if there was a point of order made against general legislation upon any deficiency bill it would go out on a point of order, and I think it ought to. Therefore the question of a deficiency bill, in my opinion, has nothing whatever to do with this discussion. We are discussing general appropriation bills.

I thank the Senator for yielding.

Mr. GORE. I was going to remind the Senator——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Oklahoma?

Mr. WALSH. I yield.

Mr. GORE. The Department of Agriculture prepared estimates on which the pending bill is based, as estimates are required by law.

Mr. SMOOT. Did the estimates come to the committee through the Secretary of the Treasury?

Mr. GORE. I think they went to the Speaker of the House.

Mr. SMOOT. Of course if they were sent to the Speaker of the House by the Secretary of the Treasury they would be laid before the committee.

Mr. GORE. I am not certain whether they were transmitted to the Speaker of the House or to the chairman of the committee.

Mr. SMOOT. The estimates always go to the House first, unless the bill has passed the House, and then the estimates are sent to the Senate.

Mr. GORE. They were regular estimates, in accordance with law.

Mr. WALSH. I recognize the force of the argument made by the Senator to the effect that a general deficiency bill does not fall within the condemnation of the rule.

Mr. NELSON. Mr. President——

Mr. WALSH. I will yield in just a moment. However, the Senate has ruled otherwise in the case referred to by the Senator from Georgia, and in my judgment correctly ruled, because that was clearly a bill general in character. I yield to the Senator from Minnesota.

Mr. NELSON. Can the rule that is invoked in this instance have application to the real situation? Here is the House bill, which contains a provision attempting to compel the President to suspend the furnishing of cereals for the manufacture of beer. The liquor question is involved. The House has legislated on it. Now, have we not a right to take up that provision of the House, which we attempt to do by this amendment to strike out, and to insert in place of that provision our own amendment? Can the rule invoked in this case have an application to a case of that kind, where we are legislating on the same subject matter on which the House has legislated? The House bill undertakes to compel the President to enforce an absolute embargo upon the production of liquors by preventing the use of cereals. We say by our substitute, "No; we will not adopt that plan. We will make an absolute prohibition." Under those circumstances can the rule invoked here have any application?

Mr. WALSH. I am disposed to agree with the view expressed by the Senator from Minnesota on that aspect of the question that is now before the Senate, but having satisfied my own mind upon the other point, I had not given the consideration to it which I would have done if I were called upon to base my vote upon that point alone.

I have but a word to add, Mr. President, to what I have said concerning the question as to whether this is a general appropriation bill. It has been said, and said with much force, and I do not know but said with a force that makes the thing almost indisputable, that there is just as much reason for excluding general legislation from a bill of this character as there is from a bill such as the general Agricultural appropriation bill which passed the House some time ago, and which is now before the President of the United States. With that view I entertain no difference. The fact is that in the constitutions of many of our States provision has been made that no bill, no matter what the subject is, shall include two separate and distinct subjects, and that for the purpose obviously of preventing logrolling legislation.

But, Mr. President, such a provision was not incorporated in our Federal Constitution, and the Members of the House and Senate in endeavoring to frame their rules did not recognize that the evil at which those provisions are directed extended further than what they denominated the general appropriation bills.

Mr. President, it seems quite clear to me that what they meant by that was, as suggested by the Senator from Connecticut [Mr. BRANDEGEE], the general supply bills of the Government. In other words, they did not intend to have the President of the United States compelled to indorse by his signature legislation which was incorporated upon a bill which, if he vetoed, would leave some great department or branch of the Government without any funds whatever to carry on its operation. That arm of the Government would be entirely paralyzed if he vetoed that bill, and therefore he would be under a very great constraint to sign the bill and thus give his approval to legislation which his judgment condemned.

But, Mr. President, it is said that a bill might come from the War Department, for instance, that would carry an appropriation for a very vital purpose and that the evil would exist there. I grant that, Mr. President; but so a bill might come from the War Department which did not carry any appropriation at all that is extremely vital to the proper conduct of the war, and yet you can attach to that bill an amendment which is not germane to the subject with which it deals, and the President would be under the same kind of constraint. In other words, Mr. President, that argument sheds no light whatever upon the question as to whether this particular bill or any particular bill is a general appropriation bill or a special appropriation bill.

Mr. President, we have to pass the general Agricultural appropriation bill, a bill which is necessary in order that the Department of Agriculture may function at all. It is the general supply bill for that department of the Government. Anything else that comes in, in my humble judgment, is a special appropriation bill for special purposes and not for the general purposes for which the usual supply bill was passed.

Mr. JONES of Washington. Mr. President, I merely wish to emphasize the point brought out by the Senator from Minnesota, which it seems to me the Senate is likely to overlook in this matter, and which apparently the Chair overlooked. The Chair simply found that this is a general appropriation bill, and then upon that basis held that this amendment is legislation, and therefore out of order, but the Chair did not refer to the action of the Senate heretofore in holding that when the House acted upon a matter, no matter how slightly it may have opened the door, the Senate is at liberty to explore the whole field.

I simply want to call the attention of Senators to this point. Granting, merely for the sake of the argument, that here is a general appropriation bill and the House has acted upon this subject, it is entirely in order for the Senate to apply such action as it sees fit to take, and even granting the position stated by the Chair, this appeal should be sustained because of the action of the House upon the matter. The Senate simply desires to submit its proposal instead of the proposal of the House.

Mr. VARDAMAN. Mr. President, just a word. There is a difference of opinion among able, learned parliamentarians as to whether this is a general or special appropriation bill. There is no doubt in my mind about the necessity for legislation such as is embodied in the amendment against which the point of order has been made.

I am going to resolve the doubt in favor of this amendment, and I do not think I will be violating any rule of the Senate when I vote against sustaining the ruling of the Chair. I want this legislation enacted, as the country demands it, and if the Senate makes a rule that permits it to be attached to this bill it will but follow precedents that have been established by the Senate for many years.

A measure which contains as much merit as there is in this amendment should not be defeated for a mere trifling technicality. To do so would be to sacrifice substantial substance for a mere shadow. The rules of the Senate are not so sacred, nor were they intended to defeat or prevent salutary legislation.

Mr. SMOOT. Mr. President, I desire to ask the Senator from Texas [Mr. SHEPPARD] a question. Does not the Senator believe that a bill embodying the very principles of this amendment can be introduced in the Senate and passed within a very short time? Does not the Senator know that there are a majority of the Senate in favor of nation-wide prohibition, and could it not be passed by a regular bill through the regular parliamentary stages and become a law within a very short time? I am informed that the majority of the House are in favor of the legislation, and I think that ought to be done if the amendment is eliminated from this appropriation bill?

Mr. SHEPPARD. Mr. President, I have very serious doubt as to whether we can get it through the Senate as a separate measure. Our rules permit almost unlimited debate.

Mr. SMOOT. I will say to the Senator that if there are a majority of the Senate in favor of it we certainly can. There are three or four chances a day to move to take it up and make it the unfinished business. If the Senator thinks the committee will not report it out, I think the majority of the Senate will instruct the committee to report it out. I can not see why we can not get action on such a bill.

Mr. SHEPPARD. Within the last year and a half we have seen measures for which four-fifths of the Senate voted on final passage suspended and blocked by a few Senators for months.

Mr. SMOOT. I do not think they can possibly block it if pushed with vigor and made the unfinished business and keep it before the Senate, and not take a recess from Monday to Thursday or from Thursday to Monday, but hold a session every day and begin at 12 o'clock. I am quite sure that Senators could not block it, and I think we can pass such legislation.

Mr. BORAH. Mr. President, I merely want to say in answer to the suggestion of the Senator from Utah that it is only necessary to look back over the history of this legislation for the last seven or eight years to find out how very difficult it is to get a straight fight upon the proposition. In my humble judgment, if a bill were brought in here and undertaken to be made the unfinished business and kept before the Senate until it was passed, we would have a recess in very short order until next August or September.

Mr. SMOOT. Generally speaking, perhaps that is true where legislation is not of such vital interest as this; but in the past, the Senator knows, this class of legislation has not been strongly pushed on the part of the Senate. I know the sentiment in its favor is growing, and I have no doubt but that it will come either this way or by the regular passage of a bill. I have no doubt but that the legislation will be accomplished in the very near future.

Mr. STERLING. Mr. President, I merely wish to express myself as being in thorough accord with the argument of the Senator from Montana [Mr. WALSH] upon this proposition. The common acceptation of the term "general appropriation bill" is after all that it is a general supply bill such as is necessary for the support and maintenance of one of the great departments of the Government or, as he expressed it, in the case of the urgent deficiency bill a bill meant to appropriate for deficiencies arising in the several departments. That may be well called a general appropriation bill. But, Mr. President, calling attention to another test as to whether or not this is a general or a special appropriation bill, I think that test is largely found in the title first of the general Agricultural appropriation bill, and then of this particular bill now under consideration, and if not in the title it is found in the first paragraph of either of the two bills.

The title of bill H. R. 9054 is "A bill making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1919," a title common to all department appropriation bills with such necessary changes of phraseology as are appropriate to the several departmental bills. But I take this bill—House bill 11945—and the title of the bill is special. It is to enable the Secretary of Agriculture to carry out during the fiscal year ending June 30, 1919, the purposes of the act entitled "An act to provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products." By its title that is not a general appropriation bill in the sense in which that term is generally used and accepted.

But let us see about the purpose of this bill as defined in the first paragraph of the bill. Similarly to the general Agricultural appropriation bill, the first paragraph of the pending bill defines its purpose or object. It says:

> That to enable the Secretary of Agriculture to carry out, during the fiscal year ending June 30, 1919, the purpose of the act entitled "An act to provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products."

I have before me that act, the purpose of which is to be carried out by this bill, H. R. 11945, and I want to call attention to the purposes of that act as defined in the first paragraph thereof.

> That for the purpose of more effectually providing for the national security and defense and carrying on the war with Germany by gathering authoritative information concerning the food supply, by increasing production, by preventing waste of the food supply, by regulating the distribution thereof, and by such other means and methods as are hereinafter provided, the powers, authorities, duties, obligations, and prohibitions hereinafter set forth are conferred and prescribed.

By the very terms of the bill before us it is special, and it refers to the purpose which this bill is to carry out, a special bill for a special purpose.

Hence, Mr. President, the appropriations provided for in this bill are by no means general appropriations. They are special for the purpose of carrying out these special purposes, the purpose provided for in the act of 1917, and the purposes further as provided for in the act itself.

I do not see how Senators can construe this to be a general appropriation bill within the ordinary acceptation of the term, and I can not help but think that the ordinary meaning and accepted understanding of the term must guide us here in determining whether or not this is a general appropriation bill.

The Senator from Minnesota [Mr. NELSON] suggests that I read the first paragraph of the general Agricultural appropriation bill. It is as follows:

> That the following sums be, and they are hereby, appropriated, out of any money in the Treasury of the United States not otherwise appropriated, in full compensation for the fiscal year ending June 30, 1919, for the purposes and objects hereinafter expressed, namely.

Then come the provisions in the bill relative to the salaries of the general employees in the Department of Agriculture, and then the provisions in regard to the several bureaus and divisions of the department, followed by appropriations respectively necessary for them and their employees. They are all for the operation and carrying on of the business of the Department of Agriculture for the fiscal year; without them the department could not exist. It is a bill of this character and not one like the pending bill, which falls within the rule prohibiting an amendment which proposes general legislation.

Mr. PITTMAN. Mr. President, I intend to vote upon this matter as I voted upon exactly a similar question on March 15. I am very much interested to see whether the Senators who voted on that matter at that time will vote the same way. At that time we were dealing with the labor question. At the present time we are dealing with the prohibition question. On March 15 on a general appropriation bill there was a provision known as the Borland amendment, and it was a limitation upon the use of money in that appropriation. It expressly provided that the appropriation should not become available for the payment of the salaries of employees in the department if the employees did not work at least eight hours. The Senator from Mississippi [Mr. WILLIAMS] offered an amendment providing that they should be paid time and a half for every hour over eight hours. A point of order was made against the amendment of the Senator from Mississippi just as a point of order has been made here upon the ground that it was general legislation.

The Vice President then occupying the chair held that the original provision in the House, introduced by Mr. BORLAND and which became a part of the House bill, was not general legislation because it was a limitation upon the use of the money, and that the amendment of the Senator from Mississippi was general legislation because it was not a limitation upon the use of the money but was a general provision.

The situation here is exactly the same. The provision as it comes from the House provides that the appropriation shall not be used unless prohibition is enforced. It was purely a limitation upon the use of the money as it came to the Senate. The Senate committee amendment is not a limitation at all. It is a direct piece of legislation declaring prohibition, just exactly as the amendment of the Senator from Mississippi providing for time and a half for overtime was a general provision.

The Vice President sustained the point of order in a case that, as I said, is identical with this case. There was an appeal from the decision of the Chair. I want to say that I took the ground then that I take now—that is, that it is absurd to say that something could be accomplished indirectly by a limitation in the House that we could not amend here directly.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Nebraska?

Mr. PITTMAN. I yield.

Mr. NORRIS. In the case the Senator is talking about now there was not any question, was there, but what the bill to which the amendment was offered was a general appropriation bill?

Mr. PITTMAN. Not the slightest.

Mr. NORRIS. That question was eliminated there, and that question is involved here.

Mr. PITTMAN. Yes; but I am not arguing that question. I say the Vice President ruled directly on the point before us today, that you could not add general legislation in this body to an appropriation bill on the excuse that general legislation had been originated in the House when the so-called general legislation consisted solely of a limitation upon the use of the money. The Borland amendment was a limitation upon the use of the money. The Randall amendment in the House was a limitation upon the use of the money. The Williams substitute was not a limitation upon the use of the money, nor is the committee amendment to-day a limitation on the use of the money. Both of them come within exactly the same category.

I voted not to sustain the Vice President in the matter, because I am unwilling, as I said then, to tie the hands of this body to a condition where we have either got to vote for or against some provision of general legislation coming from the House. However, the Vice President was sustained. I desire to read a list of the Senators voting to sustain the Vice President, and after I am through with that I will submit the question.

Mr. McKELLAR. On what page is the Senator reading?

Mr. PITTMAN. I am reading from page 3592, CONGRESSIONAL RECORD, March 16. I desire to make a record of this, because it seems to me very unfortunate that constantly these questions are decided apparently not by the law involved but by the sentiment of the respective Senators. I read it to show who voted to sustain the Vice President. Those voting to sustain the Vice President were the following Senators: Messrs. Beckham, Borah, Curtis, Fall, Fletcher, France, Frelinghuysen, Gallinger, Gore, Gronna, Johnson of California, King, Kirby, Knox, McCumber, McKellar, McLean, Martin, Myers, Nelson, New, Nugent, Overman, Phelan, Pomerene, Ransdell, Shields, Smith of Georgia, Smith of Michigan, Smoot, Sterling, Sutherland, Swanson, Thomas, Tillman, Townsend, Wadsworth, Warren, Watson, and Wolcott. Those voting not to sustain the decision of the Chair were: Messrs. Hale, Henderson, Hollis, Jones of Washington, McNary, Pittman, Shafroth, Sheppard, Smith of Arizona, Stone, Thompson, Trammell, Walsh, and Williams.

I intend to vote with regard to this question exactly as I voted before.

Mr. JONES of Washington and Mr. MYERS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Nevada yield; and if so, to whom?

Mr. PITTMAN. I yield first to the Senator from Washington.

Mr. JONES of Washington. I merely wish to call the Senator's attention to the fact that he is sustained in that by the decision of the Senate that I read a while ago, when I think the Senator was not here, on page 9686 of the RECORD, where the Senate sustained the Senator's position by a vote of 37 nays to 13 yeas; that is, 37 voted with the Senator.

Mr. PITTMAN. The Senator from Nevada argued that to the Senate on the appeal from the decision of the Chair and cited a number of decisions which seemed to the Senator from Nevada to sustain the position then taken by him. I see no reason at the present time to change my view of the matter. Yet this is not the last time this question is coming up. It has come up many times in the past, and it is going to continue to come up. I believe if this body is going to attempt to invoke the principle that there shall be no general legislation upon appropriation bills they should not permit a provision of that kind to come from the House to this body, and if it does come to this body they should vote it out, and not attempt to amend it at all. That is the position I am going to take from now on. I am going to vote against any provision of general legislation coming from the House from now on.

Mr. MYERS. May I make a suggestion to the Senator?

Mr. PITTMAN. I yield.

Mr. MYERS. I call the attention of the Senator from Nevada to the fact that in the case which he cited here occurring last March there could be no question about its being a general appropriation bill, while my colleague [Mr. WALSH] and the Senator from South Dakota [Mr. STERLING] and a number of other able parliamentarians in the Senate have argued very strongly that this is not a general appropriation bill.

Mr. PITTMAN. I will say in answer to that that the able argument of the Senator from Montana [Mr. WALSH] was not comprehended by me sufficiently to arouse any opposition in my mind.

Mr. WALSH. Mr. President——

Mr. PITTMAN. I yield.

Mr. WALSH. I dare say the Senator's mind was concentrated on the other proposition.

Mr. PITTMAN. Very probably.

Mr. WALSH. As I understand the matter the Senator from Nevada does not undertake to express any view upon the other aspect of the case.

Mr. PITTMAN. I have not as yet, and I did not intend at the present moment.

Mr. WALSH. It seems to me the two questions are entirely separate. If the Senator from Nevada votes to sustain the appeal upon one ground I vote to sustain the appeal upon the other ground; on both grounds, for that matter.

Mr. PITTMAN. The position taken by the Senator would be immaterial to me in the matter. I take it that this is a general appropriation bill, and I take it that the House having inaugurated this character of legislation we are entitled to proceed with it. That is the view I took before. I take it that the distinction between a general appropriation act and a special act is the difference between an appropriation in the form of special relief and an appropriation generally for the benefit of the country.

This bill expressly on its face states that it is in aid of the Department of Agriculture; that it is for the purpose of carrying out existing law. That is the title of the bill. The very first section of the bill states that the appropriation is essential for the purpose of the department in carrying on its functions under the general law heretofore passed by Congress.

Mr. SMITH of Arizona. Mr. President, will the Senator from Nevada yield to an interruption?

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Arizona?

Mr. PITTMAN. Certainly.

Mr. SMITH of Arizona. Just one word. In line with what the Senator is now saying, I desire to suggest that the object and purpose of an appropriation bill should not be settled merely by its title, but by the scope of the enactment itself. If there ever was a broader bill than this, one covering more articles and more general legislation as to the Agricultural Department, and which is in exact line with the original Agricultural appropriation bill, I have not seen it. If the bill is examined, it will be found that it is amendatory of general legislation; and it is certainly general legislation if the universality of the objects embraced in it can make a bill general in character.

Mr. PHELAN. Mr. President, I have listened to the arguments pro and con on this question with very much interest; but there is one point which I think has not yet been made. The question is whether the supplementary agricultural bill is within the meaning of the rule a general appropriation bill. Inasmuch as it provides for the needs of the entire country, it is general in its scope, and by no construction could it be called a special appropriation bill. Therefore, we must now distinguish by our votes on the appeal whether we believe such a measure is a general appropriation bill within the meaning of the rule; and by our decision we shall make the rule. We shall give it a fixed interpretation. Whatever we now decide becomes a law by precedent; and it is very important, apart from any other consideration, that the Senate take the view—which has always been contended for and which is the reasonable rule—that it is a vicious practice to put upon an appropriation bill carrying sums for the general needs of the Government and the country general legislation related or unrelated to its general purpose, and thereby encouraging the use of such an appropriation bill as a vehicle for carrying legislation of a general character, which otherwise would be opposed.

I want to carry out the objects of the appropriation bill, for instance, because it contains many measures for the common weal, but I can not vote for it without at the same time accepting the nauseous amendment which has been grafted upon it—I use the word in a respectful sense; it is a very expressive word, however—by gentlemen who are interested in prohibition. If they are honest men, why can they not in good faith propose a measure for prohibition, and then you and I, having a clear-cut proposition before us, can vote according to our judgment. Now, we are swayed by our extreme desire to fortify the Agricultural Department in the great work of protecting the agriculture and live stock of the country. Therefore, I say, the rule is for the purpose of discouraging, condemning, and prohibiting such vicious methods; and if we, by our votes to-day in sustaining the Chair, put upon those methods the stigma of our disapproval, it may silence forever those gentlemen who seek methods reprehensible, I claim, for accomplishing their purpose. I appeal to gentlemen who are favorable to prohibition to submit a prohibition measure, and I ask them, and I ask the Senate in sustaining the Chair, not to use general appropriation bills for the purpose of carrying measures which in themselves are entitled to particular and special consideration. I say, then, in conclusion, this is a general appropriation bill because it is not a special appropriation bill. It is general in its terms, and it affects the whole country.

Senators who have spoken have discussed only clause 3 of Rule XVI. Clause 4 of that rule reads:

> No amendment, the object of which is to provide for a private claim, shall be received to any general appropriation bill.

If a private claim were before Congress proposing to compensate a farmer for the loss of sheep, does the Senator from Montana contend that it would be proper or lawful, according to the rule, to put the amendment on this bill which is now under discussion—this supplemental general appropriation bill for the Agricultural Department—to put upon that bill a private claim compensating a farmer for the loss of his sheep, provided the claim is regular and otherwise agreeable?

Mr. WALSH. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Montana?

Mr. PHELAN. I yield.

Mr. WALSH. Mr President, I am very glad to answer the question of the Senator from California. It would be quite inappropriate to do so; it would be very impolitic and unwise to do so. It would be equally unwise to attach a provision of

that kind to House bill 11945, which makes an appropriation of $10,000,000, which it proposes to place in the hands of the Bureau of Mines to conduct expensive experiments, investigations, and other things of that kind. It would be equally reprehensible to attach that kind of a private claim to this bill. My judgment is that the rule, however, does not forbid such a provision being attached to either bill.

Mr. PHELAN. That is just the very admission I wished the Senator to make; that this rule for the protection of the Senate against vicious legislation does not prevent what manifestly is a vicious practice of putting a private claim upon a bill of the scope of this bill, which I describe as within the meaning of the rule and within the meaning of sound sense, at any rate, as a general appropriation bill, because it is not special. It is general in its terms and in its scope. Therefore, the point I wish to make is that the Senate shall now make its rule. If the Senate believes in this vicious practice—putting riders which are irrelevant, embodying general legislation, upon appropriation bills—then the Chair should not be sustained; but if the Senate desires to set a precedent—that is, make an interpretation of the rule which will forever bar the introduction of important general legislation as riders upon appropriation bills—then the Chair should be sustained. I shall vote to protect the Senate and sustain the Chair.

Mr. LENROOT. Mr. President, having so recently become a Member of this body, it is with very great diffidence that I venture to discuss any parliamentary question before it. Although I am fairly familiar with the parliamentary practices in the other House, I realize that there is very great difference between the practice in reference to such matters in this body and in the other. However, as I intend to vote to overrule the decision of the Chair, upon the ground that this is not a general appropriation bill within the rule, and because I do not wish that vote to be regarded as assenting to the proposition which has been laid down by the Senator from Nevada [Mr. PITTMAN] and the Senator from Washington [Mr. JONES] that it is proper to incorporate such an amendment upon a limitation that has been made on the appropriations by the other House, I feel that I ought to say a word upon that question alone.

I confess that I have been very much surprised by the statements which have been made as to the precedents which have been established in the Senate; but, Mr. President, it seems to me there is an elementary principle of parliamentary law that is so clear, namely, that general legislation can not be incorporated upon a limitation imposed by the House, that I think it ought to be discussed for a moment from that standpoint.

Mr. President, it has been stated that the House has opened the door by the limitation that is found in this bill to legislation of this character. That can only be true if the House has legislated upon the subject of prohibition or has legislated upon the use of grains and foodstuffs in the manufacture of liquor. The House in this bill has not legislated upon that subject in any degree or in any respect. It has left the question of prohibition and the use of foodstuffs for liquors, from a parliamentary standpoint, just exactly where it was before the House passed this bill or before it adopted the Randall amendment. From a parliamentary standpoint, it did not attempt in the least degree to interfere with the discretion that Congress in the law already enacted had delegated to the President. It left the President entirely free to issue that proclamation or not.

Then what does the limitation propose to do? Nothing more than to make these appropriations available upon the happening of a contingency; that is all; there is no legislation upon the subject. It simply declares that, in the event the President shall issue the proclamation therein referred to, these appropriations shall be available; otherwise not.

Mr. President, it would have been just as competent for the House to have made a limitation, for instance, that these appropriations should only be available after a treaty of peace concluding the existing war had been signed; but would it be urged that, because that had been made the subject of the contingency, the Agricultural Committee could bring in an amendment to this bill now directing the President with reference to the terms of that treaty of peace and go into the entire subject of how the war shall be concluded? No one could urge that.

Mr. PITTMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Nevada?

Mr. LENROOT. Yes, sir.

Mr. PITTMAN. I should like to know what difference there would be, in effect, if the Randall amendment were placed upon every appropriation bill this year, thus preventing the Government from carrying on its business, unless prohibition were provided for, and adopting the amendment which the Senate committee has incorporated in this bill?

Mr. LENROOT. If the Senate should agree to the limitation, of course it would stop the appropriation unless the condition were fulfilled; but the Senate may either agree to the limitation or it may do this—and that is what I am coming to—the Senate may change that limitation in any form that it pleases; it may amend it; but the limitation must be there, because there is no legislation in the limitation as it comes from the House. There being no legislation there, the House has not opened the door for legislation by the Senate contrary to the rule.

Mr. PITTMAN. The object of it is to accomplish prohibition during the war, is it not?

Mr. LENROOT. I presume so, although——

Mr. PITTMAN. And the House expected to accomplish that purpose——

Mr. LENROOT. Perhaps so.

Mr. PITTMAN. And it would accomplish that purpose if the amendment agreed to by the House were placed on every appropriation bill and the Senate were to adopt it?

Mr. LENROOT. Not necessarily; certainly not in this bill. If the Senate agrees to the limitation exactly as it is proposed in the House bill, all that would happen would be that the appropriation made in the bill would not be available unless the President saw fit to issue the proclamation that he has been delegated authority to issue. That is all there is of it.

Mr. PITTMAN. Well, but the House expected that the amendment adopted by them would accomplish the same result as the Senate committee amendment.

Mr. LENROOT. That is true. I do not question that, but from a parliamentary standpoint many things may be done by a parliamentary body that it has a perfect parliamentary right to do, and it may accomplish by indirection an object that could have been accomplished by legislative action; but that has nothing to do with the parliamentary status of the question.

Mr. PITTMAN. In other words, under the method of procedure adopted in the House, something may be accomplished negatively that can not be accomplished affirmatively.

Mr. LENROOT. Let me ask the Senator a question in reply. I gave the illustration a moment ago that the House might have made these appropriations available upon a treaty of peace being concluded by the President; but does the Senator contend that if the House had chosen to make such a limitation it would have been competent for the Agricultural Committee to have brought in legislation with reference to the terms on which the existing war should be concluded and directing the President as to the terms of the treaty of peace?

Mr. PITTMAN. I submit that the Senate would have a right to go further than simply to say that the appropriation shall be available when a treaty of peace is signed. They might go further and say that the money might be available when a treaty of peace was signed with one of the countries; in other words, I mean to say that the absurdity must be apparent of the contention that upon a general appropriation bill essential to provide for the expenses of this Government the House can legislate with regard to any subject, and this body be limited with regard to the same subject. It is absurd on its face.

Mr. LENROOT. Mr. President, I am very glad that the Senator, in the illustration he makes, agrees with my contention. He states that it would be competent, in the illustration that I gave, for the Senate to amend that limitation imposed by the House by providing that the appropriation would be available upon the making of a treaty of peace with any single country. I remind the Senator that that would merely be amending the limitation, and it still would be only a limitation. The Senate would have the fullest right and the widest scope to amend this House amendment in any way of limitation that it chose, but it has no right, as I see it, to disregard the limitation and use the limitation as an excuse for legislation when there is in fact no legislation there.

Mr. GORE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Oklahoma?

Mr. LENROOT. I yield.

Mr. GORE. Does not the Senator from Wisconsin think that this proviso was purposely and manifestly drawn in the form of a limitation upon the appropriation because the House regarded the bill as an appropriation bill, and a limitation upon an appropriation bill would be in order under the rule and would not be subject to a point of order, whereas general legis-

lation upon an appropriation bill would have been subject to a point of order?

Mr. LENROOT. Oh, it is very plain to me that had it not been for that there would have been, instead of a limitation, a legislative provision in the bill. I am satisfied, of course, that the limitation comes to us in this way because of the fact that in the House general legislation would have been held not to have been in order upon this bill.

Mr. PITTMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Nevada?

Mr. LENROOT. I yield.

Mr. PITTMAN. I should like to ask the Senator one further question, merely to make clear his position. If, in his opinion, this is a general appropriation bill, then the Chair should be sustained?

Mr. LENROOT. Yes; but I do not think it is a general appropriation bill within the rule.

Mr. PITTMAN. I understand that; but if the Senator did believe it was then he would vote to sustain the Chair?

Mr. LENROOT. If I believed it was a general appropriation bill, I would vote to sustain the Chair. That is my position.

Mr. POMERENE. Mr. President, whether the Senate sustains or overrules the decision of the Chair on this point of order, I think we must all agree that it is a vicious practice to attach general legislation to any appropriation bill. It is vicious whether the bill is a general or a special appropriation bill. The phrase "general appropriation" is used in contradistinction to the words "special appropriation." I recognize how we might have some difficulty at times in trying to determine satisfactorily to ourselves whether a given measure was a general appropriation bill or a special appropriation bill. I have only heard a part of this discussion; I have not heard any Senator say how many items must be in an appropriation bill before it ceases to be special and becomes general legislation. I take it we would have some difficulty in arriving at a conclusion that would satisfy our own minds if we were to attempt to determine it along that line.

In the earlier history of the Senate there was only one appropriation bill. That was a general appropriation bill. Gilfry in his Precedents tells us that the number of appropriation bills increased from one general appropriation bill in the early history of the country to 14 at the present time. Now, if we are to determine what a general appropriation bill is by what was the precedent in the earlier history of the Senate, then we would have to say that every one of the 14 appropriation bills with which we are now familiar is a special appropriation bill.

Note what Mr. Gilfry says:

From one the general appropriation bills have grown to the number of 14, viz, Agricultural, Army, Diplomatic and Consular, District of Columbia, fortifications, general deficiency—

And so forth—not to read the remainder.

So, as the Senate has divided the one bill into 14 for its own convenience, or perhaps because the necessities of the country became such that it was unwise to place all the appropriations in charge of one committee, should the country continue to grow further and the Agricultural Committee in its wisdom should bring in two bills instead of one, by what process of mental gymnastics are we going to say that the one is a general appropriation bill and the other a special appropriation bill?

Now, let us look at this bill for just a moment. There are probably more than a hundred items in it. In the first paragraph we find that the appropriations therein contained are—

For the prevention, control, and eradication of the diseases and pests of live stock.

The second paragraph is:

For procuring, storing, and furnishing seed wheat and beans—

And so forth.

Mr. PENROSE. Mr. President, will the Senator permit me at that point to call his attention to the fact that the whole second paragraph, to which he is just referring, is practically an amendment to the urgent deficiency appropriation bill?

Mr. POMERENE. I think it is.

Mr. PENROSE. It says so here in the bill.

Mr. POMERENE. I am obliged to the Senator for the suggestion. Then follows the third paragraph:

Third. For the prevention, control, and eradication of insects and plant diseases injurious to agriculture, and the conservation and utilization of plant products.

Then there is a subdivision of this subject, and various appropriations are made for each of those subdivisions. Then the fourth paragraph provides:

Fourth. For increasing food production and eliminating waste and promoting conservation of food, including eatable nuts, by educational and demonstrational methods, through county, district, and urban agents and others—

And so forth.

Then another paragraph on page 8:

Fifth. For gathering authoritative information in connection with the demand for, and the production, supply, distribution, and utilization of food, and otherwise carrying out the purposes of section 2 of the act.

And then the sixth paragraph, which is very general:

Sixth. For miscellaneous items, including the salaries of assistant secretaries appointed under the act approved August 10, 1917; special work in crop estimating; aiding agencies in the various States in supplying farm labor; enlarging the informational work of the Department of Agriculture; and printing and distributing emergency leaflets, posters, and other publications requiring quick issue or large editions; for the following stated purposes and in amounts as follows:

Then follow many other items.

The Senator from South Dakota [Mr. STERLING] a moment ago referred to the title of the general appropriation bill as bearing out his theory that the bill pending before the Senate now is a special appropriation bill. I have never understood that the title of a bill was controlling as to the subject matter contained in the bill. It may be that it is persuasive, but it is only persuasive. If we refer to the title of the pending bill and shall be guided by it in determining the character of the bill, we must conclude that it is not even an appropriation bill, because nowhere in the title does it even refer to the subject of appropriations.

Let us see what the conclusion is to which we are drawn by the argument of some of our distinguished colleagues this afternoon. We admit that it is a vicious practice to put general legislation upon a general appropriation bill. It is just as vicious to put it upon a special bill. If this is a special appropriation bill, how many items must be added to it in order to make it a general appropriation bill? Certainly the question of prohibition, whatever our views upon it may be, is a general subject; general legislation must control it throughout the country, for it is to be general in its application throughout the country. If it were general legislation, would it come under the jurisdiction of the Agricultural Committee? Why should they have control of this subject matter rather than any other of the many committees of the Senate? Of course if Senators are intent upon having prohibition I can understand why they will vote to overrule the Chair——

Mr. VARDAMAN. Mr. President——

Mr. POMERENE. But if it is a question of sustaining the fundamental principles which are the basis of our rules, then I can not understand why they should so vote.

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Mississippi?

Mr. POMERENE. I yield.

Mr. VARDAMAN. If the Senator will pardon me, I should like to suggest to him that Senators who are opposed to prohibition legislation might vote to sustain the Chair.

Mr. POMERENE. Mr. President, that is very true, and a very pertinent reply to make. So far as I am concerned, I shall vote against general prohibition at this time; if it becomes necessary for the conservation of food, I will vote for it; but not until that situation is properly presented.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Missouri?

Mr. POMERENE. I yield.

Mr. REED. I should like to ask the Senator from Ohio what his opinion is of Congress upon a matter of this kind taking the attitude exemplified in the amendment the House adopted, and for which the pending amendment is offered as a substitute, or really as a part of it, the motion being to strike out and insert? What is his opinion of Congress taking the position that the President of the United States can not have supplies sufficient to run the Government unless he will issue a certain proclamation, which under the law he has discretion to issue or not to issue? I should like to know what the Senator thinks of using that club, if I may employ the term, upon the President of the United States which the House of Commons of England used on the despots of England, namely, to cut off supplies?

Mr. POMERENE. Mr. President, I do not want to be put in the attitude of criticizing the House or what they have done in that behalf, but I think it must appear to Senators that any appropriation of public funds should be authorized or denied upon its own merits, and no legislation should be contingent up that appropriation, nor should that appropriation be contingent upon any other legislation.

For the reasons which I have very briefly given, I shall vote to sustain the Chair.

Mr. JONES of Washington. Mr. President, I just want to refer for a minute to this charge that is made and reiterated as to the dangerous and vicious practice of putting legislation of a general character upon appropriation bills. It is strange that we never hear very much about this except when a temperance proposition is under consideration.

Mr. PENROSE. And except when it is done by unanimous consent.

Mr. JONES of Washington. Well, that is all right. It is strange that we get unanimous consent so often for such a vicious practice to be put into operation so frequently. I just want to put in the RECORD and call attention to one bill that we passed just a few days ago upon which there are many, many provisions of general legislation.

Amendment numbered 105; amendment numbered 106; amendment numbered 107, consisting of 4 or 5 pages; amendment numbered 108, consisting of 4 or 5 pages; amendment numbered 110, consisting of 15 pages; amendments numbered 111, 116, 117, 122, and 123, and quite a number of other amendments that I have not had time to look up, are all contained in the military appropriation bill; and, as the Senator from Utah says, there is not an appropriation bill of a general character that passes that does not have on it general legislation of some kind. So that, while this practice may be denounced as vicious, if we did not follow it there would not be very much good legislation enacted by Congress. I do not agree myself with the contention that it is vicious. I think it works out pretty well.

Mr. WARREN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Wyoming?

Mr. JONES of Washington. Yes. I just wanted to call attention to those amendments.

Mr. WARREN. The Senator has alluded to the Army appropriation bill, recently passed, and to the great amount of legislation in it. Most of that is strictly within the rule. It was legislation that had already passed the Senate but had gotten blockaded in the House. If the Senator will look at those amendments, as no doubt he has done, he will see that almost all of that legislation had already passed the Senate.

Mr. JONES of Washington. The Senator knows that that does not make it in order on an appropriation bill under our rule. The Senator is too experienced a legislator to contend that.

Mr. WARREN. Mr. President, read it and see whether it does or not.

Mr. JONES of Washington. Very well. There is no rule that makes legislation in order because it is reported from a committee. It makes an item of appropriation, or something of that sort, in order; but that is not what I am referring to. I want to say, furthermore, that I did not call attention to this in criticism of the military bill or of the practice, but rather I commend it myself.

I think we have to do that in order to get through good legislation and important legislation and necessary legislation.

Mr. WARREN. Even though that were true, the amendments went in by unanimous consent. They would have been ruled out, of course, had the point of order been raised against any one of them that had not already conformed to the rule because it had previously passed the Senate.

Mr. JONES of Washington. The Senator will find that that rule does not apply to general appropriation bills.

Mr. VARDAMAN. Mr. President, I want to suggest to the Senator from Washington that if this custom of putting general legislation upon appropriation bills is a vicious practice, the viciousness of it is greatly mitigated when the legislation is in so righteous a cause as that proposed in this bill. In order to bring about the reform sought by this amendment the Senate can afford to be liberal in its construction of its own rules.

The PRESIDING OFFICER. The question is, as stated by the Chair, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. JONES of Washington. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. JONES of Washington. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Calder	Gerry	Jones, N. Mex.
Baird	Chamberlain	Gore	Jones, Wash.
Bankhead	Colt	Hale	Kellogg
Beckham	Curtis	Harding	Kendrick
Benet	Fletcher	Henderson	Kenyon
Borah	France	Hitchcock	King
Bandegee	Frelinghuysen	Johnson, Cal.	Knox
Lenroot	Penrose	Smith, Ariz.	Thompson
Lewis	Phelan	Smith, Ga.	Trammell
McKellar	Pittman	Smith, Md.	Underwood
Martin	Pomerene	Smith, Mich.	Vardaman
Myers	Ransdell	Smith, S. C.	Wadsworth
Nelson	Reed	Smoot	Walsh
New	Shafroth	Sterling	Warren
Norris	Sheppard	Sutherland	Watson
Nugent	Sherman	Swanson	Wolcott
Overman	Shields	Thomas	

The PRESIDING OFFICER. Sixy-seven Senators having answered to the roll call, a quorum is present. The question is, Shall the decision of the Chair stand as the judgment of the Senate? On that question the yeas and nays have been ordered. Those in favor of sustaining the Chair will, when their names are called, vote "yea"; those of contrary mind will vote "nay." The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). I transfer my general pair with the junior Senator from Georgia [Mr. HARDWICK] to the senior Senator from Iowa [Mr. CUMMINS] and vote "nay."

Mr. FLETCHER (when his name was called). I have a general pair with the senior Senator from New Hampshire [Mr. GALLINGER], who, I understand, would vote as I shall vote. I therefore feel at liverty to vote on this question. I vote "nay."

Mr. KENDRICK (when his name was called). I have a pair with the Senator from New Mexico [Mr. FALL]. I transfer that pair to the Senator from Arkansas [Mr. ROBINSON], and vote "nay."

Mr. CHAMBERLAIN (when Mr. MCNARY's name was called). My colleague [Mr. MCNARY] is unavoidably absent from the Senate. If he were present, he would vote "nay." I understand that he is paired with the junior Senator from Louisiana [Mr. GUION].

Mr. PENROSE (when his name was called). I have a general pair with the Senator from Mississippi [Mr. WILLIAMS]. As he is not present, I transfer that pair to the junior Senator from Massachusetts [Mr. WEEKS], and vote "yea."

Mr. SMITH of Georgia (when his name was called). I have a pair with the senior Senator from Massachusetts [Mr. LODGE], but I am advised that he would vote on this matter as I shall vote, so I am at liberty to vote. I vote "yea."

Mr. SMITH of Maryland (when his name was called). I transfer my pair with the senior Senator from Vermont [Mr. DILLINGHAM] to the senior Senator from Kentucky [Mr. JAMES], and vote "yea."

Mr. THOMAS (when his name was called). I have a general pair with the senior Senator from North Dakota [Mr. MCCUMBER], who is absent. I therefore withhold my vote.

Mr. SMITH of Michigan (when Mr. TOWNSEND's name was called). I desire the RECORD to show that my colleague [Mr. TOWNSEND] is absent on account of illness in his family.

Mr. WADSWORTH (when his name was called). On this question I am paired with the junior Senator from North Dakota [Mr. GRONNA]. I transfer that pair to the senior Senator from Massachusetts [Mr. LODGE] and vote "yea."

The roll call was concluded.

Mr. MYERS. I transfer my pair with the Senator from Connecticut [Mr. MCLEAN] to the Senator from Oklahoma [Mr. OWEN] and vote "nay."

Mr. MCKELLAR. I desire to announce the unavoidable absence of the junior Senator from Arkansas [Mr. KIRBY] on official business.

Mr. JONES of New Mexico. I desire to announce the unavoidable absence of the President pro tempore, the Senator from Delaware [Mr. SAULSBURY], and to state that if he were present he would not vote on this question, having been in the chair when the point of order was decided.

Mr. LEWIS. I merely wish to announce the absence of the senior Senator from Kentucky [Mr. JAMES], occasioned by personal illness, and ask to have this announcement stand for the day. I also wish to announce the absence of the senior Senator from Arkansas [Mr. ROBINSON], who has been called away on official business.

Mr. COLT (after having voted in the negative). I have a pair with the senior Senator from Delaware [Mr. SAULSBURY]. I am at liberty to vote on this amendment, however, and therefore will allow my vote to stand.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from West Virginia [Mr. GOFF] with the Senator from Arkansas [Mr. KIRBY]; and

The Senator from Michigan [Mr. TOWNSEND] with the Senator from Missouri [Mr. WILFLEY].

The result was announced—yeas 33, nays 36, as follows:

YEAS—33.

Baird	Johnson, Cal.	Phelan	Swanson
Brandegee	Jones, N. Mex.	Pomerene	Underwood
Calder	Kellogg	Ransdell	Wadsworth
France	King	Reed	Warren
Frelinghuysen	Knox	Simmons	Watson
Gerry	Lewis	Smith, Ariz.	Wolcott
Gore	Martin	Smith, Ga.	
Harding	New	Smith, Md.	
Hitchcock	Penrose	Smoot	

NAYS—36.

Ashurst	Fletcher	Nelson	Shields
Bankhead	Hale	Norris	Smith, Mich.
Beckham	Henderson	Nugent	Smith, S. C.
Benet	Jones, Wash.	Overman	Sterling
Borah	Kendrick	Pittman	Sutherland
Chamberlain	Kenyon	Poindexter	Thompson
Colt	Lenroot	Shafroth	Trammell
Curtis	McKellar	Sheppard	Vardaman
Fernald	Myers	Sherman	Walsh

NOT VOTING—27.

Culberson	Guion	Lodge	Saulsbury
Cummins	Hardwick	McCumber	Thomas
Dillingham	Hollis	McLean	Townsend
Fall	James	McNary	Weeks
Gallinger	Johnson, S. Dak.	Owen	Wilfley
Goff	Kirby	Page	Williams
Gronna	La Follette	Robinson	

So the Senate refused to sustain the ruling of the Chair.

The PRESIDING OFFICER. The question recurs upon the amendment proposed by the committee.

Mr. SHEPPARD. On that I ask for the yeas and nays.

Mr. PHELAN. Mr. President, do I understand that the question now is on the amendment contained on page 6, line 21?

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. On page 6, beginning on line 11, after the numerals "$6,100,000," it is proposed to strike out the remainder of the paragraph, or all down to and including line 20 on page 6, and in lieu thereof to insert the matter proposed by the committee.

Mr. PHELAN. Mr. President, the amendment is the printed amendment offered by the committee. I am entitled to move an amendment now in the second degree, and I move that all reference to wine be stricken out. I suppose that amendment will have precedence. The confusion grows out of the fact that in the printed bill there is an amendment which is not before the body, because the committee, since the printing of the bill, has substituted another amendment; and I therefore move that all reference to wine be stricken out.

I can more particularly describe my amendment by saying that it is made to the amendment proposed by the committee and not contained in the bill reported by the committee. If the Members are all supplied with a copy of the amendment, I am in a position to make a specific motion to strike out the word "fruit," on line 2, page 2, and the word "wine," on line 3, page 2, and the word "vinous," on line 4, page 2. The object of the amendment is to eliminate wine from the prohibition otherwise provided in the amendment, which bars the manufacture of vinous, malt, and spirituous liquors.

The Agricultural Committee was in session and heard testimony, and at one stage of its proceedings I am advised that it decided not to include wine. At a subsequent meeting the committee reported to the Senate that the prohibition of the making of wine should not begin until June 30, 1919. That would give the wine growers of the country an opportunity to take off the crop which is now upon the vines and to dispose of it. The committee, however, continued its sessions and made a third change, and that is the change which is now proposed and which in this language affects wine:

After November 1, 1918—

That is, this year—

until the conclusion of the present war no grain, cereal, fruit, or other food product shall be used in the manufacture or production of beer, wine, or other intoxicating malt or vinous liquor for beverage purposes.

That is to say, that after November 1 of this year, 1918, there can be no manufacture or production of wine.

After December 31, 1918, until the conclusion of the present war, no beer, wine, or other intoxicating malt or vinous liquor shall be sold for beverage purposes except for export.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Nebraska?

Mr. PHELAN. I yield for a question.

Mr. NORRIS. If the Senator's amendment prevails, and wine is excluded from the amendment, will the Senator then support the amendment in its amended form?

Mr. PHELAN. If the Senator, representing the committee, can give me any assurance at this time that there is no prospect of eliminating other objectionable features of the amendment, I shall be prepared to answer him; but, to be perfectly frank, I personally am interested, as representing a great wine-producing State, producing 90 per cent of all the wine made in the country, in saving wine from prohibition; and at the same time, believing that light beverages are not harmful but indeed healthful in this emergency, of which there is abundant evidence, I am also in favor of eliminating beer from the terms of prohibition. Therefore I am not prepared to say at this time that the amendment, with the exclusion of wine alone, is entirely acceptable to me. I therefore shall address myself at this time to wine.

I know that the Senator has in mind not only wine, but beer and whisky. I am opposed to the continued manufacture and sale of whisky; and I believe that wine and beer are suffering from their companionship all these years with the whisky interest, which has largely maintained the saloons, to which there is every patriotic objection. Wine is not served over the bars of the soloons in any quantity. It is a table beverage. Wine involves no question of food conservation.

Mr. NORRIS. Mr. President, may I ask the Senator another question?

The PRESIDING OFFICER. Does the Senator from California further yield to the Senator from Nebraska?

Mr. PHELAN. I yield.

Mr. NORRIS. It may be that the Senator has answered my question, but there was so much confusion when he first took the floor that I am not certain of it. The question I wanted to ask the Senator was in regard to the present crop of grapes that are to be made into wine. Did the Senator say at the beginning of his remarks that the crop that will mature this summer or fall would be destroyed if this amendment were agreed to?

Mr. PHELAN. I am in a position to answer the Senator very accurately. The State of California maintains an official body known as the California Viticultural Commission, whose officers are paid by the State. Incidentally, I may say there are 12 agricultural stations of viticulture in California, showing the interest of the Federal Government as well as the State government in the maintenance of that industry. I have here, received to-day, a telegram from E. M. Sheehan, secretary of the California State Viticultural Commission. It reads as follows:

SACRAMENTO, CAL., *July 9—12.5½ p. m.*

Hon. JAMES D. PHELAN,
United States Senate, Washington, D. C.

To-day's news finds thousand grape growers and financial institutions in this State appalled at proposed confiscatory national legislation. Crushing and fermentation of grapes for wine usually ceases December 1—

I will repeat that for the benefit of the Senator from Nebraska—

Crushing and fermentation of grapes for wine usually ceases December 1; distillation and fortifying to complete manufacture sweet wine is a continuous process, often running into spring months of the following year, and it is a part of process of manufacture of this wine. If manufacture of wine is prohibited November 1—

Which this amendment provides—

and the sale prohibited January 1—

As this amendment provides—

grape growers of California will lose the coming crop, which I estimate, at present market prices for wine grapes, to be worth $14,000,000 to the growers.

To the growers, not to the middlemen nor to the jobbers, but to the growers—

No wine makers would buy grapes or manufacture wine the coming vintage season if time of sale were limited to January 1. The bulk of wine would not be fit for marketing at that time. Hurried meeting called by wire for Thursday this week in San Francisco. Please wire me last-minute advice and impressions, that I may submit them.

E. M. SHEEHAN, *Secretary.*

That is to say, the wine growers are holding a meeting to-morrow and wish to be advised of their fate. There is no question at all that if the committee amendment prevails, it is simple confiscation of the crop now upon the vines.

Mr. GORE. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Oklahoma?

Mr. GORE. If the Senator is about to conclude his remarks in a few moments, I will not move to adjourn. Otherwise, if it is agreeable to the Senator, I should like, at the request of a number of Senators, to move an adjournment at this point.

Mr. PHELAN. It is quite agreeable to me to acquiesce in the chairman's view.

Mr. GORE. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 5 minutes p. m.) the Senate adjourned until to-morrow, Thursday, July 11, 1918, at 12 o'clock meridian.

SENATE.

THURSDAY, *July 11, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come to Thee in our pursuit of truth. We would know not only the relative values but the ultimate principles of the relations of men to the governments which men have set up. All Thy lovers are lovers of truth. We pray that we may be kept straight and true in our pursuit, that no present good, that no tempting future power, may lure us from the path in which Thou wouldst lead us to establish among men a government founded upon the ultimate principles of the Gospel of Thy Son. Hear us in our prayers this day and guide us. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. VARDAMAN and by unanimous consent, the further reading was dispensed with and the Journal was approved.

Mr. MYERS. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Baird	Henderson	Norris	Smith, Ga.
Bankhead	Hitchcock	Nugent	Smith, Mich.
Benet	Johnson, Cal.	Overman	Smith, S. C.
Borah	Jones, Wash.	Penrose	Smoot
Brandegee	Kellogg	Phelan	Sterling
Calder	Kendrick	Pittman	Sutherland
Chamberlain	Kenyon	Poindexter	Swanson
Colt	King	Pomerene	Thomas
Culberson	Knox	Ransdell	Thompson
Curtis	Lenroot	Reed	Trammell
Fernald	Lewis	Saulsbury	Vardaman
Fletcher	McCumber	Shafroth	Walsh
France	McKellar	Sheppard	Warren
Frelinghuysen	Martin	Sherman	Watson
Gore	Myers	Shields	Wolcott
Hale	Nelson	Simmons	
Harding	New	Smith, Ariz.	

Mr. SUTHERLAND. I wish to announce that my colleague, the senior Senator from West Virginia [Mr. GOFF], is absent on account of illness. I ask that this announcement may stand for the day.

The PRESIDENT pro tempore. Sixty-six Senators have answered to their names. A quorum is present.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the House had passed the bill (S. 4444) to pension widows and minor children of officers and enlisted men who served in the War with Spain, Philippine insurrection, or in China.

The message also announced that the House agrees to the amendments of the Senate to the bill (H. R. 12100) to amend the act approved September 7, 1916, entitled "An act to establish a United States Shipping Board for the purpose of encouraging, developing, and creating a naval auxiliary and naval reserve and a merchant marine to meet the requirements of the commerce of the United States with its Territories and possessions and with foreign countries; to regulate carriers by water in the foreign and interstate commerce of the United States, and for other purposes.

ENROLLED JOINT RESOLUTION SIGNED.

The message further announced that the Speaker of the House had signed the enrolled joint resolution (H. J. Res. 313) providing for the disposition of moneys represented in the Alfred Bernard Nobel peace prize, awarded in 1906, and it was thereupon signed by the President pro tempore.

PETITIONS AND MEMORIALS.

Mr. SMITH of Michigan. Mr. President, I have received a telegram from about 300 operators, employees of the Western Union Telegraph Co., at Detroit, in the nature of a protest against Government control of telegraph and telephone lines. These men say that they are experienced in their profession and loyal citizens and believe they can render more efficient service to the Government under private ownership than under public ownership.

I ordinarily would ask to have this telegram printed with the names attached to it, but I shall not do that this morning. I merely refer to the matter, because I regard it as important, and ask that the telegram be referred to the appropriate committee.

The PRESIDENT pro tempore. The telegram will lie on the table.

The Chair will state that he has received through the Vice President's office numerous telegrams addressed to the Vice President as presiding officer of the Senate regarding the subject matter referred to by the Senator from Michigan. It has been the custom of the Vice President to hand such telegrams or petitions to the Senators from the respective States from which they come. In this case the telegrams are from a large number of people now in convention in Chicago, employees of the Western Union Telegraph Co. The Chair, not being able to determine to whom they should go, will hand the telegrams or protests against the passage of the proposed legislation to the Secretary of the Senate for proper disposition.

Mr. SMITH of Michigan. If the Chair will indulge me for a moment, a communication like that coming to the presiding officer of the Senate, addressed to the Senate, it seems to me rises to a high privilege, and those telegrams and petitions should be received formally and printed in full in the RECORD. We must safeguard the right of petition, the right of petition made directly to the Senate, and unless the Chair entirely disagrees with the propriety of it I should like to suggest that the telegrams which he hands down may be printed in the RECORD.

Mr. SMITH of Arizona. I object.

The PRESIDENT pro tempore. The Senator from Arizona objects.

Mr. SMITH of Michigan. I shall not pursue the matter any further, except to say that if the constitutional right of petition means anything at all it means that the Senate and the House of Representatives will receive and hear communications addressed to us by individual citizens and organizations in the Republic.

Mr. SMITH of Arizona. I demand the regular order.

Mr. SMITH of Michigan. I do not believe they can be set aside fairly.

The PRESIDENT pro tempore. Objection is made to the request of the Senator from Michigan.

Mr. KELLOGG. Mr. President, I have two telegrams coming from an association of citizens and a builders' exchange, which, to my mind, are in the form of petitions, and I ask to have them read.

The PRESIDENT pro tempore. Without objection, the Secretary will read the telegrams.

Mr. SMITH of Arizona. What was the request of the Senator from Minnesota?

The PRESIDENT pro tempore. The Senator from Minnesota asks to have two telegrams he presents concerning building operations, I think he said, read.

Mr. KELLOGG. No; telegrams from a building association and a citizens' association, on the pending wire-control joint resolution, which I ask may be read.

Mr. SMITH of Arizona. I object.

Mr. KELLOGG. If the telegrams are returned to me, I will read them myself.

Mr. PENROSE. If the Senator will permit me, the right of a hearing has been denied by the majority. I hardly think they want to deny the right of petition.

The PRESIDENT pro tempore. The Chair thinks the matter should be submitted to a vote of the Senate as to whether the telegrams shall be read or not.

Mr. SMITH of Arizona. There is so much confusion I could not understand what the motion is.

Mr. KELLOGG. One of the telegrams is from the president of the Citizens' Alliance of Minneapolis and the other from the president of the Minneapolis Builders' Exchange, protesting against the enactment of this legislation. If the people of this country have any right guaranteed by the Constitution, it is the right of petition to the Senate. The committee has denied the right of a hearing, and I wish to get these telegrams before the Senate.

Mr. SMITH of Arizona. If the Senator will refer them to the Committee on Printing and proceed according to the regular order, it will be carried out, as other petitions where the request is made to print must be dealt with.

Mr. KELLOGG. I move that the telegrams be read.

The PRESIDENT pro tempore. The Senator from Minnesota moves that the telegrams presented by him be read by the Secretary.

Mr. SMITH of Arizona. On that I call for the yeas and nays.

Mr. BORAH. Mr. President, is that a debatable proposition?

The PRESIDENT pro tempore. The Senate is proceeding in the morning hour, and the Chair has never had any ruling on it. The Chair will have to consult the rule and will be glad to know what is the idea of the Senator from Idaho on the subject.

Mr. BORAH. Mr. President, I have had a great deal of sympathy with the Senator from Arizona in his objections to printing indiscriminately everything in the RECORD that is offered, and I still sympathize with that view. I do not believe that we ought to break down this rule. In any event, we certainly ought to make a definite rule and have a definite understanding and apply it persistently and continuously to all alike. Just a few days ago we voted overwhelmingly to sustain the rule.

The PRESIDENT pro tempore. The Chair will say to the Senator that he has refreshed his mind on the rule and that the question must be submitted to the Senate without debate. So the Chair can answer the question of the Senator from Idaho at once that debate is not in order.

Mr. SMITH of Michigan. Will the Chair please state the question?

The PRESIDENT pro tempore. Rule XI provides expressly for submitting the question without debate. The question is, Shall the telegrams be read?

Mr. SMITH of Arizona. Mr. President, before the question is put I wish in explanation to the Senate to say——

The PRESIDENT pro tempore. The question, the Chair will say, is not debatable.

Mr. SMITH of Arizona. I am not debating the question. I am asking unanimous consent to make a statement.

The PRESIDENT pro tempore. The Senator from Arizona requests unanimous consent to make a statement before the vote is taken.

Mr. PENROSE. I object.

The PRESIDENT pro tempore. Objection is made. The motion is not debatable.

Mr. SMITH of Arizona. All right.

The PRESIDENT pro tempore. The yeas and nays have been called for upon the motion. Is there a second?

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. MYERS (when his name was called). I transfer my pair with the junior Senator from Connecticut [Mr. MCLEAN] to the Senator from Arizona [Mr. ASHURST] and vote "yea."

Mr. PENROSE (when his name was called). I have a general pair with the senior Senator from Mississippi [Mr. WILLIAMS]. As he is absent, I transfer that pair to the junior Senator from Michigan [Mr. TOWNSEND] and will vote "yea."

The roll call was concluded.

Mr. JONES of Washington. I desire to state that the junior Senator from Michigan [Mr. TOWNSEND] is necessarily absent on account of illness in his family. I will let this announcement stand for the day.

Mr. SMITH of Georgia (after having voted in the negative). I have a pair with the senior Senator from Massachusetts [Mr. LODGE]. I transfer that pair to the junior Senator from New Hampshire [Mr. HOLLIS] and will let my vote stand.

Mr. CURTIS (after having voted in the affirmative). I transfer my pair with the junior Senator from Georgia [Mr. HARDWICK] to the junior Senator from Vermont [Mr. PAGE] and will let my vote stand.

Mr. KENDRICK (after having voted in the negative). I transfer my pair with the Senator from New Mexico [Mr. FALL] to the Senator from Arkansas [Mr. ROBINSON] and will let my vote stand.

Mr. MCKELLAR. I desire to announce the unavoidable absence on official business of the Senator from Arkansas [Mr. KIRBY].

Mr. FERNALD. I transfer my pair with the Senator from South Dakota [Mr. JOHNSON] to the Senator from New York [Mr. WADSWORTH] and vote "yea."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Oregon [Mr. MCNARY] with the Senator from Louisiana [Mr. GUION];

The Senator from West Virginia [Mr. GOFF] with the Senator from Arkansas [Mr. KIRBY];

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from New Hampshire [Mr. GALLINGER] with the Senator from Florida [Mr. FLETCHER]; and

The Senator from Massachusetts [Mr. WEEKS] with the Senator from Kentucky [Mr. JAMES].

Mr. LEWIS. I wish to announce that the senior Senator from Kentucky [Mr. JAMES] is detained by illness; that the Senator from Arizona [Mr. ASHURST] is detained by illness in his family; and that the Senator from Mississippi [Mr. WILLIAMS] is necessarily absent.

The result was announced—yeas 41, nays 27, as follows:

YEAS—41.

Baird	Hale	Owen	Smith, S. C.
Beckham	Harding	Penrose	Sterling
Calder	Johnson, Cal.	Phelan	Sutherland
Chamberlain	Kellogg	Pomerene	Underwood
Colt	Knox	Reed	Vardaman
Curtis	Lenroot	Shafroth	Walsh
Fernald	McKellar	Sheppard	Warren
France	Martin	Sherman	Watson
Frelinghuysen	Myers	Shields	
Gerry	Nelson	Simmons	
Gore	New	Smith, Mich.	

NAYS—27.

Bankhead	Jones, Wash.	Overman	Smoot
Benet	Kendrick	Pittman	Swanson
Borah	Kenyon	Poindexter	Thomas
Brandegee	Lewis	Ransdell	Thompson
Culberson	McCumber	Saulsbury	Trammell
Henderson	Norris	Smith, Ariz.	Wolcott
Hitchcock	Nugent	Smith, Ga.	

NOT VOTING—28.

Ashurst	Gronna	King	Robinson
Cummins	Guion	Kirby	Smith, Md.
Dillingham	Hardwick	La Follette	Townsend
Fall	Hollis	Lodge	Wadsworth
Fletcher	James	McLean	Weeks
Gallinger	Johnson, S. Dak.	McNary	Wilfley
Goff	Jones, N. Mex.	Page	Williams

So Mr. KELLOGG's motion was agreed to.

The PRESIDENT pro tempore. The Secretary will read the telegrams.

The telegrams were read, as follows:

MINNEAPOLIS, MINN., *July 10, 1918.*

Hon. FRANK B. KELLOGG,
Washington, D. C.:

The Minneapolis Builders' Exchange look with apprehension and misgiving on Western Union situation as now before you. We are convinced that no serious strike impends and that the best interests of the country demand that the Government do not take over the telegraph lines.

W. I. GRAY, *President.*

MINNEAPOLIS, MINN., *July 10, 1918.*

Senator F. B. KELLOGG,
Washington, D. C.:

At a meeting of the executive board it was unanimously and vigorously decided that the industrial situation in the United States to-day makes it imperative that the Western Union Telegraph matter be let alone by Congress. Yielding to the influences that are agitating and demanding Government control spells disaster. On behalf of the best interests in this community I urge you to resist this effort to the greatest extent possible.

O. P. BRIGGS,
President Citizens' Alliance of Minneapolis.

Mr. VARDAMAN. Mr. President, I am not going to ask that a number of telegrams and resolutions which I received yesterday and last night indorsing the bone-dry amendment be published in the RECORD, but I desire to state to the Senate that I have received such communications, which are to me an expression of the popular sentiment in my State on this particular question. If it were necessary, I should ask that they be printed in the RECORD, but this is all I desire to say in reference to them at this time. I think, however, it is very proper to publish such petitions in the RECORD, because I think the people have a right to be heard by petition or by their representatives on the floor of Congress.

Mr. MYERS. I present a telegram from a committee representing 604 citizens of Valley County, Mont., petitioning for the immediate enactment of nation-wide prohibition as a needed war measure. I ask that the telegram be appropriately referred.

The PRESIDENT pro tempore. The telegram will lie on the table.

Mr. PENROSE. I have here a telegram in the nature of a petition, from Clifford Prettyman, delegate from Philadelphia, Pa., representing the employees of the Western Union Telegraph Co., comprising New England and the North Atlantic States, respectfully requesting a hearing on the joint resolution relating to telegraph and telephone control. I have wired this gentleman that it is the purpose of the majority in the Senate to force the joint resolution through this body without hearing or consideration, so that I know that there is no use in pressing his request; but, out of deference to the communication, I ask that it be referred to the Committee on Interstate Commerce.

The PRESIDENT pro tempore. It will be so referred.

Mr. PENROSE. I also have a similar communication signed by a large number of employees of the Western Union Telegraph Co. in Louisville, Ky., to a similar effect, to which I have sent a similar answer, and I make the request that it be referred to the Committee on Interstate Commerce.

The PRESIDENT pro tempore. It will be so referred.

Mr. SHERMAN. I have a telegram, in the nature of a memorial, from Edgar C. Dodge, chairman, and J. A. Morrison,

secretary, of 1,500 employees of the Western Union Telegraph Co., of Chicago, Ill., protesting against the taking over of the telegraph company of which they are the employees; also protesting against certain foreign labor agitators, and asking for a hearing of the employees. I do not ask that this telegram be read, but I do ask unanimous consent that it may be printed in the RECORD.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

The telegram referred to is as follows:

CHICAGO, ILL., *July 10, 1918.*

Hon. LAWRENCE Y. SHERMAN,
Washington, D. C.:

Fifteen hundred employees of the Western Union Telegraph Co., by petition, yesterday elected me chairman to act as their spokesman to acquaint Congress of their sentiment with reference to the reported attempt by certain foreign labor agitators to bring about a strike among the patriotic employees, and, at their request, I forwarded a telegram to Senator SMITH, chairman of the Senate Interstate Commerce Committee, voicing their sentiments, and respectfully requested that we be allowed to send a representative to appear before the committee. Great disappointment prevails among the employees this morning over the action of the committee in returning the bill to the Senate body without hearing their testimony. Is there not some way whereby the employees may be given a hearing on a question so vitally affecting the welfare of the country? I have been requested by the 104 employees who wired you last Saturday to advise you of their appreciation of the recognition you gave their petition.

J. A. MORRISON, *Secretary.*
EDGAR C. DODGE, *Chairman.*

Mr. POMERENE. I have a telegram from the telegraph operators of Columbus, Ohio, to which there are probably 50 or 75 signatures. They respectfully ask that a representative of the employees of the Western Union Telegraph Co. be permitted to appear before the Interstate Commerce Committee.

I also have another telegram, signed by T. E. Ragsdale, chairman, on behalf of 700 employees of the Western Union Telegraph Co., of Cincinnati, Ohio, craving permission to appear before the Interstate Commerce Committee for the purpose of presenting their side of this question. I shall not ask that these telegrams be incorporated in the RECORD, but I ask that they be respectfully referred to the Committee on Interstate Commerce.

The PRESIDENT pro tempore. That order will be made.

Mr. WALSH. At the city of Helena, Mont., the capital of the State, which I have the honor in part to represent, there is located a relay office of the Western Union Telegraph Co., and for that reason an unusually large number of employees are engaged at work in the office. I have from them a telegram protesting against the measure now pending to take over the telegraph lines, and saying that they will join no strike. In that connection they also say:

No red-blooded American would go out on a strike at this critical stage of the war, and we call ourselves that class of Americans.

I ask that the telegram be referred to the Committee on Interstate Commerce.

The PRESIDENT pro tempore. That order will be made.

Mr. SMITH of Arizona. Mr. President, in this connection I ask unanimous consent, as this seems to have become the rule and order of the day, to have printed in to-day's issue of the CONGRESSIONAL RECORD the law as to printing telegrams, and so forth, and also the report of the Committee on Printing of the Sixty-fifth Congress, Report No. 49, for the edification and enlightenment of Senators, if not as an appeal to the Senate.

The PRESIDENT pro tempore. Without objection, the request of the Senator from Arizona will be complied with, and the matter will be printed in the RECORD.

The matter referred to is as follows:

Senate resolution 77.

Resolved, That only a brief statement of the contents, as provided for in Rule VII, paragraph 5, of such communications as are presented under the order of business "Presentation of petitions and memorials" shall be printed in the CONGRESSIONAL RECORD; and that no other portion of such communications shall be inserted in the RECORD unless specifically so ordered by vote of the Senate, as provided for in Rule XXIX, paragraph 1; except that communications from the legislatures or conventions, lawfully called, of the respective States, Territories, and insular possessions shall be printed in full in the RECORD whenever presented, and the original copies of such communications shall be retained in the files of the Secretary of the Senate.

Mr. SMITH of Arizona, from the Committee on Printing, submitted the following report:

The Committee on Printing, to which the President of the Senate, on April 20 and 28, 1917, referred certain letters, telegrams, and resolutions received by him, for determination as to whether they shall be printed in the CONGRESSIONAL RECORD as petitions and memorials, submits the following report in regard thereto:

The committee has given consideration to the constantly increasing number of letters, telegrams, resolutions, and other communications addressed to individual Senators that have been inserted in the CONGRESSIONAL RECORD as petitions and memorials. This practice is taking up more and more of the time of the Senate during the morning hour and has greatly increased the bulk of the CONGRESSIONAL RECORD at a very considerable expense to the Government. In view of the repeated discussions in the Senate as to whether such communications ought to be presented as "petitions and memorials" under that order of morning business, the committee desires to call attention to the following rules and precedents of the Senate covering this subject:

Paragraph 5 of Rule VII provides:

"Every petition and memorial shall be signed by the petitioner or memorialist and have indorsed thereon a brief statement of its contents, and shall be presented and referred without debate."

Paragraph 1 of Rule XXIX provides, omitting the portions not germane to this discussion, that—

"Every motion to print * * * memorials, petitions, accompanying documents, or any other paper, except * * * communications from legislatures or conventions, lawfully called, of the respective States * * * shall, unless the Senate otherwise order, be referred to the Committee on Printing."

In the Forty-ninth Congress the Senate adopted the following order, which is printed as a footnote to the standing rules of the Senate (p. 11):

"*Ordered*, That when petitions and memorials are ordered printed in the CONGRESSIONAL RECORD the order shall be deemed to apply to the body of the petition only, and the names attached to said petition or memorial shall not be printed unless specifically ordered by the Senate."

In the interpretation of the foregoing rules these precedents have been established by the Senate:

On July 16, 1850, the presiding officer of the Senate held that a Senator could not present resolutions or memorials addressed to himself or his colleague. They must be addressed to the Senate or to the Congress. (Hinds' Precedents, vol. 4, p. 269.)

On December 13, 1865, the Senate, by vote, decided that a telegraphic communication addressed to the members of a congressional delegation should not be read as a memorial to Congress.

On February 25, 1868, the Senate again decided, by vote, that a letter addressed to a congressional delegation should not be received and read. Mr. Hendricks, in objecting to the reception of the letter, stated that it was not in order on account of being addressed to the delegation from the State of Michigan and upon a matter not before the Senate for legislation.

On January 8, 1873, resolutions of a board of trade addressed to a Senator and not to the Senate were objected to for the reason that it was a private communication to a Senator and not addressed to the Senate. The paper was thereupon withdrawn by the Senator who had presented it.

On April 4, 1894, the Vice President [Mr. Stevenson] sustained a point of order "that during the call for petitions and memorials under Rule XII, paragraph 4, which prescribes that every petition and memorial shall be signed by the petitioner or the memorialist, and have indorsed thereon a brief statement of its contents, and shall be presented and referred without debate," it was not in order to read the petition at length, either by the Senator presenting it or by the Secretary, unless by unanimous consent. (Gilfry's Precedents, p. 466.)

On June 17, 1913, the Vice President [Mr. MARSHALL] in sustaining an objection to the reading of a petition stated, "The Chair finds that there is a precedent in the ruling of Vice President Stevenson in 1894 to the effect that"—and then, after quoting the ruling referred to above, added—"As the Chair has a high regard for Vice President Stevenson, the same ruling will be made now."

It appears, therefore, that the subject is already well covered by the rules and precedents of the Senate, but that, as stated by the senior Senator from Massachusetts [Mr. LODGE] in discussing the rule relating to the presentation of petitions and memorials, on April 29, 1914:

"It is, however, a rule which has been utterly disregarded for many years. Under the head of 'petitions and memorials,' letters of all kinds and telegrams of all sorts have been freely read from the desk, attacking everybody, everywhere, and with various observations attached to them. The Senate has fallen into the way of permitting that."

With a view to establishing a definite and uniform practice in regard to the printing of communications in the CONGRESSIONAL RECORD as petitions and memorials, your committee submits the following recommendations:

"That only a brief statement of the contents, as provided for in Rule VII, paragraph 5, of such communications as are presented under the order of business 'presentation of petitions and memorials' shall be printed in the CONGRESSIONAL RECORD; and that no other portion of such communications shall be inserted in the RECORD unless specifically so ordered by vote of the Senate, as provided for in Rule XXIX, paragraph 1, except that communications from the legislatures or conventions, lawfully called, of the respective States, Territories, and insular possessions shall be printed in full in the RECORD whenever presented; and the original copies of such communications shall be retained in the files of the Secretary of the Senate."

In accordance with the foregoing recommendations the committee further recommends that the following disposition be made of the petitions and memorials referred to it on April 20 and 28, 1917:

That the concurrent resolution adopted by the Legislature of the Territory of Hawaii as transmitted by the Clerk of the House of Representatives of the Territory of Hawaii under date of April 5, 1917, be printed in full in the RECORD as part of the Senate proceedings.

That the following petitions and memorials be referred to the Committee on Foreign Relations without printing:

Memorial of the General Memorial Day Committee of Minneapolis, approving the President's address of April 2, 1917.

Memorial of the mayor, city counselor, and aldermen of the city of Annapolis, Md., approving the action of the President and of Congress in declaring that a state of war exists between Germany and the United States.

Memorial of the Japanese-American Citizens' Association of Honolulu, Hawaii, indorsing the policy of the President, and declaring readiness to perform their duty as American citizens.

Memorial of the Telephone Society of Denver, Chapter No. 1, of the Mountain States Telephone & Telegraph Co., pledging support to the President and approving his address of April 2, 1917.

Memorial of the United States Brewers' Association placing itself at the service of the President and pledging unqualified support.

Memorial of the American Saddle Horse Breeders' Association in annual meeting at Louisville, Ky., commending the action of the President and of Congress in declaring war against Germany and pledging support.

Memorial of the Joint Labor Legislative Board of Illinois indorsing action of the Washington labor conference in pledging loyalty and support to the Government in the war with Germany.

Memorial of the people of Hartford, Conn., in public meeting tendering loyal and devotion and pledging all their material and spiritual resources to the successful issue of the war.

That the following petitions and memorials be referred to the Committee on Military Affairs without printing:

Memorial of the executive council of the American Federation of Labor against conscription.

Petition of Alan McVeigh, of New York, favoring the universal training and conscription bills.

Petition of the Swarthmore (Pa.) monthly meeting of the Society of Friends praying exemption in the conscription bill.

Petition of the State Council of the District of Columbia, Daughters of America, praying for passage of the Chamberlain compulsory military training bill.

Petition of the executive board of the Twentieth Century Club of Washington, D. C., favoring the selective-draft bill.

Petition of the Pennsylvania Society of the War of 1812 urging the passage of the conscription, universal military training, and compulsory service bills.

Telegram of the Turpentine & Rosin Producers' Association, signed by L. N. Dantler, president, of New Orleans, favoring the selective-draft bill.

Memorial of the Medical Association of Georgia approving national preparedness.

Memorial of the Riding Club of New York City favoring universal military service.

Mr. WARREN presented resolutions adopted at a meeting of sundry citizens of Wyoming, favoring the enactment of further prohibition legislation as a war measure, which were ordered to lie on the table.

Mr. SMITH of Georgia. I have a number of telegrams with reference to the telegraph situation, some from men who say they have been discharged because they have union cards, and others insisting that they never intended to strike, but desired to support the company. I will file them with the Secretary and let them be noted under the rule.

Mr. SMITH of Georgia presented telegrams from Atlanta Council No. 60, Commercial Telegraphers of America; from sundry employees of the Western Union Telegraph Co., of Atlanta; from sundry employees of the Western Union Telegraph Co., of Savannah; from A. W. Carter, secretary, of Atlanta, all in the State of Georgia; and from A. W. Reynolds, of Atlanta, Ga., and W. A. League, of Richmond, Va., representing the Western Union employees of the States of Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Kentucky, and Tennessee, in convention assembled in Chicago, Ill., relative to the telegraph situation, which were referred to the Committee on Interstate Commerce.

PORT OF ENTRY AT OSWEGO, N. Y.

Mr. CALDER. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 8839) for the establishment of Oswego, in the State of New York, as a port of entry for immediate transportation, without appraisement, of dutiable merchandise, and I submit a report (No. 550) thereon. It is a unanimous report from the committee, and I ask unanimous consent for the immediate consideration of the bill.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PORT OF ENTRY AT BAR HARBOR, ME.

Mr. CALDER. From the Committee on Commerce I report back favorably, without amendment, the bill (H. R. 12002) for the establishment of Bar Harbor, in the State of Maine, as a port of entry and delivery for the immediate transportation, without appraisement, of dutiable merchandise, and I submit a report (No. 549) thereon. I ask unanimous consent for the immediate consideration of the bill.

The Secretary read the bill by title.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. REED. Mr. President, has the bill been read?

The PRESIDENT pro tempore. It has been read by title. Does the Senator desire that the bill be read in full?

Mr. REED. I ask that it be read.

The PRESIDENT pro tempore. The Secretary will read the bill.

The Secretary read the bill, as follows:

Be it enacted, etc., That the privileges of the first and seventh sections of the act approved June 10, 1880, as amended, governing the immediate transportation of dutiable merchandise without appraisement, be, and are hereby, extended to the port of Bar Harbor, in the district of Portland, in the State of Maine.

Mr. REED. Does the bill provide for the establishment of a new port of entry?

Mr. CALDER. Mr. President, I may say to the Senator that this bill is recommended by the Treasury Department. It is simply designed to expedite business going through that port and to save the people inconvenience.

Mr. REED. Mr. President, I wish to call attention to the fact that a number of years ago, in an effort to get rid of several ports which were nonproductive, Congress gave the President authority to abolish such ports as he saw fit. The President made an order abolishing a large number of ports. Among other ports that were abolished was that at Kansas City. There never has been any man able to give a good reason for the abolition of that great port, because its business was sufficient to warrant its continuance, and the cost of maintaining the port was very small in comparison with the cost of maintenance of a majority of the ports which were allowed to continue. Now, if we are going to reestablish new ports of entry, I wish to include the port of Kansas City. If we are going to stand rigidly upon the rule as it has been heretofore made, I do not care to raise the point; but if we are going to begin in this way I want that port, which is a large port and does an enormous business, restored. I have no hesitancy in saying, without knowing about the port mentioned in this bill specifically, that the business there is probably not one-tenth of the business of Kansas City. What is the port referred to?

Mr. CALDER. The port of Bar Harbor, Me.

Mr. REED. I have no desire to oppose Bar Harbor being made a port of entry, if it is necessary. What committee has this bill been before?

Mr. CALDER. The Committee on Commerce; and it has been unanimously reported by that committee.

Mr. REED. What is the amount of business done at Bar Harbor?

Mr. CALDER. I do not know the amount. I understand this bill will permit goods to be entered at that port. It does not provide for a customhouse and does not mean a single dollar of additional expense to the Government.

Mr. REED. How can goods be entered without a customhouse?

Mr. CALDER. Under this measure goods are shipped to the port of destination through Bar Harbor and examined at the port of destination by the officers at the customhouse located there.

Mr. REED. I am not going to object to the bill.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment.

Mr. REED. I understand that the bill establishes Bar Harbor as a port of entry and delivery. I am going to inquire, before this bill passes, how can it be a port of entry without customs officials being there?

Mr. CALDER. If the Secretary will read the letter from the Treasury Department, I think it will clear up the matter.

The PRESIDENT pro tempore. Without objection, the Secretary will read.

The Secretary read as follows:

TREASURY DEPARTMENT,
Washington, May 31, 1918.

Hon. CLAUDE KITCHIN,
Chairman Committee on Ways and Means,
House of Representatives.

MY DEAR MR. KITCHIN: The department is in receipt of your letter of the 10th instant inclosing a bill (H. R. 12002) to make Bar Harbor, Me., a port of entry and delivery for the shipment and receipt of merchandise under immediate transportation entry without examination and appraisement and requesting such suggestions as may be deemed appropriate regarding the merits of the bill and the propriety of its passage.

The department has recently received advice from the collector of customs at Portland, Me., that the making of Bar Harbor a port of delivery under the seventh section of the act of June 10, 1880, would facilitate the importation of merchandise by the residents of Bar Harbor and would also serve to prevent the wrongful delivery of merchandise shipped to Bar Harbor and the consequent imposition of fines upon the bonded carriers.

As a commercial necessity appears to exist which warrants the same, I recommend that the bill in question be enacted into a law.

Very truly, yours,

L. S. ROWE, *Acting Secretary.*

Mr. REED. Is Bar Harbor, Me., anything but a summer resort?

Mr. HALE. Mr. President, Bar Harbor is a town of between three and four thousand inhabitants. Of course, in the summer there are a great many more people there. I know nothing in particular about this bill; I never heard of it before it came up for consideration a few minutes ago, so I can not give any information about it; but it was recommended by the department, I take it, upon the basis of the facts before it.

Mr. CALDER. I may say in connection with the customhouse at that point that Portland is the customs district, and there is located there a deputy collector of customs, as I under-

stand, who passes upon all goods coming in. My information is that the passage of this bill will not mean any additional cost to the Government, but will simply expedite the business coming into that port.

Mr. REED. Mr. President, there was taken away from Kansas City, Mo., the customhouse that did the business for Kansas City, Mo., and Kansas City, Kans., two towns containing an aggregate population of not less than 400,000 people, and also doing the business for a large territory which embraced the city of St. Joseph, with 125,000 people. It does seem to me that if large cities of that kind are to be deprived of a customhouse and of the advantages of a port of entry, we ought not to be asking them for a city of three or four thousand people. That does not seem to me to be the right thing. I should like to know some special reason for the enactment of this bill.

Mr. HALE. Mr. President, I should like to ask the Senator from Missouri whether Kansas City is not now a port of entry. They may have taken away the customhouse, but is it not now a port of entry?

Mr. REED. It is a subport.

Mr. HALE. That is all that is being asked for Bar Harbor.

Mr. REED. It is attached to St. Louis, and every controversy of importance which arises has to be settled in the city of St. Louis. If any dispute arises, or any showing has to be made, our merchants are obliged to cross the State to St. Louis, 300 miles away.

Mr. HALE. That is all that we are asking for Bar Harbor—what the Senator already has in Kansas City.

Mr. SMITH of Georgia. Mr. President, I object to the consideration of the bill.

Mr. CALDER. Unanimous consent has been given, I think.

The PRESIDENT pro tempore. The bill is before the Senate by unanimous consent. The bill is in the Senate and open to amendment.

Mr. SIMMONS. Mr. President——

Mr. SMITH of Georgia. Mr. President, I think these bills have been going to the Finance Committee.

Mr. SIMMONS. That is what I rose to say.

Mr. SMITH of Georgia. The general policy as to where ports of entry should be made, how the revenues should be collected, and so forth, belongs to the Finance Committee, and I should regret to see a bill passed in conflict with the general policy that has been adopted.

Mr. CALDER. Mr. President, the enactment of this bill is urged by the Treasury Department, and it is a very little thing to do. It expedites the business of the people of Bar Harbor. It will not cost the Government a dollar, as I understand; and it is something we have been doing right along for years, whenever asked for it by the Treasury Department.

Mr. SIMMONS. Mr. President, undoubtedly the jurisdiction of the subject matter of this bill is in the Finance Committee. Ever since I have been a member of that committee it has been handling these bills. Now and then, I think, some of them have been referred by inadvertence to the Committee on Commerce. I have not myself felt justified in making any protest where that was done. If I have been in the Chamber when it was proposed to be done, I have, if cognizant of the subject matter of the bill, objected.

As this matter has been before the Commerce Committee, and they have acted upon it, I do not feel justified in asking for its recommittal; but I wish to serve notice that hereafter I shall insist that these bills be sent to the Finance Committee.

Mr. VARDAMAN. Mr. President, the pending bill, together with the one that was just passed, was referred to the Committee on Commerce. There was no contest at all over the matter. The committee acted upon the advice of the department; and I can not base an objection, upon the statement made by the department, to the enactment of this bill at this time. I do not know the custom heretofore with reference to the committee to which such legislation is referred, but there was no contest over that matter in the Commerce Committee this morning.

Mr. REED. Was this bill just turned out this morning?

Mr. VARDAMAN. Yes, sir; it was just turned out this morning, and a similar bill has just been passed by the Senate for Oswego, N. Y.

Mr. REED. Mr. President, if the Senator will pardon me, of course there was no contest in the committee this morning. There was nobody there to make it, I suspect.

Mr. VARDAMAN. There was a pretty full attendance at the meeting of the committee. There was a quorum. The Senator from Missouri is a member of the committee.

Mr. REED. The committee was called together at a time when five or six other committees were meeting. I am a member of that committee. I was not there, because I had to be in attendance on the Military Affairs Committee, where there was a hearing. It is easy enough to slip these things through.

Mr. VARDAMAN. Mr. President, if the Senator will pardon me——

Mr. REED. Nobody has yet given us a reason for the passage of this bill. Some assistant down in the office of the Secretary of the Treasury says it is deemed advisable to put this man there—to have a port of entry there. He does not give us any reason why it is deemed advisable. We simply have the ipse dixit of this subordinate in the Treasury Department.

Mr. VARDAMAN. Mr. President, I want to say that it is always regrettable to the members of the Commerce Committee when the Senator from Missouri is not present; but there was no reason assigned, no fact stated, why the bill should not be favorably reported. I can not imagine that anybody had such an interest in the bill as to try to slip it through, as the Senator has said. I know nothing about it myself, except the report made on it by the department.

Mr. REED. Mr. President, let me ask the Senator a question. The Committee on Commerce was called together this morning. To-day was not the regular day for the Commerce Committee to meet, was it? Did it do any business except reporting these two bills?

Mr. VARDAMAN. Oh, we had a good deal of business. We had a hearing this morning, and a very interesting meeting; and I am sorry the Senator from Missouri was not there.

Mr. REED. I received my notice in the morning mail, entirely too late to make any arrangement to attend the committee. I simply think, if we are going to begin this sort of business, that we should begin it all along the line. If we are going to take care of the villages, let us take care of the cities.

Mr. VARDAMAN. I will say to the Senator that, so far as I am personally concerned, I should be very glad to support a bill that would reestablish the office at Kansas City, if it is needed; but the neglect of Kansas City does not in any way drive one to the conclusion that this legislation is not needed.

Mr. REED. The Senator is proceeding, of course, upon that letter, which gives no reason. Can the Senator tell us what the commerce is at Bar Harbor?

Mr. VARDAMAN. I have not the remotest idea.

Mr. REED. The Senator does not know whether there would be enough receipts there as a total to pay the salary of the man in charge?

Mr. VARDAMAN. I do not; no, sir. As I stated to the Senator a moment ago, I acted upon the letter from the department. I have no personal knowledge whatever of the subject except the information given in letters from the department.

Mr. REED. I think the bill ought to be laid over for a day.

Mr. LENROOT. Mr. President, I simply want to say to the Senate that I am a member of the committee, and joined in this report, but I did it under the impression that the bill did not involve any extra expense to the Government. If I had known that it did, I should not have joined in a favorable report without further investigation.

Mr. SIMMONS. Mr. President, I think, as a rule, the establishment of these interior ports does not increase the expense to the Government of handling this foreign merchandise.

Mr. SMOOT. Oh, yes; it does.

Mr. SIMMONS. I think the policy of the Treasury Department has been only to indorse or recommend the establishment of these ports where they find that it will not only facilitate business transactions but will probably lessen the cost to the Government of handling the commerce. I understand, however, that there has grown up in the interior, in a great many sections, a large demand for raw materials that are brought here from other countries; and in the ordinary course that merchandise would be warehoused at the port of entry, and have to be sent from there to the interior point. The purpose is to permit its immediate removal upon arrival in this country without this intermediate process, in the interest of expedition, in the interest of accommodating the industry to be supplied with the raw materials, and also in the interest of economy in handling.

Mr. SMOOT. Mr. President, these ports of entry are established in a great many cities in the United States. The goods can not be delivered at these ports of entry to the merchants within the city at which the port is located until they are examined, and there always is an appraiser appointed, and he collects the amount of duty upon the goods and reports to the Treasury Department the amount collected; and if the amount of goods shipped to said ports is so great he can not appraise the goods himself, he has to have an assistant.

Now, we have such a port at Salt Lake City. An appraiser is appointed; he has his clerk, and the expenses are paid by the

Government. At that city the amount of duty collected is more than the expense of maintaining the office; but I want to say that there are some ports of entry in small cities where the amount of money collected does not pay the expenses of the port. If the Senator accepts an amendment to this bill providing that no expense shall be incurred by the Government, his bill will not amount to anything, because you have got to have an appraiser to appraise the merchandise at the port before it can be delivered to the merchants, and the appraiser has to collect the amount of the duty imposed.

The PRESIDENT pro tempore. The bill is in the Senate and open to amendment. If there be no further amendment, the question is upon the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDENT pro tempore. The bill having been read three times, the question is, Shall it pass?

On a division, the bill was passed.

BILL INTRODUCED.

A bill was introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LENROOT:

A bill (S. 4823) to provide increased revenue; to the Committee on Finance.

COMMITTEE SERVICE.

On motion of Mr. MARTIN, and by unanimous consent, it was

Ordered, That Senator BENET be assigned to the chairmanship of the Committee on National Banks and to membership on the following named committees:

Appropriations.
Cuban Relations.
Expenditures in the Navy Department.
Five Civilized Tribes of Indians.
Forest Reservations and the Protection of Game.
Private Land Claims.
Transportation and Sale of Meat Products.

DEATH OF MAJ. JOHN PURROY MITCHEL.

Mr. CALDER. Mr. President, I wish to occupy the time of the Senate for about three or four minutes this morning.

I know that it is not ordinarily the custom to pronounce in the Senate a eulogy on anyone other than a Member of the Senate or of the House of Representatives, but the fact that in the city of New York to-day ceremonies are being held as a final tribute to the life and works of the former mayor of that city, who, as a patriotic American and a brave soldier, has just laid down his life for his country, prompts me, in this body, to say that for a man of his years no one has done more to elevate the standard of municipal government in America than did John Purroy Mitchel. As assistant corporation counsel, as commissioner of accounts, as president of the board of aldermen, and then as mayor he shed luster on every place he filled.

He was defeated for reelection in November of last year, not because he did not give the city the best government that it ever had but for the reason that in his advocacy of some reforms the people, through misapprehension of his intentions, did not fully conceive his purpose. His record in the office will be a model for future mayors to follow.

At the expiration of his term as mayor he immediately tendered his services to his country. They were accepted, and he was commissioned as major in the Aviation Corps and died in that service. Maj. Mitchel came from a race that has fought for liberty for generations. To-day in that greatest of cities in this world he will be laid away. The city that gave him birth, whose affairs he administered so ably, mourns his loss. The Nation has lost the services of a real patriot and a brave soldier. His example is an inspiration to the youth of his city and to the Nation.

The PRESIDENT pro tempore. If there be no further morning business, morning business is closed.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had, on the 8th instant, approved and signed the act (S. 3929) for the construction of a private conduit across Michigan Avenue NE., in the District of Columbia.

TELEGRAPH AND TELEPHONE CONTROL.

Mr. SMITH of South Carolina and Mr. GORE addressed the Chair.

The PRESIDENT pro tempore. The Senator from South Carolina.

Mr. SMITH of South Carolina. I move that the Senate proceed to the consideration of House joint resolution 309.

Mr. CURTIS. Is it the purpose to displace by this motion the emergency Agricultural bill?

Mr. SMITH of South Carolina. We are proceeding in the morning hour, and that being the unfinished business I propose to proceed with this joint resolution.

Mr. CURTIS. Until 2 o'clock?

Mr. SMITH of South Carolina. My idea is to proceed with the joint resolution, if the Senate is willing.

Mr. GORE. I wish to say that I had risen and attempted to address the Chair. I concede that the Senator from South Carolina received recognition, but my purpose, I wish to say to the Senator from Kansas, was to ask unanimous consent that the unfinished business be laid before the Senate. I suppose at 2 o'clock it will be laid before the Senate, and the two propositions will then have a contest for ascendancy.

Mr. CURTIS. I just wanted to know what the intention of the chairman was.

Mr. SMITH of South Carolina. The intent of "the Senator from South Carolina" is, if possible, to keep the joint resolution before the Senate until it is disposed of, and I move that the Senate now proceed to the consideration of the joint resolution.

The PRESIDENT pro tempore. The question is on the motion of the Senator from South Carolina.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the joint resolution (H. J. Res. 309) to authorize the President, in time of war, to supervise or take possession and assume control of any telegraph, telephone, marine cable, or radio system or systems or any part thereof, and to operate the same in such manner as may be needful or desirable for the duration of the war, and to provide just compensation therefor.

Mr. SMITH of Michigan. Let me ask the Senator from South Carolina if he understands this resolution is to give the President authority to take over all telephone lines?

Mr. SMITH of South Carolina. The joint resolution, of course, speaks for itself. It is simply to enable him to take over all if, in his judgment, he thinks it for the benefit of the country in time of war and for war purposes, and also it authorizes him in reference to marine cables, telegraph, or radio systems to do the same thing.

Mr. PENROSE. Will the Senator from Michigan permit me to make a suggestion?

Mr. SMITH of Michigan. Certainly.

Mr. PENROSE. In a matter of this importance it seems to me that the joint resolution should be read. It has not been read to the Senate.

Mr. SMITH of South Carolina. I have no objection in the world to having the joint resolution read.

Mr. PENROSE. I supposed the chairman of the committee, having refused hearings, would not decline to permit the Senate to have the joint resolution read.

Mr. SMITH of South Carolina. I have no objection to the joint resolution being read. The fact is, it is so simple in its terms it can be readily understood.

Mr. PENROSE. I ask that the joint resolution be read.

Mr. SMITH of Michigan. Mr. President, I have the floor.

Mr. PENROSE. Yes; I beg the Senator's pardon.

Mr. SMITH of Michigan. I asked a question of the Senator from South Carolina with reference to taking possession of all telephone lines, because I can hardly see how that is a military necessity, and much confusion would result from such action throughout the country. There is a great deal of competition in that field, and I have wondered if it was the intention of the framers of this measure to authorize the President to take all these lines over. Of course, if he takes over a part of the lines under the joint resolution—for instance, if he took over the Bell Telephone lines in my State and by any process of reasoning should increase the wages of the Bell Telephone operators, it would at once impose a responsibility upon the Citizens' Telephone Co. of the State to do likewise or enter a field of competition which would be both destructive and dangerous. The question of tolls and rental and hours of service is very important to the telephone patrons, and any unnecessary interference with present plans should have the most careful consideration.

There have been times, Mr. President, when I have not been averse to taking over the telegraph system, using it as an assistance to the Post Office Department and with a view to cheaper rates, but our experience with Government railroad operations has shattered my hopes in this regard and leaves me in grave doubt about the wisdom of our course; but it seems to me we are drifting into an unknown and an untried field. So far as I am concerned, and I say it deliberately, I have taken my last step in favor of socialism or the public control of private enterprises; I have sustained the President at every point since war was declared. He has not said this was a material necessity. I am sick and tired of the drifting process.

I believe we are drifting away from sound principles and constitutional government, and when we undertake to dispossess, even temporarily, the owners of private property, who are managing it in the interest of the people as well as their own interest, it seems to me that unless it is absolutely necessary as a war measure, it is a very dangerous experiment for us to undergo.

Mr. KELLOGG. Mr. President, I suggest to the Senator that he ask the chairman what the intention is about taking over the telephone lines. I do not, as a member of the committee, have any knowledge of it whatever. I have had no means of knowing. We have had no hearings and no discussion on the subject.

Mr. SMITH of South Carolina. If the Senator from Michigan will allow me——

Mr. SMITH of Michigan. If the Senator desires I will be very glad to have him state it.

Mr. SMITH of South Carolina. The attitude of the committee was that the Commander in Chief of the Army and Navy made this request in regard to the telephone and telegraph and radio systems of the country, which are the eyes and ears of the Nation, perhaps of more vital importance than or of equal importance, so far as the war is concerned, to the railroads and transportation system. The fact of the business is that we all recognize that the whole system of commerce and military operations is predicated upon the ability of quick and efficient communication. These are done by the electric devices known as the telegraph and telephone and the radio system.

Mr. SMITH of Michigan. I will say to the Senator that as far as the radio system is concerned the Government has amply protected itself. It has fixed a wave length which is not permissible to anyone else to use. They have an absolute monopoly when it comes to certain wave-length wireless communications. That was taken care of by the Committee on Commerce and the Congress at the time the wireless operations were undertaken, and the Overman Act gives all necessary power to the President in protecting telegraph communications.

Mr. SMITH of South Carolina. If the Senator from Michigan will allow me, that is an argument, it seems to me, for the extension of like power to the telegraph and telephone.

Mr. KELLOGG. I should like to ask the Senator——

Mr. SMITH of Michigan. I am just wondering whether the people will have a right to breathe unregulated by law if we continue to supervise their daily life.

Mr. SMITH of South Carolina. I do not think they will if Germany is victorious. For that reason we are trying to protect against it.

Mr. SMITH of Michigan. Well, Mr. President, Germany will not be victorious, and in destroying her we must be quite sure we do not destroy ourselves. It is not necessary to make war upon our own cherished institutions in order to overthrow European autocracy. But we are being inhibited at every point. So far as I am concerned, I voted for the food law with the fuel provision, with a reservation in my heart that I was not voting right; that confusion and disorder would result from mismanagement. We made it possible for Mr. Garfield to make a blunder in the administration of the coal office when we bestowed the power, and the people have paid the penalty, and it even promises to be worse the coming winter than in the last. It is now quite beyond our reach.

Are we now to turn over all methods of communication to novices and strangers? Are we to subject to criticism and censorship every telegram that goes over the wires? Are the Associated Press and the United Press and all the newspapers of the country to be inhibited from using the wire except by the permission of the Postmaster General? If that is true, then indeed we have fallen upon very unfortunate times.

The whole tendency of this movement is in the direction of socialism and was born of artful ambition and a desire to rule, and, as far as I am concerned, I am through with it. I have supported the President ungrudgingly, and shall continue to do so. He has never said this was a military necessity, and I do not believe it to be sound economics. I have gone as far as I think prudence and judgment will dictate.

When the Senator says we have been requested to do this by the Commander in Chief, I should like to know the method of communication. He has not asked Congress to do it. He has not spoken with those upon this side of the Chamber. If he has communicated with the Senator from South Carolina he must have done it yesterday, for I understand the Senator was absent the day before.

As far as I am concerned, I am through experimenting at public expense; we have gone far enough. There is no necessity for this measure. When you say that a farmer shall not call up his market man unless he has the permission of Mr. Burleson you are going too far. Yet e are very apt to be met with exactly that situation. To raise the wages of the Bell Telephone employees is to force the independent telephone companies to do the same, although it will bankrupt them to do so and destroy this popular medium of communication through meddlesomeness and higher tolls. There is no law now for increasing railroad fares, and yet 40 per cent has been arbitrarily added to the rate formerly enjoyed. It is an expensive experiment and can be carried too far.

Mr. LEWIS. Mr. President——

Mr. SMITH of Michigan. Excuse me. I do not wish to be discourteous to the Senator from Illinois. I cheerfully yield to him for a question.

Mr. LEWIS. Mr. President, the Senator from Michigan interests me in the statement that he makes. It is contrary to what I understood was the situation by law.

The PRESIDING OFFICER (Mr. BANKHEAD in the chair). Both Senators will suspend. The reading of the joint resolution has been called for. There is nothing before the Senate.

Mr. SMITH of Michigan. Mr. President, I think it was called for in my time.

Mr. PENROSE. Perhaps the Senator could address himself better to the matter before the Senate if the joint resolution was read.

Mr. SMITH of Michigan. I do not care to take more time; indeed, had no thought of entering into the debate when I rose. I am appalled at the ease with which we seem to drift into indefensible positions, and feel very sure it could only be possible at a time like this when we are all anxious to aid the Government in the great task before it. It seems to me, however, in our zeal that we may still cherish the ideals which have made us great and that there may still be left of our form of government a few individual rights and privileges so necessary to the maintenance of our institutions.

Mr. LEWIS. The Senator having yielded to me, I say this: I did not know there was any censorship by the Postmaster General under our law of local mail. I have understood there is no such law and that there was no such censorship. I am not aware that the Postmaster General has attempted to exercise it. I should like to know. Therefore, as there is no law for censorship on the mail, I can hardly assume a censorship on wire messages, and if the eminent Senator can cite me to any law authorizing such I would like to know and to have him mention the instances.

Mr. SMITH of Michigan. Oh, Mr. President, even Russia, disorganized as she is, would not pass a law permitting a postmaster general to read letters passing between citizens. I should hope we had not yet come to such a pass; but that it has been done by an assumed right has been asserted over and over again. I do not know that it has ever arisen in my own case, but I have heard men say that it has arisen in their experience. What I am protesting against is the idea of the Government loading itself down unnecessarily with enterprises which can be better managed by private enterprise. There was no great necessity for taking over the railroads as a military necessity, and yet we yielded. I went along reluctantly, as others did. I have voted many times against my judgment since the war broke out. I do not know that I seriously regret having done so, except in one or two instances; but it seems to me that we are accumulating difficulties inch by inch and step by step, each one going a little farther in the dark. So far as I am concerned I am not a socialist in theory or practice. I shall not take one step more in the direction of socialism to please anyone. I do not believe it is helpful to the American people or wise for our Government. It is dangerous, full of misgivings, tending to dull the edge of individual initiative and make it more difficult for men to meet the hard problems that confront them in our industrial, commercial, and agricultural life.

I am sorry this matter has come up at all. I do not know anything about how people may feel over this question. I am not watching the political weather vane from any angle. I am simply protesting against further drifting away from the cardinal and fundamental principles of government that have made our country the envy of the world, and made it possible for us to be of substantial assistance to other nations when their institutions were threatened; our country is great because of the latitude allowed individual citizens, because of the encouragement which our institutions have always given to honest endeavor; we should forge no shackles for ourselves and guard with jealous care the sacred privileges of citizenship; our institutions must not be weakened or undermined in our zeal to meet the new responsibilities growing out of the war.

I do not doubt but that the Government ought to have the right to send such wireless messages around the world as may

be necessary. I do not doubt but that the wires ought to be cleared for the important dispatches by the Government. That is done now, and no complaint has been made. Great vigilance must be shown to safeguard the avenues of communication; such power now resides in the Chief Magistrate. Who can reasonably ask more?

Mr. BRANDEGEE. I should like to have the joint resolution read.

The PRESIDING OFFICER. The Secretary will read the joint resolution.

The Secretary read the joint resolution, as follows:

Resolved, etc., That the President during the continuance of the present war is authorized and empowered, whenever he shall deem it necessary for the national security or defense, to supervise or to take possession and assume control of any telegraph, telephone, marine cable, or radio system or systems, or any part thereof, and to operate the same in such manner as may be needful or desirable for the duration of the war, which supervision, possession, control, or operation shall not extend beyond the date of the proclamation by the President of the exchange of ratifications of the treaty of peace: *Provided,* That just compensation shall be made for such supervision, possession, control, or operation, to be determined by the President; and if the amount thereof, so determined by the President, is unsatisfactory to the person entitled to receive the same, such person shall be paid 75 per cent of the amount so determined by the President and shall be entitled to sue the United States to recover such further sum as, added to said 75 per cent, will make up such amount as will be just compensation therefor, in the manner provided for by section 24, paragraph 20, and section 145 of the Judicial Code: *Provided further,* That nothing in this act shall be construed to amend, repeal, impair, or affect existing laws or powers of the States in relation to taxation or the lawful police regulations of the several States, except wherein such laws, powers, or regulations may affect the transmission of Government communications, or the issue of stocks and bonds by such system or systems.

Mr. UNDERWOOD obtained the floor.

Mr. WATSON. Mr. President, will the Senator from Alabama yield to me for just a moment?

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Indiana?

Mr. UNDERWOOD. I yield.

Mr. WATSON. I desire to serve notice that I shall offer two amendments to the joint resolution, and I desire now to offer them and have them pending.

The first amendment I offer is on page 1, after the word "telegraph," at the end of line 6, to strike out the word "telephone," at the beginning of line 7; and the second amendment is, in line 8, after the word "thereof," to insert "except any telegraph or telephone lines owned, controlled, or operated by a press bureau or press association."

SHORT-LINE RAILROADS—VETO MESSAGE (S. DOC. NO. 267).

Mr. SMITH of South Carolina. Mr. President, I understand that there is a veto message at the desk, which has been received and I ask that it be laid before the Senate.

The PRESIDING OFFICER. The Chair lays before the Senate a veto message from the President of the United States, which will be read.

Mr. SMOOT. Mr. President, before that is done, I desire to suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested, and the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Baird	Gore	New	Shields
Bankhead	Hale	Norris	Smith, Ariz.
Beckham	Henderson	Nugent	Smith, S. C.
Benet	Jones, N. Mex.	Overman	Smoot
Borah	Jones, Wash.	Penrose	Sterling
Brandegee	Kellogg	Phelan	Sutherland
Chamberlain	Kendrick	Pittman	Swanson
Colt	Kenyon	Pomerene	Trammell
Curtis	King	Ransdell	Underwood
Fernald	Lenroot	Reed	Vardaman
Fletcher	Lewis	Saulsbury	Wadsworth
France	McKellar	Shafroth	Warren
Frelinghuysen	Myers	Sheppard	Watson

The PRESIDING OFFICER. Fifty-two Senators having answered to their names, a quorum is present. The Secretary will read the veto message of the President of the United States.

The Secretary read the message, as follows:

To the Senate:

I regret to be obliged to return without my signature Senate Joint Resolution 159, "to extend the time within which the President may relinquish control of any railroad or system of transportation, as provided in section fourteen of an Act entitled 'An Act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes,' approved March twenty-first, nineteen hundred and eighteen, to January first, nineteen hundred and nineteen."

I do so because I very respectfully but very earnestly dissent from the policy which it embodies. Under its terms the Government would be obliged to assume the control and administration of all short-line railroads without discrimination. I respectfully submit that this is not in the public interest. There are terminal short lines at many centers of freight shipment and some seventeen hundred short lines which were built and are controlled by manufacturing, mining, lumbering and other companies and which are operated merely for the convenience of those companies, which would be included under the language of this Resolution, very few of which it seems to me, if any, ought to be taken over and administered by the Government.

The remaining short roads are feeders to the main trunk lines, and more than mere feeders most of them, for they have in most instances played a very important part in building up the industries of the communities through which they run and have become essential to the prosperity of hundreds of towns and neighborhoods all over the Union. I quite agree that practically all of these should be retained and that they should not only be retained, but that they should be accorded a fair division of joint rates,—a fairer division than some of them have been accorded hitherto,—an equitable allotment of cars and motive power, and fair routing arrangements. Some of them constitute connecting links between two or more trunk-line systems. Those which play this part in the system of railways ought to be accorded as full a share in through shipments as is consistent with the general interests of the shipper and the public.

This is the policy which the Railroad Administration will pursue towards these roads. They will not be put at an unfair or ruinous disadvantage. The Government owes a recognized obligation to the communities which they serve, but it is not in my judgment wise to oblige the Government to deal in the same way with all of them regardless of the very great variety of circumstances which affect their facilities and their administration. I beg that the Congress will leave the Government free to enter into arrangements with them which will in each case be to the interest alike of the road dealt with and of the local public.

WOODROW WILSON.

THE WHITE HOUSE, *11 July, 1918.*

Mr. SMITH of South Carolina. Mr. President, I move that the veto message and joint resolution lie on the table and be printed.

The PRESIDING OFFICER. If there be no objection, such will be the order.

Mr. POMERENE. Mr. President, allow me to ask the chairman of the Committee on Interstate Commerce, Should not the message be referred to that committee for consideration in order that we may take it up and perhaps present some report with respect to it?

Mr. SMITH of South Carolina. Of course we can not add to or subtract from the veto message. It has got to be voted on as it comes to us, and it has got to be voted on without debate. My idea in moving that the message lie on the table was that at the proper time it could be called up and disposed of. Meantime each Senator will thoroughly acquaint himself with the contents of the message. I do not know any good purpose which could be served by referring the message to our committee. It was for that reason that I did not ask that it be referred.

Mr. POMERENE. Well, Mr. President, I made the suggestion I did for this reason: The joint resolution which is here vetoed was referred to the Committee on Interstate Commerce, was considered by that committee, was reported by it to the Senate, and was passed by the Senate. We now have before us the views of the President with regard to this proposed legislation. According to the view as expressed, the committee was not in harmony with the President. It therefore seems to me that this message ought to be referred to the committee and let the committee consider what ought to be done in the premises.

Mr. SMITH of South Carolina. If the Senator will allow me, when in the first instance the joint resolution went to the committee we had some power to shape it and put it into the form we desired, but now we are absolutely powerless; we can not change a word. We know the contents of the joint resolution, and all that we could do as a committee would be to recommend that it should be passed over the President's veto or that it should not be so passed. I do not know what weight such a recommendation might have; but as to the contents of the measure, it has got to remain as it is; and I do not see what good purpose could be served by sending the veto message to the committee when we can not do a thing with it and when it is necessary for us even when we come to vote on it to do so without debate.

Mr. POMERENE. Mr. President, I am quite well aware that we must either vote to pass this measure over the veto of the President or not to pass it over the veto; but it is a matter of a good deal of importance, I take it. I was not in harmony with a majority of the committee on the question of the wisdom of passing this joint resolution, but I think that, under all the circumstances, the committee might deliberate upon this question somewhat and might come to a conclusion to make a recommendation to the Senate. That is my purpose, and therefore I move as a substitute that the message be referred to the Committee on Interstate Commerce.

The PRESIDING OFFICER. The Senator from Ohio moves that the message be referred to the Committee on Interstate Commerce.

Mr. SMITH of South Carolina. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The Senator from South Carolina will state his point of order.

Mr. SMITH of South Carolina. Is it in order to refer the message after the order has been made that it lie on the table?

The PRESIDING OFFICER. The Chair thinks the Senator from South Carolina is mistaken as to the parliamentary situation. The Chair does not understand that any order has been made that it lie on the table. That motion has been made.

Mr. SMITH of South Carolina. The motion was made to have it lie on the table.

The PRESIDING OFFICER. The Senator from South Carolina moved that that be done, but that has not yet been decided.

Mr. SMITH of South Carolina. I have no objection to having the motion of the Senator from Ohio put.

Mr. REED. Mr. President, I should like to inquire whether the committee will probably act when the reference has been made to it or whether it will default?

The PRESIDING OFFICER. The Chair has no means of determining that question.

Mr. JONES of New Mexico. Mr. President, I am in hearty accord with the suggestion of the Senator from Ohio [Mr. POMERENE]. I do not believe that this subject should be dropped here. I do not think that the matter should be disposed of either by passing the joint resolution, notwithstanding the veto of the President, or by failing to do so. That there are short-line railroads in this country which ought to be dealt with there can be no doubt. Recently a very large number have been returned to their owners. I am informed——

Mr. FRELINGHUYSEN. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The Senator from New Jersey will state his point of order.

Mr. FRELINGHUYSEN. I understand the motion before the Senate is to lay the veto message on the table. Is that debatable?

The PRESIDING OFFICER. That is not the question before the Senate. The question before the Senate is the motion to refer the veto message to the Committee on Interstate Commerce.

Mr. JONES of New Mexico. I can probably relieve the anxiety of the Senator from New Jersey.

Mr. FRELINGHUYSEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New Jersey will state his parliamentary inquiry.

Mr. FRELINGHUYSEN. As I understand the situation, the Senator from South Carolina moved to lay the veto message of the President on the table, and that is the question before the Senate at the present time.

The PRESIDING OFFICER. It has been moved, as a substitute for the motion of the Senator from South Carolina, that the message be referred to the Committee on Interstate Commerce.

Mr. FRELINGHUYSEN. And that is before the Senate and is debatable?

The PRESIDING OFFICER. That is before the Senate and is debatable. The Senator from New Mexico will proceed.

Mr. JONES of New Mexico. Mr. President, I am informed that the branch of the Government which has in charge the duty of considering the advisability of keeping the short-line railroads under the control of the Government is desirous of doing that with some of the roads which have been surrendered to their owners because satisfactory arrangements could not be made before the 1st of July. Something must be done, it seems to me, to give the Government power now to review its previous action and make proper contracts with roads where it was not possible or practicable to do that before the 1st of July, and I simply wish to express the hope that the joint resolution will go to the committee, and that some practical legislation may result.

The PRESIDING OFFICER. The question is, Shall the veto message of the President of the United States be referred to the Committee on Interstate Commerce?

Mr. BRANDEGEE. Mr. President, I wish to ask for information whether it is customary to refer vetoes of the Executive to committees. The Constitution provides what the proceedings shall be, and I will ask the Secretary to read the constitutional provision from the bottom of page 191 of the Manual.

The PRESIDING OFFICER. In the absence of objection, the Secretary will read as requested.

The SECRETARY. Section 7, subsection 2, of the Constitution, found on page 191 of the Manual, is as follows:

> Every bill which shall have passed the House of Representatives and the Senate shall, before it becomes a law, be presented to the President of the United States; if he approve he shall sign it, but if not he shall return it, with his objections, to that House in which it shall have originated, who shall enter the objections at large on their Journal and proceed to reconsider it. If after such reconsideration two-thirds of that House shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and if approved by two-thirds of that House it shall become a law. But in all such cases the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the Journal of each House, respectively. If any bill shall not be returned by the President within 10 days—

And so forth.

Mr. BRANDEGEE. That is sufficient, Mr. President.

I am not at all seeking to take any part in the discussion as to whether or not this veto message should be referred to the committee. I do not know what should be done, and I am not sufficiently familiar with the proceedings upon veto messages to advise the Chair or the Senate, but I am asking for information. My impression had been—of course, vetoes are not very frequent—that when a veto message came in, whether it was a bill or a joint resolution, it either lay on the table or was acted upon immediately by the House to which it came. If it were laid upon the table it could be taken up and either passed over the President's veto or not; but I did not know that it was customary to refer a veto message to a committee.

Mr. SMITH of South Carolina. Mr. President, if the Senator will allow me, I think his position is absolutely correct, especially in view of the line, beginning on page 191, which says:

> If he approves he shall sign it, but if not he shall return it, with his objections, to that House in which it shall have originated, who shall enter the objections at large on their Journal and proceed to reconsider it.

Which intimates that it is for the body to act upon. It is to remain here. It is not subject to those customs and regulations that preceded it in the form of a bill or a joint resolution. I do not know, as the Senator from Connecticut says, what has been the custom, but it seems to me the clear inference from that is that it shall remain here until it is disposed of.

Mr. BRANDEGEE. I am not sure that the constitutional provision would require immediate consideration of it; but I agree with the Senator from South Carolina, as far as I have been able to look at it at all or to think about it, that it does not involve going back to the committee-hearing stage; but it is for the two Houses, on a roll call here, to pass it over the veto or not, without the intervention of the committee.

Mr. SMITH of South Carolina. That it shall remain here until we do proceed.

Mr. BRANDEGEE. But, as I say, I express that opinion only tentatively.

The PRESIDING OFFICER. The question is, Shall the President's message be referred to the Committee on Interstate and Foreign Commerce?

Mr. FRELINGHUYSEN. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator from New Jersey will state his point of order.

Mr. FRELINGHUYSEN. Under Rule XXII, a motion to lay on the table takes precedence of all other motions.

Mr. SMITH of South Carolina. Mr. President, let me correct the Senator. My request was—it should not have been placed in the form of a motion—that the message lie on the table until such time as the Senate is ready to consider it; not the formal motion of laying it on the table, as we ordinarily understand.

The PRESIDING OFFICER. That is the way the Chair understood the Senator from South Carolina.

Mr. FRELINGHUYSEN. I heard the Senator from South Carolina, and I understood him to move that the veto message lie on the table.

Mr. OVERMAN. Let us vote.

Mr. FLETCHER. Mr. President, I fail to see what the committee could possibly do with the veto message. If the message were referred to the committee, it would have no

jurisdiction to do anything except talk about it, and that we can do here. It seems to me it is a useless thing to refer it to the committee. It is possible that the general expression in the Constitution "and proceed to reconsider it" might allow the message to go to the committee, but I can not see what that would accomplish. It seems to me it would simply amount to postponing action on it, which can be accomplished by having it lie on the table.

Mr. SMITH of South Carolina. If the Senator will allow me, may I make just one suggestion? If a committee is entitled to the possession of a veto message, the committee might keep the veto message indefinitely and deny the Senate the privilege of voting on it at all.

The PRESIDING OFFICER. The Chair is of the opinion, and so holds, that this veto message must either be voted on or must lie on the table until called up for action.

Mr. POMERENE. Mr. President, will the Chair allow me to refer him to section 3550 of Hinds' Precedents? I read:

A motion to refer a vetoed bill, either with or without the message, has been held allowable within the constitutional mandate that the House "shall proceed to reconsider."

Not only have vetoed bills been referred to committees, but in practice those committees have often neglected to report.

A vetoed bill when laid on the table is still highly privileged, and thus justifies a motion to take it from the table and action thereon by majority vote.

It is the first paragraph to which I wish to call the attention of the Presiding Officer of the Senate:

A motion to refer a vetoed bill, either with or without the message, has been held allowable within the constitutional mandate that the House "shall proceed to reconsider."

The PRESIDING OFFICER. The Chair has ruled on this qusetion. If the Senator from Ohio desires to take an appeal, he can do so.

Mr. POMERENE. Oh, no; I will not do that.

The PRESIDING OFFICER. The message will be printed and lie on the table until called up by the chairman of the committee having charge of it. The Senator from Alabama is recognized.

TELEGRAPH AND TELEPHONE CONTROL.

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (H. J. Res. 309) to authorize the President, in time of war, to supervise or take possession and assume control of any telegraph, telephone, marine cable, or radio system or systems or any part thereof and to operate the same in such manner as may be needful or desirable for the duration of the war, and to provide just compensation therefor.

Mr. UNDERWOOD. Mr. President, as a member of the committee that has charge of the pending joint resolution I desire to make a short statement, giving the reasons why I voted to report the joint resolution to the Senate.

I want to say, first, that of all the joint resolutions which have come before the Senate to take private property for public use, I think the joint resolution that has been presented and sent here by the House is the best drafted joint resolution that has been presented to the Senate. It is simple and to the point and covers the ground.

This joint resolution may be misunderstood by some. I must say that I did not understand the purport of the joint resolution until I had examined into it. It authorizes the President to take over the wire lines of the country during the continuance of the war. Therefore, the President's authority is limited to the war period. It does not propose that the Congress shall take affirmative action on this subject—that is, determine the question as to whether or not there is a necessity existing to-day for taking over these lines. It leaves that question entirely in the discretion of the President. It does not determine what lines shall be taken over and what lines shall be exempted. It gives to the Executive the unlimited discretion to take any lines that in his judgment the present war emergencies may require for the national security or defense. Then it proposes a plan for the payment for this property, or its rental, in the event that the property is taken over by the President.

The provision in reference to the payment for this property has been passed on by the Senate and approved probably a dozen times during this session of Congress. The provision for taking over the property as embraced in this measure has met with little opposition from the business interests, has been thoroughly approved by the Government, and I have heard of no serious difficulties arising under it. The one exception to the adoption of this clause for the taking over of property is the railroad bill, and I know that the clause in that case did bring about a great deal of contention and a great deal of difficulty. More than that, there were two gentlemen who appeared before the Committee on Interstate Commerce, both of them representing great interests that are involved in this joint resolution—one, the president of the Western Union Co., and the other a distinguished lawyer, a former Member of the House of Representatives, and the legal representative of the association of independent telephone companies in this country—and both of them expressed to the committee the view that, if their properties were to be taken over, they were entirely satisfied with the machinery in this bill for taking them over.

Mr. WATSON. Mr. President, I was unavoidably detained from the committee meeting. I should like to ask the Senator whether their testimony was reduced to writing.

Mr. UNDERWOOD. The testimony of Mr. Carlton, the president of the Western Union Co., was reduced to writing. The testimony of Mr. Stevens, who represented the independent companies, was not reduced to writing, because Mr. Stevens called merely to inquire if there was going to be a general hearing. He was asked whether he had anything to say upon the subject, or any objection to the terms of the joint resolution, and he said he did not; that he did not see the necessity for taking over the independent companies, but understood that that was left to the discretion of the President; and he did not push the point that he desired a hearing. I asked him, however, whether the clause for taking over the property was satisfactory, and he said it was; that the House had adopted such amendments as they desired in reference to the form of taking over, and that that language was entirely satisfactory to him.

Mr. WATSON. Has the testimony of the president of the Western Union Co. been printed?

Mr. UNDERWOOD. I can not tell the Senator whether it has been printed or not. I do not know. It was taken down. Whether it has been printed or not I can not say.

Mr. KELLOGG. Mr. President——

Mr. SMITH of South Carolina. Mr. President, let me say in reply to that, if the Senator will allow me, that it was taken down; and I want to state just here, if the Senator will allow me, the circumstances under which the statement was taken down.

Mr. Carlton came in and asked the chairman of the committee if he might be heard. The matter was taken before the committee and the agreement was that he should come in and make any statement that he saw fit to make. We were in session, and a stenographer, who was not accustomed to taking public hearings, was brought in, and Mr. Carlton's statement was taken down stenographically and a typewritten copy made and forwarded immediately—yesterday—to Mr. Carlton himself for such corrections as appeared to him necessary. The balance of the manuscript was then submitted to those members who participated in the hearing. Of course it was more or less imperfect, but the gist of what was said is incorporated in the transcript.

Mr. KELLOGG. Mr. President——

Mr. WATSON. If the Senator from Alabama will permit me——

The PRESIDING OFFICER. To whom does the Senator from Alabama yield?

Mr. UNDERWOOD. I really will ask my friends not to get into a controversy in my time, as I want to yield the floor; but if it is for a question I yield.

Mr. WATSON. All I want is to ask a question. That is, I read in the papers that these hearings were behind closed doors. I should like to ask if that is true, and whether or not the reporters were present, or anybody else was present except the members of the committee and the witness.

Mr. SMITH of South Carolina. Frankly, no one had any idea when we met of closing the doors or of excluding anyone. There is a double door at the committee room, which the Senator, being a member of the committee, knows creates confusion in opening and shutting. The secretary, thinking at first that we were in executive session, had closed that door, and was going to exclude all outsiders; and when we started the session we did not say openly and emphatically that the sessions were open. There was some misunderstanding, and I understood that one or two newspaper men came to the door and the secretary told them that we were in executive session. There was no intent to exclude anyone. It was purely a misunderstanding. There was no star-chamber procedure about it. What we did we did openly and aboveboard.

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Minnesota?

Mr. UNDERWOOD. I do.

Mr. KELLOGG. I do not wish to interrupt the Senator or to ask him any question now, but in fairness to the Senate it ought to be said that the transcript of Mr. Carlton's testimony

is very inaccurate and not at all complete, and no one could read it and know what Mr. Carlton testified to. I simply make that statement. It is no fault of the stenographer. She was unused to taking testimony. The committee should have called for the regular stenographers, but refused to do it.

Mr. SMITH of South Carolina. If the Senator will allow me a moment——

Mr. KELLOGG. One moment, if the Senator will allow me to complete the statement. I simply make this statement because Senators may wish to read the transcript, and until it is corrected it gives no accurate idea of Mr. Carlton's testimony.

Mr. SMITH of South Carolina. In justice to the committee and to the stenographer that we employed I want to state that it has been the custom of this committee and of other committees where I have had charge of hearings that no matter who the stenographer may be, the transcript is submitted to the person giving the testimony before it is ever submitted to this body or officially recognized.

Mr. KELLOGG. That is true; but the regular stenographers that the committee employed were refused.

Mr. WATSON. Mr. President, may I further thrust myself into the remarks of the Senator from Alabama by asking him a question?

Mr. UNDERWOOD. I shall be very glad to answer it if I can.

Mr. WATSON. Do I understand, then, that the testimony of Mr. Carlton is to be printed and furnished to Senators?

Mr. UNDERWOOD. I will state to the Senator that really I do not know. As far as I was personally concerned I saw no occasion for taking any testimony. I do not think there is any occasion now. There is nothing to take testimony about. There was testimony taken, and it was taken down by a stenographer, and I think the transcript is being corrected by the gentleman who gave the testimony, and when it gets back I have no doubt it will be printed and Senators can read it. There was testimony in the House. Certain Cabinet officers and others gave testimony that is printed and obtainable at the desk down here, if anybody wants it.

Mr. WATSON. But the fact is, then, that the only testimony taken by the Senate committee will not be printed for Members of the Senate before the joint resolution can be acted upon.

Mr. UNDERWOOD. I do no know when the joint resolution will be disposed of. As far as I am concerned myself I do not care to debate very much the bill, but if I can proceed I will be glad to give my views as to why I do not think it is necessary for any testimony to be taken in the matter at all.

Mr. GORE. Mr. President——

Mr. UNDERWOOD. I yield to the Senator.

Mr. GORE. I want to say this, since the question has been raised in regard to Mr. Carlton's testimony in view of the fact that it has not been printed: Mr. Carlton suggested in his testimony that he thought a better plan than the one provided in the resolution could be worked out for adjusting the differences between the Government and the company, and he indicated it might require 20 or 25 years' litigation growing out of this transaction.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 11945) to enable the Secretary of Agriculture to carry out, during the fiscal year ending June 30, 1919, the purposes of the act entitled "An act to provide further for the national security and defense, for stimulating agriculture, and facilitating the distribution of agricultural products."

Mr. GORE. I ask unanimous consent that the unfinished business be temporarily laid aside, of course without prejudice.

The PRESIDING OFFICER. The Chair hears no objection, and it is temporarily laid aside. The Senator from Alabama will proceed.

Mr. HARDING. Mr. President——

Mr. UNDERWOOD. I yield to the Senator from Ohio.

Mr. HARDING. I wish to ask the Senator from Alabama before he goes any further if there is any official executive or administrative suggestion of an emergency requiring this legislation?

Mr. UNDERWOOD. I will say to the Senator from Ohio that so far as I know there is no emergency which exists in this hour for this legislation. That is the reason why I did not think there were any hearings necessary. There were hearings in the House. I think at least two members of the Cabinet appeared before the House committee and stated their reasons why the legislation should be passed. There is a communication to the leader of this side of the Chamber and to individual members of the Interstate Commerce Committee from the President urging the necessity of the passage of the joint resolution, but so far as I know there is no evidence to show that it is necessary to immediately put the bill into operation. Therefore I do not think there is any reason for any testimony to be taken, and that is what I want to lead up to when I once get the floor; not that I am referring to my friend from Ohio, but when I get the floor to make my statement I desire to state the reason why I do not think it is necessary to take testimony, and why I think it is necessary to give the President a power which the Senator from Ohio is just as able to judge of as any witness who might come before the committee.

Mr. HARDING. Then I will ask the Senator from Alabama in the course of his remarks to say whether or not the Cabinet officers urging the adoption of this resolution did not proclaim that they were more concerned about the permanent policy of the Government than they were in meeting an emergency.

Mr. UNDERWOOD. I believe they did refer to that in their testimony, but that is not a matter which concerns me. As far as my own individual position is concerned, I have never favored permanent Government ownership of private corporations. I am willing to turn over private corporations to the Government to meet the exigencies of the war that is being carried on to-day, but if I was willing to vote for Government ownership of a private utility the first thing on the list that I would vote for would be the telegraph lines of the country, because I really think that the Government probably made a great mistake when it once owned the telegraph line between here and Baltimore and sold it to private parties instead of making it a part of the post-office system of the country, as the Constitution contemplated that the means of communication between the citizens of this country and the business interests of the country should remain in the Post Office Department and be placed in a central post-office department. The telegraph at that time being unknown, I think within the spirit of the Constitution if not in the letter, you could well place the telegraph lines of this country in the keeping of the Government. But I am not prepared to advocate any such proposition at this time, and want it distinctly understood that I do not do so.

Strip this proposition of all outside questions and it resolves itself down to a very simple proposition that each Member of the Senate is just as able to decide for himself without testimony as if he had the testimony of 100 witnesses.

As I said, there was no objection expressed by the two men who came before the committee, men representing the largest interest involved in this bill as to the machinery provided in the bill for the payment of their property in the event it was taken over.

Now, as to what the Senator from Oklahoma [Mr. GORE] said a minute ago in reference to the president of the Western Union Co., saying there might be a better way to take over the property, he did express a view of that kind, but when asked as to whether he had any objection to the machinery provided in the bill for paying for his property he said he had not, and so did the representatives of the independent telephone lines. So I take it, when you have the representatives of the two great interests affected by the bill stating that the machinery for the payment of the property is satisfactory and when we have adopted this same machinery probably a dozen times heretofore to take over ships, proving grounds, houses, and hundreds of other questions invading the homes of this country and using this same machinery, it goes without saying that the committee were warranted in reporting that machinery back to the Senate without taking the time to go into a long consideration to show that the method provided for the payment of the property was a correct method which had the sanction of the Senate repeatedly on this subject.

The balance of the bill is limited to a very few lines when you lay aside the question how it shall be paid for if the President takes it over. It merely reads:

> That the President during the continuance of the present war is authorized and empowered, whenever he shall deem it necessary for the national security or defense, to supervise or to take possession and assume control of any telegraph, telephone, marine cable, or radio system or systems, or any part thereof, and to operate the same.

That is all there is in it, when the President, during the continuance of the war, shall deem it necessary for the national security and defense, not when we shall deem it necessary.

Now, the President has stated that he thinks this bill necessary as a war emergency; that it is necessary for him to be given the power given in this bill.

Mr. STERLING. Mr. President——

Mr. UNDERWOOD. If the Senator will let me finish the sentence, I will yield to him. That is all that is involved in the bill. There is nothing else involved in the bill. There is not a Senator in this Chamber who is asked to express his opinion as to whether he thinks it is necessary at this time or at some

time in the future to take over the telegraph companies, but the question you are asked to vote on is the question as to whether or not you are willing to leave it to the Executive of this land in his discretion to take them over if a war necessity arises in the future. That is all there is in the bill. I yield to the Senator from South Dakota.

Mr. STERLING. I just wondered whether the Senator from Alabama would venture an opinion himself as to whether the President would, under the authority conferred, take over the telegraph and telephone lines right away.

Mr. UNDERWOOD. I will say to the Senator that I have had no communication whatever with the President. The only information that I have with reference to the matter, so far as the President is concerned, is two letters that I happen to have read that were written to other Senators, in which he simply stated that he thought it was necessary to pass this legislation at this time empowering him, if he thought it necessary in the future, to act in this matter. Now, I will say to the Senator, as far as I am concerned——

Mr. STERLING. But I did understand the Senator a while ago that he, the Senator, did not know of any existing emergency which required the taking over of the lines.

Mr. UNDERWOOD. I repeat that statement. I ask the Senator, does he know of any?

Mr. STERLING. I do not know of any, I am free to say; but I will further say to the Senator that I think the testimony given by Cabinet officials before the House committee did not disclose any necessity that would justify the taking over of the lines now as a war emergency.

Mr. UNDERWOOD. I do not think there is any dispute on that point. The committee does not present this bill to the Senate with the viewpoint that there is any necessity in this hour confronting the country as a reason why these lines should be taken over. If this case were to be tried out on the position that there was an existing necessity, that there was some reason why the Government must take them over at this time, and the Senate were asked to act in the affirmative on the question, your committee would have given elaborate hearings and consideration. But there is no such proposal in this bill. It was written in the House of Representatives. It is not asked that we pass on it for that reason. It is not laid to existing necessities now, but we are contemplating a recess of Congress. The question may lie in the future, and the President of the United States has asked the discretion to do this thing if the occasion arises when the country's defense may need such action.

Mr. REED. Mr. President——

Mr. UNDERWOOD. Just one minute. The only question that confronts the Senate of the United States under this bill is just one thing: Will you allow the Chief Executive to exercise his discretion in the interest of carrying on this war if he thinks it is proper, or will you deny it? That is all there is in the joint resolution.

Mr. McCUMBER. May I ask the Senator a question right there? I think the Senator placed the issue very clearly when he said that the question was not whether we thought there was an emergency which would require it, but whether we would delegate to the President the right to take possession when he deemed it was necessary.

Mr. UNDERWOOD. That is what the bill says and all it does.

Mr. McCUMBER. The question in my mind, then, is this: Whose function is it to determine that thing? Admitting that upon the field of battle the commander always has authority to take possession of anything that he may deem necessary to further his military purpose, the fact that we must pass our judgment in granting this authority to the President presupposes that he has not the authority now; and, therefore, should we not exercise our judgment? Should it not be a question whether we deem it necessary, rather than a question whether at some future period the President may deem it necessary?

Now, I want to say in explanation, so that the Senator will understand it, that I voted with the Senator to give the power to the President to take possession of our factories and munition plants because I deemed that it was necessary that he should have that power. Here I am asked to vote to give him the power when we have no evidence whether it is necessary or whether it is not necessary. If we are to exercise our judgment, should we not have some evidence upon the subject that will guide our judgment?

Mr. UNDERWOOD. I am going to assume, for the sake of my argument, that there is no evidence that any necessity exists now; but assuming, for the purpose of my argument, that a condition may arise in the future when this should be done, I think that is the determining question. Now, so far as the Senator and the Committee on Interstate Commerce are concerned, this bill came before the Committee on Interstate Commerce with the past action of the Senate in reference to such bills before us; and, although I can not recall the individual vote of my friend from North Dakota, I assume that he voted as I did, and I think he probably did. If my assumption is wrong, I hope he will correct me. In August, 1916, the Senator and I voted for an appropriation bill that carried a clause in it which was not given any great consideration, authorizing the President, in case of a war emergency, to take over all the railroads of the country that were necessary to move troops or freight. Under that clause, subsequently, the President did take over all the railroads. That question was before the Senate and was passed here without dissent. Without dissent the Senate was committed to it. We did not ask the President to furnish us with facts to demonstrate that it was necessary then to take over the railroads. No; we said: If in your discretion you find it necessary for war purposes in the future, you may exercise the discretion to take over the railroads. Your Committee on Interstate Commerce had the action of the Senate on that subject before it as a precedent.

Mr. McCUMBER. We acted on our judgment in that matter rather than on the mere suggestion of the President.

Mr. UNDERWOOD. Just let me call the attention of the Senator to a few other precedents that the Senate has established for the passage of this bill. When the time came that the President asked Congress to give him control of the food products of this country, did he ask the Congress to determine when the business interests relating to food should be taken over? No; he asked for the discretion in his judgment as to when it should be taken over and how far it should go, and the Senate of the United States granted that. When it came down to the fuel question, again the President did not ask us to decide whether there was an emergency existing at the time to take over the fuel of the country. No; he asked the Congress of the United States to give him the right in his discretion to take over the fuel supplies of the United States, and the House and the Senate assented. There are a number of other instances. I can give you another instance that goes further than that. When war was declared and the Executive of this land asked Congress to draft the men into the Army between the ages of 21 and 31, he did not say that he needed 10,000,000 men within that age to go into the Army at that time. He did not say that an Army of 10,000,000 men was needed. He did not say to the Senate or produce any evidence that we needed all the men within that draft age to make up the Army. No; he merely asked for that reservoir and asked for the discretion to adopt rules and regulations as to what men should be called from their homes, how many should be called, and when they should be called, and the House and the Senate of the United States assented to that proposition. Now, what have you done? In the past you have granted to the Chief Executive of this country the right to control the fuel supply of the country, not in the discretion of Congress, not when the Congress thought it was necessary, but in the discretion of the Chief Executive. You have authorized in the past the Chief Executive to control the food supply that goes into the mouths of this country, not when you determined it was necessary, but when in his discretion he thought the necessity arose. You gave him in his discretion the right to take over the entire transportation system of this country, not when you thought the occasion had arisen to take it over, but when in his discretion he determined that the necessity arose in carrying on the war successfully. Now, that is the precedent of the Senate of the United States.

Mr. WATSON. But is it not a fact, I will ask the Senator from Alabama, that in every instance he has cited there was at the time of the passage of the act an immediate confronting emergency?

Mr. UNDERWOOD. I do not think there was any more confronting emergency then than there is now. Certainly when the act was passed in March, 1918, authorizing the President of the United States to take over the railroads of this country there was not the emergency then confronting the country which confronts it to-day.

Mr. WATSON. No; not the country generally.

Mr. UNDERWOOD. On the question of taking over the railroads the situation that confronted us is the situation in reference to these wires to-day.

Mr. WATSON. But the Senator said a moment ago that in his judgment there was no emergency for taking over these lines at this time.

Mr. UNDERWOOD. I mean by that, as I explained, that there is no evidence of an immediate emergency arising. I do not say there is no evidence of an emergency arising in the next two or three months. I think myself it is probable that such an emergency will arise. But that is not the question we

are involved in. We are not asked to decide on a probable emergency in the future. The question before the Senate of the United States is whether we shall grant the discretion to the President of the United States in reference to certain lines of wire stretching across this country that we granted to him to take the boys of the land from their homes, to take fuel from the firesides, to take food from the mouths of the people if necessary to win the war. Then do you say that the Senate of the United States will hesitate at the door of giving the President of the United States control over the line that may stop a spy system control over the lines of communication in which we can move our troops, lines on which the very life of the Army may exist, that that does not invade the home of the individual and the life of the Nation but it is merely a question of dollars involved with certain great corporations in this land? So far as I can see there is no occasion to investigate, there is no occasion to hesitate.

Mr. WATSON. The Senator has been citing parallels to prove his case. One is the Fuel Administration. Is it not a fact that there was a great emergency on the fuel proposition? Is it not a fact that the great question was whether or not we should be able to feed our allies and ourselves?

Mr. UNDERWOOD. At the time we passed the food-control act the emergency that confronted the country was purely theoretical. It did exist subsequently. The theory was correct. It was necessary for us to conserve our food to supply our allies, but it did not exist at the time of the passage of the measure, neither did we order that it should be done. We left it to the discretion of the Executive.

Mr. REED. Does the Senator mean to state that jurisdiction was given to anybody to control the food of this country by any bill ever passed by Congress? If so, I should like to be cited to the act.

Mr. UNDERWOOD. The food-supply bill, of course, has been worked out largely through the instrumentality of public sentiment and the response of the good women of this land to the wishes of the Government of the United States, but we did pass a bill authorizing the Food Commissioner to use certain money for the purchase of wheat. We granted him certain powers in reference to the control of the wheat market, and it was wheat that we had under consideration when we passed that bill. In addition to that we granted him a power that absolutely allows him to control the situation. We gave him the unlimited power to license the business of this country and to deny the right to do business by denying the right of a license. Of course, when that power was granted by the Senate and the House of Representatives it granted the power to control the food situation of the United States.

Mr. REED. I am sorry to hear the Senator make that statement, because the history of the legislation to which he is now referring, the debates, all that went along with the legislation, including Mr. Hoover's own testimony, show that there never was any pretense of doing anything more than stopping profiteering, keeping the lines of trade open so that there would not be any corners in the market, and a steadying of the market by the purchase and sale through the Wheat Export Co. or a company that might be organized. The power of license was understood at that time to go no further than to compel the licensee to conform to reasonable rules and regulations, but it has been distorted into a power to control the supplies of the people. I can show the Senator Mr. Hoover's own testimony, in which he repudiates any such purpose or intent.

I am sorry the Senator with the weight of his great influence apparently sanctions the employment of that licensing power so that it amounts to a power to control absolutely the supply of food to the people of this country. That bill would not have received 10 votes in this body if it had been stated in terms that it proposed to give to any man the right to control the food supply of our people.

Mr. UNDERWOOD. I am not taking issue with the Senator from Missouri. I heard the testimony of Mr. Hoover. I realize the situation. More than that, I realize that there is no man in the Congress of the United States better informed on that particular enactment of Congress than the Senator from Missouri, and I yield to his wisdom in the matter. But, nevertheless, the concrete statements of fact that I made can not be denied that the Congress of the United States granted to the Federal administration the power to license all business in this country and that that power carried with it the absolute control of the food situation and does to-day.

Mr. WATSON. The Senator from Alabama is endeavoring to prove his case by a parallel for the purpose of convincing those who listen to him.

Mr. UNDERWOOD. I am not trying to prove it. I am just stating the case. The case proves itself.

Mr. WATSON. Is it not a fact that at the time we passed the food bill the Government had full estimates of the coming crop? It knew precisely the situation. It knew what the demand was, and is it not a fact that at the time we passed the food bill flour was selling in this country at $18 a barrel, and because of the exigent necessity of that hour we passed the bill to meet the emergency which then confronted us, and it was not some nebulous or mystic smoke dancing about in the moonbeams that we were trying to pull down.

Mr. UNDERWOOD. I think the situation—of course that is a mere matter of opinion——

Mr. WATSON. No; it is a matter of fact.

Mr. UNDERWOOD. I beg my friend's pardon. I think it is a matter of opinion. I do not think the situation that confronts us to-day is any more nebulous than the situation which confronted us when we passed these other enactments. We did not then know the situation; we were not apprised as to the facts; we did not attempt to pass judgment on the question. The only thing that confronted us was that we believed that we had an emergency and an exigency to meet in the future, and we met it by giving to the President of the United States the discretion to exercise the authority to meet it.

Mr. HARDING and Mr. REED addressed the Chair.

Mr. UNDERWOOD. I think the Senator from Ohio rose first, and I yield to him.

Mr. HARDING. I want to ask the Senator from Alabama if he will not admit, however, that the public-service utilities which he is proposing to give authority to take over are already essentially under license and control on the part of the various public-utilities commissions throughout the States?

Mr. UNDERWOOD. Well, I think they are throughout the States; and that very fact might hamper the hands of the Federal Government.

Mr. HARDING. Now, if the Senator will tell the Senate how it will hamper the Government, we shall be obliged to him.

Mr. UNDERWOOD. I do not know how it would; I can not answer that question definitely; I say that it might; I do not say that it would; but the fact that those companies are regulated can not affect the situation. I desire to say, however, that, so far as I know, there is no situation that stands over the fence facing us which, if I were asked to vote to myself the exercise of the discretion to take over these corporations to-morrow, would lead me to do so, though it might arise in 30 days; and if it might arise in 30 days, I am willing, for war purposes, to give the President of the United States power to take them over. Why should we not? We have taken over the boys of the land, the food of the land, the fuel of the land, and there is nothing involved here but a line of wires and a question of dollars; there is no human interest involved in this joint resolution; we have invaded the very homes of our land with the exercise of the discretion of the President, but the human side of the Nation is not touched in this joint resolution. The only thing that is involved is a line of dead, cold steel and copper and dollars in the Treasury of the United States. If this property is taken from its present owners, the joint resolution authorizes the payment of just compensation, and so just are its terms that even the men involved do not question them.

Mr. HARDING. Does the Senator think for a moment that the only question involved is one of compensation to the companies concerned?

Mr. UNDERWOOD. That is the only question, so far as they are concerned. Of course behind that question, behind the real question, so far as the people are concerned as to whether it affects them, the price of food might affect every home in this land; the price of railroad transportation might affect every industry in the land; but the price of a telegram is going to affect no one seriously; not a human being in this land is going to be seriously affected by whether the price of a telegram goes up 5 cents or comes down 5 cents.

Mr. HARDING. The Senator from Alabama avoids the use of the word "telephone."

Mr. UNDERWOOD. Well, if the Senator desires my opinion about it, I will say that I can not speak with authority; but I do not think there is any probability whatever of the taking over of the telephones in this land, except it might be to meet a local situation in some seaport for the moment or the hour; but so far as taking over the telephones of the country is concerned, permanently or in any large class or as a system, I do not think there is any possibility of it; and yet there might be an occasion arise during this war when the telephone system at New York or at Newport News might be of the utmost value to the Government to control for the purposes of the war; and I do not know of any way in which you can write a measure and differentiate between the telephone lines in one town and those in another.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Missouri?

Mr. UNDERWOOD. Yes.

Mr. REED. Does not the Senator think that power exists now?

Mr. UNDERWOOD. Well, it possibly does; but what is the harm of giving it again if it does exist? I do not see any harm in regranting it.

Mr. REED. Now, if the Senator will permit—I say this by way of preliminary—we ought to present this question just as it is. It is true that technically the joint resolution proposes to vest in the President of the United States the discretion to take over in whole or in part these lines, and the language is:

Whenever he shall deem it necessary for the national security or defense.

So the Senator is technically accurate when he states that all Congress is doing by this joint resolution is to authorize the President, when he considers an emergency has arisen, to then, upon the happening of that emergency, to take over the systems. That is technically correct; but for all practical purposes are we not confronted with the situation that it is undoubtedly proposed to take possession at once of these lines?

Mr. UNDERWOOD. Not so far as my information goes. Of course the Senator may have more information than I have.

Mr. REED. Well, let me give the Senator this information: It has already been laid before the Senate by the Senator from Idaho [Mr. BORAH], but it is so pertinent to the Senator's remarks that I think we ought to consider it here. Here is a letter from Mr. Burleson to Mr. SIMS, the chairman of the Committee on Interstate and Foreign Commerce of the other House:

MY DEAR MR. CHAIRMAN: Answering your inquiry requesting my "opinion as to the desirability and advisability of the immediate passage" of the Aswell joint resolution (H. J. Res. 309) giving the President power, "if in his discretion it is deemed desirable," to assume control of the communicating systems by electricity "in order to insure their continuous operation" during the occasion of war and "to guard the secrecy of military and governmental communications or to prevent communication by spies and other public enemies," I beg to say that such power and discretion to act seems imperative to safeguard public interests.

That is all in the future; but notice this:

At this moment the paralysis of a large part of the system of electrical communication is threatened, with possible consequences prejudicial to our military preparations and other public activities that might prove serious or disastrous.

And notice this language:

We are reminded that there is not a nation engaged in the war that intrusts its military or other communications to unofficial agencies.

I deem it, therefore, my duty not merely to approve but to urge the passage of the resolution, in order that the President may act, if necessary, to safeguard the interests of the country during the prosecution of the war.

Respectfully,

A. S. BURLESON,
Postmaster General.

Take those two statements; one is that the emergency now exists in the threatened strike; the other is the bald statement that there is not a single nation engaged in war that trusts its lines of communication to private ownership. Now, notice what the President says of and concerning that letter:

THE WHITE HOUSE,
Washington, 28 June, 1918.

MY DEAR MR. SIMS: Thank you for consulting me about the inclosed. I indorse entirely the inclosed letter from the Postmaster General, which I herewith return, and think that the reasons are stated by him truly and comprehensively.

The reasons were, first, a strike; and, second, that no modern nation engaged in the war allowed its lines of telegraph to be in private ownership. It does seem to me—and I state this to the Senator because I know of no fairer man; I do not always agree with his arguments, but I agree with his purposes—it does seem to me that it is perfectly plain that the intention is to take possession, either totally or partially, of these lines, and to do it upon the existing conditions; and that we ought to pass this joint resolution with that understanding and not fool ourselves at all about it.

I am not saying that the joint resolution in some form ought not to pass, but I do not think the Senator really thinks, or that anybody else really thinks, that it is not the purpose to act.

Mr. UNDERWOOD. I have not said that I did not think it was the purpose to act eventually. I merely said that no testimony had come before me or no facts had come to my knowledge to show that action immediately was necessary.

I am not, however, proposing to decide this case. I know that I have not the information with reference to this matter that the Executive of this Nation has; I know that I can not possibly have the facts to act on that lie within the breast of the Executive of this Government.

I further know that possibly—it may be possible, but indeed it is probable—there are conditions existing that it might not be wise to have them given general publicity, and therefore I am not deciding the case on the present moment. If I were deciding the case on the present moment I would ask the Senate to let us take the joint resolution back into the committee and investigate the facts. That is not disturbing me at all, because I am not proposing to decide it myself. My decision is only asked on one question—am I willing to give the discretion to the President to decide the question in this war emergency? I am, and therefore, why should I go further? That ends the question; there is no further place to go. It is either the question of whether I will give it or whether I will withhold it.

So far as the strike is concerned, I am satisfied that there is no impending strike in this country that is likely to jeopardize the lines of communication.

So far as relates to the facts stated in the letter that all the allied countries, in fact, all the countries involved in this war, unless it be some of the minor countries that we do not know of, except ours, control their telegraph lines of communication; that is true.

Mr. REED. And the Postmaster General might have said that the foreign countries always have controlled them; they did not take them over after the war, but they had been under practically complete control.

Mr. UNDERWOOD. I think that is a correct statement of the fact.

Mr. HARDING. Mr. President——

The PRESIDING OFFICER (Mr. KING in the chair). Does the Senator from Alabama yield to the Senator from Ohio?

Mr. UNDERWOOD. I yield.

Mr. HARDING. I want to ask the Senator from Alabama if he has the impression from statements of Cabinet officers that it is the intention to take over these lines of communication—which is evidently manifest—but that he himself sees no emergency existing at the moment? Does the Senator believe that the Senate ought to provide for so radical a change in the affairs of this Nation without a fuller investigation and a fuller knowledge of the subject?

Mr. UNDERWOOD. I will say to my friend that, in the first place, I am not in the confidence of the Cabinet officers; they are not in the habit of giving me their inner consciousness; and so, therefore, from that standpoint I shall have to refer the Senator to somebody else.

Mr. HARDING. Well, would it embarrass the Senator from Alabama to say what his impression is concerning their intent?

Mr. UNDERWOOD. I have no knowledge of it. The only knowledge I have of any intent with reference to this matter is a communication of the President of the United States to the Members of the House and the Members of the Senate, saying that he regards this legislation as a war necessity.

Mr. HARDING. Then let me ask the Senator——

Mr. UNDERWOOD. That is the point on which I decided the question right there; I go no further.

Mr. HARDING. I want to ask the Senator if he does not think, in case there is a real war emergency, such as Congress must make provision for by this extraordinary change, that it would be a seemly thing for the Chief Executive to communicate officially with Congress—something for which he has rare facility?

Mr. UNDERWOOD. I have no doubt, if the emergency existed to-day on which the President desired or intended to act, that to-day he would lay the facts before the country; but he has not asked us to adopt this legislation because of a condition that exists to-day; he asks us to adopt the legislation to arm him for the future. It is like the case of the man who went West with a gun. It was not his desire to use the gun, but he knew, if he went into the wilds of the West in the early days of that section, that without a gun he might get into serious trouble before he got back. That is all there is in this legislation. It is not a question of the use of the gun to-day; it is a question as to whether we are going to arm the President of the United States with this legislation with which to fight in the future. That is all there is of it. If the Senator thinks that we ought not to arm him, if it is his judgment that we can not trust the President with this legislation and this discretion, he ought to vote against the joint resolution; but I feel, after voting for all the legislation I have voted for, trusting the President to invade the homes of the land and take the boys, to interfere with the food supply, and to control the fuel of the United States, that I can safely trust him with the control of these wires. That is the whole question, as I see it.

Mr. HARDING. May I ask the Senator one more question?

Mr. UNDERWOOD. Certainly.

Mr. HARDING. Would not the same logic and the same arming for defense have suggested in the mind of a thoughtful Executive some war preparation in 1915?

Mr. UNDERWOOD. That is a question as to whether or not we acted wisely in 1915. I suppose, if you will go back to 1913, you can convict every government in the world of not acting wisely. Even Germany did not act wisely, because in 1913, when it was preparing for the war of 1914, it misconceived the war it was going to get into and the necessity that would confront it before it got out. Therefore, if we are to go back into the past, I presume an indictment could be brought against every nation in the world for lack of judgment, and it could be found guilty.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Idaho?

Mr. UNDERWOOD. I yield.

Mr. BORAH. Mr. President, speaking for myself, I am only anxious, in order that I may arrive at a conclusion as to what I shall do in this matter, to know what the military exigency is that exists at the present time, or wherein the Government can not control sufficiently the situation by reason of its present power over the system of wire communication. As I understand, at this time everything that goes by cable is censored before it goes out and before it comes in. If I can be informed either as to the present exigency or as to wherein the Government has not the hold which it is necessary for it to have in order to control this situation, I shall arrive very hastily at the conclusion that I ought to vote for this joint resolution; but, unless I have those facts, unless I am given to know wherein the defect lies, or wherein the lack of power rests, of course, I am going to vote against it.

Mr. UNDERWOOD. I am not wise enough to answer the Senator fully; but perhaps I can illustrate the point in some way. In some of the States of the Union it is against the law for an employee of the Western Union or other telegraph company to disclose the secrets of messages transmitted. I think it is not a penitentiary offense, but is punished by fine and imprisonment. In other States there is no such protection. I think it has been stated that there are 75,000 employees of the Western Union Telegraph Co. through whose hands secret messages of the Government must pass. It is true, of course, that important ones go in cipher; but, as the Senator is well aware, there is no cipher that has ever been devised that has not been worked out where a sufficient number of the code messages could be obtained. So there is no protection in that regard. I do not say that if we take over the wires we can avoid that entirely; but it is possible if certain lines of communication were entirely in the hands of the President of the United States, and possibly under military control, that we might be better able to handle the situation.

Mr. HARDING. Mr. President, I should like to ask the Senator from Alabama how he expects any different condition under Government control than he does under the control we now have?

Mr. UNDERWOOD. Because the law would be very much more far-reaching and more forceful when the Government has control of the properties.

Mr. HARDING. There is nothing in the joint resolution to cover that.

Mr. UNDERWOOD. No; not in the joint resolution; but the general laws of the land would apply; and, if we take the business over, it will be within our power to pass additional laws.

Mr. HARDING. Well, would it not be a simple matter to pass a statute to regulate the conduct of the employees handling Government messages?

Mr. UNDERWOOD. I do not say that it could not be done in that way. The Senator asked me a question, and I am giving him some illustrations in reference to the matter which apply to the present situation. I am not prepared to say that the joint resolution is the only way to settle this question or all questions in relation to the subject; but I have heard rumblings nearer home. There may be necessity for immediate action before long. I do not state that as a fact, because I am not informed. I may be misled; but it does affect my judgment to some extent about the matter. In other words, when I come to decide this matter it is not a question of testimony; there is not any man who can be brought before the Senate or before its committees who can enlighten us as to what is going to happen in the future. We have reported this joint resolution back, candidly telling the Senate that we have no facts to present as to the necessity for the action to-morrow or the next day; but we realize that the necessity may arise within 30 days; and, if it does arise, there should not be a question of waiting indefinitely for action by Congress, but there should be opportunity to consider it within the hour and to act on it within the hour, and that is what we are providing for.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Idaho?

Mr. UNDERWOOD. I yield.

Mr. BORAH. I presume that there is no more efficient organization in the world than the Western Union Telegraph Co., at least——

Mr. UNDERWOOD. I will not say that there is no more efficient organization in the world than the Western Union Telegraph Co., but I will say that, among the telegraph companies of the world, I do not think there is any more efficient company.

Mr. BORAH. I doubt if, for the purposes for which it is organized and the duties which it is discharging, there is any more efficient corporate organization in the world than the Western Union Telegraph Co. The other company may be equally efficient, but I am not so familiar with its operation. Now, efficiency will not be increased by governmental control. We will assume, for the sake of the argument—and it is a violent assumption—that the service will be kept up to its present efficiency. It certainly will not exceed its present efficiency. Having the efficiency now, and if we are to assume that the employees of the Western Union Telegraph Co. are loyal, if there is not somewhere a break in the loyalty of the employees, have we not a situation which should be satisfactory to the Government? It seems to me that the inference must be drawn that the Government can get a better hold and control more perfectly the actions, the disposition, and loyalty of the employees by reason of having control; otherwise I can not possibly see how the Government can be helped by public control.

Mr. UNDERWOOD. I will say to the Senator that, so far as I know, taking the employees of the Western Union Telegraph Co. as a whole, there has been no indication of disloyalty. The statement of the president of that company before the committee having this joint resolution in charge was that he would stand for the loyalty of 95 per cent of his employees.

Mr. BORAH. I have no doubt he is correct.

Mr. UNDERWOOD. And I have no doubt he is correct, but he recognized, as the Senator recognizes and as I recognize, that in 75,000 men there is likely to be some man who is disloyal; there is likely to be some man who can be purchased. So we can not try this case on the question of loyalty. One man may turn the whole thing wrong.

Mr. BORAH. If we can not try it upon the question of loyalty or upon the question of efficiency when the emergency arises, then I am at an utter loss to know how we can strengthen our position by governmental control. I heard yesterday that there are 300,000 agents of the Department of Justice who might be called secret-service agents, now in the employ, direct or indirect, of the Government. If there are 300,000 men in the employ of the Government as secret-service agents, I will venture to say that there are just as many disloyal men among that number as there are amongst the Western Union men.

Mr. UNDERWOOD. Probably the Senator is right, but I do not think he understood the statement. There is a very much less number of men in the service to which he refers. Probably the number of men actually employed as secret-service agents who have taken the oath of allegiance to the Government of the United States and are on its pay roll is limited to a few thousand, much less than 100,000.

But the Department of Justice has organized societies and clubs, volunteer aids, throughout the United States in every State in the country. A man goes up and takes oath that he will support the Constitution and disclose any secrets or anything he hears that may work to the injury of the country. They are simply volunteer aids. What they bring in they disclose to the secret-service agents of the Department of Justice. A large proportion of what is brought in is discarded at once; and out of the chaff the real wheat is gathered and investigated. Now, that is all there is in that; there are not 300,000 men so employed; there are only a few thousand men.

Mr. BORAH. Well, Mr. President, perhaps the number is too large, but——

Mr. UNDERWOOD. If you include all those who have taken the oath and belong to the societies to which I have referred, there probably are 200,000 or 300,000 men; that is correct; but they are not really Government agents.

Mr. BORAH. That is what I supposed. I do not wish to interrupt the Senator unduly, but I do want to say that it seems

to me that we ought to have submitted to us in some form a statement of how the Government will be strengthened by taking over these corporations and how the service will be made, from a military standpoint, more effective and more efficient. If that can be shown, so far as I am concerned, I am through with the debate and ready to vote; but if we are here passing upon this proposition as a first step to permanent Government ownership, the second step to come a little later, then there are a good many questions I should like to consider before I vote on it. In other words, we should know more about the reason for this program.

Mr. UNDERWOOD. Well, I do not regard the vote on this joint resolution as passing on Government ownership. I think that a comparatively small amount of this property will be taken over if the joint resolution is passed, although all of it may be taken over under the terms of the joint resolution.

As to the question of whether or not it will improve the conditions of the Army and Navy of the United States and assist the Government in guarding its secrets, making more efficient its forces, and more effectively controlling the military arm of the country is solely an opinion. It can not be anything else but an opinion at this time. The Senator is entitled to his opinion; I am entitled to my opinion; the President of the United States is entitled to his opinion, and he has expressed it. He has expressed the opinion that it is necessary; and knowing that he has facts that I am not possessed of, knowing that he has an intimate knowledge of the war conditions that govern our Army and our Secret Service that I am not possessed of, and knowing that the only thing involved in this proposition is dollars and not human life and human energy and human safety, after swallowing all the others I am not going to hesitate now and deny the President's opinion. That is all that is in the joint resolution.

Mr. WOLCOTT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Delaware?

Mr. UNDERWOOD. I do.

Mr. WOLCOTT. I desire to ask the Senator if the President has ever indicated to any member of the committee that he has certain knowledge of such an important nature that he could not in confidence tell it to any member of the committee which would justify the passage of this joint resolution?

Mr. UNDERWOOD. I can not answer the Senator's question. The President has not communicated with me; and, in fact, so far as I am concerned, the President has had no communication with me in reference to this measure. He has communicated with other Senators. How far he has gone in those communications I can not state.

Mr. WOLCOTT. I recall very well that when there was a proposition here in the Senate some time last year authorizing the President to lay an embargo on ports and commodities the Senate declined to intrust the President with that power, because there was no explanation of why it was necessary. After, however, the President had told the Senate, or some leaders of the Senate, in confidence why it was necessary, and as soon as that information was given to the Senate in confidence, the Senate gladly altered its position and passed the bill.

Now, the Senator states that he has heard nothing from the President. The Senator is a member of the committee, and it seems to me he should have heard something, or some member of the committee should. May I ask whether the Senator has learned whether or not any other member of the committee has learned from the President any secret and confidential information that would indicate the necessity of the passage of this joint resolution?

Mr. UNDERWOOD. As I say, I have not. I am not the chairman of the committee; I am not a leader of the Senate, and there was no reason why the President should communicate with me. I am merely a high private in the rear ranks, and away down at the bottom of the list on this committee; so there was no reason on earth why I should be communicated with. I have not been, and therefore I have no knowledge of any facts from the President. I know that the President has communicated with the leader of the majority party in this body, and has said that this legislation was not only necessary but was so urgently necessary that he did not want the Congress to take a recess until it was passed. I know that he has communicated with other Members of this body who are members of the Interstate Commerce Committee, in which communication he has urged the immediate passage of this legislation as a war necessity. How much further he went with those Senators, or how much further information he gave them, I do not know.

Mr. WOLCOTT. Mr. President, is not the Senator a member of the Interstate Commerce Committee?

Mr. UNDERWOOD. I am; but, as I say, I am down at the foot of the list. I am a new member of the committee.

The position I take in this matter, and have taken from the beginning, is that I am not willing to withhold this power from the President when he says a war necessity stands behind it, and I know that it does not invade the homes or the liberties or the rights of the American people, and the only cost that can come to the Nation is possibly the cost of a few dollars; and we are not counting dollars in fighting this war.

Mr. VARDAMAN and Mr. WATSON addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Alabama yield; and if so, to whom?

Mr. UNDERWOOD. I yield the floor.

Mr. WATSON. I wanted to ask the Senator a question.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. VARDAMAN. Mr. President, I am so thoroughly in accord with the views expressed by the able Senator from Alabama [Mr. UNDERWOOD], who has just preceded me, that to express in words my views would be but a repetition of what he has said.

We all understand as well as we know that we are living that this request of the President of the United States for authority to take over the telephone and telegraph lines as a war measure is going to be granted. Then why waste the time in further discussion? Imperial powers have been conferred upon the President; powers that belong to the legislative and administrative departments of the Government have been conferred upon him. In a word, we have vested in him what seems to me plenary powers to conduct the war. There is no ruler beneath the stars to-day with more authority than the President of these United States. In some things that we have done I thought that probably we went further than was prudent to go, but the Congress has done it. The responsibility of conducting the war is with the President, and it is too late for us to question or to withhold for a moment the request he is making with reference to the telegraph and telephone lines in this country. As the responsibility has been put upon him we can not afford to withhold any authority he thinks necessary to accomplish the enormous undertaking. I am going to vote for this resolution. I am going to confer upon the President any other power that he thinks necessary to win this war. I should prefer that the Congress reserve the right to fix the compensation that is to be given the telephone and telegraph companies for Government use, but the committee, following a number of precedents, have reported the resolution as it is, and I have concluded to take it as it has been reported by the committee.

I did not rise, however, for the purpose of discussing that question, but I deem it proper that I should say this much. I know the joint resolution is going to be agreed to; and it is going to be passed in a very few days, and it ought to be passed at once.

I am going to ask the Senate to indulge me for a few moments while I discuss what is known as the prohibition amendment to the Agricultural bill, which is the unfinished business before the Senate. To that question, Mr. President, I shall address myself briefly.

Mr. President, this amendment ought to be agreed to. Time and trial have demonstrated the pernicious effect of alcoholic stimulants upon the human body. They have also shown that it is more to be dreaded by the purse of the poor man than the daring sneak thief who invades the sacred precincts of the peaceful home in the dark hour of midnight. It has been shown beyond the peradventure of a doubt that alcohol is destructive to the vital forces that make men strong. It undermines the nervous system, which is the source of the power of endurance. It stifles the aspirations of the soul, which is the mainspring of every successful life. It chloroforms "that noble discontent which stirs the acorn to become the oak," and lowers generally the standard of the physical, the moral, and the intellectual man. I have observed its ravages. I have seen the stalwart young athlete, with body erect, eyes flashing with the fire of enthusiasm, perfect features, marble brow, change to the wrinkled-faced, flabby, whisky-soaked creature, with the complexion of a pickled pomegranate and eyes that look like frost-bitten plums and a nose that resembles a frozen tomato; the body distorted and the divine qualities drowned in the sewer of drink—a sad spectacle, indeed. The effect of alcohol unsteadies the hand, saps the physical virility, and therefore is detrimental to the soldier. It has proven to be materially hurtful to the laboring man; it lessens his efficiency, and all will admit its brutalizing effect, when taken to excess, upon the husband, the father, the brother, and the son in the home.

Mr. President, alcoholic liquor is an evil without a mitigating incident, and the necessity for the continuation of the traffic can not be conscientiously defended by any person who is intellectually honest and sober. With all of these admitted facts I am at a loss to understand how the Congress can hesitate to enact laws which will wipe out and forever prohibit the nefarious business.

The food that goes into the manufacture of beer is needed to feed our women and children at home, our soldiers in the trenches of France, and our allies "over there." To force our people at home to eat this "cow feed" which we find upon the tables of the restaurants, the hotels, and in the private homes, while the brewers are using 4,000,000 bushels of clean grain every month, is inexcusable and an intolerable mistake. It is more; it is a sin in the sight of God and a crime against humanity.

If it were not for the pecuniary profits derived from this industry—some of which, I dare say, are being devoted to subsidizing newspapers for the purpose of cultivating public sentiment—little opposition would be made to this amendment.

The American people demand the enactment of the legislation embodied in this amendment. They demand it because the exigencies of war make it necessary. They demand it not only as a war measure but as a most salutary peace measure. They know that it is necessary for the moral, material, and educational welfare of our people at home—the laboring men in the shops, the farmers in the fields, and our soldiers in the trenches. In a word, it is necessary for the betterment of mankind in all the walks of life. Even the idle rich, lounging in their luxurious parlors, will be benefited by it.

America has need for physical strength, nerve power, which is vital to the issue that confronts us at this moment. We must have a sober America. A clear vision, a steady hand, and a stout heart are essential to the success of our arms. There is not a man on the Western Hemisphere who does not believe that America would be better off without these alcoholic stimulants, except probably some individual whose mind is either beclouded by the fumes of drink, influenced by political considerations, or suffering with a case of money-colored judgment. There is no argumcnt in favor of the liquor traffic. There is no justification for using 4,000,000 bushels of foodstuffs per month in the manufacture of beer and consuming coal that ought to be conserved to warm the freezing millions of this country next winter. There is no reason why whisky should be sold to add misery to our already suffering and sorely distressed people. Just because it is profitable to the owners of whisky or the brewers is not an excuse or justification. When I hear the argument advanced that it is improper or impolitic or unfair to stop the manufacture of beer or the sale of whisky because somebody's purse may suffer it fills my heart with mingled feelings of pity and contempt—pity for the person advancing the silly argument, and ineffable contempt for the argument.

The man who put the dollar above the welfare of the innocent child, the peace and happiness of the loving mother who blesses the toiler's home, the man who holds the profits of the liquor business as of more importance to the world than all of those things that I have mentioned has a very peculiar standard of value. It is a standard that the good men and women of the world will not accept; a standard that bears the stamp of disapproval of the great God of the universe.

Mr. President, the most valuable thing beneath the stars is the human being. The humblest man, woman, or child in the United States to-day, I care not how low he may have fallen, is of more importance in the sight of God than the constellations that swing in the heavens, the swelling seas, the rushing rivers, and the boundless plains; and the most acceptable service to God is service to man. The Man of Galilee emphasized that fact when He thus mildly reproved His disciples who sought to prevent Him from being annoyed by the attention of inconsequential people:

> Suffer the little children to come unto me, and forbid them not; for of such is the kingdom of God.

Congress is legislating for the good of all the people of America and not to protect the pecuniary interests of the brewers and the liquor dealers. I do not desire to interfere with anybody's legitimate business. I am in favor of prudent, well-digested legislation, that will do the most good to all and the least harm to any; but this legislation ought to be enacted.

Mr. President, the verdict of the laboratory of industry and the judgment of the world is against alcohol, because it is a breeder of inefficiency. It has been weighed in the balance and found wanting. Every drop of the damnable stuff contains an eternity of woe. Every moment of joy which it brings to the drunken brain is paid for by 24 hours of suffering. It has blighted more lives, frustrated more ambitions, caused more heartaches, disappointment, and failure in the world than all other agencies for evil combined. Thank God, the hard-hearted, firm-fisted captains of industry have at last joined with the mothers of America to drive this enemy out of our midst. These great masters of industry care little for the moral or social phases of the drink question. For years they turned a deaf ear to the pleadings of suffering women and children. They were willing that men should drink, until they discovered that drink rendered men less efficient. When they discovered that the man who drank was less efficient than the man who did not drink, they at once became prohibitionists. This discovery has led these great captains of industry to unite with the altruist, the philanthropist, and the humanitarian to rid the world of this incomparable curse. Alcohol might have trampled on the garments of morality and social relations until doomsday, and it would not have worried industry as such; but when alcohol begins to tease and harass the great god of industry's pet mascot, efficiency, it is quite another matter. Thank God, the truth has been brought to the surface. The world sees the liquor business in all its naked atrocity.

Now is the time to strike the evil. Strike it down as a war emergency, and from this war emergency I confidently believe a great social, moral, and economic reform will be effected.

I shall vote for this amendment, and with all my heart I hope that it may be agreed to by the Senate.

Mr. WATSON. Mr. President, I make the point of no quorum.

The PRESIDING OFFICER (Mr. HENDERSON in the chair). The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Jones, Wash.	Phelan	Smoot
Bankhead	Kellogg	Poindexter	Sterling
Beckham	Kenyon	Pomerene	Sutherland
Benet	King	Ransdell	Swanson
Calder	Knox	Saulsbury	Thomas
Chamberlain	Lenroot	Shafroth	Thompson
Colt	Lewis	Sheppard	Trammell
Curtis	McCumber	Sherman	Underwood
Fernald	McKellar	Shields	Wadsworth
Fletcher	Martin	Simmons	Warren
France	Nelson	Smith, Ariz.	Watson
Gerry	New	Smith, Ga.	Wolcott
Henderson	Norris	Smith, Md.	
Johnson, Cal.	Nugent	Smith, Mich.	
Jones, N. Mex.	Overman	Smith, S. C.	

The PRESIDING OFFICER (Mr. KING in the chair). Fifty-seven Senators having answered to their names, a quorum is present.

Mr. KELLOGG. Mr. President, I am not going to ask any Senator to vote for this joint resolution to grant these powers, nor am I going to ask any Senator not to do so; but as a member of the committee I deem it my duty, as well as my privilege, to state as nearly as I can the facts surrounding the telegraph, cable, and telephone business of this country, and to point out, as far as I am able to do so, the tremendous obligations which this country must assume if it takes over the operation of all of these properties.

As I have said before, I shall deem it my duty to give to the President every power which seems to be necessary, or which I believe may become necessary, to make more effective the prosecution of this war. I think, however, it is due the Senate to know as much as possible about the steps it is to take if this measure is to pass. It is a question of surpassing importance. It is not merely a question of dollars to a few corporations. No man in the Senate is going to hesitate a moment about granting a power that merely affects the dollars of individuals or of corporations. We have set our faces to the East; we are bound to win this war; and to do so we are going to invoke every agency and every power that the genius, the ability, and the wealth of this country can command. But this step, especially the operation of the telephones, touches the intimate social and personal as well as business relations of every citizen in this country, and we should at least know whether this step is necessary, whether it will add strength to the Government, and whether there is likely to arise any emergency in which the taking over of the telegraph and the telephone lines may aid the Government in the prosecution of the war.

It was the duty, I believe, of the committee to which the joint resolution was referred to have made as rapidly as possible some investigation, some inquiry, so that we might have been able to inform the Senate of the conditions of the telegraph and telephone business in this country.

On Saturday at 5 o'clock in the afternoon the Senator from Virginia [Mr. MARTIN] asked the committee to meet in the room of the Committee on Appropriations, and at that time the Senator from North Carolina [Mr. SIMMONS] and Mr. KITCHIN, the majority leader of the House of Representatives, the chairman

of the Committee on Ways and Means, met with the committee. The committee was urged by those gentlemen to say whether they would be willing to sit in vacation immediately to make a thorough investigation and as speedily as possible to report this bill to the Senate. Every member of the committee present expressed his willingness to do so, and the following resolution was adopted:

It is moved that it is the sense of the Interstate Commerce Committee of the Senate that it proceed without delay to enter upon a hearing upon House resolution 309, and that the chairman of the committee be requested to make the necessary arrangement for the attendance of interested parties, and that a report upon the resolution be made as soon as possible.

At that time every member of the committee and the Democratic leaders, in fact everyone present, urged that the investigation be made and that a report of the facts be made to the Senate. That statement went out over the country to the thousands of people who are interested in the telephone and telegraph lines, and I have no doubt they assumed that they would be given an opportunity briefly to state their position before the committee.

On Monday the committee met and without any discussion of the joint resolution voted to report it. The Senate refused to receive the report because only four members of the committee voted for it.

On Tuesday morning the committee met again. As President Carlton, of the Western Union Co., happened to be in town, and I understand expressed a wish to make a brief statement before the committee, he was permitted to do so. He did not place himself or his company in opposition to the taking over the telegraph lines if it was thought best as a war emergency, although he frankly admitted he knew of no reason why it should be done. I do not think the committee desires the opinion of any man as to whether it shall be done or shall not be done, but they ought to have the opinion of men who know the conditions of the telegraph and telephones and cables, the latter reaching many foreign countries, before making a recommendation.

Mr. Carlton gave his testimony before the committee. Unfortunately it has not been reported accurately and has not been revised by him so that it can be in the hands of Senators. The committee did not even have before it the printed testimony of three of the Cabinet officials who testified before the House committee. It had not been printed at that time, or if it had been printed it was not available to the committee.

The committee refused and voted down a resolution to invite Secretaries Daniels and Baker and Postmaster General Burleson and the Chief of the Signal Corps to appear before the committee and explain the reasons for taking over the telegraph, telephone, and cable companies. It voted down a motion to invite the independent telephone companies, numbering over 8,000, whose representatives were outside the door and ready to be heard. It voted down a resolution to invite the Postal and the American Telegraph and Telephone Companies and the employees of those companies to be heard, and, without any consideration at all, reported this measure, recommending that it pass.

Mr. President, I am not criticizing the members of the committee. I realize that on the question whether a power shall be granted to the President to take over telegraph and telephone lines, every Senator in this Chamber is able to consider and make up his mind for himself, provided he knows all the facts which a committee should have gathered and should have submitted to the Senate. There could not have been that compelling emergency for immediate action. The committee could have considered the whole subject in two or three days. We have been going on in this war for a year and three months and not until a question arose between a pretended labor union and the Western Union Co. had any suggestion been made of any emergency or any reason why these numerous companies and these wires should be taken over by the Government. I do not say there may not be a reason, and if I had any reasonable ground to believe that there is a valid reason, of course I should vote to do it. I should like to know from somebody what the emergency is, or the possible emergency, that is all.

It seems to me, Mr. President, that Congress ought to know these reasons. It ought to know the extent and ramifications of the various telephone and telegraph companies, and it ought particularly to know the ramifications of the cable lines reaching from this country to foreign countries, the conditions under which they are held; and it ought to know the obligations which the country is going to assume if it takes over the operation of these telephones which reach nearly every family in the United States, for there are more than 60,000,000 messages a day sent in this country, and they reach the intimate family associations of almost every man in the land.

Mr. WOLCOTT. Does the Senator mean 60,000,000 telegraphic messages?

Mr. KELLOGG. Sixty million telephone messages.

Mr. President, as briefly as possible, let me describe the property which will have to be taken over, and I see no escape from the proposition that if the telephone is taken over it must be taken over as a whole—all the independent as well as the so-called Bell or American telegraph and telephone systems. The leading companies in the telegraph lines are the Western Union and the Postal. Connected with each of these companies are various subsidiary companies, in which the parent companies are interested or which they control by various leases and other arrangements.

Mr. JONES of New Mexico. Mr. President——

The PRESIDING OFFICER (Mr. KING in the chair). Does the Senator from Minnesota yield to the Senator from New Mexico?

Mr. KELLOGG. I yield to the Senator.

Mr. JONES of New Mexico. I have just listened to the statement of the Senator as to the magnitude of the business of these companies. He is now proceeding to make a statement evidently regarding the value of the properties. I should like to get the Senator's view as to the relevancy of either of those inquiries. In other words, if it becomes a war necessity to control these lines, what difference does the magnitude of the business or the amount of the property involved make.

Mr. KELLOGG. It makes no difference whatever. I will say to the Senator, if it is necessary to take them over to win the war or to aid in the winning of the war, we will do so, and we will take over every industry in this land. We will vote every dollar that every man has got and we will give every last dollar of the national wealth to win the war. But it did seem to me that, in view of the circumstances, the Senate ought to know just what it is doing. If the Senate does not wish it, of course, I shall not take the time to go ahead.

Mr. STERLING. I should like to ask the Senator from Minnesota if the compensation to be paid for the control, supervision, and operation of the lines does not have something to do with or is not based to some extent on the value of the property taken, and is not that an important element?

Mr. KELLOGG. Of course, that is true, and that is one of the questions which it took us many weeks to consider in the railroad case. But no one is going to stop on account of expense to the Government or thereby be deterred from voting to authorize the President to take over these lines.

I was saying that those are the principal telegraph lines. There are a few independent companies. I shall not stop to take the time of the Senate to state the extent and the value of the telegraph and telephone companies. I ask to have inserted in the RECORD as a part of my remarks a summary of the report of the telephone companies and a brief statement of the capitalization of property investments of the telegraph companies. The telegraph companies reporting to the Interstate Commerce Commission show a total investment of $154,149,113, although it appears from the testimony of Mr. Carlton that the assets of the Western Union alone are about $200,000,000.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Ohio?

Mr. KELLOGG. I yield.

Mr. POMERENE. I am not sure that I understood the Senator. Did he state that $154,000,000 was the value of the telegraph or telephone companies?

Mr. KELLOGG. Oh, no; the telegraph companies. The statement of classes A, B, and C of the telephone companies show property investments as reported to the Interstate Commerce Commission of $1,991,549,075. I will say here that, while some people have suggested a reason for taking over the telegraph and cable lines, I have yet heard no suggestion of any reason for taking over the thousands of telephone companies in this country or any of them.

Mr. WATSON. Will the Senator state what the classes are?

Mr. KELLOGG. The Senator from Indiana asks me to state what are the classes. Class A is all companies having a gross income of over $250,000; class B, between $50,000 and $250,000; and class C, from $10,000 to $50,000 per annum. I ask that this statement be placed at the end of my remarks.

The PRESIDING OFFICER. Without objection, the request of the Senator from Minnesota will be granted.

Mr. KELLOGG. I might say in passing that there are over 8,000 independent telephone companies in this country, not counting the thousands of farmers' lines that are connected up with the various other companies. The cable lines are still

more important. There are reasons, to my mind, that make it impossible for the United States Government to own or to operate cable lines unless it has an agreement with the Governments of all the countries to which those cable lines run. The Western Union Co. owns or, rather, leases two cable lines to England owned by the American Telegraph & Cable Co. I am speaking from memory, and I may not get these names accurately. It also has a lease of all of the lines of the Anglo-American Telegraph & Cable Co., a corporation of Great Britain, four in number, I believe, extending from this country to England. It also owns or has a lease of the Direct Cable Co.'s line, an English corporation, extending from this country also to England.

The Postal Telegraph Co. has, I believe, four or five lines reaching between the same points. This company is the Commercial Cable Co., and is owned in some way by the Postal line, I do not know exactly how.

The Central & South American Telegraph Co. owns various lines extending from Philadelphia to Cuba, from Cuba to Colon and Panama, from Galveston to points in Mexico and along the western coast of South America, across the South American Continent between Valparaiso and Buenos Aires, and up the eastern coast, as well as lines and connections into the interior of South America. The Western Union, I believe, holds the principal lines, which it acquired from the English company under a 99 years' lease. I do not know the length of the lease of the Direct Cable Co. or of the American company which is connected with the Western Union Co.

Mr. President, there are generally what are known as two systems of telephones in this country, the Bell system, which is known as the American Telephone & Telegraph Co., and the independent lines, numbering, as I said, over 8,000. It is absolutely impossible to separate those lines between the great trunk lines so-called and the subsidiary lines reaching to various towns and communities and even to farmers in this country. The great lines of long-distance or what we may call the trunk lines are not separate from the lines which serve every man in the Senate and the people of this country in their homes and their shops and their offices. The line between here and New York is not operated by trunk-line operatives. There are no trunk-line operatives in the city of Baltimore. The local operator of the local company operates the through line, and it is so all over this country. Every town is connected up with some other telephone company and becomes an integral part of it. It is impossible to draw a line between the operatives of the trunk line or main line and the operatives of the small lines or the independent lines. It can not be done, and I believe, although I may be mistaken, that no way can be found to take over the telephone lines without taking them all over and operating them as a unit. I do not say that can not be done; of course, it can be done, but not economically and effectively. If the operation can be made more effective in the hands of the Government, which I think some Senators at least will have a doubt about, it can be done, but I doubt very much if these lines can be separated.

Now, whatever may be said about the necessity of taking over the telegraph and telephone lines, the cable lines occupy a different position, and they can not be taken over without the consent of foreign Governments, as I think I can explain. I might say in passing that no foreign nation in this war is operating its cable lines. The cable lines are operated by American companies or by French or English companies. It is possible the British Government may be operating the two German lines which it took at the beginning of the war. It disconnected those lines and connected them up with the shores of Great Britain, but, generally speaking, the lines are being operated by corporations. Of course, the countries have absolute control over them.

Now, take the question of censorship. No one is going to claim that any private corporation ought for a moment to be allowed to communicate by telegraph or by telephone or by cable with anyone in any foreign country unless every message passes through the hands of and is censored by an official of the American Government. If there is any more complete censorship that can be had than there exists to-day, of course everybody will be in favor of having it put into operation.

The American Government to-day censors every single message which goes over a cable line or a telegraph line into a foreign country, and it must do so. There is no doubt about that, and I can not see, and in fact no suggestion has been made by any Cabinet official or by anyone directly or indirectly to the committee, that a more complete censorship could take place than now exists. If it can, I should be in favor of granting the power. In fact, I might say in passing that Congress provided in the trading-with-the-enemy act as follows:

Whenever during the present war the President shall deem that the public safety demands it, he may cause to be censored, under such rules and regulations as he may from time to time establish, communications by mail, cable, radio, or other means of transmission passing between the United States and any foreign country he may from time to time specify, or which may be carried by any vessel or other means of transportation touching at any port, place, or territory of the United States and bound to or from any foreign country. Any person who willfully evades or attempts to evade the submission of any such communication to such censorship or willfully uses or attempts to use any code or other device for the purpose of concealing from such censorship the intended meaning of such communication shall be punished as provided in section 16 of this act.

Of course, it was not called to the attention of Congress when that act was passed that any other censorship was necessary, and so far as I know no censorship of local telegraph and telephone messages within this country is possible or ever has been thought of. Of course, the mail to Europe is censored, as it should be, and also the telegrams and cablegrams; in fact, I believe no code message is allowed to be sent over a cable by anyone except the Government of the United States, allied and neutral Governments.

Mr. STERLING. Will the Senator permit an interruption?

Mr. KELLOGG. I yield.

Mr. STERLING. I might call the attention of the Senator to the statement of Secretary Baker before the House committee, which is in line with what the Senator is stating.

Mr. KELLOGG. I shall be glad to hear it.

Mr. STERLING. He was asked the question by Mr. HAMILTON:

Just there for a moment—you are preventing messages of improper character now?

Secretary BAKER. Of plainly improper character. Or—

Said the questioner—

if it happened to be a message about which you were in doubt you would exercise your discretion in that case?

Secretary BAKER. Undoubtedly.

Mr. KELLOGG. Of course, no message can be sent without being read by the same censor who would read the message if the Government owned and operated the cable line.

Mr. WATSON. Does the Senator know of a single instance in which that confidence has been violated, or was evidence of any such instance brought to the committee?

Mr. KELLOGG. No; and I have never heard of any complaint either of the telegraph or the telephone on the question of leaks. It is possible there has been such complaint, but the State Department or the other departments have not disclosed them. I can not, of course, speak for them.

Quite likely the President in taking over the cable lines, if he should do so, will consider all the things which I am saying to the Senate, but I do think that Senators ought to understand it and know what those conditions are before we vote upon this measure.

These cable lines—and this is an important matter to this country—run from points in the United States to points in Nova Scotia or Cape Breton or New Foundland or the French island of San Pierre, or the Portuguese Azores, and thence traverse the Atlantic to Great Britain, to France, and formerly of course, to Germany. Hence, the most vital sections of the cables, namely the Atlantic Ocean portions, are completely under the jurisdiction of the British, French, or Portuguese Governments, and none of those Governments would be likely to consent to the United States Government owning and operating a cable into their country. I do not say, of course, that the British Government would not consent; I do not say that the French Government and the Portuguese Government would not consent. I presume they would consent during the war if the United States Government thought it was necessary to take over the cable lines, but there are other Governments interested in this question of taking over the cable lines.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from North Dakota?

Mr. KELLOGG. I yield.

Mr. McCUMBER. The Senator does not assume that they would consent to complete control by the United States, but only such control as our present citizens or corporations would have.

Mr. KELLOGG. Of course the British Government would not consent to absolute control by the United States, because under its landing contract it reserves the right to protect the British Government in time of peace as well as war. All foreign Governments will allow foreign corporations to make landings on their shores if these foreign corporations may be controlled by the Government where the landing is made without disturbing the relations between the two Governments. But no Government in time of peace will consent to a foreign Government building and operating a telegraph and telephone

line within its territorial borders. So Great Britain found, although it owns all local telegraph lines, that it was inadvisable to attempt to build cable lines to foreign countries owned by the British Government or operated by the British Government, because no foreign country would permit it.

The Western Union Telegraph Co. has a line to Cuba. It is now contemplating the construction of a line from Cuba to Brazil and to other points in South America, which I believe at present it reaches over the lines of a British corporation, although I am not absolutely sure of that. The Central & South American Telegraph Co. has lines running, as I stated before, I think, from this country not only to Cuba and the Central American States but to Mexico, and on down the coast into the interior of the countries on the west coast of South America, crossing the South American Continent at Valparaiso, extending up the east coast into the interior of the countries on the east coast, and connecting with other lines of telegraphic communication.

Does anyone suppose that the South American countries are going to consent to a cable line or to a telegraph line being built in their countries and operated by the Government of the United States or being taken over and operated by the Government of the United States? Certainly not; and I do not presume that the United States Government would attempt to do so; certainly not without the consent of the Governments to be affected. I do not presume that the President would attempt to do it; but I did think that the Senate ought to know—and I presume many Senators know just as well as I do—the conditions under which these cables are held. For instance, take the concessions granted to the Central & South American Telegraph Co. by some of the Governments of South America. Take the one granted by the Government of Mexico. The concession becomes void for the following reasons:

In case this concession should be transferred to any foreign Government or State, or in case such should be admitted as partner in this enterprise.

I am informed, although I have not read the concessions, that similar clauses are in the concessions granted by all of the South American and Central American countries. That is undoubtedly true, and there is a reason for it, as I have heretofore explained. We would not for a moment consent to Great Britain building telegraph and cable lines into our country. Canada has not taken over its telegraph lines during the present war; they are operated by private companies, and for the reason that Canada knows that no censorship between individuals in the same country is going to do the Government any good, except for the purpose of detecting criminals. I understand that every telephone and telegraph company is under the direction of the secret-service agents of this Government in assisting in the discovery of crime or in the arrest of criminals.

Mr. CHAMBERLAIN. May I interrupt the Senator from Minnesota?

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Oregon?

Mr. KELLOGG. I yield.

Mr. CHAMBERLAIN. Assuming that the President undertook to take charge of the telegraph systems of the country, what would necessarily follow in cases where the present owners of the telegraph systems have agreements such as the Senator says they have with foreign countries? Would it not result at once in confining our whole system to our own continent because of the objections of foreign countries?

Mr. KELLOGG. Undoubtedly our concessions for cables in foreign countries might be forfeited.

Mr. CHAMBERLAIN. So it would practically cut the United States off from telegraphic communication with other countries?

Mr. KELLOGG. It would cut us off from owning cable lines to other countries. If the South American countries should take possession of and operate them in connection with us, we, of course, could use them, but we should lose the cable lines.

Mr. CHAMBERLAIN. It would practically isolate us, so far as telegraph communication is concerned, unless we entered into agreements with foreign countries?

Mr. KELLOGG. Yes.

Mr. CHAMBERLAIN. The Senator from Minnesota has just read the franchise or the agreement between one of the telegraph companies and some of the South American Republics. I presume that similar agreements have been made with many of those countries where the Western Union or other companies are now operating.

Mr. KELLOGG. I have no doubt of it, though I can not speak from personal knowledge, because I have never examined their contracts.

Mr. SHERMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Illinois?

Mr. KELLOGG. I yield to the Senator.

Mr. SHERMAN. Undoubtedly the Senator will cover the matter before he leaves that branch of it, but I desire to ask: Is it not a general principle with Governments, our own included, not to permit any other sovereignty to acquire not only coastal rights but also interior rights of property or franchises, and to confine communications of foreign Governments to those of a diplomatic or consular nature, and thereby safeguard communication between civilized powers?

Mr. KELLOGG. So far as I know, no country permits a foreign country to establish telegraph and cable lines or any other public utilities within its borders; and the cable lines of the world generally are owned by private corporations. The private corporation, of course, is under the control of the parent government where it is organized, and it is under the control of the foreign Government where it goes with its telegraph and cable lines, so that the foreign Government is protected. When an American company builds a line into its territory, the foreign Government can control the corporation, but it can not control another foreign Government, and it will not, at least in times of peace, permit anything of the kind. I do not doubt for a moment that our allies will permit anything that is necessary or which is deemed to be necessary.

Mr. Carlton promised to send to the committee copies of his contracts and the opinion of his counsel, but there has not been time for them to arrive, and I wish to say to Senators that I have not had time since this matter came up to give it thorough consideration. I am therefore simply giving the Senate for what it is worth the views that I have and the knowledge that I have acquired in years past, with what little I have acquired within the last two or three days. I think the covenant in the contract between the Anglo-American Co., which is the British corporation which leased its lines to the Western Union Co., is as follows:

The Western Union Co. will not mortgage, charge, assign, transfer, underlet, or part with the possession or beneficial ownership of, or permit to be taken in execution the premises for the time being comprised in the demise hereby made, or any part thereof; but so that this present covenant and provision shall not prevent the Western Union Co. from assigning its interest under this present lease in the said premises along with its entire undertaking, including its present and future landing system to any other responsible company: *Provided*, That such company shall first have entered into a deed of covenant with the Anglo Co., assuming liability for, and covenanting to perform and observe all the obligations and liabilities of, the Western Union Co. under this present lease.

And there is a clause in the landing right of these cable companies in Great Britain which gives the British Government control over them; a reservation which any self-respecting government must put in any landing right that it grants to any company. So I say that, while Great Britain undoubtedly would, if it were necessary, grant the right for our Government to take over the cable lines running from here to England, and the French Government undoubtedly might grant the same right to any lines running to France, it is not at all certain that the South American or other countries would grant such rights.

Mr. President, the extension of the cables of this country to foreign countries is one of the greatest industrial conceptions of our people. We to-day, with one unimportant exception, control every cable line extending from here to Europe, and plans are being made to extend them to the Scandinavian countries and to extend the other cable lines of the Western Union to South American countries. If, after this war, we are going to maintain that commercial supremacy that the genius and wealth of this country entitle us to maintain in the markets of the world, we shall need to push our cable lines in competition with other countries all over the world, together with control of the cable lines across the Pacific to the Orient.

When these lines were taken over by the American companies the charges were very largely reduced. Under the old conservative management of the British companies they did not believe it possible to reduce the charges on messages between here and Europe and maintain their dividends upon their properties; yet the Western Union Co. has reduced the charges so that you can send a commercial letter to-day for 5 cents a word instead of 25 cents, and they are making just as much as ever; indeed, I think they are making more. Their earnings have been largely increased, and the business men of this country have reaped the benefit of that progressive policy that American genius has brought forward.

Do we want the cable lines in this country to become Government institutions, as the private lines have been in some foreign countries? I shall have something to say upon the effective-

ness of government operation and ownership of telegraph lines in foreign countries before I have finished my remarks, if I do not wear out the patience of the Senate.

Mr. KNOX. Mr. President——

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). Does the Senator from Minnesota yield to the Senator from Pennsylvania?

Mr. KELLOGG. I yield to the Senator from Pennsylvania.

Mr. KNOX. May I ask the Senator from Minnesota a question in connection with the concession for a line between here and the Republic of Mexico? As I recall what the Senator read, there was a provision that the concession should be forfeited if it were transferred to any foreign government, or if any foreign government was taken into partnership in connection with the operation of the line. Those are the two points that I caught. The question I want to ask the Senator from Minnesota is this: In his judgment, would the taking over for a limited period, and for a specific purpose, the possession of these lines for military purposes, amount to the conveyance of the concession or the admission into partnership of this Government in the sense that it would work a forfeiture under the clause which he has just read?

Mr. KELLOGG. So far as the neutral countries are concerned that are not interested in this war. I should say it would. I do not see any difference, so far as those countries are concerned, and the object they have to attain, between taking over and operating such companies temporarily, and taking them over and operating them permanently. The right which they have sought to protect is the right of their Government against any foreign Government owning a cable line in their territory. I have not had time to give this matter careful consideration, but it is a matter that should be thought of, and I would suggest that Mr. Lansing be asked whether he thinks it is wise to take over the cable lines.

Mr. KNOX. Mr. President, if the Senator will indulge me for just a moment, under the terms of this joint resolution, which does not provide for the taking over or even invite the President presently to take over these lines, it seems to me that the first step that would be taken by the President would be through the Department of State to confer with the diplomatic representatives of other countries, so as to bring about an understanding that the taking over for military purposes of these lines should not work a forfeiture, and that the President of the United States certainly, if confronted with the fact that a forfeiture would be worked by taking them over temporarily, would not take the cable lines, but would confine the exercise of his authority to the lines in the United States. Does it not seem that that would be the reasonable course for the Government to pursue? So far as I am concerned, I can not think that it is possible, with respect to any cable lines with which I am familiar, that we would have any difficulty in getting the consent of foreign Governments.

Mr. KELLOGG. Does the Senator think there might be any difficulty in getting the consent of Mexico and some of the South American countries?

Mr. KNOX. I do not.

Mr. KELLOGG. Of course, the suggestion of the Senator is a reasonable one. I have not suggested that the President would go ahead and take over the cable lines without the consent of foreign Governments; but why is it necessary to do that? Great Britain, France, and Italy have not found it necessary to take over and operate cable lines, because they know that they can be absolutely controlled and censored just as effectually in the hands of the corporations as they can be in the hands of the Government. If they can not be, I should say take them over, because the first thing we wish to do is to make secure the transmission of news from here to Europe and from Europe to this country.

I am simply suggesting to the Senate some of the things that should be considered before we take over these lines; and, for the benefit of those enthusiastic gentlemen who believe that the Government in times of peace can do everything better than private individuals and who believe that this is the beginning of a permanent policy, I wish to say that no foreign country will ever permit this country to own cable lines and telegraph lines within its borders, if it is a self-respecting Government. Furthermore, as the Western Union Co. and the Postal Telegraph Co. own or control by lease the ocean cables, how can the Government take over the local companies without taking over the cables, for a taking over of the Western Union and the Postal companies ipso facto takes over the cables? It is of vast importance to this country that our lines of communication shall reach the fast-developing wealth of the South American countries and shall reach the Orient, where millions of people to-day are awakening to the industrial activities of the world. I am not suggesting that the President would attempt to take over the English cable lines and operate them without obtaining the consent of the British Government, and I presume that consent would be obtained.

Now, so far as the control of the telegraph lines and of the telephone lines of this country is concerned, they probably rest upon a different basis. Undoubtedly the taking over of the telephone lines would make greater confusion and they would be more difficult to manage after their taking over than would the telegraph lines. Their number, their ramifications, and the fact that their management, especially in the case of the smaller companies, is, to a large extent, personal, undoubtedly would make it much more difficult to take over and control the telephone lines than to take over and control the telegraph lines.

So far as the telegraph lines are concerned, I say that I believe Canada has not found it necessary to take over her lines. I personally have no knowledge of any reason, military or otherwise, for taking over the telegraph lines in this country. Mr. Carlton was asked that question, and he said he did not wish to oppose the Government taking them if it was thought best; he made that very distinct and very plain; but he added that, whatever might be said about the telegraph lines, so far as the telephone lines were concerned he could conceive of no reason whatever why they should be taken over. He has no interest whatever in the telephone systems of the country. The telephone companies are entirely separate and distinct from the telegraph companies, and there is no ownership or control between them, as I understand.

Of course, everyone knows that people do not send private communications, code messages, by telephone, and it is inconceivable that the Government or anybody else uses the telephone for private messages which might have effect upon the military operations of the Government. If there are reasons why the telegraphs should be operated by the Government to prevent leaks in messages better than can be provided against by private individuals, I should be very glad if any Cabinet official, or anyone else, would give us the reasons. I thought we ought to have the head of the Signal Service, having charge of that department of the Government, before the committee; but other members of the committee thought differently.

So far as efficiency of management is concerned, unless the Government could make every employee a soldier and compel him to work and prevent him from striking, I believe everybody would admit that the management could not be more effective for the Government than it is now. I notice that Secretary Daniels has said that the Government has been compelled to build various private lines to plants and shipyards in this country, because the telegraph and telephone systems were overtaxed. I am informed that the Government has not built one single line to any plant; they have been built by the American Telegraph & Telephone Co.

Mr. WADSWORTH. Mr. President, will the Senator say whether those lines as to which he has just referred are operated by the Government?

Mr. KELLOGG. I think they are not, but I can not say definitely as to that. I think they are operated the same as all other lines in this country are operated.

Mr. KING. Mr. President, will the Senator yield for a moment?

The PRESIDING OFFICER (Mr. BENET in the chair). Does the Senator from Minnesota yield to the Senator from Utah?

Mr. KELLOGG. I yield.

Mr. KING. Is there any evidence in the record or in any of the hearings to indicate that the telegraph companies have shown any disinclination to construct any additional lines to the various plants referred to by the Senator when the business needs of the plants and of the Government require additional construction?

Mr. KELLOGG. There is no such evidence before the committee. I have read the testimony of Secretaries Daniels and Baker, and of Postmaster General Burleson, and I do not remember anything of that kind in their testimony; and I am informed that there has been no such disinclination. Of course, everybody realizes that the telegraph and telephone wires of the country are taxed to their limit, but the question of extension, as Mr. Carlton says, is a question of getting material. He said, "We have the money to make all the extensions and additions necessary from time to time; but it is a question of getting material." They have not asked any assistance from the Government. I only know as to what Mr. Carlton testified; I do not know as to the other companies, because they have not appeared before the committee.

Postmaster General Burleson frankly admits that he is for Government ownership of telegraph, telephone, and cable lines, and he says that every other government operates its own telegraph lines. That is true, with some exceptions.

Mr. WATSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Indiana?

Mr. KELLOGG. I yield.

Mr. WATSON. Did not Secretary Baker make the same assertion and did not Secretary Daniels make the same assertion, namely, that they had favored Government ownership of these lines; that they hoped now there would be no limitation placed on the Government control and that it would finally merge into Government ownership?

Mr. KELLOGG. As I recall, Postmaster General Burleson did. I think his attitude is well understood by everybody in the Senate; but my recollection is that Secretary Baker said that he would place no limit as to time upon Government control, in the same way as he thought that no limit should have been placed upon the railroad control. I do not remember that he expressed himself as being in favor of Government ownership; I do not think he did. He failed to state, however, that no foreign Government operates its own cable line; he failed to state that they have found it inadvisable, and probably impossible, to construct and operate their cable lines. They control them, of course. The cable line that is now in operation from Great Britain to South America, I believe, is owned by a British corporation. I am not familiar with its organization. I have explained why I believe that it is impossible for this Government to go into the ownership of foreign cables.

It is entirely possible for us, of course, to inaugurate now a policy of Government ownership of telegraph and telephone systems. Great Britain has owned its telegraph lines since 1870; but their operation under the Government has been very unsatisfactory. The Government also owns the local telephone lines in Great Britain. The French Government owns the French telegraph and telephone lines, but their operations have been more unsatisfactory than the operations of the British lines; the operations of Italian lines, owned also by the Government, are worse than the French lines; and the Spanish lines, I think, are the worst of all. That is about the history of the government operation of telegraphs and telephones in Europe.

Did you ever try to telephone upon a French or Italian system or a Spanish system and compare it with the system of the United States? Why, in this country, where we have only 6 per cent of the population of the world, we have 65 per cent of the telephones of the world. They reach almost every home in this land, and our business and social intercourse is carried on over the telephone. The telegraph is comparatively unimportant, as compared with the telephone, in this country. As I said before, we are the inventors of the telegraph and the telephone, and no foreign government owning them has ever taken any steps in their advancement. We have been the pioneers, and all the great inventions for the perfection of the telephone and the telegraph were conceived by American minds. What has done that? American brains and ingenuity and American enterprise in the great field of commerce. You do not get inventive genius from Government clerks and Government operation. That is not an argument against Government operation in times of war if it is necessary, and I make no argument against it if it is necessary; and even if the operation would be less efficient, as I believe it would be, following the example of the railroads, I should be in favor of it if there were any reasonable ground for taking them over.

I am aware, as the Senator from Alabama [Mr. UNDERWOOD] says, that this is simply a grant of power; and, as I said in the opening of my remarks, I do not wish to try to persuade Senators against giving the power or in favor of it. I do wish to state some of the conditions as they appear to me, because it is announced, as it was announced in the case of the railroads, that this is the beginning of Government ownership; and while, of course, men will differ on that subject, I, for one, am not in favor of Government ownership permanently of telegraphs, telephones, or railroads.

Mr. LENROOT. Mr. President——

The PRESIDING OFFICER (Mr. KING in the chair). Does the Senator from Minnesota yield to the Senator from Wisconsin?

Mr. KELLOGG. I do.

Mr. LENROOT. I should like to have the Senator's view as to the power that will be conferred by the joint resolution. The Senator is, of course, familiar with the power sought to be exercised by the President and the Railroad Administrator under the act of 1916, before the railroad-control act was passed by Congress, wherein they attempted to exercise the power of control on the theory that while under Government control they were not subject to the laws enacted by Congress or by the States. I want to ask the Senator, if that same power should be asserted in the case of the telephones and telegraphs, whether in his opinion they would have the right, if that power did exist, as in the case of the railroads, to refuse to receive messages, and thus establish a complete censorship?

Mr. KELLOGG. Oh, undoubtedly the Federal Government would have the power to take over all the telegraph and telephone lines and only send Government messages and make a complete censorship; and if that is necessary that should be done.

Mr. LENROOT. That really goes to the question whether they would have the power to discriminate as between private messages; in other words, whether they were bound as common carriers while under Government control and operation.

Mr. KELLOGG. The Government, when it takes over the telegraphs and the telephones for Government operation as a war measure, in my opinion, can do anything it pleases with them. It can discriminate or absolutely deny anybody the right to use the lines. Not for a moment do I think the Government would do it, but it has the power to do it; and I am not denying that that power is a proper power, because I am one of the men who believe that the war power is a power to do anything that is necessary to save the Nation. I do not believe, of course, that the ordinary constitutional restrictions and protections of human life and human rights and property should be set aside unless it is necessary; but if it is necessary it is an overruling and controlling power.

Mr. SMITH of Michigan. Mr. President——

Mr. KELLOGG. I yield to the Senator.

Mr. SMITH of Michigan. Of course, no one can disagree with the statement just made by the Senator from Minnesota; but I rose to ask him whether, in his judgment, the railroads would ever be turned back to their owners? I should like to ask him, in the same connection, whether, if we turn over to the Government the telegraph and telephone systems, we may ever expect that they will return to private ownership?

Mr. KELLOGG. Mr. President, in this time, when the foundations of world society are being shaken, when we are passing through a period of change unknown since the destruction of the Roman Empire, it is impossible for any man to predict what will occur in the next few years.

Mr. LEWIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Illinois?

Mr. KELLOGG. If the Senator will allow me to complete the statement. If this war ends by the victory of the allied people over a criminal autocracy, so that nations can have a right to regulate their life as they please, and we return again to the paths of peace, I hope we shall return again to the industrial relations in that regard that existed before; but we are going back to a new world, to new conditions, and no man can tell what it will be necessary for this people to do in the next 10 years. I believe firmly that we have grown great and prosperous and advanced in civilization and in all of its arts and in education under a system of competition between man and man; that that has made the great American citizen who is to-day combating Germany; and I believe that the condition of initiative and competition should continue after the war. But whether we will take back the railroads or not I can not say, nor can I even venture an opinion.

I now yield to the Senator from Illinois.

Mr. LEWIS. Mr. President, I first want to say to the Senator that I am one of the men on this side who wholly agrees with his doctrine that when war is declared under our form of government the Commander in Chief can do anything that is necessary to preserve this Government. I have been arguing that. I have been insisting on it.

I ask the able Senator his view on the following: Such being true, assuming that to be the correct basis, does not the Senator feel that if there is a war emergency requiring the taking over of these wires, the President, in the exercise of the war power, could do it without this joint resolution, and that even if we should defeat the joint resolution the power still would inhere in him to do all the things this joint resolution authorizes, basing it on the war necessity?

Mr. KELLOGG. Oh, I suppose that if the President thought the Nation was imperiled by the ownership in private hands of the telegraph line from here to New York he could send out the Army and take possession of it, as he could take possession of anything in this country as an immediate war necessity; but the Attorney General, I am informed, has given an opinion that the

power does not exist without a statute; and I for one would prefer, if the President thinks it is necessary to act, and we agree with him that it may be necessary, that we should enact a statute giving him authority. I do not believe in the President exercising his undefined war power without an enabling act of Congress unless it is an overruling necessity.

Mr. KNOX. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Pennsylvania?

Mr. KELLOGG. Certainly.

Mr. KNOX. Does the Senator from Minnesota agree with the Senator from Illinois [Mr. LEWIS] that the President, as the Commander in Chief of the Army and Navy, has these war powers at all?

Mr. KELLOGG. Oh, no; I did not understand that to be the position of the Senator from Illinois.

Mr. KNOX. My own judgment is that the President does not have any war powers; that he is not given any war powers by the Constitution of the United States. The war powers are vested in the Congress. The President exercises those war powers, not as Commander in Chief but as President of the United States.

As Commander in Chief of the Army and Navy, of course, he is at the head of the Military Establishment; but there are no war powers vested in the Military Establishment. The war powers are vested in the Congress, and Congress vests them in the President; and the President, as the executive head of the Nation, just as he does in relation to our civil affairs, exercises these powers that the Congress confers upon him.

I am perfectly certain, so far as the Senator from Minnesota is concerned, that he agrees with me that the President, while he might physically take possession of the line, for instance, between here and New York, would not be taking it under any right he enjoys under the Constitution of the United States, and I do not think he ever contemplated or will contemplate any such action as that without the previous authority of Congress; and the fact that this joint resolution is pending here now is the best illustration of the attitude the President of the United States himself takes toward that proposition.

Mr. LEWIS. Mr. President——

Mr. KELLOGG. Oh, I quite agree with the Senator from Pennsylvania, if the Senator will pardon me. I was evidently misunderstood. I say undoubtedly the President, as the Commander in Chief of the Army, as a temporary expedient, might send out the Army and take possession of a telephone line or telegraph line if he thought that line was being used to communicate with an enemy, just as was done in the War of the Rebellion; but that is, you might say, a daily operation of the Army. The President, of course, exercises the war powers which Congress gives him. Congress has, perhaps, an undefined power; no man can define it entirely unless he knows the exigencies which may arise; but Congress may do what is necessary to save the Nation. Of course, Congress can not, nor can the President, destroy the Constitution. I am not one who believes that the Constitution is suspended during war. It was made for times of peace and prosperity and times of war, and it has been great enough for both.

Mr. LEWIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Illinois?

Mr. KELLOGG. I do.

Mr. LEWIS. May I not ask the able Senator from Minnesota and likewise the able Senator from Pennsylvania if it is not their view that after Congress has exercised the power which they correctly infer and rightfully describe, and declares war, and creates the President of the United States, as under the Constitution, the Commander in Chief, he is then, in the conduct of that war, vested with the discretion of conducting it by such means and methods as according to his judgment are necessary for the national defense?

Mr. KELLOGG. He is vested with the discretion in the direction of the Army and the Navy in their operations; but Congress must raise the Army and the Navy, and provide for carrying on the war.

Mr. KNOX. Mr. President, if the Senator from Minnesota will yield to me for a moment, because I was included in the question asked by the Senator from Illinois——

Mr. KELLOGG. I yield.

Mr. KNOX. I should like to say that I entirely agree with what the Senator from Minnesota has just said in relation to the President directing the military operations of the Government; and over those military operations we have no control whatever, except as we may control them by the means that we provide for their conduct. But we are talking now about a requisitory power. The President of the United States, in the actual conduct of war upon the field of battle or within a zone which is occupied for military operations, may, under extreme circumstances of necessity, exercise an arbitrary requisitory power in respect to your property or mine.

For instance, if a brigade of soldiers were marching from one city to another, and the soldiers or their animals needed food, and there were storehouses of food available, and no time to go through the legal operation of acquiring it by the Government, the President, through a general or colonel or any other officer in commmand—it would be the act of the President—could seize that food for the maintenance of those armies. But the President can not requisition the property of the citizen, or of the corporation created by the laws of the country, without express authority of Congress, and that authority of Congress must not only be clearly given but in the giving of the authority there must be a provision for compensation. Those requisitory powers are the powers that we have been granting him ever since war was declared, and the mere declaration of war does not enlarge in any sense the powers of the President, except as the Senator from Minnesota has just illustrated in respect to the military operations of the Army and Navy.

Mr. KELLOGG. Mr. President, when I was interrupted I was discussing the suggestions of Postmaster General Burleson, because I believe that his anxiety to take over the telephone, telegraph, and cable lines is inspired by his thorough belief that the Government should own and operate them all.

I do not think that is a consideration which should weigh with the Senate at this time. We ought not now to decide any such question of future policy for this country. We have existed for nearly a hundred years without Government operation of these public utilities. That question should be settled after the war is over. Whatever we do now should be confined to a military necessity; but as that consideration will undoubtedly affect the minds of some men who disagree with me, and on that question, of course, fair-minded men do disagree, and I am not one of those who believe that the man who holds the other opinion does not know anything about the subject, I say it may be permissible for me to make a few suggestions about the subject which Mr. Burleson testified in regard to before the House committee.

The telegraph system in this country and the telephone system in this country are the cheapest and the most efficient in the world. Compared with Great Britain, where the use of the telegraph is very general, ours is cheaper and more efficient. I wish to call the attention of the Senate to the report of a committee appointed by the British Government to look into the question of retrenchment in public expenditures, which committee made its report on the 21st of February, 1916. I read a paragraph therefrom:

> The history of the telegraphs is most unsatisfactory. They were taken over in 1870 at a cost (including capital expenditure on extensions) of £10,129,687 ($50,648,435) in the anticipation that they would yield a profit to the State. After the second year of post-office management the profits failed to cover interest on the capital outlay. Year by year the financial position has grown worse. In recent years the loss upon working has not been less than £1,000,000 ($5,000,000) a year, and this loss includes nothing for interest due to the State upon the aggregate losses of previous years.

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Connecticut?

Mr. KELLOGG. I yield.

Mr. BRANDEGEE. Will the Senator be kind enough to give at length the title of that document, so that I can identify it in the RECORD?

Mr. KELLOGG. I am unable to give any other information as to it.

Mr. BRANDEGEE. Is it a public document? Has it been printed in this country as a public document?

Mr. KELLOGG. I do not think it has. I take it from a pamphlet which was written by a gentleman in whom I have confidence. Of course I can not vouch for its accuracy.

Mr. BRANDEGEE. I simply wanted to have means of identifying the document from which the Senator is reading, so that I could read it.

Mr. KELLOGG. This is from an open letter submitted to the Joint Committee on Interstate Commerce, which has in charge the investigation of the railroads.

From the same letter it appears that in a speech in the House of Commons on April 30, 1914, Postmaster General Hobhouse, of Great Britain, said that within the last 40 years the telegraph expenditures of the British Government exceeded the telegraph receipts by $110,000,000, not including interest on the original purchase money, nor interest on the annual losses,

nor any provision for amortization. If these were included, the loss would have been $200,000,000.

I now read what purport to have been the conclusions of a committee of the Public Service Commission, who held their convention in San Francisco on October 12, 1915:

When we consider, therefore, how intimately the public welfare is bound up with an adequate development of our wire service and the deplorable consequences—from the standpoint of extent, quality, and cost of service—which have followed attempts of foreign countries to develop their wire systems by direct governmental agency; when we consider, too, that this unfortunate condition has come about despite an acknowledged superiority in point of administrative efficiency of foreign governmental machinery over our own; when we consider, finally, that an analysis of the causes underlying the strikingly inadequate character of the wire service abroad reveals governmental defects inherent in direct governmental management, but fortunately absent under a system of governmental regulation, it would seem that until such time as evidence to the contrary is adduced of a more conclusive character than that presented by the Postmaster General and his assistants it is preferable that the Government in this country continue its policy of dealing with electrical systems of communication by regulation.

Mr. President, so far as the Government ownership of telegraphs and telephones is concerned, it is not fair to compare them with the mail, and especially the telephone system. When a man sends a letter, it is sealed. There is no censorship, I believe, of local letters in this country, and we never will permit such a thing. It is contrary to the spirit of our institutions; at least, there is no legal censorship of that kind. There is, of necessity, a censorship of letters going abroad. It is a war necessity, and it is proper; but the telephone and, to a less degree, the telegraph is to a certain extent public. The telephone reaches every home, and is bound up with the intimate personal relations of the family and the individual. It is not necessary for the Government to use it for the communication of confidential messages. I believe it would be intolerable, except as a war necessity, that the telephone should be open to every Government employee of this country. I believe that the telegraph should not be so open. There are in many of the States, and there should be, the strongest penalties for disclosing private messages over the telegraph; and certainly in times of peace we do not wish any governmental authority to have access to the telephone and telegraph communications between people in this country, and it is not necessary. I have yet to have pointed out to me any censorship which any government exercises over its interior telegraphs. Why, in France, Gen. Pershing has taken possession of the telegraph lines that he uses. They are not allowed to be in French Government operation; and, of course, upon the battle fronts our Government will take possession of the telegraph that it operates in connection with its armies. But I do not know that it is necessary in this country; and as for efficiency, I doubt if we will get as efficient service under governmental control as we get under private control.

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Connecticut?

Mr. KELLOGG. I do.

Mr. BRANDEGEE. Was there any evidence before the committee as to how the Government now, through any of its officials, has access to the dispatches which go over the telegraph lines of the country?

Mr. KELLOGG. There was no evidence at all on the subject before the committee. There was no evidence before the committee except Mr. Carlton's testimony. I think any supervision of the telegraph messages that I have heard of is entirely proper and only in the interest of the country. I have no knowledge of anything else. There was no testimony taken on the subject.

Everyone knows that in sending messages the telegraphers are valuable according to their efficiency. It is not an ordinary employment. It needs keenness, promptness, ability, and spirit to make a good telegraph operator. The enterprise of the telegraph operators of this country, I believe, is commendable. I do not believe that ordinarily such service is given by Government clerks. There is something in the very nature of Government service that seems to take away the enterprise of the individual, the hope of promotion. But if there is any reason why the telegraph should be controlled by the Government or if there is any emergency liable to arise, of course, no one will raise any objection.

I am not going to discuss the conflict between the Western Union Co. and certain officials of the Commercial Telegraphers' Union. We carried on this war for a year and three months without any suggestion from anybody that there was a necessity for taking over the telegraph lines when suddenly the Commercial Telegraphers' Association threatened a strike on the Western Union lines. Of course, everybody knows that the continuity of telegraph service and telephone service and railroad service is doubly important in time of war, and the Government can not for a moment permit the suspension, and I do not believe that there ever was or is to-day any danger of a strike among the telegraph operators of the country. The so-called Commercial Telegraphers' Association, Mr. Carlton testified, had not one single member on the lines of the Western Union Co., and it only has about 2,500 members altogether in this country and Canada, and I think he said about 1,200 in this country. I take that statement also from a pamphlet which was furnished by him to the committee.

The reason why there was no strike on the Western Union line was that there was nobody to strike, because this association had no membership on that line. I have no doubt every Senator has received dozens of messages from telegraphers all over the country that they have no idea of striking.

Mr. SMITH of Michigan. Mr. President——

Mr. KELLOGG. Furthermore, on Sunday afternoon this Commercial Telegraphers' Association called a meeting of the 40,000 telegraphers of the Western Union Co. and asked them to attend, in order to signify their intention of joining the Commercial Telegraphers' Association, and only 56 of them signified their willingness out of over 40,000.

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Michigan?

Mr. KELLOGG. I yield.

Mr. SMITH of Michigan. I do not know whether the Senator heard my telegram this morning, but 300 operators and employees in the Western Union in Detroit did say they had no intention of striking and were entirely satisfied and want no change from private ownership to Government ownership.

Mr. KELLOGG. I have heard various messages read in the Senate to that effect, and received many of them myself, and I have received messages from other trade associations to the same effect.

Mr. Carlton testified that the Western Union had no objection to unions and thousands of their employees belong to the American Railway and Telegraph Association—if that is the correct name—and many of their linemen belong to associations; but he did say that they were not willing for this association, whose sole object is a strike, to work upon their lines; that more than 78 per cent of their employees are now organized, or have organized a union; that he believes in unions and the right of a union to bargain. I believe that every labor man has the same right to combine that capital has to combine, and I believe they are entitled to enjoy the benefits of combined bargaining with their employers to better their working conditions, their wages, and hours of labor.

I never have, and am not now, opposed to reasonable labor unions. I am opposed to the I. W. W., which is a union of destruction and not of construction. I do not believe that there would have been or will be a strike of telegraphers upon the wire lines of this country. I have never known an occasion to arise where from all over the country came the voice of the labor men as has come from these telegraphers from every part of the land, that they are loyal to the Government and loyal to their employers and intend to do everything they can to win this war.

I shall not, as I said before, attempt to review this controversy. Evidently the public call for a strike upon the Western Union line was a bluff and there was no possibility of any such strike. Of course this Government is not going to permit a strike on the railroads or on the telegraph lines or on the telephone lines.

Mr. President, it is easy in time of war and under the guise of war power to take steps into untried fields which may be of great injury to the public. I agree with what the Senator from Alabama [Mr. UNDERWOOD] said. We did not hesitate to call upon the splendid young men of this land to fight the battles upon the bloodstained fields of Europe. We are not going to hesitate to conscript wealth, public utilities, capital, labor, everything that is necessary for the war and to make our cause a success. Let us not, however, under the guise of war necessity attempt to equalize all human endeavor and to socialize this land. I am not a socialist. The theory and dreams of socialism have been tried over and over again since the dawn of civilization and have always proved a failure. Socialism is at the base of the Government to-day in Russia, but I believe the great counteracting power against socialism in Russia will be the landowning of Russia. I believe that the great counteracting power in this land against the impracticable dreams of socialism will be the landowning farmer. He has nothing in common with the socialist. Let us not under the guise of war try to socialize all industries. Let us win the war with the instruments we have and leave the theories of socialism to be settled afterwards.

APPENDIX.

Statement compiled from annual reports of telegraph companies for the year ended Dec. 31, 1917.

[Figures are given for only those companies having annual operating revenues in excess of $100,000.]

Name of company.	Total investment in plant and equipment.	Capital stock.	Funded debt.
American District Telegraph Co. of Philadelphia	$30,405	$50,000	
Chicago, Milwaukee & Lake Superior Telegraph Co	100,000	100,000	
Colorado Postal Telegraph-Cable Co	50,000	50,000	
Commercial Pacific Cable Co.[1]			
Kansas Postal Telegraph-Cable Co	100,000	100,000	
Mackay Telegraph-Cable Co. (Louisiana)	30,000	30,000	
Mackay Telegraph-Cable Co. (Texas)	3,000	25,000	
Mexican Telegraph Co.[1]			
North American Telegraph Co	971,944	1,000,000	
Ohio Postal Telegraph-Cable Co	100,000	100,000	
Postal Telegraph-Cable Co. (California)	100,000	100,000	
Postal Telegraph-Cable Co. (Connecticut)	4,026,328	30,000	
Postal Telegraph-Cable Co. (Delaware)	50,000	50,000	
Postal Telegraph-Cable Co. (Illinois)	99,200	25,000	
Postal Telegraph-Cable Co. (Indiana)	200,000	100,000	$100,000
Postal Telegraph-Cable Co. (Iowa)	50,000	50,000	
Postal Telegraph-Cable Co. (Kentucky)	75,000	75,000	
Postal Telegraph-Cable Co. (Massachusetts)	5,000	5,000	
Postal Telegraph-Cable Co. (Michigan)	50,000	50,000	
Postal Telegraph-Cable Co. (Missouri)	100,000	100,000	
Postal Telegraph-Cable Co. (Nebraska)	50,000	50,000	
Postal Telegraph-Cable Co. (New Jersey)	50,000	50,000	
Postal Telegraph-Cable Co. (New York)	850,004	50,000	650,000
Postal Telegraph-Cable Co. (Pennsylvania)	95,000	95,000	
Postal Telegraph-Cable Co. (Tennessee)	40,000	40,000	
Postal Telegraph-Cable Co. of Texas	990,877	120,000	
Postal Telegraph-Cable Co. (Washington)	25,000	25,000	
Western Union Telegraph Co	145,907,355	101,569,602	31,994,000
Total	154,149,113	104,039,602	32,744,000

[1] No annual reports filed.

JULY 9, 1918.

Statement compiled from monthly reports of revenues and expenses of telegraph companies for the 12 months ended Dec. 31, 1917.

Name.	Telegraph and cable operating revenues.
American District Telegraph & Telephone Co. of Philadelphia	$337,813
Canadian Pacific Co. (lines in United States)	10,810
Central Idaho Telegraph & Telephone Co	1,708
Chicago, Milwaukee & Lake Superior Telegraph Co	115,319
The Colorado & Wyoming Telegraph Co	34,786
Colorado Postal Telegraph-Cable Co	158,821
Commercial Pacific Cable Co.[1]	4,806,776
Continental Telegraph Co	39,617
Kansas Postal Telegraph Co	158,830
Lehigh Telegraph Co	29,474
Mackay Telegraph & Telephone Co. (Arkansas)	76,724
Mackay Telegraph & Telephone Co. (Louisiana)	207,883
Mackay Telegraph & Telephone Co. (Oklahoma)	66,106
Mackay Telegraph & Telephone Co. (Texas)	383,577
Martha's Vineyard Telegraph Co	16,399
Mexican Telegraph Co.[1]	1,537,691
Merchants Telegraph Co	41,347
Mountain Telegraph Co	12,097
New England Telegraph Co. (Massachusetts)	18,224
New York, Philadelphia & Norfolk Telegraph Co. (Delaware)	32,605
North Americanelegraph Co	368,280
Northern Telegraph Co	27,264
Ohio Postal Telegraph-Cable Co	617,906
Postal Telegraph-Cable Co. (Arizona)	68,298

Statement compiled from monthly reports of revenues and expenses of telegraph companies for the 12 months ended Dec. 31, 1917—Con.

Name.	Telegraph and cable operating revenues.
Postal Telegraph-Cable Co. (California)	$547,683
Postal Telegraph-Cable Co. (Connecticut)	384,718
Postal Telegraph-Cable Co. (Delaware)	1,864,030
Postal Telegraph-Cable Co. (Idaho)	13,245
Postal Telegraph-Cable Co. (Illinois)	1,179,022
Postal Telegraph-Cable Co. (Indiana)	309,189
Postal Telegraph-Cable Co. (Iowa)	221,579
Postal Telegraph-Cable Co. (Kentucky)	123,507
Postal Telegraph-Cable Co. (Massachusetts)	471,043
Postal Telegraph-Cable Co. (Michigan)	380,327
Postal Telegraph-Cable Co. (Missouri)	442,863
Postal Telegraph-Cable Co. (Montana)	76,807
Postal Telegraph-Cable Co. (Nebraska)	164,174
Postal Telegraph-Cable Co. (Nevada)	46,928
Postal Telegraph-Cable Co. (New Jersey)	269,458
Postal Telegraph-Cable Co. (New Mexico)	78,266
Postal Telegraph-Cable Co. (New York)	2,433,497
Postal Telegraph-Cable Co. (Oregon)	87,294
Postal Telegraph-Cable Co. (Pennsylvania)	762,507
Postal Telegraph-Cable Co. (Rhode Island)	64,196
Postal Telegraph-Cable Co. (Tennessee)	204,743
Postal Telegraph-Cable Co. (Texas)	424,500
Postal Telegraph-Cable Co. (Utah)	67,575
Postal Telegraph-Cable Co. (Washington)	189,904
Postal Telegraph-Cable Co. (West Virginia)	28,099
Postal Telegraph-Cable Co. (Wyoming)	31,834
Western Union Telegraph Co	76,995,511
Grand total	97,068,853

[1] No commercial telegraph business.

RECAPITULATION.

Number of companies.	Classification (based on revenues).	Telegraph and cable operating revenues. Amount.	Per cent to total.
6	Above $1,000,000	$88,754,527	91.4
3	$500,000 to $1,000,000	2,028,098	2.1
19	$100,000 to $500,000	5,316,528	5.5
23	Below $100,000	969,702	1.0
51		97,068,855	100.0

Number of offices and miles of pole line of all telegraph companies reporting annual operating revenues in excess of $100,000.

[Compiled from annual reports to the Interstate Commerce Commission for the year ending Dec. 31, 1917.]

Company.	Number of offices. Independent. Main.	Independent. Branch.	Joint.	Total.	Miles of pole line. On right of way of carriers.	Other plant.
Western Union	2,433	1,426	21,607	25,466	193,281	6,192
All other large companies	1,052	504	944	2,500	234	26,584
Total companies	3,485	1,930	22,551	27,966	193,515	32,776

Statement compiled from monthly reports of revenues and expenses of telegraph companies for the 12 months ended Dec. 31, 1917.

(Figures are given for only those companies having annual operating revenues in excess of $100,000.)

Name of company.	Telegraph and cable operating revenues. 1917	1916	Telegraph and cable operating expenses. 1917	1916	Taxes assignable to operations. 1917	1916	Operating income. 1917	1916
American District Telegraph Co. of Philadelphia	$337,813	$387,611	$332,157	$355,447	$2,387	$2,091	$2,984	$29,731
Chicago, Milwaukee & Lake Superior Telegraph Co	115,319	116,031	107,856	110,565	1,257	1,160	5,991	4,030
Colorado Postal Telegraph-Cable Co	158,821	208,200	149,588	180,090	3,788	3,593	4,899	24,250
Commercial Pacific Cable Co.[1]	4,806,776	2,975,278	2,557,249	1,472,215	258,941	29,653	1,990,584	1,473,409
Kansas Postal Telegraph-Cable Co	158,830	177,738	148,083	127,277	5,230	3,609	5,431	46,780
Mackay Telegraph-Cable Co. (Louisiana)	207,883	204,338	205,863	183,815	99	7,301	1,703	12,768
Mackay Telegraph-Cable Co. (Texas)	383,577	366,792	366,957	301,474	5,753	3,929	9,812	60,761
Mexican Telegraph Co.[1]	1,537,690	1,215,720	401,204	375,334	24,230	10,301	1,112,255	830,084
North American Telegraph Co	368,280	357,848	289,375	280,455	9,235	7,991	69,544	69,368
Ohio Postal Telegraph-Cable Co	617,906	651,292	598,544	632,303	12,936	10,646	5,929	7,823
Postal Telegraph-Cable Co. (California)	647,688	548,880	634,589	579,838	5,411	6,227	6,060	[2] 39,919
Postal Telegraph-Cable Co. (Connecticut)	384,717	262,942	379,544	278,061	3,115	3,331	1,808	[2] 18,653
Postal Telegraph-Cable Co. (Delaware)	1,864,029	1,637,303	1,817,163	1,607,814	38,393	33,963	2,906	[2] 10,203
Postal Telegraph-Cable Co. (Illinois)	1,179,022	1,198,747	1,165,980	1,106,860	10,098	8,097	1,498	81,314
Postal Telegraph-Cable Co. (Indiana)	309,188	281,026	291,076	288,165	11,217	10,796	5,931	[2] 18,376

[1] No commercial telegraph business.

[2] Operating loss.

Statement compiled from monthly reports of revenues and expenses of telegraph companies for the 12 months ended Dec. 31, 1917—Continued.

Name of company.	Telegraph and cable operating revenues.		Telegraph and cable operating expenses.		Taxes assignable to operations.		Operating income.	
	1917	1916	1917	1916	1917	1916	1917	1916
Postal Telegraph-Cable Co. (Iowa)	$221,579	$223,071	$213,775	$203,782	$4,517	$3,479	$2,976	$15,506
Postal Telegraph-Cable Co. (Kentucky)	123,506	135,574	116,524	133,460	2,299	2,235	4,479	[1] 315
Postal Telegraph-Cable Co. (Massachusetts)	471,043	456,490	467,544	454,117	2,243	2,418	246	[1] 1,141
Postal Telegraph-Cable Co. (Michigan)	380,326	408,679	369,161	377,759	6,014	6,238	2,918	23,593
Postal Telegraph-Cable Co. (Missouri)	442,862	436,943	431,807	405,906	4,528	3,802	5,935	26,478
Postal Telegraph-Cable Co. (Nebraska)	164,174	104,065	159,460	115,870	1,556	1,335	2,904	[1] 13,169
Postal Telegraph-Cable Co. (New Jersey)	269,457	264,488	257,277	226,999	8,957	10,257	2,959	27,110
Postal Telegraph-Cable Co. (New York)	2,433,496	2,102,636	2,401,568	2,057,461	26,426	23,764	2,975	14,324
Postal Telegraph-Cable Co. (Pennsylvania)	762,507	749,605	752,604	712,886	2,702	2,320	5,697	33,616
Postal Telegraph-Cable Co. (Tennessee)	204,742	207,688	199,872	186,316	1,686	4,697	2,376	16,256
Postal Telegraph-Cable Co. of Texas	424,500	334,477	406,096	312,124	12,000	15,000	8,603	9,176
Postal Telegraph-Cable Co. (Washington)	189,903	183,977	185,479	158,845	2,672	2,220	1,594	22,443
Western Union Telegraph Co	76,995,511	61,919,140	54,651,884	43,018,328	3,834,118	1,557,000	18,124,510	17,039,245
Total	96,161,140	78,116,579	70,058,279	56,243,566	4,300,858	1,777,453	21,395,507	19,766,209

[1] Operating loss.

JULY 5, 1918.

INTERSTATE COMMERCE COMMISSION,
BUREAU OF STATISTICS,
April 22, 1918.

Compilations, subject to revision, from 61 reports of revenues and expenses of telephone companies for the month of December, 1917, filed in the Bureau of Statistics. This summary includes only companies having annual operating revenues in excess of $250,000.

Summary of monthly reports of large telephone companies.

Item.	For the month of December—				For the 12 months ending with December—			
	1917	1916	Increase (or decrease).		1917	1916	Increase (or decrease).	
			Amount.	Ratio (per cent).			Amount.	Ration (per cent).
Number of company stations in service at end of month	7,707,294	7,124,627	582,667	8.2				
Revenues:								
Subscribers' station revenues	$17,478,882	$16,476,261	$1,002,621	6.1	$205,451,124	$185,584,369	$19,866,755	10.7
Public pay station revenues	1,452,250	1,333,796	118,454	8.9	16,616,744	14,694,948	1,921,796	13.1
Miscellaneous exchange service revenues	324,530	276,246	48,284	17.5	3,262,151	2,870,966	391,185	13.6
Message tolls	6,988,617	6,551,489	437,128	6.7	81,660,409	70,323,457	11,336,952	16.1
Miscellaneous toll-line revenues	703,301	626,134	77,167	12.3	7,649,636	6,449,962	1,199,674	18.6
Sundry miscellaneous revenues	266,686	290,372	[1] 23,686	[1] 8.2	3,303,486	3,072,416	231,070	7.5
Licensee revenue—Cr.	1,042,160	957,944	84,216	8.8	12,005,837	10,657,957	1,347,880	12.6
Licensee revenue—Dr.	1,039,524	943,205	96,319	10.2	11,974,159	10,479,185	1,494,974	14.3
Telephone operating revenues	27,216,902	25,569,037	1,647,865	6.4	317,975,228	283,174,890	34,800,338	12.3
Expenses:								
Depreciation of plant and equipment	4,601,063	4,903,702	[1] 302,639	[1] 6.2	56,223,659	51,900,891	4,322,768	8.3
All other maintenance	3,981,836	3,643,068	338,768	9.3	44,873,256	38,064,423	6,808,833	17.9
Traffic expenses	6,882,187	5,248,109	1,634,078	31.1	71,851,439	56,529,940	15,321,499	27.1
Commercial expenses	2,553,862	2,363,205	190,657	8.1	30,455,065	27,291,803	3,163,262	11.6
General and miscellaneous expenses	1,290,892	1,483,777	[1] 192,885	[1] 13.0	15,162,580	12,969,853	2,192,727	16.9
Telephone operating expenses	19,309,840	17,641,861	1,667,979	9.5	218,565,999	186,756,910	31,809,089	17.0
Net telephone operating revenues	7,907,062	7,927,126	[1] 20,114	[1] 0.3	99,409,229	96,417,980	2,991,249	3.1
Other operating revenues	1,716	1,229	487	39.6	15,813	14,566	1,247	8.6
Other operating expenses	2,185	1,373	812	59.1	16,782	15,411	1,371	8.9
Uncollectible operating revenues	54,856	99,672	[1] 44,816	[1] 45.0	1,435,435	1,618,387	[1] 182,952	[1] 11.3
Taxes assignable to operations	2,714,194	1,416,123	1,298,071	91.7	22,012,606	15,710,912	6,301,694	40.1
Operating income	5,137,543	6,411,237	[1] 1,273,694	[1] 19.9	75,960,219	79,087,836	[1] 3,127,617	[1] 4.0

[1] Decrease.

Summary of reports of telephone companies (all classes) for year ended Dec. 31, 1916.

	Total investments.	Total assets—liabilities.	Total stock liability.	Total long-term debt liability.	Total stock and funded debt.	Operating revenues.	Operating expenses.	Operating ratio.	Taxes assignable to operations.	Net income.	Dividend declared during year.
Class A	$1,863,979,800	$2,079,453,658	$1,064,547,615	$599,353,452	$1,663,901,067	$286,360,827	$189,176,985	66.06	$15,965,409	$91,734,107	$68,919,377
Class B	75,200,949	82,203,303	42,337,417	22,007,077	64,344,494	15,122,762	10,232,355	67.66	666,327	2,575,990	1,909,476
Class C	[1] 52,368,326	60,143,196			41,955,761	13,464,285	9,970,725	74.05	495,683	2,360,849	
Total	1,991,549,075	2,221,800,157	[2] 1,106,885,032	[2] 621,360,529	1,770,201,322	314,947,874	209,380,065	66.48	17,127,419	96,670,946	[2] 70,828,853

	Pole line.	Aerial wire.	Underground line.	Underground single duct.	Underground wire.	Wire in submarine cables.	Total wire.	Employees in service.	Persons killed.	Persons injured.	Joint employees.
	Miles.	*Miles.*	*Miles.*	*Miles.*	*Miles.*	*Miles.*	*Miles.*	*Number.*	*Number.*	*Number.*	*Number.*
Class A	393,588.90	9,357,933	11,165.72	53,491.28	12,401,065	41,562	21,800,560	186,300	84	12,753	98
Class B	70,307.01	794,145					1,028,469	12,293	8	357	
Class C	121,825.96						869,759	12,575	4	170	
Total	585,721.87	[2] 10,152,078	[3] 11,165.72	[3] 53,491.28	[3] 12,401,065	[3] 41,562	23,698,788	211,168	96	13,280	[3] 982

[1] Represents "Plant and equipment." [2] Includes class A and class B companies only. [3] Includes class A companies only.

Summary of reports of telephone companies (all classes) for year ended Dec. 31, 1916—Continued.

	Central offices.	Working lines.	Main stations.	P. B. X. stations.	Extension sets.	Private line stations.	Service stations.	Total stations.	Average stations.	Average number local messages originated per month.	Average number toll messages originated per month.	Average number local messages originated per station per month.	Average number toll messages originated per station per month.
	Number.	*Number.*	*Number.*	*Number.*	*Number.*	*Number.*	*Number.*	*Number.*	*Number.*	*Number.*	*Number.*	*Number.*	*Number.*
Class A	6,118	3,841,928	5,184,720	1,236,796	594,122	48,841	287,387	7,351,866	6,842,237	1,131,542,247	25,448,468	[3] 165.38	[3] 3.72
Class B	1,183	338,747						692,102	562,100	102,905,544	1,748,356	[3] 183.07	[3] 3.11
Class C		354,687						715,329		84,122,926	1,530,159	[4] 117.60	[4] 2.14
Total	[1] 7,301	4,535,362	[2] 5,184,720	[2] 1,236,796	[2] 594,122	[2] 48,841	[2] 287,387	8,759,297	[1] 7,404,337	1,318,570,717	28,726,983	[4] 150.53	[4] 3.28

[1] Includes class A and class B companies only. [2] Includes class A companies only. [3] Based on average number of stations. [4] Based on total number of stations.

NOTE.—This tabulation was made for the purpose of considering methods of handling telephone reports, and, while compiled from the annual reports of classes A, B, and C companies, it has not been checked back and is, therefore, subject to correction. It may, however, be considered as fairly accurate.

RECESS.

Mr. SMITH of South Carolina. I move that the Senate take a recess until 12 o'clock to-morrow.

The motion was agreed to; and (at 5 o'clock and 12 minutes p. m.) the Senate took a recess until to-morrow, Friday, July 12, 1918, at 12 o'clock meridian.

SENATE.

FRIDAY, *July 12, 1918.*

(Legislative day of Thursday, July 11, 1918.)

The Senate met at 12 o'clock noon.

Mr. PENROSE. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Harding	New	Smith, Ga.
Bankhead	Henderson	Norris	Smith, S. C.
Benet	Johnson, Cal.	Overman	Smoot
Brandegee	Jones, N. Mex.	Penrose	Sterling
Calder	Jones, Wash.	Pittman	Sutherland
Chamberlain	Kellogg	Poindexter	Swanson
Colt	Kendrick	Pomerene	Thomas
Culberson	Kenyon	Ransdell	Thompson
Curtis	Knox	Reed	Trammell
Dillingham	Lenroot	Saulsbury	Vardaman
Fernald	Lewis	Sheppard	Wadsworth
Fletcher	McCumber	Sherman	Walsh
France	McKellar	Shields	Watson
Frelinghuysen	Myers	Simmons	Wolcott
Hale	Nelson	Smith, Ariz.	

Mr. THOMAS. I announce the absence of my colleague [Mr. SHAFROTH] on necessary personal business. I ask to have this announcement stand for the day.

Mr. JONES of Washington. I announce that the junior Senator from Michigan [Mr. TOWNSEND] is necessarily absent on account of illness in his family. I will allow this announcement to stand for the day.

Mr. SHEPPARD. I wish to announce that the senior Senator from Kentucky [Mr. JAMES] is detained by illness, that the Senator from Mississippi [Mr. WILLIAMS] is necessarily absent, and that the senior Senator from Arkansas [Mr. ROBINSON] and the junior Senator from Arkansas [Mr. KIRBY] are detained on public business.

The PRESIDENT pro tempore. Fifty-nine Senators have answered to their names. There is a quorum present.

MOVEMENTS OF SOLDIERS' MAIL (S. DOC. NO. 266).

The PRESIDENT pro tempore laid before the Senate a communication from the Postmaster General, transmitting, in response to a resolution of the 5th instant, certain information relative to the movements of the mails to and from our troops and auxiliaries abroad, which was referred to the Committee on Printing.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the President pro tempore:

S. 4444. An act to pension widows and minor children of officers and enlisted men who served in the War with Spain, Philippine insurrection, or in China;

H. R. 12100. An act to amend the act approved September 7, 1916, entitled "An act to establish a United States Shipping Board for the purpose of encouraging, developing, and creating a naval auxiliary and naval reserve and a merchant marine to meet the requirements of the commerce of the United States with its Territories and possessions and with foreign countries; to regulate carriers by water in the foreign and interstate commerce of the United States, and for other purposes"; and

H. R. 12229. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

PETITIONS.

The PRESIDENT pro tempore presented a telegram in the nature of a petition from delegates to a convention held in Chicago, Ill., representing 55,000 employees of the Western Union Telegraph Co., praying that action be deferred on the measure for the control of telegraph lines, which was ordered to lie on the table.

Mr. FRELINGHUYSEN presented resolutions adopted at a meeting of sundry Lithuanians of Newark, N. J., pledging support to the Government, which were ordered to lie on the table.

He also presented resolutions adopted by the School of Methods of the New Jersey Sunday School Association, of Asbury Park, N. J., favoring national prohibition as a war measure, which were ordered to lie on the table.

Mr. WARREN presented resolutions adopted by Local Union No. 2700, United Mine Workers of America, of Crosby, Wyo., favoring the repeal of the present zone system of postage rates on second-class mail matter, which were referred to the Committee on Post Offices and Post Roads.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SHEPPARD:

A bill (S. 4824) for the relief of Jacob Kestner; to the Committee on Military Affairs.

By Mr. SHIELDS:

A bill (S. 4825) granting a pension to James M. Gibson (with accompanying papers); to the Committee on Pensions.

WITHDRAWAL OF PAPERS—S. J. BATCHELDER.

On motion of Mr. CURTIS, it was

Ordered, That leave be granted to withdraw from the files of the Senate the papers accompanying the bill S. 1396, Sixty-fifth Congress, second session, granting a pension to S. J. Batchelder, no adverse report having been made thereon.

NATIONAL HOLIDAY OF FRANCE.

Mr. WALSH. Mr. President, I ask unanimous consent to present a resolution this morning. I offer it after a conference with the chairman of the Committee on Foreign Relations. If the resolution be not acted upon at once, it will be out of season. The purpose of the resolution is to extend felicitations to the Republic of France upon its great anniversary, which is to be celebrated on Sunday next. I ask that the resolution be read, and I shall then ask unanimous consent for its immediate consideration.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Secretary will read the resolution.

The resolution (S. Res. 283) was read, as follows:

Whereas the people and Government of France have expressed their friendship for the United States by celebrating our national holiday, the Fourth of July; and

Whereas the 14th of July, France's national holiday, is similar in meaning to our Fourth of July; and

Whereas it is fitting that the American people should express their appreciation for the celebration in France of our Independence Day and their admiration for the sublime courage with which the people of France have for nearly four years defended the liberties of the world, and give voice to the unalterable determination of America to support the common cause of free nations to the utmost limits of our resources: Now, therefore be it

Resolved, That the Senate of the United States of America hereby tenders the fraternal greetings of the American people to the people and Government of France, and urges all citizens of the United States to observe the national holiday of France, the 14th of July, as a mark of special regard for our ally.

Resolved further, That the Secretary of State be directed to transmit a copy of this resolution to the Government of the French Republic.

Mr. WALSH. I ask unanimous consent for the present consideration of the resolution.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution? The Chair hears none. The question is on agreeing to the resolution.

The resolution was unanimously agreed to.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had, on the 11th instant, approved and signed the following acts:

S. 3798. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors;

S. 4193. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors; and

S. 4542. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors.

TELEGRAPH AND TELEPHONE CONTROL.

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (H. J. Res. 309) to authorize the President, in time of war, to supervise or take possession and assume control of any telegraph, telephone, marine cable, or radio system or systems or any part thereof and to operate the same in such manner as may be needful or desirable for the duration of the war, and to provide just compensation therefor.

Mr. POMERENE obtained the floor.

Mr. REED. I wish to ask what is the pending question?

The PRESIDENT pro tempore. The amendment offered by the Senator from Indiana [Mr. WATSON], which will be read by the Secretary.

The SECRETARY. On page 1, line 7, strike out the word "telephone" and the comma, and after the word "thereof," in line 8, insert "except any telegraph or telephone lines owned, controlled, or operated by a press bureau or press association."

Mr. REED. If the Senator from Ohio will permit me, I desire to send to the desk and have read an amendment which I have prepared which, I think, covers the subject matter the Senator from Indiana has embraced in his amendment, and perhaps he would be willing to accept it as a substitute. I should like to have it read.

Mr. WATSON. That would be very agreeable to me, I will say to the Senator from Missouri, but the Senator from Ohio has the floor.

Mr. REED. I will ask to have it read in the time of the Senator from Ohio.

Mr. POMERENE. I have no objection to having the proposed amendment read.

The PRESIDENT pro tempore. It will be read.

The SECRETARY. At the end of the joint resolution add the following:

The right and privilege of the people and the press, substantially as heretofore enjoyed, to the unrestricted use of said utilities upon fair and equitable terms, shall not be interfered with, except that the governmental business may, when deemed necessary, be given precedence over all other business and rules may be adopted to prevent the use of said utilities for any disloyal purpose.

Mr. POMERENE. Mr. President, I think Senators are familiar with the position I took in favor of hearings upon this the pending joint resolution, and I believe I ought to ask your indulgence for a few minutes to state briefly my reasons for my attitude.

We had, by accident perhaps rather than by design, before the committee one witness, the president of the Western Union Telegraph Co. He gave us some very interesting information. I think I have some idea of the extent of the business of the Western Union Co. in its various ramifications. Suffice it to say very briefly that this company has issued $100,000,000 of stock; its assets are valued at $200,000,000; it has a bonded indebtedness of about $30,000,000; its annual paid messages amount to 150,000,000 in number; the president of the company estimated that there were about 10 handlings to each message, or, in other words, about 1,500,000,000 handlings annually by this one company; that it controlled or transacted about 80 per cent of the telegraph business of the country; that it had about 300,000 miles of poles; that it had 1,500,000 miles of wire; and that it has leases of a number of trans-Atlantic cables reaching almost to the four corners of the earth. I think I am safe in saying that except the Senator from Minnesota [Mr. KELLOGG], who has had some unusual opportunities of investigating this subject during his professional career, there was not a member of the committee who had any notion that the taking over of this telegraph system would probably operate as a cancellation of these leases of the cable lines.

I do not know yet whether the position of the president of the company with respect to the legal rights and obligations of these various companies is correct or not. We were to have been furnished by him with copies of some of these contracts, and we were promised the opinion of the general counsel of that company bearing upon that subject. These documents have not yet come, and such hearings as we have had, for reasons which it is not necessary to go into now, have not yet become available for Senators.

Those who favored an immediate report upon the joint resolution of the Senate without any hearings excused themselves for not having hearings because of the fact that it merely confers authority upon the President of the United States to take over the telegraph and telephone lines, marine cables, and radio systems, and at no time requires him to do it. That is true. It is suggested that the President desires this authority. That is true. But, Mr. President, no one has presumed to say that the President expects this authority in the phraseology contained in the joint resolution. No one has presumed to say that the President wanted this authority yesterday or to-day or to-morrow. No one has presumed to suggest that he does not want the advice and the counsel of the United States Senate and of the Congress upon this subject. No one has presumed to suggest that he wanted this railroaded through without legitimate hearings of all the interests involved. No one would even insult the President by making a suggestion of that kind.

Now, what is the situation? We are expected to take over the Western Union Telegraph Co., with its property and business, and with employees numbering 56,000 to 60,000, to say nothing of the Postal Telegraph-Cable Co. or the countless telephone companies in the United States.

I am bold enough to assert that the Senators on that committee and the Senators in this body do not at the present time comprehend all of the ramifications of these great systems. I have never heard that a legislator would be injured if he had some facts before him on which to base a conclusion as to what he ought to do. I have never discovered in the seven years I have been in the Senate that I was less able to come to a conclusion after I had full information on a subject than if I had no information on the subject.

I want to say very frankly to Senators that if I am compelled to vote to-day I shall vote for this joint resolution, but I shall not vote with the confidence in the conclusion to which I have been driven that I would have had if I had been permitted to hear all the parties interested in the subject or their representatives, and I do not believe that I am very different from other Senators.

I confess when this question first came up I believed that the immediate cause which led to the suggestion of this legislation was the fact that there was a threatened strike, and I was amazed when I heard from the president of the company that there was not a single employee of his company within his knowledge who belonged to the union that had threatened to strike. We were informed that last Sunday when a call was issued for the employees who were interested in the strike to appear only 56 out of the some 56,000 to 60,000 employees of the Western Union Co. responded to the call.

Mr. President, if the conditions were such in this country that the means of communication were seriously threatened, I would be willing to vote on the instant not only to give authority to take over the telegraph and telephone lines, but I would go further and by legislative act direct the President to take them over; but no one has even suggested that there is any necessity for immediate or hasty action upon this subject. Let me read merely a sentence from the testimony of the Postmaster General in the hearings before the House Committee on Interstate and Foreign Commerce. These hearings have only become available within the last day or two. I read from page 37:

I do not know, as I said a moment ago, what is in the womb of the future, and neither do you gentlemen. There may never be a necessity that the President exercise the power conferred on him by this resolution, but if the necessity should arise and the Congress had failed to give authority to him, you would never cease to upbraid yourselves.

That is true. Senators will note that it is not claimed that a necessity exists for the exercise of this power now, or even in the near future.

The Congress of the United States is now in session, and if an occasion arose whereby it became necessary for the President to take over the lines of intercommunication, the Senate and House would both, I dare say, pass this resolution before the sun set; but now, having the authority of a member of the Cabinet to the effect that there is no urgent necessity for precipitate action, what ought we to do?

Reference has been made to the fact that we conferred upon the President authority to take over the railroads. That is true; but we did that in the closing hours of the session of Congress, and it was impossible at that time for Congress to know or ascertain what, if anything, might occur to justify the taking over of the railways during the vacation or recess. The very first thing that was done on the reconvening of Congress after the holidays, after the President took control of the railroads, was to take up legislation prescribing the terms and conditions upon which we should hold and operate the railroads, and the rules of compensation. We also provided for the classification of the railroads with respect to their earning capacity; we provided how rates should be increased, if that became necessary. We gave to the President the power, first, to initiate rates, with a right of review by the Interstate Commerce Commission. We attempted to define what should be the jurisdiction of the Interstate Commerce Commission and what should be the jurisdiction of State commissions. We found that it was necessary, when it came to litigation, to lay down rules prescribing what should be the jurisdiction of the Federal courts and what should be the jurisdiction of the State courts. For all these purposes we found it desirable to provide.

More than that, we found that the financial condition of many of the railroads was such that it became absolutely necessary that the Government should furnish them with financial assistance. We had long and continuous hearings upon the subject, and we evolved legislation which, in certain respects, is satisfactory and in certain other respects is very unsatisfactory.

Suppose that we should take over the telegraph and telephone lines, how are they to be managed and controlled? By what agencies? How are we to pay the employees? Suppose it becomes necessary to give financial assistance, how is it to be done? If rates are to be changed, how shall it be done and who shall be clothed with the authority? Would not Senators be interested in having some information on this subject?

I sought to get a little information from the president of the Western Union Telegraph Co., and I ascertained that, so far as that particular company was concerned, they now have a bonded debt of $30,000,000 which had yet many years to run; so I do not imagine that there will be any difficulty in financing the Western Union Telegraph Company. But suppose that in the wisdom of the President it should become necessary to extend the capacity of this company, how should the additional lines be constructed, at whose expense—that of the Government or that of the company? If additional lines are to be constructed, what compensation should be allowed for that purpose? Are not these matters of interest to Senators?

Mr. SMITH of Michigan. Mr. President, I should like to suggest to the Senator from Ohio that if duplicate lines are to be abolished some provision should be made for compensation.

Mr. POMERENE. Well, Mr. President, that is true. I do not anticipate, however, that many of these lines would be abolished, because, as I understand, their capacity it now pretty sorely taxed.

Mr. SMITH of Michigan. It is sorely taxed; but there is duplication.

Mr. POMERENE. I think that is true.

Mr. SMITH of Michigan. And that duplication has been encouraged by law and by administration.

Mr. SMITH of South Carolina. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from South Carolina?

Mr. POMERENE. I yield.

Mr. SMITH of South Carolina. The Senator, of course, is aware of the fact that the enabling act with reference to the railroads was passed in 1916?

Mr. POMERENE. Oh, yes.

Mr. SMITH of South Carolina. And when the Government assumed control for an enlarged purpose, we then had legislation looking toward the particulars to which the Senator is now referring.

Mr. POMERENE. Oh, Mr. President, I understand——

Mr. SMITH of South Carolina. If the Senator will permit me, this is simply an enabling act. If it should transpire that further legislation is necessary in order to preserve the public welfare in this emergency, doubtless we would adopt the same procedure we did with reference to the railroads. I do not consider that this joint resolution gives the President the power absolutely to reject and destroy any telegraph or telephone line, but to assume control. It does not give him the power to confiscate, but even if it did there is an ample remedy provided in the joint resolution, for the parties thus injured may go to the courts.

Mr. POMERENE. Mr. President, we have gone over that repeatedly in the course of this discussion. What the Senator says is true; we can to-morrow or the day following take up another bill or joint resolution, but I have seen no reason why we should make two bites of this cherry. Why not attend to this duty now?

Mr. KELLOGG. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from Minnesota?

Mr. POMERENE. I yield to the Senator from Minnesota.

Mr. KELLOGG. I will suggest also that this joint resolution makes provision for compensation; it gives the President power to pay what he pleases, but if he can not agree with the companies every one of them can bring suit against the United States Government, and nobody knows what the liabilities of this Government will be.

Mr. POMERENE. Yes, Mr. President; and we thought it very wise in the railroad legislation to provide some means of compensation and to lay down the rules which were to control the President or his assistants in determining what the compensation should be.

Mr. SMITH of South Carolina. Mr. President, will the Senator allow me to interrupt him further?

Mr. POMERENE. Yes.

Mr. SMITH of South Carolina. Was not that at the instance of the Government itself?

Mr. POMERENE. Certainly.

Mr. SMITH of South Carolina. We did not initiate it; the Government itself asked for the additional legislation.

Mr. POMERENE. The President suggested it, and the Congress took it up, and we occupied perhaps four or five weeks in holding hearings before the committee in order to determine what we should do, and we were several weeks longer in the discussion of the subject in the Senate.

Mr. SMITH of South Carolina. But we did not, if the Senator will allow me, have any hearings on the enabling act. It was simply when we undertook to enlarge the scope of the authority that hearings were held.

Mr. POMERENE. I understand that; but we found after we passed the enabling act that there were many respects in which that enabling act was deficient and it became absolutely necessary to have further legislation. Now, while we have this matter before us, I think that Senators could vote with infinitely more satisfaction upon this subject, either for or against it, if they knew what the modus operandi later on was to be.

Mr. KELLOGG. Mr. President, if the Senator will permit me, when the enabling act was passed in relation to the railroads nobody dreamed that it gave power to take over all the railroads in the United States. It simply provided for the taking over of railroads necessary for the transportation of Government supplies and material; and it was passed with a view to the situation on the Mexican border and nothing else.

Mr. SMITH of South Carolina. If the Senator from Ohio will allow me further, I should like to suggest to the Senator from Minnesota that the same thing is true of the present legislation. Suppose the President had seen fit to confine himself simply to a comparatively small use of the railroads for military purposes. Then the subsequent legislation would not have been necessary. Suppose he simply finds it necessary to take over a few telegraph and telephone lines for military purposes in this emergency. Then no subsequent legislation will be necessary. I think, however, he will pursue the same course with reference to this subject that he did in regard to the railroads if he finds that it is necessary to have additional legislation in order to attain the object sought.

Mr. POMERENE. Mr. President, I understand perfectly what the attitude of the chairman of the committee is with respect to this question. I said a moment ago that if there were any special reason why this joint resolution should be passed to-day it would be passed unanimously by the Senate of the United States.

Mr. President, I have referred briefly to the extent of the Western Union system; I have also referred to the Postal Telegraph-Cable Co.; but I have said nothing about the telephone companies of the great Bell system, the great independent systems, and many thousands of subsidiary telephone companies. It has been stated in my presence that in the State of Iowa

alone there are 3,000 of the smaller lines; in the State of Minnesota there are 1,700; and I know there are countless numbers of them in my own State. I dare say that there are as many in that State as there are in the State of Iowa. There are more than 7,000,000 instruments in daily service in the United States.

Mr. KELLOGG. More than 7,000,000, I presume the Senator means, in the Bell system.

Mr. POMERENE. I thank the Senator.

Mr. KELLOGG. There are over 12,000,000 in all.

Mr. POMERENE. Yes; more than 7,000,000 in the Bell company and more than 5,000,000 in the independent lines. I am glad to have the correction.

To what extent will the Government take these lines over? Has anyone studied the question? Does anyone know what we ought to do in the matter? Does anyone at this moment know what the President ought to do in the matter? If we were to have hearings and they were to be made available, as they would be, for the Cabinet and the President themselves, might not the information which we would glean from the hearings be of service to them? In my humble judgment the Interstate Commerce Committee of the Senate owed it to itself to investigate this subject; it owed it to the Senate; it owed it to the owning companies; it owed a duty to the employees of these companies; it owed a duty to the President himself.

I happen to know that a portion of the Bell system which operates in my State for several years has been in the hands of receivers. I do not know for what reason, whether it be financial or otherwise, and I do not care, so far as the purpose of my argument is concerned; but Senators know that many of the smaller telephone companies are embarrassed financially and that they do or may need financial assistance—when or to what extent, I do not know. Is the Government expecting to take over all of these companies not knowing what their financial condition is, not knowing what their relationship is to the public or to commercial business? If so, how are they to be operated and how will our obligations be met?

Mr. President, I have differed from a good many of my colleagues on the extent to which we should take control of the so-called short-line railroads. Other Senators know quite as well as I do that many of those railroads have as their chief asset bales of bonds and stocks which they have issued. Some of them run from nowhere, through nowhere, to nowhere. We have had the officials of some of those companies come here and urge upon the President and the Director General of Railroads to take over these railroads, whether they were of any public necessity or not.

In other words, they wanted to unload their liabilities upon the Government—that is the situation—and are we at the present time to have no thought of this condition, in so far as it may apply to the telephone companies or to the telegraph companies?

Suppose we hear from the general counsel of the Western Union Telegraph Co. that if we were to attempt to take over the cable lines, ipso facto the lease which the Western Union Co. has on these lines would be avoided; would not the Congress feel that it was in duty bound to make some regulation upon that subject?

Mr. WATSON. Mr. President——

The PRESIDING OFFICER (Mr. WOLCOTT in the chair). Does the Senator from Ohio yield to the Senator from Indiana?

Mr. POMERENE. I do.

Mr. WATSON. What is the Senator's opinion about that?

Mr. POMERENE. Mr. President, I have not seen the contract. The president of the Western Union expressed the belief that it might avoid those leases if the Government should take them over; but he said he was not a lawyer, and he would not presume to give the committee an opinion upon the subject. He promised to furnish us with a copy of the provisions of the contracts bearing upon this question and to furnish the opinion of their counsel as to the effect upon them of the action of the Government in taking them over. We have not yet received either the contracts or the opinion of counsel.

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Minnesota?

Mr. POMERENE. I yield.

Mr. KELLOGG. The Senator is entirely correct. There has not been time.

Mr. POMERENE. Certainly not.

Mr. KELLOGG. The committee, I believe, has been informed that the contracts have been mailed; but, as we know, they are probably bulky, and, in view of the fact that the counsel may not have had time to formulate an opinion, I asked one of the counsel of the Western Union if, in his opinion, the taking over of the telegraph companies, which would take over the cables, would forfeit the contracts. He said that, in view of this provision in the lease which I read into my speech yesterday, in his opinion the only way in which the Government could operate the cables would be by consent of the British Government.

Mr. POMERENE. Mr. President, there is just one other thought to which I wish to refer. Some reference was made on yesterday, and at different times in conversation with certain Senators, to the claim that it was very necessary, from a military standpoint, that we should have possession of all of these offices, so that we might censor the telegraph companies and the telephone companies. Of course, we all recognize the fact that if treasonable messages are being sent across these lines, the Government ought to know what they are.

Mr. SMITH of Michigan. They do know.

Mr. POMERENE. And for the most part they do know; at least, they know when it comes to cable messages. I am not so sure as to the rest.

Mr. GORE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Oklahoma?

Mr. POMERENE. I yield.

Mr. GORE. I will say to the Senator that they do censor certain messages, I understand. I have here the statement of Secretary Baker before the House committee. He says that they exclude messages which are plainly objectionable.

Mr. POMERENE. I have not had the opportunity to read over his testimony.

Mr. GORE. I think it is on pages 7 and 8 of the Secretary's statement.

Mr. KELLOGG. Mr. President, if the Senator will pardon me——

Mr. POMERENE. Yes.

Mr. KELLOGG. I think Secretary Baker's testimony refers to cable messages, or any messages going out of the country.

Mr. POMERENE. I thought so.

Mr. KELLOGG. No foreign country in this war censors its domestic conversations and domestic telegrams or thinks of doing such a thing.

Mr. SMITH of Michigan. Mr. President, they keep a very close lookout on these messages. I know of an instance where a message was sent from San Diego to New York, and within an hour from the time it was left at the telegraph office a special agent of the Government was at the home of the sender to ask why he sent it.

Mr. POMERENE. Mr. President, I am quite sure that our Secret Service are very diligent in the performance of their duties in that behalf. I do not intend to discuss the question of censorship, except to make one or two observations. One is this: If it came to conferring authority upon any branch of the Government to censor all private messages, whether by telephone or telegraph, I think Senators would hesitate a long time before they would do that. At the same time, we know that by not censoring all the Government sometimes suffers; but if we were to censor all infinite loss and damage might be done to business men and business interests throughout the country. Public sentiment does not approve an extreme system of espionage, and will not do it even in war. But for the purpose of proving to the Senate that the purpose of taking over these lines, if they are taken over, is not censorship, I want to read a few lines from the testimony of the Postmaster General before the House committee. I read on page 37:

Mr. ESCH. Of course, you have the power now under the trading-with-the-enemy act, so far as mail, telegrams, or wireless messages going outside of the country or coming in are concerned. You have got the power now.

Postmaster General BURLESON. Undoubtedly, as to mails to and from foreign countries, and it is being exercised to the best of our ability.

Mr. ESCH. But you do not think that the director general, then, of communication would have the power of censorship unless Congress specifically granted it?

Postmaster General BURLESON. Undoubtedly he would not.

Mr. ESCH. So that that feature of the operation would be left to subsequent legislation, as would other matters.

Postmaster General BURLESON. You probably would never legislate on that subject, because I do not believe now and have never believed that there was a necessity for censorship over domestic mails.

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Minnesota?

Mr. POMERENE. I yield to the Senator.

Mr. KELLOGG. I should like the Senator to explain, if the object of censorship is to prevent the communication inside of the country of improper news, how it is possible to censor telephone messages and telegrams unless the mails are censored, too?

Mr. POMERENE. Mr. President, the Senate is not at all interested in that subject. We ought not to have any hearings, and I think it would be unwise even to take the time of the

Senate to discuss that subject. We might learn too much about it if we had hearings.

Mr. SMITH of Michigan. Mr. President, before the Senator dismisses the subject, however, I want him to know that it is the opinion of a great many Senators that the mail is being opened and is being censored.

Mr. LEWIS. Mr. President, will the Senator allow me?

Mr. POMERENE. Mr. President, there may be special instances of that, but I doubt whether it is done to any very serious extent.

Mr. LEWIS. Mr. President, will the Senator allow me to make a suggestion?

Mr. POMERENE. Yes.

Mr. LEWIS. I beg to assure the Senator from Michigan, as I likewise am pleased to inform the Senator from Ohio, that my information from the Postmaster General himself, and from other heads of the Government, is that there have been two instances where some letters have been opened by some subordinates in the Postmaster General's Department under a mistaken idea of their duty. Promptly these men were dismissed from the service; and from that time on, I can assure the Senator from Michigan and the Senator from Ohio, it is given out that there has not been an instance of an attempt at censorship of domestic mails.

Mr. POMERENE. Oh, I am quite sure that has not been the policy of the Post Office Department or of any of the departments.

Mr. SMITH of Michigan. Mr. President, I did not say that it was the policy of the department, but instances have come to my knowledge. The Senator from Illinois confirms that impression to a limited extent, and I think he could even go further and say that the officials who were guilty of opening these letters were dismissed from the service. Now, that is all right; but there is nevertheless a very widespread opinion that there is meddlesomeness in the affairs of the people by the Post Office Department that is unwarranted.

Mr. POMERENE. Mr. President, there is another thought that I want to submit. On yesterday I presented to the Senate the substance of two telegrams I had received, one representing 600 telegraph operators at Cincinnati, another representing probably 75 telegraph operators at Columbus, and this morning I received another from the telegraph operators in Toledo—I do not know their number—asking that they be given the privilege of appearing before this committee and presenting their views. Other Senators on yesterday, and perhaps the day before, presented many other telegrams, or the substance of many other telegrams, from the four corners of this country, asking for this privilege. I believe that those who are financially interested feel that they ought to have been heard and to be allowed to make their suggestions in the event that these systems are to be taken over. I have not heard anyone—and I say it to their credit—whether he is employer or employee, who is going to object if the Government says "We must take them over for the protection of the country," and I admire their position. I do not believe that any patriotic citizen would object to the Government taking over any piece of property that he might have if by so doing it would contribute to the success of this war. And now, before the situation becomes acute, if it ever does become acute, why is not this the time when we should perfect a piece of legislation which would meet all of the contingencies that may arise, not only for the protection of the people whose property is taken, but for the guidance of the President and the Cabinet as well?

Mr. SMITH of Michigan. Mr. President, will the Senator allow an interruption?

Mr. POMERENE. I yield.

Mr. SMITH of Michigan. Does not the Senator know that for some time it has been the disposition of the present Postmaster General to take over these telephone and telegraph lines; that it is one of his favorite principles and theories of government that the Post Office Department should exercise control and direction over these means of communication?

Mr. POMERENE. Mr. President, I hardly think that fairly represents the attitude of the Postmaster General. It is true that it is his judgment, as I gather from reading his testimony, that he believes that the Government should own and operate both the telegraph and the telephone systems as integral parts of the post-office system; but he very frankly says in his testimony that whatever may be his predilections on that subject they ought not to have any controlling influence at this time. In other words, his position is that questions of that kind should be determined during normal times, and not during a period of war; but he bases his judgment that this authority should be given wholly on the ground of what he believes to be military necessity.

Mr. SMITH of Michigan. I think the Senator from Ohio, who is always fair and illuminating in what he says, must admit that we have been confronted with propositions based upon an apparent or claimed war necessity which would not have stood the test of the sound sense of Congress at any other time than the present; and I think—and I say it respectfully, and mean no discourtesy to that department—that the genesis of this proposition is at the Post Office Department, where they hope, under the present exigency, to give it force and effect. I think they are making use of this extraordinary situation to get control of these great arteries and avenues of communication.

Mr. POMERENE. Mr. President, it is perhaps true that we have at times been pretty free in conferring authority. I have no objection to that. I think the Congress has had absolute confidence in the President and the military and naval powers of the country, and it is their desire to aid wherever they can. I think that is the prevailing disposition generally on both sides of the Chamber, and we are all glad to see it. I do not believe that it is going to be abused. I do not believe that the conferring of this authority would be abused. I know it would not be intentionally abused by the President or by any of his appointees, so far as we know them; and I have infinite confidence in his ability, his patriotism, and his integrity.

Mr. SMITH of Michigan. I have.

Mr. POMERENE. But we all know that the President will not be able to take up this subject and give attention to all of its details. He must trust some one else; and for that reason it has seemed to me that we would be able to present a better measure to the Senate if we had had full hearings upon the subject; and even if we should decide, as a result of those hearings, not to change a word in the joint resolution, we could all come to our colleagues on the floor of the Senate and give to them the reasons for our recommendations.

Mr. GORE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Oklahoma?

Mr. POMERENE. I yield to the Senator.

Mr. GORE. I want to say in this connection that Secretary Baker, in his statement before the House committee, admitted that the taking over of the telegraph and telephone lines is not a present military necessity. He said that it might in the future become a military necessity. This seems to be the theory upon which this legislation is founded—that by some future chance or peradventure the military necessity might arise. They seem to have "dipped into the future" farther than "human eye could see." Of course, if this were a real military necessity, or if it were an immediate military necessity, there would not be any division of views as to this legislation. Nobody, in or out of Congress, would object to taking over these facilities if it were a proved and demonstrated or actual military necessity.

I thank the Senator.

Mr. POMERENE. Mr. President, I do not care to occupy the floor further. I simply want to conclude, as I stated in the beginning of my remarks, that if I am compelled to vote on this joint resolution I shall vote for it, but at the same time I shall never feel that the committee has done its duty either by the Senate or by the Chief Executive if it refuses to grant reasonable hearings to the interested parties, whether they represent the company, its employees, or the public.

Mr. SHERMAN. Mr. President, without some hearings before the committee to guide me to a different conclusion, I can see no good reason for the passage of the joint resolution. My understanding is not closed on the question, and if I could have the evidence presented to me showing the necessity as a war measure for the adoption of the joint resolution I would very cheerfully vote for it. By no vote of mine would I withhold from the Executive any necessary power to strengthen his hands in not only an executive and civilian matter, but as Commander in Chief of the Army and Navy in all the matters relating to military or naval affairs. In civilian matters until that showing is made I shall assume that there is no adequate reason for the passage of the joint resolution or any domestic situation presented. There is good reason why such a joint resolution ought not to pass if it be applied to our domestic affairs.

Mr. President, it will control and close at the will of subordinates all the means of communicating information from person to person. The mails are already in the hands of a public officer vested with very complete power. The telegraph service is now in that condition where it may be controlled absolutely by the Government, if necessary, in the transmission of any intelligence that affects the conduct of the war. No messages can go to any foreign country without the censorship and the absolute prohibition by the Government if necessary. We are therefore protected under present powers of the Government.

If, however, we add to that the telephone system of the country, then the control or exclusion, at the will of a bureau, in our domestic affairs of the means of transmission of intelligence is complete.

I shall assume that all the wireless or radio stations can properly, if they connect with any of the messages transmitted to foreign Governments or to citizens or subjects of a foreign Government, and all cable lines, be controlled under existing law. So it relates entirely to the effect of the joint resolution upon our domestic affairs.

The public press is intimately connected with the powers exercised under this joint resolution as proposed. All the wires now serving the great newspapers in the metropolitan centers are thereby put in the hands of a public censor.

Who is the public censor at this time? One person, as a matter of fact, is now that authority. His name is Creel. The fittest synopsis that ever headed any written composition I have read is a certain translation of Don Quixote. It reads:

Chapter XLI. That gives an account of things which you will know when you have read it.

A more luminous heading for the activities of the Committee on Public Information could not be devised. After you have read what Mr. Creel said before the subcommittee of the House Committee on Appropriations you certainly have an account of things in about 167 pages. The prodigal expenditure of $1,250,000 is, however, the only tangible thing that remains. It is a tangled plexus of divisions and pay roll and temperaments. Sometimes a good horse is so overtrained that he breaks down in the race. A business is frequently organized to death. I have known corporations all of whose majority shareholders were salaried officers. There were so many executives and managers that nobody was left to work, and it perished from congestion of the pay roll. The Committee on Public Information, referred to in the House hearings, is suffering from a similar malady. It has multiplied itself until it possesses a vast plurality of functions.

No one would expect the exuberant imagination of Chairman Creel to be pent up in one place. It must have a vent, or he would lapse into another sophomoric period referred to in these hearings and discharge 10,000 words a day, as he used to do at Denver when he was in his normal condition.

The committee is subdivided under the testimony in this House hearing into 21 branches, ranging all the way from film service to elocution. Creel is the parent trunk, which forks so near the ground that no saw timber can be gotten out of it.

Moving pictures and professors of elocution synchronize themselves in voice and action. Speakers are classified into a four-minute squad and those who run an oratorical platform marathon. The four-minute recruits are taken into a hall where there is no pitiless publicity and instructed by the elocutionist furnished by Creel how to deliver a strong message. Their gestures and inflections are shorn of their barbaric crudeness and pronunciation reduced to current vernacular. The rough protuberances are trimmed down and suitable predigested intellectual nutriment provided for those lacking sufficient mental vigor to assimilate raw ideas. The long-distance men are generally hardened miscreants, I ought to explain, who scorn instruction even from Creel himself. They comprise some who can talk for hours without obtaining any permanent relief. Among the latter, however, were some who had a chronic propensity to part their names and hair in the middle and wear lavender spats in the corn belt.

Mr. Creel suffered intensely from their refusal to harmonize themselves with the western landscape. He furnished them, without avail, an inspiration and a model in himself. They scorned it. They were all together at the Capitol, where he communicated to them the genuine afflatus, which can come only from personal contact and the overmastering impulse generated by the presence of such an audience. Nothing short of a sublimated psychology, linked with an unprecedented cerebral agitation, could have stimulated him to such fervent thanks for our unpreparedness for war.

The division into four-minute men and those who can stand alone on the platform for an hour or more without help from the official elocutionist is a feat that rises to Alpine heights of a genius that is unique, novel, and sui generis in the annals of appropriations. Each squad has a foreman. It would not look half so imposing to have them all in one oratorical brigade. The four-minute performers need no cloture rule. The end of their elocutionary reel is automatic. The hardened platform veteran with a pitcher of ice water and practically an inexhaustible supply of throat lozenges needs a foreman to protect the audience.

The moving-picture feature is most industriously developed. It has also developed that one moving-picture concern is given a monopoly of war films in the United States. A scenario department assimilates the output and does the sign writing. Mr. Creel and his dramatic genius censor it so the public will consume the proper article. The idea is to create healthful mental conditions among the populace. This could not be done, of course, by letting every concern have the film indiscriminately. Patriotism is promoted by farming the films out to one company. It simplifies bookkeeping to do so. There is a business-management department who would simply be worked to death if they had to deal with more than one moving-picture outfit.

Mr. Creel has noted with deep anxiety evidences of degeneracy among the canaille. They clamor for love scenes that would make Don Juan look like a Sunday school hero. A distinct yearning among the proletariat for sensational matter of a pronounced chrome yellow has nearly prostrated Mr. Creel. Nothing has so disturbed him save his discovery a few years ago that the origin of our Federal Constitution was so disreputable as to make him think it ought to be abolished by a direct-action, automatic, pure democracy, similar to the one Russia is now enjoying.

June 13, 1918, in the House Appropriations Subcommittee hearings, which I have, on page 151, he still thought so. An opportunity for reform was given him by indulgent members of the committee, but he declined to embrace it and avowed heartily that he still was of the same opinion. The statute of limitations he has set up against offenses seven years old has not yet run against his June, 1918, statement. Anyhow, whether it has or not, the conversion of Creel into an essential pillar of stable government makes the resurrection of Lazarus seem commonplace. His early enthusiams have been modified but not his views on the Constitution. He has only modified his forms of expression, he says.

Mr. Creel now attributes the morbid appetite for highly seasoned news to a reprehensible type of journalism to which he contributed 10,000 words daily before he was regenerated. The style was bizarre. It aimed at shock rather than sense. If it were respectable it was miserable. It can not be denatured without being defunct, decent without being dead. Its brilliancy is the glow of putrescence. It shines with the fitful glimmer of decay like the phosphorescence of a deceased fish. There is in such a newspaper no binding force for civil society. In peace it is a pestilence, in war a skulking menace. The dissolution of the ties of stable government is its purpose and revolution its goal. It grazes the line between the masterpieces of Ben Jonson's Joe Miller and Tobias Smollett's Adventures of an Atom. It is specious and insincere, shallow and coarse, and bears the same relation to the legitimate public press that Rabelais does to decent literature, save the French humorist is redeemed with wit and philosophy and the yellow lepers of journalism have neither. Such illegitimate offspring of a perverted press instinctively revile stability and the great foundation stones of institutional liberty quarried by the solemn experience of mankind from the elemental deeps of eternal things. It wages continual war with common sense and rails at laws, human or divine. All the safeguards embodied in the sheltering headlands of civil liberty are denounced as chains on the common people. Such a newspaper is a daily rattle of imaginary chains. The editor who can clank the chains the loudest is paid the highest. Trotzky is the finished product of that school, and his government the seething gulf into which the American people are invited to plunge.

Creel now appears as the great luminary to scatter the darkness he and his kind have created. The aboriginal freebooters of debased journalism are rebuking the spirits they called from the vasty deep at $1,250,000 annually. They remind me of the thrifty genius who kept a kennel of wolves in the brush and bred them so he could collect the bounty paid by the county on their scalps. The bane and antidote are discovered on the same pay roll, presided over by a saffron swashbuckler of former days. A mental discharge of 10,000 words per working day in the rarefied atmosphere of the Rocky Mountains exhilarated the imagination and brought on a verbal looseness which makes it imprudent for Mr. Creel to appear before an audience. We have his own words for it in this hearing, to wit, of the condition of affairs in Denver when he wrote the editorials inserted in the RECORD by the Senator from Indiana [Mr. WATSON]. I quote:

Nobody then spoke in whispers, nobody spoke in conversational tones—we screamed.

The press enlightened its readers with tropical epithets and red headlines. It was a waste of ink to use an adjective less than the superlative. He vows on page 160 of his evidence:

Never again will they get me upon a public platform.

Once a short time ago he made a speech in a New York church. Excitement, or the novelty of being within a sacred

edifice, or a relapse into his natural temperamental exaggeration, made him refer to Congress as slum scenery. His July 4, 1917, U-boat chapter was not an amazing yarn; it was a psychological extravagance. It is so explained in cold type. We marvel at his self-restraint. Was there not an opportunity to blow up the Kaiser's whole fleet of marine pests! He restrained himself to one submarine and strewing the sea with wreckage and oil so one could have something for his imagination to work on.

What a high-horsepower expression is worth is shown by details generated in his superheated fancy. Aboard a warship accompanying the fleet was a prosaic Associated Press correspondent who was unable to see or to hear any of the engagement. He persisted in wiring that the whole story was a myth. It was, to be euphonious about it, an artistic elaboration, is the way it was explained in the hearings.

The apocryphal tale that the Government could have put a rifle in the hands of every soldier as he entered camp emanated from the same wellspring of veracity who would have charge of the distribution of all human information if this joint resolution were passed in its present form. This careful regard of the Government caused the men to be drilled with broomsticks as a safety-first caution. They were then unaccustomed to firearms.

Then a flier on aeroplane news absorbed his next effort. He it was who inserted in the thrilling serial dubbed the "Official Bulletin," and edited by the official bullhead, language which led the unsophisticated citizen to believe that hundreds of aircraft had gone to France and that thousands more would be ready in a few days; that the whole European sky was to be blackened with them in a little while. He was told by the senior Senator from New York [Mr. WADSWORTH] and other members of the Committee on Military Affairs of the gap between fact and fiction before it was published, and yet it appeared, and Mr. Creel laid it on an individual named Strunsky; I find that thoughtful precaution in the hearings, as I go back to that time and peruse it. One thing it has netted us, Mr. President, at least, it has enriched our vocabulary with a new word. Munchausen is stale and vapid. Strunsky tunes things up with a refreshing variety that falls upon the ear with indescribable euphony. Creel admitted before the committee that one airplane had actually been shipped. This was so much better foundation for most of his information than usual that the committee and everybody else felt relieved that he got so near the truth.

Then came the Von Igel revelations, which were given him to prepare copy for publication. His handiwork relating to Holland brought an instant and indignant protest from the Netherlands minister in this city. Diplomatic matters in an undigested state, it is noticeable, have not been referred to him since. Great creative ability and a high-voltage imagination do not impress the department as promotive of international harmony among free peoples.

Sensational matter does not appeal to him, he avers. He is so tied to humdrum routine that anything lurid causes him infinite torture. He says himself that any trashy or stupid stuff is at once relegated to the garbage can. I wonder how he himself keeps out of it? He knows it at sight as a qualified expert, having produced it himself in prodigious quantities before he was named by the President as conservator of the free press of our country.

Mr. Creel said six years ago the American voter was a Russian serf. The Senate sits in despotism and we are the despots. Those are things stated by a public officer, whose power it is proposed to increase prodigiously by the passage of such a resolution as this. The Supreme Court is a tyrant. The law is an autocrat winking at criminals in high places. The President is helpless. The executive office must have aroused the sympathy of Congress for it has delegated most of its power to that department. It would hand over the rest of it if the Constitution were not an obstacle. That document is, he said, worn out and ought to be abolished by having every court decision on unconstitutional acts of Congress or States referred to a vote of the people. The Constitution in this simple way could be amended every 90 days. All public officers were to be subject to recall on a 3 per cent petition. Instead of being present in our seats most of us would be home answering the 3 per cent petition demand and justifying our right to hold our seats longer. Elections would be going on all the time. It would intensify the people's interest in public affairs and create civic enthusiasm. No adjective under the superlative degree would be permitted by the press censor. Campaign extravagances would be promoted by chronic excitement. Hysteria would become a regular occupation and temperament or a "state of mind" excuse anything.

Mr. Creel says:

Morality is of small account and intellectual endeavor is now so little a paying proposition that only a fool will work at it.

This explains Creel's appointment and most of his pay roll. He further illuminates us by saying America is "a race of commercial sharks willing to devour one another."

Our Government was framed behind locked doors by rich men who despised the masses, to preserve aristocratic privilege. The whole scheme was a conspiracy against the people to rivet chains on their necks. They were implored by Creel six years ago to rise and smash this insufferable tyranny. If it were true then, it is true now. If it were false then, it is unspeakably vicious and depraved now. A man who will say it now is a civic leper, and under recently enacted laws a potential felon. The only mitigation offered is that it is campaign extravagance, local temperament, and sophomoric periods. He regrets his phrasing, and modified his form of expression. It was too hectic for lower altitudes than Denver. Instead of screaming, conversational tones and a more didactic style are now recommended; maybe the official elocutionist did some good. A milder pitch and denatured epithets do not purge him of principles which he avers stoutly he still believes. It is impossible to resist the conviction that, if Creel were not on the pay roll, he would be going out of one vociferous spasm into another, emitting 10,000 words of crimson balderdash per day or be in the custody of the Department of Justice.

The senior Senator from Idaho [Mr. BORAH] called my attention to the most singular composition ever produced from official sources. It had escaped my attention. The Senate is indebted to him for my comment on it.

The latest exploit of this public functionary is a special feature service article July 7, 1918. From proof sheets we learn it was sent out by the committee on pitiless publicity, or, rather, public information. The style and familiar nausea remind a western man from the Wabash region of overindulgence in pawpaws. It identifies unmistakably the toadeater whence it came. There is no use in having anybody's name to it. The subject matter and style identify it completely. The subject is the Secretary of War. His wearing apparel, his gait, how his brain functions, his manner of saying "yes" or "no," of making a complete tour of the brown davenports lining the wall of his outer office, giving to each occupant a succinct judicial answer, are minutely sketched. Without warning the startling information that he thinks clearly under all circumstances and is never ambiguous is hurtled out to an astonished world.

He selects his words fastidiously, shading his meaning like one of the old masters mixed his colors. The reader's head buzzes when he is told the Secretary can keep three or four stories told him by as many men up in his dome all at one time. Instinctively we think of the juggler who entranced our boyish attention by keeping up a gorgeous maze of whirling balls with no perceptible effort, except a fixed smile. Suddenly he appears mingling with ambassadors, the wise, the good, fair forms, and hoary seers; he turns aside in the twinkling of an eye to meditate, while contractors hang in midair and profiteers wildly clutch their pocketbooks in deafening silence. "Yes" or "No" comes with a decisive ring in his voice, and hundreds of millions of dollars gush from the Public Treasury on his nod. Then the earth temporarily resumes its customary revolution. Five stenographers then rush in. He dictates to nearly all of them at once. Others linger in hailing distance as a reserve if, perchance, some of the overworked functionaries should drop dead. Immense bundles of documents of state appear, in which he immerses himself, lost in a profound vacuum of sublimated thought. The shorthanders flee madly from the incarnated human tempest, waving their notebooks ominously.

Now the landscape fades away in a haze of tobacco smoke. Gradually the scene reveals a briar-root pipe, with the Secretary of War attached, curled up in a deep, soft armchair, reading his Theocritus and Juvenal or a biography of Tom Johnson or a work on 3-cent fares. From this deep dream of peace this overripe Boswell blazes the film with Baker's trip to war-swept France. We are permitted to gaze upon the greatest Secretary of War the world ever saw. Stanton struggles dimly into view, merely as a basis of comparison, to enable our staggering mentality to gain a last look of Baker walking serene on the summit of inaccessible grandeur before we lapse into unconsciousness. The peerless strategist and warrior finishes the moving theater by remaining for hours in the trenches and dugouts in mortal peril from bursting shell and scattering shrapnel. Here the dazed audience disperses.

In the consuming major portion of the scene I forgot the prose prologue of "Round the Clock with Baker," as this hor-

rible phantasmagoria of adulation is called. Here it is—let me give it for the benefit of the Senate, for fear that it might escape in "the wreck of matter and the crush of worlds." I shall now quote literally. Perish the base thought that I could improve on the original:

"There he goes now," remarked one of the office force who sit working in the room outside Secretary Baker's office. "There he goes, in his Palm Beach suit, with that little old soft hat on his head. Just as friendly and natural. Nothing pompous about him. I should say not. Just as easy and democratic as an old shoe!"

Mr. President, after enduring this from Creel, the terrors of a Hun invasion are considerably mitigated. We await our fate with calmness and fortitude. Nothing can be worse on either side of the grave. It has almost converted me into a Universalist—hell has nothing like this.

The PRESIDING OFFICER. The Senate will please preserve the proper decorum.

Mr. SHERMAN. There are eight other members of the Cabinet; this is treatment for only one.

Reason will topple from its throne if other members of the Cabinet are to have anatomical charts of their cerebral cavities made with a moving-picture show of their wardrobes, headgear, and lingual activities. It will even create jealously, I fear, on the part of my colleague [Mr. LEWIS] to be left out.

This is published at public expense and sent out by the millions of copies to the public. It is composed by a man drawing $8,000 a year from the Government to spend some of his time at least compounding such ineffable hogwash.

O judgment! Thou art fled to brutish beasts,
And men have lost their reason.

It seems as if we were returning to the days when Marc Antony orated over the lifeless remains of the mighty Julius.

We read in St. Matthew—

Blessed are the meek, for they shall inherit the earth.

This is the basis of a rich heritage by Congress, for a meeker body never had hope spring eternal in its faithful bosom. Even before the war it hearkened to the Executive with some alacrity. Now, with wings as swift as meditation or a reformer seeking the pay roll, it sweeps to do daily obeisance and receive the blue prints of legislation from on high.

If it were not for the imperative mandates of the Constitution, the great elemental powers of Government, of taxation and appropriation, with the power to raise and support armies, would be surrendered. The domestic peril to republican government by an ignoble abdication by Congress of its chartered powers is second only to the German Empire. Legislative discretion, if not extinct, is so dormant as to resemble death.

In this lamentable condition, Congress is stigmatized as a slum by a public officer created by an Executive order and paid by an appropriation made by the body he traduces. This swollen rakehelly of depraved newspaperdom regrets his revealed contempt only when asking further appropriations to continue his insufferable arrogance, and escapes unscathed. I deem it my duty, therefore, to preserve in the CONGRESSIONAL RECORD my opinion of the whole proceedings.

Abysmal humiliation can not go to greater depths, nor departmental snobbery rise to such dizzy heights of insolence in future years. Each can go no further in either direction. After this any servile deputy candle snuffer is at liberty to revile us at pleasure, any gangrened egotist afflicted with an ingrowing conceit may hereafter spurn Congress, and demand appropriations to feed him, with the complacent assurance that precedent now justifies anything.

With these preliminary remarks upon the joint resolution, I wish now to say that the employees more immediately concerned are almost to a man, in the Western Union, opposed to this procedure without being permitted to be heard.

Mr. REED. Mr. President, I would not on any account interrupt the discourse of the Senator; but if he is leaving the heights to discuss matters that are down on the common level of business affairs, I wanted to add to his statement in regard to the kind of information that is being sent out a very brief chapter which I read from the testimony taken by the subcommittee on aeroplanes of the Senate Military Affairs Committee on yesterday.

Mr. SHERMAN. I shall be very glad to have it. It is new, and not yet accessible.

Mr. REED. The witness was Mr. Woodhouse, secretary of the Aero Club of America. He was testifying in response to a question asked by the Senator from New Jersey [Mr. FRELINGHUYSEN], and was discussing the question of the number of American machines at the front at a given time, and the misinformation that had been sent to the public. Upon that question, in continuing his remarks, he said:

I may state that I have a positive point from which we can discuss your question. That is, when Secretary Baker went to France, at that time a statement was issued about the number of airplanes there. The first report of that kind that reached us came from the Paris Herald, and it said, "Secretary Baker yesterday saw 1,000 American monoplanes and biplanes in flight." Well, now, a few weeks passed by, and then the photographs of those American monoplanes and biplanes arrived here, and they were issued by Mr. Creel's committee to carry out the report of Secretary Baker having seen 1,000 airplanes, biplanes and monoplanes. The photographs given out by Mr. Creel's committee showed some French training Nieuport biplanes and some monoplanes that are commonly called penguins, because they do not fly and do not leave the ground except for a few feet, and, of course, we were all disappointed with the evidence.

Senator REED. You say that the photographs by Mr. Creel showed this type of plane, but the ordinary layman—that is, the man who knew nothing about airplanes—could not tell the difference between those and fighting planes?

Mr. WOODHOUSE. He would not know the difference. Of course, you appreciate that perhaps a very enthusiastic newspaper man receiving the report that the Secretary had seen them—and the Secretary was there in the photograph with a great many others, including Gen. Pershing—that probably this newspaper man, hearing that he had seen 1,000 airplanes, might presume he meant battle planes, and changed it. Perhaps, being enthusiastic and wanting to make a good story, he said battle planes instead of just saying 1,000 training machines. I am taking this for granted and have nothing to base it on.

Senator REED. You say there were photographs of these penguins and these training planes which were sent out by Mr. Creel. How do you know they were sent out by Mr. Creel?

Mr. WOODHOUSE. I received them as editor of the Aerial Age, a weekly, and Flying, a monthly; and we received them and paid for them.

Now, Mr. President, the Senate may not know what a "penguin" is. It is a little contrivance that looks like an aeroplane, but it will not fly at all. It is made for amateurs to begin practicing with, and it runs on the ground on two wheels, but has wings and a motor. It may rise three or four feet from the ground and alight immediately. The French have these in great numbers for amateur training; and it would appear from the testimony that this kind of contrivance, and some practice planes—no battle planes at all—were gotten together and photographed with the Secretary of War, and then that Mr. Creel deliberately sent out those photographs to the press of this country with the information that America had 1,000 American fighting planes upon the front; and so they have been, I think, shown in the picture shows of the country. At least, I have seen some pictures that, as my recollection serves me, must have been reproductions of this particular picture.

Mr. President, I thought that that fact, while it does not do anything except create a background for the very witty and very keen satire of the Senator, nevertheless, being a fact, might be a contribution.

Mr. SHERMAN. I thank the Senator for furnishing this information. It does lend great strength to the conditions and conduct referred to. These practice planes, the Senator states, are for amateurs, and doubtless that is the way this misinformation occurred—one amateur against another. When it comes to dealing with facts, the gentleman who was writing about it is an amateur; and so he became mixed with the amateur planes, and the rest of it followed as a matter of course. He ought to have investigated a little further and gotten the entire condition, and then, perhaps, the public would have been relieved of this misinformation.

These employees who have written are entitled to a hearing. There are something like 50,000 of them now on the pay roll of the Western Union. I shall make my explanation as brief as possible, and I wish to occupy less than an hour; so that if Senators have any duties elsewhere, it will probably give them an opportunity to attend to those duties and return here by the time the quorum call is had.

I have some hundreds of telegrams, resolutions, and letters from the employees of the Western Union Telegraph Co. I shall not read them, unless I can not get them into the RECORD any other way.

I have one dated July 9, 1918, from Frank H. Daley, one of my constituents. He has been a telegraph operator for 26 years. He has had two breaks in the service. He went out on a strike in 1907 for eight months, and the other time he left the service for the purpose of bettering his condition in another occupation. This shows that he is not at all averse to the view that a member of a union or anybody else has a right to strike or quit. He says he has not heard—and he is still in the service of the Western Union—of one instance where any of the employees were dissatisfied or had any grievance. He says:

I know that conditions at the present time are far above those of previous years, and there are very few men, if any at all, who belong to the Commercial Telegraphers' Union. We are receiving higher salaries, two weeks' vacation every year with full pay, a 3 per cent bonus every six months and an extra bonus in October, sick benefits, and pension.

I have a letter in connection with the pension question from W. F. Coleman, dated July 2, in which he refers to the pension question, and inquires whether, in the event this joint resolution passes, it will jeopardize the $23 monthly pension to which he is entitled, having been an employee of the company for over 33 years.

Mr. Daley says he does not understand why the Government wishes to take over the lines. He says that there is no grievance; that he knows of no one in the service who is disloyal. It is intimated in some of the correspondence, and here and there a statement is made in the somewhat short investigation that has been had, that the Government was not safe with the service in private hands. On domestic matters I trust that the Government, even if this joint resolution passes in its present form, will not undertake to censor or supervise every message that goes from sender to receiver. If it be a matter of communication with foreign countries, the power exists now, without additional legislation. I feel, and so do the men who send me these communications, that these statements made in regard to the danger of the Government with the service in private hands are a reflection upon the loyalty of men who are ready to give 24 hours a day service, if needed, and within the limits of their ability to keep it up, in everything consistent with their lives and health. There has been no intimation that any treason or disloyalty has been found in the telegraph operators of any of the systems of this country.

I have a communication, dated July 9, from Mr. Prichard. He makes the inquiry, if the telegraph and telephone lines are taken over under this joint resolution, whether, as soon as the Government gets the lines, or a little while afterwards, there will be an increase of 25 per cent in rates. He asks that because he finds, in paying freight on live stock, that he is called upon for a 25 per cent increase, resulting, as he figures, from Government control or operation.

From C. C. Bowers, an operator in Chicago, I have a communication protesting against this hasty action and saying:

I protest against the odium cast on me and my associates that we would attempt to interfere with Government communications during war by striking. I am confident this represents the opinion of 99 per cent of my coworkers.

If an opportunity had been given to these men to be heard before the committee or for us to place their communications in printed hearings, this time need not have been taken on the floor of the Senate.

A telegram sent to the President on July 6 is signed by 240 employees and is a preliminary to the organization of 1,500 who a few days later passed resolutions asking that hearings be had. All of them are operators in the city of Chicago and my constituents.

I have further, from a great many individuals, similar sentiments expressed. I have only taken a few that are typical of several hundred. I have a letter saying that the operators pay for these messages out of their own pockets, so that there can be no question about the influence of their employers in their action.

I have a series of telegrams saying that the statement that the operators are influenced by their employer, the Western Union, to send these communications is wholly without foundation, and repeating that they pay for these messages out of their own pockets and that the communications are upon their own motion.

I have—and I shall not refer to them more than by this brief comment—the reports of the Postmaster General from 1913 to 1917, inclusive. The present occupant of that office, Mr. Burleson, in each one of those reports has recommended that the Government take over the telegraph and telephone lines. In the report of June 30, 1917, or of the period ending on that day, on page 79, is his recommendation, which is similar in sentiment and in verbiage to all of the others made by the same official and by the same person. I quote now:

TELEGRAPHS AND TELEPHONES.

The Postmaster General has recommended in previous reports that Congress seriously consider the question of declaring a Government monopoly over all utilities for the transmission of intelligence, and that steps be taken as soon as possible to make these utilities a part of the Postal Establishment. The principle of Government ownership and control of the telegraphs and telephones is not only sound but practical, and finds its greatest strength in the Constitution. That these utilities should be made a part of the Postal Establishment has been the opinion of practically all Postmasters General of the United States, who have held that the welfare of the Nation will be largely contributed to by the fullest utilization of these services by the people. This result can be accomplished only when they are made a part of the Postal Service and operated solely with a view to serving the public and not of making a profit.

In Alaska the telegraph and cable service is under the control of the War Department. As the reasons why it should be under the control of that department no longer exist, the Secretary of War has recommended its transfer to this department.

Recent developments have made it all the more imperative that Government ownership of the telegraphs and telephones should no longer be delayed, and action by Congress in this matter is again urgently recommended.

Mr. Burleson comes before the committee not with an open mind but with an already preconceived judgment that forecloses any investigation. He says that he does not know of any immediate emergency requiring the Government to take these lines, but that we do not know what the future contains. There will be future sessions of Congress here. Congress will not end its labors when it recesses or adjourns. It is a body whose activities and power are coeval with the Republic. It can be convened in 24 hours, even if it were a final adjournment. It is always open to the Executive to assemble it in special session. We have had extra sessions called here several times. The mere fact that Congress might not be able to foresee the future and provide for all emergencies is no reason for lodging vast, undefined powers in the hands of the Executive.

The part of the Postmaster General's testimony read by the senior Senator from Ohio [Mr. POMERENE] expresses his viewpoint precisely, and I shall not repeat it.

If we leave the telegraph lines for a moment to consider the telephone investments and enterprises in this country, there are stronger reasons of a private nature applying against the passage of the joint resolution. In round figures $2,000,000,000 is the property valuation of the telephone companies of this country. More than 8,000 individual companies are found. The American Telephone & Telegraph Co., which is the holding company of the Bell telephone, contrary to what the public generally thinks, totals in valuation but a little more than one-third of the entire telephone properties of the country. There are numerous smaller companies, small compared with the Bell system, companies of from $100,000 capital up to $5,000,000. They are doing in the aggregate an immense business.

The Mississippi Valley Telephone Co. is a comparatively small company, and yet it serves in northern and northwestern Illinois and in eastern Iowa a great number of subscribers at a reasonable price. Its lines or its interchangeable service to other States are carried across the district within the limitations and regulations of interstate commerce. Why should this company or why should any other company of that kind be taken over and be put into the hands of the Federal authorities? It is said for the good of the service; the Government can do everything so much better than anybody else, than private enterprise. I read an article from Frank Crane, who formerly was my pastor in the Methodist Church:

In a very fine and loyal spirit the public and the railway officials have tried to adjust themselves to the action of the Government in taking over the railroads.

This is an intimation of what will happen if the vast telephone system of the country is taken over. Forty million daily messages is the record of the telephone service in the United States, and it means everything to every Senator, to his family, to his neighbors, constituents, and everybody else. To continue:

It's anything to win the war. "The Government," said Ogden Armour when war was declared, "can have Armour & Co. The Government can have J. Ogden Armour. The Government can have any man or group of men in our organization. No exemption will be claimed."

And that has been the commendable attitude of big business throughout the country, and of the people generally.

We are willing to do without sleeping cars, dining cars, and chair cars if it means licking the Germans, just as we gladly dispense with wheat, meat, and diamond necklaces. But—

I had to travel the other day on the crack railway of the United States. I went to the ticket office and had to stand in line for half an hour before I could get a clerk to ask a question. The clerical force was entirely inadequate.

When I reached the clerk I found I was at the wrong place. He snapped at me, too. Although my only offense was a desire to spend some money for a ticket, I felt as if I were up before a police magistrate for stealing chickens.

I went to another waiting line and stood 30 minutes more. I bought a ticket. Then I paid a tax on it. Then another tax for riding in a Pullman. Then a Pullman ticket. Then a tax on that. Five wallops they gave me.

I pardon the expression on the part of the doctor of divinity because by that time he was feeling somewhat tropical.

They had refused to reserve a berth for me by telephone. They refused to reserve a berth from a distant city to another point by telegraph.

I don't object. They didn't take all my money. I had enough left to buy a 30-cent meal in the diner for $1.80 and a quarter to help pay the porter's wages.

But if Czar McAdoo would kindly issue a ukase to all railroad clerks and herders of the public asking them to deal gently with the common people, who are imbued with the desire to contribute money to the roads, and remind them that dead hens lay no eggs and instruct them to administer a little laughing gas of courtesy when they extract our dollars it would help some.

Honest, I'm no pro-German. I am not a bolshevik. I'm just bruised. I'll take my punishment, if it's necessary. But why keep on pounding a man when he's down?

Says B. C. Forbes in his magazine:

"The abolition of ticket offices at convenient points, the cancellation of old-time privileges such as the return and refund of unused Pullman tickets, the lopping off of passenger trains, the curtailment of sleeping accommodations, the overcrowding of trains—all this will save money for the new railroad overlords, but the public will have to foot the bill, not only financially, but at the cost of time, temper, convenience, and efficiency. So far the Government-controlled railroading has not tended to whet the public's attitude for the Government ownership of railroads. The attitude of many railway employees toward the traveling public has undergone a distinct and regrettable, but perhaps not unnatural, change. Already there is noticeable the proverbial

haughtiness of Government officials. The men now feel that their former bosses are no longer bosses and that they need not be overcareful how they act."

FRANK CRANE.

I had occasion a month or so ago in a union station to inquire at the information bureau for some needed knowledge of train service. I made the inquiry from a gentleman who did not appear to be overworked. He had a healthy look upon his face, the proper relation of avoirdupois to his height, and I saw no evidences of nervous prostration. I asked him if he could tell me when train No. so-and-so, named on my Pullman ticket, left. He said, "The same time, sir, it always does." I was a stranger in that region. I informed him I was not a regular habitué of the depot and was asking for information to guide myself accordingly, as I should like, if possible, to have time for a meal. He said, "You ought to know when the train leaves. That is posted up." I said it might have changed. He said, "The change would be noted." He said, "Go over there on the wall and read it," pointing me to the other side of the depot. In the waiting room I found at last, after due search, a train sheet in a small oak-board frame, and I read it there, and found the time of my train. I went back. I said, "I thank you for your courtesy." I said, "I wish you to understand, though, that I think you are a—" blankety-blank. Here the quotation will cease. He said, "I am a Government officer, and such language is not permitted." I said, "I will give you some more, because I am a Government officer myself," and it is the first time I ever referred to myself as such. I said, "I am a Government officer myself, and I will outrank you, and you listen to what I say," and I proceeded to say more. I do not want to repeat that experience if I can help it, but the fact is the insolence of some of these small martinets who sit at the head of bureaus is transmitted to the railway service.

What is the object of the telephone and the telegraph so far as the domestic affairs of this country are involved and the railways? Their object is to serve the public needing the service. But the idea seems to be now that people exist for the benefit of the railways, to be herded about, to be insulted by some insolent petty official, to have an inferior service, to be charged two prices. The people do not exist for these institutions; they were built and are run to accommodate the general public.

Everybody prior to the war who came back from England could recite to you their difficulties with the use of a public telegraph and the use of a public telephone. First, the rates in this country are lower than they are in England. I know they referred to the 10 words in a message, and to show that is lower when reduced to our currency than our 25-cent charge for 200 miles transmission, but when you add to it the fact that they charge you for the blank telegram, that they charge you for the address, and charge you for the signature, and charge you for the name of the hotel or the number of your street, and where you may be found hereafter, it costs more in that country for telegraphing the same distance than in the United States, where all that service is free.

Therefore, Mr. President, I think it is very material to inquire if these telephones are taken over under this joint resolution what will be the condition of things afterwards. There are no telephones extending across the sea. The only interstate service or interforeign service would be across the border in Mexico or into the Canadian country. In Canada I apprehend there will be no difference that would arise. Possibly in Mexico there would be, as there is some unfriendly sentiment existing in that country, but that is easily a matter to be controlled at the border in the respective offices where messages stop and where all the transmission can be properly censored.

I have heard in the sum total no adequate reason why telephones should be taken over. I anticipate, Mr. President, it is a part of the general drift among a certain school of thought. These emergencies are made the excuse for putting into operation and making experiment stations out of these mighty enterprises that have been developed by the individual initiative of the American people. They are to be taken under the guise of war necessities and used thereafter as an argument when the war ends to continue the plan of Government ownership and operation.

England tried it. In 1866 the Government first proposed the purchase of British telegraph lines, and about 1870, after negotiations that lasted between three and four years, they were taken. This author says that there has been during 39 years of operation a deficit that nets an enormous sum of pounds sterling. I am reading from page 233 of Guyot's volume entitled "Where and Why Public Ownership Has Failed." I only refer to this as one of the late current authorities touching the tendency toward universal Government ownership, which only heralds in or becomes the threshold of the socialistic state.

The book is written by a Frenchman and is a very comprehensive review of the countries in Europe trying public ownership of these utilities of various kinds. It analyzes with a keen line of reasoning between cause and effect the great variety of undertakings that have failed. It analyzes, too, the service. It has discovered a complaint which is unique of its kind, the first time I have seen the phrase coined out of a dead language. He speaks of laboraphobia. That is a complaint which seems to have developed principally in countries adopting the public ownership of these large utilities. On page 324 I read the following:

Not only is the work to be gotten out of a national or municipal employee or laborer below par; he has also all sorts of resources for reducing it to a still lower grade. Among others we find the disease which has been called "laboraphobia."

Among the municipal employees of the city of Paris the number of sick days have been increased, as follows: From 1896, when an account of these absences was begun, to 1908, according to statistics of the bureau of public highways, the number of hours of work has decreased from 13,458,817 hours to 12,992,718 hours, or a difference of 466,099 hours. The number of hours of absence on account of illness has risen from 556,440 to 1,056,464, or a difference of 500,024.

The same professional malady has raged with intensity among the employees of the Government railways, according to the report of P. Baudin on the supplementary credits of the Government railways for the month of July, 1912. Here is the effect of the measure granting full pay to employees reported ill: In 1909 the number of sick days was 474,000; in 1911 it had risen to 656,000, or an increase of 182,000 sick days in two years. Out of 67,967 employees, 36,816, or 54 per cent, were rendered incapable of work on account of illness—

More than half of them on the pay rolls disabled from rendering the Government any service—

Again, while only a part of the employees were enjoying these hours of leisure, it was, of course, necessary to increase the effective force by 7,440 units, representing 15,539,900 francs of added expense.

The author says:

The employees of the Western Railway [of France] cherished the most extraordinary delusions concerning what they were going to get out of its seizure by the State.

That is what some of our employees think. They have delusions of that kind, and I do not know certainly whether they are delusions. The delusion is that finally we will wake up and the taxpayer will be paying the bill. It does not make any difference about what the employee does, finally it must come out of the Treasury.

One department head remarked to one of the dispossessed private owners: "I have had only the pleasantest relations with you; nevertheless I can not hide from you the fact that I am enchanted with this purchase, because my power of appointment will be thereby doubled.

There have been, to sum up all the chapters read, where they have taken over the private industry, a shortening of hours which in some cases is proper, and I would, so far as I am concerned, always be favorable to reasonable hours—a shortening of hours, a raising of wages, an addition to the pay roll, multiplying and elaborating regulations for the division of labor, so that one employee does but one thing. If he signs checks, he does nothing but sign checks; he has to have somebody else to take the stopper out of the ink bottle and fill it up. With all this multitude of elaborations the natural result is a vastly increased expenditure. Then unless an increased charge is made for the service or the commodity there must be inevitable bankruptcy. If there be an increase in the charge, then the general public is exploited and made to pay the bill for a lesser group of people.

Taxation ought to be for the benefit of all, not of a class. Therefore inevitably these enterprises taken over by the Government and run, following the experience of 35 years in Europe of some large concerns, inevitably drift to the condition where the whole of the public is taxed for the benefit of a certain group that are in a minority but active and persistent in their claims.

Mr. President, we find by looking at the number of men employed in the telephone service, and the number of companies engaged in giving that service and furnishing the basis of organization, a good service given to the general public, a reasonable charge, and to my mind this measure, even if it should be passed, ought to pass with an amendment striking out the telephones.

There are leading into this city a number of telegraph wires serving newspapers. They are press wires and have been leased, and the use has become necessary to that particular newspaper enterprise. What will be done with these nobody knows. It thereby puts in the hands of Mr. Burleson and Mr. Creel power over every newspaper in this country not only to censor them but to control them absolutely, because when you take away their wires from them you take away the general news-gathering ability of the papers. That ought not to be permitted for a moment. If this joint resolution is needed to promote war purposes, it ought to be confined strictly to war activities. All our great domestic affairs, all the newspapers that are served by private or leased wires or owned wires, all the telephone

service and the domestic telegraph service ought to be so arranged as not to be affected by this joint resolution.

I have now taken all the time, Mr. President, that I desired, and I will ask leave to print without reading the communications to which I have referred.

The PRESIDING OFFICER (Mr. KING in the chair). Without objection, the request of the Senator from Illinois will be granted.

The matter referred to is as follows:

CHICAGO, ILL., *July 6, 1918.*

Hon. L. Y. SHERMAN,
United States Senate, Washington, D. C.:

The following message has been sent to the President, and we would appreciate very much your assistance in maintaining our present status with the Western Union Telegraph Co. The undersigned operating employees of the Chicago office of the Western Union Telegraph Co. repudiate the assertions of Mr. Konenkamp that he is acting for us or in any way representing the employees of this company. The Commercial Telegraphers' Union of America has no representative whatever in this office, and his statement that he will call 25,000 telegraphers out on strike on July 8 is without foundation.

The employees of the Western Union Telegraph Co. are with you in the prosecution of this war to a finish, and we refuse to be a party to any obstruction. This sentiment prevails among the telegraph fraternity throughout the entire country.

The plans for the formation of an association composed only of Western Union employees now under way has our united support. There will be no interruption of telegraph service next Monday if the Western Union employees can have their way.

Believe us we are with you to win the war, and we know our services contribute something toward doing so. We repudiate anyone who challenges our loyalty or impugns the honesty of our purpose.

Signed by 239 operating employees, Western Union Co., Chicago.

—

CHICAGO, ILL., *July 9, 1918.*

Senator LAWRENCE SHERMAN,
Washington, D. C.

DEAR SIR: As I am a constituent of your district, also an employee of the Western Union Telegraph Co., with a record of 26 years' service, with two breaks, and one of them being out on a strike in 1907 for eight months and the other for leaving the service for one year to better myself.

This statement to show that it can not be said that I am a strike breaker and would not stand up for my rights as an American citizen. For the last 15 years, at St. Louis and Chicago, I have been in an official capacity of some kind, and at the present writing I am in charge of the southern circuits, which include all Washington wires, and therefore can speak from actual experience as to what my instructions are regarding the handling of all Government business, also what the feeling of the employees is in this office. I have not heard of one instance where any of them were dissatisfied or had any grievance, and know that conditions at the present time are far above those of previous years, and there are very few men, if any at all, who belong to the Commercial Telegraphers' Union.

We are receiving higher salaries, two weeks' vacation every year with full pay, a 3 per cent bonus every six months and an extra bonus in October, sick benefits, and pension.

Furthermore, I don't see why the Government wishes to take over the telegraph lines because the company will not deal with an outsider. As a rule, the higher officials nearly know how many of their employees are lined up and what strength such organization has, and Mr. Carlton, knowing that very few men belong to this organization, takes the stand of not treating with them but will meet any committee of employees, individually or collectively, if they have a grievance. I could not at the present time—neither would I, even if I had any grievance—go out on a strike while the country is at war and my son, Frank H. Daley, who is in France, fighting with Company A, One hundred and twenty-eighth Infantry Regiment, and there are many, many more who feel the same way in regard to this matter at the present time, and believe their duty is to their country and those at the front, and any move in the direction to hamper the Government in any shape or form is aiding the enemy and an injury to those who are at the firing line, whether it is a relative or not.

I also wish to state that this letter is written unknown to anyone but myself, and, being from this district, I feel it my duty to apprise you of the actual facts as they exist, and can assure you there is no need of any action to take over the lines by the Government, as we will now organize an association of our own to take up any grievance that may arise in the future, but always bearing in mind our duty to the country first, last, and all the time, and especially more so when at war. I furthermore wish to deny an article in the papers claiming that I or others had to sign those papers and petitions which were sent to Washington. The Plant employees sent one without the knowledge of any official, and myself, being in that department, also indorsed the same.

If there should at any time an occasion arise that you would want to know something of a more definite nature on this situation, I will be glad to furnish same to you, and hope you will call on me.

Yours, truly,

FRANK J. DALEY,
2912 Broadway.

—

OTTAWA, ILL., *July 9, 1918.*

Hon. L. Y. SHERMAN,
Washington, D. C.

DEAR SIR: We desire to express our approval of your position against turning over to Government control the telegraph and telephone lines of the country. If they are turned over to the Government, the probabilities are that rates will be raised 25 per cent at once and the service will deteriorate 25 per cent. The railroads did that, and the electric lines will do the same thing. Because the administration has the nerve to ask for everything in sight ought to be the best reason in the world that this request should not be granted.

Respectfully, yours,

W. E. PRICHARD & SONS.

CHICAGO, ILL., *July 8, 1918.*

Senator L. Y. SHERMAN,
Washington, D. C.:

As a citizen of Illinois and employee of Western Union Telegraph Co., I protest against Government control of the telegraph companies brought about by the odium cast on me and my associates that we would attempt to interfere with Government communications during war by striking. I am confident this represents the opinion of 99 per cent of my coworkers.

C. C. BOWERS.

Mr. LEWIS obtained the floor.

Mr. JOHNSON of California. Will the Senator yield to me? I do not intend to speak on the pending measure.

Mr. LEWIS. Does the Senator desire to speak now? If so, I will yield the floor to him.

Mr. JOHNSON of California. No; but I have received from San Francisco a telegram very like in character, I assume, to some telegrams which have been put in the RECORD, and because it is so numerously signed and represents the various employees of the Western Union Telegraph Co. of that city I ask permission to have it inserted in the RECORD.

The PRESIDING OFFICER. Without objection the request of the Senator from California will be granted.

The telegram is as follows:

SAN FRANCISCO, CAL., *July 12, 1918.*

Hon. HIRAM W. JOHNSON,
Washington, D. C.:

A San Francisco newspaper of recent date contained the headline, "Western Union keymen defer action on walkout indefinitely." As individuals and acting solely upon our own initiative, we, the undersigned Western Union employees, wish to convey to yourself and the Government the emphatic and unanimous statement that the proposed strike or walkout has not even our moral support and certainly not financial or membership representation among us. We are content to perform our duties under existing circumstances and as loyal Americans we desire that you place before the Congress our views in the matter which are briefly expressed as follows:

1. The majority of us have devoted our life's energies to the telegraph service, and the knowledge thus acquired is now being exerted to the utmost in our efforts to assist our employer in effectively transmitting telegraph messages of the Government, which are so essential to the winning of the war.

2. The company's liberal policy in arranging without cost to the employees a pension, sickness benefit, and life-insurance plan, together with vacations, 8-hour day, and promotion from the ranks, is all that can be expected of a corporation which is so vitally interested in the prosecution of the war.

Any legislation affecting our interests is of vital importance to us, and it is our belief that your deliberations in the matter will not be influenced by the agitation for unrest which did not originate within our ranks. We believe our views are identical with other workers of the craft in the United States, and if no military necessity exists, we would urge that your deliberations be deferred and a final decision not reached until a canvass of the Western Union forces can be obtained.

L. A. HANCOCK AND 321 OTHERS.

Mr. LEWIS. Mr. President, having been recognized, I now suggest the absence of a quorum and will hold the floor after the call.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Johnson, Cal.	Nugent	Smith, S. C.
Beckham	Jones, Wash.	Overman	Smoot
Benet	Kellogg	Penrose	Sutherland
Borah	Kendrick	Phelan	Swanson
Brandegee	Kenyon	Pittman	Thomas
Chamberlain	King	Poindexter	Thompson
Colt	Knox	Ransdell	Trammell
Fernald	Lenroot	Reed	Underwood
Fletcher	Lewis	Saulsbury	Vardaman
France	McCumber	Sheppard	Wadsworth
Frelinghuysen	McKellar	Sherman	Walsh
Gore	Martin	Shields	Warren
Hale	Nelson	Smith, Ga.	Watson
Harding	New	Smith, Md.	Wolcott
Henderson	Norris	Smith, Mich.	

The PRESIDING OFFICER (Mr. JOHNSON of California in the chair). Fifty-nine Senators have answered to their names. A quorum is present. The Senator from Illinois will proceed.

CHARTER AND FREIGHT RATES—CONFERENCE REPORT.

Mr. FLETCHER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12099) to confer on the President power to prescribe charter rates and freight rates and to requisition vessels, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4 and 5.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, and 6, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: Page 8, line 11, after the word "the,"

strike out the words "title to" and insert in lieu thereof the word "use"; and the Senate agree to the same.

DUNCAN U. FLETCHER,
JOS. E. RANSDELL,
KNUTE NELSON,
Managers on the part of the Senate.

J. W. ALEXANDER,
RUFUS HARDY,
G. W. EDMONDS,
L. H. HADLEY,
Managers on the part of the House.

The report was agreed to.

TELEGRAPH AND TELEPHONE CONTROL.

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (H. J. Res. 309) to authorize the President, in time of war, to supervise or take possession and assume control of any telegraph, telephone, marine cable, or radio system or systems or any part thereof, and to operate the same in such manner as may be needful or desirable for the duration of the war, and to provide just compensation therefor.

Mr. LEWIS. Mr. President, I desire at this time to address myself to the joint resolution and to present to the Senate my reasons for the support of the resolution both in the committee and on the floor.

Mr. President, I have heard the discussion of the eminent Senators on both sides of this question, all of which have been presented with skill, none of it presented with bitterness, and justice compels me to say the discussion has shown reflection, sincerity, and, above all, displayed patriotism. But, Mr. President, I happen to recall that Froude, in his Life of Beaconsfield, addresses himself to the observation that more measures were beaten under the reign of Beaconsfield in Parliament by having them understood by the public for what they were not than by any other form adopted by his opponents. The historian is alluding particularly, sir, to the issue that arose at that time upon what we speak of as the corn laws, and, following that, attracts attention to the success Beaconsfield's foes had in giving out false impressions to what Disraeli did in connection with the Suez Canal, and he says, if my memory plays me not false, that for 30 days during the night sessions, night after night, London rang with the accusation that there was a measure being supported by him carrying with it certain obligations upon England, when, in truth, there was never such a measure in existence, and when, in further truth, there never were such obligations upon England as had been suggested; yet by virtue of this misunderstanding or misrepresentation the particular measure was beaten, then another lost by the same method, and from this Disraeli lost his leadership and Gladstone came again to his own. Mr. President, we have seen that condition of legislative history repeated on this floor and repeated in every legislative body. Through misunderstanding of what a measure really means and through misconception of what are its contents it is lost or mangled.

Mr. President, at the outset I wish to say to the able Senators listening to me that if this measure carried with it the prescriptions that is supposed by Senators to be embodied in it, their opposition to it, as expressed, would be unquestionably justified. If the measure had for its purpose the things which Senators assert is its object, I would approve their opposition. But, Mr. President, I can not overlook the fact that the eminent Senators in many instances have misapprehended the meaning of the joint resolution, if I correctly understand it, and have without purpose, but with effect, sent it out to the country that the measure has for its scheme that which is wholly foreign to its reading and distant from the end that is in view.

Then, sir, that brings us to ask what is the gravamen, as we lawyers frequently use that expression, of this joint resolution? What is the soul of this body which I ask to be adopted as our offspring? What is the particular thing that we are asking Congress to do; and, above all else, sir, what truly is the power that we are asking that the President be permitted to exercise?

Mr. President, the first few lines of the joint resolution serve to explain its purpose. They present the attitude which I urge the Senate to espouse as its own:

> That the President during the continuance of the present war is authorized and empowered, whenever he shall deem it necessary for the national security or defense, to supervise or to take possession and assume control of any telegraph, telephone, marine cable, or radio system or systems, or any part thereof, and to operate the same in such manner as may be needful or desirable for the duration of the war.

Mr. President, we must all see that there is nothing in this joint resolution calling for the President to take the properties of these companies. Let us banish that delusion. There is no command here to the President to take the telephone companies. Let us end that illusion. There is no law proposed here embarking the Government upon what is termed Government ownership of these utilities. There is nothing in the joint resolution which has not been expressed in several resolutions of similar tenor, whether they related to our difficulties with Mexico, with the little countries of Nicaragua, Haiti, and Santo Domingo, or in many other instances connected with the present war.

The joint resolution is that we merely empower the President when, in his judgment, and when from facts which he shall know, and when from facts to be brought to his knowledge, he shall find it necessary to take control. This is not to empower him to the object, only that he may control it. Senators, it is not that he might have to supervise it for supervision sake, but only to control it to the end and to the extent solely of the necessary national defense, and then only is he permitted to operate to the extent and in the way that would be essential, in his judgment, upon the information he has, to the national defense.

I must differ from eminent Senators, whose sincerity can not be questioned, to whose capacity it is always a privilege of any man to pay tribute, to make the charge that the resolution vests at once in the President of the United States the control of the telegraph and telephone property as property. I deny absolutely that there is a foundation for the charge made that the joint resolution authorizes the President to operate the properties to the exclusion of the companies which own them. Sir, I do hold, and present to these honorable Senators this thought, that, when we have passed the joint resolution, the President under no wise takes possession of this property; under no circumstances but one does he assume to operate it. The power to him granted by the joint resolution is never to be exercised until subsequently to its passage there are circumstances manifest to him, from evidence incontrovertible, proved, and evident, that for the national security or for the defense of the country he should step in and assume that control.

Surely Senators will recognize that whether the President under this joint resolution ever does take control lies with the companies themselves. They must surely recognize that if the President ever does, in behalf of the Government, assume to operate, it will be because of the action of the companies themselves or of others over whom they have no control.

Sir, so long as these companies are operated between themselves and by themselves in a manner that in nowise imperils the national defense, there is no authority for the President to supervise them, far less to take them over. So long as the conduct of the companies in their private ownership, in the general discharge of their functions, is conducted in the manner which these telegrams presented by Senators inform us it has been conducted, with loyalty to the Government and security to its people, there need be no fear from any source. The property will run the same as it has been running; will be controlled as it has been controlled. It will be operated in the exact same manner as it is now and was before the passage of this resolution. The employees will hold the exact relation they now hold to the employers. The owners will exercise the same dominion over the plants. There will be nothing disturbed. There will be nothing interrupted.

When eminent Senators or others in their place shall make the charge that the joint resolution authorizes or directs the President to take this property over merely by virtue of the passage of the joint resolution, I must invite to their serious consideration that they unconsciously misrepresent the contents of the resolution and its operation. They assert an unintentional misrepresentation of its purpose that is nowhere expressed, never asked, and in nowise intended.

Then, surely Senators must realize that, far from its being a measure that appropriates the property of any person under the ordinary conditions of commercial life, it does to the contrary. Far from affecting in any wise the relation between the employee and the employer, it leaves them in the exact status quo in which we have found them.

Far from injecting the Government into interference with their private relations, whatever they may be, we facilitate them—particularly we encourage them—if the parties in control and operation shall, in the administration of the properties, so conduct themselves that they are not called upon to answer the charge of disloyalty or of incompetency and neglect in the discharge of their duties.

Sir, when I say "neglect of their duties" I do not mean as between themselves and their employees. That we are not taking cognizance of. When I use the word "incompetency," I do not mean as between themselves and their masters in the service. That, too, is between themselves. I mean such neglect and incompetency of the interests of the Government in the dis-

charges of whatever duties they have to discharge. Only upon proof of such, only when that is established, is the President, as I read the joint resolution, authorized in anywise whatever to interfere——

Mr. KNOX. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Pennsylvania?

Mr. LEWIS. I yield to the Senator from Pennsylvania.

Mr. KNOX. Does the Senator from Illinois desire it to be understood that under the authority proposed to be conferred by this joint resolution the President can not take over the telegraph and telephone lines to the same extent and exercise the same control and authority over them that has already been exercised in respect to the railroads?

Mr. LEWIS. I answer the Senator from Pennsylvania that my judgment is that under the joint resolution the President can exercise the authority, but that the spirit of the resolution is that he is not to enter upon such until there has been some evidence brought to him that it is necessary for the national security and the national defense. Here I call the attention of the able Senator to the fact that after we gave the President the authority to take the railroads they were not taken until subsequent hearings were had, until adjustments of compensation were reached, and until it was evident to the able Senator, as it was to us all, that the railroads had failed to serve the national defense, not because they willed not to do so but because the circumstances of their obligations through their private contracts made it impossible for them to give priority and precedence to the Government without laying themselves liable to damages and great losses. For that reason I will say to the Senator there did arise the necessity of national defense and the need of taking over the roads.

Mr. KNOX. Mr. President, I understand perfectly well that position, and I entirely agree with the statement made by the Senator from Illinois that it will only be upon the happening of such a contingency that the President would act at all; indeed, the joint resolution does not give him the power to act until such contingency arises, but the impression made upon my mind by what the Senator has said is that even though that contingency does arise and the President does act, it would be such a qualified assumption of control or direction over these companies as would essentially differ from the authority that he has exercised over the railroads; and I simply wanted to know if that were the Senator's position.

Mr. LEWIS. I was unfortunate if I left that impression. It is not my position. My position is that, if once the President is forced to interfere in the property, to take control of it, to exercise operation because of the necessities of the national defense, brought to him upon proof, then his supervision of the whole property is as complete in every respect as it is now over the railroads.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from North Dakota?

Mr. LEWIS. I yield to the Senator.

Mr. McCUMBER. Assuming, as the Senator has said, that the President will only act under this joint resolution when our national security or defense has been threatened, yet when we grant the power, as a legislative body ought we not to have some evidence of the possibility of such a contingency arising? Can the Senator inform us of any contingency that might arise that would require the President to take possession of these wires?

Mr. LEWIS. Has the Senator concluded?

Mr. McCUMBER. I have.

Mr. LEWIS. Mr. President, the query of the Senator from North Dakota is very pertinent and is one I have no doubt that has arisen or may arise in the minds of many of the Senators from time to time during this whole proceeding. I answer it as I see the situation. First, Mr. President, I ask Senators, I ask my able friend from North Dakota, what does he think must have been the excuse for the President of the United States to have this joint resolution brought to the Congress? Will Senators assume that out of a mere speculation on events the President of the United States indulged a curiosity by sending a joint resolution of this portentous responsibility to Congress and asked them to give their support to it if he did not know, as the President of the United States, the Commander in Chief of our forces, some reasons so impelling upon him as to justify him in asking it?

Mr. PENROSE rose.

Mr. McCUMBER. There are two things that are presupposed by the Senator. The first is, that the President sent the joint resolution to Congress. All I can find out is that the Postmaster General recommended it, and the President agreed with his recommendation. But is there any evidence that this joint resolution originated with the President? And assuming that the President did send it, ought not Congress, ought not we, whose judgment is to be exercised, receive the information upon which we can exercise that personal judgment?

Mr. LEWIS. Before I reply to the Senator from North Dakota, may I ask if the Senator from Pennsylvania [Mr. PENROSE] rose to introduce a paper?

Mr. PENROSE. Mr. President, I was about to address an inquiry to the Senator from Illinois, which is almost identical with the one the Senator from North Dakota has just made.

Mr. LEWIS. Then, Mr. President, I will try to meet that. Now, sir, first, I answer the Senator from North Dakota that I am unable to inform him if the President originated—to use the words of the Senator from North Dakota—the resolution. The Senator may be correct that the Postmaster General did so. Of that I have no detailed information; but this much we do know, that, while the joint resolution was pending, the President of the United States displayed his interest in it and his desire to have it passed by writing a Member of the House, who is also a member of the appropriate committee of the House, urging the passage of the joint resolution because of what he thought were exigent reasons; and subsequently, in further communication with the leader of the majority of the Senate, the Senator from Virginia [Mr. MARTIN], and to members of the Committee on Interstate Commerce, of which I am one, the President pressed the measure for the earliest consideration. It is from that that I am compelled to deduce that the President's interest in this matter, as an official, is because of information as to the necessity for its immediate passage.

Mr. PENROSE. Mr. President——

Mr. LEWIS. I yield to the Senator from Pennsylvania.

Mr. PENROSE. Does the Senator contend that the Senate is not entitled to the most ordinary information as to the necessity or the reasons for a piece of legislation of this importance; that we must take it and gulp it down by what is vulgarly known as the "steam-roller process," without any reason whatever, but simply because a rumbling is heard at the White House? That might be a moving cause for action by the majority, but it is not for me and, I take it, not for most of the minority. It seems to me that it is extraordinary that we are denied even 48 hours to deliberate and consider and secure information about this matter. We have practically ceased to be a legislative assembly, and might as well leave rubber stamps here to record the edicts of the White House.

Mr. LEWIS. Mr. President, I deplore that any Senator has a feeling that, in discharging a duty put upon him by the Commander in Chief while we are at war, he has resolved himself to such a lowly attitude as the eminent Senator defines to be a "rubber stamp." I can not accept that appellation, and I would resent the attempt to apply it to any Senator on this floor.

Mr. PENROSE. Mr. President——

The PRESIDING OFFICER (Mr. HALE in the chair). Does the Senator from Illinois yield to the Senator from Pennsylvania?

Mr. LEWIS. I yield again if the Senator so desires, but I am going to reply to his query quite fully, unless the Senator has something to add to it now.

Mr. PENROSE. I was going to indulge in an observation, but perhaps it would interrupt the logical sequence of the Senator's thought.

Mr. LEWIS. I will fully reply, and if I omit anything concerning which the Senator desires further light, if I may give light, I will yield to the Senator afterwards.

Mr. President, I have said that it is apparent that there must have been reasons of an impelling nature or the President would not have been found sponsoring this joint resolution and urging its immediate passage. Senators, if there are such reasons, as there must be, they must be of a nature which treats of that second clause, the condition upon which the whole resolution is predicated—the national security. The President must have information that touches the Government so ominously and so seriously as to involve the national security and defense. Senators, I propound to you the inquiry, Is it contended by any Senator on this floor that if the information the President has on which he asks for the passage of this resolution is of such consequence and is so impelling, touching the matter of the national security, he should detail that information by a message to the Senate, revealing it all to the public, and thus destroying the very object he has in view? By informing all of those concerning whom we may now have detected in things which we are now trying to avoid, of which we

invite them to note they have been discovered. They then flee their ground as birds before the hunter. They will turn their methods to new avenues, and resort to new achievements of which we will be ignorant. Thus frustrate the very purpose the President had in sending to the Senate the joint resolution.

Mr. PENROSE. Mr. President, does the Senator conceive of any limitation upon the requisitions of the President? I am not greatly impressed by the threadbare phrase "Commander in Chief." That covers a multitude of sins. I consider that, as a Senator of the United States, I have my responsibilities and prerogatives; I am asked by my vote to help give this authority, and, in being so asked, I am entitled to a reason. The threadbare observation that the Commander in Chief in an evasive and uncertain tone has suggested the propriety of passing a measure which has long been the fad of the Postmaster General, without any reason, is not satisfactory to my mind. I should like to ask the Senator what limitation there is to this? Suppose there should be another rumbling at the White House and some understrapper should come down to one of the clerks of the Senate or House, perchance, and state that the presidential mind is moving in the direction of immediately taking possession of all of the raw materials in the country as a military necessity, or that the Commander in Chief of the Army and Navy thinks that a military necessity exists to seize the coal fields and the copper mines, would the Senator then, without argument or reason, vote to hand over all those properties to the President?

Mr. LEWIS. Mr. President, if the Senator has concluded his inquiry, I will reply to it.

Mr. PENROSE. I have concluded one of my inquiries.

Mr. LEWIS. Then, I answer it——

Mr. PENROSE. Others doubtless will arise as the Senator progresses.

Mr. LEWIS. If the Senator has concluded his present inquiry, I will answer it first. Let me say that the Senator himself empowered the President of the United States to do the very thing which the Senator says or assumes is not the President's privilege. The Senator voted for a resolution making a declaration of war, called forth by the peril of his country, and in that joint resolution he voted that the President of the United States should avail himself "of all the resources of his country" that could by him in his position as Commander in Chief be commanded.

Mr. President, I then answer the Senator and say that, when the President in that office sends in a resolution from which it appears he has reason for having a thing done that is wholly in pursuit of the national defense, and which Senators know is so connected with the national defense, as are the uses of telegraph and telephone systems, it must be presumed that he exercises his discretion, and that he is exercising it wholly within the power conferred upon him in the office of Commander in Chief. I say to the Senator that if the conditions arise such as he suggests, of sending down a message indicating his desire to take charge of the raw material of the country and to interfere with developments of that nature, it would be too apparent that such would require explanations purely local in their character, for, in the nature of things, a disclosure could not harm anyone; but we can not assume—certainly I will not—that the President of the United States could do such a thing under his power, or would do such a thing under his oath, unless he had such manifest and impelling reasons for so doing that they would be disclosed in their justification in detail.

Mr. PENROSE. Mr. President, the Senator's answer is so involved and complicated—and I say it with all due respect—that it is difficult for me to follow it. He begins by stating that we have already given the President the power to seize all the raw materials throughout the country. That I deny; at least, I have no recollection of voting for any such measure——

Mr. LEWIS. I must say that the Senator——

Mr. PENROSE. Although I have voted for enough ill-advised and comprehensive measures to cause my recollection to be dimmed and muddled.

Mr. LEWIS. The Senator, I am sure, did not mean to misstate my position.

Mr. PENROSE. Certainly I did not.

Mr. LEWIS. I did not say that the Senator had voted to give the President the right to take the raw materials, but that the Senator did vote, in the declaration of war, to give the President the right to avail himself of all the resources of the country.

Mr. PENROSE. Oh, Mr. President, we pledged the resources of the country to win the war; but that is very different from giving one man, and without an accounting, at his mere indirect suggestion, property aggregating hundreds of millions of dollars, with an absolute denial of the right of hearings, which is a high-handed, indefensible proposition on the part of the legislative body. Now, I ask the Senator again whether, if the President should send the clerk who brings the documents and messages here to see one of the clerks of the Senate and in casual conversation here it should be rumored that the presidential mind is moved to seize all the copper mines and coal mines in the country, would the Senator immediately fall down on his knees, express his assent, offer a joint resolution, and, without a hearing, endeavor to put it through?

Mr. LEWIS. Mr. President, in the first place I can not assume that the President of the United States could ever do such a thing as the imagination of the eminent Senator conjures up.

Mr. PENROSE. Well, he has done it in this case.

Mr. LEWIS. Second, the characterization by the Senator of what the President has done I feel is very foreign to what is before us; and as to myself, if I were to fall down upon my knees—alas, I do not fall enough upon my knees before higher God—I would hardly be found doing it, sir, to a temporal authority. But I must say I can not see any parallel between what is before us and that which the Senator produces as a possible danger somewhere. That invention he conjures up is his excuse, no doubt is his announced excuse, for opposing this measure.

As to the last observation of the Senator, there is much to be said, and that is the failure to grant hearings as to certain features of the matter. If I did not know that at a proper time hearings will be had as to all matters to which a hearing could address itself under this joint resolution, and that all forms of recompense and remedy will be afforded in every way that any recompense or remedy could be afforded at all, I would concur with the Senator in his characterization that the taking without such prospect would be "high-handed."

Mr. PENROSE. Mr. President, it is no consolation to me to shut the door after the horse is stolen.

Mr. LEWIS. Mr. President, again I am not able to see the parallel. There is no horse stolen. There is one being drawn out of the stable and saddled for the uses of the country, and to be made a messenger, as on Paul Revere's ride, to strike the alarm of the country's peril. If there is any stableman who wishes to object to his horse being used for that purpose, he must be characterized as an unpatriotic owner of the animal.

Mr. President, I beg to remain for a while upon the theme.

I have, then, assumed to state, first, that there must be reasons; that it is impossible to assume that there are not; second, that there must be reasons of a serious nature; and, third, that to reveal those reasons in detail would be to defeat the very object of this joint resolution, and would, sir, reveal the very thing which it is necessary to protect in order that the national security shall be conserved.

Now, Senators, let me give you a suggestion as it applies to my own process of thinking. Let me assume, sir, reasons for the passage of this joint resolution. Let me say that I assume them, sir, upon information satisfactory to me after investigation; and I answer the Senators and say that any information I have, any Senator in this body, by applying to the head of his Government and asking audience, whether such be a Cabinet head or the President, will obtain all he has. The Senator from Pennsylvania [Mr. PENROSE], the Senator from Ohio [Mr. POMERENE], the Senator from North Dakota [Mr. MCCUMBER], or any Senator on this floor, may rest assured that if he seeks specific information for the guidance of his vote, and is not inclined to embarrass the Government by forcing it to reveal these reasons publicly, he need only make the call upon the President of the United States in the relation he bears as coadjutor and aid, and ask of him upon the honor of the office he occupies, what information he has that he would communicate to that Senator; and the Senator may rest assured, not only will he not be denied, but, out of that general courtesy that has always characterized the President in his communications with his aids, every form of information which the President has which justifies him in his request will be given to the Senators, for the President knows each Senator is a gentleman and that the confidences will be protected. More, I say, that any Senator who seeks specific information from the Post Office Department or from the Secretary of War or the Secretary of the Navy need but make an individual visit upon the departmental head of his Government, submitting his request, to have it requited in all completeness to the full extent that is in the power and information of these departmental heads.

Mr. MCCUMBER. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from North Dakota?

Mr. LEWIS. Yes; I yield. I had not quite finished my sentence, but I yield to the Senator.

Mr. McCUMBER. There are 96 Senators here. There are 435 Members of the House. Each one of them is entitled to information upon which to base his judgment. Now, certainly each one could not go secretly and surreptitiously to the President of the United States to secure some of this recondite information. The President would not have time to give them consideration. The President can give his messages to Congress. He can give them in general language, and yet in language which would be sufficiently explicit for us to understand. In the case of such an important measure as this, involving as it does such enormous consequences to the country, why is it that we have no message whatever from the President of the United States?

Mr. LEWIS. Mr. President, the observation of the Senator as to "surreptitious" information is voluntary. No one has suggested that anyone need go to the President in a manner covert to obtain "surreptitious" information. I said that if any Senator sought specific information, apart from what he had and what this joint resolution would convey to his mind, to that specific query which he would care to address to the President he would get complete reply. I say to the Senator, it is true there are a large number of Members of the House; there are a large number of Members of the Senate; but it is presumed that that large number attach some importance to the recommendation of the President, and accept at face value the message he has sent down, which is a message in the form of a joint resolution asking the Senate to give to the President the power, to be exercised when he, upon his information, shall find it necessary for the national defense. They trust that he either has information now that shows the necessity, or that when he obtains that information he will then act; and I answer the Senator now to another point directly.

It is to say if there be no information whatever to communicate now, and the President asked you to give him the power in the event that the necessity shall come suddenly to be acted upon, will the Senator write himself down as saying that because he has not all the secrets that are in the hands of the President he will decline to trust his future judgment, and will reserve to himself the right to be the supreme court to revise the President's opinion when he shall offer it? For if the Senator or his colleagues demand that the President shall give the reasons, by the same token of that he reserves to himself the right to sit in judgment as to the weight of those reasons, as to the value of those reasons, as to the worth of those reasons; and if he shall then decide they are not sufficient he reserves the privilege to decline to grant the power and differ from the President of the United States and then oppose it. Where, then, is the power in the President? Is the Senator running the war? Is the Senator commanding the Army? Is the Senator taking direction of the muniments and resources of the country or is the President? I answer the Senator, and say that it must be assumed that the President of the United States has information, and it must likewise be assumed under this joint resolution that if he has none at all, all the Senate does is to give him power so that when such ever comes to him he shall be permitted then to act without taking the time to communicate it to this body and ask their judgment upon it while the land burns in the flame that was lighted in the delay.

Mr. McCUMBER. I will answer the Senator.

Mr. LEWIS. I am not yielding to the Senator to answer me. The Senator rose and asked me a question, and I answered him. The Senator may take the floor when he chooses, but I hope he will not prevent me from concluding my speech.

Mr. McCUMBER. I beg the Senator's pardon. He said, "I ask the Senator from North Dakota"——

Mr. LEWIS. But I did not ask the Senator to take my time in reply.

The PRESIDING OFFICER. Does the Senator from Illinois further yield to the Senator from North Dakota?

Mr. LEWIS. If the Senator has a query he desires to propound, I shall be glad to yield for that purpose.

Mr. McCUMBER. Oh, no; the Senator addressed a question to me, and I assumed that he wanted an answer.

Mr. LEWIS. Mr. President, I yield to the Senator if he will answer and not take my time by making a speech, because he knows he would thereby take me from the floor.

Mr. McCUMBER. Mr. President, I would not for the world take the Senator from the floor.

The PRESIDING OFFICER. Does the Senator from Illinois further yield to the Senator from North Dakota?

Mr. LEWIS. For a question.

Mr. McCUMBER. I do not wish to ask the Senator a question. I will say that if he wants me to answer him now, I will answer him. If he wants me to wait until he gets through, I will wait until he gets through.

Mr. LEWIS. Mr. President, it is not what I want, if the Senator pleases. I am proceeding with my argument. A question was asked me by the Senator. I responded to him. Now, if the Senator wishes at the proper time to take the floor to amplify his views, of course I shall be glad to hear him, for I know I shall have information from him, however much I may differ from his conclusions.

Mr. WATSON. Mr. President, may I ask the Senator a question?

Mr. LEWIS. I wanted to finish, but I yield to the Senator from Indiana for a question.

Mr. WATSON. Just a question. I ask for information. The Senator may have knowledge of facts which I have not learned. The Senator says that the President of the United States has addressed Congress in the form of the joint resolution that is now pending. Does the Senator mean by that that the President formulated this joint resolution, or that the President, after the joint resolution had been formulated by somebody else, sent it here; and if so, through whom, and by what agency?

Mr. LEWIS. I have called attention a number of times to the fact that when this joint resolution came here, embodying these views, the President, in different forms of expression, asked to have it passed, and sought to facilitate it by his specific request; and to that extent, I said, it argued that the President embodied this joint resolution as his instruction to us that there was a necessity for it.

Mr. WATSON. Now, will the Senator permit another question?

Mr. LEWIS. Certainly.

Mr. WATSON. To whom did the President give these specific instructions, or of whom did he make the specific request?

Mr. LEWIS. The Senator heard it read from the RECORD—first, the joint resolution which came from the House, which came out of the committee of the House. The Senator has seen the communication written by the President confirming that which the Postmaster General had stated, and which has been read from the floor time and time again in the presence of the Senator—for he has been a diligent attendant on the sessions of the Senate—and also a letter written by the President to Chairman MARTIN and to members of the Interstate Commerce Committee asking that this joint resolution be pressed. That is the detailed information I again present to the Senator.

Mr. WATSON. Now, Mr. President, may I ask the Senator another question?

The PRESIDING OFFICER. Does the Senator from Illinois yield for another question?

Mr. LEWIS. Oh, yes.

Mr. WATSON. Does the Senator make no distinction between the President of the United States as Commander in Chief of the Army and the Navy of the United States, and the President of the United States in his relation to the entire civil establishment?

Let me explain what I mean. That is to say, the President is Commander in Chief of the Army and Navy. The Constitution casts upon him that right and that power. In that sphere he is supreme. He may not share that authority with another. No other may ask him to share that authority with him. As such Commander in Chief of the Army and Navy we follow him, so that if, in his judgment, it becomes necessary to send troops to France in order to meet the Germans there, we have no right to question that authority in the least. Now, while that is true as to the Military Establishment of the United States, does the Senator conceive that the President has the same power with reference to mining and to agriculture and to manufacturing and to commerce and to transportation and to navigation? Are they military affairs, to be run by one-man power? On the other hand, or to put it in another way, if you please, Congress alone, if I conceive the matter correctly, has the right to dictate as to the civil establishment, and therefore Congress ought to be satisfied as to any measure having reference to the civil establishment.

In other words—permit me to continue the question—if it relates to the Military Establishment, even then Congress has a right to its own opinion and to its own judgment, voiced in legislative enactment; but so far as the civil establishment is concerned—and I want the Senator's opinion about this—if the President wants something done with reference to it, is it not his business to make known that fact to Congress, and is it not the business of each individual Congressman, in both House and Senate, to exercise his judgment in voting upon the specific proposition?

Mr. LEWIS. Mr. President, I recognize the distinction between the civil authority exercised by the President of the

United States and the military authority vested in him as Commander in Chief. My reply to the able Senator from Indiana is in a short phrase. Wherever the President is called upon to do those things which relate to the civil establishment he serves as President of the United States, and his responsibility is jointly to this body, together with the other, and to the people; but where he serves as Commander in Chief, as has been often and often heard from me, my contention is that where he has decided that certain instrumentalities are necessary for the conduct of the war, in that respect he is Commander in Chief, and his own discretion is to be exercised to his own judgment. Therefore, the Senator will see, it turns upon the subject matter and the uses of that particular subject matter as the test, each case to be decided upon its particular circumstances.

Now, the Senator, without intention to interrupt the unfinished sentence, interrupted me at a point where I wish now to take up the thread of my remarks. I wish now to assume reasons. I wish to assume them upon a basis of rumored fact.

Senators, this joint resolution authorizes the President, whenever the necessities of national defense shall justify, to take control of the telegraph and telephone. Let us assume, sir, that there is a cable in Newfoundland, not under the jurisdiction of the United States as a country but owned by American proprietors. Let us assume that there is another cable in Cuba, not under the jurisdiction of America as a country but owned by American proprietors.

Let us assume that there is a cable in Mexico, a country not under the supervision or control of our land or our officials, but which cable is owned by American proprietors; and, sir, let us assume that there are connections by telephone service in all parts of our country leading up to the telegraph, or from the telegraph to the telephone, communicating messages to Florida which may be sent to Cuba, to be then sent over a cable; messages to Newfoundland which, under the supervision of Canada, are sent from Newfoundland; messages from Mexico by wireless to Hawaii, and from Hawaii to cable; and, sir, from these let us assume that the information as to the departure of every ship which has gone from the ports of our land laden with the sons of American mothers has been communicated, and the description of every pound as well as the quantity and quality of its cargo—having for its object the preservation of our men from hunger and our Nation from dishonor—all has been communicated, and information by which submarine commanders making their way to this land from Prussia knew the exact division of the Atlantic coast where 13 ships lay in silence, their crews restoring themselves to strength by resting in quiet waters through which the submarines were able to make the raid that occurred before the eyes and knowledge of America here but a short while ago. Then, sir, let us assume other information, through the forms of cable communication and telephone attachments, that enabled the enemy to know as each transport put out that when it reached near the waters of Europe it could be hovered about with those water fowls of evil omen which we speak of as the submarine, and our ship's very destiny and the lives borne by it threatened with destruction with every wash of the waves that swashed its hull. Will Senators then say, if such a condition did exist, that the American Government should not have the right, if the conditions shall continue to exist, to have every supervision of the employer and the operator of the telephone and telegraph, that he as well as our lives and property should be protected?

The eminent senior Senator from Utah [Mr. SMOOT] says they have the power now. I must reply to him that that has been the error indulged by able Senators. The power to censor—yes, but not the power to control a perfectly innocent message, which on its face conveys nothing to the operator, or that loyal employee of the company or of the Government, and nothing to any human being then in charge.

May I be pardoned, Senators, if I give you a sample message? A small boy rushes to a telephone, and he telephones: "There is no buttermilk. It will not be in until next Wednesday. Will you please inform the doctor?" And then there goes another message, innocently handled by a little boy who steps in to a telegraph office, handing it to an innocent operator, who sends it out, saying, "The buttermilk will be sent out," giving a certain time. Now, that, because of the face of the message being wholly misunderstood by us, would convey nothing about the fact it meant. We are not in charge. What can the company do if the message is handed to it in its innocence? Shall it decline it? Shall it be subject to all the inconveniences, and perchance the suits, that may follow from it? Or shall it be subject to the charge of scandal and slander against the sender if it should assume there is something wrong about it, and so charge? It can not. But the Government, in no wise interfering with commercial messages, in no wise interfering with the general discharge of duty, reserves the right to make full and complete investigation, and protect your land and your country against the uses of things so innocent on their face that they deceive the most loyal, and yet so destructive in their effect that we would be utterly unable to overcome their consequences.

Therefore able Senators must see that censorship of the mere messages will not remedy what I assume, for the purpose of argument, might be a state of facts; and I tender them to the Senators that they may realize that perchance, if such things as I have referred to exist, or might exist, or could exist, or are likely to exist, there is not one that would not vote the power to seize and temporarily supervise all of these agencies to avoid their being used to weaken the national defense and imperil the national security.

Mr. SMITH of Michigan. Mr. President——

The PRESIDING OFFICER (Mr. KING in the chair). Does the Senator from Illinois yield to the Senator from Michigan?

Mr. LEWIS. Gladly.

Mr. SMITH of Michigan. Does the Senator from Illinois attach any particular significance to the statement of the Secretary of War that no military necessity requires this legislation?

Mr. LEWIS. I must say to the able Senator, in the first place, that he has misconceived the Secretary's statement. He said no present military necessity. This meant at the time he was testifying. He added that he did not know as to the future. I do attach importance to it, and I accept it on its face, that according to his judgment the military necessity at that particular time was not so pending as to require the seizure of the wires; and I invite the attention of the able Senator—good lawyer as he is and acquainted with legislation as he is—to the fact that the joint resolution does not authorize the taking of the properties now. It merely vests the President with the power, should eventualities arise that the Secretary of War said were imminent, or could be, that only then, and then only, should he exercise the power.

Having stated, as I was free to do, to the Senate some things that I say may be born of my imagination and may be tendered merely as illustrations, and merely to give to the Senate a miasmatic dream that I may have—a phantasmagoria, we may say—but some things which are sufficiently likely to justify my apprehension and call upon me in this particular case to tender this justification to the Senate as a reason—in this connection I must be fair to the body, and I will be just to myself—I say to this honorable body that if you defeat this joint resolution, if you say you will not accept this joint resolution for its face, vesting in the President the right to take over this property in the event that an emergency shall arise to justify, to his mind, that necessity for the security of your Union, you may defeat the joint resolution; but, Senators, you can not defeat the purpose. The President, when that situation will arise, secure in his knowledge, if he does his duty as Commander in Chief, will seize the property by whatever power he may command, supervise and control it with every agency he can bring to bear; for, failing to do that, he would surrender his office, and surrender you to the ravages of your enemy, to the destruction of the foe; and if he did it, as I hope he would, I advise you he would appeal to the American people for justification; and I am bold enough to call your attention to the fact that there never has been a time when he has appealed to the American people that they have not sustained him as against any opposition, whether born of political advantage or commercial profit.

Mr. SMOOT. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Utah?

Mr. LEWIS. I do.

Mr. SMOOT. Does not the Senator know that if conditions did arise in which it was necessary for the President to take over these telephone and telegraph lines, Congress would and could pass such an authorization within two days?

Mr. LEWIS. I answer the Senator, it seems not, since now, when it is evident there must be some condition justifying the preparation for the taking and when the President sends here a joint resolution for that purpose—which it can not be assumed he ever would have sent unless there were good reasons—it takes days and days—three days—to consider it. Therefore it appears, for reasons apparent to all, that it can not be had.

Mr. SMOOT. Mr. President, if there had been a clear statement made to Congress, and the reasons given why the passage of the joint resolution was desired—not publicly, but to individual Senators, the same as they have been given in the case of other legislation—I say to the Senator now that there is hardly a Senator or a Member of the House but that would have voted for the joint resolution, and would have given the President the power; but there does not seem to be at this

time even an inclination to give any reasons why this legislation ought to pass.

Mr. LEWIS. Mr. President, I ask the Senator, has he asked the Postmaster General, or the Secretary of War, or the Secretary of the Navy, or the President of the United States for any specific information he himself would prefer to have before voting for this joint resolution?

Mr. SMOOT. Mr. President, if the Senator will allow me, I know the attitude of the Postmaster General——

Mr. LEWIS. We will omit him for the present from the query.

Mr. SMOOT. For we have a public document, printed, giving all of his arguments as to why it should be done, before ever there was a war.

Mr. LEWIS. I have adverted to that.

Mr. SMOOT. It is here. I have it in my hand. As far as the President is concerned, the only thing that I have seen is the President writing a letter to a Member of Congress, indorsing the statement made by the Postmaster General; and the Postmaster General gave but two reasons why it ought to be done, and neither one of them applies at this particular time. As far as the Secretary of War is concerned, I have simply noticed in the press a statement made by the Secretary of War, and the press itself says that the Secretary of the Navy is in favor of the joint resolution. I know nothing further than that.

I wish to say to the Senator now that when legislation in the past has been asked for it has not been asked in that way. If it applies to foreign affairs, the members of the Committee on Foreign Relations of the Senate and the members of the Committee on Foreign Affairs of the House have been called to the White House and the reasons given to them for adopting it and they have conveyed it to Senators on both sides of the Chamber. But I say to the Senator now no such information as that has been given in regard to this particular resolution.

Mr. LEWIS. I am particularly attracted to the expression of the Senator that other legislation has not been transacted as this, and that important legislation was not sent through as has this. My mind reverts to the exclamation of the Duke to Orlando in "As You Like It":

> This wide and universal theater
> Presents more woeful pageants than the scene
> Wherein we play.

If there had not been some extraordinary circumstances, this unusual method of this legislation would not have been precipitated upon the Senate. Therefore, if we were looking for a reason convincing to one it would be that this resolution did come in this unwonted shape, and we can say with Hamlet, "Methinks it has a mien so strange as to arouse me." Therefore I must say to the Senator if there were no other reasons this one would attract me to the impression that in it all the President is justified. But I will point out to the able Senator, as I have pointed out to others who have done me the courtesy to hear me, that as the resolution asks for nothing in the way of taking any property whatever, as it takes no property in any wise, as it vests at this time no power but merely authorizes the President in the event of conditions arising satisfactory to him for the defense of the country that he may be allowed to do so. No change of anything is now effected.

Have Senators remitted themselves to this position that they are to sit in judgment upon the President of the United States as to when he shall exercise it, a power vested in his discretion? Are they to constitute themselves a court of revision of his "errors," for if his reasons are to be submitted to you, do you reserve the right to pass upon whether they are sufficient for your approval of his policy? If you do that, then it is you whose reasons are to prevail, not the President's. If you are approving them because they are the President's—in this emergency—there is no need for him to submit them. If your policy is to disapprove them, when you do not for reasons of your situation concur in them, you unconsciously defeat your land and deprive your Nation of its quick security and defense.

Then you are finally driven in the last analysis to this conclusion: Which of you shall be the judge of the emergency upon which the President shall take possession of the property? He who will have the information, he who will have the surrounding circumstances which now environ him, or you, Senators, who can have no knowledge from time to time of those details, being busily engrossed in other matters in pursuit of your legislative duties? To whom will you commit the charge—to yourselves, to act on, in your usual method of procedure, to meet first in session and then to struggle for a quorum; then to get a committee meeting to submit the legislation to in legislative form, and then wait until the committee reports, to find one side or the other in opposition, and that opposition to surge here like a ship battling in a storm, and while fighting for a result your country in the meanwhile to be sent to its wreck? Surely, Senators, you will realize that such a position can not be maintained. Yet it is such condition that will be if your contention should prevail.

Now, Mr. President, my eminent colleague [Senator SHERMAN], the senior Senator from Utah [Mr. SMOOT], the Senator from Minnesota [Mr. KELLOGG], and many on my side—I need not at this time recount them—I may add, the eminent Senator from Indiana [Mr. WATSON], from observations expressed are sincerely opposed to the theory of the Government entering what might be called Government ownership of the public utilities, such as the telegraph and telephone.

Mr. President, upon that question there is great ground for difference. We will fight it out in this country very shortly, and some result will come from the popular ballot, for as I see it, it will be one of the things which will be one of the domestic issues in connection with those issues that will grow out of peace terms to be fought over in the next presidential contest. The political parties of our country will make assertions upon these views in some form or other, but until then, as I see it, I am unable to see that the question is now before this body.

Mr. WATSON. Mr. President——

Mr. LEWIS. I yield to the Senator.

Mr. WATSON. Inasmuch as the Senator has referred to the Government ownership of public utilities, and inasmuch as he has correctly stated my position, may I ask his?

Mr. LEWIS. Yes. I, sir, have been for a long time the advocate of the Government ownership, and if the Senator could have been here instead of being in committee meetings or elsewhere on official business and heard my argument upon the railroad bill he would have gathered my position as he will gather it now. I say I am now a sincere advocate of the Government taking over the railroads, telegraphs, and telephones, and every other agency necessary to the welfare of the Government and for the uses of government. I would that the people shall possess themselves of the people's property—highways and communication—but as to the operation by the Government there I differ from many of those who are with me as to the ownership. I would in each instance operate that particular property in such a way as that property may be best operated for the welfare of the country and the uses of the patrons; in some instances by a private lease; in some instances through a corporation, as we do the Government shipping affairs or other instances I might speak of, as banking establishments; in some instances by a commission controlled by the Government. I have serious doubts in my mind whether we are ready to enter upon operation by the Government as a governmental function. As to that I have not reached the point where I can give such unqualified approval.

Mr. WATSON. The Senator has said that he is in favor of the Government taking over these properties. Does he mean that he is in favor of Government ownership or private ownership with Government control?

Mr. LEWIS. I am for Government ownership, but in many instances I would be for private operation, making the operations subject to Government supervision, but in each instance I feel it would have to be determined by the nature of the property and the demand upon the public.

Mr. WATSON. May I ask the Senator another question?

Mr. LEWIS. Surely.

Mr. WATSON. Would the Senator limit such Government ownership to railroads, telegraphs, telephones, and express companies or would he go further and apply it to mines?

Mr. LEWIS. I will say to the Senator if I were to enforce my policy I would limit the ownership to those particular agencies necessary for government. Railroads and telegraphs I regard as necessary to the Government. That is the highway of communication. As to mines, I say to the Senator I have long been an advocate of the Government holding such property as coal, oil, and minerals, but I would not have the Government enter into operation and development. Those I would turn over to private enterprise and private operation, merely supervising them, so as to never lose the Government control, so that whenever necessary for the national defense we could promptly possess ourselves of the properties.

Therefore, Mr. President, the objections urged by Senators as to Government ownership can be admitted to be well taken for the purpose of this argument. They are not pertinent now. When the time comes to present a bill that really takes the property for Government ownership these objections, I trust, will have a liberal audience. But at present I can not see that the question is before the body at all, and prejudices upon that subject must not be allowed to enter here and serve to defeat the measure for the only purpose for which it is introduced. When

I opened my discussion I alluded to that particular thing. It was that the sentiment of prejudice, I feared, would find favor and might enter to strengthen here and before the public opposition to this bill, for that they were given to feel that this was a measure of Government ownership, to be perpetuated upon the Republic as a policy of the administration, that I insist is not before the Senate.

Mr. WATSON. Mr. President——

Mr. LEWIS. I yield to the Senator from Indiana.

Mr. WATSON. The Senator has been very courteous in yielding.

Mr. LEWIS. And the Senator is also courteous in his queries.

Mr. WATSON. The Senator says that that question is not at issue and is not involved in the present controversy. Is it not a fact that before the committee of the House Secretary Baker appeared, Secretary Daniels appeared, and Postmaster General Burleson appeared, and that each one voluntarily stated that he was in favor of Government ownership and operation of the telegraph and telephone lines, and that he has always been of that opinion, thereby volunteering their preconceived opinions on the subject of Government ownership to the members of the committee in that hearing? Does not that of necessity thrust that question into this controversy at this time?

Mr. LEWIS. I may reverse that situation for the Senator. As an illustration, there are Senators here who are in nowise favorable to the railroads being owned by the Government, yet they voted for the railroads to pass under the control of the Government at this time, because they felt there were exigencies that justified it. By the same reason the mere fact that members of the Cabinet may favor the Government ownership at some other time or favor it as a principle is no argument against pressing this particular resolution for its limited purposes, for I advise the Senator that upon examining those reports he will see the Postmaster General said, "I do not think that anybody's fad should at this time be put forward under the guise of necessity of the war"; and he specifically refers to such as obnoxious to him. Indeed, he refused to urge this measure, which the Senator is quite correct in saying the Postmaster General favors, at this time as a measure of civil administration. He presented as the only theory of its present necessity the purpose of immediate protected communication for war uses.

Now, I will call the attention of the Senator from Indiana to this: The Senator has served with distinction in the House. I have served there with experience. He knows that while the House is at times impetuous there is not really a more conservative body when suddenly summoned to serve an obligation than those representatives of the American people. Will the Senator assume that a resolution like this could pass the House of Representatives with such a vote and be brought to this body after a hearing before their committee without something in the mind and heart of those men convincing them of an emergency that justified it? I must assume they not only knew it but felt it overwhelmingly.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER (Mr. THOMPSON in the chair). Does the Senator from Illinois yield to the Senator from Utah?

Mr. LEWIS. Certainly.

Mr. SMOOT. I do not know whether the Senator was in the Chamber at the time the senior Senator from North Carolina [Mr. SIMMONS] replied to an inquiry made by the Senator from Pennsylvania [Mr. PENROSE]. I think the Senator from North Carolina stated that the reason why the House passed the joint resolution without hearings or without any discussion was that they expected hearings to be had in the Senate, and they expected the investigation to be made here, and therefore there was no necessity at the time and under the circumstances existing in the House to go into the details of the measure at all. I do not know whether the Senator heard that statement or not.

Mr. LEWIS. I beg to say to the Senator I fear his memory has not served him accurately. The Senator from Virginia [Mr. MARTIN] made the statement if the Senator will look at the RECORD.

Mr. SMOOT. I think both.

Mr. LEWIS. The Senator will remember that he said it was the habit of the House to do that. At any rate, from whom it came, the sentence was uttered. I think that that was the deduction and possibly may have been based on information, but this much is true, it was uttered. That related, I may say to the able Senator, to the smaller question of compensation and to details. I do not think it related to the question of necessity, for the House had that question before them when they had the Cabinet officers. They had summoned the Cabinet officers for their information.

Mr. President, that brings me then——

Mr. WATSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Indiana?

Mr. LEWIS. Surely.

Mr. WATSON. In view of that proposition, I will answer the Senator's question by asking him a question, Yankee fashion. What did the House know about this question that we did not know? Did it have information that we have not gotten at this time? I do not know what impelled them to take the action they did; but what did they know that we do not know now in this body?

Mr. LEWIS. If the Senator has concluded his query——

Mr. WATSON. I have.

Mr. LEWIS. I fancy the House, having entered upon the inquiry and obtained that information in a manner, as we lawyers call it, from the manner and appearance of the witnesses as well as what they say they gathered from all as well as from the tenor of the resolution, that there was portentous urgency. The information they had is not different from that which we have. We have the hearings and we have the resolution, and with that we have the corroborative fact that there must have been an atmosphere surrounding that House and also circumstances which justified the immediate passage of the joint resolution in the overwhelming manner it was passed, which to me is very influential and very commanding.

Now, Senators speak of the objection addressed to Government ownership. Let me pause a minute to say, Mr. President, I concur with the sentiment expressed by Senators respecting the loyalty of these employees of these companies. I think one of the most remarkable instances of personal honor that has been shown to the world is that displayed by telegraphers. How many thousands of times has a telegrapher been possessed of knowledge conveyed by telegrams which, if communicated, he could not only enrich himself but create confusion among hundreds of others. The instances indeed are rare that one has been accused, and no instance of established proof. And no man could gainsay that their loyalty has not been proven by every test, and that they are loyal to this Government in this emergency all proclaim, and none but a slanderer would assert to the contrary. But each can only know what is in his power to discover. How often the most innocent appearing individual tenders them a message, availing himself of service yet imposing upon the employee and making that honest man an innocent instrument of great danger to their Republic.

Mr. WATSON. Mr. President——

Mr. LEWIS. I merely wish to say at this point there can not arise under this resolution the suggestion anywhere that there is involved in it a reflection upon these employees or upon their competency or of their loyalty, and none can go out from this body drawn by implication or inference.

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Indiana?

Mr. LEWIS. I yield.

Mr. WATSON. Does the Senator know a single instance in which a telegraph or telephone operator has betrayed his trust?

Mr. LEWIS. No; and I answer I do not think it will ever arise; but I do say to the Senator, since he has put that query, he has in common with other Senators noticed many messages went out perfectly innocent—empty, indeed, of suggested danger—which became the agency through which things happened to the Government which gave us all great embarrassment.

Mr. President, it has been intimated that the Postmaster General desires this measure to use it in some quality of censorship. I have stood on this floor and opposed the Postmaster General in many things through honest opposition as to measures coming with his recommendation, their application or their need, notably in that of the pneumatic tubes in which my city was greatly interested. I can not be said to be a prejudiced defender of every position of the Postmaster General.

Mr. President, if I thought for one moment, if for a flash of time there could enter upon my soul the conviction that the Postmaster General would use this measure to censor just agencies of the news, by which they could be diverted to favoritism of any sort, or to obstruct it merely because he did not politically favor their contents, I would not only cease the advocacy of this measure but I would denounce such an agent as unworthy of a public trust, and if so the truth came to me that he had done such a thing I would make it my duty to inveigh to his superior officer to remove him with such suddenness as would indicate to America that no such outrage could exist with the approval of the President of the United States. But, sir, I feel in my heart that which I utter with my lips, that it would be the very last thing in the world that an American citizen such as Albert Sydney Burleson could do. Born

and reared under the skies of Texas, where the theories of liberty and freedom of man have been taught to a greater degree than, surely to an equal degree, as in any Commonwealth of our land, that he having been a prosecuting attorney of his home community and intrusted in that office for years as a representative of justice, and then being sent by his people to Congress, and having served in that body as a public representative with renowned distinction and learning, from all his environments and surroundings the theory of American institutions, I denounce myself the suggestion that such a man could ever lend himself under any influence whatever to the wrongful censorship of the press or bring upon it an oppression such as is the fear expressed by Senators on this floor. Justice to Postmaster General Burleson compels you to give him an exemption from the possibility of such accusation.

Mr. WATSON. Mr. President——

Mr. LEWIS. I yield to the Senator from Indiana.

Mr. WATSON. Some weeks ago the Appeal to Reason, a paper published in Kansas, a socialistic sheet of most radical tendencies, printed a statement to the effect that certain representatives of the Post Office Department had temporarily taken possession of that office because of alleged treasonable publications. That sheet was excluded from the mails for some five or six days. Subsequently it appeared under a new name, the New Appeal, and on the editorial page the announcement was made that henceforth it would not seek to hold up all the socialistic ideas it had advocated in days gone by, but that the paper would content itself with advocating the Government ownership of telegraphs, telephones, railroads, and express companies; and thereupon the Postmaster General freely opened the mails to the circulation of that sheet. Is it not fair to assume that the Postmaster General did that because he believed in those doctrines himself and not because those doctrines were inimical to our institutions in time of peace?

Mr. LEWIS. My answer to the Senator is this: I know nothing of the facts. I take his statements upon their face as being the fact, and upon that predicate I respond.

First, the paper was charged to have contents in violation of the espionage law and opposing the law passed for the protection of the Government. Subsequently it appeared to have changed its course. As to that feature, the fact that it continued as to certain other principles which were always principles of its contention in nowise argues that because it insisted two or three or abandoned four or five, that either was the reason why the Postmaster General permitted the publication. I will say to the Senator it was because the publication had abandoned those expressions which were inimical to our country and treasonable in their spirit to the Republic.

Now, I say to the Senator, this power vested in the Postmaster General, often on this floor condemned by Senators, has been exercised time and time again; and I ask the Senator from Indiana, the Senator from Illinois, my colleague, and the Senator from Utah [Mr. SMOOT] will they not be fair and just, according to their nature, and admit that in every instance where the Postmaster General has exercised the power of exclusion from the mails he has been sustained by the courts, and in only 3 instances out of 11 were the members of the court of his political party or the representatives of his political views? Will not the Senators recall that the sacred tribunal to which we ever make appeal to test of right, the courts of our country, under the Constitution has affirmed the conduct of the Postmaster General, leaving it no longer a subject of our accusation or dispute?

Sir, may I say to the Senators that when Senators on this floor condemn the Postmaster General because he exercised the authority vested in him to use his judgment and his discretion as to when this mail is forbidden, when it is proper and improper, and seem to think of his action in terms of tyranny, I invite them to the fact that there was nothing new in his course. It happened under the Republican administrations of Presidents in the past in the exact way as now exercised. The law under which Postmaster General Burleson has acted is of the exact wording of which was passed by this body in several forms at several times. May I invite the attention of the eminent Senators to the proceeding of the court against Postmaster Coyne, of the city of Chicago, appointed by an eminent Republican President. I cite the case of One hundred and ninety-fourth United States, decided years before the war. We find that the constitutionality of the law was assailed in time of perfect peace and tranquillity. This law authorized the Postmaster General, "upon evidence satisfactory to him," to deny the use of mails to certain publications. Surely those are the exact words, are they not, of the present law, under which a Democratic Postmaster General, or one so called, has acted? Why is it that he can be so characterized at this time in executing that which was a mere copy of a law passed by a previous administration, called Republican, in a time of peace and vindicated by the courts and executed by Postmasters General appointed by the eminent Republican predecessors of President Wilson? Let it be understood that the Supreme Court of the United States later had occasion to pass upon the question.

Mr. WATSON. Mr. President——

Mr. LEWIS. If the Senator will allow me to finish this——

Mr. WATSON. Very well.

Mr. LEWIS. In the suit of Smith *v.* Hitchcock, the Postmaster General of President Taft, the Supreme Court of the United States had occasion again to speak of it. Thus they say:

> The ground of the bill was that the privileges had been annulled without granting the hearing required by the act (31 Stat., 1099, 1107), and that the publications were periodical publications within the meaning of the act (20 Stat., 355, 358, 359). The Postmaster General had decided that the publication was not a public "periodical"—

I am reading from 226 U. S., 53—

> "and could not be carried as second-class matter"—

But would have to go differently, and stated the reason. Mr. Justice Holmes, speaking for the court, said:

> Thus a question of law is raised, although, as suggested in Bates & Guild Co. *v.* Payne (194 U. S., 106, 108; 24 Sup. Ct., 595, 48 L. Ed., 894), we should not interfere with the decision of the Postmaster General, unless clearly of opinion that it was wrong. * * * We have no such clear opinion.

So Senators must see that all the things which they denounce in the present Postmaster General is a mere exercise of power duplicating that which was exercised in time of peace and tranquillity by his predecessor under a preceding Republican administration. What justification can Senators offer for such discriminating injustice? I yield to the Senator from Indiana.

Mr. WATSON. Was the decision to which my able friend refers a lottery decision or a decision on obscene literature?

Mr. LEWIS. One. I answer the Senator—one.

Mr. WATSON. Does the Senator make no distinction between cases of that kind and censorship of telephone messages between farmers from one farm to another?

Mr. LEWIS. I answer, I must say I know of no censorship of telephone messages from one farmer to another. I never heard of it. I do not believe the Postmaster General could ever do such a thing or that under this law such would ever be allowed. He is the last man of America to think of such. As there is no domestic censorship of the mail so there would never be allowed a domestic censorship of wires. Having heard Senators make the assertion and having great respect for that assertion, it having moved me seriously, I interrogated the Postmaster General as to the foundation of such. He did me the privilege to say not only has it never been done but that under no circumstances would it be done, and that all Senators and every citizen of this country may rest assured that any law vested in him will only be exercised according to the spirit which is intended as we pass it, and nothing under any other circumstances be done by him, and that no censorship that is not now permitted and directly ordered by law would ever be assumed by him. He is for law, he is for protection of Government, but first he is for the maintenance of all our liberties consistent with the state of war we are now in.

Mr. WATSON. Mr. President——

Mr. LEWIS. I yield; but I wanted to make that plain.

Mr. WATSON. I am glad the Senator has given us that assurance as to the position of the Postmaster General, but suppose that this censorship should be turned over to the Secretary of the Navy or the Secretary of War. I notice on page 30 of the hearings before the House committee Mr. COOPER of Ohio asked Secretary Daniels this question:

> Did I understand you to say that you believed the Government ought to be able to control all private conversation in my home over the telephone?

To which Secretary Daniels replied:

> I believe the Government ought to have control of all communication, and safeguard you so that you could have your private communication by Government officials instead of by private employees of a company.

Mr. LEWIS. I am sure the Senator must realize that Secretary Daniels may have some personal opinion, but whatever law will be passed by this body would be the only one under which he could act. If he did have that censorship power, it would only be under a power we gave—from us he would have the final expression. I take it that the portion of testimony read by the Senator refers to the present conditions of the war. If it referred to anything else I would be surprised, because I know the Secretary of the Navy, and I know he is an ardent American, a genial Christian gentleman, and, however much we might differ from time to time in regard to policies, he is a valiant and obedient public servant.

Mr. President, I trust I have made clear my reasons why I give this measure my full support, and, sir, may I say my reasons why in the committee I opposed hearings and did, as I am rightfully charged, make the motion to report the joint resolution without further interruption. What could the hearings produce, Senators? When you ask for a hearing I have one query to put to you, and this will conclude my reference to this phase. What hearing could you have? There are but two inquiries: First, is this necessary for the purposes of the national defense? And, second, what are the compensations to be arrived at? Senators, if the Commander in Chief sends this to you and tells you that, in his opinion, there are reasons which justify your Government taking possession of these agencies for the necessity of national defense, will you take the opinions of other gentlemen brought into the committee who say the President is wrong? Will you take the opinion of every owner of every telephone if combined into one; will you take the opinion of all the stockholders of the telegraph companies if consolidated and concentrated into one human voice; will you take the opinion of every citizen of the United States, combined in a single expression, as against the one man who you know is the only man situated by the votes of the people where he can know? Certainly you will not; certainly you can not. If you do so, you write yourselves down as absurd, for you are not traitors. Then, why the inquiry, and where would it be addressed? You will see, Senators, that inquiry can not be entered upon at all without a reflection upon your own Government and upon its head.

As to the other, I concur with you. There must be inquiry as to the value of the properties and the compensations, if we shall take them; but that is provided for in the joint resolution.

Why have hearings now for a thing that may never arise? If the joint resolution proposed to take the property now, your animadversions would be well founded, but as the provision is only to allow the property to be taken, if ever the owners shall create the necessity upon which it shall be done, then arises the time to inquire, and only then. The joint resolution specifically, broadly, and comprehensively provides that at such time compensation shall be arranged in the very same and exact manner as you have provided in a number of instances. Where is the ground for complaint as to that? Therefore, the mere fact that provision is not now made for a future condition that may never arise, for a contingency that may never happen, can not rightfully be urged here as an obstruction to merely giving power to be exercised if conditions shall so arise as to call for the invoking of it. It is on this phase where I differ from my eminent friends who speak of the inquiry—not that it should not be, but that the time has not yet arisen to demand it. When it shall arise who shall make it? The executive body has always done it—the body who administers the property.

Senators, you are a set of lawyers and of business men. I ask the distinguished Senator from North Dakota [Mr. McCUMBER]—and there is not any better type of lawyer in the part of the country where he lives—if a railroad came up and took his farm, would he ask by law to stop to find out what should be the price before the railroad entered upon condemnation of the land? The Government took lately property near here, in Virginia and in different States of the Union, for its uses. Did we stop to make an inquiry as to how the land should be paid for, what price should be paid, before we ordered it taken? No; we proceeded to condemn the land; we proceeded with the processes of condemnation; then we summoned the jury and called in the experts as to the damage and agreed upon its value or yielded to the judgment of the court. Here you are proposing to do the very exact thing in a time of war, amidst all of the emergencies of the hour, and to condemn at such a time and in the same manner as in "the piping times of peace," as in the case of an ordinary condemnation of land for a railroad track. So I revert to my proposition as I opened. Let there be no further deception as to this measure; let us banish these illusions; let us step out of this tent that has been woven around us of darkness and gloom as to the meaning of the measure.

Mr. KING. Mr. President, will the Senator from Illinois yield to me?

The PRESIDING OFFICER (Mr. KENDRICK in the chair). Does the Senator from Illinois yield to the junior Senator from Utah?

Mr. LEWIS. I yield to the Senator.

Mr. KING. I think it is only fair, however, to the opponents of the position taken by the Senator from Illinois to state that the illustration which he gave is not a fair parallel. In the case of the Virginia land, or in the case of the farm of the eminent Senator from North Dakota [Mr. McCUMBER], before it could be taken, there must have been an adjudication—perhaps interlocutory in character—that the land was needed for a public use. Before anyone had the right to step upon the premises of the Senator from North Dakota or of the owner of the land in Virginia there had to be a determination that the land was needed for a public use. With that determination, then the question of the ascertainment of damages is one which may be remitted to the courts, a bond being required, except in the case of the Government. The bond is furnished, and the person bringing the condemnation proceedings enters into possession of the property. Then the jury subsequently is called into the box to determine the damages.

The contention of those who are opposing this joint resolution, as I understand their contention, is that, given the necessity for the taking of the property, they have no objection to the method of ascertaining the damages; they are not complaining of that now; but the Senator from Illinois assumes the necessity, whereas those who are opposing the measure do not admit the necessity, but say that as soon as the necessity exists then they are perfectly willing that the property shall be taken.

Mr. LEWIS. Mr. President, it is evident that the junior Senator from Utah was too engrossed with more important matters and did not hear that I specifically covered that feature. The first inquiry is as to the necessity of taking over the property; and the question, then, is, Is there a military necessity for its taking, involving the defense of the country? I drew an illustration here, and asked who shall decide that? Why have a hearing? If every owner of the property had said one thing on one side, and the President, the Commander in Chief, with his knowledge, said another—as he does in the joint resolution—and then every citizen, consolidated and concentrated into one human voice, with all its power, had said to the contrary, whom would we take? Thus it was I demonstrated that the question of necessity became, then, a determined one. Why have a hearing as to those whose judgment we know we could not follow because they have not the information?

In the instance that the junior Senator from Utah parallels, there is an ordinary matter where the railroad company steps in to say it is a public necessity, and anyone who differs from it, to wit, the agents of the property or the citizens owning it have an opportunity to contest the claim, and the judge finally decides it; but in that case it is as a mere expert opinion as to whether or not the road is needed in that particular locality; and surely the Senator does not consider it a parallel to a case like this.

We have before us no such circumstance; but we have the opinion as to the necessity of the President of the United States as Commander in Chief, bound to defend this land under certain emergencies; and I respectfully urge that the necessity having been shown in the matter in no sense was there any question of compensation, and all other questions, such as the privileges of the telephone companies, the rights of small companies, and the adjustment of leases, can be left to the executive department, as they have been in the case of the railroads which we have taken over.

Did we oppose the taking over of the railroads because there were hundreds of intermediate leases in the different States all over the country then existing? We trusted to the executive branch to adjust those matters, as they will be adjusted here. There need be no fear of injury. There are four appeals—one is to the executive department itself, which will take control of this subject; then to the President of the United States; then to the Court of Claims; and then to the Supreme Court to finally settle the matter. That is all that any man has in time of peace.

I again assert, sir, that there has been a shrouding of the measure in mystery and, without intention, considerable misconstruction of its object that deludes the public mind as to its purpose. I am seeking to bring us back to the real merit of the measure and the only thing it does, namely, vest the President of the United States with power to take the property according to the methods pointed out by the joint resolution if ever, in his judgment, from any facts in his possession he may think it shall ever be necessary to do so.

Mr. President, I have taken considerable time because Senators have interrupted me freely—a thing I have invited—and I acknowledge the courteous manner of their interrogatories, and I trust I have not been less courteous in reply; but we have done a great deal, I think, to make clear the issue; but here, as I conclude, I wish to press one thing upon those who hear me.

Why is it that every time the President of the United States sends anything to this body at a time when we are at war, and after we have voted him the authority to conduct it, we can never admit merit in his demands? Why is it that in every instance of his requests as to extraordinary matters there are those who arise to question the sincerity of his appeal, to dispute its practicability, to oppose its being granted, and, finally, to defeat, if possible, the object he seeks to attain?

Senators, have we come to the point when we certify before the world that there is nothing the present President of the United States can do that we can approve? Have we reached the point that every act must be certified by us as unworthy or imperfect, whether it is a revenue bill or a railroad bill, the Overman bill, or a bill affecting the War Department in regard to a limitation of the draft and the ages of soldiers in their availability for service; that some Senators who must arise to assert in themselves supreme judgment over all those who have given the subject constant, dispassionate, and ceaseless consideration; that everywhere, under all circumstances, we present ourselves as being the sole repository of all the wisdom upon the subject, and certify by our conduct no confidence in our country's superior commanders? Senators, I shall not probably allude to this again, but I feel here I may be permitted to do so.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Missouri?

Mr. LEWIS. I do.

Mr. REED. Mr. President, I wonder if the Senator from Illinois meant to refer to "our superior commanders"? I wonder if he does not want to qualify that phrase?

Mr. LEWIS. Mr. President, I had used specifically the phrase. I spoke of the Army and of the Secretary of War; and if the Secretary of War and the President are not superior commanders of the Army and of the draft, I am unable to know the theory of law.

Mr. REED. But the Senator was speaking about the Senate of the United States, as the context will show. I have no quarrel with him if he wants to employ that language; but I thought I would, in all kindness, call his attention to the way in which he had employed it.

Mr. LEWIS. Mr. President, I meet gladly and greet pleasantly, I trust, interruptions. I am perfectly sure that I divided my sentences into three parts. I referred to one measure, then to the second measure, and then I came to the third, the last; and in that connection I referred to the Secretary of War and his recommendations. It may be that the context is as the Senator suggests, but if it is, Senators know that I did not refer to anybody as being the superior commanders of the Senate. It could not be conceived that I could have made an allusion of that kind, and it can not be urged that I would tolerate any other man making it intentionally without correcting him. I say to the Senator that my intention then and now is to allude to the fact that we never yield to the superior commanders, in whom we have vested those things of mere discretion, judgment, and control, but always sit in judgment, on the theory that we must first suspect their object and then we must defeat their purpose.

Mr. WADSWORTH rose.

Mr. LEWIS. Does the Senator arise to interrogate me?

Mr. WADSWORTH. I should like that privilege.

Mr. LEWIS. I yield to the Senator from New York.

Mr. WADSWORTH. The Senator has laid down a very sweeping principle. He has alluded to the discussion, I assume, that occurred on the floor of the Senate in connection with the extension of the draft age. The Senator will remember that some Senators upon this floor thought that America could win the war more quickly if the Army were enlarged. Does the Senator contend that a Senator holding those views should not speak them?

Mr. LEWIS. No; I feel that any Senator holding convictions should speak them; but I say to the Senator that when recommendations have been made by those who understand these things, first, as to the number of men needed and where for fighting, the number of men needed to stay at home and provide supplies and where, and when, after seriously considering those subjects they have sent their recommendations to us, we without any knowledge on our part, as I have said, and with no information on the subject and with no opportunity of having obtained it, nevertheless didactically assert our superiority of wisdom when we have had no qualifications upon the subject, all merely that we might cavil with those who have recommended or defeat them in their design. It is that, sir, that I say certifies to the soldiers abroad that their eminent representatives in this body have no confidence in their soldiers' commanders. Now, my eminent friend says I used the words "our commanders," and probably I did.

Mr. KING. Mr. President——

Mr. WADSWORTH. Will the Senator yield again?

Mr. LEWIS. I yield to the Senator from New York, and then I will yield to the Senator from Utah.

Mr. WADSWORTH. Does the Senator, in all seriousness, contend that the slightest indication of a difference of conviction or opinion on the part of any individual Senator with the Secretary of War or the Chief of Staff indicates a lack of confidence generally, and that that is the impression that goes to our soldiers in France? The Senator is indulging in some rather exaggerated statements, if I may say so, which I think he might well think over before he puts them in the RECORD unmodified and unqualified.

Mr. LEWIS. I assure the junior Senator from New York that this particular Senator thinks as he moves along, and frames his expressions as the result of his thought. I uttered the thought upon reflection, and I repeat it upon deliberation. It is my judgment, and therefore my assertion, that when the Chief of Staff and Secretary of War send in recommendations as to what should be the ages of the draft, after investigation, and certain Senators assume, without any investigation whatever, to sit in judgment upon the question, they sit in obstruction upon it, and give the country to understand that they have no confidence in those men who command nor in their recommendations, and by such contentions they invite the hearts of our soldiers to distrust and to kill that patriotic fervor and confidence that would follow, sir, from another example.

Mr. WADSWORTH. Mr. President, the premises stated by the Senator from Illinois are incorrect. There was an examination and investigation in which the Military Affairs Committee was assisted by the man who knows more about the draft than any other man and from whose advice on more than one occasion a majority of the committee obtained the very clear impression that the draft age should be extended. So it is not quite accurate for the Senator to say that without any investigation or inquiry, and without knowing anything about it, some Senators had the hardihood to express their convictions on that question.

Mr. LEWIS. Of course, Mr. President, the junior Senator from New York, being a member of the committee, might assume that the information he and his colleagues had was superior to that of those who made the recommendations, and I have no doubt that they had that conviction or they would not have taken the attitude they did; but I have my conviction, and express it, that I do not think it was demonstrated anywhere that they had information sufficient to justify them in obstruction that continued from day to day against those recommendations, when they could have been espoused and affirmed by the action of this body, given splendid sustenance and aid, and sent to legislation with an impetus that would have been inspiring before the world.

Mr. REED. Mr. President, what delay and what obstruction does the Senator refer to? What draft is he referring to—the original draft?

Mr. LEWIS. I may answer the Senator from Missouri that I am not referring to the original draft act, but I am referring to the amendment that was brought in here a short while ago as to the age limit against the recommendation of the Secretary of War and the Chief of Staff.

Mr. REED. There was an amendment offered to the Army appropriation bill. The Secretary of War came here and brought the Chief of Staff, and they asked that action be deferred until they could submit a plan; and almost without an hour's delay their request was acquiesced in, even by those of us who were very firmly of the opinion that the draft age should be changed and that there was an impending necessity for the change. In all my experience in the Senate I have never seen a more ready disposition to accord the greatest consideration to those whom I will call the "war authorities." I do not know what the Senator talks about when he speaks about obstruction. I do not like to challenge my friend to do anything, but I say to him that he can not find in the record the evidence of any obstruction.

While I am on my feet, I do not think the Senator ought to be trying to put the Senate in the position that he has by saying that every time the Senate undertakes to exercise its judgment it disheartens the soldiers at the front. If I wanted to do so I might make a counter statement that I have some evidence to sustain, but I think the less we discuss that question the better.

Mr. PENROSE. Mr. President, I should like to inquire from the Senator——

Mr. LEWIS. I will yield to the Senator in just a second. In responding to the Senator from Missouri I do not know to what he alludes when he refers to "counter evidence"; I do not know to what subject matter my eminent friend alludes, but I recall to his mind that the senior Senator from Missouri and the senior Senator from Oregon, the chairman of the Committee on Military Affairs, both stated that whatever opinions they had concerning the matter, they yielded them to the judgment of the Secretary of War and the Chief of Staff,

The Senators must realize, therefore, that they can not come within the designation or the category of my accusation, but those who with amendments and otherwise continued to obstruct upon this floor for days and days, and who could see nothing in the department that showed wisdom, but everything that testified to ignorance, and held it up to criticism and condemnation before the public—it is of these I speak.

Mr. REED. Mr. President, if the Senator will pardon me, I do not think the RECORD will show that the bill was held up for days. Perhaps two or three days passed during which time Senators made speeches suggesting their ideas in regard to what ought to be done, some for and some against, but all of it of an illuminating nature. The Senator ought not to try to put the Senate in the position of having sought to obstruct. The Senator is making a very delightful and splendid speech this afternoon. While he has been making that speech, of course, a vote upon this measure has been to that extent delayed; but he is not, therefore, to be charged with obstruction. He is making the speech in good faith to impress his views upon the Senate and upon the country, and it has been a very powerful and illuminating address, although I do not agree with half he has said; but that does not make any difference. If I were to express my opinion upon the other side, I would not be obstructing the public business, but I would be taking part in the public business.

Now, I affirm that there has been no obstruction in the Senate upon any war measure. I will just make it that flat and challenge anybody on earth to prove the contrary. There has been obstruction in the way of debate, but no filibuster upon matters that have been dragged in here by the ears, and that people have characterized as "war legislation." I do not think the Senator ought to castigate the Senate in this way.

Mr. LEWIS. Mr. President, my eminent and ever delightful friend from Missouri having relieved himself of the burden that was disturbing within him and having overflowed me with its meltings, I assure him that those who did not come within the comprehension need not fear their application.

Now, it is true, Mr. President, I have taken some time in presenting the reasons justifying this measure, but I have spoken for it, not against it. I have set forth what I felt, sir, was a reply to objections which have been urged against it—objections, I must insist, which from many quarters are offered to obstruct the measure by being addressed to things that are not in this measure at all.

The eminent Senator says that he differs from my argument, but pays me the compliment of saying my speech is illuminating. It is that where it is illuminating that the Senator opposes. I dare urge that it is where it is attractive where the Senator differs, and for that reason, I fear, my friend can not find it agreeable to concur with me in the final conclusions.

I was about to conclude when interrupted by Senators. I have finished the argument on this subject matter. I repeat to the junior Senator from New York, or to any other Senator, that I view with great regret the situation to which I am about now to advert. If anyone can cite me to an exception I shall be glad to have it; but I ask where is one single measure of a nature such as this that the President of the United States has sent here to which the Senate has unanimously given its support—beyond measures of finance and bond-issue bills? Not one. Surely those measures have not been wrong; surely they all have been not subject to criticism; surely they all should not have been obstructed. Time has demonstrated in their trial and enforcement that they were just and beneficial, and yet we continue the policy. I, therefore, raise my voice not against sincere opposition—my eminent friend from Missouri and my friend from Utah and others are wrong—it is against opposition to things that do not exist, but which are charged with being contained within the covers of the bill, creating, sir, an image of ugliness and disdain, and firing upon it as if it were the visage of the legislation that is reared here.

Let us look to this measure for all it is, for what it is. I submit that these are times, sir, when individual opinion could well be yielded up for the public good and some regard given to those officials in authority who day in and day out, through long, arduous, toilsome hours, bear their burdens in suffering and who need our aid, and need it to give to the world that flame and flash which leads mankind to new hope and gives encouragement to the soul that fights for the liberties of this land and for the justice of our Nation.

So at this hour I beg you to follow your captain, and, if I may add one command, it is that you salute this measure with the countersign "pass."

I thank the Senate for its courtesy.

Mr. SMOOT. Mr. President, as the eminent Senator from Illinois [Mr. LEWIS] questioned the statement that I made in referring to a statement made by him as to what the Senator from North Carolina [Mr. SIMMONS] said on Saturday of last week when the question of a recess was under consideration, I am going to take the time of the Senate to read just what he and others did say, so that it may appear in the RECORD, and let the Senate decide whether I was wrong or whether I was right in my statement:

Mr. MARTIN. * * * I do not know of any urgent necessity for hasty action on this important matter.

That referred to the resolution that is now under consideration—

Not a single fact has been given, not a single argument has been made, not a single suggestion has come to me showing there is occasion for extraordinary haste in so important a matter. My judgment is—and I believe it is the judgment of the Senate—that it should go to the Committee on Interstate Commerce and hearings should be had, and a careful investigation made before it is taken up for consideration in the Senate.

The Senator from Idaho [Mr. BORAH] said:

I want to know if it is the program that we are to take a recess and leave this important legislation suspended here between the two Houses?

Mr. MARTIN. I know of no other program except that of the two bodies. My belief is that an overwhelming majority of both Houses contemplate a recess and hope it may come to-night. They do not expect to consider that matter before the recess. No one is authorized to make a program, but the concensus of opinion, as far as I have been able to gather on both sides of the Chamber and in the House, is that the Senate and House ought to have some rest and relaxation from labor now and take a recess.

Then the Senator from North Carolina [Mr. SIMMONS] interrupted, and said:

Mr. President, I do not think the action of the House in passing the joint resolution is an expression of opinion in the House that the matter is so urgent that it should be acted upon immediately. On the contrary, I think, taking the circumstances under which the House has acted, it is rather an expression which negatives that idea, because the House acted with full knowledge of its purpose, in which it asked, as far as an individual and private expression could ask, the consent of the Senate for a recess this afternoon. The House knew perfectly well that this matter ought to be investigated. The House passed the joint resolution and sent it over here with the expectation that we would take a recess this afternoon. The House expected the Senate to make that investigation and the House knew it could not make it to-day. Therefore the action of the House does not indicate that it was the expression of opinion on the part of the House that there ought to be immediate action.

I read this in order to sustain the statement that I made.

Mr. WADSWORTH. Mr. President, does the Senator from Utah think that the Senator from Virginia [Mr. MARTIN] convicted himself as an obstructionist?

Mr. SMOOT. I will say to the Senator I certainly do not, and I do not believe that any Senator who rises upon this floor and speaks to a subject properly before this body, presents his views, his ideas, and how he looks at the proposition is an obstructionist; and if he does not do it, I say that he is not doing his duty to his constituents or the people of the United States.

Mr. LEWIS. Mr. President, the Senator will recall that I merely called attention to the fact that the statement was made by the Senator from Virginia, not by the Senator from North Carolina. That is the only correction I made of the Senator.

Mr. SMOOT. Of course, the Senator will see now that the statement I made is correct.

Mr. LEWIS. The statement was made; but when it came to the Senator from Virginia, the chairman, through unconscious error the Senator charged it to the Senator from North Carolina, and I corrected it.

Mr. SMOOT. No; I did not charge it to the Senator from Virginia. I charged to the Senator from North Carolina the statement which the RECORD shows that he made.

Mr. President, I do not desire to proceed to-night to speak upon this subject. I do not know whether the Senator from Indiana [Mr. WATSON] intended to take the floor at this time or not.

Mr. WATSON. No, Mr. President. I will say to the Senator from Utah that I understood that the Senator from New York [Mr. WADSWORTH] desired to speak, and also the Senator from North Dakota [Mr. MCCUMBER]. I understood that the Senator from North Dakota desired to make some response to the Senator from Illinois [Mr. LEWIS].

Mr. SMOOT. A number of the matters referred to by the Senator from Illinois, it seems to me, were of a personal character. I hope the Senator will be present when I speak upon this subject, because I am going to refer to them. I desire to call particular attention to the attitude not only of myself but of other Senators, in relation to the granting of every request made by the President of the United States for power to be exercised by him during this war. I say to the eminent Senator now that he can not charge to the Republican Senators that they have not voted almost unanimously for every request that has been made by the President of the United States, after infor-

mation had been received as to reason of the request; and I do not believe that any Executive was ever sustained by an opposite party as President Wilson has been sustained in the requests he has made for power since the declaration of war. I want to say to the Senator, however, that while I am opposed to this joint resolution, I would not hesitate a minute to vote for it if it were going to advance the interests of the Government in any way. If it would help in the execution and carrying on of the war, I would not hesitate for a minute to vote for it.

But there is no evidence to show that it would do that, and there is evidence and there is acknowledgment on the part of many who are in favor of this legislation that if the telegraph lines and the telephone lines were taken over by the Government of the United States it would not run them as efficiently as they are run to-day, and I do not believe it would. If there is a case where the telegraph lines or the telephone lines in this country have been used to transmit information to our enemies, it ought to be easy of proof. Some cases ought to have come to light; it ought to be possible to give some information to the Senate. But no such information is given; nothing except that the power is asked for.

The Senator from Illinois refers to the fact that we have authorized the President to take over the railroads, and therefore he says that every one who voted for that measure ought to vote for this. Why, Mr. President, there is just as much difference between taking over the railroads of this country in the condition the railroads were in, and taking over the telephone and telegraph lines of this country, as there is between darkness and light.

Everybody knows that under the unwise and unjust laws that have been passed in recent years that affect the railroads they could not secure sufficient money to make extensions, provide cars, and keep the roads in order to meet the growing needs of the country. The taking over the railroads by the President was not a war measure; it was a financial necessity, and everybody should know it.

Mr. President, I want to say that if the railroads had not been taken over they could not have financed themselves, the Government having monopolized the money market, and the cost of operation greatly increased, with a denial to increase rates, and in my opinion they would have been in the hands of receivers before this, and I am positive the President of the United States was fully aware of conditions. If a considerable number of the railroads had gone into the hands of receivers, and the obligations of those railroads had been made next to worthless, the President, as well as all of us, knew that the placing of the liberty loans would have been affected.

Mr. President, we created the War Finance Corporation not because we wanted to do it, but because we had to do it. If any great class of business of this country is allowed to fail, involving billions of dollars, as would have been the case with the railroads, the whole commerce of the country would have been seriously affected, if not generally ruined, and it was far better for the Government of the United States to finance the railroads, to finance public-utility corporations, to finance every corporation that is producing material for war purposes, than to allow any of them to fail at this time.

Is there any reason for the passage of this joint resolution now? We know nothing about it if there is. Is the Western Union or the other telegraph line asking for financial support? No. Are their employees complaining of the treatment they are receiving from the companies? No.

On the contrary, they are petitioning Congress, and every Senator has received telegrams stating that they do not want the Government of the United States to take over the telegraph lines; that they are content with the treatment and the wages they are receiving; and that they are just as loyal as the men who stand at the head of this Government in carrying on and carrying out the policies of the war.

So, Mr. President, it seems to me that when a Senator is charged with being an obstructionist, when a Senator is charged with being in such a frame of mind that he can not conceive that there is any good in anything that the President may suggest, it is unfair; and the record of this body, the record of every Senator, I think, goes to prove otherwise.

Mr. REED. Mr. President, I do not intend to discuss the merits of this measure at this time, and perhaps I shall not do so at any time.

I have been for many years a believer in the policy of governmental ownership of the telegraph lines of the country. I have been very strongly inclined to the opinion that that policy might well be extended to telephones and to railroads. I have realized that there were disadvantages inherent in such a policy; that it might mean the creation of a vast power in the governmental officers, and hence result in perpetuating the supremacy of any party once it had gained possession of the office. Therefore I have always been of the opinion that in taking over public utilities an independent board or tribunal, or at least a board as nearly as possible independent of all political entanglements, should be given charge and management.

But the argument pro and con has been very evenly balanced, and the determining feature in my mind always has been whether a plan could be evolved which would perpetuate business policies and at the same time give us the benefit of a public control.

I shall offer an amendment to this measure somewhat bearing upon the question of the control of the property, and perhaps another amendment which will have for its purpose suggesting the agency of that control. Now, when I do that I do not want any Senator to say that I am "violating the orders of my Commander in Chief." I have no commander in chief. I am not in the Military Establishment of this country. The only command I acknowledge is the will of the people of my State, and the only rule of conduct I admit as supreme is the Constitution that the people adopted, which I swore before Almighty God I would uphold and sustain. I will never wittingly break that oath.

How do we happen to sit in this Chamber? I think the Senator from Illinois [Mr. LEWIS] is right, possibly, in the remark he makes under his breath, that "if our people had understood us we might not have been here." That may be true as to some. I am, however, sure it is not true of the distinguished Senator. We are here by virtue of the Constitution and the sovereignty of the people exercised pursuant to that document. We are not here by the kindly permission of any man. We are here in response to the sovereign voice of the only people on this earth who are sovereigns. The man who will ever intentionally impinge upon that sovereignty of our people is a worse enemy of this country than is the Kaiser of all the Germans. When we were sent here, therefore, we were sent under this Constitution; and as I read that Constitution this Government was divided into three separate and distinct branches, each having its prerogative, its duties, and its limitations.

The Executive is charged with the duty of enforcing the Constitution solemnly ordained and the laws duly enacted by the people through their representatives in Congress assembled.

The President does not possess a single power save it be found written in the Constitution or the laws. By the Constitution he is made the Commander in Chief of the Army. But the President is not the commander in chief of the Supreme Court or any other court. He is not even the commander in chief of the humble court of a justice of the peace. He is not the commander in chief of the Congress of the United States. He is not the commander in chief of the people of the United States. He is only the Commander in Chief of the Army and Navy, and Congress can, if it desires, make the Army great and powerful or it can entirely disband it. The President has not now, and as long as this is a government of free men never will have, the power to pass a statute, nor will he have the power to decide what are the rights of citizens under the law. He is possessed of an office of great power, of vast responsibility, and to him, as the representative of the executive department of a mighty people, every loyal man pays respect. But who passes the laws? Who is charged with that responsibility? The people reserve the right to pass the laws, and to pass them by the voices of their chosen delegates. The voice of the people is heard when the Members of the House vote at the other end of this building, and their voices are again heard when the Senators vote in this Chamber. We speak for them, and we are responsible to them. We are the instruments by which the people make the laws of the land. If ever we abdicate our duty to make the laws, we betray the people who sent us here, we betray the Constitution of the United States, we brand the word "traitor" upon our foreheads and write "scoundrel" over our history.

There can be no worse offense against human liberty than for a body of men charged with the solemn responsibility of performing certain great acts for a great and sovereign people to betray the trust laid upon them and to treacherously transfer the powers granted them to another; and this is true, no matter how great the man or how exalted the tribunal to which the transfer is falsely made. The act is in any case treason against the people who gave us power which we employ in defiance of their written instructions.

When we, as the representatives of the people, have passed laws, the question of their construction is not with us. The final construction of them is not with the Executive. It is vested ultimately in that tribunal of wise old judges who sit to determine and construe the law. When, therefore, Mr. President, a

case is presented to that court it must decide that case. It can not turn over that case for decision to the Senate, and say to the Senate: "You decide it." If the court should do that it would violate its sworn obligation and betray the country. Neither can the court turn its decisions over to the Executive, nor can it transfer its judicial authority to any tribunal, to any man, to any officer. If it were to undertake such an offense as that it would be subject to impeachment, and if it were not for the fact that it is almost placed above legal responsibility it would be liable to a worse penalty, if, indeed, a worse can be conceived.

No more, Mr. President, can Congress transfer its duty to pass laws. If it has a duty to pass laws, then it has a discretion to exercise—an intelligent discretion, it is to be hoped, but whether it be intelligent or nonintelligent, it is a discretion which it must exercise. That discretion must be a free discretion, or it ceases to be a discretion at all. If we fail to exercise our discretion according to the best light we have, we fail in our duty to our constituency, to the sovereign people of this country. If this Congress ever concedes that it has any other commander in chief than the sovereign people of the United States, it will go down in history as the most infamous body that ever betrayed a republic. It will not, I am sure, sink to such an estate.

Let us apply these observations to the case before us.

Here is a matter manifestly demanding legislation by Congress. The Senate is one branch of the law-making body. It therefore becomes our sworn duty to legislate for the good of the country. Therefore we must, if possible, legislate wisely. Ever since time was, a part of the process of legislation has been discussion of the proposed law. To be of any avail the discussion must be free, open, and untrammeled. Any other kind is utterly useless. Not only must the discussion be free, but the formation of opinion therefrom must be free, or else the body ceases to function; and when the Congress ceases to function, I repeat, it has played traitor to the Constitution, traitor to the people, and traitor to human liberty.

I make no complaint if the President of the United States sends a bill to Congress or sends a message to Congress saying that he desires legislation of a certain kind, because under the Constitution he has a right to make these suggestions. It is his duty to make these suggestions whenever he thinks they are necessary. It is our duty to respectfully receive them, and it is also our duty to faithfully and carefully consider them. But when all that is done we still must exercise our judgment; and I insist, Mr. President, that because Members see fit to discuss questions, and because they see fit to disagree to propositions, no man has the right to assert that they are thereby obstructing the public business. I regret that such assertions have been repeatedly made here to-day.

If it be conceded that we are to consider legislation, it must also be admitted that the right to consider implies the right to make up our opinion, and that the right to make up our opinion involves the privilege of making it up either for or against the proposed law. Otherwise we have no right to have an opinion; and if we have no right to have an opinion, then the Congress should be abolished. A body which has lost the right to think ought at once to cease the pretense of representing the people.

Mr. President, without at this time undertaking to closely trace the legislation of recent months, I want to say this much: I do not believe the history of the world will show that any legislative body has ever so generally and in all conceivable ways cooperated with and granted powers to an Executive as has this Congress in its dealings of the last 12 months with the great Chief Executive of this country.

I stated when the Senator from Illinois had the floor that I challenged any man to show any obstruction to a real war measure since this war began. I repeat the challenge, and I am willing to let it remain as a standing challenge. I have not all the legislation at my tongue's end, but invite you to go back to the beginning of the war.

Mr. WATSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Indiana?

Mr. REED. I do.

Mr. WATSON. Is it not a fact that the last proceeding in the nature of an obstruction or filibuster in the Senate was the measure having reference to arming the ships, and that was before our declaration of war?

Mr. REED. I think so, if indeed that can be fairly called a filibuster. I was about to come to that very matter. About 30 days before we actually declared war the Senate by at least ten to one was in favor of peace. There were a few men who had been talking about war ever since the *Lusitania* was sunk, but the President of the United States had held up his hand. I do not adopt his elegant language, but I can put what he said in many beautiful and splendid sentences and speeches into a terse sentence; he called upon the American people to sit steady in the boat and keep their heads. From that time on to within about 30 days prior to our actual declaration of war the President had urged a policy of peace upon this country. Everybody was for peace. Congress was for peace. Even those who thought it unwise to longer keep out of the war were for the most part held in check by the desire that we should be a united people back of our President. It was a beautiful illustration of the sublime patriotism of our people.

Mr. President, you will all recall how the President of the United States stood in this Chamber and made his speech in which he declared that the war should be ended without any special victory. It was his last appeal to the warring nations to lay down their arms, and we all accorded with that, Republicans and Democrats.

So far as I am concerned, I do not propose at a time like this to go about playing petty politics. I do not propose to assail the motives of the men on the other side of the Chamber merely because they do not vote "aye" on every proposition brought forward. I know that the sons of these Republican Senators are standing in the red line of battle and touching elbows with the sons of the Democratic Senators. The blood of our brave boys, mingling together in one common stream upon the ghastly fields of France, is a certificate of universal loyalty, a bond of national unity that will outlast the centuries. It is a crimson and glorious certificate.

A little later the President came here and said he wanted to arm the merchant ships. Mr. President, there has been much talk about that filibuster. There were, after all, only about 9 or 10 men in the Senate who were not willing to follow the President in that fateful step.

I do not believe there was any real filibuster at that time. The measure did not reach the Senate until the time for adjournment under the law was almost upon us. If the Senate could have remained in session seven or eight days longer, I have not the slightest doubt the bill would have passed. So there was not a filibuster in the sense we ordinarily use that term.

But let us count it a filibuster—what happened? Immediately upon the reconvening of the Senate, the Senate overruling the precedent that had existed for 75 or 80 years, amended its rules so that there could never be another filibuster in the Senate if really a large percentage of the Members wanted to pass a measure. Two-thirds are all that is required, and a vote can be forced. The amendment to our rules was the direct outgrowth of our experience in regard to the arming of the merchant ships.

Let me pass to the next step. The President came here and asked us to declare war. We had been taught the doctrine of peace for many years, and in the last few months we had heard nothing but peace. We had listened to it from day to day. We had heard it alike from great Democrats and great Republicans. It had been thundered from the rostrum at every Chautauqua. It had been emblazoned in the headlines of every newspaper. For more than a century of time all parties had held that it was no part of the business of America to intervene in the quarrels of European countries. We Democrats had come very near making our last campaign upon the doctrine that we would keep out of this war almost regardless of conditions.

I remember the distinguished gentleman who placed in nomination the President of the United States. He had collated every historical incident of outrage put upon America from the time our Government was formed down to the present. As he related the incidents he asked, "Did we fight?" and he answered, "No; we negotiated." And the convention cheered. And upon that issue we went to the country.

But, Mr. President, there came a time when the President of the United States concluded that we had borne with the outrages and wrongs of Germany to a point where forbearance was no longer a virtue. He called the Congress of the United States together and made a speech in favor of war, and, with pale faces and tense nerves, the eyes of our minds looking upon the bloody scene we knew was about to be created, our ears hearing the cries of the mothers and the wives that we realized would ring out upon the air, our imaginations depicting the crimson stains that would soon be seen upon the lintels of American homes, we followed the advice of the President and entered this horrible conflict—a conflict the end of which we can not see, except as with the vision of loyalty we may behold that perhaps distant day when American arms shall triumph and American honor be vindicated.

There came the question how to raise an army, and we were asked to overturn the traditions of the Saxon race for 500 years that an army should be raised by volunteer forces at

least until that method had failed. But the President said—if not in express terms, through his advisers—that he desired the draft, and the Congress of the United States voted for the draft. I was opposed to the draft as an original proposition. I wanted first to try the volunteer system, and I ventured to express my honest judgment. Was I thereby disloyal to my country or an obstructor? I sought to aid by my opinion. I may have been wrong. That is not the question. I was sent here to exercise a judgment, and I did so to the best of my ability. There is no man to-day who can with certainty say which plan would have been the better. But when the majority, after a short debate, determined in favor of the draft, was there any attempt at obstruction, at throwing anything in the way? On the contrary, sir, when it came to voting the money for the army to be drafted or to passing the multitude of bills that were deemed necessary in order to carry on this great scheme of a conscript army, where was a voice raised against these measures? Who sought to obstruct them?

Sir, if we desire to obstruct the place we could best do it would be in the passage of a revenue measure, because you can not pass a revenue measure in this country unless you place heavy burdens upon people and certain classes of people, and it would have been the easiest thing in the world for Members of the Senate or of the House of Representatives to have begun a debate over the terms of the revenue bill, to have raised objections, to have aroused antagonisms, and to have seriously hampered us in our preparations. But what was the fact? We voted thousands of millions of dollars, and we did it sometimes almost without waiting to read the bill. We took the judgment of the committee. We recognized the fact in the supreme hour we could not stop for little things, that we could only consider the great matters. We knew that the great thing was money, money, and still more money, because if we did not have money we could not have ships, and we could not have guns, and if we did not have ships and guns we could not have soldiers, and if we did not have ships and guns and soldiers we could not prosecute this war.

So we almost immediately voted fourteen thousand million dollars, a sum so stupendous that the brain of no human being can conceive it, the imagination of no man can picture it. That was the first draft—fourteen thousand million dollars. How much since—perhaps the Senator from Utah [Mr. SMOOT] has the figures, for he deals in figures a good deal.

Mr. SMOOT. In round figures we appropriated $19,000,000,000 and about $5,000,000,000 more of authorization, making $24,000,000,000.

Mr. WATSON. And in lump-sum appropriations, contrary to the fixed policy of appropriations of previous Congresses.

Mr. REED. I thank the Senator for his suggestion; it is important. When these bills came before the committee, when they came to be scrutinized by the distinguished Senator from Virginia [Mr. MARTIN], who has always tried to guard the Treasury, when they came to be likewise scrutinized by the Republican members of that committee, they did not hesitate and ask, "For what particular purpose is this money to be employed?" They said the money is needed, and we will trust the executive officers of the Government to honestly expend it.

Mr. President, I shall not pause to relate the story of all these measures, but we have brought in measures here, the espionage law and other laws, laws that would have made the hair stand upright upon the head of every one of us if it had not been that we proposed to make everything subsidiary to the carrying on of the war.

These bills have been passed. But sometimes a Member has ventured to debate them. That is the crime alleged. I have never heard an important bill debated yet but it has been improved. I have never heard one of them discussed in committees but there were mistakes and errors and blunders found in the bill. I have never known an instance when the Senate set itself to the honest discussion of a great measure or a very small measure that something was not discovered of importance, and some benefit resulted.

Mr. President, Senators have not been obstructing. Occasionally there has come a bill here that has aroused more opposition than others, but it is not an accurate statement to say that everything sent here from the administration has been opposed. I suppose I am one of the chief offenders in one matter. They asked to have a Food Administrator appointed, and I opposed it. I opposed it because I thought it would injure my country in this war. I am not going to discuss that question; it was my view.

Now, let us see who it is that sends us these measures that we must swallow without even stopping to look or listen. I respect the President of the United States, not only because of his great office, but because of his great attributes as a man, and yet I know two things. He is the last man who would claim infallibility for himself, and no man that I know of has more readily changed his mind when he thought the evidence was convincing. Those who blindly follow the President will be left in a very sorry position if he shall change his mind some day and they do not have notice in time to also change their minds. The President does not ask that kind of servitude, I am sure.

I shall not go through the different changes of mind that the President has undergone. It is to his credit that he changes his mind, but whenever he changed his mind it was evidence that he was wrong once. He was wrong either before he changed it or he was wrong after he changed it. That is true of every human being when he changes his mind. I do not criticize the President.

I want to put the President on an exalted pinnacle, elevated there by the great people of a great country, trying to do his best as God gives him the light, having the original gift of a great mind from his Maker, but still a human being.

Now, let us come down a little lower. The Senator spoke of "our commanders in chief" or "our superior commanders" and included the members of the Cabinet in that distinguished category. Now, I speak of the earth earthy, and I can therefore employ the vernacular of the ordinary man. I am not one who goes about abusing the members of the Cabinet. I hold them in personal regard and esteem. But what is there about the appointment to a position as Secretary to the President that puts a man upon a mental apex where he is so high the ordinary man dare not look at him?

I knew these men before they went into the Cabinet. What rot it is to speak of them as "our commanders." Here is one of them—a most gracious and splendid gentleman—he had been engaged in the battles of the newspaper world until he had reached probably the age of 55. He was not a monarch among the newspaper men. He ran a good, decent, respectable country Democratic paper. The only thing that was infallible about it was that it was infallibly Democratic. I served with him on the National Democratic Committee. He is a man of good intelligence, of splendid intentions, and of most exemplary habits, and is quite willing to make everybody else's habits as exemplary as are his own. He is making a good Secretary of the Navy, but Mr. President—and I say this in all kindness, I say it with all respect, I would not be considered otherwise—there are 100 men in the House of Representatives, there are a half hundred men in the Senate, and there are 50,000 men outside of either body who could have made a good and acceptable Secretary of the Navy; and it is sheer nonsense to claim anything else. My very good friend, Mr. Daniels, would not ask me to claim anything else.

What he has done since he has been in the position has been to study hard, to work loyally, to give to the place the very best of his time and his talent; and, Mr. President, he has accepted the advice of the best naval men in the country; and so he has to-day a pretty good fighting Navy. But I do not admit the right of Mr. Daniels to do any more than come to this body and argue a question and to suggest. Then we must decide; we shall give due regard to the knowledge he has.

If I should go to the Secretary of War, what then? A little over a year ago he was a successful practicing attorney in the city of Cleveland. He had a good practice; he was of undoubtedly good character. He had some views about universal peace that I do not entertain; he had a right to have those views. He had some views about the ownership of public utilities, and so forth, that some other people did not have; he had a right to have those views. He had been mayor of a great city. I have been guilty of that offense myself; but there is no more reason why he should accept my views as final because I was mayor of Kansas City than there is why I should accept his views because he was mayor of Cleveland, for, taken altogether, I was mayor of very much the better city.

He was utterly ignorant of military affairs. I do not know whether or not he had ever visited an Army post of this country. He was a civilian. That is all right. We have nearly always had civilian Secretaries of War, but just because this pacific gentleman was handed a piece of paper one fine morning giving him the authority of Secretary of War did not transform him into a modern Mars, neither did it put into his head a single particle more of sense than there was the moment before he received that commission. What he has learned about this business he has learned since. I frankly confess he has had some advantage over us in regard to certain problems, but we have had some advantage over him. We have been studying the enactment of legislation; we have had a grasp of the whole business of this country, as well as the problems involved in the war, while his business has been largely confined to mili-

tary problems. Nor have we been without our means of knowledge. We have even had the benefit of his advice. Why, Mr. President, we have upon occasion read the Official Bulletin. We have had the advice of the members of the War Board. We have had the right to call in all the military authorities. When a problem is presented to us, are we to exercise our judgment or are we not?

I think a very great deal of Mr. Secretary Baker, but I decline to admit that he is my "commander in chief" in any respect. If I get out of the Senate and enlist in the Army, the President will be my Commander in Chief, and then I will go where he orders me.

Mr. President, I might go through with the other members of the Cabinet. They were all fine gentlemen, but there is not one man in the Cabinet who had attained to a commanding position in his country before he went into the Cabinet. There is no one of them, on the other hand, who had not thoroughly demonstrated that he was a man of capacity, of intelligence, and of the highest kind of honor; but there was no genius; there was no warrior like Julius Cæsar; no Napoleon; no statesman like Jefferson or Lincoln.

Mr. President, I am making these remarks to a tired Senate, because I am getting more tired than is the Senate of this claim that a man can not exercise his judgment and express his opinion in regard to a bill; that he must take it just as it is handed to him. I have seen bills sent over even from the Department of Justice which, if they had been passed, would have been absolutely disgraceful.

When I came to criticize one of those bills in committee once I was told that a certain subordinate in the Department of Justice had drawn it, and how great a lawyer he was, although he had never tried a case, so far as I know, prior to getting into his job; but about eight weeks after that the Attorney General took him by the scruff of the neck and pitched him out of the window, figuratively speaking, because of a blunder that no man ever ought to have made. So one by one the roses are falling. You can not make a bouquet out of the flowers of yesterday.

The whole lesson to be learned from all of it is that we ought to quit scolding each other because we venture to have an opinion. It is our business to have opinions, and we ought to quit challenging the good faith of Members of this body.

Mr. President, I have never read in history a story of such loyalty as is manifested throughout this entire land. I believe if we could do what the Almighty can do—open the heart of every man and every woman in this country—we should see there the story of a deathless love of country such as has never been engraven upon the hearts of any other people.

There are a few people who may be disloyal; there are a few criminals born every day; there is a certain percentage of criminals born on this earth in every country and clime, just as there is a certain percentage of the deformed and of the insane; but there is not as great a percentage of disloyalty in the United States to-day, in my judgment, as there is of insanity.

Look at the picture. We promulgate a law under which every boy or every man between 21 and 31 must leave his home at whatever sacrifice. They have left their homes; and you can count almost upon the fingers of your hand the numbers of those who resisted the draft. Four and a half million of them are in camps or are on their way to camps, and nearly 500,000 more have voluntarily joined the Navy of the United States. I have visited some of these camps; I have heard the soldiers discuss their hardships with laughter on their lips; they jeer and laugh over their difficulties; they make light of them; and upon the tongue of every man I have talked with there has been but one expression—the desire that the order "Forward to France" shall soon come, that he may be permitted to do his duty.

Yet you constantly find a lot of cheap fellows trying to prove that they are loyal by denouncing everybody else. I have heard Senators of the United States denounced for their disloyalty who, with tears in their eyes, have put their arms about their first born and said, "It is your duty to enlist and follow the flag." I have heard great newspaper men accused of disloyalty who have given millions of their money to the country's cause. These evil stories are reported from lip to lip and from tongue to tongue, until at last they reach inside the German lines, and when they get there the Germans are convinced that we have riot and bloodshed and disloyalty and that the Government is about to be overthrown. We are reading some stories from there now that may be similarly exaggerated; I hope they are not.

I say to you, Mr. President—and I say it as earnestly as I have ever expressed any idea in my life—that the time has come to quit this sort of thing. Let us debate questions as Senators; let us settle them according to our best judgment; let us impugn the motives of no man; and let us, above everything else, quit talking about our Republican brethren—and I am addressing myself now to the Democratic side—as though there is some difference between them and us on this great question of the war. I do not believe it; it is not true.

If I could write a certificate to send to the Kaiser of Germany, I would write this: "There are 104,000,000 people in the United States; they are not Republicans; they are not Democrats; they are patriots, willing to spend their last dollar and to drain their veins dry in the cause of their country, and, until you have crushed that indomitable spirit that thrills their souls, and until you have destroyed all of their men, you can not succeed. Long before that hour can come your throne will totter, your scepter will be broken, the bloody sword will fall from your palsied hand, and your own enslaved people will rise to bless the flag that bears the emblem of America, for it will also be to them the emblem of liberty."

EXECUTIVE SESSION.

Mr. SMITH of South Carolina. I move the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After four minutes spent in executive session the doors were reopened.

RECESS.

Mr. SMITH of South Carolina. I move that the Senate take a recess until 11 o'clock to-morrow morning.

The motion was agreed to; and (at 5 o'clock and 40 minutes p. m.) the Senate took a recess until to-morrow, Saturday, July 13, 1918, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate July 12 (legislative day of July 11), 1918.

REGISTER OF LAND OFFICE.

William R. McGill, of La Lande, N. Mex., to be register of the land office at Fort Sumner, N. Mex., vice Arthur J. Evans, resigned.

COAST AND GEODETIC SURVEY.

Andrew C. Witherspoon, of Pennsylvania, to be junior hydrographic and geodetic engineer (by promotion from aid); and

Henry W. Hemple, of Illinois, to be aid (by promotion from deck officer) in the United States Coast and Geodetic Survey, Department of Commerce.

APPOINTMENTS IN THE ARMY.

MEDICAL CORPS.

To be first lieutenants.

First Lieut. Robert Adwood Corbin, Medical Reserve Corps, from June 14, 1918.

First Lieut. James Craig Small, Medical Reserve Corps, from June 14, 1918.

First Lieut. John William Billingsley, Medical Reserve Corps, from June 15, 1918.

Maj. Edgar Matthias Medlar, Medical Reserve Corps, from June 15, 1918.

First Lieut. William James Carroll, Medical Reserve Corps, from June 16, 1918.

First Lieut. Harry Aloysius Bishop, Medical Reserve Corps, from June 16, 1918.

First Lieut. Martin Robert Broman, Medical Reserve Corps, from June 17, 1918.

First Lieut. Charles William Peabody, Medical Reserve Corps, from June 17, 1918.

First Lieut. David Albertus Gregory, Medical Reserve Corps, from June 18, 1918.

First Lieut. Robert Sydney Cunningham, Medical Reserve Corps, from June 18, 1918.

First Lieut. Tate Benton Collins, Medical Reserve Corps, from June 19, 1918.

First Lieut. Thomas Scott McClanahan, Medical Reserve Corps, from June 19, 1918.

Maj. Harold Augustus Spilman, Medical Reserve Corps, from June 20, 1918.

First Lieut. Benjamin James Slater, Medical Reserve Corps, from June 20, 1918.

First Lieut. Harvey Welton Snyder, Medical Reserve Corps, from June 21, 1918.

First Lieut. Carl Freund, Medical Reserve Corps, from June 21, 1918.

Capt. James Arthur Buchanan, Medical Reserve Corps, from June 22, 1918.

First Lieut. Juan Higinio Font, Medical Reserve Corps, from June 22, 1918.

First Lieut. Francis Elwood Weatherby, Medical Reserve Corps, from June 23, 1918.
First Lieut. Willard Harry Waterous, Medical Reserve Corps, from June 23, 1918.
Capt. John Arthur Keyton, Medical Reserve Corps, from June 24, 1918.
First Lieut. Stephen Horace Curtis, Medical Reserve Corps, from June 24, 1918.
Capt. William Auda Vee Cash, Medical Reserve Corps, from June 25, 1918.
First Lieut. Philip Henry Clarke, Medical Reserve Corps, from June 25, 1918.
First Lieut. Ernest Boling Saye, Medical Reserve Corps, from June 26, 1918.
First Lieut. Levy Steven Johnson, Medical Reserve Corps, from June 26, 1918.
First Lieut. Horace Edward Auringer, Medical Reserve Corps, from June 27, 1918.
First Lieut. Walter Francis Tolson, Medical Reserve Corps, from June 27, 1918.
First Lieut. Lawrence Leonard Blackburn, Medical Reserve Corps, from June 28, 1918.
First Lieut. Roy Wilford Layton, Medical Reserve Corps, from June 28, 1918.
First Lieut. William Francis Greaney, Medical Reserve Corps, from June 29, 1918.
First Lieut. Clayton Lloyd McCoy, Medical Reserve Corps, from June 29, 1918.
First Lieut. Joseph Kopecky, Medical Reserve Corps, from June 30, 1918.
First Lieut. John Edward Dwyer, jr., Medical Reserve Corps, from June 30, 1918.
First Lieut. Bowers Hewitt Growt, Medical Reserve Corps, from July 1, 1918.
First Lieut. John Earl Stanton, Medical Reserve Corps, from July 1, 1918.
First Lieut. Rawley Watt Ward, Medical Reserve Corps, from July 2, 1918.
First Lieut. Arthur Venton Murtha, Medical Reserve Corps, from July 2, 1918.
First Lieut. Hugh Jefferson Davis, Medical Reserve Corps, from July 3, 1918.
First Lieut. Robert Guy Fuller, Medical Reserve Corps, from July 3, 1918.
First Lieut. James Joseph Fitzgerald, Medical Reserve Corps, from July 4, 1918.
First Lieut. Leland Oliver Walter Moore, Medical Reserve Corps, from July 4, 1918.
First Lieut. Ralph Gilmer Willy, Medical Reserve Corps, from July 5, 1918.
First Lieut. Luther Remi Moore, Medical Reserve Corps, from July 5, 1918.
First Lieut. Michael Gerard Healy, Medical Reserve Corps, from July 6, 1918.
First Lieut. Charles Ralph Ozias, Medical Reserve Corps, from July 6, 1918.
First Lieut. Charles Levi Maxwell, Medical Reserve Corps, from July 7, 1918.
First Lieut. Donald H. Pitts, Medical Reserve Corps, from July 7, 1918.
First Lieut. Leo Thomas Mullahey, Medical Reserve Corps, from July 8, 1918.
First Lieut. Alexander Farish Robertson, jr., Medical Reserve Corps, from July 8, 1918.
First Lieut. Vincent Gorman Smith, Medical Reserve Corps, from July 9, 1918.

PROMOTION IN THE ARMY.

ORDNANCE DEPARTMENT.

To be colonel with rank from February 14, 1918.

Lieut. Col. Kenneth Morton, Ordnance Department (temporary colonel).

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Capt. George R. Clark to be Judge Advocate General of the Navy, with the rank of rear admiral, for a term of four years.

Marine Gunner Henry L. Hulbert to be second lieutenant in the Marine Corps for temporary service from the 1st day of July, 1918.

CONFIRMATION.

Executive nomination confirmed by the Senate July 12 (legislative day July 11), 1918.

PROMOTION IN THE NAVY.

Capt. George R. Clark to be Judge Advocate General of the Navy, with the rank of rear admiral.

HOUSE OF REPRESENTATIVES.

FRIDAY, *July 12, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Almighty Father, in whom we live, and move, and have our being, inspire us with the broadest, purest, grandest conceptions of life and its far-reaching purposes; that with patience, courage, and fortitude we may do the tasks set before us daily, and pass on to the things that await us in the Great Beyond, and merit the "Well done, good and faithful servant, enter thou into the joy of thy Lord," and glory and honor and praise be Thine forever. Amen.

The Journal of the proceedings of Tuesday, July 9, 1918, was read and approved.

DEPARTMENTAL EMPLOYEES LIABLE TO MILITARY SERVICE.

The SPEAKER laid before the House the following communication from the Secretary of the Interior, which was ordered to be printed in the RECORD and to lie on the Speaker's table.

DEPARTMENT OF THE INTERIOR,
Washington, July 10, 1918.

MY DEAR MR. SPEAKER: In response to House resolution 376, dated June 3, I submit the attached statement showing the number of employees of this department who were on June 5, 1917, between the ages of 21 and 31, and for whom exemption from military duty or deferred classification has been requested and allowed.

There are in this department, in Washington and in the field, 21,114 employees. To date we know of 1,760 of our men who are now in the military or naval service either by enlistment, commission, or draft. We have asked exemption or deferred classification, and it has been granted, for 557 men, whose services were essential in carrying forward the work of this department, and many of whom are engaged exclusively upon war work. Of these 557 men 184 are now in the War Department through the transfer to that department of the gas investigation work being carried on at the American University, 40 have gone into the military or naval service, and 25 have resigned or been transferred to other branches of the service, leaving now in this department 308 men who have received deferred classification or exemption.

Great difficulty has been experienced in filling certain positions, such as that of examiner in the Patent Office, of which there are about 400. Appeal was made to the patent bar when the registers of the Civil Service Commission became exhausted, and recently a number of women from Wellesley, Bryn Mawr, and other colleges have been appointed as assistant examiners.

Eighty-four per cent of the employees of the Bureau of Mines for whom exemption or deferred classification has been requested and allowed are engaged directly upon war work, and most of them are now under the War Department through the transfer from this department to the War Department of the work at the American University.

In the Geological Survey, where work is being done that must be continued from year to year to be of any value, such as stream measurement, deferred classification has been asked for the men oldest in the service, so that there would be some man on the work at the various places familiar with it, and others have been allowed to go as called. Where the younger men have been rejected for military or naval service by reason of physical disability, the older men have been allowed to go. The recent act providing for 640-acre homesteads requires a classification of the public lands. In doing this work we have endeavored to fill the places with men over the draft age, but where we have had experienced men within the draft age limit their deferred classification has been requested for the period of the work, in the hope that by this undertaking an increase in the food supply could be effected. For the same reason, deferred classification has been asked for a few employees of the Reclamation Service where it was not possible to replace them, and their loss would seriously interfere with the activities of that service, and thus detrimentally affect food production.

One of the employees listed under the Secretary's office was permitted to go to the United States Shipping Board Emergency Fleet Corporation at Philadelphia upon the urgent request of that service. The other two are engaged upon important confidential work directly connected with the Secretary's office.

The 14 men in the Indian Service shown in the list are composed of irrigation engineers, physicians, farmers, and stockmen, and a few in other occupations whose services it was felt could not be dispensed with and whom we have been unable to replace.

On June 30 there were approximately 2,300 employees of the Alaskan Engineering Commission engaged in connection with the construction of the Government railroad in Alaska. Deferred classification or exemption was requested and allowed for 16 of these men who are experienced in the work and whose services could not well be spared, but as to 13 of them their deferment was requested only for the completion of the season's work.

In the National Park Service, deferred classification was requested and allowed for five employees, one of whom is the assistant director and who serves as acting director in the absence of the head of the bureau. He has a multitude of duties to perform, both in Washington and in the field, and his services are deemed very valuable to the Park Service. The other four are all in the Yosemite National Park, where various and extensive improvement work has been laid out under the appropriation for the current year. The services of the chief electrician are especially important in connection with a power plant recently completed and the installation of new power lines in connection with this plant. The two park rangers whose deferred classification was requested and allowed are the only rangers in all the parks for whom such request was made, and in these cases the request was based on the peculiar conditions in this park, from which a number of the rangers have gone into the military service. It was desired to retain the services of a clerk, listed under this bureau, on account of his experience in departmental practice and in several of the national parks.

One of the two employees of Freedmen's Hospital for whom deferred classification was requested and granted is a pathologist, replacing an employee who left the hospital to enter the Army, and was

the only one who could be found to meet the requirements of the hospital service. The other employee has been in the hospital as a pharmacist for eight years; he is a specialist in hospital dispensing and his loss would have resulted in embarrassment in the operation of the institution.

It has been found necessary to retain some of the employees of St. Elizabeths Hospital who are within the draft age, for the reason that the superintendent has found it absolutely impossible to replace the physicians, nurses, attendants, and others, and this institution must be maintained to care for the insane soldiers and sailors, of whom there has been and will continue to be increasing numbers with the large increase in the Army and Navy. A recent census at this institution disclosed the fact that there were approximately 250 vacancies, based upon a total number of 825 employees, and of such vacancies 160 existed in the ward service.

No exemptions or deferred classifications in the General Land Office, the Pension Office, or the Bureau of Education have been asked for.

Cordially, yours,

FRANKLIN K. LANE,
Secretary.

Hon. CHAMP CLARK,
The Speaker, House of Representatives.

Exemptions.

Name.	Home address.	Length of service in department.	Character of work.
OFFICE OF THE SECRETARY OF THE INTERIOR.			
Glenn M. Shaeffer [1].	Y. M. C. A., Washington, D. C.	5 years 11 months.	Confidential clerk to Secretary of the Interior.
GEOLOGICL SURVEY.			
Henry C. Beckman [1]	4136 West Twenty-first Place, Chicago, Ill.	1 year 9 months...	Water resources investigation.
Charles R. Bell (enlisted).	2729 Forest Avenue, Berkeley, Cal.	10 months.....	Land classification.
George C. Bittorf [1]..	2012 East Lanvale Street, Baltimore, Md.	1 year 7 months...	Map reproduction.
E. D. Burchard [1]...	35 Lincoln Avenue, Albany, N. Y.	4 years.....	Water resources investigation.
Depue Falck [1].....	1970 Los Angeles Avenue, Berkeley, Cal.	5 months.....	Land classification.
Robert L. Filtzer [1].	1623 Teutonia Avenue, Milwaukee, Wis.	10 months.....	Do.
Edward L. Franke [1]	1732 East Preston Street, Baltimore, Md.	7 years 4 months..	Expert mechanician.
James E. Hayes [1]...	10 I Street NE., Washington, D. C.	5 years 4 months..	Map reproduction.
Emerson Herrick [1].	265 Eighth Avenue, San Francisco, Cal.	11 months.....	Land classification.
Ralph W. Howell [1].	Bethesda, Md.....	5 years.....	Do.
W. S. W. Kew [1]....	2400 Hast Street, Berkeley, Cal.	2 years 11 months.	Oil investigation.
Herbert G. Kubel (commissioned).	1000 East Capitol Street, Washington, D. C.	6 years 2 months..	Cartographic special.
Joseph F. Kunesh [1].	San Francisco, Cal...	1 year 7 months...	Water resources investigation.
Clifford A. Mayer [1].	Bingham Canyon, Utah.	1 year.....	Land classification.
Victor E. J. Mayer [1]	2014 F Street. NW., Washington, D. C.	9 years 10 months.	Do.
J. B. Mertie, jr. [1]...	Takoma Park, Md...	8 years 11 months.	War minerals investigation.
Lewis E. Nussear [1].	R. No. 1, East Falls Church, Va.	.....do.....	Docket clerk, land classification.
C. G. Paulsen [1].....	406 Federal Building, Tacoma, Wash.	4 years 4 months..	Water resources investigation.
Manual A. Sanchez [1]	Mora, N. Mex.....	1 year 1 month....	Land classification.
W. T. Thom, jr. [1]...	604 W. North Avenue, Baltimore, Md.	5 years.....	Coal statistics.
Walter H. York [1]..	14 Sixteenth Street NE., Washington, D. C.	5 years 7 months..	Map reproduction.
RECLAMATION SERVICE.			
Albert L. Collins...	Grand Junction, Colo.	8 years.....	Chief clerk.
Emmett R. Crocker. [1]	Fort Shaw, Mont.....	9 years.....	In charge office engineering and inspection Greensfield division lateral structure construction.
Herbert C. Melaas..	Northwood, N. Dak .	1 year 3 months...	Bookkeeper and general office man.
R. E. Mills [1].....	Malta, Mont.....	8 years.....	Superintendent of irrigation.
Leslie Ray.....	Williston, N. Dak....	2 years.....	Haulage man, timberman, and general miner.
BUREAU OF MINES.			
Ralph H. Bailey [1]..	Pittsburgh, Pa.....	11 months.....	Testing absorbents used in gas masks.
Harry H. Hill [1].....	Washington, D. C....	5 years.....	Petroleum chemistry.

[1] Granted both exemption and deferred classification.

Exemptions—Continued.

Name.	Home address.	Length of service in department.	Character of work.
BUREAU OF MINES—continued.			
George St. John Perrott [1] (entered military service Apr. 18, 1918).	Washington, D. C....	9 months.....	Gas-mask investigations.
Arthur B. Ray (entered military service Sept. 30, 1917.	.....do.....	2½ months.....	Chemical work on gas investigations.
Curt N. Schuette [1]..	Berkeley, Cal.....	1 year.....	Research connected with metallurgy of quicksilver.
John H. Wiggins [1] (resigned Apr. 27, 1918).	Washington, D. C....	.....do.....	Petroleum engineer on conservation of gasoline.
Paul Gilbert Woodward (entered military service Dec. 7, 1917).	Pittsburgh, Pa.....	6 months.....	Chemical work on war-gas investigations.
ALASKAN ENGINEERING COMMISSION.			
J. J. Lichtenwalner. [1]	1334 Terry Avenue, Seattle, Wash.	3 years 2 months..	Chief clerk, office general purchasing agent, Seattle, Wash.
ST. ELIZABETH'S HOSPITAL.			
Leon E. Duval.....	Wallingford, Rutland County, Vt.	2 years.....	Assistant physician.
John E. Lind.....	Washington, D. C....	5 years 1 month...	Senior assistant physician.
OFFICE OF INDIAN AFFAIRS.			
John J. Riddle [1]....	Sacaton, Ariz.....	3 years 9 months..	Farmer.

Deferred classifications.

Name.	Home address.	Length of service in department.	Character of work.
OFFICE OF THE SECRETARY OF THE INTERIOR.			
Leo Colin.....	1900 S Street NW., Washington, D. C.	7 years 1 month...	In charge of confidential files and of reports and accounts of Secretary's inspector.
Malcolm Hay (May 16, 1918, transferred to United States Shipping Board, Emergency Fleet Corporation).	3153 Mount Pleasant Street NW., Washington, D. C. Present address 1227 North fifty-six Street, Philadelphia, Pa.	10 years 11 months.	Private secretary to chief clerk.
Glenn M. Shaeffer [1].	Y. M. C. A., Washington, D. C.	5 years 11 months.	Confidential clerk to Secretary of the Interior.
OFFICE OF INDIAN AFFAIRS.			
Owen W. Bauer...	Los Angeles, Cal.....	5 years 9 months..	Assistant engineer, Irrigation Service.
Henry A. Brett....	.....do.....	7 years 10 months.	Instrumentman, Irrigation Service.
Memory F. Boyles.	Henry, N. C.....	6 months.....	Physician.
Benj. H. Frayser...	Knoxville, Tenn.....	2 years 8 months..	Do.
Clarence R. Garvey (resigned to enter military service).	Montesano, Wash....	3 years 1 month...	Deputy supervisor of forests.
George C. Hammer.	Viroqua, Wis.....	2 years 3 months..	Sales manager, Menominee Lumber Mills.
Halbert T. Johnson	National City, Cal...	3 years 5 months..	Assistant engineer, Irrigation service.
Ben Le Barre (Indian).	Lawton, Okla.....	4 years 8 months..	Farmer.
Chas. H. McArthur.	Chicago, Ill.....	8 months.....	Physician.
John Moore.....	Globe, Ariz.....	9 months.....	Cattle stockman.
Daniel E. Murphy..	Boston, Mass.....	7 years.....	Traveling auditor, accounting work.
Nels O. Nicholson..	Taholah, Wash.....	2 years 3 months..	Forest assistant at large.
John J. Riddle [1]....	Sacaton, Ariz.....	3 years 9 months..	Farmer.
Chas. L. Zimmerman.	Harrisburg, Pa.....	2 years 11 months..	Physician.
PATENT OFFICE.			
Rollin W. Holbrook	499 Blair Road, Takoma Park, D. C.	2 years 11 months..	Assistant examiner patents.

[1] Granted both exemption and deferred classification.

Deferred classifications—Continued.

Name.	Home address.	Length of service in department.	Character of work.
PATENT OFFICE—continued.			
C. H. Biesterfeld...	701 Florida Avenue NE., Washington, D. C.	4 years.....	Assistant examiner patents.
Harold H. Jacobs...	2501 Fourteenth Street NW., Washington, D. C.	3 years.....	Do.
Wager S. Brown...	5301 Connecticut Avenue, Washington, D. C.	9 months.....	Do.
R. L. Scheffler.....	1414 V Street NW., Washington, D. C.	2 years 5 months..	Do.
Solomon Shappirio.	910 M Street NW., Washington, D. C.	10 months.....	Do.
L. R. Grabill, jr....	16 New York Avenue, Takoma Park, D. C.	11 months.....	Do.
Maxwell James.....	1020 Fairmont Street, Washington, D. C.	1 year 11 months..	Do.
O. B. Buchannan..	1207 Emerson Street, Washington, D. C.	5 years 10 months..	Do.
S. E. Braggins.....	924 Spring Road, Washington, D. C.	1 year 11 months..	Do.
G. R. Douglass....	1431 Clifton Street, Washington, D. C.	2 years 3 months..	Do.
Fred F. Bechert...	1123 Eleventh Street, Washington, D. C.	2 years 7 months..	Do.
Otto Ratz.....	1362 C Street SW., Washington, D. C.	3 years 5 months..	Do.
C. R. Halbert.....	Patent Office, Washington, D. C. (Formerly 81 V Street).	4 years.....	Do.
A. B. Reavis.....	1309 Delafield Place, Washington, D. C.	10 years.....	Do.
H. S. Demaree.....	2415 Twentieth Street, Washington, D. C.	4 years 6 months..	Do.
B. V. Zillman.....	613 Fourth Street NE., Washington, D. C.	6 months.....	Do.
Bromley Seeley....	Woodward Apartment, Washington, D. C.	8 months.....	Do.
Edward C. Healy..	2207 First Street, Washington, D. C.	5 months.....	Do.
R. B. Brown.....	1118 Allison Street, Washington, D. C.	3 years 4 months..	Do.
M. F. Reges.....	Route 1, No. 3, Rosslyn, Va.	4 years 5 months..	Do.
J. L. Fearing.....	The Ethelhurst, Washington, D. C.	10 months.....	Do.
Robert L. Glass....	4102 Fifth Street, Washington, D. C.	8 months.....	Do.
Howard S. Miller...	1256 Eighth Street, Washington, D. C.	1 year 11 months..	Do.
Edward H. Lange.	1745 Q Street, Washington, D. C.	1 month.....	Do.
Harry A. Burgess..	1200 Shepherd Street, Washington, D. C.	1 year 11 months..	Do.
Edward C. Taylor..	1338 Kenyon Street, Washington, D. C.	2 years 7 months..	Do.
Louis A. Maxson...	620 North Carolina Avenue SE., Washington, D. C.	2 years 3 months..	Do.
Jacob Scharf.....	908 M Street, Washington, D. C.	5 months.....	Do.
Milo R. White.....	437 Luray Place, Washington, D. C.	1 year 10 months..	Do.
Donald W. Sweet..	Y. M. C. A., Washington, D. C.	2 years.....	Do.
Edward T. Noe, jr..	2700 Thirteenth Street, Washington, D. C.	10 months.....	Do.
Edgar C. Sanborn..	1000 Douglas Street NE., Washington, D. C.	2 years 7 months..	Do.
William L. Phillips.	216 South Fairfax Street, Alexandria, Va.	7 months.....	Do.
Samuel Goldstein..	52 Bryant Street, Washington, D. C.	3 months.....	Do.
Max D. Farmer....	18 Todd Place, NE., Washington, D. C.	5 years 9 months..	Do.
John S. Petrie.....	2815 Sixth Street NE., Washington, D. C.	1 year 11 months..	Do.
C. H. Killian.....	The Ethelhurst, Washington, D. C.	1 year 9 months...	Do.
George G. Hyde....	37 V Street NE., Washington, D. C.	1 year 1 month....	Do.
J. C. Sollenberger...	3511 T Street, Washington, D. C.	1 year 11 months..	Do.
Robert R. Candor..	3030 R Street, Washington, D. C.	9 months.....	Do.
William J. Kanof..	106 Q Street, Washington, D. C.	1 year.....	Do.
Benoit L. Leger....	715 Fifth Street NE., Washington, D. C.	3 years 9 months..	Do.
John Flam.....	1623 Irving Street, Washington, D. C.	2 years.....	Do.
Fred W. Dodson...	1319 N Street, Washington, D. C.	5 months.....	Do.
Charles Silver.....	Odenton, Md.....	4 years 6 months..	Do.
Edgar F. Dowell...	Y. M. C. A., Washington, D. C.	10 months.....	Do.
Chas. F. Blakely...	.....do.....	6 months.....	Do.

[1] Granted both exemption and deferred classification.

Deferred classifications—Continued.

Name.	Home address.	Length of service in department.	Character of work.
PATENT OFFICE—continued.			
J. W. Morrison.....	538 Irving Street, Washington, D. C.	1 year 2 months...	Assistant examiner patents.
D. N. Halstead....	437 Luray Place, Washington, D. C.	4 years.....	Do.
E. A. Hampson....	2702 St. Paul Street, Baltimore, Md.	10 months.....	Do.
Benj. T. Rauber...	1809 Newton Street, Washington, D. C.	3 years 10 months.	Do.
Aksel M. Pedersen.	702 Nineteenth Street, Washington, D. C.	1 year 11 months..	Do.
Harry C. Berman..	310 M Street, Washington, D. C.	2 years.....	Do.
C. C. Henry.....	907 L Street NE., Washington, D. C.	7 years.....	Do.
Albert T. St. Clair..	1401 Columbia Road, Washington, D. C.	2 years 9 months..	Do.
Marvin J. Reynolds	1842 Calvert Street, Washington, D. C.	1 year.....	Do.
Henry Shattyn....	1105 S Street, Washington, D. C.	6 months.....	Do.
E. A. Binney.....	711 Quincy Street, Washington, D. C.	4 months.....	Do.
John M. Cole.....	2140 N Street, Washington, D. C.	1 year 7 months...	Do.
Hadley F. Freeman	Hammond Court, Washington, D. C.	2 years 6 months..	Do.
G. T. Morris.....	2625 Garfield Street, Washington, D. C.	1 year 9 months...	Do.
Carl F. Krafft.....	1221 M Street, Washington, D. C.	5 years.....	Do.
Alva D. Adams....	1311 K Street, Washington, D. C.	5 months.....	Do.
Stuart J. Mackey...	1814 Park Road, Washington, D. C.	1 year 9 months...	Do.
George H. Willits...	108 Fifteenth Street NE., Washington, D. C.	1 year 5 months...	Do.
Ralph J. Gilcher....	2816 Cathedral Avenue, Washington, D. C.	4 months.....	Do.
Alfred R. Fuchs....	832 Rittenhouse Street, Washington, D. C.	4 years 1 month...	Do.
M. C. Kissinger....	2101 Fourth Street NE., Washington, D. C.	3 years.....	Do.
Joseph A. Kurz....	1324 Emerson Street, Washington, D. C.	2 years.....	Do.
Abraham Engel....	477 M Street, Washington, D. C.	7 years 8 months..	Do.
Albert C. Nolte....	1808 Kalorama Road, Washington, D. C.	1 year 3 months...	Do.
Israel Paris.....	1110 Sixteenth Street, Washington, D. C.	.....do.....	Do.
Chas. W. Levinson.	1110 Sixteenth Street, Washington, D. C.	1 year 2 months...	Do.
James P. Shea.....	1161 Neal Street NW., Washington, D. C.	9 months.....	Do.
Harold C. Thorn...	College Park, Md.....	3 years 7 months..	Do.
Wm. D. Rockwood.	Cherrydale, Va.....	12 years 4 months.	Assistant examiner trade-marks.
Charles R. Allen...	1912 First Street, Washington, D. C.	12 years 3 months.	Do.
GEOLOGICAL SURVEY.			
Richard, Aitken...	314 North Twelfth Street, Terra Haute, Ind.	9 months.....	Land classification.
Edw. G. Axtell....	Thirtieth and Orchard Streets, Corvallis, Oreg.	10 months.....	Do.
Nathan W. Bass...	Fort Scott, Kans.....	.....do.....	Do.
Henry C. Beckman[1]	4136 West Twenty-first Place, Chicago, Ill.	1 year 9 months...	Water resources investigation.
Thos. G. Bedford..	Flushing, Mich.....	7 months.....	Do.
Leland M. Bell.....	2729 Forest Avenue, Berkeley, Cal.	11 months.....	Land classification.
Raymond J. Bischoff.	1339 H Street NE., Washington, D. C.	6 years 7 months..	Map reproduction.
George C. Bittorf[1]..	2012 East Lanvale Street, Baltimore, Md.	1 year 7 months...	Do.
Harold C. Blackburn.	Fort Collins, Colo....	11 months.....	Land classification.
J. Wm. Bones.....	Carlton, Oreg.....	1 year.....	Do.
Revoe C. Briggs....	1211 San Pasqual Street, Pasadena, Cal.	1 year 6 months...	Water resources investigation.
Albert P. Brodell..	Keystone, Okla.....	10 months.....	Land classification.
Luster R. Brooks..	Winfield, Kans.....	9 months.....	Do.
Lester L. Bryan....	420 Nineteenth Street, Galveston, Tex.	8 months.....	Do.
E. D. Burchard[1]...	35 Lincoln Avenue, Albany, N. Y.	4 years.....	Water resources investigation.
Fred J. Burrows...	1679 Thirty-second Street NW., Washington, D. C.	12 years.....	Map reproduction.
Paul E. Callahan..	1729 North Capitol Street, Washington, D. C.	5 years 11 months.	Do.

[1] Granted both exemption and deferred classification.

Deferred classifications—Continued.

Name.	Home address.	Length of service in department.	Character of work.
GEOLOGICAL SURVEY—contd.			
Carlyle Carr	Prentice, Wis	7 months	Land classification.
Max H. Carson	Caliente, Cal	do	Do.
A. A. Chambers	15 West First Street, Dayton, Ohio.	3 years 4 months	Chemical investigation of waters.
Wm. B. Coffman	Manhattan, Kans	7 months	Land classification.
Albert H. Condron	Tucson, Ariz	11 months	Do.
Edw. P. Congdon	2527 Piedmont Avenue, Berkeley, Cal.	1 year	Water resources investigation.
C. Wythe Cooke	1736 G Street NW., Washington, D. C.	8 years	Oil and geologic military information.
Frederick C. Corey	La Jolla, Cal	10 months	Land classification.
Jas. B. Cronkhite	Wantonga, Okla	do	Do.
John F. Deeds	117 U Street NW., Washington, D. C.	6 years 7 months	Do.
Jesse E. Dickerson	Parma, Idaho	10 months	Do.
W. E. Dickinson	U. S. Geological Survey, Washington, D. C.	2 years 3 months	Water resources investigation.
J. J. Dirzulaitis	Mount Carmel, Pa	5 months	Land classification.
Henry C. C. Disner	923 Westminister Street NW., Washington, D. C.	9 years 10 months	Map reproduction.
Chas. J. Downing	The Woodlea, Kansas City, Mo.	10 months	Land classification.
Max Drill	72 Montgomery Street, Newark, N. J.	1 year	Do.
Robert F. Edwards	480 Mansfield Place, Brooklyn, N. Y.	8 months	Do.
Chas. J. Emerson	Greek Camp, Buck Meadows P. O., Cal.	5 years 1 month	Water resources investigation.
W. B. Emery	5108 Thirteenth Street NW., Washington, D. C.	3 years 11 months	Oil investigation.
W. A. English	1412 Fifteenth Street NW., Washington, D. C.	5 years	Do.
Depue Falck[1]	1970 Los Angeles Avenue, Berkeley, Cal.	5 months	Land classification.
Archie A. Farrell	214 Indiana Avenue NW., Washington, D. C.	8 years 1 month	Map reproduction.
Arthur E. Fath	1425 Chapin Street NW., Washington, D. C.	5 years 11 months	Oil investigation.
Holbert W. Fear	74 Prospect Street, Gloversville, N. Y.	4 years	Water resources investigation.
Wm. C. Ferber	1137 New Jersey Avenue SE., Washington, D. C.	6 years 6 months	Map reproduction.
Robert L. Filtzer[1]	1623 Teutonia Avenue, Milwaukee, Wis.	10 months	Land classification.
Edward L. Franke[1]	1732 East Preston Street, Baltimore, Md.	7 years 5 months	Expert mechanician.
Wm. H. Gloger	318 Green Street, Watertown, Wis.	9 months	Land classification.
Wilbur R. Gore	Raymore, Mo	10 months	Do.
Jose G. Guevara	Reno, Nev	do	Do.
Russell J. Hank	108 East Sixteenth Street, Austin, Tex.	1 year 1 month	Water resources investigation.
Chas. G. Hansen	2230 Decatur Place NW., Washington, D. C.	6 years	Map reproduction.
James E. Hayes[1]	10 I Street NE., Washington, D. C.	5 years 4 months	Do.
K. C. Heald	Pawhuska, Okla	4 years 10 months	Oil investigation.
Emerson B. Herrick[1]	265 Eighth Avenue, San Francisco, Cal.	11 months	Land classification.
Alfred G. Howel	1002½ Congress Street, Jersey City, N. J.	do	Do.
Henry L. Hogan	48 H Street NE., Washington, D. C.	12 years 3 months	Map reproduction.
B. L. Hopkins	North Haven, Me	1 year	Water resources investigation.
O. B. Hopkins	1731 Columbia Road, Washington, D. C.	7 years	Oil investigation.
Ward L. Hopper	Oshkosh, Wis	8 months	Land classification.
E. Clyde Howard	R. R. No. 2, Ventura, Cal.	do	Do.
Ralph W. Howell[1]	Bethesda, Md	5 years	Do.
Roy S. Huffman	Maxwell, Iowa	11 months	Do.
Dorrell P. Jackson	Logan, Utah	10 months	Do.
Carl O. Jaeckel	212 East Fourth Street, Anaconda, Mont.	do	Do.
R. S. Johnson	317 E Street SE., Washington, D. C.	10 years 2 months	Map reproduction.
Fred E. Keating	Ogdensburg, Wis	8 months	Land classification.
Philip A. Kennicott, jr.	Woodbine, Kans	10 months	Do.
Gerald M. Kerr	Logan, Utah	11 months	Do.
William Kessler	23 Ninth Street, Woodside, N. Y.	3 years 11 months	Water resources investigation.
W. S. W. Kew[1]	2400 Hast Street, Berkeley, Cal.	2 years 11 months	Oil investigation.
Cleo H. Kidwell	1108 Tennessee Street, Lawrence, Kans.	1 year	Chemical investigation of water.
Joseph F. Kunesh[1]	San Francisco, Cal	1 year 7 months	Water resources investigation.

[1] Granted both exemption and deferred classification.

Deferred classifications—Continued.

Name.	Home address.	Length of service in department.	Character of work.
GEOLOGICAL SURVEY—contd.			
A. E. Lewis	610 C Street SE., Washington, D. C.	7 years 3 months	Map reproduction.
Wm. M. J. Lewis	156 Second Avenue, Troy, N. Y.	11 months	Statistical investigation.
F. Bertil Linfield	Warden, Mont	9 months	Land classification.
David R. McHaffey	Eldon, Iowa	10 months	Do.
David E. McIntire	240 Sixteenth Street SE., Washington, D. C.	5 years 4 months	Map reproduction.
Homer C. McNamara	Soldier, Kans	9 months	Land classification.
Clifford A. Mayer[1]	Bingham Canyon, Utah.	1 year	Do.
Victor E. J. Mayer[1]	2014 F Street NW., Washington, D. C.	7 years 10 months	Do.
J. B. Mertie, jr.[1]	Takoma Park, Md	8 years 11 months	War minerals investigations.
Edward C. Mohler	722 Jefferson Street, NW., Washington, D. C.	9 years 3 months	Map reproduction.
Harold G. Neff	Hemingford, Nebr	10 months	Land classification.
J. D. Northrop	4519 Georgia Avenue, NW., Washington, D. C.	7 years 4 months	Oil statistics.
George H. Norton	Andes, N. Y	9 months	Land classification.
Lewis E. Nussear[1]	Route No. 1, East Falls Church, Va.	8 years 11 months	Docket clerk, land classification.
C. C. Osbon	1426 W Street NW., Washington, D. C.	1 year 4 months	Mineral fuel statistics.
R. M. Overbeck	Willard Courts, Washington, D. C.	5 years 1 month	War minerals investigation.
Arthur G. Owen	Anahuac, Tex	7 months	Land classification.
Harold S. Palmer	New Haven, Conn	3 years 11 months	Water resources investigation.
Stanley Patterson	1439 Williams Street, Denver, Colo.	7 months	Land classification.
C. G. Paulsen[1]	406 Federal Building, Tacoma, Wash.	4 years 4 months	Water resources investigation.
Barney J. Peterson	3228 Warder Street NW., Washington, D. C.	5 years 6 months	Do.
Morrell Powell	Upton, Utah	9 months	Land classification.
Perry T. Prosperi	655 F Street NE., Washington, D. C.	5 years 6 months	Map reproduction.
Samuel N. Pumphrey	404 Eleventh Street SE., Washington, D. C.	6 years 11 months	Do.
Roy H. Quinn	Hastings, Minn	4 months	Land classification.
Courtney Reeves	1805 First Street SW., Washington, D. C.	5 years 10 months	Map reproduction.
Heath M. Robinson	Washington, D. C	6 years 6 months	Oil investigation.
G. S. Rogers	4710 Georgia Avenue NW., Washington, D. C.	7 years 1 month	Do.
Clyde P. Ross	21 Crownshield Road, Brookline, Mass.	1 year	Water resources investigation.
Lawrence Roys	Clarendon, Va	6 years 6 months	Expert mechanician.
Clarence E. Ruebsam	532 Third Street NE., Washington, D. C.	7 years	Map reproduction.
Benedict Salkover	1312 Belmont Street NW., Washington, D. C.	9 months	Chemical investigation.
Manual A. Sanchez[1]	Mora, N. Mex	1 year 1 month	Land classification.
George W. Sellers	3117 M Street NW., Washington, D. C.	2 years 1 month	Map reproduction.
Oscar D. Stanton	Cedaredge, Colo	10 months	Land classification.
Otto E. Stephl	Sauk Center, Minn	6 months	Do.
W. T. Thom, jr.[1]	604 West North Avenue, Baltimore, Md.	5 years	Coal statistics.
David G. Thompson	1418 W Street NW., Washington, D. C.	5 years 1 month	Water resources investigation.
Earl G. Van Leeuwen	957 Jefferson Street, Corvallis, Oreg.	10 months	Land classification.
Marion I. Walters	3228 Warder Street NW., Washington, D. C.	10 years 10 months	Water resources investigation.
Arnold N. Weeks	Portland, Me	1 year	Land classification.
George T. Wilkinson	3030 Dent Place NW., Washington, D. C.	9 years 11 months	Map reproduction.
Allen L. Willie	Mendon, Utah	11 m	Land classification.
J. H. Winchell	Edgewater, Colo	6 mo	Do.
Walter H. York[1]	14 Sixteenth Street NE., Washington, D. C.	5 year	Map reproduction.
RECLAMATION SERVICE.			
August Lewin	Newell, S. Dak	3 years	Water right clerk.
Arthur M. Hansen	Boise, Idaho	1 year 2 months	Watermaster's clerk and timekeeper.
Henry Berryhill	Poplar, Mont	3 years 1 month	Bookkeeper.
R. E. Mills[1]	Malta, Mont	8 years	Superintendent of irrigation.
Joseph Markham	Moran, Wyo	8 years	Gatetender.
George L. Hoffman	Burley, Idaho	1 year	General foreman in charge South Side Pumping Station and transmission lines.

[1] Granted both exemption and deferred classification.

Deferred classifications—Continued.

Name.	Home address.	Length of service in department.	Character of work.
RECLAMATION SERVICE—contd.			
J. D. Pringle	Burley, Idaho	10 years	Chief clerk.
J. K. Rohrer	Mitchell, Nebr	5 years 8 months	Hydrographer, North Platte River.
W. H. Curtis	Lingle, Wyo	10 years 6 months	Concrete foreman, Fort Laramie Unit.
Wm. T. Collings	Beaver City, Nebr	1 year 6 months	In charge canal structure work, Hatch Canal.
Sidney Osborn Colwell.	El Paso, Tex	5 years	Chief of party on surveys for drainage.
Frank D. Hawley	Las Cruces, N. Mex	do	Chief of party on canal surveys, Hatch and Rincon Valleys.
L. R. Smith	Cleveland, Ohio	1 year 2 months	Timekeeper, cost-keeper, and storehouse clerk for construction lateral system.
Ray O'Bryan	Las Mesa, N. Mex	7 years	Chief drag-line operator in charge of machines on drainage work.
Lawrence Roy Fiock.	El Paso, Tex	do	Chief assistant to engineer in charge of drainage.
Joseph E. Sater	Stillwater, Okla	5 years	Bookkeeper.
Michael Wagner	Idlewilde, Towson, Md.	8 years	Caretaker at Shoshone Dam and tunnel foreman.
Emmett R. Crocker.[1]	Fort Shaw, Mont	9 years	In charge office engineering.
Alexander T. Baumann.	Fallon, Nev	1 year	Tractor driver.
Peter N. Schroeder.	Rimrock, Wash	2 years	Warehouseman.
Albert J. Beck (services terminated).	Pine City, Minn		Sawmill foreman.
Neil E. McDermut	Chicago, Ill	9 years	General foreman.
Asa E. Birum	Winchester, Ind	1 year 8 months	Do.
Neville D. Dye	Yakima, Wash	1 year	Bookkeeper.
Raymond Walker (employment ceased May 22, 1918).	Stanfield, Oreg	do	Ditch rider.
Al. Hiatt (employment ceased May 16, 1918).	Echo, Oreg	8 years	Gate tender.
Leo Clarke (employment ceased Apr. 27, 1918).	Hermiston, Oreg	3 months	Ditch rider.
John T. Fieldseth	Denver, Colo	3 years 4 months	Draftsman.
John S. Longwell	do	7 years 10 months	Do.
Richard J. Coffey	Phoenix, Ariz	6 years 2 months	District counsel in charge of legal work of Yakima and Okanagan projects, Wash.
Harold D. Padgett.	Denver, Colo	2 years 5 months	In charge of field work, Colorado River water-right investigation.
Chas. E. Womersley.	do	5 years	Contract work, special investigation.
BUREAU OF MINES.			
Clyde S. Adams	Columbus, Ohio	2 months	Offensive chemical research, war-gas investigation.
Roger Adams	Washington, D. C	4 months	In charge of organic work on war-gas problems.
Vernon C. Allison	do	1 year 10 months	Testing absorbents used in gas masks.
Horace W. Asire	do	2 months	War-gas investigations.
Preston B. Bailey	do	5 months	Testing gas masks.
Ralph H. Bailey[1]	do	11 months	Testing absorbents used in gas masks.
Parker K. Baird	do	6 months	Chemical work on gas-mask investigations.
Wylie H. Barber	do	9 months	Instrument maker on war-gas investigations.
Arthur D. Bauer	Washington, D. C	1 year	Analysis of fuels.
William W. Bauer.	Columbus, Ohio	1 month	Offense chemical research, war gas investigations.
Harry J. Beattie	Washington, D. C	8 months	Testing gas masks on men.
Arthur F. Benton (entered military service Apr. 12, 1918).	do	10 months	Standardization of measuring devices used in testing canisters and absorbents.

[1] Granted both exemption and deferred classification.

Deferred classifications—Continued.

Name.	Home address.	Length of service in department.	Character of work.
BUREAU OF MINES—continued.			
Fred K. Bezzenberger.	Cleveland, Ohio	3 months	Standardization of tests connected with the manufacture of ethylene.
John P. Bonardi	Golden, Colo	2 years 2 months	Metallurgy of vanadium ores.
Paul C. Bowers (entered military service Apr. 12, 1918).	Washington, D. C	7 months	Defense chemical research in war gas investigations.
Hugh T. Boyd	Homer, Ohio	do	Chemical work on poison gas.
Donald S. Boynton	Washington, D. C	6 months	Answering technical questions and adjusting local conditions under explosives act.
Aubrey O. Bradley	do	2 months	Study of action of war gases upon absorbent.
Joseph M. Braham	do	do	Chemical work under Chief of Dispersoid Division.
Oscar C. Brown	do	10 months	Analysis and calorific testing of coal.
F. W. Bruckmiller.	Lawrence, Kans	4 months	Chemical work relative to gases for balloon service.
Charles H. Burns	Washington, D. C	10 months	Testing absorbents used in gas masks.
Robert M. Burns	do	4 months	War gas investigations.
Guy H. Burrell	do	1 year	Chemical work on war gas investigations.
Charles Byer	New Haven, Conn	2 months	War gas investigations.
William T. Caldwell.	Princeton, N. J	9 months	Research work connected with war gas investigations.
Julian H. Capps	Washington, D. C	1 year 11 months	Oxidation of ammonia.
L. H. Carlson	do	5 months	Investigation of poisonous gases used in warfare.
G. L. Carter	do	5 months	In charge of a group of canister testing machines and maintaining their efficiency and capacity.
Raymond F. Catherman.	do	2 months	Design and operation of special apparatus for testing of canisters.
N. L. Chain	do	2 months	War gas investigations.
Eugene M. Chaney.	Baltimore, Md	8 months	In full charge of office work connected with chemical laboratory in Baltimore, Md.
Verne D. Charleston.	Washington, D. C	2 months	War gas investigations.
George L. Clark	do	4 months	Investigating certain toxic inorganic compounds for military use.
Howard Clayton	do	3 months	Chief of laboratory connected with large scale field experiments in gas-shell work.
Stanley J. H. Colburn.	do	1 year	Stenographer and secretary to G. A. Burrell, in charge of war gas investigations.
Wm. R. Collette (entered military service Apr. 12, 1918).	do	2 years 1 month	Testing gas masks.
John E. Conley	Golden, Colo	1 year 4 months	Special work on vanadium and tungsten ores.
Willard O. Cook	Washington, D. C	8 months	Problems of manufacture of synthetu charcoal.
A. S. Coolidge	do	1 year	Chemical work relating to gas warfare defense.
Albert E. Cox	Pittsburgh, Pa	3 months	Analyses of several toxic gases used in warfare.

[1] Granted both exemption and deferred classification.

Deferred classification—Continued.

Name.	Home address.	Length of service in department.	Character of work.
BUREAU OF MINES—continued.			
Edward H. Cox	Washington, D. C.	1 month	Determination of properties of war gases and their action on absorbents.
William M. Craig	do	4 months	Investigation of problems connected with the absorbent for carbon monoxide.
Dean O. Crites	do	2 months	Chemical work at American University.
Perry A. Dame	do	1 year	Analyses and tests of explosives.
Charles W. Davis	Golden, Colo	2 years 3 months	Metallurgy of nickel ores.
Paul Bell Davis	Baltimore, Md	1 year	Chemical work relating to war gases.
Harry B. Dellow	Washington, D. C.	8 months	Instrument maker in connection with war gas investigations.
H. A. Depew	do	2 years 8 months	Testing gas masks and absorbents against war gases.
Samuel Randall Detwiler.	New Haven, Conn.	6 months	Improvement of gas mask.
Foster Baird Doane	Washington, D. C.	1 year	Analyses and tests of explosives.
Gregg Dougherty	Princeton, N. J.	11 months	Chemical research on war gas investigations.
Howard A. Dovey	Washington, D. C.	9 months	Instrument maker on war gas investigations.
S. R. Dresser	Princeton, N. J.	11 months	Chemical research on war gas investigations.
Harvey Dunbar	Washington, D. C.	4 months	Analysis of coal purchased by U. S. Government.
Harry A. F. Eaton (entered military service Apr. 14, 1918).	do	do	Chemistry relative to pyrotechnic work.
Lawrence R. Eckman.	Pittsburgh, Pa.	6 months	Analysis of coal dust and rock dust in connection with mine explosions.
George J. Egan	Washington, D. C.	8 years	Private secretary to Director Bureau of Mines.
A. Mortimer Erskine.	Ithaca, N. Y.	1 month	Gas analysis in connection with war gas investigations.
Paul V. Faragher	Lawrence, Kans.	6 months	Analysis in connection with the "argon" development.
H. Elliott Foote	Washington, D. C.	2 months	Investigation of poisonous gases.
Earl J. Frederick	do	3 months	Development of the manufacture of gas chemicals.
Norman Fredriksen	do	2 months	Construction of special types of machinery for testing canisters on men.
Anthony Frascati	Baltimore, Md	8 months	Chemical work relating to war gases.
Carl E. Frick	do	5 months	Testing gas masks.
S. R. Funsten (entered military service Apr. 12, 1918).	do	6 months	In charge of chemical research laboratory of gas-shell section.
Oliver I. Gaines (entered military service Jan. 6, 1918).	do	2 years 6 months	Mechanical expert in connection with war-gas investigations.
H. M. Galey	do	3 months	Chemical work on gas shells.
Ernest J. Gleim (entered military service May 28, 1918).	Pittsburgh, Pa.	3 years 7 months	Testing electrical devices used in mines.
Leon H. Goldman (entered military service May 31, 1918).	Washington, D. C.	1 month	Development of the manufacture of gas chemicals.
C. H. Goldsmith	do	2 months	Chemical work on gas shells.
John Gore	do	7 months	Chemist on incendiary bombs.
Ernest W. Guernsey.	do	3 months	War-gas investigations.
Isaac S. Guest	do	6 months	Making tests of the fusibility of coal ash.

[1] Granted both exemption and deferred classification.

Deferred classification—Continued.

Name.	Home address.	Length of service in department.	Character of work.
BUREAU OF MINES—continued.			
Fred C. Hahn	Baltimore, Md	8 months	Chemical work relating to war gases.
Frederic C. Hall	Washington, D. C.	6 months	Chemical analysis of coal.
Walter J. Harper (entered military service Apr. 12, 1918).	do	5 months	Testing gas masks.
Horace L. Harrison.	do	6 months	Preparation of drawings for construction of chemical plant No. 4.
A. M. Hart	do	3 months	Chemical work on signal lights.
Elden B. Hartshorn (entered military service Feb. 22, 1918.	do	5 months	Study of properties of mustard gas.
Merle W. Hatton	do	9 months	Mechanical expert on war-gas investigations.
Harry L. Hawley	do	7 months	Instrument maker on war gas investigations.
L. C. Heckert	do	2 months	Design and operation of special apparatus for testing of canisters.
Oden C. Heffner (entered military service Apr. 12, 1918).	do	1 year 9 months	Mechanical expert on war gas investigations.
G. B. Helsig	do	2 months	Construction and operation of special types of machinery for testing canisters on men.
Carl J. E. Helgeson.	do	1 month	Methods for reducing the resistance and increasing the life of canisters for gas masks
Edwin W. Higgins.	do	11 months	Testing absorbents used in gas masks.
Harry H. Hill	do	5 years	Petroleum chemistry.
Norman E. Holt (entered military service Feb. 10, 1918).	do	2 months	Building and operation of chemical plant No. 4.
John H. Holton	do	1 year	Study of manufacture of hydrogen gas for balloons.
Harrison P. Hood, (entered military service Apr. 12, 1918).	do	10 months	Special work under D. W. Bancroft at Brookland, D. C.
Henry D. Hooker	New Haven, Conn.	do	Study of methods of treating soldiers overcome by poisonous gases.
Edwin N. Hopson, jr.	Washington, D. C.	3 months	Special war work under W. S. Rowland, chemical engineer.
W. G. Horsch	do	5 months	Chemical research on war gas investigations.
Paul M. Horton	do	2 months	Determination of values of filtering materials against smoke-producing substances.
Charles S. Howe	do	2 months	Development of canister filling for gas masks.
Ivar N. Hultman	do	3 months	Investigation of poisonous gases used in warfare.
George F. Hutchison.	do	2 years 6 months	Analyses and tests of explosives.
George W. Jones	do	3 years 3 months	Analysis of mine air and mine gases.
W. L. Judefind	Baltimore, Md	9 months	Chemical work relating to war gases.
Walter G. Karr	New Haven, Conn.	5 months	Gas investigations.
E. H. Kellogg (entered military service Apr. 12, 1918).	Washington, D. C.	8 months	Chemist on emergency problems at Camp American University.
Roy Herman Kienle (entered military service May 7, 1918).	do	7 months	Perfecting incendiary bombs.
T. M. Knowland	do	3 months	Charcoal production and mask filter developments.

[1] Granted both exemption and deferred classification.

Deferred classifications—Continued.

Name.	Home address.	Length of service in department.	Character of work.
BUREAU OF MINES—continued.			
Alfred C. Kolls	Washington, D. C.	11 months	Testing effects of chemical compounds on animals, in war gas investigations.
Harry A. Kuhn	do	10 months	Preliminary tests of effect of a new compound on mice.
Calvin B. Lake	do	11 months	Draftsman on work being done for War Department
Edward D. Lambert	do	9 months	Mechanical expert on war gas investigations.
Walter W. Lang	do	do	Development of flame thrower.
Chas. E. Lanning	Baltimore, Md	1 year 1 month	Chemical work relating to war gases.
Victor P. Lee	Washington, D. C.	4 months	War-gas investigations.
Harold L. Lentz	do	9 months	Analyses and tests of explosives.
Frank D. Libby	do	1 month	Testing gas masks against the new toxic gases.
Chas. R. Locke (resigned Mar. 5, 1918).	do	1 year 6 months	Investigation of fusibility of coal ash.
Walter W. Lucasse	Worcester, Mass.	4 months	Gas investigations.
Vernon Lynch	Washington, D. C.	do	War-gas investigations concerning skin irritants.
John McGavack	Baltimore, Md	1 year 1 month	Chemical work relating to war gases.
John H. McKee (left service Jan. 15, 1918).	Washington, D. C.	3 months	Charge of development of a new gas mask.
J. J. McKitterick	do	do	Chemical work at American University.
Claude P. McNeil	New York, N. Y.	1 year	War-gas investigations.
Edward L. Mack	Washington, D. C.	2 years 3 months	Chemical work on work being done for War Department.
L. G. Marsh	do	3 months	Study of solubility of gases in materials used for impregnating blankets and gas-mask fabrics.
Eli K. Marshall (entered military service Apr. 25, 1918).	do	10 months	Study of gas masks, gas shells, etc.
R. P. Mase	do	3 months	Testing efficiency of absorbents in gas masks.
Merl H. Meighan	do	7 months	Analysis of natural and industrial gases.
Harry L. Miller	do	4 months	Relative to manufacture of gas chemicals for warfare.
James R. Miller	do	2 months	War-gas investigations.
Lowell H. Milligan	Pittsburgh, Pa.	11 months	Testing gas masks.
Wm. J. Montgomery.	Washington, D. C.	1 year 3 months	Physical testing of explosives.
N. H. Moore (resigned May 7, 1918).	do	3 months	Testing gas masks and absorbents against war gases.
Frederick G. Moses	Salt Lake City, Utah.	8 months	Supervision of Salt Lake City, Utah, Experiment Station of the Bureau of Mines.
Gordon K. Mountain.	Washington, D. C.	2 months	Testing gas masks and absorbents contained in the canisters.
Joseph F. Mullins	do	6 months	Instrument maker on war-gas investigations.
Wallace J. Murray	do	4 months	Investigations of poisonous gases used in warfare.
Luke L. Nakashian	do	6 months	Construction of Argon Plant No. 3.
Ralph E. Nelson	do	3 months	Determination of properties of war gases.
Clarence Netzen	Pittsburgh, Pa.	2 months	Efficiency of fuels for airplanes of the Army.

[1] Granted both exemption and deferred classification.

Deferred classifications—Continued.

Name.	Home address.	Length of service in department.	Character of work.
BUREAU OF MINES—continued.			
Edmund Newton	Minneapolis, Minn.	10 months	Supervision of work of experiment station engaged in study of manganese problems.
A. C. Nixon, jr.	Washington, D. C.	3 months	Experiments with signal lights.
Harry E. Outcault	do	11 months	Testing absorbents used in gas masks.
John B. Overstreet (entered military service Apr. 12, 1918).	do	7 months	Chemical work on incendiary materials.
A. V. Pankey	do	3 months	Chemical work on gas shells.
Walter A. Patrick	Baltimore, Md	1 year 1 month	Supervision of investigations relating to gas masks.
Robert N. Pease (entered military service Apr. 12, 1918).	Washington, D. C.	10 months	In charge of testing of canisters.
William E. Perdew	do	1 year 2 months	Development of fuels for airplane motors.
George St. John Perrott (enlisted military service Apr. 18, 1918).	do	9 months	Gas-mask investigations.
Bernard Peyton	Princeton, N. J.	8 months	Effect of low temperature on absorptive powers of materials of the box respirator.
Chas. S. Piggott	Baltimore, Md	9 months	Chemical work relating to war gases.
Clayton E. Plummer.	Minneapolis, Minn.	do	In charge of analytical laboratory at experiment station of Bureau of Mines, Minneapolis, Minn.
George E. Postma	Tucson, Ariz.	5 years 9 months	Metallurgy of low-grade copper ores.
William H. Purdy	New York, N. Y.	1 year 1 month	Improvement of gas mask.
Charles F. Raisig	Washington, D. C.	9 months	Mechanical expert on war gas investigations.
Wm. C. Ratliff	Pittsburgh, Pa.	6 months	Ultimate analysis of coal samples for Navy Department.
Albert E. Rhoads	Washington, D. C.	2 years 1 month	Chemical work on work being done for War Department.
George A. Richter	do	1 year 1 month	In charge of pyrotechnic research.
Thomas H. Rogers	Baltimore, Md	11 months	Chemical work relating to war gases.
Edwin Rolker (left service Apr. 17, 1918).	Washington, D. C.	3 months	Draftsman in connection with construction of Chemical Plant No. 4.
Robert M. Ross (entered military service May 6, 1918).	do	2 years 11 months	Development of cyanide plant.
Edward H. Roy	Salt Lake City, Utah.	3 months	Chemist at Salt Lake City, Utah, experiment station.
Percy H. Royster	Minneapolis, Minn.	1 year 7 months	Physicist engaged on manganese problems.
George B. Ruby	Washington, D. C.	7 months	Testing efficiency of materials for gas defense.
William T. Runals	do	9 months	Mechanical expert on war-gas investigations.
Lloyd H. Ryerson (entered military service Apr. 12, 1918).	do	4 months	Smoke screens.
Edward A. Sachs	do	9 months	Organic chemistry on war-gas investigations.
Truman H. Safford.	New York City	do	Chemical work relating to absorbents for use in canisters.

[1] Granted both exemption and deferred classification.

Deferred classifications—Continued.

Name.	Home address.	Length of service in department.	Character of work.
BUREAU OF MINES—continued.			
Misak Sarkisian	Washington, D. C.	3 months	Instrument maker on war-gas investigations.
Louis L. Satler, jr.	do	1 year	Gas analysis on war-gas investigations.
Raymond B. Saylor.	do	3 months	Design and operation of special apparatus for testing canisters.
Andrew A. Schneider.	do	9 months	Mechanical expert on war-gas investigations.
Curt N. Schuette [1]	Berkeley, Cal	1 year	Metallurgy of quicksilver.
John F. W. Schulze	Washington, D. C.	1 month	War-gas investigations.
Walton B. Scott	do	2 months	Study of methods of preparing war gases.
Lorin B. Sebrell	Columbus, Ohio	4 months	War-gas investigations.
C. W. Seibel	Lawrence, Kans.	10 months	Analytical work relative to "argon."
Henry Sherman	New Haven, Conn.	2 months	War-gas investigations.
Seaphes D. Shinkle.	Washington, D. C.	10 months	Testing absorbents for gas masks.
Owen F. Shobe	do	1 month	Testing absorbents for use in gas masks.
C. E. Sims	do	2 months	War-gas investigations.
George E. Simpson.	New Haven, Conn.	4 months	Analysis of the blood and other fluids of the body of gassed animals.
Alex. A. Singer	Washington, D. C.	3 months	Chemical work on gas shells.
Arthur H. Smith	New Haven, Conn.	1 year 1 month	Study of methods of treating soldiers overcome by poisonous gases.
Dillon F. Smith	Washington, D. C.	4 months	War-gas investigations.
John P. Smootz	do	11 months	Efficiency of fuels for airplanes of the Army.
Theodore F. Spear.	do	4 months	Research and industrial chemist relating to war gases for offensive purposes.
Edward A. Staats.	do	3 months	Manufacture of gas chemicals for warfare.
Arthur L. Stern	do	10 months	Development of smoke clouds and investigation of explosives
D. C. Stockbarger.	Worcester, Mass.	5 months	Electrochemistry and electric furnace work in war gas investigations.
Leon S. Stone	New Haven, Conn.	9 months	Making sections of pathological material for microscopic study.
Sam P. Stone (entered military service Apr. 12, 1918).	Washington, D. C.	1 year 3 months	Mechanical expert on gas masks and other war devices.
Thomas D. Stone.	do	2 months	Development of gas masks.
J. G. Swartz	do	8 months	War-gas investigations.
John R. Tindal (resigned May 4, 1918).	do	5 months	Mechanical expert on war-gas investigations.
James P. Tumpane.	Pittsburgh, Pa.	2 months	Mechanical expert in division handling Navy and ordnance problems.
J. E. Underwood	Golden, Colo	3 years	Radium measurements and methods for recovery of ionium and actinium.
Calbert L. Vance (resigned June 30, 1918).	Tucson, Ariz.	6 months	Metallurgy of low-grade copper ores.
Chas. F. Venable	Washington, D. C.	do	Organic chemist on war-gas investigations.
Frank C. Vibrans	do	4 months	Investigating poisonous gases used in warfare.

[1] Granted both exemption and deferred classification.

Deferred classifications—Continued.

Name.	Home address.	Length of service in department.	Character of work.
BUREAU OF MINES—continued.			
Albert H. Vilbrandt	Washington, D. C.	2 months	Design and operation of apparatus for use in testing of canisters.
Chas. Wadsworth (entered military service May 14, 1918).	do	4 months	Research and industrial chemist relating to war gases for offensive purposes.
Owen N. Walther (entered military service Jan. 23, 1918).	do	1 month	Mechanical expert on war-gas investigations.
Phillip B. Watson.	do	9 months	Chemical work on war-gas investigations.
Thomas W. B. Welsh (resigned Jan. 29, 1918).	do	7 months	War-gas investigations.
Sidney Werthan	do	2 months	Development of special apparatus for testing canisters against war gases.
Blaine B. Westcott.	do	6 months	Ultimate analysis of coal.
Alfred G. White	do	5 years 10 months	Study of conditions relating to minerals of military importance.
John H. Wiggins [1] (resigned Apr. 27, 1918).	do	11 months	Petroleum engineer on conservation of gasoline.
Clyde E. Williams.	do	1 year	Chemical work on war work being done for War Department.
David W. Wilson (entered military service Jan. 12, 1918).	New Haven, Conn.	7 months	Study of methods of treating soldiers overcome by poisonous gases.
Dustin W. Wilson.	Cleveland, Ohio	8 months	Chemical research on war-gas investigations.
Robert E. Wilson (entered military service Apr. 12, 1918).	Washington, D. C.	10 months	Chemical research work on soda lime.
Wilfred J. Winninghoff.	Worcester, Mass.	4 months	Enamel lining of gas shells.
J. Russell Winslow (transferred to Bureau of Ordnance Apr. 25, 1918).	Washington, D. C.	2 months	Gas-mask research.
William D. Wolf	do	1 year	Testing materials against poisonous gases.
Hugh M. Wolfin	San Francisco, Cal.	6 years	Stimulating production of mercury in California.
L. E. Wright	Washington, D. C.	10 months	Development of incendiary shells.
Harry F. Yancey	Golden, Colo	1 year 4 months	Metallurgy of molybdenum ores.
John H. Yoe (entered military service Apr. 12, 1918).	Washington, D. C.	7 months	Chemical work relating to war-gas investigations.
ST. ELIZABETHS HOSPITAL.			
James W. Robey	716 Eighth Street NE., Washington, D. C.	4 years 3 months	Attendant.
Andrew M. Jackson	La Plata, Md.	3 years 7 months	Charge attendant.
Endress C. Tennison.	Clements, St. Marys County, Md.	11 years 3 months	Barber.
Fred Saunders	1261 Thirty-fifth Street NW., Washington, D. C.	10 years 1 month	Charge attendant.
James A. Judd	Culpeper, Va. (?)	9 years 11 months	Nurse.
Burton E. Thompson.	Du Bois, Charles County, Md.	8 years 7 months	Charge nurse.
Ray Vaught	Milton, Rutherford County, Tenn.	4 years 8 months	Do.
James W. Van Word.	Abell, St. Marys County, Md.	10 years 7 months	Do.
Philip A. Claggett	1217 Girard Street NW., Washington, D. C.	5 years 9 months	Do.
Charles M. Kerby	Congress Heights, D. C., R. F. D. No. 5.	2 years 10 months	Do.
Allison D. Hicks	Anacostia, D. C., V Street.	7 years 10 months	Charge attendant.
Merrick A. Robey	White Plains, Charles County, Md.	1 year 11 months	Special attendant.

[1] Granted both exemption and deferred classification.

Deferred classifications—Continued.

Name.	Home address.	Length of service in department.	Character of work.
ST. ELIZABETHS HOSPITAL—con.			
Michael Fitzgerald.	503 N Street NW., Washington, D. C.	3 years 6 months..	Attendant.
Adolph Jacobs.....	286 Hooper Street, Brooklyn, N. Y	1 year.....	Resident dentist.
Elmer B. M. Casey.	4576 Newberry Street, St. Louis, Mo.	11 months.....	Junior assistant physician.
James C. Hassall...	14 Sheridan Avenue, Troy, N. Y.	5 years 9 months..	First assistant physician.
Fred Smith.....	15 West Baltimore Street, Hagerstown, Md.	6 years 11 months.	Charge nurse.
John P. Vanword..	Abell, St. Marys County, Md.	.....do.....	Charge attendant.
Leroy H. Linkins..	Rockville, Md., Route No. 3.	2 years 9 months..	Do.
Clyde Raley.....	Leonardtown, St. Marys County, Md.	10 years 9 months.	Barber.
Gerald F. Clements.	Leonardtown, Md....	2 years.....	Attendant.
Benjamin R. Dyer.	Beauvue, Md.....	5 years 2 months..	Barber.
Carl F. Catlin.....	Whitehaven, Wicomico County, Md.	7 years 3 months..	Charge nurse.
Grover T. Thrift...	720 West Virginia Avenue SE., Washington, D. C.	6 years 4 months..	Do.
Raymond Skinner.	Congress Heights, D. C.	11 years 9 months.	Foreman of laborers.
Joseph E. White...	Piscataway, Prince Georges County, Md.	9 years 10 months.	Night watchman.
Louis E. Grimes...	Silver Hill, Prince Georges County, Md.	4 years 11 months..	Attendant.
Elmer H. Harrell..	Warrenton, Va.....	2 years 4 months...	Do.
Russell Palmer.....	Staunton, Va.....	3 years 3 months...	Charge nurse.
James E. Turner...	Cordova, Va.....	6 years 1 month....	Attendant.
Robert L. Fletcher.	Estes, Rappahannock County, Va.	1 year 8 months....	Do.
Berse Brown.....	2039 Georgia Avenue SE., Washington, D. C.	2 years 5 months...	Do.
Richard J. King....	Camp Springs, Prince Georges County, Md.	7 years.....	Charge attendant.
Alton E. Thompson.	DuBois, Charles County, Md.	4 years 6 months...	Charge nurse.
Owen T. Whitesel..	2145 K Street NW., Washington, D. C.	3 years 7 months...	Do.
Marvin W. Thrift..	718 Virginia Avenue SE., Washington, D. C.	5 years 8 months...	Do.
Charlie McDaniel..	Waldorf, Md.....	9 years 1 month....	Do.
Richard F. Boswell.	Piscataway, Prince Georges County, Md.	5 years 8 months...	Charge attendant.
William G. Chandler.	Bealton, Fauquier County, Va., R. F. D. No. 1.	4 years.....	Charge nurse.
George W. Rose....	Fredericksburg, Va..	1 year 11 months...	Charge attendant.
Walter H. White...	Piscataway, Prince Georges County, Md.	11 years 1 month...	Do.
George W. Dyer....	Beauvue, Md.....	5 years 10 months..	Do.
John E. Pyles.....	Anacostia, D. C., R. F. D. No. 2.	2 years 9 months...	Do.
Alvin C. Hall.....	Post Oak, Spotsylvania County, Va.	1 year 8 months...	Attendant.
Bernard A. Robey.	Hughesville, Charles County, Md.	3 years 10 months.	Do.
John E. Richardson.	Snow Hill, Worcester County, Md.	.....do.....	Do.
Robert Pursley....	Rollins Fork, Va.....	2 years 11 months.	Do.
L. L. Walter.....	Nokesville, Prince William County, Va.	3 years.....	Do.
Rupert A. Sullivan.	Paytes, Spotsylvania County, Va.	2 years.....	Do.
Harry H. Chinn (left service Apr. 17, 1918).	708 A Street NE., Washington, D. C.	11 months.....	Charge attendant.
Joseph E. Eversfield (inducted into Medical Reserve Corps).	Westwood, Prince Georges County, Md.	2 years 7 months..	Charge nurse.
Bertie Fitzgibbons (left service Feb. 13, 1918).	503 N Street NW., Washington, D. C.	3 years 2 months..	Attendant.
Edward C. Harris (drafted May 7, 1918).	Staunton, Augusta County, Va.	5 years 10 months.	Do.
John W. Lockhart (left service Feb. 28, 1918).	1401 H Street NE., Washington, D. C.	6 years 11 months.	Charge nurse.
Henry L. Middleton (left service Apr. 27, 1918).	Waldorf, Md.....	3 years.....	Attendant.
George S. Pyles (resigned May 14, 1918).	1651 W Street, Anacostia, D. C.	9 months.....	Charge nurse.
Clarence E. Rainey (inducted into Medical Reserve Corps May 20, 1918).	507 Queen Street Alexandria, Va.	1 year 9 months...	Attendant.
Jesse L. Robertson (dropped on account of illness).	Clinton, Prince Georges County, Md.	1 year 4 months...	Do.

Deferred classifications—Continued.

Name.	Home address.	Length of service in department.	Character of work.
ST. ELIZABETHS HOSPITAL—con.			
William J. Sampson (resigned Mar. 15, 1918).	Swetnam, Fairfax County, Va.	1 year 7 months...	Attendant.
Everatt A. Thompson (drafted Mar. 25, 1918).	1610 Thirty-fourth Street NW., Washington, D. C.	4 years 7 months..	Charge nurse.
Jesse L. Thompson (left service Mar. 7, 1918).	Boyds, Montgomery County, Md.	6 years 4 months..	Do.
Edward Lee Tucker (left service Apr. 24, 1918).	665 South Carolina Avenue SE., Washington, D. C.	9 years 10 months..	Do.
Ernest A. Wise (inducted into Medical Reserve Corps Apr. 6, 1918).	Beauvue, Md.....	1 year 8 months...	Charge attendant.
William G. Wolfe (left service Mar. 31, 1918).	Bryantown, Charles County, Md.	7 years.....	Charge nurse.
Preston Moffett (inducted into Medical Reserve Corps Apr. 14, 1918).	Marshall, Va.....	2 years 1 month ..	Attendant.
Lynwood J. Jenkins (left service Mar. 10, 1918).	Nocam, King George County, Va.	2 years 8 months..	Do.
FREEDMEN'S HOSPITAL.			
Dr. W. E. Davis...	535 Second Street, Fremont, Ohio.	8 years 7 months..	Pharmacist.
Dr. B. Price Hurst.	1808 McCullough Street, Baltimore, Md.	10 months.....	Pathologist.
NATIONAL PARK SERVICE.			
Horace M. Albright	2138 California Street, Washington, D. C.	5 years.....	Assistant Director of National Park Service; duties principally executive; also has charge of all the legal work of the bureau; acts as head of bureau in the absence of the director.
Clyde D. Boothe...	Usona, Cal.....	3 years.....	Park ranger, Yosemite National Park: engaged in patrolling the park and the protection of the forests and wild animals.
John W. Emmert..	Yosemite, Cal.....	6 years.....	Chief electrician, Yosemite National Park; has charge of maintenance and operation of power plant-electrical system, and telephone system.
Rae A. Kennedy...	Grand Junction, Colo.	5 years.....	Executive clerk; has had much experience in Washington bureaus of department and in several national parks; deferred classification requested because of his intimate acquaintance with departmental practice and procedure.
James V. Lloyd....	1204 Lamont Street NW., Washington, D. C.	6 years.....	Park ranger, Yosemite National Park: engaged in patrolling the park and the protection of the forests and wild animals.
ALASKAN ENGINEERING COMMISSION.			
J. J. Lichtenwalner[1]	Seattle, Wash.....	3 years 2 months..	Chief clerk.
Boyd Leedy.....	Valdez, Alaska.....	2 years 7 months..	Resident engineer.
W. A. Ratbun.....	Kirkland, Wash., R. F. D. No. 1.	1 year 2 months...	Wireless operator.
E. S. Jackard.....	Seward, Alaska.....	2 years 2 months..	Office engineer.
W. L. Haker.....	.....do.....	1 year 2 months...	Resident engineer.
Harry Meagher.....	.....do.....	2 years 2 months..	Rodman.

[1] Granted both exemption and deferred classification.

Deferred classifications—Continued.

Name.	Home address.	Length of service in department.	Character of work.
ALASKAN ENGINEERING COMMISSION—contd.			
Fred C. Knowlton	Seward, Alaska	2 years 2 months	Chief timekeeper.
A. E. Ooghe	do	1 year 3 months	Clerk.
Fred S. Overton	do	1 year	Acting storekeeper.
John H. Dowling	do	1 year 1 month	Shop clerk.
Jack McFadden	do	10 months	Foreman.
Neil McDaid	do	1 year 2 months	Do.
W. R. Hooker	do	1 year 9 months	Electrical engineer.
Frank Swenson	3610 Sixth Avenue, Seattle, Wash.	1 year 7 months	Instrumentman.
J. W. Keller	Knoxville, Tenn	1 year 8 months	Resident engineer.
Richard Windele	1404 Page Street, San Francisco, Cal.	2 years 2 months	Do.

Total number exemptions or deferred classifications allowed, 557.

The SPEAKER laid before the House the following communication from the United States Shipping Board, which was ordered to be printed in the RECORD and lie on the Speaker's table:

UNITED STATES SHIPPING BOARD,
Washington, July 10, 1918.

The CLERK, HOUSE OF REPRESENTATIVES,
United States Congress, Washington, D. C.

SIR: In compliance with the provisions of the House of Representatives resolution No. 383, I take pleasure in submitting a statement showing the names, addresses, and character of work of all employees of the Emergency Fleet Corporation, who have been given deferred classification. This is supplemental to the list of employees of the United States Shipping Board and the Division of Operations, Emergency Fleet Corporation, which was sent to you on July 9.

Exhibit A of the attached list gives the names of employees of the United States Shipping Board who were on June 5, 1918, upon the Emergency Fleet classification lists of the various boards of jurisdiction under selective-service regulations, act of May 18, 1917; such list showing, besides the name and home address, the character of work in which the employee was engaged, as well as the date of commencement of service.

Exhibit B is a list of names out of the above list for which exemptions will not be asked, they having been removed from the Emergency Fleet classification lists. The various boards have been supplied with cancellation cards, Form 1025–P.M.G.O., as prescribed by selective-service regulations.

Very truly, yours, LESTER SISLER, *Secretary.*

EXHIBIT A.

Name.	Home address.	Character of work.	Time in service.
Reuben Alex. Stallings.	Portsmouth, Va	New York office	Mar. 27, 1918
Clarence J. Anderson	Summit, N. J	do	Mar. 5, 1918
John F. Waters	Brooklyn, N. Y	do	Apr. 23, 1918
George W. Helwig	Kendallville, Ind	Inspector; resident engineer.	Mar. 20, 1918
Albert N. Dobbins	Philadelphia, Pa	Draftsman	Mar. 14, 1918
Paul F. Esser	Chicago, Ill	Housing; construction division.	Apr. 10, 1918
Charles Connelly	Baltimore, Md	Accounting	Mar. 30, 1918
Edgar J. Fitzgerald	Detroit, Mich	Assistant treasurer; special assistant.	Apr. 12, 1918
Donald S. Morrison	Trenton, N. J	New York office	Apr. 10, 1918
Richard W. Combe	Brooklyn, N. Y	do	Do.
Robert W. Waddy	New York, N. Y	do	Do.
Chas. A. MacArthur	Brooklyn, N. Y	do	Mar. 27, 1918
Wm. D. Slottman	do	do	Do.
Wm. D. Du Lac	Detroit, Mich	do	Do.
Harry J Robertson, jr.	New York, N. Y	do	Apr. 23, 1918
Arnold J. Kuesel	Brooklyn, N. Y	do	Mar. 27, 1918
Albert R. Hill	New York, N. Y	do	Do.
M. Benj. Goldberg	Trenton, N. J	do	June 10, 1918
Wm. J. Mahoney	Brooklyn, N. Y	do	Apr. 23, 1918
John H. Oswald	Ridgewood, L. I	do	Mar. 27, 1918
Karl A. Eichhorn	Detroit, Mich	do	Do.
Paul J. Fritz	New York, N. Y	do	Do.
Joseph F. Hammel	Detroit, Mich	do	Apr. 23, 1918
Charles Schweiger	Brooklyn, N. Y	do	Mar. 27, 1918
John E. Schliesman	do	do	Do.
Charles K. Holmes	Chicago, Ill	Purchasing	Apr. 3, 1918
John Dandreau	Brooklyn, N. Y	do	Apr. 11, 1918
Byron C. Perkins	Chicago, Ill	Distribution	May 20, 1918
Albert C. Lewis	do	do	Apr. 4, 1918
Halsey Martin Foy	do	do	Do.
Louis Simon	do	do	Apr. 11, 1918
William H. Gehl	do	Purchasing	Apr. 5, 1918
Carl R. Magnuson	do	do	Do.
James F. McCarthy	do	do	Apr. 4, 1918
P. H. Schaar	do	do	Apr. 8, 1918
Chas. Weller Fendrick.	Evansville, Ind	Accountant, Washington, D. C.	May 1, 1918
Thos. P. Ohlert	Detroit, Mich	Accountant, New York office.	Apr. 6, 1918
John J. Mahoney	Brooklyn, N. Y	do	Do.
John Patrick McCullom.	Philadelphia, Pa	Stenographer and clerk	Apr. 13, 1918
L. Harlow Basil	Washington, D. C	Library	May 1, 1918
Ernest P. Richard	New Orleans, La	Clerk, auditor's department.	Jan. 16, 1918

EXHIBIT A—Continued.

Name.	Home address.	Character of work.	Time in service.
W. W. Spilman	Washington, D. C	Purchasing department	Apr. 1, 1918
M. E. Carey	Orange, N. J	do	Apr. 26, 1918
Peter Rasmussen	Cleveland, Ohio	Mold loftsman	Do.
Fred H. Hanie	Opelika, Ala	Material clerk, Washington office.	Apr. 6, 1918
Roger S. Kellen	Bridgeport, Conn	Material clerk	Apr. 4, 1918
Anthony Passerine	Branford, Conn	Stenographer and material clerk.	Do.
R. M. Reedy	Chicago, Ill	Washington office	May 1, 1918
Stephen V. J. D'Amico	New Orleans, La	Draftsman, housing	May 7, 1918
Lewis Carroll Lasher	Chicago, Ill	Purchasing division	Apr. 22, 1918
Clarence E. Wesch	do	Distribution	Apr. 6, 1918
Thos. H. Nannings	do	do	Apr. 3, 1918
Abraham J. Harris	New London, Conn	Accounting and correcting translation Russian language, checking Russian brokers' accounts.	Apr. 16, 1918
Edward W. Dean	Newport News, Va	Architect	Apr. 15, 1918
Harold Everett Austin.	Philadelphia, Pa		Apr. 19, 1918
Walter H. Eagan	do	Steel-ship construction	Dec. 11, 1918
P. D. Harger	Chicago, Ill	Distribution	Apr. 22, 1918
J. S. Thompson	Louisville, Ky	do	Apr. 9, 1918
A. T. Johnson	Seattle, Wash	do	Do.
Arthur R. Safeblade	Chicago, Ill	Purchasing division	Apr. 1, 1918
Frank H. Kemper	do	do	Apr. 9, 1918
E. Mills, jr	Jersey City, N. J	Draftsman, steel ship	Apr. 8, 1918
Jesse Allen	Lufkin, Tex	Inspector lumber, New Orleans.	Oct. 4, 1917
Jas. Andrew Buller	Goose Creek, Tex	Inspector lumber	Apr. 25, 1918
Harry Lawrence Cannon.	Oberlin, La	Inspector lumber, New Orleans.	Nov. 12, 1917
Allen Henry Cooper	Lake Charles, La	do	Nov. 8, 1917
Chester Harvey Dodd	De Ridder, La	do	Aug. 21, 1917
Ward Wesley Kelley	Columbia, Mo	do	Apr. 28, 1918
George Francis Kirby	De Ridder, La	Inspector lumber	May 1, 1918
James Irl Laird	Livingston, Tex	do	Apr. 30, 1918
Winston Boyd Moody	Oberlin, La	do	Sept. 7, 1917
John M. Steagall	Leesville, La	do	Nov. 15, 1917
Jas. Middleton Tackaberry.	Houston, Tex	do	Sept. 6, 1917
Wm. Irving Twiner	Yazoo City, Miss	Lumber inspector, New Orleans.	
Arthur John Weir	Dallas, Tex	do	Dec. 12, 1917
Clyde Foster Frost	Portland, Me	Timber scaler	Apr. 1, 1918
Thomas C. Laudi	Hackensack, N. J	Inspector	Mar. 18, 1918
C. H. Lehnert	Baltimore, Md	Washington office	Mar. 29, 1918
Clarence J. Malhiot	Maywood, Ill	Purchasing	Apr. 15, 1918
David B. Decker	Summit, N. J	do	Mar. 10, 1918
Clarence H. Thexton.	Cleveland, Ohio	Housing supervising engineer, charge of construction progress.	Apr. 8, 1918
Carl A. Schlect	do	Material and construction progress engineer.	May 24, 1918
Edward J. Rodier, jr.	Taylorville, Ill	do	Apr. 8, 1918
J. Kenneth Haviland	Winthrop, Mass	Housing, general material procurement and expeditor building construction.	Apr. 22, 1918
Richard C. Clemence	Cleveland, Ohio	General service	Mar. 18, 1918
H. G. Coutts	do	General superintendent of all projects.	Apr. 8, 1918
Ralph E. Suffolk	do	Auditor and special assistant, Newport News.	Apr. 27, 1918
Lloyd T. Aiken	do	Main office	May 1, 1918
Alfred Koenig	Chicago, Ill	Purchasing	May 6, 1918
Walter Heald Wyeth	do	do	Apr. 22, 1918
Edwin Warren Swain	Brooklyn, N. Y	New York office	Apr. 23, 1918
William Louis Bass	Houston, Tex	Draftsman	Mar. 26, 1918
Eugene Buford Church.	do	do	Apr. 24, 1918
Edward William Martin.	Wilmington, Del	Head draftsman	Dec. 14, 1918
William B. Lewis	Jersey City, N. J	Clerk, purchasing	Apr. 29, 1918
Joseph E. Crume	Louisville, Ky	do	Mar. 27, 1918
George L. Miller	Chicago, Ill	Construction, ship division.	Feb. 25, 1918
Henry Eugene McEwin.	Washington, D. C	Assistant to purchasing assistant, purchasing.	Feb. 21, 1918
Edward Tully	Omaha, Nebr	Construction, ship division.	Apr. 24, 1918
John Howard White	Lansdale, Pa	Washington office	May 6, 1918
Charles Frederick Logan.	do	do	Do.
Daniel H. Umstead	do	do	Do.
Daniel T. O'Connor	Harrison, N. J	do	Do.
Louis W. Rapp	Chicago, Ill	Purchasing	Apr. 8, 1918
Minor Clark Hutchison.	Kansas City, Mo	do	Apr. 2, 1918
Roy B. Poppleton	Cambridge, Ill	do	Apr. 5, 1918
Stanley H. Loyons	Providence, R. I	do	May 6, 1918
Walter T. Lamb	Cambridge, Ill	do	Apr. 8, 1918
Milton E. Hart	Chicago, Ill	do	Mar. 30, 1918
Albert E. Hoyt, jr	Rochester, N. Y	do	Apr. 10, 1918
John C. Mafs	Philadelphia, Pa	do	Apr. 19, 1918
Charles L. Rouse	Washington, D. C	do	Apr. 13, 1918
Harlan M. Crawford	Minneapolis, Minn	do	Apr. 17, 1918
Bishop Asbury Corkran.	Centralia, Va	do	Apr. 4, 1918
Daniel F. O'Brien	Chicago, Ill	Distribution	Apr. 15, 1918
Leo. A. Johnson	Brookline, Mass	Purchasing	Apr. 4, 1918
E. H. Miller	Clayton, Mo	do	Apr. 8, 1918
Thos. Edw. Kendall	Joplin, Mo	do	Apr. 6, 1918
Frank H. Lutz	Scranton, Pa	do	Apr. 4, 1918

EXHIBIT A—Continued.

Name.	Home address.	Character of work.	Time in service.
Milton Sherman		Purchasing	Apr. 1, 1918
J. C. Hasbrouck	Washington, D. C.	do	Do.
Lewis W. Miller	Baltimore, Md.	Draftsman, wood-ship.	Mar. 11, 1918
Geo. Alfred Maney	Minneapolis, Minn.	Designer, wood-ship.	Feb. 20, 1918
Ernest A. Heckler	Edgewater, N. J.	Clerk, Purchasing Department.	Mar. 20, 1918
Joseph Brodkin	The Bronx, N. Y.	do	Feb. 25, 1918
Harry B. Fenton	Port Huron, Mich.	Purchasing department.	Dec. 3, 1918
Otto Carl Pahline	East Providence, R. I.	do	Mar. 18, 1918
William H. Carson	Donaldsonville, La.	Inspector, lumber department.	Dec. 19, 1917
Edgar S. McKaig	Philadelphia, Pa.	Activities, general service shipyard.	Feb. 21, 1918
Benjamin Nicholson	Washington, D. C.	Clerk, Washington office.	Apr. 27, 1918
Earl Sullivan Grogan	Philadelphia, Pa.	District officer	Oct. 3, 1917
Frank J. Conroy	do	do	Jan. 1, 1918
Thomas J. Thornton	do	do	Dec. 17, 1917
Ralph G. Guiney	Detroit, Mich.	Purchasing	Dec. 6, 1917
C. W. Irwin	Reading, Pa.		Jan. 2, 1918
V. C. Rickford	Troy, N. Y.	Instructor, individual training.	Mar. 4, 1918
Ulysses Dexter Dunlap.	Jacksonville, Fla.	Wood ship division, private secretary.	Nov. 22, 1917
F. T. Harding	Buffalo, N. Y.	Inspector	Dec. 5, 1917
John J. Callan	Portsmouth, Va.	Inspector, purchasing.	Oct. 21, 1917
Peter J. O'Laughlin	Detroit, Mich.	do	Apr. 13, 1918
A. W. McNabb	Williamsport, Pa.	Inspector	May 1, 1918
D. P. Clemmer	Richmond, Va.	Inspector, purchsing.	Aug. 9, 1917
L. A. Barnes	Schnectady, N. Y.	do	Nov. 17, 1917
Harry Laing Demuth	Franklinton, La.		Apr. 25, 1918
Lewis T. Bremmer	Chicago, Ill.	Distribution dispatching department.	Mar. 7, 1918
Clarence B. Skiles	Santa Anna, Cal.	Washington office	Apr. 29, 1918
Howard S. Ketcham	Philadelphia, Pa.	Lumber clerk, auditing.	Dec. 15, 1918
Ellis Pomerantz	do	Executive and administrative.	Jan. 21, 1918
Alfred A. Maynard	Providence, R. I.	do	Apr. 18, 1918
C. J. Burnard	Rockland County, N. Y.	New York office	Do.
Theodore J. Keane	New York, N. Y.	do	Apr. 10, 1918
Wm. E. J. Lennane	Detroit, Mich.	do	Do.
John Stuhlfauth	Lima, Ohio	Assistant in purchasing ship timbers.	Apr. 12, 1918
Artie E. Forman	Kingwood, W. Va.	Inspector ship timbers.	Jan. 3, 1918
Frank R. Whitehead	Patterson, N. J.	Ship building purchasing.	Mar. 25, 1918
John B. Ferguson	Philadelphia, Pa.	Purchasing	Feb. 25, 1918
Remson Burggraf	Brooklyn, N. Y.	Distribution	Apr. 9, 1918
Leroy E. Applegarth	Baltimore, Md.	do	Apr. 3, 1918
J. D. Clagett	Rockville, Md.	Accountant, production.	June 18, 1917
Sinclair B. Fowler	Washington, D. C.	Chief clerk, inspection and production.	Aug. 30, 1917
Gorman M. Hendricks	do	Progress engineer, inspection and production.	Jan. 5, 1918
Paul L. Boyce	New York City, N. Y.	Special examiner, admiralty claims.	May 17, 1918
August Steffenson	Racine, Wis.	Statistician	Apr. 25, 1918
Wm. Hugo Greenfield	Savannah, Ga.	Accounting	May 16, 1918
Albert B. Hoffman	Chicago, Ill.	Washington office	May 9, 1918
Clarence A. Pine	Cleveland, Ohio	do	Do.
Robert B. Howard	Elizabeth, N. J.	Electrical draftsman	Apr. 22, 1918
Alexander Coles	Philadelphia, Pa.	Progress clerk	Mar. 12, 1918
Christopher A. Manco	Washington, D. C.	Distribution, dispatching department.	Mar. 19, 1918
Howard H. Gunder	South Bend, Ind.	do	Apr. 28, 1918
Wm. H. Orem	Baltimore, Md.	Purchasing	Mar. 18, 1918
John B. Gray	Allentown, Pa.	Distribution, dispatching department.	May 1, 1918
Bernard H. Krygsman.	Chicago, Ill.	do	Mar. 8, 1918
E. H. Simon	do	do	Mar. 25, 1918
Clarence Hall Martin	East Chicago, Ind.	do	Mar. 21, 1918
Allen M. Booz	Baltimore, Md.	do	Mar. 19, 1918
George F. Roeder	St. Louis, Mo.	do	Mar. 20, 1918
A. W. Tait	Seattle, Wash.	do	Do.
Chas. Joseph Seelman	Chicago, Ill.	do	Mar. 8, 1918
Albert L. Brandt	Brooklyn, N. Y.	do	Mar. 19, 1918
Benjamin H. Hosking.	Dover, N. J.	do	Mar. 18, 1918
Carl Hugo Schuttler	Pittsburgh, Pa.	Expeditor for marine engines.	Mar. 8, 1918
Carl Daniel Kester	do	do	Mar. 14, 1918
Howar John Swallow	Newark, N. J.	Gnatt, progress expert.	Jan. 24, 1918
W. J. Harrington	Philadelphia, Pa.	Accountant, purchasing department.	Dec. 1, 1917
Bronson Howard	Washington, D. C.	Accountant	May 7, 1918
J. J. Fitzgerald	Orange, N. J.	do	May 13, 1918
John O. Lloyd	Brooklyn, N. Y.	Auditor, New York office.	Mar. 27, 1918
David S. Brandwein	New York City, N. Y.	Accounting, New York office.	Mar. 30, 1918
Herman J. Wenick	Philadelphia, Pa.	Auditor	Oct. 4, 1917
L. E. Kenney	Summerville, N. J.	Disbursing officer, lumber department, New Orleans.	Nov. 9, 1917
Jas. F. McMurrer	Haverhill, Mass.	Distribution, dispatcher.	Jan. 21, 1918
W. S. Price	Washington, D. C.	Purchasing	Jan. 17, 1918
Blan P. Dysart	McKinney, Tex.	do	Mar. 8, 1918
Thos. A. Schilling	New Britain, Conn.	Distribution, dispatching department.	Apr. 25, 1918
Wm. A. Markart	Chicago, Ill.	Distribution, purchasing.	Apr. 27, 1918

EXHIBIT A—Continued.

Name.	Home address.	Character of work.	Time in service.
Stuart Hodge Patti	Washington, D. C.	Distribution, dispatching department.	Mar. 12, 1918
S. A. Keesal	Chicago, Ill.	Purchasing	Mar. 11, 1918
Clarence E. Anderson	do	Distribution, dispatching department.	Mar. 5, 1918
Jno. Raymond Greene	Oak Park, Ill.	do	Mar. 7, 1918
Walter F. Geissel	Baltimore, Md.	do	Mar. 5, 1918
Jas. A. Feeney	Brooklyn, N. Y.	Washington office	Mar. 27, 1918
Chas. Joseph Seelia	Chicago, Ill.	do	May 1, 1918
Spencer J. Millard	Union City, Tenn.	Checker, purchasing division.	Apr. 8, 1918
Wm. Foster Trimble	Avalon, Pa.	Material clerk, wood-ship construction, home office.	Feb. 18, 1918
Frank P. Welch	Poughkeepsie, N. Y.	Division superintendent, 2 P. staff.	May 9, 1918
Percy A. Shay	Brooklyn, N. Y.	Confidential secretary, office vice president, Washington branch.	Apr. 29, 1918
Wm. Allen Conroyd	Chicago, Ill.	Accountant and general office assistant, Washington.	May 6, 1918
Henry H. Moore	Nashville, Tenn.	Clerk, purchasing	Apr. 29, 1918
Maxwell L. Kern	New York City, N. Y.		Apr. 19, 1918
O. E. Heinicke	St. Louis, Mo.	Draftsman, concrete division.	Apr. 9, 1918
Bradford L. Ernst	New York City, N. Y.	Auditing, New York office.	Mar. 27, 1918
Geo. Lewis Miller	Chicago, Ill.	Draftsman, wood ship.	Feb. 25, 1918
Clarence Anderson	Elizabeth, N. J.	Auditor, New York office.	Mar. 5, 1918
Charles Salpeter	Brooklyn, N. Y.	do	Mar. 27, 1918
George W. Anderson	San Mateo, Fla.	Lumber inspector, New Orleans.	Dec. 22, 1917
Malcom Smith	Savannah, Ga.	Lumber inspector, Jacksonville.	Nov. 12, 1917
A. A. Klotz	Jacksonville, Fla.	Lumber inspector	Sept. 22, 1917
R. G. Freeman	Savannah, Ga.	do	Nov. 8, 1917
H. H. Davis	Thomasville, Ga.	do	Sept. 22, 1917
F. W. Sims	Nashville, Ga.	Lumber inspector, New Orleans.	Oct. 16, 1917
Chas. Leo. Hughes	Jersey City, N. J.	Accountant, assistant district auditor, Houston, Tex.	Feb. 22, 1918
Victor J. Hartley	Philadelphia, Pa.	Assistant technical engineer, Camden, N. J.	Feb. 4, 1918
Anthony Schuman, jr	do	Bookkeeper, auditing division.	Nov. 5, 1917
Roy R. Schwartz	Chicago, Ill.	Time checker, auditing division.	Nov. 19, 1917
A. W. Kline	Evanston, Ind.	Material inspector, auditing division.	Jan. 15, 1918
Frank Latenser	Omaha, Nebr.	Technical assistant, resident engineer's office.	Jan. 14, 1918
Reid Hartsig	Ann Arbor, Mich.	do	Feb. 18, 1918
Albert F. Bachers	Detroit, Mich.	Office assistant, resident engineer's office.	Feb. 26, 1918
Edward L. Blake	do	New York office	Apr. 23, 1918
Chas. Hoff	do	Accounting, New York office.	Mar. 28, 1918
Irving H. Solean	do	do	Do.
George Cavanaugh	do	New York office	Do.
John W. Lynch	New York, N. Y.	do	Do.
Henry Demchak	Detroit, Mich.	do	Do.
Wm. D. Duhae	do	do	Do.
Floyd S. Bennett	Cleveland, Ohio	Washington office	May 1, 1918
James H. Purcell	Union County, N. J.	Inspector New York district.	Mar. 29, 1918
E. E. Springer	Alliance, Ohio	Purchasing	Apr. 3, 1918
E. E. Thompson	Westminster, Md.	do	Apr. 16, 1918
R. R. Harden	Statenville, Ga.	Lumber inspector, New Orleans.	Nov. 12, 1917
L. J. Miller	Bronson, Fla.	do	Do.
Pierre Gaillard	Brunswick, Ga.	do	Mar. 19, 1918
N. F. Eure	Beaufort, N. C.	do	Oct. 24, 1917
Roy L. King	Jacksonville, Fla.	do	Sept. 17, 1917
H. C. Allen	Savannah, Ga.	Lumber inspector, Jacksonville.	Nov. 7, 1917
V. E. Reed	Pascagoula, Miss.	do	Aug. 29, 1917
Lewis H. Murphy	Mobile, Ala.	do	July 19, 1917
Harry Rector Gleaves	Nashville, Tenn.	New Orleans office	Nov. 28, 1917
George A. Bolvin	Chicago, Ill.	Purchasing	Mar. 8, 1918
B. A. Anderton	Pawtucket, R. I.	Chemist, concrete ships.	Apr. 1, 1918
Samuel Rubin	Cambridge, Mass.	Philadelphia district, steel ship.	Jan. 2, 1918
F. T. Aschman, jr	Philadelphia, Pa.	Auditing	Dec. 4, 1917
Joseph Perlman	New York, N. Y.	Purchasing	Nov. 26, 1917
T. R. R. Schwartz	Chicago, Ill.	Auditing	Nov. 19, 1917
Gaston Milton Levy	Centerdale, R. I.	Inspector mechanical engineering, Washington, D. C.	Apr. 26, 1918
Albert E. Holl	Baltimore, Md.	Accounting	Apr. 28, 1918
Myron B. Goldsmith	Washington, D. C.	Otter gear, instructor technical department.	Aug. 31, 1917
W. B. Gronewald	Pontiac, Mich.		May 1, 1918
Edwin F. Brenner	Alexandria, La.	Inspector	Dec. 28, 1917
David M. Freudenthal	New York, N. Y.	Statistical clerk	Mar. 11, 1918
Patrick Francis Gilboy.	Scranton, Pa.	Assistant to purchasing assistant.	Mar. 6, 1918
Elmer H. Muer			Mar. 27, 1918
Abraham Sachs	Brooklyn, N. Y.	New York office	Do.
Walter C. Irving	do	do	Do.
William Simerlein	do	do	Do.
Allen Robertson	Adams, Mass.	do	Do.
Emmet S. Braumbaugh.	Omaha, Nebr.	do	Do.
Ernest F. Hartman	Hoboken, N. J.	do	Do.

EXHIBIT A—Continued.

Name.	Home address.	Character of work.	Time in service.
Frank Ford	Philadelphia, Pa.	Construction inspector.	Dec. 6, 1917
T. H. Locke	Media, Pa.	Inspector	Oct. 15, 1917
James L. Walsh	Elizabeth, N. J.	do	Dec. 6, 1917
Frank McElroy Bynum.	New Orleans, La.	Confidential operations.	Feb. 16, 1918
Forrest Pierce Phillips.	Kansas City, Mo.	Chief clerk wood-ship construction.	Nov. 4, 1917
James Alexander Preston.	St. Louis, Mo.	Department head, field reports.	Aug. 29, 1917
William Charles Swadkins.	Hampton, Va.	Inspector hulls	Sept. 1, 1917
Guy Thomas Jackson.	Newport News, Va.	do	Do.
Fred Hugo Kipper	do	Assistant inspector	Sept. 5, 1917
Edw. Bliekie Baldinger.	Houston, Tex.		Feb. 16, 1918
Chester Luther Florence.	Portland, Oreg.	Office manager, Portland.	Jan. 21, 1918
Dwight Hoppingarner.	New York, N. Y.	Employment expert	Oct. 29, 1917
Louis Stover Veach	Washington, D. C.	Chief clerk, Industrial Service.	May 5, 1917
Louis Moed	Brooklyn, N. Y.	Operations	May 1, 1918
Herman S. Hall	Boston, Mass.	Industrial training	Dec. 10, 1917
Reginald Warwiak Rose.	Detroit, Mich.	Charts, progress division.	Jan. 21, 1918
Le Roy Brown	Washington, D. C.	Inspector	Aug. 29, 1917
Alexander Robert Corbet.	New London, Conn.	Technical department, draftsman.	Nov. 6, 1917
Geo. Smith Thomas	Carroll, Iowa	do	Oct. 8, 1917
Frank Lewis Lewis	Camden, N. J.	do	Nov. 26, 1917
David Tarshes	Boston, Mass.	Inspector	Nov. 12, 1917
Joseph Mayfield Collins.	Lake Charles, La.	Construction inspector.	Aug. 9, 1917
Douglas Herring	Washington, D. C.		July 2, 1917
George Washington Wellbrock.	Brooklyn, N. Y.	Assistant auditor	Nov. 5, 1917
William Frost	Paterson, N. J.	Concrete-ship draftsman.	Jan. 30, 1918
Reynold Emanuel Paulve.	New York, N. Y.	Draftsman	Jan. 28, 1918
Rollin Eugene Delatush.	Red Bank, N. J.	Concrete-ship draftsman.	Jan. 29, 1918
Fredk. James Fulljames.	Detroit, Mich.	do	Jan. 28, 1918
Waldo Merritt Emery.	Baltimore, Md.	Technical marine draftsman.	June 4, 1917
Lee Chas. Voyce	Springfield, Mo.	do	Sept. 15, 1917
Henry Pieper	Washington, D. C.	Draftsman	Jan. 10, 1918
Arthur N. Tuttle	Stoneham, Mass.	Contract speeders production.	Mar. 14, 1918
Benjamin C. McDonough.	De Ridder, La.	Inspector	Dec. 10, 1917
Earl Warne Cooper	Washington, D. C.	Secretary	Sept. 11, 1917
Homer Alex. Saye	Augusta, Ga.	Progress division	Sept. 20, 1917
Barton B. Cook	Warwick County, Newport News, Va.	Drafting	Nov. 19, 1917
Arthur P. Thomas	do	do	Oct. 22, 1917
Harvey H. Hile	Seattle, Wash.	do	Nov. 19, 1917
Willard Francis Valentine.	Philadelphia, Pa.	Assistant auditor	Oct. 23, 1917
W. H. Polders	New Orleans, La.		Nov. 30, 1917
W. J. McLaughlin	New York, N. Y.	Purchasing	Apr. 22, 1918
John Davis Menagh	Philadelphia, Pa.	Assistant auditor	Dec. 12, 1917
George Adam Rhenberg, jr.	Chicago, Ill.	Auditor	Nov. 9, 1917
John Currie Agnew	Philadelphia, Pa.	Assistant auditor	Nov. 2, 1917
Harvey Rue Walton	Bristol, Pa.	do	Dec. 19, 1917
Alfred James Paynter.	Philadelphia, Pa.	do	Nov. 14, 1917
Charles Robert Conway.	Chicago, Ill.	do	Nov. 9, 1917
Arthur F. Lashinske.	East Hartford, Conn.	Graphical charting, inspection and progress department.	Apr. 11, 1918
Frank A. Dickins	Newport News, Warwick County, Va.	Engineering, technical department.	Oct. 16, 1917
Lee Roy Gray	Bridgeport, Conn.	Engineering	Aug. 29, 1917
Marcel Visintini	do	do	June 11, 1917
Chas. Michaels	do	do	Sept. 1, 1917
Phillip B. Dippel	Hudson County, N. J.	do	July 2, 1917
Herman J. Shiffli	Bridgeport, Conn.	Draftsman	Sept. 17, 1917
Robert L. Strauss	Baltimore, Md.	Engineering	June 11, 1917
William J. Wicks	Saginaw, Mich.	do	Dec. 5, 1917
Horace A. Davis	Newport News, Va.	do	June 11, 1917
A. Schoenmaker	Tippecanoe County, Lafayette, Ind.	do	June 15, 1917
Joseph Yamin	New London, Conn.	Drafting	Nov. 7, 1917
Herman E. Pasimansky.	Chicago, Ill.	Draftsman	May 6, 1918
Herman L. Michael	Frederick, Md.	Technical clerk	May 1, 1918
Theodore Torrey	Jamaica Plain, Mass.	Technical estimator	Apr. 29, 1918
Wm. Donald Smith	Dorchester, Mass.	Certified public accountant.	May 1, 1918
Chas. Henry Cornril	Chelsea, Mass.	do	Apr. 29, 1918
Carl William Lane	Boston, Mass.	do	Oct. 8, 1917
Aaron A. Hendershott	Beaumont, Jefferson County, Tex.		May 18, 1918
Stanley M. Crandall	Youngstown, Ohio	Progress expeditor	Apr. 27, 1918
G. A. Peterson	do	do	Do.
Carl Hugo Schuttle	Pittsburgh, Pa.	do	Mar. 8, 1918
G. A. Smith	do	do	Dec. 26, 1917
Benjamin Lassman	Butler, Butler County, Pa.	do	Apr. 27, 1918

EXHIBIT A—Continued.

Name.	Home address.	Character of work.	Time in service.
Geo. Francis Devereaux.	Providence, R. I.	Clerk, Progress division.	Mar. 26, 1918
Sigmund George Baumer.	Baltimore, Md.	do	Apr. 18, 1918
George Sutherland	Chicago, Ill.	do	Apr. 15, 1918
Morton Ansorge	Brooklyn, N. Y.	Inspector, purchasing division.	Mar. 25, 1918
Arthur E. Laffsa	New York, N. Y.	do	Dec. 26, 1917
Harry Lee Templeton.	Charlotte, N. C.	Accountant and general office assistant.	May 13, 1918
William M. Mills	Governeur, N. Y.	Chief inspector, district 2, New York City.	Sept. 7, 1917
Roy L. Underhill	Akron, Ohio	Chief clerk, district 2, New York City.	Apr. 15, 1918
Frank C. Cleverley	Hoboken, N. J.	Assistant supervisor	May 7, 1918
Harry T. Crawford	Jersey City, N. J.	Lumber checker, district 2.	Mar. 28, 1918
Leo A. Johnson	Brookline, Mass.	Technical clerk, purchasing division.	Apr. 4, 1918
Joseph Vodak	Chicago, Ill.	Technical clerk	Apr. 29, 1918
Joseph H. Walker	Rockford, Ill.	do	May 1, 1918
John Almsley Grant	Chicago, Ill.	do	Apr. 22, 1918
John M. Winiknates	do	do	Apr. 23, 1718
A. B. Massey	Detroit, Mich.	Expeditor	Oct. 31, 1917
A. A. Alhgreen	Brooklyn, N. Y.	Checker	Apr. 29, 1918
Harry J. Vester	Staten Island, N. Y.	Rechecker	Apr. 26, 1918
D. C. Aubrey	Chicago, Ill.	Production manager	Apr. 22, 1918
Paul H. Schatt	do	Technical clerk	May 1, 1918
Geo. Philip Lang	Brooklyn, N. Y.	Executive	Apr. 26, 1918
Philip C. Dorr	Gary, Ind.	Draftsman	Apr. 11, 1918
E. J. Hammerly	Philadelphia, Pa.	Clerk	Apr. 29, 1918
John H. Brezzano	Valparaiso, Porter County, Ind.	Draftsman	Apr. 27, 1918
Joseph P. O'Rouke	Providence, R. I.	Clerk	Apr. 22, 1918
Harvey Daniel Mackay.	Walton, Delaware County, N. Y.	Technical clerk	Apr. 22, 1918
Frank H. Kemper	Chicago, Ill.	Progress expert	Apr. 9, 1918
Roland Paul Thomas.	Omaha, Nebr.	System expert	Apr. 23, 1918
Earle C. Pierce	Chicago, Ill.	Technical clerk	May 6, 1918
Francis J. Cummings.	Washington, D. C.	do	Apr. 5, 1918
Harry Weinberger	Chicago, Ill.	Progress expert	Apr. 22, 1918
Daniel Nicholas Ohlhues.	do	Planning expert	Apr. 8, 1918
Earl Earnest Springer	Washington, D. C.	Technical clerk	Apr. 3, 1918
W. F. Roberson	Blountstown, Calhoun County, Fla.	Traffic expert	Apr. 17, 1918
G. W. Isser	Brooklyn, N. Y.	Draftsman	Apr. 8, 1918
W. J. Huntington	do	do	Apr. 1, 1918
Orson Erskine McGregor.	Lowell, Mass.	Clerk, Progress Division.	Mar. 11, 1918
Edwin Morrison Gerould.	Lynn, Mass.	Division and progress	May 10, 1918
Joseph Donald Claggett.	Rockville, Md.	Clerk	June 18, 1917
Edmund Mills	Jersey City, N. J.	Drafting steel ship	Apr. 8, 1918
P. C. Lamm	Washington, D. C.	do	Feb. 4, 1918
E. F. Stone	Pulaski, Va.	do	Feb. 11, 1918
F. I. Rouke	Springfield, Mass.	do	Do.
B. H. Pistorius	Chicago, Ill.	do	Apr. 4, 1918
Chas. A. Levitt	Brooklyn, N. Y.	Traveling machine inspector, New York City.	Apr. 16, 1918
John Milster McFarlane.	Newport, Ark.	Technical clerk, district secretary.	Do.
Jay L. Finkelstein	Chicago, Ill.	Expert record man, purchasing division.	Apr. 6, 1918
E. S. Worsham	Washington, D. C.	Construction expert	Apr. 16, 1918
W. J. Herrick	Clinton County, N. Y.	Technical clerk	Apr. 23, 1918
Alfred Koenig	Chicago, Ill.	Distribution	Apr. 1, 1918
Chas. Michael Collier.	Ellicott City, Md.	do	Mar. 18, 1918
Clarence H. Martin	Chicago, Ill.		Mar. 21, 1918
C. Ivy Wood	San Angelo, Tom Green County, Tex.		Apr. 25, 1918
Reeder Spedden	Houston, Tex.		Sept. 4, 1917
Paul C. Shuman	Buffalo, N. Y.		May 1, 1918
John Verhine	Obion County, Union City, Tenn.		Mar. 25, 1918
James R. Quinn	Brownsville, Tex.		Feb. 25, 1918
Chas. D. Bosisio	Jersey City, N. J.	Secretary and camouflaeur.	Mar. 25, 1918
G. F. Franklin	New Brunswick, N. J.		Nov. 1, 1917
John Thomas Welsh	Madison, Wis.	Purchasing assistant	Apr. 15, 1918
Alden W. Batchelder	Beverly, Mass.	Clerical, progress division.	Mar. 25, 1918
John S. Waters	Brooklyn, N. Y.	Auditor	Apr. 23, 1918
John P. Gallagher	Jersey City, N. J.	Purchasing division	Mar. 25, 1918
John J. Kiefer	Brooklyn, N. Y.	New York office	Apr. 16, 1918
Herbert F. Peyser	New York City	do	Do.
Stephen A. McDonald.	do	do	May 14, 1918
E. Everett MacDonough.	Brooklyn, N. Y.	do	May 1, 1918
Frank Mulhauser	Cleveland, Ohio	Special reporter	Oct. 18, 1917
Geo. B. Alnutt	Rockville, Md.	Industrial service section.	Feb. 6, 1918
William C. Haight	Utica, N. Y.	Secretarial, library and maps.	Jan. 17, 1918
Everett C. Sunderland.	Philadelphia, Pa.	Inspector, purchasing department.	Mar. 14, 1918
E. P. Conley	Monmouth, Ill.	Distribution	Apr. 1, 1918
J. B. Kennedy	Dallas, Tex.	do	Feb. 15, 1918
Harry H. Wolf	Chicago, Ill.	do	Apr. 1, 1918
Roy Irving Bull	Washington, D. C.	Scheduling	Apr. 26, 1918

EXHIBIT A—Continued.

Name.	Home address.	Character of work.	Time in service.
John Howard Crockett.	Hartford, Conn.	Scheduling	(1)
Charles Jacob Felber.	Rockville, Conn.	do.	May 1, 1918
Benjamin Goldbloom	Brooklyn, N. Y.	do.	Apr. 4, 1918
George Irving Hubbard.	Cambridge, Mass.	do.	Do.
Grafton C. Fannay	Nashville, Nash County, Va.	Clerical and technical	Apr. 18, 1918
Basil Voyle Shepard	Waltham, Mass.	Material clerk, Boston office.	Apr. 24, 1918
Charles Skach	Tacoma, Wash.	Inspector	Apr. 25, 1918
John T. Kelly	Bronx, New York City.	New York office	May 30, 1918
James G. Banvard	Brooklyn, N. Y.	do.	Do.
Howard A. Bell	do.	do.	Do.
Thos. H. Ramsay, jr.	do.	do.	Do.
Fred H. Kipper	Newport News, Va.	Inspector	Sept. 25, 1918
Rollin Edward Talbert.	Kansas City, Mo.	Assistant manager, contract division.	Jan. 2, 1918
H. R. Thomas	Champaign, Ill.	Concrete ship construction.	Apr. 20, 1918
Dudley H. Scott	Cleveland, Ohio.	Purchasing	Dec. 1, 1917
L. A. Barnes	Schenectady, N. Y.	do.	Nov. 17, 1917
Sylvester J. Vitoske	Detroit, Mich.	do.	Nov. 26, 1917
Bernard A. McDonald	Rochester, N. Y.	do.	Mar. 27, 1918
John R O'Connell	Syracuse, N. Y.	do.	Apr. 15, 1918
Herbert Dixon Moore	Philadelphia, Pa.	Office work	Feb. 25, 1918
Walter J. O'Connell	New York, N. Y.	do.	Mar. 2, 1918
Wallace Leslie Marshall.	Lafayette, Ind.	do.	Nov. 5, 1917
Virgil George Thole	Cincinnati, Ohio.	Purchasing	Feb. 7, 1918
Thomas W. Gravett	do.	do.	Mar. 19, 1918

[1] Transferred from U. S. Shipping Board June 1.

EXHIBIT B.

Earl W. Cooper.
Alfred A. Maynard.
Basil L. Harlow.
Ellis Pomerantz.
William C. Haight.
David M. Freudenthal.
Edgar S. McKaig.
George B. Alnutt.
Charles D. Bosisio.
Myron B. Goldsmith.
Samuel W. Jacobs.
Ralph R. Molster.
Gorman M. Hendricks.
Anthony Schuman, jr.
F. T. Aschman, jr.
I. R. R. Schwartz.
Howard S. Ketcham.
George W. Anderson.
William H. Carson.
Sylvester J. Vitoske.
Dudley H. Scott.
Peter J. O'Laughlin.
John R. O'Connell.
A. W. McNabb.
Bernard A. McDonald.
Arthur E. Laffsa.
D. P. Clemmer.
Artie E. Forman.
Morton Ansorge.
L. A. Barnes.
John J. Callan.
Joseph H. Walker.
W. W. Spilman.
Thomas A. Schilling.
Roy I. Bull.
John Howard Crockett.
Benjamin Goldbloom.
George Irving Hubbard.
Louis W. Rapp.
William H. Oren.
John B. Ferguson.
Henry E. McEwen.
William B. Lewis.
Bernard H. Krygsman.
J. B. Kennedy.
J. J. Fitzgerald.
M. E. Carey.
George A. Bolvin.
John R. Greene.
Blan P. Dysart.
Grafton C. Fanney.
Joseph E. Crume.
Joseph Brodkin.
Clarence E. Anderson.
E. S. Worsham.
John M. Winikates.
Clarence E. Wesch.
Harry Weinberger.
Joseph Vodak.
Harry J. Vester.
J. S. Thompson.
Edwin E. Thompson.
Rowland P. Thomas.
Alexander W. Tait.
E. E. Springer.
Louis Simon.
E. W. Simon.
Charles J. Seelman.
Paul H. Schaar.
Arthur R. Safeblade.
Charles L. Rouse.
George F. Roeder.
W. F. Robertson.
Roy B. Poppleton.
Byron C. Perkins.
Stuart H. Patti.
Herman E. Pasimansky.
Joseph P. O'Rourke.
Daniel N. Ohlhues.
Daniel F. O'Brien.
Thomas H. Nannings.
Everett H. Miller.
Herman L. Michael.
William A. Markart.
Clarence Hall Martin.
Christopher A. Mance.
Clarence J. Malhiot.
John C. Mais.
Carl R. Magnuson.
Harvey D. Mackey.
James F. McMurrer.
W. J. McLaughlin.
J. M. McFarlane.
John B. Gray.
James F. McCarthy.
Stanley H. Lyons.
Frank H. Lutz.
Albert C. Lewis.
Lewis C. Lasher.
George P. Lang.
Walter T. Lamb.
Alfred Koenig.
Thomas E. Kendall.
Frank E. Kemper.
S. A. Keesal.
Leo A. Johnson.
A. T. Johnson.
Joseph Jenkins.
Minor C. Hutchinson.
Albert E. Hoyt, jr.
Benjamin H. Hosking.
Charles K. Holmes.
W. J. Herrick.
Ernest A. Hechler.
Joseph A. Healy.
J. C. Hasbronch.
Milton E. Hart.
P. D. Harger.
E. J. Hammerly.
R. H. Grootenbeer.
Howard H. Gunder.
John A. Grant.
William H. Gehl.
Halsey Martin Foy.
Jay L. Finkelstein.
Philip C. Dorr.
John Dandreau.
Francis J. Cumings.
John P. Gallagher.
Harlan M. Crawford.
Bishop A. Corkran.
E. P. Conley.
Charles Michael Collier.
Remson Burggrof.
John H. Brezzano.
Lewis T. Bremmer.
Albert L. Brandt.
Allen M. Booz.
L. C. Aubrey.
Lewroy E. Applegarth.
A. A. Ahlgren.
James A. Preston.
Forest P. Phillips.
William Trimble.
Fred H. Haynie.

The SPEAKER laid before the House the following communication from the Department of Justice, which was ordered to be printed in the RECORD and to lie on the Speaker's table:

DEPARTMENT OF JUSTICE,
Washington, D. C., July 5, 1918.

Hon. SOUTH TRIMBLE,
Clerk House of Representatives.

SIR: In compliance with House resolution 377, on June 19, 1918, there was transmitted by this department a list of the persons for whom requests for exemption from military duty or deferred classification has been asked. In preparing this report one name was inadvertently omitted, and it is now given, in addition to those formerly sent, as follows:

Name: Key, Sewell. Residence: Washington, D. C. Date appointed: January 9, 1911. Character of work performed: Confidential clerk in connection with parols.

Respectfully,

SAMUEL J. GRAHAM,
Assistant Attorney General.

For the Attorney General.

MOVING PICTURES OF AMERICAN EXPEDITIONARY FORCES (H. DOC. NO. 1227).

The SPEAKER laid before the House a communication from the Secretary of War, in response to House resolution 402, relating to moving pictures of the American Expeditionary Forces, which was referred to the Committee on Military Affairs and ordered to be printed.

MESSAGE FROM THE PRESIDENT.

A message, in writing, from the President of the United States was communicated to the House of Representatives, by Mr. Sharkey, one of his secretaries, who also informed the House of Representatives that the President had approved and signed joint resolution and bills of the following titles:

On July 8, 1918:

S. 3929. An act for the construction of a private conduit across Michigan Avenue NE., in the District of Columbia;

H. R. 12541. An act making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes;

H. R. 12600. An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes;

H. R. 11247. An act providing for the protection of the uniform of friendly nations, and for other purposes; and

H. J. Res. 311. Joint resolution making appropriations for certain necessary operations of the Government and of the District of Columbia for the months of July and August, 1918, and for other purposes.

On July 9, 1918:

H. R. 12580. An act to authorize an additional issue of bonds to meet expenditures for the national security and defense, and, for the purpose of assisting in the prosecution of the war, to extend additional credit to foreign governments, and for other purposes; and

H. R. 12281. An act making appropriations for the support of the Army for the fiscal year ending June 30, 1919.

On July 10, 1918:

H. R. 8938. An act to equip the United States penitentiary, Atlanta, Ga., for the manufacture of supplies for the use of the Government, for the compensation of prisoners for their labor, and for other purposes.

On July 11, 1918:

S. 3798. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors;

S. 4193. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors; and

S. 4542. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors.

ENROLLED JOINT RESOLUTION PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following joint resolution:

H. J. Res. 313. Joint resolution providing for the disposition of moneys represented in the Alfred Bernard Nobel peace prize awarded in 1906.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed without amendment bills of the following titles:

H. R. 8839. An act for the establishment of Oswego, in the State of New York, as a port of entry for immediate transportation without appraisement of dutiable merchandise; and

H. R. 12002. An act for the establishment of Bar Harbor, in the State of Maine, as a port of entry and delivery for the immediate transportation without appraisement of dutiable merchandise.

ENROLLED BILLS SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 12100. An act to amend the act approved September 7, 1916, entitled "An act to establish a United States Shipping Board for the purpose of encouraging, developing, and creating a naval auxiliary and naval reserve and a merchant marine to meet the requirements of the commerce of the United States with its Territories and possessions and with foreign countries; to regulate carriers by water in the foreign and interstate commerce of the United States; and for other purposes"; and

H. R. 12229. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 4444. An act to pension widows and minor children of officers and enlisted men who served in the War with Spain, Philippine insurrection, or in China.

TRANSPORTATION OF MATERIALS USED IN BREWING (H. DOC. NO. 1228).

The SPEAKER laid before the House the following message from the President:

To the House of Representatives:

In response to the resolution of the House of Representatives of June 27, 1918, requesting the President, if not incompatible with the public interest, to report to the House of Representatives whether any order or ruling has been issued or made by the United States Railroad Administration, the War Trade Board, or the War Industries Board with reference to the supply and transportation of materials, products, machinery, or equipment to be used in the manufacture of intoxicating liquors, or of building material to be used in the erection of buildings and plants for the manufacture of such liquors, or with reference to the export of malt, brewed, vinous, distilled, or other intoxicating liquors, or with reference to the transportation of such liquors by common carriers within the United States or in shipping from ports of the United States, I transmit herewith reports by the United States Railroad Administration, the War Trade Board, and the War Industries Board concerning the matters referred to in said resolution.

WOODROW WILSON.

THE WHITE HOUSE, *11 July, 1918.*

The message and accompanying documents were referred to the Committee on Interstate and Foreign Commerce and ordered to be printed.

LEAVE OF ABSENCE.

Mr. ROMJUE, by unanimous consent, at the request of Mr. RUBEY, was granted leave of absence for 10 days.

MILITARY STATUS OF NATURALIZED FOREIGN BORN.

Mr. MEEKER. Mr. Speaker, I ask unanimous consent to address the House for five minutes in order that I may explain a request for an extension of remarks in the RECORD.

The SPEAKER. The gentleman from Missouri asks unanimous consent to address the House for five minutes. Is there objection?

There was no objection.

Mr. MEEKER. Mr. Speaker, on June 3 permission was granted me to extend my remarks in the RECORD by printing a report of investigations made as to the status of alien soldiers in the different armies of the world. After that speech was put into print a representative of the National Americanization Committee saw it and came yesterday with a report from that committee, which belongs rightly with this report which I have prepared. The report from the Americanization Committee has to do with the status of foreign-born American citizens—that is, men who have come to this country and been naturalized—as to what would be their status in their home country if they returned to their native land, what would be their liability as to military service. It also contains a digest of all the treaties existing between the United States and certain foreign countries, and names, furthermore, those countries with which we do not have treaties.

For the future consideration of the question of dealing with aliens who have been in the military service in our Army or the armies of foreign countries I deem it by far the most valuable report that has been prepared. You will notice when you read the report that we have a report as to the relationship existing between the United States and Austria-Hungary. This report was prepared and completed the latter part of 1916, before we declared war against Germany and later against Austria-Hungary. You will therefore see what had been the relationship between ourselves and Germany and also understand where some agreements have been repudiated in the past.

I ask, Mr. Speaker, that for the purpose of getting all this data into one pamphlet for the use by Congress and by those throughout the country generally, I be permitted to reinsert my remarks of June 3 and also to insert in the RECORD this data which has been prepared by the National Americanization Committee.

Mr. MONTAGUE. Will the gentleman permit me a question?

Mr. MEEKER. Certainly.

Mr. MONTAGUE. Does this report that you have in contemplation deal at all with the so-called Delbruck law of Germany?

Mr. MEEKER. In a way that is touched upon.

Mr. MONTAGUE. On the question of alien enemies voting in America?

Mr. MEEKER. No; this is purely the military status of the men; the other will come later. It has required about a year on one of these and two years on the other to get the data that we have, and we are going right ahead with it. It will be amended from time to time as we can get the further information.

The SPEAKER. The gentleman from Missouri asks unanimous consent to reinsert his speech, made some time ago, in the CONGRESSIONAL RECORD, together with the data which he has referred to. Is there objection?

Mr. WALSH. I did not understand the gentleman to explain that there was any necessity for the reinsertion of his former speech.

The SPEAKER. He wants to get the two documents together.

Mr. MEEKER. This is only a short statement. I conferred with the Public Printer and he said it would be much more satisfactory, when prepared in pamphlet form, if the former speech was reinserted. That is the only reason.

Mr. WINGO. The gentleman wishes to prepare it in the public form for private distribution?

Mr. MEEKER. Well, I will pay for it myself.

Mr. WINGO. The gentleman wishes to get it in such shape that he can distribute it?

Mr. MEEKER. Yes. Every Member of the House has already received this copy. I sent one to every Member of the House and to every Member of the Senate, and also to the military and naval authorities. When this is published in pamphlet form one will be sent to every Member, but I will pay for it myself.

Mr. WINGO. About what number of these documents does the gentleman intend to distribute?

Mr. MEEKER. I can not state, but I suppose the first order will be five or six thousand. I do not ask that it be printed at the public expense.

Mr. WINGO. The gentleman does not want it printed as a public document?

Mr. MEEKER. Not now; no, sir.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS IN THE RECORD.

Mr. WILSON of Louisiana. Mr. Speaker, I desire a minute to make a unanimous-consent request. About two years ago in the Agricultural appropriation bill an amendment was adopted providing for an additional appropriation to make certain experiments for the extermination and control of the cotton-boll weevil. The station for those experiments is located at Tallulah, in my district. Recently an interesting report has been made in connection with that method which is of great interest and importance just at this time, and I desire to extend my remarks in the RECORD by printing the report. The experiments have been made in Tallulah, La.; Scott, Miss.; and Lake Village, Ark.

The SPEAKER. The gentleman from Louisiana asks unanimous consent to extend his remarks in the RECORD by printing the document referred to. Is there objection?

Mr. MONDELL. What is the length of the document?

Mr. WILSON of Louisiana. It is five pages of typewritten matter and a very important document.

Mr. MOORES of Indiana. It is in relation to the new experiment?

Mr. WILSON of Louisiana. Yes.

Mr. WALSH. Has not the department circulated this report?

Mr. WILSON of Louisiana. It has not been published in full, but eventually it will be, in a bulletin.

Mr. WALSH. It is published as one of the reports from the Agricultural Department, is it not?

Mr. WILSON of Louisiana. This is not the report; this is the statement of facts based upon the report from the man in charge of this boll-weevil experiment work at these three stations.

Mr. WALSH. I thought the gentleman said that it was a report.

Mr. WILSON of Louisiana. It is based on a report to the department of Agriculture from the people in charge. These experiments are usually published eventually in the form of bulletins, but it is very important at this time and is of great interest to the farmers especially.

Mr. WALSH. What is the importance of it at this time?

Mr. WILSON of Louisiana. It contains definite information as to how this money appropriated by Congress has been expended and as to the results obtained by this new method as to how to destroy and control the boll weevil.

Mr. WALSH. That is set forth in the report?

Mr. WILSON of Louisiana. Yes.

Mr. WALSH. And the results obtained?

Mr. WILSON of Louisiana. Yes.

Mr. WALSH. It is a little unusual to print these agricultural reports in the CONGRESSIONAL RECORD, but in view of the statement that this is of great importance at this time, I shall not object.

The SPEAKER. Is there objection?

Mr. McLAUGHLIN of Michigan. Mr. Speaker, reserving the right to object, I would like to ask the gentleman a question. This is a statement by the one who made the investigations and reported to the department?

Mr. WILSON of Louisiana. Yes. This is a statement of the result of these experiments at these three stations.

Mr. McLAUGHLIN of Michigan. That statement, in the nature of a report, has been made to the department?

Mr. WILSON of Louisiana. Yes. This is not the full report, but you might say that it is a bulletin issued in connection therewith.

Mr. McLAUGHLIN of Michigan. The report has not yet been accepted or approved by the department, and the results have not been investigated further and verified by the department, so that they are or will be official?

Mr. WILSON of Louisiana. I was informed by the chief of the bureau that this was approved and the entire matter would be published eventually in the bulletin, but just at this time the information is important to the farmers in the South, and for that reason I ask to insert this in the RECORD at this time.

Mr. McLAUGHLIN of Michigan. Does it not seem important that when this matter comes out finally after full verification and entire approval by the department that it should be full and official instead of a statement by the one who has made the recommendations and findings, which may not be accepted by the department?

Mr. WILSON of Louisiana. The gentleman evidently did not understand what I said or I have not made myself plain. What I intended to say was that this has the approval of the department; it is issued by the department. This comes from the department, stating the results obtained from the report made by the man in charge of the work; made by the specialist.

Mr. McLAUGHLIN of Michigan. I understood that it was a statement made by the gentleman who made the investigation. Now the gentleman says that it is a statement by the department.

Mr. WILSON of Louisiana. This is a report of the specialist in charge to the department, and has been embodied in this bulletin. That is what I intended to say, and it has been approved by the department, otherwise I would not care to have it placed in the RECORD in order to distribute if necessary.

Mr. ANDERSON. It has been printed by the department, has it not?

Mr. WILSON of Louisiana. Yes. I do not know that it is in any official bulletin for distribution by the department.

Mr. ANDERSON. It could be so printed?

Mr. WILSON of Louisiana. As I stated, it will be printed and distributed as a bulletin sometime in the future, but this is a condensed statement of the facts showing the results of these investigations.

Mr. McLAUGHLIN of Michigan. Will the gentleman say that these matters have been verified by the department and the conclusions of the investigator approved?

Mr. WILSON of Louisiana. Yes.

Mr. McLAUGHLIN of Michigan. So that this is in the nature of an official statement?

Mr. WILSON of Louisiana. Yes.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The matter referred to is as follows:

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF INFORMATION.

Control of the cotton-boll weevil seems to be in a fair way of accomplishment by the work of an entomologist of the Department of Agriculture.

When that insidious pest, which has been taking heavy toll of the cotton crop and annually extending his feeding grounds, stops his work of puncturing cotton squares and bolls, and ambles forth to quench his thirst from a dewdrop or raindrop on the cotton plant, he is likely in the future to encounter a poisoned draft which will be as effective as a knock-out drop. What this means to the cotton growers of the South and the industry as a whole can hardly be estimated in dollars and cents, but the curtailment of the weevil's activities, even in small part, is so important as to make the discovery by the United States Department of Agriculture of the fact that arsenicals may be used as a powder spray in controlling this pest one of its most striking and valuable contributions to the agricultural industry.

Mr. B. R. Coad, of the Bureau of Entomology, while working on some biological investigations of the boll weevil, found that although the weevils are not hard drinkers they drink regularly from the rain or dew collected in droplets on the leaves of the cotton plants. Having been on the trail of the cotton-boll weevil for some time, his logical inquiry was, "Why not poison the water which the weevils drink?" Since 1913, Mr. Coad, with a corps of entomologists with headquarters at Tallulah, La., has been experimenting with various poisons applied in different ways, all with the purpose of administering a dose which would be fatal to these insects which have invaded such a large part of the cotton-producing territory of the South. These entomologists have not finished their work, but they have proved by a series of experiments that boll weevils can be poisoned under field conditions and that the poisoning is a practical method of controlling the pests. The usual check plats have been used in these experiments, and the results have shown that yields of from 250 to 1,000 pounds more of seed cotton per acre can be raised on sprayed areas than on the unsprayed plats. The experiments have been conducted under many conditions and for several years, so as to give the method a complete trial before making the results known to the growers. The details are now being published in a department bulletin entitled "Recent Experimental Work in Poisoning Cotton Boll Weevils."

DETAILS WORKED OUT.

When the experiments were started again last year it was recognized that the former work had merely demonstrated the possibility of poisoning weevils successfully and that many phases of the economical use of the poison still remained to be worked out. A very elaborate series for that season was planned and about 75 tests were started in the neighborhood of Tallulah, each one intended to determine some particular point of importance. The earlier studies had shown that under certain conditions poisoning was profitable, but it was known that any change in these conditions might easily result in a much lower gain, if not an actual loss, and it was essential to determine thoroughly the possibilities and limitations of boll-weevil poisoning before the information would be of value to the public. A peculiar combination of seasonal conditions, however, resulted in an almost complete absence of weevil damage in all of the cotton in which tests had been planned. The experiments, therefore, could not be conducted under the desired conditions of heavy weevil infestation. Nevertheless, the results confirmed those of the preceding two years, but still left many gaps in the information essential to outlining a general procedure for weevil poisoning. On one of the heavily infested areas a gain was made of 50 per cent in the sprayed cotton over that grown on the unsprayed area.

A number of experiments were conducted also in the North Delta in Chicot County, near Lake Village, Ark., and in Washington County, near Scott, Miss. At both of these points a heavier infestation, due to different seasonal conditions, was encountered and pronounced results were obtained from the poison. In every case the experiments were conducted on comparatively small areas, subject to a continual influx of weevils from surrounding untreated cotton, but in spite of this a very definite weevil control resulted from poisoning. The open cotton in every case showed a definite gain to the last row of treatment. The gains per acre ranged from 250 pounds to 1,007 pounds of seed cotton. It is difficult, of course, to estimate how much larger these gains would have been if the entire cuts or entire plantations had been treated and thus the migration of weevils from the unpoisoned cotton prevented. It is clear, however, that the gains secured on the small areas were exceedingly conservative.

A LARGE FIELD TEST SUCCESSFUL.

A large-scale treatment was made in August last year on a section of an Arkansas plantation. The cotton grew on land of fair quality and was not planted until late May. Weather conditions had retarded the plants greatly and they did not start setting the crop until the latter part of July. About the middle of August a fair crop of bolls had developed, but the plants were large and leafy, and the weevils had multiplied so rapidly that a very heavy infestation of weevils was present. Blooming had practically ceased and the weevils had cleaned up the squares so thoroughly that they were attacking the bolls in great numbers, and all of the bolls, even to the largest present, were being riddled by punctures. It seemed probable that on one section no bolls would be left to open. It was, of course, too late to attempt to set a new crop by poisoning, but an effort was made to save the bolls then present on the plants. Treatments were given from August 23 to about September 1 on several hundred acres. Upon counting the squares it was found that about 86 per cent of the squares in the cotton to be poisoned had been weevil-punctured. This cotton was given a single poisoning, and about 10 days later it was found that the weevil infestation in these same cuts or areas had been reduced so that only 36 per cent of the squares were punctured. During the same period the infestation in the adjoining unpoisoned cotton had been increasing

steadily. Practically all of the poisoned cuts started blooming again at this time and a number of them reached what is ordinarily termed the "flower-garden" stage of blooming, five to seven blooms per plant on a single day being not at all rare.

In starting the treatment of this large area it had been anticipated that several applications would be necessary to produce the desired result, but the effect of a single application was so pronounced that it seemed unnecessary to repeat it. The weevils had been so reduced that only 36 per cent of the squares were punctured, and although thousands of weevils were being bred out from the squares on the ground or were coming in from other plantations every day, it was still obvious that the weevils would greatly reduce their attacks on the bolls until they had caught up with the squares then present, and that this period would be long enough to allow the bolls to become sufficiently hardened to avoid weevil damage. Owing to the necessity for poisoning considerable areas in this case and to the inability to leave unpoisoned plats as checks, it was, of course, impossible to determine the exact benefit derived from the treatment. Rough comparisons, however, based on yields of surrounding cuts, made it obvious that a considerable gain had been secured and that poisoning had been a very profitable operation.

POISONS AND TIME OF APPLICATION.

In the early experiments the triplumbic form of lead arsenate was used, but was not sufficiently effective, and the dihydrogen form of lead arsenate proved to be a better poison for the work. Later additional tests demonstrated that a high grade of calcium arsenate was still more effective and has the great advantage of being cheaper than lead arsenate. A number of tests were made with various mixtures and dilutions of arsenicals. This work, however, is still in the experimental stage and, according to Mr. Coad, it is difficult to prophesy just what the results will be. It is obvious, however, according to the scientist, that either a dihydrogen lead arsenate powder containing not less than 32 per cent of arsenic pentoxid or a calcium arsenate containing at least 42 per cent of arsenic pentoxid will produce an effective control if handled properly. It also is expected that it will be possible to dilute these considerably with some cheap carrier, such as lime, though this has not been definitely determined. The experiments have shown that a very fine powder is taken up more readily by the dew and held in suspension for the weevils than coarsely powdered chemicals. This physical condition is especially important, since the poison is applied in the form of a dust spray.

The time of applying the poison, of course, varies under different conditions. It has proved most effective when applied just as the cotton obviously slackens in blooming, but further work along this line is still to be done. It seems probable that the effective interval between applications is about one week. It is well known that much more effective poisoning with dry dust can be done while the dew is on the plant, as the poison not only clings to the plant better but has much less tendency to drift from the cotton. The most effective time for application, therefore, usually is between 4 p. m. and 9 a. m. Several machines are on the market for dust spraying. In the early experiments a hand dust gun was used, with which it was possible to cover 4 to 5 acres a day. In order to cover larger areas, however, a special power machine was developed which will cover nearly 200 acres per day. The department now expects to develop an intermediate type which can be sold cheaply and which will cover 20 to 30 acres per day.

The amount of poison required for application so far has depended more upon the requirements of the machinery used than on the amount necessary for thoroughly dusting the cotton. In general, about 5 pounds per acre have been applied, but this is excessive, and, with further improvement in the machinery and the use of the poison with mixtures such as lime, smaller amounts will be effective. In most of the experiments from 3 to 5 applications were made, but the effectiveness of these was considerably reduced by the fact that they were on such small plats. In the large-scale experiment the effect of a single application was as great as was secured from about three applications on a smaller plat. This more efficient work on the large field was due, of course, to the fact that there was practically no migration of weevils from adjoining areas. The cost of treatment averaged about $1 per acre for each application. This, however, may be reduced considerably when large areas are sprayed and when improved machinery requiring less poison is employed. The cost may be still further reduced when it is possible to mix the poison with other powders, such as lime, which will act as carriers. Further, it will rarely be necessary to poison an entire plantation to control the weevils, since on emerging in the spring they always concentrate near the area in which they passed the winter. The weevils remain rather closely at these points until they have multiplied sufficiently to threaten a shortage in the local food supply. For this reason a great part of the cotton is not seriously infested with weevils until some time after midseason, and then not often until well along in August.

The control measures adopted must depend upon conditions in each plantation, but by concentrating on the more heavily infested cuts just before the weevils become sufficiently abundant to migrate to the remainder of the cotton it will be possible not only directly to benefit the cotton treated but to protect the remainder of the plantation by preventing the weevil migration. In this way the cost of the treatment for a comparatively few acres will be borne by the benefit derived by the entire plantation.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message, in writing, from the President of the United States was communicated to the House of Representatives by Mr. Sharkey, one of his secretaries.

DEPARTMENT EMPLOYEES SUBJECT TO MILITARY SERVICE.

Mr. GARRETT of Tennessee. Mr. Speaker, I desire to make an inquiry of the Chair. Have responses been received from all of the departments and governmental divisions to which these resolutions of inquiry touching the matter of exemptions and deferred classifications were addressed?

The SPEAKER. The Chair can not answer. He will have the Clerk look it up and see.

Mr. GARRETT of Tennessee. We have to take some course to dispose of them.

The SPEAKER. Yes. There are so many of them, and there are some supplemental reports, that the Chair will have to ask the Clerk to examine and have the matter determined.

PENSIONS.

Mr. SHOUSE. Mr. Speaker, by direction of the Committee on Invalid Pensions, I call up the bill (S. 4194) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, which I send to the desk and ask to have read.

The SPEAKER. The gentleman from Kansas calls up an omnibus pension bill for present consideration, which the Clerk will report.

The Clerk reported the title of the bill.

Mr. SHOUSE. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Kansas asks unanimous consent to consider the bill in the House as in Committee of the Whole. Is there objection?

There was no objection.

Mr. SHOUSE. Mr. Speaker, I ask unanimous consent to dispense with the first reading of the bill.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of William Colpetzer, late of Company D, Forty-ninth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of David Craft, late of Company G, Thirteenth Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Hezekiah Dixson, late of Company G, Fifty-first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Josiah H. H. Feather, late of Company A, Seventh Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Uriah P. Getz, late of Company I, One hundred and ninety-second Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $25 per month in lieu of that he is now receiving.

The name of Simeon L. Coen, late of Company B, First Battalion Nevada Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Hugh L. Eyler, late of Company A, Sixtieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Daniel R. Cokeley, late of Company A, Fifteenth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of George B. Douglass, late of Company D, Sixth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Jacob J. Lee, late of Company C, Sixth Regiment West Virginia Volunteer Infantry, and Battery F, First Regiment West Virginia Volunteer Light Artillery, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Samuel McAtee, late of Company B, Third Regiment West Virginia Volunteer Infantry, and Company B, Sixth Regiment West Virginia Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Levi Morris, late of Company C, Seventh Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Benjamin Taylor, late of Company M, First Regiment West Virginia Volunteer Cavalry, and pay him a pension at the rate of $25 per month in lieu of that he is now receiving.

The name of James W. Toothman, late of Company A, Thirteenth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Christopher C. Stemple, late of Company F, Fifteenth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Frederick J. Young, late of Company C, First Regiment Mississippi Volunteer Mounted Rifles, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Henry Harrison, alias Thomas Carman, late of Company G, One hundred and fifty-eighth Regiment, and Company F, One hundredth Regiment, New York Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Samuel J. Evans, late of Company B, Seventy-fifth Regiment, and Company B, Forty-second Regiment, Indiana Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Samuel Cook, late of Company A, Second Regiment District of Columbia Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Julius Cohn, late of Company B, Sixty-ninth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John T. Quinby, late of Company D, One hundred and fifty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Ira Bier, late of Company A, Third Regiment New York Volunteer Cavalry, and Company F, Fourth Regiment New York Provisional Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Martin H. Conger, late of Company G, Two hundred and tenth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Mitchell Larock, late of Company H, Ninety-second Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Lewis T. Holstin, late of Company H, Tenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of George W. Welch, late of Company E, First Regiment Maine Volunteer Sharpshooters, and Company E, Twentieth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Thomas R. Alway, late of Company A, Seventy-eighth Regiment, and Company H, Thirty-fourth Regiment, Illinois Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Benjamin F. Jacks, late of Company A, Fiftieth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William H. Thompson, late of Company B, Second Regiment Kansas Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Nicholas Johnson, late of Company I, One hundred and twenty-fourth Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of $27 per month in lieu of that he is now receiving.

The name of James W. Dorman, late of Company B, Fifty-first Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Davis B. Wilcoxson, late of Company D, Thirteenth Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Minard Van Patten, late of Company F, One hundred and tenth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Ephraim Otto, late of Company H, Seventh Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Daniel Newby, late of Company A, Thirty-sixth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of James A. Rutherford, late captain Company I, One hundred and fifteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Joseph H. Rowland, late of Company H, Eighty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Charles Rhodes, late of Company L, Thirteenth Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Arthur M. Phillips, late of Company L, Fifteenth Regiment Kansas Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Thomas C. Moore, late of Company A, Twelfth Regiment New Jersey Volunteer Infantry, and Sixty-third Company, Second Battalion, Veteran Reserve Corps, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Elcazar L. Miner, late of Company H, One hundred and thirty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $25 per month in lieu of that he is now receiving.

The name of Francis Marsh, late of Company I, One hundred and ninety-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Robert P. Gailer, late of Company D, Thirty-eighth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Henry W. Ela, late of Company E, Fifth Regiment Kansas Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of James H. Gunion, late of Company F, Thirteenth Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Reuben H. Chapel, late of Company G, Thirteenth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Samuel Baird, late of Company B, Tenth Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Albert G. Dodds, late of Company I, Forty-fifth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $25 per month in lieu of that he is now receiving.

The name of Charles W. Lindsay, late of Company B, Eighth Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Orlando S. Hartman, late of Company H, Twenty-fourth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Benton P. Wood, late of Company C, and sergeant major Second Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Samuel Gray, late of Company G, One hundred and twenty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William H. H. Knight, late of Company G, Twenty-sixth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Mark P. Morton, late of Company A, Ninth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of George W. Townsend, late of Company H, Eighth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Morey Mulliken, late of Company E, Eleventh Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving, the same to be paid him without deduction or rebate on account of former alleged overpayments or erroneous payments of pension.

The name of William P. Cook, late of Company K, First Regiment Maine Volunteer Heavy Artillery, and second lieutenant Company A, First Battalion Maine Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of John L. Bradford, late of Company I, Twentieth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John J. Swain, late of Company C, Eighteenth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Daniel W. Green, late of Company G, Sixth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Edward Curtis, late of U. S. S. *Vandalia, Ohio,* and *Marblehead,* United States Navy, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Philander Wright, late of Company F, One hundred and fifty-first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Adam Flesher, late of Company H, Seventh Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Rufus Reynolds, late of Company I, Fourteenth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of James Inman, late second lieutenant Company H, Seventeenth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of George W. Hill, late of Company E, One hundred and thirty-second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $25 per month in lieu of that he is now receiving.

The name of Cyrus Fike, late of Company D, Thirtieth Regiment Indiana Volunteer Infantry, and second lieutenant Company B, One hundred and twenty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Joseph Bristow, late of Company E, Forty-second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Gilliam L. Craven, late of Company B, Eighty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Jabez Smith, late of Company F, Fifty-second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Albert B. Watrous, late of Company G, Fifteenth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Anna Schuler, widow of Michael Schuler, late of U. S. S. *John Raine,* Mississippi Marine Brigade, and pay her a pension at the rate of $20 per month.

The name of Walter Emerson, late of Company C, Sixth Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Thomas J. Walker, late of Company I, Thirty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of James H. Shutts, late of Company F, Thirty-seventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Henry Wheeler, late of Company A, Seventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Nathan Vanmetre, late of Company E, Thirty-eighth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John M. Jones, late of Company F, Sixth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Lyman F. Deming, late of Company D, One hundred and seventy-ninth Regiment Pennsylvania Drafted Militia Infantry, and pay him a pension at the rate of $27 per month in lieu of that he is now receiving.

The name of George A. Stanhope, late of Company D, Eighteenth Regiment Maine Volunteer Infantry (First Heavy Artillery), and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William M. Somers, late of Company F, Fourteenth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $25 per month in lieu of that he is now receiving.

The name of Joshua A. Epperson, late of Company G, Fifteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William F. Hicks, late of Company F, One hundred and fifty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Thomas G. Higgins, late of Company K, Seventy-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Elisha L. Hyatt, late of Company D, Eighth Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Abner A. Ellis, late of Company I, Seventh Regiment West Virginia Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Charles S. Lavanway, late of Company F, Thirteenth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Franklin Johnson, late of Company B, Twenty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of David E. Seekins, late of Company L, Second Regiment Maine Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Albert W. Hassan, late of Company F, First Regiment Maine Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Sanford Smith, late of Company D, Forty-sixth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Bennett B. Fuller, late of Company F, Thirteenth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of William H. Kelsay, late of Company K, Thirtieth Regiment Kentucky Volunteer Mounted Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Elijah Bullock, late of Company H, Thirty-second Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Thomas Dunam, late of Company D, First Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William R. Jones, late of Company G, Eleventh Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Elijah Borin, late of Company D, Forty-ninth Regiment Kentucky Volunteer Infantry, and Company I, Seventh Regiment, and Company E, Sixth Regiment, Kentucky Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Joseph Wolf, late of Company C, One hundred and seventy-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Isaac B. Childs, late of Company H, Fourteenth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Francis Dwelley, late of U. S. S. *Kickapoo*, United States Navy, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John Ridenour, late of Company D, One hundred and sixty-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $25 per month in lieu of that he is now receiving.

The name of Charles F. Ward, late of U. S. S. *Vermont*, United States Navy, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John M. Anderson, late of Company C, First Battalion Maine Volunteer Sharpshooters, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of George H. Ross, late of Company D, Second Regiment Maine Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of John L. Downing, late of Company H, Eleventh Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Thomas J. Wood, late of Company E, Thirty-seventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Melvin C. Wolf, late of Companies L and E, Thirteenth Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Charles Woodall, late of Company D, Twelfth Regiment Pennsylvania Reserve Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Anthony Wilkinson, late of Company I, One hundred and nineteenth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William F. Mullin, late of Company A, Eighty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William I. Jones, late of Company I, One-hundred and eighteenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Nathaniel Southard, late of Company B, Sixth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John S. Birdsall, late of Company G, First Regiment Oregon Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William H. Nott, late of Company K, Sixteenth Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Solomon J. Campbell, late of Company G, Thirtieth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Christopher C. Ghearhart, late of Company I, One hundred and forty-eighth Regiment, and Company B, Two hundred and eleventh Regiment, Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John W. Morrill, late of Company F, Fourteenth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William D. Bash, late of Company B, Tenth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Joseph S. Le Hew, late of Company H, Fifteenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Henry Chapman, late of Company C, One hundred and fifty-first Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Thomas Madigan, late of Company E, One hundred and forty-first Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $25 per month in lieu of that he is now receiving.

The name of William H. Comstock, late of U. S. S. *Fairy*, United States Navy, and pay him a pension at the rate of $30 per month in liue of that he is now receiving.

The name of Grace E. Waterbury, helpless and dependent daughter of George H. Waterbury, late of Company K, Thirty-ninth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of William H. McGovern, late of Company G, One hundred and fiftieth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Samuel H. McCormick, late of Company G, Thirty-eighth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $32 per month in lieu of that he is now receiving.

The name of Jeremiah McBee, late of Company F, Fifteenth Regiment Kansas Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Oxley Johnson, late of Company D, Twenty-third Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of George M. Sawyer, late of Company C, Second Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of George O. Miller, late of the Second Battery, Maine Volunteer Light Artillery, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Mary M. Sharp, former widow of George Dennison, late of Company G, Sixty-seventh Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Edward Mills, late of Company G, One hundred and fifty-first Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Isaac Williams, late of Company H, Twenty-first Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Reuben H. Neff, late of Company F, Third Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Elijah Roberts, late of Company H, Fifth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John A. Van Loan, late of Company B, Seventh Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Gilbert L. Holmes, late of Company E, First Regiment West Virginia Volunteer Infantry, and first lieutenant Company I, Second Regiment West Virginia Veteran Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Robert Masters, late of Company E, Fifty-seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Benjamin S. Waggener, late of Company A, Third Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Eri C. Tuller, late of Company G, Twelfth Regiment, and Company M, Seventeenth Regiment, Illinois Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Catharine A. Kanouff, widow of Jacob O. Kanouff, jr., late of Company G, Sixteenth Regiment New York Volunteer Infantry, and Company A, Twenty-ninth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Charles David Jackson, alias David W. Jackson, late of Company B, Forty-sixth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Sarah S. Hubbell, widow of Henry W. Hubbell, late brigadier general, United States Army, retired, Regular Establishment, and pay her a pension at the rate of $50 per month.

The name of John M. Stephens, late of Company A, One hundred and thirty-second Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $25 per month in lieu of that he is now receiving.

The name of Thomas M. Wilkey, late of Company D, Sixtieth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Thomas W. Stone, late of Companies G and A, Twelfth Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John S. Jordan, late of Company A, Sixteenth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Jennie L. Holmes, widow of William H. Holmes, late of the Sixth Battery, Wisconsin Volunteer Light Artillery, and pay her a pension at the rate of $25 per month.

The name of Philip Bixby, late of Company E, Ninety-second Regiment New York Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John McCracken, late of Company H, Fourteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William H. Temple, late of Company B, Fifty-second Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Franz Nibler, late of Company D, Fourth Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Joseph Langenberger, late of Company K, One hundred and seventy-third Regiment Pennsylvania Drafted Militia Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Frederick H. Barker, late hospital steward, One hundred and sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John W. Keffer, late of Company E, Fiftieth Regiment, and Company D, Fifty-second Regiment, Indiana Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of George W. Hamilton, late of Battery K, Second Regiment Illinois Volunteer Light Artillery, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Joseph H. Chapman, late of Company E, Thirteenth Regiment, and Company B, Second Regiment, New Hampshire Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Wesley J. Ladd, late of U. S. S. *Rodolph* and *Vermont*, United States Navy, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Richard Hardesty, late of Company E, Fifty-fourth Regiment Kentucky Volunteer Mounted Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of James M. Alloways, late of Company D, One hundred and forty-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Taylor Edwards, late of Company D, One hundred and fiftieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Marion Davis, late of Company D, Second Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William H. Cliff, late of Company F, Tenth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Robert R. Robinson, late captain Company C, Twenty-first Regiment Michigan Volunteer Infantry, and pay him a pension of $30 per month in lieu of that he is now receiving.

The name of Martin V. B. Clark, late of Company A, Eleventh Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Anthon O. Kruger, late acting ensign, United States Navy, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of James Hood, late of Company E, Twenty-first Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William H. Phillips, late of Company E, One hundred and seventy-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Barton O'Neal, late of Company A, One hundred and twenty-third Regiment Ohio Volunteer Infantry, and One hundred and forty-seventh Company, Second Battalion, Veteran Reserve Corps, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Wesley Woodard, late of Company H, Fifty-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Robert D. Hunter, late of Company G, One hundred and thirty-fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $25 per month in lieu of that he is now receiving.

The name of Zachariah R. Thornton, late of Company D, One hundred and ninety-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John Magorien, late of Company F, One hundred and thirty-eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $25 per month in lieu of that he is now receiving.

The name of Godfrey Bohrer, late of Company D, Thirty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Evan T. Jay, late of Company K, Forty-sixth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $25 per month in lieu of that he is now receiving.

The name of Elizabeth J. Edson, widow of Leander N. Edson, late of Company H, One hundred and ninety-ninth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of William J. Nelson, late second lieutenant Company B, One hundred and fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Warren H. Rhoades, alias Orin Bush, late of Company C, Second Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $25 per month in lieu of that he is now receiving.

The name of Mathew W. Clark, late of Company D, Sixtieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Lydia Wixson, dependent mother of Alonzo Wixson, late of Company A, Twentieth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Edward A. Rowley, late of Company K, First Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Charles F. Marble, late of Company K, Twenty-fourth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $27 per month in lieu of that he is now receiving.

The name of William Mulloy, late of Company H, Eighth Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Frederick Zimmerman, late of Company D, Sixth Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Joseph O. Swigert, late of Company G, Twelfth Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John M. Honeywell, late of Company K, Eighth Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of James H. King, late of Company D, First Regiment Missouri State Militia Infantry, and Company F, Thirteenth Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Emma J. Naylor, widow of John Naylor, late of Second Independent Battery, Ohio Volunteer Light Artillery, and pay her a pension at the rate of $25 per month.

The name of Alice Hersh, helpless and dependent daughter of John W. Hersh, late of Company I, Twenty-seventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Edgar Taylor, late of Company K, Third Regiment New York Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Merritt S. Harding, late of Company H, Twenty-third Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Nora B. Higgins, helpless and dependent daughter of James Higgins, late of Company K, One hundred and twenty-third Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Freeman A. Forbes, late of Company B, Nineteenth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Henry Wiese, late of Company I, Forty-first Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of August Schaeffer, late of Companies F and E, Second Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Nathan L. Brass, late of Company D, First Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of John F. Jackson, late of Company K, Eighth Regiment, and Company D, Twenty-fourth Regiment, Michigan Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of George L. Jaquith, late of Company G, Twenty-first Regiment, and Company G, Forty-seventh Regiment, Massachusetts Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of William H. Young, late of Company B, Tenth Regiment Missouri Volunteer Infantry, and Companies A and E, First Regiment Mississippi Marine Brigade, Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Albert J. McGannon, helpless and dependent child of Orlando C. McGannon, late of Company D, One hundred and thirty-second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The name of Amos B. Horton, late of Company K, One hundred and third Regiment Ohio Volunteer Infantry, and Company D, Twelfth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Frank D. Russell, late of Company H, One hundred and thirty-second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $25 per month in lieu of that he is now receiving.

This bill is a substitute for the following Senate bills referred to the Committee on Pensions:

S. 204. William Colpetzer.
S. 206. David Craft.
S. 210. Hezekiah Dixson.
S. 213. Joshiah H. H. Feather.
S. 229. Uriah P. Getz.
S. 342. Simeon L. Coen.
S. 344. Hugh L. Eyler.
S. 571. Daniel R. Cokeley.
S. 575. George B. Douglass.
S. 579. Jacob J. Lee.
S. 581. Samuel McAtee.
S. 584. Levi Morris.
S. 595. Benjamin Taylor.
S. 596. James W. Toothman.
S. 612. Christopher C. Stemple.
S. 766. Frederick J. Young.
S. 878. Henry Harrison, alias Thomas Carman.
S. 990. Samuel J. Evans.
S. 991. Samuel Cook.
S. 1055. Julius Cohn.
S. 1074. John T. Quinby.
S. 1110. Ira Bier.
S. 1112. Martin H. Conger.
S. 1117. Mitchell Larock.
S. 1118. Lewis T. Holstin.
S. 1135. George W. Welch.
S. 1137. Thomas R. Alway.
S. 1139. Benjamin F. Jacks.
S. 1151. William H. Thompson.
S. 1159. Nicholas Johnson.
S. 1160. James W. Dorman.
S. 1244. Davis B. Wilcoxson.
S. 1245. Minard Van Patten.
S. 1261. Ephraim Otto.
S. 1264. Daniel Newby.
S. 1281. James A. Rutherford.
S. 1282. Joseph H. Rowland.
S. 1287. Charles Rhodes.
S. 1292. Arthur M. Phillips.
S. 1297. Thomas C. Moore.
S. 1300. Elcazar L. Miner.
S. 1304. Francis Marsh.
S. 1337. Robert P. Gailer.
S. 1344. Henry W. Ela.
S. 1370. James H. Gunion.
S. 1381. Reuben H. Chapel.
S. 1392. Samuel Baird.
S. 1507. Albert G. Dodds.
S. 1509. Charles W. Lindsay.
S. 1510. Orlando S. Hartman.
S. 1511. Benton P. Wood.
S. 1519. Samuel Gray.
S. 1574. William H. H. Knight.
S. 1575. Mark P. Morton.
S. 1577. George W. Townsend.
S. 1578. Morsey Mulliken.
S. 1584. William P. Cook.
S. 1585. John L. Bradford.
S. 1771. John J. Swain.
S. 1822. Daniel W. Green.
S. 1842. Edward Curtis.
S. 1855. Philander Wright.
S. 1865. Adam Flesher.
S. 1905. Rufus Reynolds.
S. 1957. James Inman.
S. 2057. George W. Hill.
S. 2058. Cyrus Fike.
S. 2060. Joseph Bristow.
S. 2063. Gilliam L. Craven.
S. 2073. Jabez Smith.
S. 2103. Albert B. Watrous.
S. 2113. Anna Schuler.
S. 2114. Walter Emerson.
S. 2151. Thomas J. Walker.
S. 2158. James H. Shutts.
S. 2159. Henry Wheeler.
S. 2160. Nathan Vanmetre.
S. 2163. John M. Jones.
S. 2282. Lynman F. Deming.
S. 2339. George A. Stanhope.
S. 2342. William M. Somers.
S. 2345. Joshua A. Epperson.
S. 2346. William F. Hicks.
S. 2386. Thomas G. Higgins.
S. 2388. Elisha L. Hyatt.
S. 2397. Abner A. Ellis.
S. 2409. Charles S. Lavanway.
S. 2420. Franklin Johnson.
S. 2426. David E. Seekins.
S. 2427. Albert W. Hassan.
S. 2499. Sanford Smith.
S. 2564. Bennett R. Fuller.
S. 2570. William H. Kelsay.
S. 2599. Elijah Bullock.
S. 2607. Thomas Dunam.
S. 2610. William R. Jones.
S. 2611. Elijah Borin.
S. 2615. Joseph Wolf.
S. 2628. Isaac B. Childs.
S. 2629. Francis Dwelley.
S. 2682. John Ridenour.
S. 2708. Charles F. Ward.
S. 2731. John M. Anderson.
S. 2732. George H. Ross.
S. 2797. John L. Downing.
S. 2811. Thomas J. Wood.
S. 2876. Melvin C. Wolf.
S. 2899 Charles Woodall.
S. 2903. Anthony Wilkinson.
S. 2977. William F. Mullin.
S. 2978. William I. Jones.
S. 2993. Nathaniel Southard.
S. 2999. John S. Birdsall.
S. 3024. William H. Nott.
S. 3025. Solomon J. Campbell.
S. 3075. Christopher C. Ghearhart.
S. 3108. John W. Morrill.
S. 3115. William D. Bash.
S. 3119. Joseph S. Le Hew.
S. 3147. Henry Chapman.
S. 3150. Thomas Madigan.
S. 3185. William H. Comstock.
S. 3195. Grace E. Waterbury.
S. 3209. William H. McGovern.
S. 3210. Samuel H. McCormick.
S. 3229. Jeremiah McBee.
S. 3301. Oxley Johnson.
S. 3320. George M. Sawyer.
S. 3337. George O. Miller.
S. 3352. Mary M. Sharp.
S. 3353. Edward Mills.
S. 3355. Isaac Williams.
S. 3356. Reuben H. Neff.
S. 3357. Elijah Roberts.
S. 3359. John A. Van Loan.
S. 3396. Gilbert L. Holmes.
S. 3416. Robert Masters.
S. 3428. Benjamin S. Waggener.
S. 3429. Eri C. Tuller.
S. 3443. Catharine A. Kanouff.
S. 3449. Charles David Jackson, alias David W. Jackson.
S. 3452. Sarah S. Hubbell.
S. 3456. John M. Stephens.
S. 3457. Thomas M. Wilkey.
S. 3487. Thomas W. Stone.
S. 3534. John S. Jordan.
S. 3350. Jennie L. Holmes.
S. 3564. Philip Bixby.
S. 3567. John McCracken.
S. 3575. William H. Temple.
S. 3584. Franz Nibler.
S. 3604. Joseph Langenberger.
S. 3634. Frederick H. Barker.
S. 3635. John W. Keffer.
S. 3639. George W. Hamilton.
S. 3647. Joseph H. Chapman.
S. 3666. Wesley J. Ladd.
S. 3675. Richard Hardesty.
S. 3677. James M. Alloways.
S. 3678. Taylor Edwards.
S. 3680. Marion Davis.
S. 3681. William H. Cliff.
S. 3682. Robert R. Robinson.
S. 3683. Martin V. B. Clark.
S. 3685. Anthon O. Kruger.
S. 3686. James Hood.
S. 3703. William H. Phillips.
S. 3704. Barton O'Neal.
S. 3707. Wesley Woodard.
S. 3708. Robert D. Hunter.
S. 3709. Zachariah R. Thornton.
S. 3717. John Magorien.
S. 3722. Godfrey Bohrer.

S. 3747. Evan T. Jay.
S. 3761. Elizabeth J. Edson.
S. 3770. William J. Nelson.
S. 3794. Warren H. Rhoades, alias Orin Bush.
S. 3811. Mathew W. Clark.
S. 3819. Lydia Wixson.
S. 3812. Edward A. Rowley.
S. 3820. Charles F. Marble.
S. 3822. William Mulloy.
S. 3824. Frederick Zimmerman.
S. 3826. Joseph O. Swigert.
S. 3832. John M. Honeywell.
S. 3837. James H. King.
S. 3838. Emma J. Naylor.
S. 3847. Alice Hersh.
S. 3871. Edgar Taylor.
S. 3889. Merritt S. Harding.
S. 3921. Nora B. Higgins.
S. 3924. Freeman A. Forbes.
S. 3927. Henry Wiese.
S. 3951. August Schaeffer.
S. 3975. Nathan L. Brass.
S. 3976. John F. Jackson.
S. 3996. George L. Jaquith.
S. 3998. William H. Young.
S. 4041. Albert J. McGannon.
S. 4056. Amos B. Horton.
S. 4089. Frank D. Russell.

The Clerk read the following committee amendments:

Page 8, strike out lines 1 to 4, inclusive (Joseph H. Rowland).

The question was taken, and the amendment was agreed to.

Page 8, strike out lines 13 to 17, inclusive (Thomas C. Moore).

The question was taken, and the amendment was agreed to.

Page 14, line 17, strike out "$50" and insert "$40" (Nathan Vanmetre).

The question was taken, and the amendment was agreed to.

Page 22, line 17, strike out "$40" and insert "$32" (Samuel H. McCormick).

The question was taken, and the amendment was agreed to.

Page 24, line 18, strike out "$36" and insert "$32" (Robert Masters).

The question was taken, and the amendment was agreed to.

Page 25, line 15, strike out "$50" and insert "$25" (Sarah S. Hubbell).

The question was taken, and the amendment was agreed to.

Page 25, line 22, strike out "$36" and insert "$30" (Thomas M. Wilkey).

The question was taken, and the amendment was agreed to.

Page 32, line 13, strike out "$50" and insert "$40" (Joseph O. Swigert).

Mr. MOORES of Indiana. Mr. Speaker, I wish to be heard on that committee amendment.

The SPEAKER. The gentleman has five minutes.

Mr. MOORES of Indiana. Mr. Speaker, I have known Joseph O. Swigert for 20 years. He was pensioned until two years ago at the rate under the original law of $50. Some one made objection. He is old and feeble and has no control over his bowels, no way of making a living, and he is destitute, and he requires constant attention because of his lack of control of his bowels. He does not need a nurse all the time, but he has somebody with him all the time for that reason. I think his pension should be restored to what it was under the general law and that he be given $50, which was given him up until two years ago, when the reduction was made.

Mr. SHOUSE. May I inquire of the gentleman why it was reduced?

Mr. MOORES of Indiana. It was reduced by the construction of the department on a complaint of some one who did not like him.

Mr. SHOUSE. In view of that statement, Mr. Speaker, I ask to withdraw the committee amendment.

The SPEAKER. The gentleman withdraws the committee amendment. Is there objection? [After a pause.] The Chair hears none, and the amendment is withdrawn.

The Clerk resumed and concluded the reading of the bill.

Mr. SHOUSE. Mr. Speaker, I desire to offer a committee amendment to be added at the end of the bill, page 35, following line 12.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill insert the following:

"The name of Henrietta Schmidt, former widow of Peter Eberle, late of Company B, Thirty-seventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving."

Mr. WALSH. Mr. Speaker, I would like to ask the gentleman the reason for this amendment.

Mr. SHOUSE. I will be glad to give it to the gentleman. This is a bill of Gen. SHERWOOD, the chairman of the committee. It was passed in a House bill, and was eliminated through a mistake by the examiner on the part of the Senate committee. He thought he had information from the Pension Bureau that this lady was already receiving $25 per month. He himself has since found that was mistaken information, and for that reason the amendment is being offered.

The question was taken, and the amendment was agreed to.

The bill was ordered to be read the third time, was read the third time, and passed.

On motion of Mr. SHOUSE, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. SHOUSE. Mr. Speaker, I ask unanimous consent to call up the bill S. 4543.

The SPEAKER. The gentleman asks unanimous consent for the present consideration of the bill S. 4543. Is there objection? [After a pause.] The Chair hears none, and the Clerk will report it by title.

The Clerk read as follows:

An act (S. 4543) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

Mr. SHOUSE. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. SHOUSE. Mr. Speaker, I ask unanimous consent that the first reading of the bill be dispensed with.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and the Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of Emma C. Hill, widow of Nathan S. Hill, late captain Company I, Sixteenth Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Robert Kinkead, late of Company G, Two hundredth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Chase Cummins, late of Company B, Seventh Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Daniel W. Bartlett, late of Company B, Eleventh Regiment, and Company B, Tenth Regiment, West Virginia Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Luke P. Brooks, late of Company B, Tenth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William A. Cale, late of Company K, Third Regiment Potomac Home Brigade Maryland Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Joshua C. Ogden, late of Company F, Seventeenth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Daniel W. Welsh, late captain Company B, Sixty-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Isaac Boyce, late of Company D, Third Regiment West Virginia Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Littleton T. Morgan, late of Company B, Third Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Aaron M. Elliott, late of Company G, Seventy-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John Patty, late of Company K, Second Regiment Missouri Volunteer Light Artillery, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Rufus Mapes, late of Company I, Second Regiment Illinois Volunteer Light Artillery, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of William G. Simpson, late of Company D, One hundred and forty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John D. Brooks, late of Company K, One hundred and forty-first Regiment, and Company F, One hundred and ninety-fifth Regiment, Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Henry Perrine, late of Company G, Twenty-sixth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Jacob A. Kenoyer, late of Company C, First Regiment Oregon Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Orin Tucker, late of Company L, Fourth Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Jonas H. Evans, late of Company H, One hundred and third Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Lewis Norman, late of Company F, Seventy-first Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Henry C. Rowley, late of Company B, Fiftieth Regiment New York Volunteer Engineers, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Andrew F. Maxwell, late of Company G, Fifteenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Payton S. Lynn, late of Company F, Third Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Samuel Lowery, late of Company B, One hundred and thirty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $25 per month in lieu of that he is now receiving.

The name of Albert P. Leavitt, late of Company A, Thirtieth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Charles W. Lathrop, late of Company F, Fifty-third Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Thomas J. Stanfield, late of Company A, Twenty-third Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of William M. Wright, late of Company C, Twenty-first Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Andrew J. Wright, late of Company A, Second Regiment Iowa Volunteer Infantry, and Company A, First Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Edgar A. Kesler, late of Company A, Eighth Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Jahiel Bowers, late of Company F, Fifty-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Lewis Atkinson, late of Company I, Thirteenth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John T. Criswell, late of Company D, One hundred and fifty-first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William A. Kilton, late of Company H, Ninth Regiment Maine Volunteer Infantry, and Company I, Fourth Regiment United States Veteran Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Asa D. Whitmore, late of Battery E, Third Regiment New York Volunteer Light Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of James M. King, late of Company K, Twenty-third Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $27 per month in lieu of that he is now receiving.

The name of Zed Culver, late of Company G, Fifth Regiment Tennessee Volunteer Mounted Infantry, and pay him a pension at the rate of $27 per month in lieu of that he is now receiving.

The name of James H. Knight, late hospital steward, Twenty-seventh Regiment Indiana Volunteer Infantry, and assistant surgeon, Third Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John Reiman, late of the United States ship *Avenger*, United States Navy, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of James B. Atkinson, late of Company A, Fifteenth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Francis Mayhew, late of Company A, Third Regiment Massachusetts Volunteer Heavy Artillery, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Anton Lawrence, late of Company F, Third Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William N. Webb, late of Company A, Ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Melinda A. Smiley, widow of Sylvanus C. Smiley, late of Company A, Thirty-third Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Dora Broom, helpless and dependent daughter of James W. Broom, late of Company F, One hundred and ninety-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The name of Zadok M. McCleary, late of Company F, Forty-second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Hosea Butterfield, late of Company B, Thirteenth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William T. Eustis, late first lieutenant and adjutant, Fifth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Joseph Galbraith, late unassigned, Brackett's Battalion Minnesota Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Sarah Ann Ross, widow of Samuel B. Ross, late of Company C, Tenth Regiment Pennsylvania Reserves Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Jacob Witmer, late of Company E, Eighty-seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John J. Houswerth, late of Company H, Two hundred and eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Theodore W. Davis, late of Company B, Sixteenth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Seymour A. Stearns, late of Company A, Sixth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John L. Harvey, late of Company E, Sixty-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Jonathan Dellinger, late of Company H, One hundred and eighty-seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Thompson M. Hollabaugh, helpless and dependent son of John Hollabaugh, late of Company G, Fifty-first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The name of George Blake, late of Company C, Thirty-second Regiment, and Company C, Thirty-first Regiment, Maine Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Phebe Bushee, widow of Moses Bushee, late of Company A, Sixth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Charles H. Whiteley, late of Company H, One hundred and forty-second Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Albert Young, late of Company H, Two hundredth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Louisa Simon, widow of Jacob Simon, late of Company K, Ninety-eighth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Daniel Duncan, late of Company G, Twenty-eighth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $27 per month in lieu of that he is now receiving.

The name of Joseph Wood, late of Company G, One hundred and forty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William Butler, late of Company I, One hundred and ninety-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John Beahen, late of Company B, Veteran Battalion, Fourteenth and Fifteenth Regiments Illinois Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Charles W. Cross, late captain Company F, Seventh Regiment Tennessee Volunteer Mounted Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Charles M. Colby, late of Company E, First Regiment Maine Volunteer Sharpshooters, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Samuel W. Presley, late of Company B, Tenth Regiment New York Volunteer Heavy Artillery, and pay him a pension at the rate of $27 per month in lieu of that he is now receiving.

The name of Joseph E. Gammon, late of Company B, Twenty-third Regiment Maine Volunteer Infantry, and unassigned, Twelfth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Granville Fernald, late captain Company B, Twenty-third Regiment Maine Volunteer Infantry, and Company A, Fourteenth Regiment Veteran Reserve Corps, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Oliver P. Chambers, late of Company A, Eleventh Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Elizabeth Cole, widow of Samuel C. Cole, late of Company H, Fourth Regiment New York Volunteer Heavy Artillery, and pay her a pension at the rate of $25 per month.

The name of William H. Morgan, late of Company B, Eighth Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Cyrus Wood, late of Company G, Eleventh Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of David A. Sawyers, late of Company C, Thirty-sixth Regiment Iowa Volunteer Infantry, and hospital steward, United States Army, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of George McDowell, late of Company H, Twenty-fifth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Thomas Higgins, late of Company E, Thirty-seventh Regiment New York Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William P. Hodsdon, late commissary sergeant, Twelfth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Andrew J. Martin, late of Company C, Twenty-fourth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Charles J. Higgins, late of Company C, First Regiment Maine Volunteer Cavalry, and Eighty-first Company, Second Battalion, Veteran Reserve Corps, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Isaiah Hutchison, late of Company C, One hundred and twentieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of George A. Gardner, late of Company G, One hundred and fortieth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $25 per month in lieu of that he is now receiving.

The name of Joseph Vincent, late of Company H, Fifty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Jacob W. Kinsey, late of Company H, First Regiment Nebraska Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Frederick E. Sprague, late of Company A, Twenty-sixth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Levi R. Gray, late of Company K, Sixteenth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Ellison Gilbert, late of Company G, First Regiment Maine Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of James N. Harris, late of Company C, Sixty-second Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Warren M. Easton, late of Company E, Eighty-ninth Regiment, and Company H, Fifty-ninth Regiment, Illinois Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of John F. Loehr, late of Company I, Forty-fifth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Josiah Weaver, late of Company E, Forty-seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Alonzo L. Whitcomb, late of Company F, Second Regiment Wisconsin Volunteer Cavalry, and Company F, Thirty-third Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Edward Shattuck, late of Company F, Eighteenth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Edward Foster, late of Company C, Ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Adaline D. Norris, widow of Wesley W. Norris, late lieutenant colonel Forty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Cecilia Hall, widow of Robert M. Hall, late colonel Thirty-eighth Regiment United States Colored Volunteer Infantry, and brevet brigadier general United States Volunteers, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Thomas J. Vinyard, late of Company G, Thirty-third Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Henry Strouse, late of Company D, Seventy-sixth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Andrew Nelson, late of Company F, Second Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Martin B. Fitch, late of Company H, Eighteenth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of George W. Childs, late of Company E, Fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $21 per month.

The name of Beckwith A. McNemar, late of Companies M and O, Sixth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Janet H. Morrison, widow of William Morrison, late of Company G, Seventy-ninth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Austin D. Bates, late second lieutenant Company F, Eighth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Daniel B. Grant, late of Company I, First Regiment Minnesota Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Alvin Jones, late of Company K, One hundred and sixty-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $25 per month in lieu of that he is now receiving.

The name of Martha L. Cutler, widow of John H. Cutler, late acting assistant surgeon, United States Army, and pay her a pension at the rate of $25 per month.

The name of Thomas Ewing, late of Company H, Third Regiment Maryland Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of John W. Gard, late of Company I, Eleventh Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Frank Baker, late of Company G, One hundred and eighth Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John C. Carkin, late of Company H, Sixteenth Regiment New Hampshire Volunteer Infantry, and Company F, First Regiment New Hampshire Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John S. Ranlett, late of the U. S. S. *Florida*, United States Navy, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of William K. Annis, jr., late of Company I, Fifteenth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Sabra J. Swisher, former widow of Alexander Swisher, late of Company E, Ninety-fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of William H. Dixon, late unassigned, One hundred and twenty-eighth Regiment, and Company A, Ninth Regiment, Illinois Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Pulver Kline, late of Company D, Forty-seventh Regiment New York Volunteer Infantry, and Company F, Tenth Regiment Veteran Reserve Corps, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Wilson S. Richards, late of Company E, Sixty-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William L. Heiskell, late of Company A, One hundred and thirty-second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $25 per month in lieu of that he is now receiving.

The name of Thomas J. Locey, late of Companies D and E, Fifteenth Regiment, and Company L, Tenth Regiment, Illinois Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Sarah E. White, former widow of Charles H. Crossman, late of Company G, Fourth Regiment Maine Volunteer Infantry, and widow of Joseph H. White, late of Company F, Second Regiment Massachusetts Volunteer Heavy Artillery, and pay her a pension at the rate of $25 per month.

The name of Monroe Eddy, late of Company H, First Regiment Connecticut Volunteer Heavy Artillery, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Cyrus B. Norris, late of Company E, Ninth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Charles A. Nimocks, late of Company C, Seventh Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Jonathan Paulus, late of Company B, One hundred and thirty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $25 per month in lieu of that he is now receiving.

The name of Zachariah Blake, late of Company B, One hundred and eighteenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Ellen Lee Scantling, widow of John C. Scantling, late major One hundred and fifty-fifth Regiment Indiana Volunteer Infantry, and lieutenant colonel, United States Army, retired, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of John H. Scott, late of Company B, Twenty-sixth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Levi H. Miller, late of Company H, Eighth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William C. Roose, late acting third assistant engineer, United States Navy, and pay him a pension at the rate of $27 per month in lieu of that he is now receiving.

The name of Henry J. Lane, late of Company G, One hundred and twentieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of William Morgan, late of Company F, Thirteenth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Joshua Boreing, late of Company D, Forty-ninth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of George W. L. Nesbitt, late of Company E, Forty-eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William Hill, late of Company D, Sixth Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Alexander P. Settle, late of Company A, Forty-seventh Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Samuel W. Scoggins, late second lieutenant Company B, One hundred and twentieth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Louisa M. Ferrier, now Wright, former widow of Jacob Ferrier, late of Company A, Twenty-ninth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of James W. Elwell, late of Company H, Twentieth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $25 per month in lieu of that he is now receiving.

The name of John M. Safford, late of Companies L and C, and commissary sergeant First Regiment Vermont Volunteer Heavy Artillery, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Charles A. Lauman, late of Company D, One hundred and forty-seventh Regiment, and Company K, One hundred and thirty-second Regiment, Illinois Volunteer Infantry, and Company H, Sixteenth Regiment, and Companies F and H, Thirty-fourth Regiment, United States Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Victoria A. Amberg, former widow of George R. Anderson, late of Company K, Second Regiment Minesota Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Permelia L. Dutcher, widow of John Dutcher, late of Company B, Forty-third Regiment Missouri Enrolled Militia, and pay her a pension at the rate of $25 per month.

This bill is a substitute for the following Senate bills referred to the Committee on Pensions:

S. 217. Emma C. Hill.
S. 250. Robert Kinkead.
S. 345. Chase Cummins.
S. 566. Daniel W. Bartlett.
S. 569. Luke P. Brooks.
S. 574. William A. Cale.
S. 585. Joshua C. Ogden.
S. 601. Daniel W. Welsh.
S. 614. Isaac Boyce.
S. 618. Littleton T. Morgan.
S. 660. Aaron M. Elliott.
S. 1109. John Patty.
S. 1121. Rufus Mapes.
S. 1123. William G. Simpson.
S. 1158. John D. Brooks.
S. 1162. Henry Perrine.
S. 1163. Jacob A. Kenoyer.
S. 1165. Orin Tucker.
S. 1167. Jonas H. Evans.
S. 1262. Lewis Norman.
S. 1288. Henry C. Rowley.
S. 1308. Andrew F. Maxwell.
S. 1309. Payton S. Lynn.
S. 1310. Samuel Lowery.
S. 1316. Albert P. Leavitt.
S. 1317. Charles W. Lathrop.
S. 1319. Thomas J. Stanfield.
S. 1327. William M. Wright.
S. 1328. Andrew J. Wright.
S. 1354. Edgar A. Kesler.
S. 1401. Jahiel Bowers.
S. 1411. Lewis Atkinson.
S. 1481. John T. Criswell.
S. 1907. William A. Kilton.
S. 1987. Asa D. Whitmore.
S. 2026. James M. King.
S. 2037. Zed Culver.
S. 2071. James H. Knight.
S. 2080. John Reiman.
S. 2175. James B. Atkinson.
S. 2182. Francis Mayhew.
S. 2276. Anton Lawrence.
S. 2287. William N. Webb.
S. 2341. Melinda A. Smiley.
S. 2398. Dora Broom.
S. 2533. Zadok M. McCleary.
S. 2558. Hosea Butterfield.
S. 2566. William T. Eustis.
S. 2622. Joseph Galbraith.
S. 2627. Sarah Ann Ross.
S. 2668. Jacob Witmer.
S. 2669. John J. Houswerth.
S. 2725. Theodore W. Davis.
S. 2780. Seymour A. Stearns.
S. 2822. John L. Harvey.
S. 2850. Jonathan Dellinger.
S. 2853. Thompson M. Hollabaugh.
S. 2964. George Blake.
S. 3018. Phebe Bushee.
S. 3064. Charles H. Whiteley.
S. 3065. Albert Young.
S. 3074. Louisa Simon.
S. 3120. Daniel Duncan.
S. 3149. Joseph Wood.
S. 3184. William Butler.
S. 3248. John Beahen.
S. 3252. Charles W. Cross.
S. 3273. Charles M. Colby.
S. 3461. Samuel W. Presley.
S. 3464. Joseph E. Gammon.
S. 3465. Granville Fernald.
S. 3485. Oliver P. Chambers.
S. 3603. Elizabeth Cole.
S. 3705. William H. Morgan.
S. 3751. Cyrus Wood.
S. 3760. David A. Sawyers.
S. 3762. George McDowell.
S. 3766. Thomas Higgins.
S. 3785. William P. Hodsdon.
S. 3816. Andrew J. Martin.
S. 3817. Charles J. Higgins.
S. 3829. Isaiah Hutchison.
S. 3831. George A. Gardner.
S. 3836. Joseph Vincent.
S. 3845. Jacob W. Kinsey.
S. 3862. Frederick E. Sprague.
S. 3869. Levi R. Gray.
S. 3870. Ellison Gilbert.
S. 3931. James N. Harris.
S. 3946. Warren M. Easton.
S. 3947. John F. Loehr.
S. 3950. Josiah Weaver.
S. 3999. Alonzo L. Whitcomb.
S. 4015. Edward Shattuck.
S. 4054. Edward Foster.
S. 4074. Adaline D. Norris.
S. 4086. Cecilia Hall.
S. 4091. Thomas J. Vinyard.
S. 4111. Henry Strouse.
S. 4129. Andrew Nelson.
S. 4131. Martin B. Fitch.
S. 4133. George W. Childs.
S. 4134. Beckwith A. McNemar.
S. 4147. Janet H. Morrison.
S. 4156. Austin D. Bates.
S. 4157. Daniel B. Grant.
S. 4161. Alvin Jones.
S. 4165. Martha L. Cutler.
S. 4175. Thomas Ewing.
S. 4180. John W. Gard.
S. 4183. Frank Baker.
S. 4190. John C. Carkin.
S. 4192. John S. Ranlett.
S. 4203. William K. Annis, jr.
S. 4207. Sabra J. Swisher.
S. 4226. William H. Dixon.
S. 4227. Pulver Kline.
S. 4228. Wilson S. Richards.
S. 4242. William L. Heiskell.
S. 4245. Thomas J. Locey.
S. 4249. Sarah E. White.
S. 4252. Monroe Eddy.
S. 4253. Cyrus B. Norris.
S. 4278. Charles A. Nimocks.
S. 4301. Jonathan Paulus.
S. 4302. Zachariah Blake.
S. 4303. Ellen Lee Scantling.
S. 4304. John H. Scott.
S. 4305. Levi H. Miller.
S. 4307. William C. Roose.
S. 4309. Henry J. Lane.
S. 4314. William Morgan.
S. 4319. Joshua Boreing.
S. 4320. George W. L. Nesbitt.
S. 4321. William Hill.
S. 4322. Alexander P. Settle.
S. 4352. Samuel W. Scoggins.
S. 4357. Louisa M. Ferrier, now Wright.
S. 4391. James W. Elwell.
S. 4425. John M. Safford.
S. 4446. Charles A. Lauman.
S. 4466. Victoria A. Amberg.
S. 4474. Permelia L. Dutcher.

The committee amendments were read as follows:

Page 1, strike out lines 6 to 9, inclusive (Emma C. Hill).

The question was taken, and the amendment was agreed to.

Page 5, strike out lines 11 to 14, inclusive (Payton S. Lynn).

The question was taken, and the amendment was agreed to.

Page 7, strike out lines 7 to 11, inclusive (William A. Kilton).

The question was taken, and the amendment was agreed to.

Page 7, strike out lines 20 to 23, inclusive (Zed Culver).

The question was taken, and the amendment was agreed to.

Page 19, strike out lines 15 to 17, inclusive (Martha L. Cutler).

The question was taken, and the amendment was agreed to.

Page 22, line 11, strike out "$50" and insert "$40." (Charles A. Nimocks.)

The question was taken, and the amendment was agreed to.

The bill was ordered to be read the third time, was read the third time, and passed.

On motion of Mr. SHOUSE, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. SHOUSE. Mr. Speaker, I ask unanimous consent to call up the bill S. 4722.

The SPEAKER. The gentleman asks unanimous consent for the present consideration of the bill S. 4722. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill by title.

The Clerk read as follows:

An act (S. 4722) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

Mr. SHOUSE. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. SHOUSE. Mr. Speaker, I ask unanimous consent that the first reading of the bill be dispensed with.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and the Clerk will read the bill for amendment.

The bill was read for amendment as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of Charlotte Bloom, widow of Zachariah Bloom, late of Company D, Seventy-sixth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Daniel Wootan, late of Company A, Eleventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $21 per month.

The name of Charles O. Thorp, late of Company K, Forty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Jacob Nauerth, late of Company G, Fourteenth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Stephen A. Miller, late of Company H, Thirty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John Gates, late of Company A, Eighty-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of T. Ewing W. Elliott, late of Company D, Eighty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Stephen Lampman, late of Company G, Thirtieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Elijah Thompson Hurst, alias Elijah Thompson, late of Company F, Twentieth Regiment Illinois Veteran Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of James R. Rundlett, late of Company D, Nineteenth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Robert J. Foster, late of Company B, Twenty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Nannie Johnson Veale, widow of George W. Veale, late major, Sixth Regiment Kansas Volunteer Cavalry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Laura L. Junkin, former widow of James P. Crumleigh, late of Company H, Ninth Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Adeline F. Austen, widow of David E. Austen, late of Company H, Seventh Regiment, and adjutant Forty-seventh Regiment, New York State Militia Infantry, and pay her a pension at the rate of $25 per month.

The name of Fanny S. Conline, widow of John Conline, late of Company E, First Regiment, and Company E, Fourth Regiment, Vermont Volunteer Infantry, and major, United States Army, retired, and pay her a pension at the rate of $36 per month in lieu of that she is now receiving.

The name of Stephen F. Baker, late of Company F, Thirteenth Regiment, and Company K, Sixth Regiment, New York Volunteer Heavy Artillery, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of James Muzzy, late of Company C, First Regiment New York Volunteer Engineers, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Mary J. Milton, widow of Alfred Milton, late of Company A, Third Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of William B. Vaughn, late of Company A, Fourteenth Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Zachariah Campbell, late of Company E, Twenty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Lorinda C. Rand, former widow of Robert Buchanan, late of Company C, Third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Laura A. Wallingford, former widow of Charles R. Stevens, late of Company I, Third Regiment New Hampshire Volunteer Infantry, and unassigned, Fifteenth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of David Dryburgh, late of U. S. S. *Ohio*, *Mississippi*, and *North Carolina*, United States Navy, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Jay Smith, late of Company E, Eighty-third Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate at $40 per month in lieu of that he is now receiving.

The name of William J. Rigg, late of Company K, Third Regiment Potomac Home Brigade Maryland Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of William Wellman, late of U. S. S. *Clara Dolsen* and *Marmora*, United States Navy, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John E. Carpenter, late of Company A, One hundred and eighty-seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Daniel L. Thompson, late of Company C, Forty-fifth Regiment Massachusetts Militia Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Mary B. Hawkins, now Guptill, former widow of Hugh Hawkins, late of Company F, Seventy-second regiment, and Company F, Thirty-third Regiment, Illinois Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Edwin Doan, late of Company C, Eighty-fifth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Thomas H. Birnley, late of Company E, One hundredth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Elijah C. Lawrence, late second lieutenant Company B, Fifty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John G. Fulton, late of Company I, Sixth Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Elizabeth A. Ashmead, widow of Howland L. Ashmead, late of Company M, Twenty-first Regiment Pennsylvania Volunteer Cavalry, and general service, United States Army, and pay her a pension at the rate of $25 per month.

The name of Emma A. Gannett, widow of Frederick Gannett, late of Company B, Third Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Margaret E. Gibboney, widow of Samuel R. Gibboney, late acting assistant surgeon, United States Army, and pay her a pension at the rate of $20 per month.

The name of Samuel M. Bailey, late of Company K, Eighty-fourth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Warren Jones, late of Company A, Twenty-sixth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Abbie Pike, widow of Bennett Pike, late colonel Third Regiment Provisional Enrolled Missouri Militia, and pay her a pension at the rate of $25 per month.

The name of Joseph Stafford, late of Company A, Forty-second Regiment Ohio Volunteer Infantry, and Company K, Nineteenth Regiment Veteran Reserve Corps, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Silas Wright, late of Company E, Tenth Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Gabriel M. Betz, late of Company G, One hundred and seventy-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Robert W. Adams, late of Company F, Eighty-fourth Regiment, and Company H, Fifty-seventh Regiment, Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William T. Ferguson, late assistant surgeon, One hundred and forty-second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Alanson H. Nelson, late captain Company K, Fifty-seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Ephraim B. Guffey, late second lieutenant Company H, Thirtieth Regiment Kentucky Volunteer Mounted Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Wilkerson McHoward, late of Company E, Forty-ninth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Charles F. Lytle, late of Company I, Sixth Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John W. Johnson, late first lieutenant Company F, Forty-third Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Alphonzo O. Drake, late of Company E, Second Regiment Rhode Island Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Jeremiah W. Miller, late of Company I, One hundred and ninety-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving

The name of Joseph H. Bamberger, late of Company C, Twelfth Regiment Maryland Volunteer Infantry, and pay him a pension at the rate of $25 per month.

The name of Eliza Dalton, widow of John Dalton, late of Quartermaster's Department, United States Volunteers, and pay her a pension at the rate of $20 per month.

The name of James Ellis, late of Company B, One hundred and forty-sixth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Daniel M. Crockett, late of Company C, Twelfth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Francis A. Strout, late of Company B, Twentieth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Sewell W. Hewett, late of Company C, Fourth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Frank Libby, late of Company B, First Regiment New Hampshire Volunteer Heavy Artillery, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Dennett Cotton, late of Company K, Twenty-eighth Regiment Massachusetts Volunteer Infantry, and Company C, Fourteenth Regiment Veteran Reserve Corps, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Henry Divelbiss, late of Company G, Forty-seventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of John Larner, late of Company K, Fifteenth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Mary E. Morgan, former widow of Nathan Morgan, late of Company I, Fortieth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $25 per month, the same to be paid to her without further deduction or rebate on account of former alleged erroneous payments or overpayments of pension.

The name of Elijah T. Knight, late of Company A, Thirty-sixth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Thomas C. Helmling, late of U. S. ships *Dacotah* and *Cambridge*, United States Navy, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William H. Blackwell, late of Company F, Seventy-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Joel I. Long, late of Company D, Seventy-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Mattie A. Birney, widow of William Birney, late brigadier general, United States Volunteers, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Otto A. Risum, late first lieutenant and adjutant, Fifteenth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Cantorinia F. Crawford, late of Company A, First Regiment Michigan Volunteer Light Artillery, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Mary E. Cook, former widow of Israel Cook, late of Company F, Sixteenth Regiment Wisconsin Volunteer Infantry, and of Cornelius Cook, late of Company C, Ninety-sixth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $25 per month.

The name of Byron H. Purinton, late of Company A, Third Regiment Rhode Island Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of William F. Kindle, late of Company C, Fifth Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Halvor Anderson, late of Company D, Tenth Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Homer E. Lewis, late of Company E, One hundred and twenty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John E. Albaugh, late of Company F, Sixty-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of William H. McKay, late of Company B, Forty-second Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of Martin Joy, late of Company G, One hundred and forty-ninth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Stephen R. Clark, late captain Company B and lieutenant colonel Thirteenth Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of John W. Dickens, late of Company B, Twenty-seventh Regiment, and Company B, Twelfth Regiment, Iowa Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Charles Belknap, late of Company E, Nineteenth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Susannah C. Timmons, dependent mother of Leonard E. Timmons, late of Company E, Eleventh Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Omer A. Arnold, late of Company K, Sixty-eighth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of James S. McDonald, late of Company H, Thirtieth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Martha J. Davis, widow of Marcus Davis, late of Company E, Seventeenth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $25 per month.

The name of Samuel Robison, late first lieutenant Company C, Fifty-first Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Sophronia F. Shurtleff, widow of Seth H. Shurtleff, late of Company K, Third Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of George L. Danforth, late of Company C, Eighth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Morris Hinchman, late of Company I, Fifty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Theodore Marcy, late of Company H, Twenty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The name of George E. Tracy, late of Company D, Thirty-second Regiment, and Company D, Sixteenth Regiment, Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The name of Jefferson L. Wylie, late assistant surgeon, Ninetieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $21 per month.

This bill is a substitute for the following Senate bills referred to the Committee on Pensions:

S. 196. Charlotte Bloom.
S. 1056. Daniel Wootan.
S. 1249. Charles O. Thorp.
S. 1266. Jacob Nauerth.
S. 1302. Stephen A. Miller.
S. 1336. John Gates.
S. 1342. T. Ewing W. Elliott.
S. 1352. Stephen Lampman.
S. 1359. Elijah Thompson Hurst, alias Elijah Thompson.
S. 1882. James R. Rundlett.
S. 2136. Robert J. Foster.
S. 2256. Nannie Johnson Veale.
S. 2476. Laura L. Junkin.
S. 2711. Adeline F. Austin.
S. 2807. Fanny S. Conline.
S. 2861. Stephen F. Baker.
S. 2862. James Muzzy.
S. 3022. Mary J. Milton.
S. 3028. William B. Vaughn.
S. 3030. Zachariah Campbell.
S. 3041. Lorinda C. Rand.
S. 3117. Laura A. Wallingford.
S. 3413. David Dryburgh.
S. 3414. Jay Smith.
S. 3415. William J. Rigg.
S. 3417. William Wellman.
S. 3419. John E. Carpenter.
S. 3656. Daniel L. Thompson.
S. 3679. Mary B. Hawkins, now Guptill.
S. 3734. Edwin Doan.
S. 3745. Thomas H. Birnley.
S. 3809. Elijah C. Lawrence.
S. 3856. John G. Fulton.
S. 3925. Elizabeth A. Ashmead.
S. 3969. Emma A. Gannett.
S. 3974. Margaret E. Gibboney.
S. 4098. Samuel M. Bailey.
S. 4120. Warren Jones.
S. 4145. Abbie Pike.
S. 4155. Joseph Stafford.
S. 4158. Silas Wright.
S. 4233. Gabriel M. Betz.
S. 4234. Robert W. Adams.
S. 4243. William T. Ferguson.
S. 4250. Alanson H. Nelson.
S. 4330. Ephraim B. Guffey.
S. 4334. Wilkerson McHoward.
S. 4360. Charles F. Lytle.
S. 4371. John W. Johnson.
S. 4394. Alphonzo O. Drake.
S. 4396. Jeremiah W. Miller.
S. 4400. Joseph H. Bamberger.
S. 4407. Eliza Dalton.
S. 4434. James Ellis.
S. 4447. Daniel M. Crockett.
S. 4448. Francis A. Strout.
S. 4450. Sewell W. Hewett.
S. 4452. Frank Libby.
S. 4457. Dennett Cotton.
S. 4463. Henry Divelbiss.
S. 4468. John Larner.
S. 4475. Mary E. Morgan.
S. 4476. Elijah T. Knight.
S. 4483. Thomas C. Helmling.
S. 4511. William H. Blackwell.
S. 4512. Joel I. Long.
S. 4513. Mattie A. Birney.
S. 4516. Otto A. Risum.
S. 4518. Cantorinia F. Crawford.
S. 4520. Mary E. Cook.
S. 4531. Byron H. Purinton.
S. 4539. William F. Kindle.
S. 4547. Halvor Anderson.
S. 4552. Homer E. Lewis.
S. 4553. John E. Albaugh.
S. 4558. William H. McKay.
S. 4566. Martin Joy.
S. 4571. Stephen R. Clark.
S. 4572. John W. Dickens.
S. 4573. Charles Belknap.
S. 4580. Susannah C. Timmons.
S. 4581. Omer A. Arnold.
S. 4592. James S. McDonald.
S. 4593. Martha J. Davis.
S. 4641. Samuel Robison.
S. 4656. Sophronia F. Shurtleff.
S. 4664. George L. Danforth.
S. 4666. Morris Hinchman.
S. 4667. Theodore Marcy.
S. 4674. George E. Tracy.
S. 4696. Jefferson L. Wylie.

The following committee amendments were read and agreed to:

Page 2, strike out lines 1 to 3, inclusive. (Pension of Daniel Wootan.)

Page 2, line 6, strike out "$40" and insert in lieu thereof "$35." (Pension of Charles O. Thorp.)

Page 3, line 1, strike out "$50" and insert in lieu thereof "$40." (Pension of Stephen Lampman.)

Page 3, strike out lines 15 to 18, inclusive. (Pension of Nannie Johnson Veale.)

Page 4, strike out lines 3 to 7, inclusive. (Pension of Fanny S. Conline.)

Page 6, line 18, strike out "$50" and insert in lieu thereof "$40." (Pension of Edwin Doan.)

Page 7, strike out lines 16 to 18, inclusive. (Pension of Margaret E. Gibboney.)

Committee amendment (offered by Mr. SHOUSE): Page 7, strike out lines 19 to 22, inclusive. (Pension of Samuel M. Bailey.)

Page 10, strike out lines 10 to 12, inclusive. (Pension of Eliza Dalton.)

Page 14, line 17, strike out "$50" and insert in lieu thereof "$40." (Pension of Stephen R. Clark.)

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read a third time, and passed.

On motion of Mr. SHOUSE, a motion to reconsider the vote by which the bill was passed was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate by Mr. Tulley, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12099) to confer on the President power to prescribe charter rates and freight rates and to requisition vessels, and for other purposes.

BASTILLE DAY A NATIONAL HOLIDAY.

Mr. BARKLEY. Mr. Speaker, I ask unanimous consent for the present consideration of the joint resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman from Kentucky asks unanimous consent for the present consideration of the joint resolution which the Clerk will report.

The Clerk read as follows:

House joint resolution (No. 314) declaring Sunday, July 14, 1918, to be a national holiday.

The joint resolution was read.

The SPEAKER. Is there objection?

Mr. WALSH. Reserving the right to object, we have never declared any national holiday by law, even for events happening in our own history, and Congress has not declared any holidays except in the District of Columbia. While, of course, we all appreciate the spirit of the French people, and how nice it would be to commemorate this great event, we ought not to pass a resolution such as this without consideration. Therefore I object.

The SPEAKER. The gentleman from Massachusetts objects.

Mr. BARKLEY. Will the gentleman reserve it for a moment?

Mr. WALSH. For a moment.

Mr. BARKLEY. I desire to call the gentleman's attention to the fact that the Fourth of July was celebrated throughout France.

Mr. WALSH. And we can celebrate the 14th of July throughout America without declaring it to be a national holiday.

Mr. BARKLEY. The French Government participated officially in that celebration.

Mr. WALSH. We can participate officially in the celebration of the 14th of July.

Mr. MONDELL. Will the gentleman from Kentucky yield to me?

Mr. BARKLEY. Yes.

Mr. MONDELL. Would it not be better if the resolution were in some different form? It occurs to me under the circumstances that the House might be inclined to pass some sort of a resolution suggesting the celebration of the Fall of the Bastille and expressing our sympathy with France in that celebration. But, as the gentleman from Massachusetts [Mr. WALSH] has just suggested, this is a very unusual form of resolution. Of course, it has no binding effect. It assumes to do something we have no authority to do.

Mr. BARKLEY. This does not provide for any permanent celebration from year to year. It simply designates one day—next Sunday.

The SPEAKER. Is there objection?

Mr. WALSH. I object.

DAILY PRAYER FOR VICTORY.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that the Speaker lay before the House Senate joint resolution 164.

The SPEAKER. The gentleman asks unanimous consent for the present consideration of Senate joint resolution 164. Now, if there is going to be any row about this, I want the gentleman from California to withdraw it.

Mr. RAKER. If there is going to be a row, I will get out of it and withdraw it. I would like to be in it, though.

Mr. WALSH. I would like to know what it is.

The SPEAKER. The gentleman from California asks unanimous consent to discharge the Committee on Military Affairs from consideration of Senate joint resolution 164 and asks for its present consideration. The Clerk will report the resolution.

The resolution is as follows:

Joint resolution (S. J. Res. 164) requesting the President to commend by proclamation to the people of the United States observance of the practice of prayer at noon each day for victory in the war.

Whereas what is called the angelus, the practice of prayer for one minute at noon each day for the success of our country in the existing war, is being observed in the District of Columbia and some other parts of the United States; and

Whereas it is the desire of some good citizens that it be observed generally throughout the country to the end of the war; and

Whereas the sentiment is in accord with the traditional spirit and sentiment of this country and recognizes the overruling power of the Almighty: Therefore be it

Resolved, etc., That the President is requested to commend by proclamation to the people of the United States observance in their homes and elsewhere, until the end of the war, of the practice of prayer to God for at least one minute at noon each day for victory for our cause in the existing war.

Mr. WALSH. I am going to object, Mr. Speaker.

The SPEAKER. The gentleman from Massachusetts objects.

WATER-POWER LEGISLATION.

Mr. SIMS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the water-power bill.

The SPEAKER. The gentleman from Tennessee moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill S. 1419.

Mr. WALSH. Mr. Speaker, I demand a division.

The House divided; and there were—ayes 56, noes 3.

Mr. WALSH. Mr. Speaker, I make the point of order there is no quorum present.

The SPEAKER. On this vote the ayes are 56 and the noes 3, and the gentleman from Massachusetts makes the point of order there is no quorum present, and evidently there is not. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. Those in favor of going into the Committee of the Whole House on the state of the Union for the further consideration of the bill S. 1419 will, as their names are called, answer "yea" and those opposed will answer "nay."

The question was taken; and there were—yeas 209, nays 4, answered "present" 4, not voting 215, as follows:

YEAS—209.

Alexander	Ferris	Linthicum	Sears
Almon	Fields	Little	Shallenberger
Anderson	Fisher	London	Sherley
Aswell	Foster	Lonergan	Shouse
Ayres	Francis	Longworth	Sims
Bankhead	Frear	McArthur	Sinnott
Barkley	French	McClintic	Sisson
Barnhart	Gallagher	McFadden	Slemp
Beakes	Gallivan	McKeown	Small
Bell	Gandy	McLaughlin, Mich.	Snell
Beshlin	Gard	McLemore	Snook
Blackmon	Garrett, Tenn.	Magee	Steagall
Bland, Va.	Garrett, Tex.	Mansfield	Steele
Blanton	Goodwin, Ark.	Mapes	Stephens, Miss.
Booher	Gray, Ala.	Martin	Sterling, Ill.
Borland	Green, Iowa	Mays	Stiness
Brand	Greene, Vt.	Miller, Minn.	Tague
Browne	Griffin	Miller, Wash.	Taylor, Ark.
Brumbaugh	Hadley	Mondell	Taylor, Colo.
Buchanan	Hamilton, Mich.	Montague	Temple
Burroughs	Hamlin	Moon	Thomas
Byrnes, S. C.	Hardy	Moore, Pa.	Tilson
Byrns, Tenn.	Harrison, Miss.	Moores, Ind.	Timberlake
Campbell, Pa.	Harrison, Va.	Morgan	Tinkham
Candler, Miss.	Hastings	Morin	Towner
Cantrill	Haugen	Mott	Venable
Carter, Okla.	Hawley	Neely	Vestal
Church	Hayden	Nelson	Vinson
Classon	Heflin	Nicholls, S. C.	Volstead
Collier	Helm	Nichols, Mich.	Walker
Connally, Tex.	Helvering	Nolan	Walton
Connelly, Kans.	Hensley	Oldfield	Wason
Cox	Hilliard	Olney	Watkins
Crago	Huddleston	Osborne	Watson, Pa.
Crisp	Hull, Iowa	Overstreet	Webb
Dale, Vt.	Hull, Tenn.	Padgett	Welling
Dallinger	Igoe	Parker, N. J.	Whaley
Decker	Jacoway	Parker, N. Y.	Wheeler
Dent	Johnson, Ky.	Phelan	White, Me.
Dewalt	Jones	Pou	White, Ohio
Dickinson	Keating	Pratt	Williams
Dixon	Kennedy, Iowa	Quin	Wilson, Ill.
Doolittle	Kettner	Rainey, J. W.	Wilson, La.
Doremus	Kinkaid	Raker	Wilson, Tex.
Drane	Kitchin	Randall	Wingo
Dunn	Kraus	Robbins	Wise
Eagle	La Follette	Rogers	Woods, Iowa
Ellsworth	Langley	Rouse	Woodyard
Esch	Larsen	Rubey	Wright
Evans	Lea, Cal.	Rucker	The Speaker
Fairchild, B. L.	Lee, Ga.	Sabath	
Fairfield	Lehlbach	Sanders, La.	
Farr	Lesher	Scott, Mich.	

NAYS—4.

Cooper, Ohio	Fordney	Smith, Idaho	Walsh

ANSWERED "PRESENT"—4.

Browning	Cooper, Wis.	Schall	Sumners

NOT VOTING—215.

Anthony	Dale, N. Y.	Garland	Johnson, S. Dak.
Ashbrook	Darrow	Garner	Johnson, Wash.
Austin	Davidson	Gillett	Juul
Bacharach	Davis	Glass	Kahn
Baer	Delaney	Glynn	Kearns
Black	Dempsey	Godwin, N. C.	Kehoe
Bland, Ind.	Denison	Good	Kelley, Mich.
Bowers	Denton	Goodall	Kelly, Pa.
Britten	Dies	Gordon	Kennedy, R. I.
Brodbeck	Dill	Gould	Key, Ohio
Burnett	Dillon	Graham, Ill.	Kiess, Pa.
Butler	Dominick	Graham, Pa.	Kincheloe
Caldwell	Donovan	Gray, N. J.	King
Campbell, Kans.	Dooling	Greene, Mass.	Knutson
Cannon	Doughton	Gregg	Kreider
Caraway	Dowell	Griest	LaGuardia
Carew	Drukker	Hamill	Lazaro
Carlin	Dupré	Hamilton, N. Y.	Lever
Carter, Mass.	Dyer	Haskell	Littlepage
Cary	Eagan	Hayes	Lobeck
Chandler, N. Y.	Edmonds	Heaton	Lufkin
Chandler, Okla.	Elliott	Heintz	Lundeen
Clark, Fla.	Elston	Hersey	Lunn
Clark, Pa.	Emerson	Hicks	McAndrews
Claypool	Estopinal	Holland	McCormick
Cleary	Fairchild, G. W.	Hollingsworth	McCulloch
Coady	Fess	Hood	McKenzie
Cooper, W. Va.	Flood	Houston	McKinley
Copley	Flynn	Howard	McLaughlin, Pa.
Costello	Focht	Humphreys	Madden
Cramton	Foss	Husted	Maher
Crosser	Freeman	Hutchinson	Mann
Currie, Mich.	Fuller, Ill.	Ireland	Mason
Curry, Cal.	Fuller, Mass.	James	Meeker

Merritt	Rankin	Sells	Switzer
Mudd	Rayburn	Shackleford	Talbott
Norton	Reavis	Sherwood	Templeton
Oliver, Ala.	Reed	Siegel	Thompson
Oliver, N. Y.	Riordan	Slayden	Tillman
O'Shaunessy	Roberts	Sloan	Treadway
Overmyer	Robinson	Smith, Mich.	Van Dyke
Paige	Rodenberg	Smith, C. B.	Vare
Park	Romjue	Smith, T. F.	Voigt
Peters	Rose	Snyder	Waldow
Platt	Rowe	Stafford	Ward
Polk	Rowland	Stedman	Watson, Va.
Porter	Russell	Steenerson	Weaver
Powers	Sanders, Ind.	Stephens, Nebr.	Welty
Price	Sanders, N. Y.	Sterling, Pa.	Winslow
Purnell	Sanford	Stevenson	Wood, Ind.
Ragsdale	Saunders, Va.	Strong	Young, N. Dak.
Rainey, H. T.	Scott, Iowa	Sullivan	Young, Tex.
Ramsey	Scott, Pa.	Sweet	Zihlman
Ramseyer	Scully	Swift	

The SPEAKER. The Clerk will call my name.

The Clerk called the name of Mr. CLARK of Missouri, and he answered "Yea."

So the motion was agreed to.

The Clerk announced the following pairs:

Until further notice:

Mr. DILL with Mr. HICKS.
Mr. THOMPSON with Mr. ELSTON.
Mr. STEPHENS of Nebraska with Mr. AUSTIN.
Mr. STEVENSON with Mr. SNYDER.
Mr. WELTY with Mr. COOPER of Wisconsin.
Mr. CAREW with Mr. EMERSON.
Mr. DOOLING with Mr. JUUL.
Mr. STEDMAN with Mr. WARD.
Mr. SLAYDEN with Mr. MCKINLEY.
Mr. TALBOTT with Mr. BROWNING.
Mr. SUMNERS with Mr. REAVIS.
Mr. ASHBROOK with Mr. BACHARACH.
Mr. CALDWELL with Mr. BLAND of Indiana.
Mr. CARAWAY with Mr. COOPER of West Virginia.
Mr. ESTOPINAL with Mr. SANFORD.
Mr. KEY of Ohio with Mr. HUTCHINSON.
Mr. KEHOE with Mr. MUDD.
Mr. LITTLEPAGE with Mr. FOSS.
Mr. HOWARD with Mr. GOULD.
Mr. MAHER with Mr. HAYES.
Mr. O'SHAUNESSY with Mr. HEATON.
Mr. FLOOD with Mr. GLYNN.
Mr. PHELAN with Mr. KREIDER.
Mr. CHARLES B. SMITH with Mr. STEENERSON.
Mr. FLYNN with Mr. HERSEY.
Mr. THOMAS F. SMITH with Mr. WALDOW.
Mr. TILLMAN with Mr. DOWELL.
Mr. STERLING of Pennsylvania with Mr. SWIFT.
Mr. SULLIVAN with Mr. SIEGEL.
Mr. BURNETT with Mr. CANNON.
Mr. DALE of New York with Mr. DEMPSEY.
Mr. DOMINICK with Mr. DENISON.
Mr. BAER with Mr. CAMPBELL of Kansas.
Mr. DONOVAN with Mr. ELLIOTT.
Mr. CLEARY with Mr. COPLEY.
Mr. DENTON with Mr. GEORGE W. FAIRCHILD.
Mr. DUPRÉ with Mr. CHANDLER of New York.
Mr. BRODBECK with Mr. FESS.
Mr. EAGAN with Mr. COSTELLO.
Mr. COADY with Mr. ANTHONY.
Mr. CARLIN with Mr. CURRY of California.
Mr. DELANEY with Mr. DARROW.
Mr. CROSSER with Mr. BOWERS.
Mr. CLARK of Florida with Mr. DAVIS.
Mr. GORDON with Mr. CLARK of Pennsylvania.
Mr. GREGG with Mr. BRITTEN.
Mr. GARNER with Mr. GILLETT.
Mr. OLIVER of Alabama with Mr. MERRITT.
Mr. ROMJUE with Mr. PAIGE.
Mr. HOLLAND with Mr. KING.
Mr. RUSSELL with Mr. PLATT.
Mr. OLIVER of New York with Mr. KNUTSON.
Mr. GLASS with Mr. GREENE of Massachusetts.
Mr. SAUNDERS of Virginia with Mr. MCKENZIE.
Mr. MCANDREWS with Mr. KEARNS.
Mr. PRICE with Mr. MCCULLOCH.
Mr. HAMILL with Mr. GRIEST.
Mr. OVERMYER with Mr. MADDEN.
Mr. HOOD with Mr. HASKELL.
Mr. RIORDAN with Mr. KENNEDY of Rhode Island.
Mr. HOUSTON with Mr. FULLER of Illinois.
Mr. ROBINSON with Mr. HUSTED.
Mr. HENRY T. RAINEY with Mr. KIESS of Pennsylvania.
Mr. LEVER with Mr. IRELAND.
Mr. PARK with Mr. GOODALL.
Mr. LOBECK with Mr. MEEKER.
Mr. KELLY of Pennsylvania with Mr. JAMES.
Mr. POLK with Mr. LUFKIN.
Mr. RAGSDALE with Mr. KAHN.
Mr. SCULLY with Mr. SELLS.
Mr. WEAVER with Mr. STRONG.
Mr. YOUNG of Texas with Mr. GRAY of New Jersey.
Mr. DOUGHTON with Mr. WINSLOW.
Mr. FREEMAN with Mr. ZIHLMAN.
Mr. SHACKLEFORD with Mr. PETERS.
Mr. WATSON of Virginia with Mr. ROBERTS.
Mr. LAZARO with Mr. RODENBERG.
Mr. CLAYPOOL with Mr. ROWE.
Mr. GODWIN of North Carolina with Mr. SANDERS of Indiana.
Mr. KINCHELOE with Mr. RAMSEYER.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors.

LEAVE OF ABSENCE.

Mr. BROWNING, by unanimous consent, was granted leave of absence indefinitely, on account of important business.

WATER-POWER LEGISLATION.

The SPEAKER. The House resolves itself into Committee of the Whole House on the state of the Union for the further consideration of the bill S. 1419, with the gentleman from North Carolina [Mr. WEBB] in the chair.

Thereupon the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill S. 1419, with Mr. WEBB in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill S. 1419, and the gentleman from Tennessee [Mr. SIMS], if he has not concluded his remarks, is recognized. The Clerk will report the bill.

The Clerk read the title of the bill, as follows:

A bill (S. 1419) to amend an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906, as amended by the act approved June 23, 1910, and to provide for the improvement and development of waterways for the uses of interstate and foreign commerce.

Mr. SIMS. Mr. Chairman, while I have no desire or disposition to urge the passage of this bill without proper and due consideration, I hope that we may continuously consider it and pass it as early as we can, consistent with due consideration, and I am now going to finish my opening statement.

While I do not object to having questions asked me, many questions will naturally arise in the reading of the bill by paragraphs in the amendment stage, and I would be glad if gentlemen who have questions that they wish to ask that will apply more properly when we consider the bill by paragraphs for amendment would withhold their inquiries until that time.

Mr. COLLIER. Has any agreement been reached with reference to general debate on this bill?

Mr. SIMS. Not yet.

Mr. COLLIER. You have never set any time when you expect to close general debate?

Mr. SIMS. No; no time has been agreed on.

Mr. Chairman, when I closed my remarks—or, rather, when I ceased to continue my remarks—on Tuesday, I had not covered anything like the general scope and purposes of the bill. As I said, or intended to say, before, this bill, in its terms and in its provisions, provides for all kinds of water-power development. Consequently there is something in the bill that almost every Member favors. Some Members are interested in the development of water power in the forest reserves. Therefore, the provisions of the bill applying to forest reserves are of special interest to them. Those interested in the public lands are likewise specially interested. Those who are interested in water-power development on the navigable rivers are also specially interested in that part of the bill. In theory the bill is also very latitudinous, very broad, covering all subjects and projects of water-power development and all questions arising thereon.

I think—and I do not say it because I happen to be a member of the committee or its chairman—but I really think it is one of the most comprehensive and one of the best water-power bills that has ever been reported to the House, and in saying that I do not say it can not be made better by amendment. I do not say that I approve every detail of the bill, or every paragraph; but it is a bill that we ought to pass, and I do hope that Members of the House who are interested in the bill and want to know its provisions will not absent themselves the very moment we begin to consider it. If they do, the consideration in general debate will be a failure, so far as a majority of the House is concerned, and then it will take very much longer to consider

the bill in the amendment stage under the five-minute rule, because the questions that are discussed in general debate arise in the minds of Members at the time, and not having given attention to the general debate and not knowing what has been discussed in it, they are anxious to know, when we are under the five-minute rule, what they would in general debate have learned; at least, they would have knowledge of the position of the committee or of members of the committee if they had remained in the Hall during general debate.

This bill provides for unlimited, unrestricted development and operation of water-power projects by the United States Government. This appears in section 7, in the last portion of it, and I will read that at this time, because it is very short and covers what I have just stated. The latter paragraph of section 7 is as follows:

That whenever, in the judgment of the commission, the development of any project should be undertaken by the United States itself, the commission shall not approve any application for such project by any citizen, association, corporation, State, or municipality, but shall cause to be made such examinations, surveys, reports, plans, and estimates of cost of the project as it may deem necessary, and shall submit its findings to Congress with such recommendations as it may deem appropriate concerning the construction of such project by the United States.

Those who believe in Federal Government ownership and operation of water-power projects will find what they believe in provided for not only in principle but to some extent in detail in the bill. So those people who care more for United States Government ownership than they do for the other provisions of the bill have a provision in the bill that, I imagine, will meet with their hearty approval.

The bill further provides for limited, conditional, and restricted development and operation of such projects by the State governments. Therefore those who believe that projects of this kind should be owned, developed, and operated by the States in which the projects are located have State ownership and operation provided for in the bill.

Mr. LONDON. Will the gentleman yield?

Mr. SIMS. Let me finish stating the general scope of the bill and then I will yield. The bill further provides for limited, conditional, and restricted development and operation of such projects by municipalities. So those who believe in cities or other municipalities owning water-power projects have their views provided for in the bill. The power given to the United States Government to develop, own, and operate projects of this kind is without any limit or restriction whatever, except as to the consent of Congress and the appropriation of the necessary funds. Of course, no permit can be given to the Government of the United States by the commission, because its sovereignty over this question is of the highest in degree and form. The States have a qualified and limited right; that is, they must first obtain a license from the commission; but the right of the States is made preferential as against private individuals and corporations. The municipality—that is, a city, a county, or some other form of municipal government—has exactly the same kind of preferential right. It must have permission from the commission. Therefore it is given restricted and limited municipal ownership.

The bill provides for limited, conditional, restricted, and regulated development and operation of such projects by private corporations and by private persons or individuals or copartnerships. So we have in effect and in principle Government ownership and operation in all forms, but not exclusive in any, and we have private corporation, individual, or copartnership ownership and operation, limited, restricted, and regulated. That is the entire scope of the bill. All the rest of the bill relates more or less to details of the application of these fundamental propositions. Now I yield to the gentleman from New York.

Mr. LONDON. As between the State and a private corporation, the commission are to prefer the State government, are they?

Mr. SIMS. It will have the power, and it is practically mandatory that it shall do so.

Mr. LONDON. That they shall?

Mr. SIMS. Yes.

Mr. LONDON. As between private capital and the Nation, however, the commission have no power except to make an investigation and to report the facts to Congress, with the suggestion that Congress may act?

Mr. SIMS. I do not understand it to be that kind of a limitation, because Congress would have to make an appropriation; and when the commission deems it in the public interest that the United States should develop, own, and operate a project it will make a report to Congress, giving its reason for coming to that conclusion, with its recommendations, so that Congress may provide the means with which to do it, because the commission has no power to make an appropriation or make a charge upon the Treasury.

Mr. LONDON. The point I am driving at is this, that as between State governments and private capital the commission is not only authorized but directed to give preference to the States as against private capital.

Mr. SIMS. Yes.

Mr. LONDON. But when the issue arises between the Nation and private capital, then the bill limits the power of the commission to investigation and to recommendation to Congress. Is not that correct?

Mr. SIMS. No; not as stated by the gentleman. It provides that the commission shall withhold any permit applied for by a State, municipal corporation, or private interests on any particular project and make report with recommendation. The United States is not in a position to make formal application for permission to its own commission. Therefore in such a case the commission will refuse to grant the license and present the project to Congress, with a statement of its reasons why the project should be developed by the United States Government. It is not presented for the approval of Congress, except in the sense that nothing could be done by the commission in development of the project if Congress did not approve of it and provide the necessary appropriation. But it must be presumed that if the commission refuses a permit for the development of any particular project for the reason that it deems it to be in the public interest that the Government should develop, own, and operate it, that Congress would in all probability make the necessary appropriation.

Mr. DOREMUS. I think what the gentleman from New York desires to know is whether there is any power in this bill under which the Federal Government could develop one of these water-power projects.

Mr. LONDON. Exactly. I am very much obliged to the gentleman from Michigan for helping me out by stating the question so clearly.

Mr. DOREMUS. Of course the chairman of the committee knows that there is a very clear answer to that. There is no such power in the bill.

Mr. SIMS. It is absolutely true that the commission has no power under this bill to proceed on its own motion, on its own initiative, to develop and operate a project independent of further action by Congress in the way I have just stated.

Mr. LONDON. Congress does not confer upon anybody the power to organize or to run any water-power development on behalf of the Government?

Mr. SIMS. No; not without special legislation for that purpose.

Mr. LONDON. It would require special legislation?

Mr. SIMS. Certainly; but the power to prevent its being developed by State, municipal, or private corporations is clear. I am assuming that the public reasons which will move the commission to withhold a license will also induce Congress to provide the money that may be necessary.

Mr. LONDON. Will the gentleman please state what are the fundamental points of difference between the House bill and the Senate bill?

Mr. SIMS. I have not gone into that with a view of trying to state exactly the difference. One of the fundamentals is that the bill as reported provides for a license for not exceeding 50 years. I am more familiar with the Senate bill that passed in the last Congress than with this one, because I was a member of the conference committee; but as I recall it the Senate bill does not provide for any charge to be made by the Government of the United States for the water used or the power produced, but the Senate bill applies only to navigable rivers. As I understood it, the Senate took the position that the Government had no property rights in the water or the power resulting from it, as a dam built upon a navigable stream with the consent of the Government for the purpose of improving navigation.

Therefore the Senate has in substance held that we have no right or power to impose a charge for the water power created by navigation dams built at the expense of private corporations or individuals acting under permit to do so. That is one of the fundamental differences, but I do not regard the unlimited 50 years as a very real difference in principle. Our substitute bill, which we have reported, says not exceeding 50 years. Nearly every bill that has heretofore been before Congress has assumed that 50 years is the normal period.

Mr. LONDON. The Senate bill provides 50 years.

Mr. SIMS. A flat 50 years. And the House bill says not exceeding 50 years.

Mr. ALMON. Will the gentleman permit a question?

Mr. SIMS. Certainly.

Mr. ALMON. I would be glad to have the chairman give his views on the question whether he thinks the National Government has any interest and should be paid for the use of water on navigable streams where the navigation dams are put in by

private capital with the permission of the United States or the War Department.

Mr. SIMS. I have very positive views on that question and I do not hesitate to give them. Private capital is doing whatever it does do as the agent of the Government of the United States. There is no question that if the Government constructs a dam for navigation purposes and water power results from such Government expenditure that the Government has the right to charge for that water power. Then when the Government says to you or to me or to a corporation, "You may make this improvement which the Government has the right and duty to make for the benefit of navigation, and we give you certain benefits in lieu of interest on the money that you put into this project." What is it that we do? We give the applicant an opportunity to make all he can out of this project in compliance with and under such conditions as we impose in the license. Usually it has been done by special act of Congress in each project. In this bill it will be done by permit of the commission without a special act. The Government has the right to do by an agent what it can do itself. It is a voluntary matter on the part of the private developer. The private developer does not have to do it, there is no compulsion placed upon him, we can not force him to do it and then make a charge for what he produces. There is no question that the United States Government has the right to make the charge. In fact, the Government has the right to make the charge because it has the right to make the development and sell the power directly as a means of reimbursing itself for the expenditure, and would have absolute control of the price or charge made for the power disposed of by it. Therefore it has the right and power if any applicant seeks for his own profit or his own benefit to make the development, that he must do it under such limitations and conditions as the Government places on him, and which are set out in and made a part of the license.

Mr. BANKHEAD. Will the gentleman yield?

Mr. SIMS. Yes.

Mr. BANKHEAD. What has been the policy of the War Department in reference to fixed charges against water power or enterprises constructed by private capital?

Mr. SIMS. I do not think the War Department has ever authorized the construction of any dams of that kind; it has always been done by act of Congress.

Mr. MAYS. Will the gentleman yield?

Mr. SIMS. I will.

Mr. MAYS. Does the gentleman believe that the right of the Government extends to nonnavigable streams?

Mr. SIMS. Not unless they are on Government land. There is no attempt in this bill to have the Government exercise any power whatever except on navigable streams and streams on public lands. The Government, of course, can levey a tax on anything. The new revenue bill can levy a tax on every water power in the country, but that would be a tax for revenue purposes, and not a charge in the sense provided for in this bill.

Mr. MAYS. That would not be under the right to exercise control over the water power?

Mr. SIMS. No.

Mr. MAYS. The jurisdiction of the Government does not extend over such waters as are owned by the State government?

Mr. SIMS. Streams within the States and not navigable and not on Government lands are not subject to Government jurisdiction or control.

Mr. MAYS. What is the construction of the gentleman of that phrase which speaks of navigable streams and parts of navigable streams?

Mr. SIMS. Some are navigable a part of the way and not all the way; some are navigable for 100 miles and then occurs a break, and then headwater navigation exists beyond the obstruction and the head of the stream.

Mr. MAYS. And the Government control extends only over that part which is navigable?

Mr. SIMS. Yes; or to any tributary the obstruction of which would impair the navigability of the navigable portion of the river. That was fully discussed the other day in my remarks made in my opening statement.

Mr. MAYS. But the gentleman's speech is not in the RECORD.

Mr. SIMS. Oh, yes; it is.

Mr. ALMON. Will the gentleman yield further?

Mr. SIMS. Yes.

Mr. ALMON. I do not think the chairman has answered my question and probably because I did not make it plain enough. I would like to ask the chairman if he believes that the National Government has any interest in navigable streams except for navigation purposes?

Mr. SIMS. The gentleman means property interest?

Mr. ALMON. Yes; property interest,

Mr. SIMS. I would not say that it had title in the sense of owning the water itself. But whenever you have to have Government consent to do anything the person seeking the consent must accept the terms imposed by the Government as a condition of the consent given.

Mr. ALMON. Let me put it another way: Does the gentleman think the National Government has any right to charge a royalty for the use of water power in the navigable streams where the National Government has permitted private capital to put in a dam the result of which improves navigation and develops water power?

Mr. SIMS. If the license is issued giving permission to do so on the conditions expressed and set out in the license, there is no doubt about it, in my judgment.

Mr. ALMON. The gentleman is evading my question, of course not intentionally, I am sure.

Mr. SIMS. Oh, no.

Mr. ALMON. I am asking if the Government has it as a matter of right.

Mr. SIMS. Constitutional right?

Mr. ALMON. As a matter of legal right, has the National Government any property rights in it other than for navigation purposes?

Mr. SIMS. I would not think the National Government could take possession of the water and sell it or divert it from the channel of the river to the injury of private owners below the dam without making just compensation to all parties for any injury or damage sustained.

Mr. ALMON. If the National Government has no interest in navigable streams, except for the purposes of navigation, then is it not a fact that the United States Government has no right or authority or power to charge a royalty for the use of water power developed on a navigable stream by permission of the Gvernment which results in the improvement of navigation and the development of water power?

Mr. SIMS. I think the Government has a perfect right to make it a condition on which the permit shall be issued.

Mr. ALMON. Then the gentleman has answered it in the affirmative, that, in his opinion, the Government has that right to charge.

Mr. SIMS. It has the power under the provisions of this bill; that is, under the provisions of the proposed substitute.

Mr. LONDON. Mr. Chairman, will the gentleman yield?

Mr. SIMS. Yes.

Mr. LONDON. Is not one of the very elements of property the right to control the thing in which we possess property?

Mr. SIMS. I think so.

Mr. LONDON. As long as the Government has that property, it exercises the power which ordinarily goes with the possession of property.

Mr. SIMS. I think so.

Mr. SINNOTT. Mr. Chairman, will the gentleman yield?

Mr. SIMS. I am afraid that the House will tire of hearing me.

Mr. SINNOTT. I desire to call to the recollection of the gentleman the decision in the case of Chandler-Dunbar, where the Supreme Court held that the Government had a right to charge for the surplus water power that might be developed there, although I understand in that case the Government itself proposed to construct the dam, and in that case I think the Government secured by condemnation title to the bed of the stream and to the banks.

Mr. SIMS. The Chandler-Dunbar case, as I recall, is included in the hearings, and naturally I supposed that Members have that case in their minds when asking questions.

Mr. LONDON. Every piece of land which is not private property is public property. Is not that so?

Mr. SIMS. Yes; but sometimes I hear land called "No Man's Land."

Mr. LONDON. No Man's Land is now under the control of several international interests, but within the territory of a nation whatever land is not private property is public property.

Mr. SIMS. Undoubtedly that is so as a general proposition.

Mr. LONDON. If the navigable rivers are not privately owned, they are necessarily publicly owned. Let us get down to fundamentals, for we are dealing with things as God created them.

Mr. SIMS. The contention has been made that the Government of the United States has no interest in navigable waters within a State, except to prevent any obstruction to navigation.

Mr. LONDON. Let us get down to the basis of things.

Mr. SIMS. It is a legal question. The Chandler-Dunbar case seems to me to settle it very much along the line of the gentleman's contention.

Mr. LONDON. Oh, certainly; for no good Supreme Court judge could disagree with me in my reasoning upon fundamentals. I am sure of that.

Mr. SIMS. Here is a water power that arises out of the improvement of a navigable river for navigation purposes. The Government of the United States is charged with the duty of maintaining navigation. Therefore, as a means of maintaining navigation it may do it by locks and dams, and from the dam thus built, which no one questions the right of the Government to construct, and which is made necessary if that plan of improvement be adopted, a profitable water power is created, which may be used primarily as a water-power project, or it may be used for the purpose of generating electricity, which electricity takes the place of water power, because, as I explained the other day, it is easier of transmission, and in that way water power and the hydroelectric power are purely by-products of the chief purpose of the improvement of the stream for navigation. This chief purpose is to improve navigation and to maintain it, and when the Government does so at its own expense it certainly is entitled to anything and everything that grows out of the improvement, financially or otherwise, and the Government can, therefore, charge for this power. It has a perfect right to charge. The power is a by-product, pure and simple, and is not the chief or primary object of improving the river.

Mr. MAYS. Mr. Chairman, will the gentleman yield?

Mr. SIMS. Yes.

Mr. MAYS. Would that theory also apply to the nonnavigable streams upon the public domain?

Mr. SIMS. If the lands upon which the power site rests are owned by the Government of the United States, then it owns to the top and the bottom of the river and upon both sides, and has all of the elements of proprietorship that anyone could have, and it can do as it pleases with its own.

Mr. MAYS. How about the water?

Mr. SIMS. The Government can develop the water power and operate it.

Mr. MAYS. And use the water?

Mr. SIMS. And sell the current or sell the products made from the current.

Mr. MAYS. And use the water which belongs to the States?

Mr. SIMS. Oh, I am not going into that question. I know the question out there that you gentlemen have is one on which you are very much better advised, and I do not undertake to settle it. I am yielding the discussion of every question touching water-power rights upon the public domain to the members of the Public Lands Committee, six of whom are members of this committee. I am leaving the discussion of public-land questions to them.

Mr. SINNOTT. I might direct the attention of the gentleman to the decision in the case of the Utah Power Co., where the Supreme Court held that any charge or any condition might be imposed, not for the use of the water, but for the use of the land contiguous to the water.

Mr. MAYS. I understand the case; that is a question of the right of pipe lines to cross the public domain.

Mr. SINNOTT. The right to make this use of the public land.

Mr. MAYS. I want to ask the chairman of the committee one further question. If a private individual owned land on both sides of a navigable stream, he would own the sites to the bottom. It would be the gentleman's theory that he would have the right to do whatever he pleased with the water flowing over his land without making any further arrangement with any power whatsoever?

Mr. SIMS. He could not impair navigation.

Mr. MAYS.. I am sepaking of a nonnavigable stream.

Mr. SIMS. Yes; unless he violates some law of the State or Nation.

Mr. MAYS. He would have to get some permission from the State government to use the water, even though he owned land on both sides to the bottom of the stream.

Mr. SIMS. Well, I understand there is a very different law that applies in the West to that on the Atlantic or eastern part of our country. Out there the right depends upon the appropriation of the water itself rather than what we call the riparian rights, growing out of the ownership of the banks of the river and the lands to the center of the stream. I shall ask the gentleman to pardon me; I am not prepared as I ought to be to go into that question as fully as I would like. Where the States have laws, jurisdictions, and rights and the Government has laws, jurisdictions, and rights, both have to be compiled with, as far as not conflicting.

Mr. MAYS. I am simply undertaking to adopt the gentleman's illustration a while ago of the power exercised by the Government if it owns the land over which a nonnavigable stream flows with the property rights of an individual who might also own land over which a nonnavigable stream flows. You are giving in your statement power to the General Government that a private owner would not be allowed to exercise.

Mr. SIMS. Where the Government owns the land on both sides of a river, I can see no limitation, only such limitations as Congress imposes on the Government itself in reference to such streams.

Mr. MAYS. We have such limitations in all the public-land States.

Mr. SIMS. Well, I will say to the gentleman I am going to leave the discussion of that matter entirely to gentlemen who are familiar with it. Now, I want to go into the question of the importance and practicability of developing hydraulic power upon the navigable rivers of the whole country not situated upon public lands. We have gone into the question to some extent as to whether or not the Government of the United States ought to do the developing; also the question as to its power to do the developing, and whether or not it shall surrender its right temporarily to private interests to do for the Government what ought to be done in this regard. There is no question about its power to do so; not a particle. I want to read you what was said by a very competent gentleman, a very competent man on this subject, as to the amount and the cost of improvements on navigable rivers by either public or private capital, and the number of miles of navigable waters that require improvement by canalization. Water power does not arise only where locks and dams are made necessary; only where navigation dams are of sufficient height to develop a water power sufficient to justify its installation as a matter of industrial interest. I now read from a statement by Mr. Leighton, consulting engineer, Washington, D. C., who spent many years in the Government service and who is a man of ability and learning, and has been recognized, as far as my knowledge goes, as an authority on the questions that are pertinent to the present inquiry. I will read from his testimony as to the amount of development that can be brought about in the navigable streams of the country as a result of improvement for navigation purposes. On page 477 of the hearings, part 1, Mr. Leighton says, in commenting upon the statement made by Mr. Townley:

> While I would not go as far as Mr. Townley did in asserting that the bill that is before you will not permit the development of a large number of water powers, I can not, as an engineer who has become more or less familiar with the steam power versus water power question, fail to appreciate the profound engineering point made by Mr. Townley, namely, that from the standpoint of economy and efficiency steam power is going to overshadow hydroelectric power to a degree that will astonish the layman. Of course Mr. Townley spoke from an engineering standpoint, and in reviewing his testimony it may help you in your appraisal of his statements to know that, although he did not mention the fact, Mr. Townley is chairman of the power committee of the engineering council. That council is far and away the highest and most authoritative engineering body in the world. A seat in that council is secured only by actual attainment and achievement, and the seats are few in number. In fact, a seat in that council is regarded by engineers in the same way that lawyers regard a seat in the Supreme Court of the United States.

Mr. Townley said in the opening of his statement:

> I would like, if you please, to speak of this subject not on a war basis, but on a peace basis, because the development of water power takes quite a while, and unless the war should be drawn out to last a very long time it would be difficult to develop any very large number of water powers and have them in operation in time to be of service in the war.
>
> The introduction of electricity as a means for transmitting power over considerable distances and its subsequent rapid development completely changed the status of hydraulic power. Previously such power could only be used near falling water. Now it is commercially available in convenient form within a radius, in some instances, up to 200 miles—a fact that has made it possible to utilize water powers even when located in remote and inaccessible places. Indeed, to-day practically all hydraulic developments of any magnitude are hydroelectric.
>
> Along with improvements in the art of electrical transmission have come equally rapid developments in the application of electricity. Electric light has become almost the universal illuminant. Electric motors largely drive our factories and propel all our street cars. They have made substantial progress in replacing steam locomotives on some large railroads, while the manufacture of nitrogenous products for explosives and fertilizers and of such products as abrasives and aluminum depends for its commercial success on electrochemistry. In an endeavor to supply the demand for electric current thus created large central generating stations have been established in or near all large centers of population.
>
> In the light of the foregoing it might seem reasonable to suppose that a large proportion of the modern demand for electric current would be supplied from the energy in falling water. Such, however, is not the case. Accurate statistics are difficult to obtain, but some approximate totals may prove illuminating. It has been estimated by a careful engineer that in 1911 there were over 26,000,000 steam-engine horsepower capacity in use (including railroad locomotives) in the United States. Making liberal allowances for correction in these several figures, it seems probable that there are in service from four to five times as many steam as water horsepower, and that there are still undeveloped water horsepower equal at least to twice that of all the steam capacity in service. Some of the undeveloped power sites are too remote from any market to be now utilized, and an uncertain number are not commercial prospects; but, even so, it is clear that the possibilities of the additional development are very great.

As has been brought out by previous testimony, no accurate estimate of the total amount of hydraulic power is obtainable, but the figure most frequently used for all the water power in the United States is probably 60,000,000 horsepower. I make that statement with a reservation, because it is based on admittedly meager information, but I know of no better figure to use.

The United States census in 1912 gave 4,870,000 horsepower of this hydraulic power developed; and Mr. Merrill's report, which the Secretary of Agriculture presented in January, 1916, estimated that this total had been increased to six and a half millions.

There are two fundamental causes which have militated against the substitution of hydroelectric for steam-electric power. One is economic and permanent; the other is statutory, and therefore subject to modification. Both reasons apply to some powers, but neither, fortunately, to all. The economic and permanent reason is high cost of development, due to natural conditions. Electric power generated by falling water is inferior to that generated by steam in every particular except cost, and therefore water-driven service must be cheaper than steam-driven in order to justify its existence.

The price for service depends primarily on cost, and cost divides itself naturally into two main items, namely, operation (including maintenance) and fixed charges. As a hydroelectric plant consumes no fuel, its operating cost is less than that of an equivalent steam-driven plant. On the other hand, a steam plant only costs usually from one-fifth to one-half as much per unit of capacity as a hydroelectric plant, so that the latter must carry very much heavier fixed charges.

The disability of water service is usually even greater than the ratio of the costs of two equivalent complete developments. A power enterprise seldom comes into being with a market for its entire ultimate output. Therefore, when steam is to be the motive power only such capacity is installed as initial demands require and the cost per unit is fairly proportional to that of the ultimate development. In a water development, on the contrary, a large part of the cost is for riparian rights, for the dam, impounding reservoir, flume, forebay, etc., and for the transmission right of way, towers, etc., which must at the start be largely provided and constructed for the complete installation. The obvious result is a greater fixed charge per unit of capacity and a higher cost per horsepower delivered for sale.

In forecasting the commercial prospects of a power enterprise the possible market must be studied and, of course, a sale price for power decided upon. As this price is controlled by the cost of similar service from other sources, usually from steam, and as it must be attractive from the start, the additional burden of fixed charges on the initial part of a hydroelectric installation frequently forces the sale of its power below cost. The projectors of the enterprise then must rely for success on a sufficient subsequent increase in their markets. The possibility of an incorrect forecast of the extent of such increase and of the time when it may come imposes a serious business hazard against water and in favor of steam.

It has been frequently pointed out that, as the Nation's coal supply is depleted, the cost of coal must rise, thus increasing the cost of steam-electric power as a competitor and raising the market value of hydro-electric power accordingly. The rising price of coal is a matter of record, but it is not so generally known that the improved efficiency of steam-producing machinery (boilers, engines, generators, and auxiliaries) has more than kept pace, so that the net cost of producing electric power from coal has steadily declined. As applied to the prewar period it may be stated that over a period of 10 years the cost of coal has risen on an average 1 per cent per year, while the cost of electric power produced from coal has fallen on an average 2½ per cent per year. In addition to these facts—still referring to prewar conditions—the cost of steam-electric generating equipment has been greatly reduced. This fact is due partly to the introduction and subsequent improvement of the steam turbine, and in part to the great increase in the size of the units now available.

There is nothing to indicate that the limit of improvement in the design of steam prime movers has been reached or is even in sight. It is, therefore, a reasonable assumption that further advances in the art will continue to occur and to cut down both the fixed charges and the operating cost of steam power as a competitor of water. The largest modern steam turbine has now some twelve times the capacity which the largest reciprocating engine had 15 years ago. Stated another way, the cost of a steam-electric plant per unit of capacity just before the war was about one-third what it was 15 years previous, while the energy it produces per pound of coal has increased 50 per cent.

Mr. Leighton spoke of that matter because Mr. Townley had discussed the probable amount of steam power produced by use of coal that will compete with hydroelectric power. As to the probable amount of water power that can be developed on the navigable streams he says:

The United States had paid up to June 30, 1916, to establish and maintain navigable waterways in the rivers and harbors of the country $898,543,252.47. Of this amount there has been spent on the nontidal portions of our rivers, aggregating about 18,500 miles, $277,000,000. The greater portion of that mileage is in rivers and bayous of low slope where the cost per mile of improvement and maintenance for the depths achieved is relatively low. On those parts of our navigable streams which by reason of their high slope are suitable for water-power development, a total length of 4,200 miles, the amount expended by the United States was about $71,500,000. Now, it is an astonishing fact that on none of those streams or parts of streams is there any assured navigable capacity such as is necessary to beget confidence in and habitual use of waterway routes by shippers, except along those stretches where the United States or private capital has made canalization improvements. Of course these navigation projects have been modified from time to time and in many ways, with an ultimate loss of a very large sum of money. In practically every case the reason for modification or abandonment has been that the ruling navigable depths that could be achieved for a reasonable expenditure were not sufficient to promote or to make possible the productive use of the rivers for transportation.

You are familiar with the fact that these rivers of high slope can be improved somewhat by the so-called open-channel methods, but the only way by which they can be made to give an assured navigable capacity is by canalization; that is, the creation of a series of slack-water pools by the erection of dams, and through which dams the boats ascend or descend via locks.

Canalization costs are heavy. Comparatively few rivers promise enough traffic in advance of improvement—and there is the crucial point—in advance of improvement to warrant the necessary expenditure.

The reports of the War Department to Congress concerning the advisability of improving this or that waterway wind up with an expression like this:

"Assured navigable depths on this river can not be secured except by canalization, which can not at present be recommended because the cost will be gerater than the now apparent benefit."

The United States has expended for the canalization of 3,667 miles of river about $132,400,000—equivalent to $36,000 a mile. Much of the mileage is on streams of low slope, where a low dam will create a slack-water pool for a long distance upstream. The average cost of United States Government work on streams of high slope—streams having water-power sites—is $193,000 a mile.

There are in the United States at least 4,325 miles of river channels included in present existing navigation projects, or over which the Federal Government retains jurisdiction for navigation purposes, on which water-power developments could be made, having a total capacity of at least 10,200,000 horsepower.

Then Mr. Leighton goes on to speak of the details of the cost of canalization, on page 498.

Mr. GOODWIN of Arkansas. Will the gentleman yield?

Mr. SIMS. I will.

Mr. GOODWIN of Arkansas. Of the total horsepower capacity of 10,200,000, can the gentleman tell the committee how much has thus far been developed?

Mr. SIMS. That is just what I am going to do.

Now, the Engineer officers of the War Department know whereof they speak concerning the canalization of navigable streams at private expense. I am going to give you briefly some of the results.

We are coming to the point of these river improvements by private capital, about which Mr. Leighton further says:

The total length of waterways canalized and used at private expense under the direction of the War Department for through navigation purposes is 108 miles. These 108 miles of waterways cost the Government $214,720—equal to a per mile cost of $2,000 or thereabout. Contrast this with Government expenditure per mile, unaided by private capital, of $193,000. What cost was sustained by private capital we do not know. We know that it could not have been less than $40,000,000, and it has resulted in the development of 251,800 horsepower, which is being used by the public in furtherance of economic needs and social well-being.

One hundred and eight miles, Mr. Leighton says, has been improved by private capital at a cost that could not be less than $40,000,000. If we divide this sum by the number of miles, we find that these 108 miles of rivers thus improved by private capital—and, by the way, Mr. Leighton says the cost for these rivers is the prewar cost—makes an average cost of those 108 miles of canalization of $372,000 per mile by adding $2,000 per mile provided by the Government, 6 per cent interest on which will be $19,320 per annum per mile.

The total cost at this rate of canalizing 4,325 miles of river would be $1,708,900,000 at prewar cost of labor and material. Now remember that this $372,000 a mile for that which has been canalized by private capital is for the navigation improvement only; that is, for the dams and the locks and those necessary structures for operating a navigation dam. There is not a dollar included in that estimate for the erection of the water-power plant that furnishes the water power for the purpose of operating the electric-power plant called the generating plant. When you add to the $372,000 a mile the cost of the water-power machinery to operate the generating plant, and then add the cost of transmission lines over which the current reaches its destination, and then add the cost to it of the transformer stations which must be at each end of the line, and then add the cost of the distribution plant at the point of consumption, it presents a cost per mile of canalized river that is stupendous, and it seems to me to be almost beyond the possibility of private-capital undertaking to do anything of that sort for a limited period of 50 years and with the power of Government—municipal, State, and National—to prescribe the rates to be charged for current.

So it seems from the best evidence that I can get that the cost of improving navigable rivers simply for navigation purposes supplemented by the additional cost of the water-power plants, the generating plants, the transmission lines, transformer stations, and the distribution plants will be so great as to be prohibitive, except as to isolated parts of some of the rivers where a large and good market already exists and where the cost would run far below the average. High-power transmission lines would cost $14,000 to $15,000 per mile. So I see no prospects of immediate development by private capital growing out of canalized navigation projects, unless the power to be created by the improvement is so tremendous, so great, and so profitable that these stupendous capital expenditures can be made with reasonable hope of a fair return on the investment, which projects must necessarily be few indeed.

Mr. HUMPHREYS. There has been a good deal of effort and energy on the part of Congress in the past year to prevent private capital, however, from going into these streams and constructing dams for future development of water power, has there not?

Mr. SIMS. I do not think so. I do not remember the instances.

Mr. HUMPHREYS. There are a number of instances.

Mr. SIMS. I do not recall them.

Mr. HUMPHREYS. The Long Sault and the Coosa River I remember particularly.

Mr. SIMS. The gentleman is perhaps more familiar with them as projects than I am, as he is on the Committee on Rivers and Harbors.

Mr. HUMPHREYS. Congress otherwise would say nothing at all, which I do not commend; and Congress has said nothing at all. There is no sort of doubt that private enterprise can go and develop this water power to a tremendous expense.

Mr. SIMS. In spots.

Mr. HUMPHREYS. Of course, it is located in spots.

Mr. SIMS. I am coming to the discussion of a proposition which seems to me very essential to be considered. Is it necessary in the public interest to canalize these 4,325 miles of rivers for commercial purposes? Is it necessary to canalize all these miles of rivers in the public interest? If it is necessary in the public interest to improve the navigation of these 4,325 miles of rivers, which is a small portion of the 18,500 miles as a whole, if it is necessary—and I do not say it is not, because engineers like the gentleman of whom I have just read from say it will be in the public interest to improve all these miles for navigation—then, ought not they to be improved as a single project? Ought not all this mileage be improved if we are doing it for the benefit of the whole public, for the benefit of the Nation, and not for some particular spot or locality or some particular corporation or individual? If it is intended to benefit the whole country, if it is desirable that the whole 4,325 miles be canalized, I can not see how it can be done as a whole in any other way than by a corporation that is backed by the Government of the United States or by the Government of the United States itself. There is no doubt that many of the water powers that will arise by the building of navigation dams will be developed by private capital. Yet it is just as necessary to improve streams where it is not possible to have profitable water power incident to the navigation dams; in all such projects private capital will not be interested. Now, whatever is necessary to be done in the improving of navigation and the upbuilding of the country the Government ought to do, just as it has in the case of low-running streams, like the Mississippi, whether it is profitable or not. Nine hundred millions of dollars have been spent by the Government in the improvement of navigable rivers; six hundred million dollars of it have been spent on nontidal streams, where no profitable water powers grew out of the expenditure. Was it not a proper and wise expenditure?

Now, if it is in the public interest for the Government of the United States to develop this whole 18,400 miles of navigable rivers, shall the public interest fail to be served simply because private capital will not undertake it as a whole? We know that it never will be done by private capital as a whole, because it can not be made sufficiently profitable to private capital to induce it to invest in this stupendous project and take the chances incident to it.

Mr. GOODWIN of Arkansas. The gentleman certainly would not improve those parts of streams where there is no demand for power and it could not be utilized?

Mr. SIMS. Nor would private corporations do it.

Mr. GOODWIN of Arkansas. Why should the Government improve for water-power purposes where private capital can do it?

Mr. SIMS. The Government does not do it for water-power purposes.

Mr. GOODWIN of Arkansas. Navigation is the real object?

Mr. SIMS. Certainly. That is the real object. Here is one of the highest authorities in the United States who says that there are 4,325 miles that can not be improved except by canalization, from which would come 10,200,000 horsepower. All the men who have come before our committee, with a few exceptions among the engineering and development class, are what I call project men, and in almost every instance there is a development somewhere locally in which they are interested. I do not mean a financial or personal interest, but their section is interested in it; and what weighs with them is the development in their own locality, and they are usually in favor of whatever it takes to secure the development in which they are interested, and they are opposed to any legislation that will not secure it.

Mr. McKEOWN. Will the gentleman yield?

Mr. SIMS. Yes.

Mr. McKEOWN. I wanted to know whether or not it was the purpose of this bill to improve under the power of improving navigation when, in fact, it will be used as a design to put in the electric power? In other words, will it give power, under the guise of improving for navigation purposes, to produce electric power where it is not needed?

Mr. SIMS. I was just coming to that. It is a very pertinent question. There is not a particle of doubt about it.

Mr. SNOOK. I wanted to get at the gentleman's argument. I do not know whether I understand it correctly or not, but I think I do. Is it the effect of the gentleman's argument then, if this bill is passed, he thinks it will not be practical for private enterprise to improve any of these items for hydroelectric power, but it will all be done under the provision allowing the Government to do it?

Mr. SIMS. No; I do not.

Mr. SNOOK. I thought that was the effect of your argument.

Mr. SIMS. No. I have not come to that part of it.

If we are to determine at this time that these 4,325 miles must be improved—I am answering the question of the gentleman from Ohio [Mr. SNOOK] now—I say if we are going to undertake to require directly or indirectly the improvement and canalization of the whole 4,325 miles at any particular time, that nothing less than the Government, or a corporation backed by the Government, can do it. But there are projects in the 4,325 miles that will improve the navigation of the particular stream at a particular place that will also furnish a water power that will justify private investments. Now, our bill provides for such projects. It provides that it may be done, because the Government, to the extent that an improvement in this way is made, will be relieved of paying out the money in advance for 50 years. But under the provisions of this bill this improvement is all made at ultimate Government expense. Every bill that we have ever passed provides that when the Government recaptures or desires to take over this improvement at the end of the licensed period it must pay, according to the different bills, the actual fair value, not exceeding the original cost. In this bill it is the net investment, not exceeding the original cost, so that it is the Government that must ultimately pay the original expense. But you will get by private capital some improvement in advance of the whole improvement of the 4,325 miles much earlier than if you waited for Congress to authorize the improvement and make the appropriations necessary to do it.

Mr. SNOOK. Does the gentleman think that if the commission that is to carry this bill into effect concludes that the gentleman's argument is right and that the navigation must be improved as one part of the whole system, would they go to work and give to private parties the right to build a project here and there in the system?

Mr. SIMS. I have no doubt of it. But the Government has the right and power at any time to take it over by paying just compensation.

Mr. SNOOK. Do you think private capital would do that?

Mr. SIMS. I think so. Ultimately it is all at Government expense, because any project that will be improved at the present time, or within any reasonable distance from the present time, will have to be such as will appear to the engineers as an exceedingly good project. I am just as anxious to have it done as anybody. But, as I say, when you look at this thing there is an ultimate matter to be considered. It is all potential Government ownership and Government expense, so far as the building and installation of any property that the Government may ultimately take over is concerned. There is no doubt about it.

But the bill provides for every method of improvement, because the power is needed, and needed badly. Therefore we give the power in section 7, specifying in what instances the commission shall refuse all applicants and report to Congress that it is the opinion of the commission that the Government should make the improvement. I have no doubt that the Government of the United States ought to own and operate every part of the water-power development at Niagara Falls on the American side. I am in favor of the Government taking it over and paying a fair value or paying just compensation for it, because it is so much needed and so necessary for the Government at this time that I would not higgle anything about the net investment or anything of that sort, so far as that particular project is concerned. It would be cheap at almost any price to the Government and to the community.

One of the chief reasons and objects for the development of these hydroelectric powers is the manufacture of atmospheric nitrogen, so valuable to agriculture, so necessary to our agricultural development. Now, take a great project like that of Muscle Shoals, on the Tennessee River, in north Alabama, which the Government is now improving. The Government can improve a water power and develop it to manufacture atmospheric nitrogen and sell it to the farmers at the cost of production, and it ought to be done. I do not hesitate to say so. And it ought to retain it forever. But it may, of course, lease the

power afterwards to some private manufacturer. But when the Government owns every dollar of the investment it can supervise, oversee, and regulate the price to be charged.

Now look at the possibilities in case of private corporative improvement. In the first place, one corporation may be organized to put in a dam and build the water-power machinery necessary to operate the electric-power plant. That would be one corporation. Then that corporation can sell to or make a contract with the generating plant. The generating plant may be owned by another corporation. It buys the water power from the water-power company, and then the transmission company, another corporation, owns the transmission lines, and buys its current from the generating corporation. The distribution company, at the end of the line, can be another corporation, and buy its current from the company that transmits the electric power. Each one can be a separate corporation; each one can have overhead charges, and the power of the commission to regulate the price of the water power to the generator would cut no figure with the ultimate consumer, so that the power to control in the interest of the consumer must go all the way from the water-power company down to the final consumer. The danger is that if we do not withhold that right to these corporations to combine that in the end the consumer will pay the prices that can be obtained by such manipulations as are usually resorted to in such instances.

Mr. SNOOK. Going back to the question the gentleman referred to a moment ago about the power at Niagara, a few days ago we passed, did we not, a bill extending the right of the corporation to use that water? At the end of that time would the Government have the right to take over the plant at Niagara under this bill?

Mr. SIMS. They are not acting under this bill. I think their time has expired.

Mr. SNOOK. Under this bill—is there power in this bill to give the Government the right to take over the plant?

Mr. SIMS. I doubt it. Congress can give the power, and I think it ought to be done immediately. I think we ought not to hesitate a moment about it.

Now we come to another phase, and I do not wish to take much time on that. We have provided in this bill that where water powers are created or produced by navigation dams constructed wholly at Government expense the Government shall have the right periodically to adjust the compensation at the end of each 10-year period.

One of the questions that must necessarily arise in the consideration of these water-power measures is the question of a charge for the right to use the water to generate power. This was carried in the bill first proposed at a minimum of not less than 10 cents per horsepower per annum. The committee amended the bill and left it to the discretion of the commission as to what it should charge and how it should be charged. Personally I believe it ought to be based upon a percentage on gross receipts. I so contended before the committee, and the committee adopted that principle, and then afterwards reconsidered its action and struck out everything except the naked power to make a charge. The charge upon gross receipts is exceedingly fair, because by it you impose no charge upon unused power. You only take a part of that which the company itself receives for its product. It is a favorite method of taxation of public-service corporations. In California, where they have a great deal of electric power generated, some on public lands and some not on public lands, the tax charged by the State against the hydroelectric power companies is, I think, between 5 and 6 per cent of the gross receipts. It is stated in the hearings, and I will put the exact figures in the RECORD. That is in lieu of all other taxes. The highest amount received by the California hydroelectric companies is about $64 or $65 per horsepower per annum, and the tax is something more than $3 per horsepower per annum. Yet they are going right ahead and doing business, and doing it well.

Mr. HUMPHREYS. That is on the horsepower developed.

Mr. SIMS. On the horsepower which they dispose of and for which they receive pay. Therefore it is absolutely fair. It is not a charge on the horsepower capacity, but upon the receipts realized from the product sold.

Mr. HUMPHREYS. As I recall, the water-power companies of California practically monopolize the water-power possibilities of the State, and in order to prevent complications among themselves they have developed only a very small fraction of the possible water power of the State. They pay taxes on that which they develop, and the rest of it which belongs to them, but which they do not care to develop, lies idle and produces no revenue at all.

Mr. SIMS. I am unable to say whether the facts stated by the gentleman are correct or not, because I have not looked into them. No doubt they are correct, because the gentleman does not make guessed-at statements.

Mr. HAUGEN. Will the gentleman yield?

Mr. SIMS. I yield to the gentleman from Iowa.

Mr. HAUGEN. The other day the gentleman referred to the statement of Sir Adam Beck as to the rate charged; that on the American side was twice as high as the rate on the Canadian side.

Mr. SIMS. At wholesale.

Mr. HAUGEN. The rate on the Canadian side being $18 per horsepower——

Mr. SIMS. That is for the retail or ultimate consumer's price.

Mr. HAUGEN. No matter whether wholesale or retail, $18 per horsepower on the Canadian side and $36 per horsepower on this side. According to Sir Adam Beck's statement an excess charge of at least $18 per horsepower is being charged on this side. Does the gentleman think that 10 cents per horsepower is a sufficient compensation to the Government for the use of the water power?

Mr. SIMS. It is no compensation at all, and was not claimed to be compensation. Mr. Merrill, who came before the committee and made a statement at great length, is the chief engineer of the Bureau of Forestry in the Department of Agriculture. He said the only object of the charge was to pay expenses of administration.

Mr. HAUGEN. In that respect I differ with Mr. Merrill.

Mr. SIMS. I mean that is what Mr. Merrill said.

Mr. HAUGEN. Under this bill, according to the estimate, 60,000,000 horsepower may be developed, and if the licensees may be permitted to make an excess charge of $15 or $20 per horsepower per annum, there would be an annual rake-off of about $1,000,000,000. Does the gentleman think that in these times we ought to part with these valuable resources to be exploited by certain gentlemen, many of them so-called high financiers, and permit them to charge over a billion dollars a year in excess of a reasonable charge?

Mr. SIMS. Taking the facts as stated by the gentleman, his position is absolutely correct; but you can not produce——

Mr. HAUGEN. I suggest that if I am right, it should be written into the bill, and if a charge of 10 cents per horsepower is provided in the bill——

Mr. SIMS. It is not so provided in the bill as reported. The right to fix the charge is given to the commission.

Mr. HAUGEN. But in the bill prepared by the Secretaries that was the charge fixed, and I submit that would be an absurd charge.

Mr. SIMS. That was the minimum charge.

Mr. HAUGEN. And in order that the committee might not appear ridiculous it struck out the 10 cents and left it to the commission to fix the rate to be charged.

Mr. FERRIS. It would be fair to say that that was the minimum.

Mr. SIMS. That was the minimum. The commission may fix a charge of $10 per horsepower if they want to do so.

Mr. HAUGEN. The gentleman also stated that the charge was only to cover expenses of administration.

Mr. FERRIS. I understand. The gentleman from Iowa and I are in accord about that.

Mr. SIMS. That was merely Mr. Merrill's statement before the committee as to the objects and purposes of the charge as he regarded it. He was just one man. You will remember that I cross-questioned him and asked him why all this vast opportunity to make money should be given over to individuals, with no opportunity for the Government to recoup itself in any way whatever for more than the naked expenses of administration.

Mr. SNELL. I am very much interested in the question asked a few minutes ago, if there was any doubt in the gentleman's mind as to whether there was power to take over existing projects. As I understand the bill, there can be no possible doubt that there is no power in the bill to take over projects now in existence—for instance, at Niagara Falls.

Mr. SIMS. I mean as to those that may hereafter come into existence under the provisions of the bill.

Mr. SNELL. I understood the gentleman to answer that he doubted whether there was that power. Is there any question about it, that the bill does not confer that power?

Mr. SIMS. I do not remember the act of Congress under which these grants were made to those power companies at Niagara Falls.

Mr. SNELL. There is nothing in this bill that provides it?

Mr. SIMS. No.

Mr. SNELL. Absolutely nothing?

Mr. SIMS. No; except at the end of the license period, or unless revoked for cause.

Mr. SNELL. That would not apply to existing projects.

Mr. SIMS. No; because they are not licensed. The bill itself provides that they shall in no way be affected by this law, but it does provide that the projects established under other laws may come in and get a license under this bill, and, of course, afterwards they would be subject to the provisions of the bill.

Mr. SNELL. But the gentleman's answer was that there was nothing of the kind in the bill——

Mr. SIMS. No; because Congress can provide the power to do that at any time when it is in the interest of the Government.

Mr. SNOOK. How will it be when the present law expires?

Mr. SNELL. That is a temporary matter, anyway.

Mr. SNOOK. Will they not have to get their license when the year is up?

Mr. SNELL. Yes; but there is no obligation after this year to give them the power.

Mr. SNOOK. Why can not they come in under the provisions of this bill?

Mr. SIMS. They can.

Mr. SNELL. There is nothing that obligates the Government beyond the 12 months.

Mr. SIMS. No. Now, let me go on as to this matter of the charge. As a matter of course, the charge ought not to be a flat charge on all projects alike. Why? It may be necessary in thinly settled portions of the West to develop a water power for the purpose of increasing the population—the building up of the country, just like we built the railroads through unsettled country. There could not be any profit to the railroad immediately, but there can be a water power developed, hydroelectric power, where it will have a tendency to build up towns and communities. Such a project as that ought not to be charged the same per horsepower as a going concern that has its market already created and is already in existence and is making large profits.

Now, suppose the minimum tax charged by the Government of the United States should not be less than 1 per cent upon the gross receipts. One per cent would be so small as not to prevent the development anywhere, and a percentage charged is an honest, fair, square, nondiscriminating charge, because if they do not make it they do not have to pay it. If they do not have receipts, they do not pay anything.

Mr. FERRIS. Will the gentleman yield?

Mr. SIMS. Certainly.

Mr. FERRIS. Does the chairman intend to go into the bill section by section and deal with the recapture provision?

Mr. SIMS. I do not expect to go into it section by section at this time.

Mr. FERRIS. The gentleman is dealing with the charge; and is the gentleman going to deal with the regulatory features of the bill?

Mr. SIMS. No; I do not intend to do so to-day.

Mr. FERRIS. Does the gentleman intend to deal with the recapture provision to-day?

Mr. SIMS. Only with reference to the charge.

Mr. FERRIS. But the charge is not the recapture provision.

Mr. SIMS. No.

Mr. FERRIS. The recapture provision is more properly the damages that we may pay after the retaking.

Mr. SIMS. I want to say to the gentleman from Oklahoma that I am expecting not only his valuable aid, but I am expecting him to take charge of the recapture provisions in the bill, because I heartily approve of his position in regard to that matter.

Mr. FERRIS. I thank the gentleman. I have not given the time to it that the gentleman from Tennessee has, and I hoped that he would deal with it.

Mr. SIMS. The gentleman has given the water-power question so much study that he does not have to give much time to know more about it than almost anyone else.

Mr. SNELL. I would like to ask the gentleman from Tennessee a further question.

Mr. SIMS. I will yield.

Mr. SNELL. Why do you select out the water power over any other manufacturing industry?

Mr. SIMS. Because the charge is a Government charge.

Mr. SNELL. Why should the Government select the water power any more than any other industry?

Mr. SIMS. I am coming to that. The recapture provision in this bill and all other bills that I know anything about have provided that at the end of the license period the Government of the United States might take over the property, or such portions of it as it saw fit, by paying a fair value for the same, not to exceed the original cost, and excluding all such elements of value as franchise, value, good will, and going-concern value, the enhanced value of real estate owned by the company that grew out of the fact that it had received a license from the Government.

Recapture is a term which simply means the right of repurchase. I do not know why it was called recapture; it seems to me to refer to something like capturing a man who has just escaped from the penitentiary and was afterwards caught by the officers of the law. It may be that they thought that it would be about as hard to get this property back as it was to catch a criminal who escaped from prison.

Mr. SNELL. Is it not a fact that capture would be better?

Mr. SIMS. No; I would say repurchase.

Mr. SNELL. It is something that somebody has made or manufactured, and the Government has captured it.

Mr. SIMS. I do not care to go into the net investment provisions of the bill, which I do not think ought to be in the bill, but the committee has adopted that plan as to recapture, and the gentleman from Oklahoma will discuss it more clearly than I can; but I want to say, as I said before—and I am going against the theory of the bill I am representing—that the recapture provision in any of these bills is impracticable and will never be exercised. Why? If Congress was not in the way, if the commission had a right to do this thing and did not have to put it up to Congress in order to secure an appropriation for it, there would be no trouble about it, not a bit.

But when you provide that Congress has got to make an appropriation at the end of 50 years to pay for the then existing property, unless it has been completely amortized by operation profits, it will not do it, and we know it will not do it. Congress will simply say, "Lease it out again"; some other corporation might get a little better terms, but on the theory of just simply collecting enough to pay administration expenses, it would not have any inducement to amortize. Amortization ought to take place automatically through operation, and if it does not take place in that way, I am afraid recapture will never take place, because Congress will have to make the appropriation and Congress would be very slow to put the Government of the United States into competition with privately owned water powers that it had licensed, which terms had not yet expired.

Mr. FERRIS. And the very fact that the gentleman states makes it the more our duty to observe carefully just what is written into the recapture clause, as to whether it is made more or less onerous of retaking.

Mr. SIMS. Undoubtedly so.

Mr. FERRIS. And the only thing that changes the grant from one in perpetuity to a grant or lease for a term is our ability to get it back.

Mr. SIMS. Absolutely.

Mr. FERRIS. And if we fail in our effort to get back or allow sentences and provisions ponderous and cumbersome to creep into the retaking clause, does it not also itself, from the very ponderous nature of the working of Congress, become a grant in perpetuity?

Mr. SIMS. In practice and effect it will result that way. The provisions are such that they will not be availed of, and Congress will have to determine that matter by appropriation at that time just as it will in the beginning.

Mr. TILSON. Mr. Chairman, will the gentleman yield?

Mr. SIMS. Yes.

Mr. TILSON. Upon the matter of recapture, on the other hand, opposing what the gentleman from Oklahoma [Mr. FERRIS] says, if you make the recapture too easy, do you not make the terms to those who would invest their capital in these water powers so onerous and unattractive that we should go along, under this bill, as we have been going without any development at all? What we want, as it seems to me, is to put in terms that will insure our having these water powers developed.

Mr. SIMS. By private capital.

Mr. TILSON. Yes.

Mr. FERRIS. Mr. Chairman, will the gentleman yield so that I may reply to the gentleman from Connecticut?

Mr. SIMS. Yes.

Mr. FERRIS. In reply to the gentleman from Connecticut, under the existing law the water powers in the West are developed under what is known as a revocable-permit law.

Mr. TILSON. But are they developed?

Mr. FERRIS. Let me proceed a minute. That law permits the Government, with or without notice, with or without payment, with or without process, with or without a recapture clause, to go in and cut them off any time, and they actually do it, and that law is too harsh.

Mr. TILSON. It certainly is too harsh to get results.

Mr. FERRIS. Under the navigable-stream law, and under the laws we proceed under, Congress reserves to itself the right to do that same thing in a navigable stream. This bill, and with

my full approval, lengthens that out to a term not to exceed 50 years, makes it definite and certain how long the term shall be, makes it definite and certain how much they shall pay, makes it definite and certain what regulation they are subject to. To go beyond that in order to get capital to make investment is taking a very long step, it seems to me, and a safer plan would be to give them fair regulation, give them a 50-year term, give them a proper recapture clause, give them a reasonable rate, and then, which is very much more liberal than they now have, if no operation is secured it would then be time enough to come in and amend the law rather than to lock the stable after the horse is gone. That is the way it appeals to me after five or six years of study of the subject.

Mr. TILSON. It seems to me after 8 or 10 years watching these water-power bills, watching the potential water powers that are not developed, seeing all the great waste of power through all of these years, while we are running short of coal, that our concern ought to be to some extent to pass a law under which we can develop water powers. We should so construct the bill as to encourage development and thereby utilize and conserve the power that is running to waste, instead of being so very much afraid that we may give somebody a chance to make 30 cents.

Mr. FERRIS. That is simply the difference between those who have and those who have not. The gentleman would have the Government give away what it has to the end that somebody else may take advantage of it. The gentleman would have a man of wealth give away his wealth to the end that no poor might surround him, and so on such logic proceeds. I am unwilling to give away even in war times the greatest of our natural resources in order to make it easy for a few men to go in and borrow money on a proposition without any capital at all and make it possible for them to make millions from it.

Mr. TILSON. The trouble is that we do not seem to have anything now under which we can get anybody to develop the water powers.

Mr. FERRIS. We have given them no adequate law whereby they can have a chance to do it.

Mr. TILSON. Absolutely correct; and I hope we shall give them that law in the passage of this bill.

Mr. FERRIS. I, too; but I am not willing to take it all away from the Government at one bite of the cherry.

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. SIMS. Yes.

Mr. MONDELL. Assume that we adopt a recapture clause which will not assure a return of the investment at the end of 50 years.

Does not the gentleman think that the adoption of such a recapture clause would be the strongest possible argument made before the board fixing rates in favor of a rate for the power high enough to fully insure those making the investment? As a matter of fact, is not this true, that every dollar you attempt to put in jeopardy in an investment of this kind is a dollar that will be continuously capitalized and held by the user every day in the 50 years, so that in the effort to do something for the people you are really penalizing them. That is the evil of that kind of a recapture clause that does not guarantee the return of the capital. Is it not inevitably so?

Mr. SIMS. The gentleman has both asked and answered the question, and that is better than I can do.

Mr. FERRIS. If the gentleman will permit me further, the House has four times passed on the sufficiency and the adequacy of a recapture clause, has it not?

Mr. SIMS. Yes.

Mr. FERRIS. Twice on bills coming from the gentleman's committee and twice on bills coming from the Committee on Public Lands, of which I am a member. At any time has the Federal Government in any one of those bills or clauses agreed to become the absolute insurer of its grantee or lessee or licensee in doing one of two things, going on forever or having every penny of money returned him? Have we ever agreed to such a thing?

Mr. SIMS. The bills speak for themselves. We do not, if I understand the provisions of this bill; and I know when the Committee on Interstate and Foreign Commerce brought in a bill which seemed to squint in that direction the House took charge of it——

Mr. FERRIS. There is no dividing line here between the two parties——

Mr. SIMS. Not at all.

Mr. FERRIS. Men on that side and men on this side anxious to do their duty have stood for a correct provision to enable us to get the water power back at the end of the term. If 50 years is not enough, we ought to make it longer; and if it is too long we ought to make it shorter, but so that when the term is ended we shall be able to get it back, and get it back without question. And I think there can be but one answer to that to men who want to do their duty here.

Mr. SIMS. I am not now speaking as the chairman of the committee or representing the committee in what I said as to the recapture clause as a thing that could not be effected, but that it could not be made operative, not that the Congress could not do it, but it will not do it, and what is practically impossible might just as well be a physical impossibility, because it never takes place. Now, I have myself, in a crude way, a suggestion to make, which, I think, will automatically amortize the property, and instead of the Government having to bring a suit, instead of the Government having to have a long process of accounting to see what unamortized portion of the property remains to be paid for at the end of the licensed period, that the property will of itself revert automatically to the Government. That is exactly what we want to take place.

Now, this bill is to secure development. Of course, if we cut off all possibility of some speculative profits, private capital will not go into it, and I am glad to know that we are able to take care of our Government and its national necessities even if no private investment banker ever loans it a dollar. It should not be a bill to permit men who have, to make more out of what they have, without any additional sweat of their brows. The love of unearned money is the root of all evil. The object of many is to get money without earning it; to make the bill attractive to those who have money, make the bill attractive to idle capital. This is no time to talk of idle capital or making attractive provisions for it, when every man, woman, and child to-day is making exertions to his physical capacity in order to keep this country from failing in its defense and support of free institutions.

Mr. LA FOLLETTE. Does the gentleman think his plan would be feasible under a bill which gives the State utilities commission in each State the right to fix the charges?

Mr. SIMS. I would not say anything of that kind.

Mr. LA FOLLETTE. That is what the bill does.

Mr. SIMS. I would not turn over Federal functions and Federal provisions of law to be administered by State agency unless in so doing it becomes a Federal agency.

Mr. LA FOLLETTE. I beg your pardon; this bill does that very thing. We turn over rate making to the State commission if it has one, and if any State has not then our commission takes care of it until it does have one, and then it is turned over to them.

Mr. SIMS. This bill goes far enough now as it is now reported, and it is nothing new in this bill that violates the Federal provision of that sort. This bill provides that if a State has a commission that then there is no authority to be exercised by this Federal commission.

Mr. LA FOLLETTE. We could not very well fix such an amortization clause in here and make it absolute when the property would have to be turned over at a certain time, and the various State commissions fix the rate of charges during the license period.

Mr. SIMS. I have not yet presented my views on the subject.

Mr. LA FOLLETTE. Let us have them.

Mr. SIMS. I said I wanted it thoroughly understood I am not representing the committee or any member of it except myself in my amortization suggestions.

Mr. HAUGEN. But the Federal commission has the first say as to the fixing of the rates.

Mr. SIMS. You can put it in the license——

Mr. HAUGEN. Under the bill the Federal commission fixes the rate to begin with, and after that the State commission fixes it.

Mr. LA FOLLETTE. They fix the charge, and in fixing the rate leave it to the utilities commission of the States.

Mr. SIMS. They fix the Federal charge, and then——

Mr. LA FOLLETTE. You are going to make a general charge for amortization in addition to the rate fixed by State commissions——

Mr. SIMS. Let me make my statement. I do not have a particle of doubt about its clearness, and then the gentleman can say as to whether or not it is a wise thing to do.

But if we will make the charge a percentage upon the gross receipts, and then place the amount collected in the United States Treasury to the credit of the project, to the credit of the company, and whenever the collection that is made from the particular project in the Treasury of the United States, with interest on it, equals the then existing value of the project or the property, deducting from the elements of value just what has been deducted in every bill we have passed and is deducted in this bill, then and at that time the title to all property in

the licensee shall vest in the United States Government upon paying this fund over to the licensee. Thus we have an automatic amortization, and by putting that provision in the license it will be valid and workable. Whenever the fund thus derived, treated as an amortization fund, equals the value of the property and the same is paid to the licensee, automatically the title to the property vests in the United States Government, and then the owner becomes a trespasser if he refuses to give possession. Then, without congressional appropriation, the Government of the United States gets its own property and can do with it as it pleases—operate it or lease it out, or do anything it desires to do with it. This can be done regardless of State regulation, because it is a part of the license and constitutes the consideration for issuing of the license, and thus becomes a substantial part of the contract, which is to constitute an amortization fund, and whenever it equals the then existing value of the property it is to be paid to the licensee in full of all his right, title, claim, and interest to and in the property at that time, just as they have been in all the bills here. You have got real amortization. Then the property is in the hands of the Government, to do just as the law then existing may authorize to be done.

Mr. FERRIS. But does not the gentleman realize a little objection to that course in this, that that would require the present generation to pay for the water power?

Mr. SIMS. No; I do not.

Mr. FERRIS. That would be true, would it not?

Mr. SIMS. They pay a little more, but the amortization charge for 50 years is so small that it would be imperceptible.

Mr. FERRIS. But whatever it was they would pay?

Mr. SIMS. The consumer would not get it anyway. As I said in my opening address—I do not remember whether the gentleman was present or not——

Mr. FERRIS. I did not hear him all the way through.

Mr. SIMS. But as I said then, it is an absolute fact that you can not regulate the price of any particular project with reference to a fair earning upon that particular project unless it furnishes all the power within its distribution area. If it does not produce it, if you put the electric power down where it would be only a fair earning on the capital invested, you would prevent the coal or the steam power from being utilized at all.

Mr. FERRIS. If the gentleman will indulge me a little further, of course the gentleman's statement is not without precedent. Some governments do the very thing the gentleman advocates. But suppose you were in a State like Montana or Utah, or any other State, and there was a water power already in private ownership, then to set up a Government power by its side and charge a royalty to the Government, and secondly, an amortization fee and amortize it, would it not be impossible for the publicly-owned project to succeeed?

Mr. SIMS. It would have a tendency to do that very thing. That is undoubtedly true. But, as I said, about one-half of our power is of that kind. Then I cited the State of California. The tax in California on the gross receipts is 5.6 per cent per annum on the gross receipts, and the average was sixty and some odd dollars per horsepower per annum, which made more than $3 per horsepower per annum. Now, if California wanted to do the best thing it could ever do for its people, whenever that tax, treated as an amortization fund, equaled the value of that property, would be to have the Government take over the property and operate at cost in the public interest.

Mr. BANKHEAD. Will the gentleman yield?

Mr. SIMS. In a moment.

Gentlemen will remember that Sir Adam Beck testified, and it is in the hearings, that in 25 years a project at 1.8 per cent per annum on the investment was completely and perfectly amortized, and that some of the municipalities reduced their capital so rapidly that they had to reduce the price of the current to the consumer to keep them from amortizing in 7 or 8 or 10 years.

Mr. FERRIS. The gentleman's theory is more advanced in that than any of the bills that have been brought into the House, but I am afraid it would carry a burden on the property every year that would retard its early development.

One would be a foolish person if he did not hope we could soon have the power as our own, and paid for, and amortized, and without any entangling alliances with private owners; but taking the gentleman's view, which is an advanced one, and taking the provisions of this bill, or rather, the amendment to this bill, which provides the Government with the alternatives either to let the power go forever or to pay back every cent that went into the investment, had not we better go back to the provision we had in the original administration bill, and say, in the event of retaking we shall pay the fair value of the property and no more, which, in any case, shall be no more than the net investment? In that event you will have preserved all the virtue there is in the net investment and the amortization feature and at the same time you will not require from the Government or the community that seeks the right to recover the property to pay more than it is actually worth. For example, at the end of the term it is up to the Government, or the city, or the State, or the county to pay for the property. Immediately the question arises, What are you going to pay for the property? Under this recapture clause written into this bill as it now stands one of two things only can be done: You must pay back every cent paid in, whether the machinery is worn out or not. But under a fair valuation provision in the original bill all you would have to do would be to pay back what the property was actually worth, not exceeding the original cost or the net investment, and if the chairman can get the House or the committee to go with him at all, it would be well to say the actual cost, and not in any event to exceed the original net investment. Then it would be safe for the community and for the Government. This would be fair all around. This would be exactly what we did in previous Congresses.

Mr. SNELL. Did Sir Adam Beck, the head of the Hydroelectric Commission of Canada, show in his testimony what towns in Canada were successful under Government ownership?

Mr. SIMS. Yes. They are pointed out in detail.

Mr. SNELL. From the reports of the commission that I looked over carefully I could not find the towns.

Mr. SIMS. The towns keep on coming in under it. They have not increased their price at all, although their expenses are greater than they were before.

Mr. SNELL. They are getting their prices during the war?

Mr. SIMS. Under the hydroelectric commission in Canada, which has to furnish current at cost to the consumer, it is so attractive and so desirable that every town is getting in it just as fast as possible.

Mr. SNELL. But they did not put in the charge of $250,000 that the Government puts in every year.

Mr. SIMS. I do not care. They are giving it to the consumers without profit.

Mr. SNELL. Is it not a fancied less expense rather than a real less expense if all the costs are not actually put in?

Mr. SIMS. Undoubtedly. But the assumption of the gentleman from New York is not correct.

Mr. SNELL. I would like to have it proven.

Mr. SIMS. Because it shows that the entire expense was over $2,000,000 less than before, and the towns that get their current from the commission have vastly increased their use of it.

Mr. SNELL. I appreciate that very well; but there were a lot of expenses in the first few years to the Toronto people.

Mr. SIMS. I am glad if that is so. If the Government was liberal enough to pay a lot of initial expenses, that was a good thing.

Mr. SNELL. But it all ought to be put in.

Mr. SIMS. If the purchaser who pays the bill is delighted with it and the price is less than ever before, the purchaser does not care about that.

Mr. FERRIS. The investment bankers or bond brokers, as they were called—did they compare this bill with the Shields bill for the recapture?

Mr. SIMS. One of them did.

Mr. FERRIS. What was his reply?

Mr. SIMS. He said this was infinitely better, from the investment standpoint, than was the Senate bill.

Now, some gentlemen seem to get the idea that this is what I propose. I do not propose to levy a charge or tax and then an additional tax as an amortization fund. Let the Government of the United States get absolutely nothing—just become a trustee for the project owner and collect from him a charge based upon gross receipts. Put it as anything you please. It is a compulsory, automatic amortization, and no State or municipality could possibly ignore it or invalidate it by reason of providing rates that would be confiscatory. That would constitute no charge at all on the part of the Government.

What is the theory in this bill? It is that the Government is really borrowing money for 50 years for the purpose of putting in these projects, and instead of paying interest is letting the lender make what he can out of the project, subject, of course, to regulation. That is all of it, and the Government's property ought to go back to the Government without a great deal of ciphering and without any ejectment suits. The Congress never will, in my judgment, 50 years from now make an appropriation to pay for the property in order to take it over for the Government. I do not think it will ever pay a dollar to repurchase, but in the meantime the Government can charge only a reason-

able charge upon gross receipts. It has kept that fund. In one instance it would be amortized in 20 or 30 years, where the commission, knowing there were large profits, could charge a higher rate, and where it was to build a power plant in a thinly-settled country it would charge the minimum. But whatever the charge, let it go to the credit of the owner in the Treasury of the United States, and whenever the charge, with the interest accumulated on it, equals the value of the property at any particular time, then the property becomes the property of the United States without any conditions whatever, except that the payments made in this way by the United States shall equal the fair value at the time and the fair value be limited by the various restrictions that the gentleman from Oklahoma [Mr. FERRIS] mentions, and which have heretofore been carried in every bill. Then we do not swindle anybody, and it will not hurt private investors.

I want to call your attention particularly to the fact that not a single private manufacturer of current in the Province of Ontario has gone out of business or gone into the hands of a receiver or has become bankrupt since the establishment of Government ownership of hydroelectric power in that Province.

Mr. BANKHEAD. Mr. Chairman, I want to ask the chairman of the committee this question: Of course we have been very much interested in the elucidation of his theory with reference to finally taking over all these plants by the Government. I want to ask the gentleman if it is his purpose to press in the committee this provision under the five-minute rule?

Mr. SIMS. I have not offered an amendment. I did not offer it in the Committee on Water Power, and when I said what I did I spoke simply as an individual and stated that I was not representing the committee and not attempting to represent it. I know we all want to do that which is best for the country and that which will not prevent development.

I am going to read to you what the attorney of the Montana Power Co. said with reference to the recapture provisions in this bill. The gentleman was Mr. Kelley, the ablest lawyer who appeared before us, in my judgment. Let me read to you what he said on the question of the recapture provision in this bill and of the absolute necessity for any good concern to amortize its plant. Under this bill as now reported there will be no inducement to amortize. In fact, there is an inducement not to do so; I mean to provide an amortization fund—that is, to make a reasonable charge and to take a part of it and lay it aside—which will lessen the final amount to be paid upon recapture of the property. They will never do it. They will be foolish to do it. They will want just as big an unamortized and unappreciated property as they could have when the Government takes it over. I will read to you what Mr. Kelley, of New York, says on this subject, and then I am going to yield the floor. Mr. Kelley, almost in the beginning of his statement, on page 291, says this:

As I pointed out this morning, the essential proposition upon which the whole financial fabric of this bill rests is the element of fair return, because these various funds are only credited back against the original cost, when they are accumulated out of earnings in excess of a fair return. With the question of fair return undetermined, as it must of necessity be in the initial stages of the enterprise, the licensee is confronted with the probable situation—at least the possible situation—of working to the end of the license period and then finding that by judicial definition of "fair return" his entire property account upon which he expected to realize upon its being taken over by the Government has been completely obliterated and wiped out.

Now, why, gentlemen, should there be in this particular class of legislation any necessity for inserting these ambiguous and restrictive provisions that burden us and that are troublesome?

He is speaking of the Merrill bill, the amended bill—

What is there peculiar to water-power enterprises, as distinguished from any ordinary enterprise, that makes it essential to distinguish and define with absolute particularity in advance—50 years in advance—of a possible situation calling for its application, a rule unsupported by judicial decision and without interpretation to inform as to its meaning?

That is what Mr. Kelley, one of the ablest lawyers, says as to this provision.

Again, on page 296, Mr. Kelley says:

Section 15 contains the provisions which deal with the situation at the termination of the original license. Now, in the first place, it is a matter that it is needless to argue from the standpoint of the water-power developers, that they believe that the original licensee should have the preference right to the license, unless the Government exercises the right of recapture.

The CHAIRMAN. You mean by that if he is willing to take them on as favorable terms as anybody else?

Mr. KELLEY. Exactly. But there are two things I want to call to your attention. In the first place, if this bill becomes a law in the form in which it is drafted through the exercise of the authority given the Government under section 10, before the expiration of 50 years the original cost will have been completely amortized. There will be no capital investment required from the subsequent licensee. That is all right, perhaps, so far as the Government is concerned, if the licensee has been permitted to make a fair return on his money, but the capital investment may have been completely amortized. It has been wiped out. Now, I do not believe that it is just; I do not believe that it is right; and I do not believe that it is consistent with the spirit of our institutions to permit John Smith to step into the business of John Jones merely because a commission may have the legal authority to divest Smith and invest Jones. The idea undoubtedly prevails that under section 15 the subsequent licensee would have to invest a very considerable amount of money to take over a project. That might not be the case at all. The project may have been completely amortized. In such case there would be no net investment. It would be simply a question of business succession; therefore it seems to me that upon a basis of fair legislative policy, unless for cause shown some disqualifying reason exists, the original licensee should have the preference so far as subsequent licenses are concerned, unless the Government or a municipality wishes to take over the project.

The gentleman from Nebraska [Mr. STEPHENS] asked him a question, and Mr. Kelley answered:

If you pass section 10 as it is drafted here, just as it is outlined in this bill, and if the project makes any financial success at all, the probabilities are that there will be nothing left at the end of the 50 years that will go into original costs, because with no definite subsequent term provided for—and that introduces another question as to the successive license—provision will probably have to be made for completely amortizing the principal of the investment within the 50-year period.

The answer of the administration—speaking of it now as the proponent of this bill—will be that such is not the case, for this reason: That the bill provides that either at the end of the original license period or of any subsequent license period compensation must be made. But that provision of the bill also contains this provision: That while the terms of the original license are known definitely and settled in advance, the terms of the subsequent license at the expiration of the 50 years shall be governed by the law and by the rules that are then in existence. These might give a year-to-year license a mere tenancy at will or other indefinite tenure. No investor looking to the security of the investment is going to advance money with the possibility confronting him that the subsequent license will be one at will, indeterminate in character, from year to year, or under conditions that can not now be foretold. And therefore insistence will be made for the complete amortization of the money invested within the 50-year period. Now, that answers the question as to whether or not there will be any original cost left to figure in the recapture provisions.

Then on page 298:

The CHAIRMAN. Will not the Government own it absolutely then, in case of complete amortization?

You will notice he has said it will be completely amortized if section 10 is complied with. He answers:

In the case of complete amortization, I take it, all the Government would have to do would be to serve notice and take it over.

Now, you see that Mr. Kelley, who is the attorney of the Montana Water Power Co., says that under the bill, if the law is carried out, that it will completely amortize the property before the 50 years, and not a word is said about putting an excessive rate on the consumers. He is the attorney of the largest water power developed in the United States. He says it is absolutely necessary to do so, and he says it is wrong to put an inducement in there that is in there, to keep the operator of the property from keeping it up and maintaining it to its full efficiency, to prevent him from setting aside an amortization fund, a depreciation fund, and so forth, because he says that the very fact that you will have what is left unamortized will prevent amortization, whereas he says good business experience demands that it shall be and will be amortized during the period. Under my plan it becomes a Government-owned project, to be disposed of as the Congress may at that time determine. But taking a navigation project which costs $193,000 per mile to canalize the river and to that add the cost of building the water-power plant, the electric-power plant, the transmission lines, the distribution plant, which will now cost $2 for every $1 that it would cost in normal times, when could it ever amortize? The commission ought to charge more per annum for a large-paying project than it would a weak, little, struggling power plant that is trying to develop some western community.

Let us compare this with the railroad situation. Some railroads, upon a fair, nondiscriminative rate, make 20, 25, or 30 per cent per annum upon their capital. Other railroads, weak and struggling, do exceedingly well if they make 4 or 5 per cent on their investment. Yet both railroads are under the same commission, operated under the same law, both getting the same reasonable rates. It was shown in the debate on the railroad-control bill that some railroads were making as much as 25 per cent per annum net. Now, suppose that the strong roads had to take care of the weak roads and make up the deficits of the weak, as will be done now, you could reduce the general charge and bankrupt no road. But the trouble about it is that the commission in fixing reasonable rates has got to make a rate that the weak roads can live on, and when a rate is made that the weak road can live on the strong road grows fat and rich and prosperous upon it. It will be just that way with water powers. A charge that would absolutely bankrupt a financially weak water-power company would not hurt or injure a water-power company more fortunately situated, and the complete amortization therefore should not take place at any particular stated time but only when the reasonable charge made by the commission, treated as an amortization fund, equals the value of the property.

Mr. HUMPHREYS. Is it the gentleman's understanding that under this bill the commission will fix one rate applicable everywhere?

Mr. SIMS. According to this bill if a State has no commission, no public-service commission, the commission provided in this bill will fix the rates.

Mr. HUMPHREYS. But it does not say the same rate everywhere.

Mr. SIMS. Oh, no.

Mr. HUMPHREYS. The illustration that the gentleman gave with reference to the railroads had one rate.

Mr. SIMS. No; not the same rate; it is a reasonable rate, and a reasonable rate is not confiscatory.

Mr. SNELL. If the gentleman has any doubt about the amortization proposition, why does he not put in the bill a just compensation?

Mr. SIMS. There is no amortization about that. The just compensation is all right if you limit it.

Mr. SNELL. Is it limited?

Mr. SIMS. You can put anything you want into a license because it is not compulsory. If we were going to take over the plant, we would have to pay a reasonable compensation.

Mr. SNELL. A just compensation.

Mr. SIMS. Yes.

Mr. SNELL. Then, why not put it in the bill?

Mr. SIMS. For the reason that we are granting a license without which no right to build the dam and structures exists in order that they may make money, and why should we not put in such terms and conditions as may be in the public interest?

Mr. SNELL. Is it not for the interest of the people at large to have these water powers developed?

Mr. SIMS. Yes.

Mr. SNELL. Then it is not altogether a private matter, is it?

Mr. ALEXANDER. Will the gentleman from Tennessee yield?

Mr. SIMS. Certainly.

Mr. ALEXANDER. I want to say to the gentleman from New York that the provision of the Constitution that a just compensation shall be paid for private property for public use does not apply here at all. Here are water powers belonging to the people that we are undertaking to license to people to use under proper governmental regulations, and it is for Congress to prescribe the regulations. If they do not accede to the regulations, they do not have to build plants or operate them. The provision of the Constitution that I have referred to does not apply here, for they do not have any property in the water power and can not acquire any.

Mr. SNELL. At the end of 50 years they would have an interest in it.

Mr. ALEXANDER. That is true; but they must acquire it under the provisions and regulations prescribed by Congress.

Mr. SNELL. Is there any value in the water power undeveloped and running to waste?

Mr. FERRIS. There certainly is, enough so that the water-power companies under the license make it a basis for a loan, and all through the life of that franchise they put it in as they did in Washington and Oregon, at a value of ten or twelve million dollars as a basis for fixing the rate that they would charge the people, when the land cost them only about $1.25 an acre.

Mr. SNELL. But there is no real value at all in the water power until it is developed.

Mr. FERRIS. It is of very great value. It is the thing about which nothing can go forward, one that can not be dispensed with either in the initial or the close. So the gentleman can not say that the great falling water has no value. It has value more than anything else; like all other resources it loses nothing in the use because it is neither consumed, used up, nor gone.

Mr. SNELL. It is of no use, of on value, until developed. What value are you getting out of it to-day in its undeveloped state?

Mr. FERRIS. The money in the gentleman's pocket is of no value until he takes it out to spend it, but he does not want to give license to the highwayman to rob him of it.

Mr. DEWALT. Will the gentleman yield?

Mr. SIMS. Certainly.

Mr. DEWALT. As I understand the provisions of the bill, after a somewhat cursory reading thereof, it gives the commission the power to locate the project upon the stream. That being so, how does section 23 comport with that idea? Section 23 says:

That the provisions of this act shall not be construed as revoking any permit or valid existing right of way heretofore granted, or as revoking any authority heretofore given pursuant to law, but any person, association, corporation, State, or municipality, holding or possessing such permit, right of way, or authority may retain the same subject to the conditions set forth in the grant thereof and subject to any and all rules and regulations applicable thereto and existing at the date of the approval of this act, or may apply for a license hereunder, and upon such application the commission may issue to any such applicant a license in accordance with the provisions of this act, and in such case the provisions of this act shall apply to such applicant as a licensee hereunder.

Now, query, and I want the chairman's construction of this section. Suppose that on the banks of the Delaware River there is now existing a power plant which has been in existence under a charter which was granted by the State of Pennsylvania. As I understand this section, these rights as granted by the State of Pennsylvania are not interfered with by this act. Is that so?

Mr. SIMS. Not unless they were in violation of existing law. Unless it is an obstruction to a navigable stream.

Mr. DEWALT. I take it as a premise that the corporation exercises the right along the navigable stream which it has obtained by the State charter, having inalienable rights that are not interfered with by the provisions of this bill.

Mr. SIMS. No; as far as the provisions of the bill are concerned they are not interfered with. The bill does not interfere with them.

Mr. DEWALT. If that is so, how would the act providing for utilization of water power along the stretch of the Delaware River, where there would be, possibly, and are a great many utility corporations using the water power, operate? How would the Government, using its privileges by license, supersede the powers given by the State to an existing corporation having prior rights on the stream? How does the gentleman think this section comports with that provision?

Mr. SIMS. The bill provides that existing powers may come in and seek a license under the bill. If it should be permitted, it would be subject to the provisions of this bill but not before.

Mr. DEWALT. That is a disjunctive. That gives existing corporations the right, but it does not say that they must do so. It does not come under the provisions of this section. I recur to the provision. For example, here are Mr. DEWALT and his associates by charter given the right to use the water power for utility purposes, the generation of power for hydroelectric transfer, or whatever it may be.

Now, FERRIS and his associates are determined to proceed under the provisions of this act, and they apply to the United States Government commission, created by this act, for a license. The United States Government desires to give them that license to use that power on the Delaware River. Here are 50 people or 50 corporations along the Delaware who have the present existing rights. How do you make this section comport with the inalienable rights given by the State of Pennsylvania to these chartered corporations? In other words, does not the act become a nullity under such conditions?

Mr. SIMS. It does not apply to them, as I understand it, at all. It does not apply to any existing water-power development that has been developed according to the laws under which it is chartered, either Federal or State, unless it does something that will be a violation of laws outside of and beyond this bill. This bill gives nobody any right to do that which would be unlawful if the bill were not passed.

Mr. DEWALT. In other words, you take the position, as chairman of the committee, that existing rights granted by charter by any State are not interfered with by the provisions of this bill.

Mr. SIMS. Absolutely; but I would not say that this confirms any rights they have, provided the rights they assume are not according to existing law.

Mr. DEWALT. Now, another query. Section 27 provides:

SEC. 27. That nothing herein contained shall be construed as affecting or intending to affect or in any way to interfere with the laws of the respective States relating to the control, appropriation, use, or distribution of water used in irrigation or for municipal or other uses, or any vested right acquired therein.

As I construe that it appears to me to mean this: That the "vested right" acquired "therein" applies to a vested right in the control of water, in the appropriation of water, in the use of water, or in the distribution of water used. How? Used in irrigation or for municipal or other uses. In the State of Pennsylvania, and no doubt in a great many other States, we have what are known as riparian rights. The man who owns the land along the banks of a stream has the right to the use of the water undiminished in quantity by the owner above, except in so far as the owner above may use the water for culinary and household purposes, including the watering of his stock, and if the owner above uses the water he must return the water to the stream in undiminished quantities, except in so far as I have stated, so that the lower riparian owner has the water in undiminished flow for any lawful purpose he may exercise. That is what is known as a vested right; it is a right that runs with the land. Therefore I inquire of the chairman, does this

provision in section 27 reserve and preserve the riparian rights of owners of the land along the banks of streams? If it means that, then I would like the affirmance of the committee in saying so, and if it does not, I would like to know what it does mean.

Mr. SIMS. I want to say that there is no portion of the bill that is intended to conflict with any rights to which the gentleman refers. Let me read. Section 23 provides:

SEC. 23. That the provisions of this act shall not be construed as revoking any permit or valid existing right of way heretofore granted, or as revoking any authority heretofore given pursuant to law, but any person, association, corporation, State, or municipality holding or possessing such permit, right of way, or authority may retain the same, subject to the conditions set forth in the grant thereof and subject to any and all rules and regulations applicable thereto and existing at the date of the approval of this act, or may apply for a license hereunder, and upon such application the commission may issue to any such applicant a license in accordance with the provisions of this act, and in such case the provisions of this act shall apply to such applicant as a licensee hereunder.

Mr. DEWALT. But that has no reference to section 27.

Mr. SIMS. It shows the spirit and purpose of the act is not to interfere with existing rights.

Mr. DEWALT. Section 27 applies to something entirely different.

Mr. SIMS. I think I know what the committee intended to mean it to apply to, and I would be willing to state what it is.

Mr. DEWALT. That is what I wanted to know.

Mr. SIMS. A number of power plants have been developed under laws heretofore passed, and there have been water powers developed under the revocable permit. This section provides that those powers should not be interfered with or conditions added to them unless they voluntarily come in.

Mr. DEWALT. No; that is section 23; I am talking about section 27. Section 27 provides that nothing therein contained shall be construed as affecting or intending to affect, or in any way to interfere with the laws of the respective States relating to the control, appropriation, use, or distribution of water used in irrigation or for municipal or other purposes, or any vested right acquired therein. As I before stated, in reference to lands in Pennsylvania in regard to the riparian rights, a man who has land along a stream, whether it be a navigable stream or a nonnavigable stream, has the right to the use of that water for the watering of his lands, and the owner above can not take that water except for the purposes I have stated. If he does, he must return it to the stream in undimished quantity. That is the law. That is a vested right. You speak here of vested rights. Does this bill contemplate that for irrigation purposes of that character those rights are preserved when you use the phrases "vested rights" and "used in irrigation."

Mr. SIMS. It seems to me the section is as plain as it can be written in its application. Of course that is a matter of construction. It is intended not to affect the laws of the States regarding these rights.

Mr. DEWALT. If that be the construction, then how does it become possible, under the provisions of this act to give an effective license to any corporation or any set of men who desire to use these waters?

Mr. SIMS. If it would interfere with these rights?

Mr. DEWALT. Yes.

Mr. SIMS. It could not be done.

Mr. SINNOTT. Mr. Chairman, will the gentleman yield?

Mr. SIMS. Yes; but I am trying to get through.

Mr. SINNOTT. Will not the bill be workable in this way? These rights that the gentleman speaks of, the riparian rights, might be condemned by the licensee who would secure the flowage rights in that way.

Mr. DEWALT. I did not catch the gentleman's remark.

Mr. SINNOTT. I say the licensee under this bill would have the right to condemn these riparian rights of which the gentleman spoke and secure the flowage rights in that way.

Mr. DEWALT. He would, but the bill provides the condemnation shall take place in a forum to be selected by the grantee of the license, and that forum shall be either the district court or the court of the State in which the land is located, and it does seem to me that that is one of the things that does not protect the State's rights nor the rights of the individual who has land in the State.

Mr. SINNOTT. That is the fact; you might go into the Federal court?

Mr. DEWALT. Yes.

Mr. SINNOTT. I do not like that feature of the bill myself.

Mr. SIMS. Mr. Chairman, I have gone over this matter in a more or less desultory way, and of course have responded to all interruptions because I thought I ought to do so and I thought, perhaps, it might shorten the length of time to be consumed if I should give answers satisfactory to the inquirer. It is getting late in the afternoon, and there is quite a number of other important subjects embraced in the bill which I know will be well taken care of by other members of the committee, and therefore I shall not proceed to discuss the bill in its details any further, but I do want to appeal to the Members of the House, and I am appealing now to the Members who are not in sight, to attend the meetings of the committee and let us give this bill due and proper consideration and pass it as soon as we can consistent with such due and proper consideration.

When we get into the amendment stage under the five-minute rule many things can be explained in connection with any amendment that may be offered to its provisions which would take up a great deal of time to do in general debate. All I wanted to do was to try to explain the general features of the bill as well as I could, and what I said about my own scheme of amortization was only a suggestion. I do not expect to insist on that at all. I am representing the committee rather than my own individual views. I heartily indorse the position taken by the gentleman from Oklahoma [Mr. FERRIS] with reference to the recapture provision in connection with this bill. I know what we all want to do, and that is we want to do the best for the entire country. There is nobody here who is working for any special interest or desires to do so. As I said before, this bill provides potentially and to a great extent practically for development and to secure the greatest amount of development as early as possible. I do not know—I have seen something in the newspapers to the effect that a recess was being discussed. I do not know just how soon it is to be proposed, or anything about it; but inasmuch as we have begun the consideration of this bill, and inasmuch as it affects so many States in a local way and the whole United States in general, I do hope that we may remain here until we pass the bill in the House, because, as we are amending a Senate bill, just as soon as it goes to the Senate, if the Senate sees proper and does not refer it to the committee, it can disagree to the House amendments and ask for a conference; and then a conference can take place during the recess if we have any recess. But I do not think the idea of a recess with the temperature in Washington so low that we have to wear fall overcoats or be very uncomfortable—I do not think we ought to have a recess until we finish this bill, and I do not believe anybody expects to do so, and I hope the recess talk will not interfere with the consideration of this bill. I hope we will all be here to-morrow, although it is Saturday, when you will hear some gentlemen on this subject who will be very interesting and enlightening to you. With these few words I close my somewhat lengthy and desultory speech and shall yield the floor to the gentleman from Wisconsin [Mr. ESCH].

Mr. WALSH. Will the gentleman yield before he does that? The gentleman's suggestion of appealing to the Members of the House who are not here—does the gentleman think they should be here?

Mr. SIMS. I do not know why they are away; they may have reasons for being away that to them are imperative.

Mr. WALSH. Then, I make the point of no quorum——

Mr. SIMS. I did not mean to suggest that I wanted the gentleman to do anything of that sort. What I meant to say was that I did not want this talk of a temporary recess during the session of the House to get the recess fever so completely and perfectly that they would be willing to take a long recess. I hope there will be no other talk of a legislative——

Mr. WALSH. If the gentleman does not care to have the point of no quorum made, it seems to me that he ought to be willing to rise now. He has occupied the floor with a very interesting and well-prepared speech; and if there are not going to be gentlemen here to listen to the other speeches——

Mr. SIMS. Let me say in that connection I see the point the gentleman makes. Now, if the gentleman from Wisconsin [Mr. ESCH], who has charge of one-half of the time, does not care to occupy the floor himself this afternoon, I have no objection, not the slightest, as I do not want to put the gentleman from Wisconsin in the position of beginning his argument at a time when perhaps he will have very few Members present.

Mr. ESCH. I did not intend to make any remarks this afternoon, but I had promised one or two Members on this side time for the balance of the afternoon.

Mr. SIMS. If there is somebody on that side to use the time, as a matter of course I would be very glad for the gentleman to use it.

Mr. WALSH. At what time does the gentleman expect to move to rise?

Mr. SIMS. As Mr. ESCH will be in charge of the time on that side, I should want to consult with him about it. I will move to rise in time and——

Mr. WALSH. Mr. Chairman, in view of the gentleman's statement, I will withdraw the point of no quorum.

Mr. ELLSWORTH. Mr. Chairman, I make the point of no quorum.

The CHAIRMAN. The Chair will count. [After counting.] Evidently there is no quorum present.

Mr. SIMS. Mr. Chairman, in view of the condition which must be evident to everyone, I move that the committee do now rise—Mr. Chairman, I will withdraw that motion and ask for a roll call.

The CHAIRMAN. The Clerk will call the roll.

The roll was called, and the following Members failed to answer to their names:

Anthony	Fairchild, G. W.	LaGuardia	Saunders, Va.
Ashbrook	Fess	Larsen	Scott, Iowa
Austin	Flood	Lehlbach	Scott, Pa.
Bacharach	Flynn	Lesher	Scully
Barr	Focht	Linthicum	Sells
Barnhart	Fordney	Littlepage	Shackleford
Bell	Foss	Longworth	Sherwood
Black	Freeman	Lutkin	Shouse
Bland, Ind.	Fuller, Ill.	Lundeen	Siegel
Bowers	Fuller, Mass.	McAndrews	Sisson
Britten	Gillett	McCormick	Slayden
Brocbeck	Glass	McCulloch	Slemp
Burnett	Glynn	McKenzie	Sloan
Butler	Godwin, N. C.	McKinley	Smith, Mich.
Caldwell	Good	McLaughlin, Pa.	Smith, C. B.
Campbell, Kans.	Goodall	Madden	Smith, T. F.
Campbell, Pa.	Gordon	Magee	Snyder
Cannon	Gould	Maher	Stafford
Caraway	Graham, Ill.	Mann	Stedman
Carew	Graham, Pa.	Mason	Steenerson
Carlin	Gray, N. J.	Mays	Stephens, Nebr.
Carter, Mass.	Greene, Mass.	Meeker	Sterling, Ill.
Chandler, Okla.	Gregg	Merritt	Sterling, Pa.
Clark, Fla.	Grist	Miller, Minn.	Stevenson
Clark, Pa.	Griffin	Moore, Pa.	Stiness
Claypool	Hamill	Morin	Strong
Cleary	Hamilton, N. Y.	Mott	Sullivan
Connally, Tex.	Haskell	Mudd	Sweet
Cooper, W. Va.	Hawley	Nelson	Swift
Copley	Hayes	Nicholls, S. C.	Switzer
Costello	Heaton	Nolan	Talbott
Cramton	Heintz	Norton	Templeton
Crosser	Hersey	O'Shaunessy	Thompson
Currie, Mich.	Hicks	Paige	Tillman
Dale, N. Y.	Holland	Platt	Towner
Darrow	Hollingsworth	Polk	Treadway
Davidson	Hood	Porter	Van Dyke
Delaney	Houston	Pou	Vare
Dempsey	Howard	Powers	Venable
Denison	Humphreys	Purnell	Volat
Denton	Husted	Ragsdale	Waldow
Dies	Hutchinson	Rainey, H. T.	Walker
Dill	Ireland	Ramsey	Ward
Dillon	James	Ramseyer	Watson, Va.
Dominick	Johnson, S. Dak.	Rankin	Weaver
Donovan	Johnson, Wash.	Rayburn	Welling
Dooling	Juul	Reavis	Whaley
Doolittle	Kahn	Riordan	Wilson, Ill.
Doughton	Kearns	Roberts	Wilson, Tex.
Dowell	Kehoe	Robinson	Wingo
Drane	Keley, Mich.	Rogers	Winslow
Drukker	Kelly, Pa.	Romjue	Wood, Ind.
Dyer	Kennedy, R. I.	Rose	Woods, Iowa
Eagan	Key, Ohio	Rowe	Young, N. Dak.
Edmonds	Kiess, Pa.	Rowland	Young, Tex.
Elliott	Kincheloe	Russell	Zihlman
Elston	King	Sabath	
Emerson	Kinkaid	Sanders, Ind.	
Estopinal	Kitchin	Sanders, N. Y.	
Fairchild, B. L.	Kreider	Sanford	

Thereupon the committee rose; and the Speaker having resumed the chair, Mr. WEBB, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the bill S. 1419, the water-power bill, and finding itself without a quorum, he had ordered the roll to be called, that 195 Members had answered to their names, and that he therewith presented a list of the absentees for printing in the Journal and the RECORD.

The committee resumed its session.

The CHAIRMAN. The gentleman from Wisconsin [Mr. ESCH] is recognized.

Mr. ESCH. Mr. Chairman, I yield 30 minutes to the gentleman from Washington [Mr. LA FOLLETTE].

Mr. QUIN. Mr. Chairman, I would like to know what the President's message is.

The CHAIRMAN. The Chairman of the committee has no right to state what it is, even if he knew. But he does not know. The gentleman from Washington [Mr. LA FOLLETTE] will proceed.

Mr. SIMS. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. WEBB, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (S. 1419) to amend an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906, as amended by the act approved June 23, 1910, and to provide for the improvement and development of waterways for the uses of interstate and foreign commerce, and had come to no resolution thereon.

CONFERENCE REPORT—CHARTER RATES, ETC.

Mr. ALEXANDER. Mr. Speaker, I desire to present the conference report on the bill H. R. 12099, for printing under the rules.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Conference report on H. R. 12099, to confer on the President powers to prescribe charter rates and freight rates, and to requisition vessels, and for other purposes.

The SPEAKER. The report is ordered printed under the rules.

VETO MESSAGE—AGRICULTURAL APPROPRIATION BILL (H. DOC. NO. 1229).

The SPEAKER laid before the House the following message from the President of the United States:

To the House of Representatives:

I regret to return without my signature so important a measure as H. R. 9054, entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1919," but I feel constrained to do so because of my very earnest dissent, from the point of view of principle as well as of wise expediency, from the provision of that part of section 14 which prescribes a uniform minimum price for No. 2 northern spring wheat of $2.40 per bushel.

I dissent upon principle, because I believe that such inelastic legislative price provisions are insusceptible of being administered in a way that will be advantageous either to the producer or to the consumer, establishing, as they do, arbitrary levels which are quite independent of the normal market conditions, and because I believe that the present method of regulation by conference with all concerned has resulted in the most satisfactory manner, considering the complexity and variety of the subject matter dealt with.

It is evident that the present method of determining the price to be paid for wheat has had the most stimulating effect upon production, the estimated crop of spring wheat for this year exceeding all high records in a very remarkable and gratifying way. By an overwhelming majority of the farmers of the United States the price administratively fixed has been regarded as fair and liberal, and objections to it have come only from those sections of the country where, unfortunately, it has in recent years proved impossible to rely upon climatic conditions to produce a full crop of wheat, and where, therefore, many disappointments to the farmer have proved to be unavoidable.

Personally I do not believe that the farmers of the country depend upon the stimulation of price to do their utmost to serve the Nation and the world at this time of crisis by exerting themselves to an extraordinary degree to produce the largest and best crops possible. Their patriotic spirit in this matter has been worthy of all praise and has shown them playing a most admirable and gratifying part in the full mobilization of the resources of the country. To a very greatly increased production of wheat they have added an increased production of almost every other important grain, so that our granaries are likely to overflow, and the anxiety of the nations arrayed against Germany with regard to their food supplies has been relieved.

The administrative method of agreeing upon a fair price has this very great advantage which any element of rigidity would in large part destroy, namely, the advantage of flexibility, of rendering possible at every stage and in the view of every change of experience a readjustment which will be fair alike to producer and consumer.

A fixed minimum price of $2.40 per bushel would, it is estimated, add $2 per barrel to the price of flour; in other words, raise the price of flour from the present price of $10.50 at the mill to $12.50 at the mill, and inasmuch as we are anticipating a crop of approximately 900,000,000 bushels of wheat this increase would be equivalent to the immense sum of $387,000,000.

Such an increase of the price of wheat in the United States would force a corresponding increase in the price of Canadian wheat. The allied Governments would, of course, be obliged to make all of their purchases at the increased figure, and the whole scale of their financial operations in this country, in which the Government of the United States is directly assisting, would be thereby correspondingly enlarged. The increase would also add very materially to the cost of living, and there would inevitably ensue an increase in the wages paid in practi-

cally every industry in the country. These added financial and economic difficulties, affecting practically the whole world, can not, I assume, have been in contemplation by the Congress in passing this legislation.

WOODROW WILSON.

THE WHITE HOUSE,
12 July, 1918.

Mr. LEVER. Mr. Speaker, I ask that the veto message be laid before the House for consideration. I ask for the regular order.

The SPEAKER. The question is, Will the House agree, upon a reconsideration, to pass the Agricultural appropriation bill the objections of the President of the United States to the contrary notwithstanding?

Mr. LEVER. Upon that, Mr. Speaker, I demand the yeas and nays.

The SPEAKER. You do not have to do it. The Constitution enforces it.

Mr. MONDELL rose.

The SPEAKER. For what purpose does the gentleman from Wyoming rise?

Mr. MONDELL. To make the point of order that there is no quorum present.

The SPEAKER. The Chair will count. [After counting.] One hundred and fifty-seven gentlemen are present, not a quorum.

Mr. GARRETT of Tennessee. Mr. Speaker, I move a call of the House.

The SPEAKER. The Chair will make this suggestion, if the gentleman will permit: The Constitution requires the calling of the roll.

Mr. GARRETT of Tennessee. That was the thought that I had in mind and suggested to the gentleman in discussing the matter of making the point of no quorum.

The SPEAKER. The gentleman from Tennessee moves a call of the House.

Mr. HAUGEN. Mr. Speaker, would it be in order to make a request to have this matter come up to-morrow? Nothing now evidently——

Mr. GARRETT of Tennessee. There being no quorum present, nothing can be done except a call of the House or adjournment.

Mr. HAUGEN. Then I move, Mr. Speaker, that the House do now adjourn.

Mr. HEFLIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HEFLIN. Upon a call of the House now will the vote be had upon this?

The SPEAKER. It would not. Nothing is before the House. There is no quorum present.

Mr. GARRETT of Tennessee. Mr. Speaker, I would like to say that it is my desire that this vote might come immediately upon the main proposition, but if a gentleman saw fit to make the point of no quorum and the point of no quorum is sustained, then there would be nothing to do but a call of the House and to make a proposition after that.

Mr. WALSH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WALSH. Assuming that the demand for a call of the House is withdrawn and a roll call is had upon the veto message and the roll call develops no quorum, will it not be necessary, in case the House should adjourn, to take another vote upon the veto?

The SPEAKER. Yes.

Mr. GARRETT of Tennessee. But the point of no quorum is determined, and therefore there is only one of two things to do—to have a call of the House or to have the House adjourn.

The SPEAKER. The gentleman from Tennessee is entirely correct. The gentleman from Tennessee moves a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

Mr. HAUGEN. Mr. Speaker, what becomes of my motion to adjourn?

The SPEAKER. The Chair never heard the gentleman make that motion.

Mr. HAUGEN. I made a motion to adjourn, and I insist on that motion.

The SPEAKER. If the gentleman made the motion to adjourn, a motion to adjourn is in order. The question is on agreeing to that motion.

The question was taken, and the motion was rejected.

The SPEAKER. A call of the House is ordered. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. The answer is "present" or "here."

The Clerk called the roll, and the following Members failed to answer to their names:

Anthony	Elliott	Kelley, Mich.	Rowland
Ashbrook	Elston	Kelly, Pa.	Russell
Austin	Emerson	Kennedy, R. I.	Sanders, Ind.
Bacharach	Estopinal	Key, Ohio	Sanders, N. Y.
Baer	Fairchild, B. L.	Kiess, Pa.	Sanford
Bell	Fairchild, G. W.	Kincheloe	Saunders, Va.
Black	Fess	King	Scott, Iowa
Bland, Ind.	Flood	Kreider	Scott, Pa.
Bowers	Flynn	LaGuardia	Scully
Britten	Fordney	Langley	Sells
Brodbeck	Foss	Larsen	Shackleford
Burnett	Frear	Lehlbach	Sherwood
Butler	Freeman	Lesher	Siegel
Caldwell	Fuller, Ill.	Littlepage	Slayden
Campbell, Kans.	Fuller, Mass.	Lufkin	Slemp
Campbell, Pa.	Gandy	Lundeen	Sloan
Cannon	Gillett	McAndrews	Smith, Mich.
Cantrill	Glass	McCormick	Smith, C. B.
Caraway	Glynn	McCulloch	Smith, T. F.
Carew	Godwin, N. C.	McKenzie	Snyder
Carlin	Good	McKinley	Stafford
Carter, Mass.	Goodall	McLaughlin, Pa.	Stedman
Chandler, Okla.	Gordon	Madden	Steenerson
Church	Gould	Magee	Stephens, Nebr.
Clark, Fla.	Graham, Ill.	Maher	Sterling, Pa.
Clark, Pa.	Graham, Pa.	Mann	Stevenson
Claypool	Gray, N. J.	Mason	Stiness
Cleary	Greene, Mass.	Mays	Strong
Connally, Tex.	Gregg	Meeker	Sullivan
Cooper, W. Va.	Griest	Merritt	Sweet
Copley	Griffin	Miller, Minn.	Swift
Costello	Hamill	Morin	Switzer
Cox	Hamilton, N. Y.	Mudd	Talbott
Cramton	Haskell	Nolan	Templeton
Crosser	Hayden	Norton	Thompson
Currie, Mich.	Hayes	Oliver, N. Y.	Tillman
Dale, N. Y.	Heaton	O'Shaunessy	Treadway
Darrow	Heintz	Paige	Van Dyke
Davidson	Hersey	Platt	Vare
Delaney	Hicks	Polk	Voigt
Dempsey	Holland	Porter	Waldow
Denison	Hollingsworth	Pou	Walker
Denton	Hood	Powers	Ward
Dies	Houston	Purnell	Watson, Va.
Dill	Howard	Ragsdale	Weaver
Dillon	Humphreys	Ramsey	Welling
Dominick	Husted	Ramseyer	Whaley
Donovan	Hutchinson	Rankin	Wilson, Tex.
Dooling	Ireland	Rayburn	Winslow
Doughton	James	Reavis	Wood, Ind.
Dowell	Johnson, S. Dak.	Riordan	Woods, Iowa
Drane	Johnson, Wash.	Roberts	Young, N. Dak.
Drukker	Juul	Robinson	Young, Tex.
Dyer	Kahn	Romjue	Zihlman
Eagan	Kearns	Rose	
Edmonds	Kehoe	Rowe	

The SPEAKER. On this call 209 gentlemen have answered to their names, not a quorum.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 15 minutes p. m.) the House adjourned until Saturday, July 13, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Acting Secretary of the Treasury, transmitting copy of communication from the Secretary of War submitting a deficiency estimate of appropriation required by the Ordnance Department of the Army for submarine mines and appliances, Panama Canal, for the fiscal year 1918 (H. Doc. No. 1221); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, together with report of Col. George A. Zinn, Corps of Engineers, with map on a preliminary examination of main ship channel in or near the mouth of Columbia River on the southerly or Oregon side from a point in the vicinity of Point Adams to a point a short distance above Tongues Point (H. Doc. No. 1222); to the Committee on Rivers and Harbors and ordered to be printed with illustrations.

3. A letter from the Secretary of the Interior, transmitting original papers relating to the claim of Sylvester Lane, as alleged helpless child of Reuben Lane, late of Troop B, Fourteenth Pennsylvania Cavalry (H. Doc. No. 1223); to the Committee on Pensions and ordered to be printed.

4. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Pithlachascotee River, Fla. (H. Doc. No. 1224); to the Committee on Rivers and Harbors and ordered to be printed.

5. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Lynchs River, S. C. (H. Doc. No. 1225); to the Committee on Rivers and Harbors and ordered to be printed.

6. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Broad Creek, Pamlico County, N. C. (H. Doc. No. 1226); to the Committee on Rivers and Harbors and ordered to be printed with illustration.

7. A letter from the Secretary of War, transmitting information regarding the taking and exhibition of still and moving pictures of war preparations and of the American Expeditionary Force (H. Doc. No. 1227); to the Committee on Military Affairs and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. WEBB, from the Committee on the Judiciary, to which was referred the bill (S. 3529) to repeal the act entitled "An act to incorporate the National German-American Alliance," approved February 25, 1907, reported the same without amendment, accompanied by a report (No. 754), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (H. R. 12697) to amend section 53 of the Judicial Code, reported the same without amendment, accompanied by a report (No. 753), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. VENABLE, from the Committee on Naval Affairs, to which was referred the bill (H. R. 10129) to transfer Frederick W. Cobb from the list of chief machinists, United States Navy, to the list of chief pay clerks, United States Navy, reported the same without amendment, accompanied by a report (No. 755), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. HULL of Tennessee: A bill (H. R. 12704) to authorize the importation without the payment of duty of sundry articles for the American National Red Cross, to be donated or used by it solely to or for the benefit of the land or naval forces of the United States or its allies or for the relief of the civilian population of the United States or of its allies; to the Committee on Ways and Means.

By Mr. GREEN of Iowa: A bill (H. R. 12705) providing for the taxation of articles of commerce in the production of which child labor is employed; to the Committee on Ways and Means.

By Mr. BARKLEY: Joint resolution (H. J. Res. 314) declaring Sunday, July 14, 1918, to be a national holiday; to the Committee on the Judiciary.

By Mr. TAGUE: Concurrent resolution (H. Con. Res. 49) favoring immediate home rule for Ireland; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARNHART: A bill (H. R. 12706) granting a pension to Georgia Tuley; to the Committee on Invalid Pensions.

By Mr. BESHLIN: A bill (H. R. 12707) for the relief of Jack Bell; to the Committee on Military Affairs.

By Mr. HAMILTON of Michigan: A bill (H. R. 12708) to carry into effect the findings of the Court of Claims in the case of Almeron E. Calkins; to the Committee on War Claims.

By Mr. HULL of Tennessee: A bill (H. R. 12709) granting a pension to Marion E. Strunk; to the Committee on Pensions.

By Mr. LONGWORTH: A bill (H. R. 12710) granting a pension to Caroline Knierim; to the Committee on Invalid Pensions.

By Mr. McARTHUR: A bill (H. R. 12711) granting an increase of pension to Clara A. Joy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12712) for the relief of George F. de Maranville; to the Committee on Military Affairs.

By Mr. McCLINTIC: A bill (H. R. 12713) granting a pension to Patience Burton; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of Committee on Industrial Medicine and Surgery, favoring passage of Senate joint resolution No. 63 creating a reserve of the Public Health Service; to the Committee on Interstate and Foreign Commerce.

Also (by request), memorial of citizens of the United States, Russia, Finland, Norway, Sweden, and others, at Minneapolis, Minn., asking recognition of the Soviet government for Russia; to the Committee on Foreign Affairs.

Also (by request), memorial of officers and directors of the Baxter Springs (Kans.) Chamber of Commerce, favoring national prohibition as a war measure; to the Committee on the Judiciary.

Also (by request), petitions of Farmers' Union and Grange, at Spokane, Wash., and Jewell Mayes, of Jefferson City, Mo., favoring $2.50 as the price for wheat; to the Committee on Agriculture.

Also (by request), petition of the Greek-American National Union, pledging support to the United States in the prosecution of the war; to the Committee on Military Affairs.

Also (by request), petition of citizens of Valentine, Nebr., favoring national prohibition as a war measure; to the Committee on the Judiciary.

Also (by request), petition of Laura Parrett York, of Good Hope, Ohio, favoring war-time prohibition; to the Committee on the Judiciary.

Also (by request), petition of sundry citizens, relative to war profiteering in the United States; to the Committee on Ways and Means.

Also (by request), memorial of Irish Progressive League, relative to home rule for Ireland; to the Committee on Foreign Affairs.

Also (by request), petition of the American Federation of Labor, of Washington, D. C., favoring passage of a bill to create a national conservatory of music and art; to the Committee on Education.

Also (by request), memorial of the Democratic State committee of New York, pledging loyalty and support to the country in the war; to the Committee on Military Affairs.

By Mr. BROWNING: Petition of sundry citizens of Swedesboro, N. J., urging nation-wide prohibition during the period of the war; to the Committee on the Judiciary.

By Mr. CAREW: Resolution of the National Editorial Association, urging the repeal of section 1101 of the war-revenue act, relating to second-class postage rates; to the Committee on Ways and Means.

By Mr. CARTER of Massachusetts: Petition of members of Allston Methodist Episcopal Church, Allston, Mass., prohibiting the sale of distilled liquors and the manufacture of malt and vinous liquors; to the Committee on the Judiciary.

By Mr. COOPER of Wisconsin: Preamble and resolutions adopted by the Lithuanians of Kenosha, Wis., on July 4, extending to the United States of America assurances of their allegiance to its cause, to which they pledge their lives, fortunes, and sacred honor; to the Committee on Military Affairs.

By Mr. ESCH: Petitions of sundry citizens of the State of Wisconsin, favoring war prohibition; to the Committee on the Judiciary.

Also, resolution of the American Federation of Labor, favoring the establishment of a national conservatory of music and art; to the Committee on Education.

Also, petition of chiropractors and other citizens of Wisconsin, asking that chiropractors be given an opportunity to serve the Army and Navy; to the Committee on Military Affairs.

By Mr. PRATT: Petition favoring the prohibition of the beverage liquor traffic during the period of the war as a war measure, from Veteran Woman's Christian Temperance Union of Millport and Pine Valley, N. Y.; to the Committee on the Judiciary.

Also, resolutions adopted at a public meeting held in Bath, Corning, and Waverly, all in the State of New York, in relation to a propaganda in behalf of polygamy in the United States; to the Committee on the Judiciary.

By Mr. SNELL: Petition of C. H. Leonard, G. J. Hinsdale, E. H. Dexter, Arthur Dexter, A. J. Doty, M. H. Craig, G. H. Simpson, W. E. Heptonstall, and M. Creighton, all of Rensse-

laer Falls, N. Y., favoring war prohibition; to the Committee on the Judiciary.

Also, petition of Pearl Dexter, Maria Jenkins, G. L. Puffer, Lottie V. Foss, Martha M. Crane, A. B. Van Ick, Edith M. Blair, Viola L. Crane, William S. Blair, W. S. Lent, O. T. Crane, and G. H. Fredenburg, all of Rensselaer Falls, N. Y., favoring war prohibition; to the Committee on the Judiciary.

Also, petition of Floyd H. Green, W. J. Oakey, R. S. Daggett, A. G. Fletcher, Grace E. Blanvelt, Gertrude V. Blanvelt, May L. Cook, Renwick F. A. Macdonald, Ruth E. Macdonald, A. G. Kennedy, Mrs. Belle Avery, Mrs. Ethel Mead, Miss E. Bush, Mrs. Fred Dunway, Mrs. A. Getman, W. A. Walton, Mrs. Nellie G. Scott, Mrs. Lizzie V. Morhous, Mrs. Mattie M. Long, Mrs. Alexander McKinlay, Mrs. Clara M. Nelson, Miss Eva A. Williams, Mrs. Cora B. Walton, Mrs. Jennie S. Liscomb, Maud Liscomb, Mrs. Flora Liscomb, and Mr. and Mrs. H. L. Lobdell, all of Saranac Lake, N. Y., favoring war prohibition; to the Committee on the Judiciary.

Also, petition of A. P. Moses, P. F. O'Connor, Hattie L. O'Connor, Alice M. Hawkins, Minnie A. Overett, R. S. Murray, L. F. Guyott, C. W. Patterson, G. N. Boardway, Charles C. Daily, George H. Nickolson, T. A. Hutchins, Roy H. Taylor, F. G. Roby, C. E. Lawrence, F. M. Spencer, B. J. Broaghton, G. C. Tracy, E. B. Lester, Elva A. Williamson, Alzina M. Roby, Ernest H. Berry, Mrs. Bertha Tracy, Bertha L. Paddock, M. M. Badger, C. Hawley, E. M. Fermaro, Mrs. K. Moulton, all of Malone, N. Y., favoring war prohibition; to the Committee on the Judiciary.

Also, petition of Elwood Nokes, Mrs. Florence A. Nokes, Ernest B. Hoadley, sr., Ernest B. Hoadley, jr., Eugene A. Hoadley, Ellen S. Hoadley, Frinda Hoadley, Mrs. Edith Hoadley, C. E. Hoadley, W. S. Ordway, John C. Wright, Charles W. Armstrong, H. D. Cushman, Raymond F. Fisher, W. L. Barlow, D. A. Sperry, Adam Cushman, Mr. Chapman, George A. Davis, all of Westville, N. Y., favoring war prohibition; to the Committee on the Judiciary.

By Mr. TAGUE: Petition of the American Federation of Labor, advocating establishment of a free national conservatory of music at Washington, D. C.; to the Committee on Public Buildings and Grounds.

SENATE.

SATURDAY, *July 13, 1918.*

(Legislative day of Thursday, July 11, 1918.)

The Senate met at 11 o'clock a. m.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The SECRETARY called the roll, and the following Senators answered to their names:

Benet	Jones, N. Mex.	Nugent	Smith, Ga.
Borah	Jones, Wash.	Penrose	Smith, S. C.
Chamberlain	Kenyon	Saulsbury	Smoot
Fernald	Knox	Shafroth	Underwood
Hale	Martin	Sheppard	Vardaman
Henderson	Myers	Simmons	

The PRESIDENT pro tempore. Twenty-three Senators only have answered to their names. The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr. CURTIS, Mr. KENDRICK, Mr. KING, Mr. MCCUMBER, Mr. NORRIS, Mr. REED, Mr. SHERMAN, Mr. SHIELDS, Mr. STERLING, Mr. SWANSON, Mr. THOMPSON, Mr. WALSH, and Mr. WATSON answered to their names when called.

The PRESIDENT pro tempore (Mr. SAULSBURY). I wish to announce the absence of my colleague [Mr. WOLCOTT] on important business.

Mr. JONES of Washington. The junior Senator from Michigan [Mr. TOWNSEND] is necessarily absent on account of illness in his family. I will let this announcement stand for the day.

Mr. COLT, Mr. FRELINGHUYSEN, Mr. LENROOT, Mr. MCKELLAR, Mr. HARDING, Mr. NEW, Mr. RANSDELL, Mr. POINDEXTER, Mr. BANKHEAD, Mr. WADSWORTH, Mr. THOMAS, Mr. POMERENE, Mr. SUTHERLAND, Mr. LEWIS, Mr. OVERMAN, Mr. SMITH of Michigan, Mr. FRANCE, and Mr. TRAMMELL entered the Chamber and answered to their names.

Mr. SUTHERLAND. I wish to announce that my colleague [Mr. GOFF] is absent on account of illness.

Mr. KING. I wish to announce that the senior Senator from Kentucky [Mr. JAMES] is detained by illness; that the Senator from Mississippi [Mr. WILLIAMS] and the junior Senator from Kentucky [Mr. BECKHAM] are necessarily absent; and that the Senator from Arizona [Mr. ASHURST] is detained by illness in his family.

The PRESIDENT pro tempore. Fifty-four Senators have answered to their names. There is a quorum present.

RATIFICATION OF CONSTITUTIONAL AMENDMENT.

The PRESIDENT pro tempore. The Chair desires to state to the Senate that he has received, addressed to the Vice President, a communication from the governor of the State of Georgia, inclosing a certificate of the ratification by the legislature of that State of the proposed prohibition amendment to the Constitution. The communication will be placed on the files of the Senate.

TELEGRAPH CONTROL.

The PRESIDENT pro tempore. The Chair also has a telegram from the organization of Western Union telegraphers now in session in Chicago, being a protest addressed to the Vice President against the passage of the pending joint resolution, which he will hand to the Secretary for proper disposition.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the House had passed the following bills, with amendments, in which it requested the concurrence of the Senate:

S. 4194. A bill granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

S. 4543. A bill granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors; and

S. 4722. A bill granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12099) to confer on the President power to prescribe charter rates and freight rates and to requisition vessels, and for other purposes.

The message further announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10852) to provide for the appointment of a commission to standardize screw threads.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the President pro tempore:

H. R. 8839. An act for the establishment of Oswego, in the State of New York, as a port of entry for immediate transportation without appraisement of dutiable merchandise; and

H. R. 12002. An act for the establishment of Bar Harbor, in the State of Maine, as a port of entry and delivery for the immediate transportation without appraisement of dutiable merchandise.

PETITIONS.

Mr. CURTIS (for Mr. LODGE) presented petitions of sundry citizens of the State of Massachusetts, praying for national prohibition as a war measure, which were ordered to lie on the table.

Mr. ASHURST presented a telegram in the nature of a petition from the Arizona State Council of Defense, praying that appropriations be made to recruit labor, which was referred to the Committee on Education and Labor.

Mr. COLT presented resolutions adopted by the school committee of Providence, R. I., favoring universal military training, which were referred to the Committee on Military Affairs.

Mr. LENROOT presented a petition of sundry citizens of the State of Wisconsin, praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which was ordered to lie on the table.

Mr. MYERS presented a petition of the Rotary Club of Anaconda, Mont., praying for a Federal investigation of the present high cost of gasoline, which was referred to the Committee on Commerce.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMITH of Maryland:

A bill (S. 4826) to amend an act entitled "An act to authorize the President to increase temporarily the Military Establish-

ment of the United States," approved May 18, 1917; to the Committee on Military Affairs.

By Mr. WATSON:

A bill (S. 4827) granting an increase of pension to William F. Craig; to the Committee on Pensions.

By Mr. McKELLAR:

A bill (S. 4828) granting a pension to George W. Hacker (with accompanying papers); to the Committee on Pensions.

By Mr. FRELINGHUYSEN:

A joint resolution (S. J. Res. 166) authorizing the President to appoint a commission to investigate the subject of narcotic and habit-forming drugs; to the Committee on Finance.

APPROVAL OF HYDROELECTRIC BONDS.

Mr. JONES of Washington submitted the following resolution (S. Res. 285), which was read, considered by unanimous consent, and agreed to:

Resolved, That the Capital Issues Committee be directed to send to the Senate copies of all papers, communications, and reports on file with it or with its district committee at San Francisco, or any other of its committees or subcommittees or representatives, relating to the application of the city of Seattle, in the State of Washington, for approval of hydroelectric bonds.

NATIONAL GUARD OFFICERS.

Mr. McKELLAR submitted the following resolution (S. Res. 286), which was read, considered by unanimous consent, and agreed to:

Resolved, That the Secretary of War be, and is hereby, respectfully requested to furnish the Senate the names of all National Guard officers that have been dismissed from the service since the beginning of the present war, by States, together with the rank of each officer and the organization to which he belonged and the dates and causes of dismissal.

ADDRESS BY SECRETARY DANIELS AT NAVAL ACADEMY.

Mr. SWANSON. Mr. President, I ask that the address of the Secretary of the Navy to the graduation class of 1918 at the commencement exercises at the Naval Academy at Annapolis June 6, 1918, be printed as a public document. It is an admirable address.

Mr. SMOOT. I ask that it be referred to the Committee on Printing.

Mr. SWANSON. It is not asked that it go in the RECORD, but to be printed as a public document.

Mr. SMOOT. The rule is that such matters shall be referred to the Committee on Printing.

Mr. SWANSON. I ask unanimous consent that it be printed as a public document. Does the Senator object?

Mr. SMOOT. I do. I ask that it go to the Committee on Printing.

The PRESIDENT pro tempore. Under objection, the address will be referred to the Committee on Printing.

STANDARDIZATION OF SCREW THREADS.

Mr. KENYON submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10852) to provide for the appointment of a commission to standardize screw threads, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, and 8, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In lieu of the matter proposed insert "six months"; and the Senate agree to the same.

WILLIAM S. KENYON,
W. G. HARDING,
Managers on the part of the Senate.
WILLIAM A. ASHBROOK,
E. E. ROBERTS,
Managers on the part of the House.

The report was agreed to.

PENSIONS AND INCREASE OF PENSIONS.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 4194) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

Mr. WALSH. I move that the Senate disagree to the amendments of the House and request a conference with the House on the disagreeing votes of the two Houses thereon, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the President pro tempore appointed Mr. WALSH, Mr. THOMAS, and Mr. SMOOT conferees on the part of the Senate.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 4722) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

Mr. WALSH. I move that the Senate disagree to the amendments of the House and request a conference with the House on the disagreeing votes of the two Houses thereon, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the President pro tempore appointed Mr. WALSH, Mr. THOMAS, and Mr. SMOOT conferees on the part of the Senate.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 4543) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

Mr. WALSH. I move that the Senate disagree to the amendments of the House and request a conference with the House on the disagreeing votes of the two Houses thereon, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the President pro tempore appointed Mr. WALSH, Mr. THOMAS, and Mr. SMOOT conferees on the part of the Senate.

THE FALL OF THE BASTILLE—SITUATION IN RUSSIA.

Mr. BORAH. Mr. President, 129 years ago to-morrow the people of France won their first distinct victory in the fight for freedom. No people had ever been subjected to a more cruel and exacting tyranny, a more soulless and relentless bureaucracy, and no people ever disclosed greater courage or greater capacity for endurance in a great cause than the French people in their struggle for free institutions.

In the young days of our Republic we sympathized deeply with France and felt ourselves very near to the French people as they went forward in the cause of free government. To them we owed a deep sense of gratitude. In the heart of the young Republic of the West dwelt a genuine love for the French people. The common cause of liberty brings us again in closest friendship. It is our hope that this friendship, founded in common respect and common ideals rather than selfish interests resting in contracts, may be enduring. The hour of common danger, of common sacrifice, naturally draws more closely the bonds of affection. But when the war shall have passed and selfish and commercial interests again come to assert their sway, let us bear in mind the underlying ideals and principles of both peoples. They will constitute a safe passport to a friendly and durable understanding.

As a preface to my very brief remarks upon this matter I read a paragraph or two from Mr. Carlyle's description of the fall of the Bastille. It is found in Chapter VI of his History of the French Revolution:

But to the living and struggling a new fourteenth morning dawns. Under all roofs of this distracted city is the nodus of a drama, not untragical, crowding toward solution. The bustlings and preparings, the tremors and menaces, the tears that fell from old eyes! This day, my sons, ye shall quit you like men. By the memory of your fathers' wrongs, by the hope of your children's rights! Tyranny impends in red wrath; help for you is none, if not in your own right hands. This day ye must do or die.

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Ever wilder swells the tide of men; their infinite hum waxing ever louder into imprecations, perhaps into crackle of stray musketry, which latter on walls 9 feet thick can not do execution. The outer drawbridge has been lowered for Thuriot; new deputation of citizens (it is the third and noisiest of all) penetrates that way into the outer court; soft speeches producing no clearance of these. De Launay gives fire; pulls up his drawbridge. A slight sputter, which has kindled the too combustible chaos, made it a roaring fire chaos, bursts forth insurrection at sight of its own blood (for there were deaths by that sputter of fire) into endless rolling explosions of musketry, distraction, execration; and overhead from the fortress let one great gun, with its grapeshot, go booming to show what we could do. The Bastille is besieged!

On, then, all Frenchmen, that have hearts in your bodies! Roar with all your throats of cartilage and metal ye sons of liberty; stir spasmodically whatsoever of utmost faculty is in you, soul, body, or spirit, for it is the hour! Smite, thou Louis Tournay, cartwright of the Marais, old soldier of the regiment Dauphine; smite at that outer drawbridge chain though the fiery hail whistles round thee! Never over knave or fellow did thy axe strike such a stroke. Down with it, man; down with it to Orcus; let the whole accursed edifice sink thither and tyranny be swallowed up forever! Mounted, some say, on the roof of the guardroom, some "on bayonets stuck into joints of the wall," Louis Tournay smites, brave Aubin Bonnemere (also an old soldier) seconding him; the chain yields, breaks; the huge drawbridge slams down, thundering (avec fracas). Glorious; and yet, alas, it is still but the outworks. The eight grim towers, with their invalide musketry, their paving stones and cannon mouths still soar aloft intact; ditch yawning impassable, stone faced; the inner drawbridge with its back toward us; the Bastille is still to take!

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How the great Bastille clock ticks (inaudible) in its inner court there at its ease, hour after hour, as if nothing special for it or the world were passing. It tolled one when the firing began, and is now pointing toward five, and still the firing slakes not. Far down in their vaults the seven prisoners hear muffled din as of earthquakes; their turnkeys answer vaguely.

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For four hours now has the world-bedlam roared; call it the world chimera, blowing fire! The poor invalides have sunk under their battlements, or rise only with reversed muskets; they have made a white flag of napkins, go beating the chamade, or seeming to beat, for one can hear nothing. The very Swiss at the portcullis look weary of firing; disheartened in the fire deluge; a porthole at the drawbridge is opened as by one that would speak. See Huissier Maillard, the shifty man! On his plank, swinging over the abyss of that stone ditch; plank resting on parapet, balanced by weight of patriots, he hovers perilous; such a dove toward such an ark! Deftly though shifty Usher; one man already fell and lies smashed far down there against the masonry! Usher Maillard falls not; deftly, unerring he walks with outspread palm. The Swiss holds a paper through his porthole; the shifty Usher snatches it and returns. Terms of surrender: pardon, immunity to all! Are they accepted? "Foi d'officier, on the word of an officer," answers half-pay Hulin, or half-pay Elie, for men do not agree on it, "they are!" Sinks the drawbridge. Usher Maillard bolting it when down; rushes in the living deluge; the Bastille is fallen! Victoire! La Bastille est prise!

Mr. President, we do well to join in the celebration of the fall of the Bastille. It is not only gracious toward the great nation with whom we are now associated in this struggle for liberty, but it recalls the fact that there were other days in which people suffered and sacrificed in the same great cause. The rumblings of the rocking walls of the Bastille were music to an oppressed people. Its demolition marked the beginning of an era in the history of Europe. Yet while the people felt the inspiration of the event and rejoiced that this somber monument of torture no longer disfigured the earth, many among the wise were in doubt as to its significance. Fox, it will be recalled, was denounced in Parliament and throughout England for giving expression to his great joy. It was one of those events brought about and encompassed by the aroused, undisciplined, and untrained passions of a great nation seeking freedom, but which leaders and philosophers so often misunderstand. How many times in the history of the race have these long-restrained forces broken their leash and in ways no one could foretell or no one could at the time understand wrought mightily for the freedom and advancement of mankind. The course of revolution submits to no rule; it is a law unto itself; it conforms to no plan, not even the plan of its own leaders. There comes a time, it seems, when the great dumb forces of downtrodden and outraged humanity, disowning mercy and disregarding justice, trampling upon every right precept of human conduct and brutalizing all the higher conceptions of life, nevertheless push on and on to a new day, and on and over all confronting obstacles to a higher civilization. In its progress it seems cruel and chaotic, but when we come to look back over it in after years it seems to harmonize after all with some higher law of human progress. Let us take a leaf from this tragic story and gather from it a lesson for our own guidance in this hour of perplexing duties.

There is now in progress among a people who possess one-sixth of the habitable globe, comprising 180,000,000 souls, a revolution superficially unlike, but fundamentally not wholly dissimilar to, the revolution whose first decisive event we now commemorate. We do not seem to comprehend that movement any more than Europe or England comprehended the movement of 1789. We are impatient and critical; but be patient—a nation is being born, an oppressed and long-subjugated people are breaking their chains. We speak of chaos and turmoil and murder and assassination, but maybe these things, too, will round themselves out into an epic of human liberty under some higher law of human progress which we do not yet quite comprehend.

Robespierre had his part to play in the French revolution, and yet from the time we first catch a glimpse of him as a timid country judge until he leaned against the pillars of the assembly and heard his doom from the mob which he had called into being, there is scarcely a redeeming trait to be found in his whole miserable make-up.

Danton, the incarnation of force and passion, also rode the storm for a time, moving like some sinister spirit in the darkness, and still startles us with horror when we contemplate anew his life, and yet the inscrutable forces of progress called him to service also. The whole vast movement which we celebrate, the fall of the Bastille and thereby the 21st of January, 1793, seemed at one time but an exhibition of human depravity and human misery.

Just so in the Russian revolution. There are despicable creatures, corrupted slaves, bold and persistent traitors, but behind all of these are a great noble people struggling to be free, struggling in madness and undiscipline to be rid of that bureaucratic hell in which they have been tortured for centuries. Let us not in our wrath against individuals or isolated incidents lose sight of the great principles involved or lose faith in the great cause going forward or lose interest in the struggle of this great, brave people. Trotsky is an incident. Lenine is of no concern in the final adjustment of things. But the Russian people are of supreme concern and entitled to the sympathy, the counsel, and confidence of free peoples everywhere. They are entitled especially to the help and guidance, the unselfish and beneficent leadership, of this Republic. Let us not stand about as the nations did in 1789 criticizing and anathematizing the French Revolution. Let us have faith in humanity, and the cause of freedom as such, and go in every way possible to the aid of Russia. Let no man nor class of men, no prejudices or passions, come between us and our duty to the Russian people. While we commemorate things which history records and mark anew the milestones of human progress and human liberty, let us take our part in the great events of the present hour. To stand aside while Russia is making this struggle, to offer neither aid nor counsel nor advice, is to fail in what is perhaps the supremest task of this war.

When we seem to doubt the courage or the patriotism or the endurance or the stability of the Russian people we charge ourselves with having short and treacherous memories. Shall we forget the Battle of the Marne, where civilization hung in the balance, and what might have been the result in all probability had not the Russian people held the forces of Hindenburg and Ludendorff upon the eastern front? They did their part in that hour and did it well; for had the entire forces of Germany, under the leadership of these men who then had charge of the eastern division, been able to concentrate with the rest of their fighting forces at the Marne the story of this war might have been different, and the story of civilization might have had a darker turn. Have we forgotten the great Battle of the Four Rivers, under the leadership of the Grand Duke, surpassed by no other conflict of this war for courage and for military ability? Do we forget that they waded through the Carpathian snows, unshod and illy clothed, and fought their way until they looked upon and threatened the plains of Hungary? In the first two years of this war they left 2,000,000 dead upon the fields of battle and 5,000,000 wounded. The Russian people, as a people and as a soldiery, never deserted the cause nor broke down until they were betrayed by their corrupted leaders. Time and time again the brave Russian soldiers stood in line where there was but one gun for three men, and when death came to the armed comrade the gun was seized and thus the battle went on. Do not too readily lose faith in such a people.

We, my friends, find efficient material in the character, the sturdiness, the heroism, and the courage of the mass of the Russian people to constitute the basis of a real free government; and it is both the duty and the obligation of this Government to recognize that fact and to deal with the Russian people upon that basis. Not until there is established in that part of the earth a real, substantial free government will this war be won so as to insure security and stability to this country or a stable and durable peace. If this war should end and Germany should be left in possession of the vast natural resources and man power which she is now taking possession of, we might have peace for a short time, we might have fancied security for a day, but ultimately we would have to face a condition of affairs infinitely worse than the condition which we are now facing.

So, sir, while we are celebrating the event which started the French revolution and helping to revive the memories and the glory of those old heroic days, let us demonstrate our faith in humanity and in the power of freedom by giving of our aid, of our counsel, and of our assistance to the Russian people in their great struggle. I am not finding fault. I am adding a word of encouragement for the plans which I understand are being formed. I am not criticizing, but I am raising my voice in sincerity and candor for a people who, in my humble judgment, contain within them the possibilities of a stable and noble civilization. I have read with concern and no little humiliation the fault-finding and criticism in some parts of this great effort upon the part of these people to be free, and I plead for a higher, firmer faith and a broader vision.

Mr. THOMAS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Idaho yield to the Senator from Colorado?

Mr. BORAH. I yield.

Mr. THOMAS. Mr. President, I have been greatly impressed, as I always am, by the remarks of the Senator from Idaho, and particularly because of the occasion which has prompted him to speak. I agree that it is our duty, as well as our interest, to take some active part in Russian affairs, to the end that the people and resources of that great country may be saved, as far as it is possible to save them, from Teutonic domination.

There is no question, as the Senator has said, that pan-Germanism has been more potent in the overthrow of Russia than the armed hosts of the Kaiser, and that but for the pan-Germanic influences Russia to-day might be in active hostility, as she was during the first three years of the war, to the Germanic alliance. I wish to remind the Senator, however, that the Russian people and their rulers seem in history to have been the saving force of the Hohenzollerns, without which Prussianism would have disappeared from the earth over a hundred years ago.

The Senator, of course, recalls that Frederick the Great was in his direst and last extremity when opposing the alliance of Austria, France, and Russia, and that only a few days before his inevitable surrender the death of the Empress Elizabeth, followed by the accession of the Czar Peter, changed the whole course of history and saved the Prussian Kingdom from destruction. When the new Czar withdrew from the alliance and placed his forces at the disposal of Frederick, he thus succeeded at a time when, but for such treachery, his race and his people as a nation would have disappeared from history.

Now, it would seem that history has repeated itself, in that the dethronement of the Czar and the accession of the Bolsheviki has again given to the Germanic alliance, in what I believe to have been its second extremity, the opportunity for regeneration and for massing all of its forces against the allies in the west.

I should like to inquire of the Senator whether he thinks there has not been some change in the attitude of the Russian people toward the war, and particularly in view of the collapse of its great army and the absence of what now seems to be any nationally organized government, whether it would be possible for the allies to interfere in a military sense and at the same time act in harmony with the prevailing Russian sentiment regarding the war?

I perceive a great many geographical and physical difficulties in the way of military interference, since the Russian front, if there is such a thing, is many thousand miles away from our nearest sources of supply. I should like, therefore, before the Senator takes his seat to inquire whether the assistance which he thinks we should give to Russia is of a military or of a political character; and whether, in the event the latter is that which he has in mind, we can at present afford any active assistance which, unaccompanied by a display of military power, would enable us to offset the tremendous influence now exercised and extended by the German people over the western portions of Russia?

Mr. BORAH. Mr. President, I have no doubt, from the evidence I have been able to gather, that there is a tremendous force in Russia among the masses of the Russian people who are not in sympathy with the German cause or with the Prussian idea. In my opinion, there is every reason to believe, especially in view of the action which has been taking place in Siberia and other places for the last 10 days, that there is a powerful force in Russia which would be perfectly willing to cooperate with any power which it believed to have entered Russia with an unselfish purpose and with a desire alone to aid the Russian cause. In my opinion, the Bolsheviki—that is, the forces of Trotsky and Lenine—represent a very small percentage of the real public sentiment of Russia. They have, by reason of conditions which it is not necessary for me to discuss at this time but which the Senator understands as well as I do, and by reason of the aid which was given to them by Germany, been able to dominate the situation to a very large extent. But if the statements that come to us are facts, their power is crumbling, and it is crumbling by reason of the fact that the great mass of the Russian people do not believe that they have proved themselves loyal to the Russian cause. If the United States were to enter upon a program of aid to the Russian people they would find the much larger percentage of the Russian people in harmony with their purposes.

The Senator refers back to the fact in history that there was a betrayal once before of the cause of freedom in favor of the cause of Prussia; but that situation has changed, by reason of the fact that we must deal, if we deal at all, with the Russian people and with any form of government which the Russian people are able to set up, and not with the forces which had control of the situation at the time Frederick the Great was operating in Europe. But, Mr. President, if the Senator is correct in his logic, then I presume the result of it is that we must abandon that great country to the domination of the Germans and to such forces as Germany may select for her work in Russia. If so, the war is already lost.

Mr. THOMAS. No, Mr. President; if the Senator will permit me, I did not intend to leave the impression in his mind that I thought we should do nothing, but, rather, to ascertain from the Senator what our method of procedure should be.

Mr. BORAH. I perhaps did not answer the Senator directly. Of course, I should not want to undertake myself to talk about the details of military movements, because I am not prepared to do so; neither would it be wise to do so if I had obtained the information from those who were wise enough to give it; but I believe we should have both a military and a political force at work in the cause to which I have referred.

Let me say, further, that we find ourselves in the position which we do in Russia by reason of the fact that at the time the revolution happened the allies came to the conclusion at once, apparently, that Russia without their aid could work out her own destiny; and Germany, availing herself of the opportunity which was then presented, went in there with a powerful propaganda and turned the revolution, which should have been against her cause, in favor of it. It was a very great mistake. The allies should have known that these people, subjected to the grinding power of tyranny for centuries, crushing out all initiative and destroying all sense of responsibility, could not step from bondage and serfdom to a stable and manly liberty without making mistakes. It was then that friendly counsel and advice, aid, and support should have been given. Now, I do not wish to discuss details, for here is not the place to formulate them, but I believe in the success of both military and political aid to Russia.

Mr. THOMAS. Mr. President, I had the good fortune a few nights ago to listen to the story of a gentleman recently returned from Russia who has spent the last 11 months in that country; and, from his statement of conditions as he perceived them, I rather tended to the conclusion, first, that the Bolsheviki were in power because of an overwhelming peasant and workman sentiment behind them; second, that any military interference which involved an invasion of Russia or an occupation of any part of its soil by the Japanese would present a race question of formidable proportions and in all probability result in a reaction toward Germany because of it; and hence that our method of procedure, for the present, at least, should be confined to peaceful measures, the introduction of American emissaries, and the dissemination of American republican sentiment, which would find a most fruitful field for propagation, and in all probability would accomplish more than could be accomplished in any other way.

This gentleman also directed our attention to the fact that Germany had some time ago ceased military action against Russia and the Russian people, because she had become convinced that she could not by that means acquire that political and economic domination which she desires; that for the last six or eight months she has endeavored by peaceful and commercial penetration to absorb the Russian people, dominate its Government, direct its destiny, and avail herself of the material resources of that wonderful country; and that the allies' best means of overcoming her policy was by organizing a similar widely extended, intelligent, and organized propaganda.

Mr. BORAH. We might or might not differ as to the details, but that we should do something, it seems to me, is apparent.

Mr. THOMAS. Unquestionably.

Mr. BORAH. Permit me to say, however, for fear that I may be misunderstood, that nothing I have said here should be construed into my indorsement of sending Japan into Russia. I am speaking alone of our duties and responsibilities.

Mr. THOMAS. Mr. President, I did not so understand. My reference to that subject was due entirely to the views of the gentleman to whom I refer. That gentleman, I may say, is Mr. Raymond Robins, one of the very prominent citizens of Illinois and a man of remarkable ability.

Mr. POINDEXTER. Mr. President, I happen to be somewhat familiar with the information which the Senator from Colorado has from Mr. Raymond Robins. I have heard Mr. Raymond Robins state his views, and think that I know the statement upon which the Senator from Colorado bases his suggestions.

Mr. Robins and other gentlemen who were associated with him in Russia, one of whom is a prominent copper-mining man from Montana, are apologists and defenders of the present Bolsheviki government in Russia. It seems to me that when that statement is made that is enough. The interest of the United States in the Government of Russia, aside from our general humane interest in the welfare of any people, looking at it from a governmental standpoint, is in the part which Russia, with its almost illimitable resources of material and men, shall take in this war. Our interest in the question is, What influence will this great power, unorganized and undeveloped, of men and metals and food, have upon the German Army, which is now attacking with all its force the organized forces of civilization in France?

The gentleman to whom the Senator from Colorado refers makes the astounding proposition that in the face of this crisis

on the battle front of France, with the issue of the war—if we are to rely at all upon the information which we get—hanging in the balance, he proposes to divert a part of the man power and of the supplies and resources of this country and send them to Russia, to be used under the control and leadership of the Bolsheviki government. That is the proposition which they make. That is the proposition which, I am very sorry to say, judging from intimations and from circumstances which sometimes have the conclusive effect of proof, has made considerable impression upon the administration.

Why, Mr. President, we have been taught from infancy to condemn and to despise and to contemn Benedict Arnold; but Benedict Arnold's treason and conduct was on a high plane compared with the cotemptible and infamous motives and conduct of Lenine and Trotzky in their betrayal of the Russian people and the allies. There are certain fundamental principles which men of character attach themselves to, and which they follow through the murk and darkness and confusion of the turmoil of the world, regardless of the particular forms and phases which events may take from day to day; and these gentlemen to whom the Senator from Colorado refers would have the United States of America turn its back upon the principles of fair dealing and honesty and faith and loyalty to their country and to their allies and make friends with and give aid and comfort to the traitors who have sold them out! That is the proposition.

Mr. THOMAS. Mr. President, I did not hear all of the Senator's statement.

Mr. POINDEXTER. I saw that the Senator did not hear all of it, but he could have heard all of it if he had listened.

Mr. THOMAS. I am sorry my attention was diverted; but inasmuch as the Senator referred to the Senator from Colorado, may I ask whether the last statement involved a conclusion from something that I said?

Mr. POINDEXTER. The statement speaks for itself. I said——

Mr. THOMAS. I have no doubt of that; and I apologize to the Senator for interrupting him.

Mr. POINDEXTER. I dislike very much to have to repeat.

Mr. THOMAS. I will not ask the Senator to repeat.

Mr. POINDEXTER. I will not repeat what I said, but I will say in explanation of it that I characterized in the way I did the policy which is proposed by the gentleman to whom the Senator from Colorado referred as giving him certain information about the matter. That was the substance of what I said.

Mr. THOMAS. I regret that I interrupted the Senator.

Mr. POINDEXTER. That is not necessary. It is entirely agreeable to me for the Senator to interrupt me. I was just expressing a disinclination to repeat what I had already said.

Mr. President, I do not propose to discuss this question at length. It is a matter which involves a great mass of details and information. There has been considerable curiosity expressed as to how a coterie of traitors and released criminals can maintain themselves against the great mass of loyal Russian people. One of the reasons is that the Russian people are unarmed; that the arms are in the hands of the Bolsheviki and their dupes and the criminals who, though intelligent, for purposes of loot have associated themselves with them. I am informed that even this magnificent body of organized Czecho-Slovaks who have performed the great service for the allies of stopping the flow of food and material from Siberia into Russia, which means into Germany, because Russia, under Lenine and Trotzky—that part of which they are in control—is a mere tributary province of Germany, and every ounce of resources that was available, which was not very much, in the unorganized condition of the country has found its way immediately, as fast as transportation could be afforded for it, into the hands of the German Government,—even the Czecho-Slovoks are largely unarmed. The arms are in the hands of the Bolsheviki. Everybody who thinks about the situation, who has ever faced the realities of life, who undertakes to imagine to himself the situation of a community of unarmed people in the face of a gang of unscrupulous men who have arms in their hands, can understand one of the causes for the predominance of the Bolsheviki and their government in Russia.

Now, these very gentlemen—and if I am mistaken in this the Senator from Colorado may correct me—to whom the Senator from Colorado refers, who have had the opportunity to get information, being connected with the Red Cross in Russia, these very gentlemen who propose for the United States to turn now to the support of and cooperation with these Bolsheviki for the mere reason—and that is the reason that they give—that the Bolsheviki are in power, because the Bolsheviki are in control of the Government, do not deny that the Bolsheviki are friends of Germany.

They do not claim, they do not propose by sending food or a civilian commission from the United States to Russia to cooperate with these unspeakable Bolsheviki leaders, beneath the contempt of decent men of whatever class, government, or party in the world—that they will ever use their influence to organize Russia again to oppose Germany in this war.

Mr. REED. Mr. President——

Mr. POINDEXTER. In just a moment. I started out here expressing the opinion that the interest from a governmental standpoint of the United States in this question is in developing Russia in resistance to the German arms. I take it that is what we are concerned in, at least until this war is won; and these gentlemen who have obtained the ear to a certain extent of people in power in this country do not promise or hope for any prospect in sending our resources to Russia to be used under the Bolsheviki direction, ever to have them used against Germany, to resist the conquering march in which she is now attempting to enslave the world.

Mr. REED. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Missouri?

Mr. POINDEXTER. I yield.

Mr. REED. The Senator refers to several gentlemen who went on a mission and have come back. One of them, I believe, was Mr. Robins. Does the Senator know what Mr. Robins's political affiliations or views were before he went to Russia?

Mr. POINDEXTER. No; I can not say. He seems to be a great supporter of the administration now. I think he opposed it in the presidential campaign.

Mr. REED. How many of these men——

Mr. JOHNSON of California. Mr. President——

Mr. POINDEXTER. I yield to the Senator.

Mr. JOHNSON of California. I can answer the question of the Senator from Missouri, if he desires. The political predilections of Raymond Robins were the predilections of many of us in 1912. He was a Progressive at that time, and like the rest of us is proud of the fact that he was then a Progressive. He has been a Progressive since, until 1916, when I believe he supported the Republican candidate for President of the United States; but in politics, generally speaking, Mr. Raymond Robins is wholly independent and represents the highest type of American citizenship.

Now, while I am on my feet, will the Senator from Missouri permit me to correct——

Mr. POINDEXTER. Mr. President, I have the floor, but will yield. I yield to the Senator from California.

Mr. REED. I should like to finish my inquiry. I want to know how many of these men, if any of them, were Socialists. I did not know that Mr. Robins was a Progressive. I do know that there were one or two Socialists sent to Russia at one time.

Mr. POINDEXTER. I yield to the Senator from California.

Mr. JOHNSON of California. If the Senator from Washington will permit me, Col. Thompson, I am sure, a gentleman of highest repute and multimillionaire as he is, would not be considered a Socialist. Maj. Thacher, a man of ability and culture, a member of a firm of lawyers in New York, conservative in character and practice, I am sure would not be considered a Socialist either. These three gentleman are the ones referred to.

If the Senator from Washington will permit me, while I do not feel at liberty to discuss the Russian situation, I do feel that I understand it from certain standpoints, and I want to correct the Senator from Washington. These gentlemen who have returned are neither the apologists nor the defenders of the Bolsheviki. They have endeavored to paint the picture of Russia as they have seen it, and to paint it so that we may understand it. They are men of different environments, different viewpoints of life, and different spheres of activity, and they agree upon the particular situation, and in agreement and in accord with them, as I understand it, are high representatives of other governments. If I felt at liberty to discuss the situation and point it out to the Senator from Washington, I am very certain I could demonstrate readily the error into which he falls. But the knowledge which has come to me, and come in detail from many sources, I do not feel free at this time to divulge, nor do I think that while an international situation of such transcendent importance is at the very point of determination by the President, I ought to indulge in statements of fact which he has under consideration.

Mr. REED. Mr. President——

Mr. POINDEXTER. Just a moment.

Mr. REED. I am trying to pursue an inquiry.

Mr. POINDEXTER. I will yield in a moment, if the Senator will permit me.

Mr. REED. Certainly.

Mr. POINDEXTER. I did not bring Mr. Robins's name into the discussion. I desire to say that my impression from hearing the statement of these gentlemen was a very clear impression that they propose, and urge with vehemence, that we should work under the Bolsheviki government in Russia in what we do there.

Mr. JOHNSON of California. By no means.

Mr. POINDEXTER. Then, if the Senator is correct in that, of course, I have a radical misapprehension of their position.

Mr. JOHNSON of California. You have entirely a misapprehension of their position. They endeavored to describe what the Soviet of Russia was. They demonstrated that it was the only government that now exists in Russia, that the Bolsheviki represented a mere party of the Soviet, just exactly as if a political party were in control for a brief period in our Nation. They desired to have an economic cooperation with the Government of Russia in power, whether the power were brifly of one party or another, so that Russia's enormous and tremendous resources should come to the allies and to the United States of America rather than that they should be given to Germany, and they believed they had a rational plan for that particular cooperation.

Mr. POINDEXTER. Mr. President, the Senator from California says that these gentlemen whose names have already been mentioned, Mr. Robins and Col. Thompson, of Montana, proposed to work through the Soviet Government of Russia. I make the proposition that the Soviet Government of Russia is under the Bolsheviki, that the Bolsheviki are, as the Senator from California describes them, a party and now in power, as there will be other parties in power and control of the Russian Government. They are acting through the Soviets. The Senator from California says that these gentlemen propose to work through the Soviets, and I say that out of his own statement of the proposition he shows they propose thereby to work under and in harmony with the Bolsheviki in control of that country to-day. They defend that policy. I do not say that they do not ably defend their particular policy, and of course I do not deny their right to do so. I differ with them, that is all. I think there can be no question that that is a proper statement of their position.

Mr. REED. Will the Senator pardon me a moment to make an observation?

Mr. POINDEXTER. I yield to the Senator from Missouri.

Mr. REED. When I made my inquiry I did not know the names of the particular gentlemen over there on the mission except Mr. Robins, whose name I had heard mentioned. I assumed that this was a part of the mission that went over there some time ago. I knew one of those men was Mr. Russell. I always knew that Mr. Russell had been a Socialist. I think there were others who went over there who were Socialists at that time. I understood the Senator was talking about that mission. The Senator from California shakes his head. I hope he does not mean to say that no Socialists have been sent over there.

Mr. JOHNSON of California. If the Senator from Washington will permit me to respond, this was not a mission sent by the Government to Russia. It was a Red Cross organization, that is all.

Mr. REED. I did not understand what you were talking about, that is all.

Mr. JOHNSON of California. Col. Thompson was at the head of the Red Cross in Russia, Col. Robins was an executive officer, Maj. Thacher another. Those three did most effective work, and did it during the trying periods since the Russian revolution.

Mr. REED. Now, regardless of who they were, I want to say that it is my opinion that anybody who undertakes to deal with the present Bolsheviki leaders will be betrayed, and thoroughly betrayed, as they have already betrayed their country and the allies.

Mr. LEWIS. Mr. President——

Mr. POINDEXTER. Just a moment, if the Senator please. I noticed this morning in the newspapers, taking it for what it is worth, that one of the leaders of the Government in Russia, for which Mr. Robins, I repeat, is apologist—I do not say he approves of them, but he excuses them, and tries to put a good face upon their present conduct of affairs—one of them was a cigar-store clerk in Philadelphia named Moses Goldstein, who went over to Russia and took the name, by translation or in some other way, of Volodarsky, and was put in charge of the press censorship of the country, and pursuing the principles of the Bolsheviki he suppressed all the opposition newspapers. One of the principles of liberty of this Government of Russia which Mr. Robins thinks may possibly work out substantial and permanent control of affairs is that they will not allow any opposition. If a newspaper opposes them, it is suppressed. Moses Goldstein, the cigar-store clerk of Philadelphia, was so stern in his suppression of opposition newspapers that somebody assassinated him a few days ago. He is rather typical of the other members of the Government of Russia which have gotten temporarily into the control of affairs. I yield to the Senator from Illinois.

Mr. LEWIS. Mr. President, I wish to say I know Mr. Robins. He lives in my city. He has been an active man in all matters looking to municipal purification. While we differ on those abstracts called politics and support different candidates, he is a high-souled, noble-minded Christian gentleman who has given every effort of his life to the alleviation of human suffering and the elevation from his standpoint of government to the heights of honesty and justice. Whatever may have been his errors, if the Senator can see any, I beg him to understand they were errors of judgment, and with such a man would never be intentionally errors of heart.

Mr. POINDEXTER. The Senator did not understand that I was charging Mr. Robins was not a Christian?

Mr. LEWIS. I would have hardly assumed the Senator meant Mr. Robins in his denunciation and I do not see that he could have comprehended a Christian within that definition he gave of the men he referred to.

Mr. POINDEXTER. I have known good men of high moral ideals long before Mr. Robins's time who were mistaken, and the things the Senator from Illinois referred to seem to me to be rather irrelevant in the settlement of the Russian problem.

Mr. LEWIS. It would, I say——

Mr. POINDEXTER. Just a moment. If a gentleman makes a proposition that a certain policy shall be carried out in Russia, I do not think that the Government of the United States ought to accept it because there is a showing that this gentleman is a Christian and has high moral ideals.

Mr. LEWIS. The Senator must not forget it was the Senator from Missouri who asked some information concerning him. I know him as coming from the State and city where I live, and spoke of him in reply to the request of the Senator, as I give information as to the true gentleman he is to anyone interested to know.

If I may be pardoned—I do not propose to hold the floor—I wish to correct one impression the Senator seems to be under. I can not permit the idea to go forth. So far as I have information the administration has not been influenced, as the Senator alleges, nor has this Government now decided upon any course which the Senator seems to feel it is about to embark upon.

I think I can assure the Senator that the present administration and its officials are doing everything in their power to obtain information concerning the condition of Russia and everything in their capacity to enable them to render aid where that aid can be most effective for the benefit of the United States, as well as for the welfare of the Russian people; but up to the present time there has been no decided course settled upon such matter as the eminent Senator seems to think—if I gather correctly from his remarks.

Mr. POINDEXTER. I thank the Senator for that statement. It corroborates what I have painfully noticed. I should like by calling attention to what the Senator from Illinois said, knowing his intimate relations with the organization of the Democratic Party, to emphasize before the country his statement, which no doubt is correct on this question, that I believe to be one of the most important in the world to-day or in any era in the experience of mankind. There have been few problems more pregnant with the ill or good of humanity than the settlement of the Russian question as it pends before the world to-day. It has been up for decision for six months, and while day after day with lightning-like rapidity are settling the fate of Russia and the world, the Senator from Illinois, a high member of the party in power now, announces, this 13th day of July, 1918, that the administration has not yet settled upon a policy for Russia.

Mr. LEWIS. Oh, no; the Senator must not misunderstand me or unintentionally misquote me. It is as to the matter to which I referred. I said that I did not believe that any particular policy had been settled upon as the result of conversation with gentlemen such as the Senator referred to upon the particular subject to which he related. I went no further.

Mr. POINDEXTER. The particular subject to which I related was intervention in Russia.

Mr. LEWIS. The Senator brought in a particular question. The principal subject was what relation we would bear to the Bolsheviki or any people connected with them. I understood that was the sole subject up to that time.

Mr. POINDEXTER. That is inevitably bound up in what we shall do in Russia in view of the fact that the Bolsheviki are in control of the Russian Government. If the Senator says he did

not state that the administration has settled upon a policy, then does he state it has settled upon a policy? Which is the case, one way or the other?

Mr. LEWIS. I would answer, so far as I know, that as the officials of the administration have arrived at no policy as to the particular matter to which the Senator referred, as to the facts concerning the Bolsheviki or what should be done in connection with them, and as to the other policy and as to our aid in Russia, I feel that the chairman of the Committee on Foreign Relations, who sits by my side, could speak more authoritatively and should speak.

I for myself say that I think the policy of the Government is to render aid to the Russian people, to aid their democracy, to inspire the sentiment of liberty in them, give every assistance we can consistent with our own welfare in every way we possibly can. But that is a matter which, of course, the Senator will realize I could not enter upon in detail even if I had the details; and not having the exact knowledge, I ought not to speculate on it in this way.

Mr. POINDEXTER. What has the Government done in Russia?

Mr. LEWIS. I think what the Government has done the Senator knows, and what the Senator does not know and is not publicly known it is not regarded prudent at this time to make the revelation.

Mr. POINDEXTER. That is quite enlightening. I will ask the Senator to be more specific. Has the Government sent any military aid to those loyal Russian people who are fighting for their lives and their liberty against outlaws in Russia?

Mr. LEWIS. I am not conscious of what exact aid is being given or the exact way it is being given. That is only a subject to speculate on, but probably it would be improper for me to indulge in that to any specific degree.

Mr. POINDEXTER. In view of the fact that the Senator is on his feet and speaking of a matter, and has sources of information of such a matter, has the Government sent any civil expedition or economic relief to the suffering Russian people?

Mr. LEWIS. Mr. President, I will occupy the time of the Senate but for a moment in reply to the Senator, but I wish to be complete. I have, as the Senator intimates in a complimentary tone, taken some interest in the Russian situation. It has not been a new interest. I traveled over that country twice; and in crossing Siberia I boldly attempted to write some articles of the history of their municipal governments, which they speak of as the "mir." They were not particularly informing; they were not particularly interesting, and I doubt if they would be of any value; but I mention it to show the interest that I have and why I have it on the Russian situation. The articles to which I have referred were sentimental more than political, and are not entitled to or regarded perhaps as of political weight.

Now, in view of those sentiments, I have attempted to impose them upon the officials of the Government, but I have not been successful; they have not agreed that my standpoints, sentimental as they are, were practicable. Therefore, the plans I have had, I will say to the Senator, do not appeal to the practical minds of those who are at present in control of the Government. I am not aware that any delegation, commercial or otherwise, has been sent to Russia, apart from those of which the Senator has complete knowledge and of which the people generally are cognizant.

Mr. NELSON. Mr. President——

The PRESIDING OFFICER (Mr. KENDRICK in the chair). Does the Senator from Washington yield to the Senator from Minnesota?

Mr. POINDEXTER. I yield to the Senator from Minnesota.

Mr. NELSON. I have listened to this discussion with some interest, and while I am as anxious to help the Russian people as anyone can be, it seems to me that there is only one practical way to help them, and that is to defeat and to destroy the German Army on the western front. If we can succeed in the war and destroy the German Army, then when we come to negotiate the terms of peace we can say to the German Government: "You must keep your hands off and let the Russian people form their own Government." It is idle to speculate about giving them military assistance at this time. The Black Sea and the Dardanelles are closed. The Baltic is a closed sea. We can not approach the Russians in that way. There are only two ways in which we could possibly reach them; one is by the Pacific Ocean to Vladivostok and the other is around the northern coast of Norway and Sweden, at what is called the Murman coast, up to the harbor of Kola, at the head of the new railroad.

What is the use of dissipating our military strength? We have a few troops in conjunction with the English troops at Kola. They are there on the same principle as the Japanese were at Vladivostok. A large amount of supplies had been sent to Vladivostok and Kola before the collapse of Russia. It was to prevent those military supplies that were shipped from this country, and some from Japan, from falling into the hands of the enemy that those troops were sent there. The Japanese have taken care of the Vladivostok end of it, and prevented the supplies there from falling into the hands of the Germans; and at the other end, up at the Kola Peninsula or the Murman coast, there are British and United States marines, I think; ships of our Navy are there taking care that those supplies shall not fall into the hands of the Germans.

Now, if the Senator from Washington will allow me, the only direct way to help the Russian people is to destroy their enemy, and that enemy must be destroyed on the western front. There is no use of dissipating our resources in any other direction. The moment we succeed in destroying the German Army on the western front, that moment we can help to rebuild Russia, and in no other way.

Mr. POINDEXTER. Mr. President, so long as Germany has control, as she now has, of the population of Russia, of the man power and the land, with its capacity for the production of food and minerals, we shall not defeat her on the western front. We may drive her back; we may gain successes over her, but she will still maintain the field and still be able to dictate, at least, a portion of the terms of peace.

Mr. President, there is another matter entirely disconnected with the Russian subject to which I wish to refer; but I will add this in reference to what the Senator from Minnesota [Mr. NELSON] has said. I agree with him that the only way in which we can aid the Russian people is to defeat the German Army, but that is a good deal like many other social and economic questions which we are discussing here. If we lose this war, we will not have to settle any of them; the Germans will settle them for us. They will settle the status of the Russian people unless they are defeated, and that is why I said a moment ago that the interest which we have in the Russian question is to organize their resistance to German military force.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Utah?

Mr. POINDEXTER. I yield to the Senator.

Mr. KING. I am quite in accord with the general position taken by the Senator from Washington; I think that any recognition of the traitors usurping authority in Russia would be hurtful to our cause and to the cause of the allies; but I merely want to call the attention of the Senator to the fact that, with the consent of Lenine and Trotzky, Germany has taken possession of Esthonia, has ousted from control the authorities who were elected by the people, has placed Germans in control of the government, has prevented the teaching of the Russian language, has taken over the schools, and only the German language is now taught in the schools of Esthonia, notwithstanding the fact that only 2 per cent of the population are Germans.

Mr. POINDEXTER. There is no doubt about that being in general, if not in particular, the situation in western Russia. Has the Senator from Utah finished?

Mr. KING. If the Senator from Washington will allow me a further observation, if he has not mentioned it, I desire to say that Lenine and Trotzky aided the Germans in getting possession of the fleet in the Black Sea, to use against the allies to aid the Germans in carrying 3,000 troops in two or three days across the Black Sea to use in the operations against the British and other allied forces that are in Asia Minor. Those men are now cooperating with the Germans in every possible way to aid them in the domination of Russia and for the defeat of the allies.

Mr. POINDEXTER. That is the reason why I am of the opinion that we are not going to get any assistance from them in fighting Germany. That is what is proposed, however, by some of these Christian gentlemen, with the high moral ideals of which we have heard.

Mr. President, in reference to another matter, I notice in a very conspicuous place on the editorial page of a morning paper of this city this morning this statement:

> Statements of German cruelties attributed by a St. Louis newspaper to an unnamed sergeant of the American Expeditionary Forces sent to the United States to assist in the third liberty loan are denied by Gen. Pershing in a cablegram which has been made public by the War Department. Gen. Pershing recommended that if the sergeant was quoted correctly, he be returned immediately to France for active duty.

I assume from that, if that statement is true, that it means return for active duty in order that he might be punished for telling that the Germans had committed acts of cruelty. This article states that it is put out by the Secretary of War. From what information I have, publicity matter, put out under the

name of the Secretary of War, is handled by the Publicity Committee, of which Mr. George Creel is chairman. They quote certain specific acts of cruelty which this sergeant charged the Germans with having committed. He is reported to have said:

> The Germans give poisoned candy to the children to eat and hand grenades for them to play with. They show glee at the children's dying writhings and laugh aloud when the grenades explode. I saw one American boy, about 17 years old, who had been captured by the Germans come back to our trenches. He had cotton in and about his ears. I asked some one what the cotton was for.
>
> "The Germans cut off his ears and sent him back to tell us they want to fight men," was the answer. They feed Americans tuberculosis germs.

Mr. President, I do not know, of course, whether the particular cases of cruelty that are referred to in this statement quoted from Pershing's sergeant are true. I do not know of my own personal knowledge, of course, so that I could swear to it in a court, that there is any war going on in Europe at all; I do not know even that there is a Continent of Europe, because I have never been there. It is all hearsay so far as I am concerned; the fact that the war is going on is a matter of hearsay and circumstantial evidence, and yet I am convinced that there is a Continent of Europe, that the Germans have an army fighting in France, and that our men, some of whom I have seen in the camps under training, have gone across the Atlantic and are opposed to those Germans. In the same way in which I know those things, I know, Mr. President, that, whether or not the particular acts of cruelty have been committed with which this sergeant is quoted as having charged the Germans and which charges of German cruelty this Government, through the War Department and the Publicity Committee, quoting Gen. Pershing, takes the money of our people and the time of our employees to combat in defense of the German people,—I know that these Germans have been guilty of worse acts of cruelty and of a policy more cruel and inhuman and ruthless than anything charged by Pershing's sergeant for which he is to be sent back to France, presumably for punishment.

Do you believe Brand Whitlock, who was minister of the United States in Brussels when the German hordes overflowed that peaceful, innocent people? Brand Whitlock tells us that the Germans rounded up 96 men, women, and little children, some of them babies in arms, and shot them all down as they stood, until there was not left standing one out of the ninety-odd human beings. We have the stories of eyewitnesses, through Mr. Henry Vandyke, who was the minister of the United States at The Hague, to the mutilation of children, to the killing of old women, to the most unspeakable brutalities which were perpetrated against an innocent, unoffending civilian population, not in individual instances, not by isolated German individual soldiers, but as a German policy and as a practice of the German Army, acting under orders of their commanders.

Why, Mr. President, there are recorded in the permanent books of the literature of the world the instructions of the German Kaiser to his men to pursue a policy such as is described by this sergeant. Their leaders of thought have written into their philosophy in book after book, filling the libraries of the world, the advocacy of a policy of ruthlessness and frightfulness.

Mr. President, does the Secretary of War—and what I am saying I am saying upon the strength of the publication this morning in this newspaper upon the middle of the editorial page, which says that it was put out by the Secretary of War, the leader of the military forces of this country, who comes to the defense of Germany charged with cruelty—does the Secretary of War deny that an unarmed passenger ship named the *Lusitania*, carrying noncombatants, many of whom were women, and over 50 of whom were little children, was sunk by the Germans without notice and as a part of a deliberate governmental policy of the German Empire, of which their ambassador to this country published a previous notice in the newspapers? Is there anything that this sergeant has said of the acts of bestiality of the German soldiers that was worse than the murder of the passengers upon the *Lusitania*?

Why, Mr. President, does Mr. George Creel, the publicity man, employed presumably to help us win this war against the most cruel and unscrupulous enemy that ever organized a military force, deny the sworn testimony that was collected only a few days ago by British officials, many of them officers, that a German submarine sunk an allied hospital ship off the Irish coast, and when the passengers—the nurses, the angels of mercy to the suffering soldiers of the allies—were struggling in the water, that this submarine went from one boat to another and sought to destroy them in order that no trace of their crime should be left? Does he deny that—the sworn testimony recorded and kept in official records of the men who were eyewitnesses to that deed?

Why, Mr. President, it is somewhat surprising—and that is the reason I am speaking of it—to know that a man for whom the Government of the United States has furnished several million dollars to aid us by the proper kind of publicity in this war, is using the name of Gen. Pershing and that of the Secretary of War to defend the Germans against the charge of cruelty which all the world knows is true.

Mr. HITCHCOCK. Mr. President, will the Senator put in concrete form what he charges against Mr. Creel and what by implication he charges against the Secretary of War or Gen. Pershing? I have not been able to gather what it is he charges.

Mr. POINDEXTER. Was the Senator present when I began to speak about this matter?

Mr. HITCHCOCK. I heard something; but it seems to me the Senator goes far beyond anything that is shown by way of quotation. What is it that Mr. Creel has said which justifies the statement that he is defending Germany or that the Secretary of War is defending Germany?

Mr. POINDEXTER. I read it, Mr. President, from this paper.

Mr. HITCHCOCK. Will the Senator quote a sentence from it?

Mr. POINDEXTER. I have already quoted the sentence, but if the Senator desires I can read it again.

Mr. HITCHCOCK. I have not heard anything that justifies what the Senator is saying.

Mr. POINDEXTER. That makes an issue between the Senator and myself as to the deduction to be drawn from and the application which is to be made of these facts.

Mr. THOMAS. Mr. President——

Mr. POINDEXTER. I yield to the Senator from Colorado.

Mr. THOMAS. May I ask the Senator from what paper he is quoting?

Mr. POINDEXTER. The Washington Post. This is the statement which I read in the beginning of my remarks on this subject:

> Statements of German cruelties attributed by a St. Louis newspaper to an unnamed sergeant of the American Expeditionary Forces sent to the United States to assist in the third liberty loan are denied by Gen. Pershing in a cablegram which has been made public by the War Department. Gen. Pershing recommended that if the sergeant was quoted correctly, he be returned immediately to France for active duty.

They quote the very words, presumably, that the sergeant used. I am unable to believe that this newspaper could have had that exact language and published a statement in this circumstantial form, unless the statement contained in the article that it was published by the War Department is true. The connection in which I referred to Mr. George Creel was this, and I stated quite explicitly what connection I attached to Mr. Creel in the matter, that from past experience matters of publicity put out by the War Department are handled by Mr. Creel; and I presume that this matter was published by the Publicity Committee, of which Mr. Creel is chairman. That is the function of the committee, and that has been the practice of the committee.

Mr. HITCHCOCK. Mr. President, the Senator has merely quoted from that newspaper the statement that the War Department has made public certain statements. Has the Senator investigated to know whether or not the War Department has done that thing?

Mr. POINDEXTER. I have investigated by reading this article and forming an opinion, which I have just stated, that it bears evidence of its truth on its face—intrinsic evidence of truth.

Mr. HITCHCOCK. What is the evidence?

Mr. POINDEXTER. The evidence of it is the specific language which is quoted there, and the fact that this newspaper is published only a few blocks away from the War Department, and that I can not conceive how they would have the audacity to publish in the middle of the editorial page a statement that this information was given out by the War Department, unless it was given out by the War Department. If that is not true, the Senator will have ample opportunity to show that it is not true.

Mr. HITCHCOCK. The Senator is charging here that the War Department has made a public statement.

Mr. POINDEXTER. I am not charging anything of the kind. I am reading here, and charging that there was published this morning in a newspaper in this city, the statement which I read.

Mr. HITCHCOCK. How can the Senator hold the War Department responsible for a statement published in a newspaper when he has not even investigated to find out whether it is true or not?

Mr. POINDEXTER. Does the Senator deny that the War Department gave this information to the Washington Post?

Mr. HITCHCOCK. I have no knowledge whatever of it; but before I charged the War Department with having made a public statement I would know that the War Department had made it, and the Senator evidently has not done that.

Mr. POINDEXTER. How did the newspaper get the information if the War Department did not give it out?

Mr. HITCHCOCK. If the Senator is holding the War Department responsible for a public statement, the Senator certainly ought to be able to point to the statement.

Mr. POINDEXTER. I am pointing to the statement. I have read the satement. If it is not true, the Senator can combat it.

Mr. HITCHCOCK. The Senator has not read the statement made by the War Department. The Senator has never seen the statement made by the War Department.

Mr. POINDEXTER. I have read the statement made by the War Department.

Mr. HITCHCOCK. What is it?

Mr. POINDEXTER. I have read it two or three times, and the Senator can read it in the RECORD to-morrow.

Mr. HITCHCOCK. That is not the statement of the War Department; that is a statement by a newspaper.

Mr. POINDEXTER. It is a statement by a newspaper, quoting a statement from the War Department. Now, the Senator has made an issue here. I saw enough in this article to justify me in calling attention to it, in view of the circumstances, and the fact that it indicated that it was given out from the War Department. The Senator from Nebraska questions whether or not this was given out by the War Department. If the Senator attaches to it the importance that I attach to it, let him at some future hour, this afternoon or to-morrow, bring his proof that the presumption created by the publication of an article of this kind is not true.

Mr. LENROOT and Mr. HITCHCOCK addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Washington yield; and if so, to whom?

Mr. POINDEXTER. I yield to the Senator from Wisconsin. Then I will yield to the Senator from Nebraska.

Mr. LENROOT. I should like to ask the Senator whether one of the statements which the War Department denies and Gen. Pershing denies is that our soldiers have had their ears cut off and then have been sent back by the Germans and told that they wanted to fight men?

Mr. POINDEXTER. One of the statements made by the sergeant was that he had seen a soldier who had been so treated by the Germans.

Mr. LENROOT. And that statement the War Department and Gen. Pershing deny?

Mr. POINDEXTER. Yes.

Mr. LENROOT. Now, I want to ask the Senator whether he does not believe that Gen. Pershing and the War Department know whether that is a practice upon the part of Germany, to cut off the ears of our soldiers and to send them back?

Mr. POINDEXTER. I presume they do.

Mr. LENROOT. And is it not very proper, if it is not true, that they should deny it?

Mr. POINDEXTER. I do not think so. In view of innumerable cruelties practiced by the Germans, I do not think the Secretary of War is called upon to defend them on this score.

Mr. LENROOT. I want to ask the Senator whether the mothers of our boys "over there" are not suffering enough without being terror-stricken with the idea that their boys are to be mutilated as a practice in the manner indicated by that sergeant, and whether it is not the duty of Gen. Pershing and of the War Department, if that be not true, to deny it?

Mr. POINDEXTER. The Senator from Wisconsin has made a speech on a mistaken apprehension of the facts about which he is talking. There is not anything in the article, which I have read verbatim, quoting from the sergeant, which says that they made a practice of cutting off soldiers' ears. He said that he saw a soldier who had his ears cut off. He said nothing about any practice.

Now, I want to say to the Senator from Wisconsin that these cruelties which the world knows have been perpetrated by Germany upon prisoners, upon women, and upon children, do not appeal to me because of the particular individual that suffers from them. I do not know any of those individuals. If a sergeant says that a soldier had his ears cut off, I do not know what soldier that was. I am not acquainted with him.

Consequently I can not have any personal sympathy with the soldier. He is an unknown person to me. It is the entire course of conduct of Germany in this war which appeals to me and which I am talking about. It does not make any difference in principle in this matter, or to me in my views upon it, whether a soldier has his ears cut off or whether he has his throat cut. There has been an official report made to the War Department by the officers in command of certain forces of ours on the front that a prisoner of ours in German hands had his throat cut. I say that that was inhuman, barbarous, contrary to the rules of war; and that there is official proof of it, and that I do not see, as a matter of propriety and policy of the Government, any occasion to issue an official denial of the statement of this sergeant that he saw a soldier with his ears cut off; for if Gen. Pershing ever said anything about the matter at all, he does not say that there was not a soldier with his ears cut off. It would not make any difference whether he had his ears cut off or whether he had his throat cut, as I said before, and it would not make any difference which one of the soldiers it was any more than it makes a difference whether the Germans, after having put on the deck of a submarine a number of American sailors whom they had captured, closed the hatches, and submerged the submarine, and left the prisoners to die in the icy waters of the ocean. I think that is just as bad as having a man's ears cut off; and in view of those things, which are corroborated and proved and known, to my satisfaction, at least, I do not think that our publicity agent or our War Department is called upon to enter into a campaign of defense of any charge of cruelty against the Germans.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. POINDEXTER. Certainly.

Mr. LENROOT. The only point of my inquiry was because there was an inference drawn that that was a general practice. If it was not true, I think it is the duty of the War Department to deny it. The parents of these boys are suffering agonies enough now without being led to believe that unspeakable outrages are to be committed upon all of our American soldiers who may be captured. I do not see that anything can be accomplished by adding that agony to them. Our boys are fighting to the utmost. I know of nothing that will aid us in winning the war by the recital of these things, if they are not true, as a practice.

Mr. FRELINGHUYSEN. Mr. President, may I interrupt the Senator?

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from New Jersey?

Mr. POINDEXTER. I do.

Mr. FRELINGHUYSEN. I think the Senator from Wisconsin should read the report of Lord Bryce, the Evidence and Documents Laid Before the Committee on Alleged German Outrages. The testimony taken by this committee was taken from Belgian soldiers and British officials, and recites the practices of the German Army and German soldiers in torturing civilians in Belgium.

Mr. POINDEXTER. Mr. President, I had that in mind; and I will ask the Senator from New Jersey, while he is speaking, if he will give the specific title of that document, so that anyone who desires to do so can refer to it.

Mr. FRELINGHUYSEN. This document is a report of alleged German outrages, and the title is, Evidence and Documents Laid Before the Committee on Alleged German Outrages. The committee was appointed by the English Government, and presided over by the Right Hon. Viscount Bryce, who was the chairman of the committee. I have read that for the first time recently; and I want to say to the Senator from Wisconsin that the tortures and outrages on civilians, on women and children, are far greater and far more painful than the cutting off of soldiers' ears.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. POINDEXTER. I yield.

Mr. LENROOT. I am familiar with that document, and I fully believe that those unspeakable outrages have been committed upon civilians. I would be the last one to deny it from the reading that I have had. The only point of my inquiry, Mr. President, is this: Are these outrages being committed upon American soldiers as a practice? I do not believe they are, because the German Army well know that if they attempted that upon our soldiers or those of our allies there would be found means of retaliation, if necessary, that would prevent the practice.

Mr. McCUMBER. Mr. President, may I just say, in honor of the American soldier, that the American soldier will never retaliate in like kind?

Mr. LENROOT. I did not mean in that respect. There are other means to be found, other than like retaliation.

Mr. POINDEXTER. Mr. President, I read only this morning a report given by a Norwegian gentleman of education and distinction, who has just returned from a visit to Germany, of the conditions of the war prisoners of Germany at one of the prison camps which he visited and the pitiably small amount of food which they received. He stated that they were required to work two shifts a day, one at day and one at night, the same men. He said that they were living in a shed that was filthy and uninhabitable, unfit for even a beast to occupy; that their clothing was in rags; that a person could not tell from their looks what nation they belonged to; that they were

emaciated; that disease was rampant among them; and that they had no medical attention. Those reports from reliable sources have been very numerous, to such an extent that there is not any doubt about the prevalence of those conditions. However, there may be exceptions here and there in the treatment of prisoners by Germany.

My attention has just been called by a colleague to this statement in the Washington Post of July 13. Speaking of German inhumanities, it says:

The latest is that related by Naval Paymaster Hughes, of England. A British patrol boat discovered a derelict submarine which had become unmanageable. Her crew was taken off and preparations were made to destroy the submarine with a depth bomb. The commander of the patrol asked the German captain if all were safely off the U-boat and was assured that no one was left on board. A tapping was heard, however, which aroused suspicion, and an investigation revealed four British seamen who had been locked in a room of the submarine. The German captain had concealed their presence, hoping that they would be killed when the submarine was destroyed.

I do not know whether that is true or not; but it is quite specific, and the name of the witness is given, he having been one of those who captured this German U-boat. But, Mr. President, for three years the French Government, through competent men, has been collecting official proof of the cruelties and bestialities of the German Army. They have preserved not only documentary evidence but human evidence, in the bodies and the mutilated remains of women and children who have suffered from the unspeakable rapine of these people. A few days ago report after report was published throughout the world, in such repetition and from such sources that there could be no reasonable doubt about it, that the Germans bombarded hospitals in France, and that in one hospital in Belgium 54 Belgian nurses were killed by German bombs. They war upon the helpless. If a mother should tear the toothless gums of her babe from her breast and stamp it under her feet with the cry, "Hail, Germany!" it would be a fit picture of the spirit of ruthless might, and of an army that takes pride in making war by armed men upon helpless and unarmed women and children. That is why, Mr. President, with the acceptance by the world of the truth of these things, I resent the War Department coming to the defense of a charge of cruelty against Germany; and the particular acts are entirely immaterial.

Mr. President, I do not know whether Gen. Pershing was responsible for the statement referred to there or not, and personally it would not make any difference in the position which I take about it; but I have seen so many false statements put out by the Publicity Bureau in regard to airplanes, for instance, deliberate falsehoods, which were persisted in after the attention of this committee had been called to their falsity, that I would not condemn Gen. Pershing or attribute any act to him without further evidence than the assertion of this Publicity Committee that he had sent a cablegram. I have known a good many things for which credit was sought by attaching to them the name of Gen. Pershing.

Mr. THOMAS. Mr. President, do I understand that the Senator credits the article in so far as it implicates the Secretary of War, but doubts it in so far as it mentions Gen. Pershing?

Mr. POINDEXTER. It is an entirely different matter. I would say that it is sufficient evidence, to my mind, that this information was given out by the Secretary of War. It does not attribute any statement of fact as to German practices to the Secretary of War. Whether it came through the Publicity Bureau or not, I am not informed. The presumption is that it would come through the Publicity Bureau. What I said was that it was immaterial to me, in what I have said about it, whether Gen. Pershing sent this cablegram or not, but that I would be prepared to learn that Gen. Pershing did not send the cablegram—at least, not for publication—because of the experience that we have had with the Publicity Committee as to the reliability of its statements.

Mr. FLETCHER. Mr. President, I may say in the beginning that I was introduced to Mr. Creel on one occasion. I never had two minutes' conversation with him, and I have never seen him since. I never saw him before. But such attacks have been made on him here in criticism that I feel, in fairness to him and in common justice and decency, Mr. Creel's statement, which he submitted in a letter to Hon. EDWARD W. POU, chairman of the Committee on Rules of the House of Representatives, Washington, D. C., May 29, 1918, should be printed in the RECORD, and I ask to have it printed in the RECORD. If there is objection, I shall read it.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. FLETCHER. It covers many of the comments which have been made adverse to him, and especially with reference to the free complaints that have been urged in connection with his statement about airplanes.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

COMMITTEE ON PUBLIC INFORMATION,
Washington, D. C., May 29, 1918.

Hon. EDWARD W. POU,
Chairman Committee on Rules, House of Representatives,
Washington, D. C.

DEAR MR. POU: I attach herewith a list that shows every man and woman in the employ of the Committee on Public Information, both paid and volunteer. While I appreciate your courteous explanation that the request was not a formal action, I beg you to believe that there is no activity of this committee that is not open to any Member of Congress at any time.

For your information, the Office of Military Intelligence makes continuous investigation of my personnel, and if individual reports are desired I shall be glad to furnish them.

I am glad also to make frank and specific answer to the charges against me that you are generous enough to put in answerable form.

(1) I am not a Socialist, have never been identified with the Socialist organization in any particular. I never voted a Socialist ticket, and dissent absolutely from the fundamental tenets of the Socialist faith.

(2) Instead of holding a contempt for our form of government, I believe in it with all the strength of my being. Democracy is a religion with me, and throughout my whole adult life I have preached America as the hope of the world.

(3) The articles that constitute my alleged attacks upon the Constitution were written in 1910 in Colorado in support of the initiative, referendum, and recall. Every word I wrote had the complete approval of Senator Thomas M. Patterson, owner of the paper, as fine and loyal an American as ever lived, and all three propositions were indorsed at the polls by a large majority.

(4) Not a single employee belongs or has ever belonged to the I. W. W. If any proof can be brought that this is not the case, I will discharge the person at once. As I have stated, Military Intelligence investigates my personnel continuously, with the view to making certain that every man and woman stands absolutely behind the Government in what I believe to be a just and holy war.

(5) With regard to the news releases of the committee, it must be borne in mind that no news release originates in this office. We are simply the machinery which puts out the material prepared by the various departments.

It is to be remembered also that while the committee during the year of its existence has issued thousands of releases, only three of this vast number have ever been questioned as to absolute accuracy.

The first of these, a direct charge that the Fourth of July statement was a fake, and that our transports had not been attacked by a submarine, was met fully by the report of Admiral Gleaves.

The second complaint, concerned with certain captions for airplane photographs, was largely due to a confusion between training planes and battle planes. The captions referred to training-plane production, and the pictures showed clearly that the machines were training planes. There was the feeling, however, that people might be led to think that battle planes were intended, and the pictures were withdrawn.

The third, a release bearing upon airplane production and shipment, came to us with explicit indorsement that we were without right to question.

A system of checking and verification is now permitted that will hereafter guard effectively against error.

(6) The charge of partisanship is one that I would like to have thrashed out as quickly and thoroughly as may be, for not only does it weaken the work of this committee but it shames the thousands of devoted men, Democrats and Republicans alike, who are giving themselves so whole-heartedly to the committee's work. I attach herewith a list showing the political affiliations of my division heads; and I beg to say, sir, that not until I asked for this list yesterday was this subject ever brought up in this committee or even thought of.

Whether in the issuance of pamphlets prepared by 3,000 leading historians, or in the speeches of 35,000 Four-Minute Men, or in the generous contributions of the artists, advertising experts, and writers of America, or in the formation of organizations to express the loyalty of the foreign born. I challenge anyone to prove a single act even remotely soiled by political prejudice.

Please consider me absolutely at your service, either through correspondence or, preferably, directly and personally. The work of the Committee on Public Information is now so far flung, reaching into every community of the United States and to every country of the world, that understanding is a vital necessity, and it is this understanding that I am willing to advance by any means that you or your associates may suggest.

Believe me, very sincerely, GEORGE CREEL, *Chairman.*

Mr. FLETCHER. Mr. President, let me say this also: I presume it happens on every occasion when there have been conflicts of this kind, people in every war, people not only in public life, but people in private life, have had comments to make about how the war should be conducted. They criticize those who have been charged with the responsibility of fighting the battles to a victorious conclusion. They have from time to time made observations about what should be done and about what should not be done, and that, I take it, has been the case for a period as far as memory reaches back.

In the June issue of the San Francisco Star there is quite an interesting little article, and I commend it to the consideration not only of Senators, but to those outside of this Chamber who indulge in like criticisms:

A WAR 2,000 YEARS AGO.

Lucius Æmilius Paulus, a Roman consul, who had been selected to conduct the war with the Macedonians, B. C. 168, went out from the Senate house into the assembly of the people and addressed them as follows:

"In every circle, and, truly, at every table there are people who lead armies into Macedonia; who know where the camp ought to be placed; what posts ought to be occupied by troops; when and through what pass Macedonia should be entered; where magazines should be formed; how provisions should be conveyed by land and sea; and when it is proper to engage the enemy, when to lie quiet. And they not only determine what is best to be done, but if anything is done in any other manner than what they have pointed out, they arraign the consul as if he were on his trial. These are great impediments to those who have the management of affairs, for everyone can not encounter injurious reports with the same constancy and firmness of mind as Fabius did, who chose to let his own authority be diminished through the folly of the people, rather than to mismanage the public business with a high reputation. I am not one of those who think that commanders ought never to receive advice; on the contrary, I should deem that man more proud than wise who did everything of his own single judgment. What, then, is my opinion? That commanders should be counseled chiefly by persons of known talent; by those, especially, who are skilled in the art of war and who have been taught by experience; and, next, by those who are present at the scene of action, who see the country, who see the enemy, who see the advantages that occasions offer, and who, embarked, as it were, in the same ship, are sharers of the danger. If therefore anyone thinks himself qualified to give advice respecting the war which I am to conduct which may prove advantageous to the public, let him not refuse his assistance to the state, but let him come with me into Macedonia. He shall be furnished by me with a ship, a horse, a tent, and even with his traveling charges. But if he thinks this too much trouble and prefers the repose of a city life to the toils of war, let him not on land assume the office of a pilot."

You will find this in Livy, Book XLIV, chapter 22, delivered 168 years before Christ, and it applies to the situation to-day.

TELEGRAPH AND TELEPHONE CONTROL.

Mr. SMITH of Georgia. Mr. President, I believe I voice the view of many of the Senators when I ask consideration for House joint resolution 309, that was before the Senate all day yesterday and the day before, and upon which I hope we will vote to-day, and vote favorably. It is a joint resolution authorizing the President in time of war to supervise or take possession and control of telegraph and telephone and cable lines. It is a resolution which is regularly before the Senate, but which has not been considered to-day.

Mr. POINDEXTER. Mr. President——

Mr. SMITH of Georgia. The Senator must excuse me.

Mr. POINDEXTER. I thought the Senator made a motion.

Mr. SMITH of Georgia. I do not yield to the Senator.

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (H. J. Res. 309) to authorize the President, in time of war, to supervise or take possession and assume control of any telegraph, telephone, marine cable, or radio system or systems or any part thereof and to operate the same in such manner as may be needful or desirable for the duration of the war, and to provide just compensation therefor.

Mr. SMITH of Georgia. Mr. President, this joint resolution should cause much less hesitation than many important measures which the Senate has adopted. Telegraph lines are so nearly allied to the postal service it would be no great innovation if we took them over and operated them in time of peace. Telephone lines, when located in cities, can only be satisfactorily operated where one line exists. Competition between them is a burden on the public, lessening the efficiency of the service. Even if these lines were taken over and operated by the Government it would be no serious innovation.

But, Mr. President, this joint resolution does not provide for Government ownership. It does not suggest Government ownership or operation in time of peace. It is carefully limited to the war. The authority to supervise, the authority to take possession, the authority to operate is in three different places expressly limited to the war, and the end of the war is designated by the joint resolution as the time when the proclamation that a treaty of peace has been signed is made by the President.

So, Mr. President, in considering this joint resolution we have not before us the problem of Government ownership or of Government operation in time of peace.

Again, Mr. President, there is a limitation as to the circumstances under which the use shall be made. The President is authorized and empowered, when he shall deem it necessary to the national security or defense, to supervise or take possession and assume control of any telegraph, telephone, marine cable, radio system or systems, or any part thereof, only when necessary for the national security or defense.

On Monday morning I introduced a resolution to discharge the committee. I did so because I heard it was contemplated that a month should be taken to investigate the resolution, to take testimony about it. I can see no testimony that could be taken that would be of any value. I can conceive of no testimony that in any sense is essential. We have from the House the statement of the Secretary of War, the statement of the Secretary of the Navy, the statement of the Postmaster General, approved by the President, that this resolution is needed as a safeguard of our service during the war.

It is suggested that they have not gone into the details to show why it is needed. Mr. President, I can see why it is needed without any information from them.

I should like to see a cable devoted exclusively to the service of the War Department, with telegraphic connections from this side of the ocean into the office of the Chief of Staff, and with telegraphic connections from the other side into the headquarters of Gen. Pershing. Such a cable and telegraph service should be devoted solely to communications from the Chief of Staff to the commanding general on the other side.

Mr. President, our long-distance service, whether by cable or telephone, is needed continuously for our military affairs. It is needed to a great extent for our Army and our naval operations. I do not need to be told even by the Secretary of either of these departments that, controlled by the Government and operated by the Government, this service can be made more effective, more stable, more complete. I know it myself. I do not accept the view of the Senator from Illinois [Mr. LEWIS] that these Secretaries are commanders or are directors of the Senate, but I do accept the view that their opinions upon this subject are valuable and entitled to weight.

I wish to see the Government take control of the long-distance wires because I believe it will strengthen us in handling the service required to conduct this war. I wish to see the Government exclusively use one cable for communication from the office of the Chief of Staff to the office of Gen. Pershing.

Mr. President, we know that there are some who are disloyal in the United States. The operation of these long-distance means of communication inside of our own country by the Government will hinder and deter their use by the disloyal. If used, it will be easier to learn what is being done. If the use is stopped, then a substantial hindrance is placed upon their operations inside of our own country.

I see no harm that can come to the public in any way from this operation by the Government. As far as the public is concerned, their service will be the same as it is now. There will be no injury, no revolutionary change of conditions produced, but substantial benefit. We can see ourselves, if we dispassionately consider the subject, that by operating long-distance wires additional strength will come to the Government in the conduct of the war.

Then, Mr. President, why take testimony to tell us what to do? Why waste a month with any such line of procedure by a committee?

The committee did right to report this joint resolution back to us with a favorable recommendation. Whose testimony did you want? What kind of testimony did you want? You have the opinion of those representatives of our Government that they needed it and wanted it. We see without testimony that it will be of substantial value. If they have further details, they might have furnished them, but I doubt the propriety of making them public. We do not need them. I know by the application of common sense and practical experience in business matters that we do serve and do strengthen the administration of our military affairs by the exercise of this authority.

But it may be suggested that the owners of the property were entitled to a hearing. If the joint resolution did not absolutely guard the rights of the owners of the property, I would say "Yes," but it completely guards them. This resolution will constitute an exercise of the power of eminent domain by the Government for the temporary supervision or temporary operation of these properties.

To exercise that privilege just compensation must be made. I am one of those who believe that the act giving the authority should always provide in its own terms for the completest opportunity to the party whose property is taken or used to obtain full compensation. This joint resolution does that. It declares that the property shall only be used or interfered with upon just compensation. It provides further that the President may name the compensation, not binding upon the party. That means that the President may agree with them upon compensation, if he can. If he fails to do so, he names an amount, 75 per cent of which they may receive at once. But that does not conclude there. The resolution provides further that the party in interest whose property is to be used shall then have the right to go to the courts, retaining at once 75 per cent of the proposed compensation. They go to the courts to fix the total compensation, and the Government undertakes to pay it.

That, Mr. President, is my conception of the fair and legal way to exercise the power of eminent domain. So the House has sent us a joint resolution entirely safeguarding the right of the property owners and entirely furnishing to them a complete recognition of those rights with the privilege of appealing from the opinion of the President to the court and establishing their

full value before the court, receiving in the meantime 75 per cent of the amount the President was willing to pay them.

Mr. President, I am gratified that the committee gave us this report. I see nothing in the measure that alarms. The rights of the owners are fully preserved. The service to the general public will be preserved. The service to the Government during the war will be increased. The benefits from that service I can well see, and I favor immediate action.

I shall not detain the Senate. I hope the joint resolution will pass, and pass to-day.

The PRESIDING OFFICER (Mr. McKELLAR in the chair). The question is on agreeing to the amendment of the Senator from Indiana [Mr. WATSON], which will be read.

The SECRETARY. On page 1, line 7, strike out the word "telephone" and the comma.

Mr. POMERENE. Mr. President, before any of these amendments are voted upon, I beg to say that on yesterday, late in the afternoon, I received a telegram from Mr. Rush Taggart, general counsel of the Western Union Telegraph Co. This telegram quotes certain stipulations in the contracts between the Western Union Telegraph Co. and some of the English companies under which the Western Union Telegraph Co. obtain certain rights and privileges over the cable lines and certain landing rights and privileges in Great Britain. After quoting these provisions of the leases and contracts, the general counsel concludes the telegram with this sentence:

In view of these provisions, as well as the provisions in the lease, I see no way in which the rights of the Western Union to the cables can be protected without the consent of the English Government under the resolution now before the Senate.

Mr. President, I have seen but have not had the opportunity to examine these contracts. They reached Washington on yesterday. We asked for them so that they might be incorporated in such hearings as we were permitted to have, but I think this telegram ought to be inserted in the RECORD, and I ask that it may be read for the information of Senators.

The PRESIDING OFFICER. Without objection, it will be read.

The Secretary read as follows:

NEW YORK, *July 12, 1918.*

Hon. ATLEE POMERENE,
United States Senate, Washington, D. C.:

My attention has just been called to a suggestion in your speech that Mr. Carlton promised to send you certain cable contracts, also opinion of company's attorney as to effect on these contracts of proposed resolution. Mr. Carlton's secretary requested of me Wednesday morning forwarding of cable contracts to Senator KELLOGG, but did not advise me respecting the forwarding of cable contracts to you. I did forward by mail to Senator KELLOGG copies of these cable contracts on Wednesday forenoon. It is too late now probably to forward the cable contracts so as to advise you respecting the stipulation therein, but the leases of the English cables contain this stipulation:

"The Western Union will not mortgage, charge, assign, transfer, underlet, or part with the possession or beneficial ownership of or permit to be taken in execution the premises for the time being comprised in the demise hereby made or any part thereof, but so that this present covenant and provision shall not prevent the Western Union Co. from assigning its interest under this present lease in the said premises along with its entire udertaking (including its present and future land line system) to any other responsible company provided that such company shall first have entered into a deed of covenant with the Anglo Co., assuming liability for and covenanting to perform and observe all the obligations and liabilities of the Western Union Co. under this present lease.

"Provided, nevertheless, that no such assignment or deed of covenant shall operate to release the Western Union Co. from its liabilities under this present lease or the covenants on its part herein contained, but that notwithstanding any such assignment or the execution of any such deed of covenant as aforseaid the Western Union Co. shall remain and be liable to the Anglo Co. for the payment of all the rents or other yearly sums and the performance and observance of all the covenants and conditions by and in these presents reserved made payable and contained."

Leases by the English cable companies to the Western Union provide for the English companies securing landing rights for the Western Union, and in 1914 such landing rights secured by the Western Union and the Anglo American contained the following as article 1:

"If and whenever in the opinion of one of His Majesty's principal secretaries of state an emergency shall have arisen in which it is expedient for the public service that His Majesty's Government shall have control over the transmission of messages by the cables hereby licensed it shall be lawful for the said secretary of state by warrant under his hand to direct and cause so much of the works of the two companies or either of them as are within the United Kingdom or the territorial waters thereof or any part of such works to be taken possession of in the name and on behalf of His Majesty and to be used for His Majesty's service and subject thereto for such ordinary service as to the said secretary of state may seem fit and in that event any person authorized by the said secretary of state may enter upon the offices and works of the two companies or either of them or on any part of such works and take possession thereof and use the same as aforesaid."

The two cables leased by the American Telegraph & Cable Co. to the Western Union in 1882 were landed on the shores of England under an agreement with a similar provision to that above quoted respecting the Anglo American Cable Co.'s cables. The landing right of the Direct, the other English company, is under consideration by the English Government and has not been fully formulated, but the English Government will doubtless insist upon the reservation of the same right with respect to these cables. In view of these provisions as well as the provisions in the lease, I see no way in which the rights of the Western Union to the cables can be protected without the consent of the English Government under the resolution now before the Senate.

RUSH TAGGART, *General Counsel.*

Mr. POMERENE. Mr. President, I express no opinion as to the soundness or unsoundness of Mr. Taggart's view, but I may say that I have known Mr. Taggart for 25 or 30 years. He is one of the ablest lawyers in this country and any view that he may express on any legal proposition is worthy the consideration of the Senate.

Mr. President, it was perhaps by accident that it was developed in the hearings which we had that the Western Union Telegraph Co. had these cable and landing rights and of the possibility of their being forfeited in the event that the Government attempted to take them over. I submit that if by the taking over of all these cable and landing rights we should take a step which would result in their forfeiture, it would operate as a serious injury to the Western Union Telegraph Co., and the Government would be responsible in damages, for which the company could get compensation under the pending resolution.

Mr. President, I had not intended, and do not now intend, to address the Senate at length, but I think the telegram which I have just submitted demonstrates the wisdom of the course taken by the small minority of the committee who insisted that there ought to be some hearings before attempting to legislate upon a matter of such great importance.

I have no doubt this joint resolution is going to pass; I want the RECORD to show what the possibilities are in the event the authority should be exercised which it confers, so that we may avoid possible pitfalls.

Mr. SIMMONS. I desire to ask the insertion in the RECORD, without reading, of two telegrams; one with relation to the prohibition amendment now pending and the pending stimulation of the Agriculture bill, and one from certain employees of the Western Union Telegraph Co. relating to the joint resolution now under consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The telegrams referred to are as follows:

WILMINGTON, N. C., *July 11, 1918.*

Hon. F. M. SIMMONS,
United States Senate, Washington, D. C.:

May we, the undersigned loyal citizens and employees of the Western Union Telegraph Co., this office, convey through you the following expressions:

We are thoroughly in accord with any plan considered a necessary war measure. The recent strike agitation was entirely engineered by outside interests, in which we had no part. In the event Government control is deemed necessary, we assume that the various beneficial plans inaugurated by the company for its employees, many of whom have served their entire life and who are anticipating these benefits, will not be discontinued.

A. J. Lee, jr., L. P. Wood, R. L. Davis, R. H. Orrell, W. J. Hines, J. E. Wood, Adolf Otersen, M. L. Kingsbury, E. L. Spooner, Mary Davis, John Shinberger, Lizzie Jarrot, Bernard Spooner, Mrs. R. L. Throp, Mabrey Turner, Thelma Chestnutt, Katie C. George, and J. T. Hughes.

FRANKLINTON, N. C., *July 12, 1918.*

Hon. F. M. SIMMONS,
United States Senate, Washington, D. C.:

The Raleigh District Conference of Methodist Episcopal Church South request you to present to the Senate their memorial that the Senate pass immediately the measure prohibiting the manufacture and sale during the war of all intoxicating liquors. Conservation of precious food and preservation of more precious manhood demands this action.

T. A. SIKES.

Mr. LEWIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Illinois?

Mr. POMERENE. I yield.

Mr. LEWIS. With the kind consent of the Senator from Ohio, I beg to tender communications between former Postmaster General Wanamaker and present Postmaster General Burleson, occupying a space of not more than an inch, and I ask to have them printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

[From the Philadelphia Public Ledger, July 12, 1918.]

JOHN WANAMAKER REPLYING TO CONGRATULATIONS ON HIS EIGHTIETH BIRTHDAY—NATAL-DAY TELEGRAMS DELUGE WANAMAKER—EIGHTIETH BIRTHDAY ANNIVERSARY OF MERCHANT IS WIDELY REMEMBERED.

John Wanamaker quietly observed his eightieth birthday anniversary at his estate, Lindenhurst, Jenkintown, yesterday. Mr. Wanamaker received numerous messages of congratulation from all parts of the country, from members of the Cabinet, Senators, and other men of prominence.

A delegation of department-store chiefs from the John Wanamaker Store presented him with a gold plaque bearing a portrait of Marshal Joffre and his famous words on the eve of the battle of the Marne. Mr. Wanamaker is a warm admirer of the great French general.

In acknowledging the congratulatory messages Mr. Wanamaker praised the results of the President and the administration. * * * To A. S. Burleson, Postmaster General of the United States, Mr. Wanamaker sent this reply:

"I am deeply touched by your fraternal and thoughtful birthday telegram, notwithstanding your busy life. I have always had visions, but have only worked out half of them. Benjamin Franklin, your first predecessor, had nothing to do in comparison with what you have had to do. No other man save our mighty and wise President has had such a difficult responsibility to meet as yourself, careless commercial people having blindly ignored the hardships of postal management with railroad and other transportation, crippled for rolling stock, coal, and other war necessities, absolutely requiring preference in movement. Your work as Postmaster General will stand out as a masterpiece of excellence, considered in the light of facts. As the oldest Postmaster General now living, for myself and tens of thousands of business people, we call upon you, Mr. Postmaster General, to receive our benediction."

Mr. HARDING. Mr. President, the telegram submitted along with the address which my colleague [Mr. POMERENE] has given to the Senate on this subject very strikingly points out the lack of wisdom in the Congress taking this leap in the dark. I am not deeply concerned, Mr. President, about the interests of the companies involved in this movement toward Federal ownership and control, although I think they are entitled to consideration. I think it is a fair statement that probably the greater number of the telephone companies of the country would like to be taken under the Government wing.

Perhaps I ought to say at this time, Mr. President, that I am a prejudiced witness in this case. I believe I know as much about the telephone business as does any Senator in this body. I am not sure but that I know more about it than a good many of those who are proposing Government ownership and control. So there may not be any misunderstanding, I want it to go into the RECORD that I am a director of a so-called independent telephone company; and, if you ask me, I will tell you that it is one of the best in the United States; and the agents of the Federal Government who have been promoting Government ownership have done that institution the credit of making a very careful examination of it. My connection with that company, in a very small way, has given me some information about the business itself. I have a rather intimate view of the wild financing of a perfectly highly intentioned endeavor to save the country from the horrors of monoply in telephony.

Let me venture to make the statement now that if there is any business in the world that ought to be a monopoly, it is that of the telephone. It ought to be a monopoly, and a regulated monopoly. When a man takes down a telephone receiver and makes a call he ought to have available any telephone that the wires will reach; and yet it is one of the singular comments on the changing character of public sentiment in this country that some 8 or 10 years ago, when in my town we instituted the first effort at unification in all this land and sought to bring the service under one system, the laws of Ohio were invoked to prevent us doing so on the ground that we were trying to restrain competition in a public service.

I think there are about 100,000 misguided men who have gone into the telephone business in the United States. It may not be illuminating, but it will be diverting, if I relate the fact that in my home city, perhaps 15 or 16 years ago, a small party of us concluded that the Central Union Co. was a heartless monopoly, making untold wealth at our expense, and we had the influence locally to secure a franchise to build a competing telephone system. We started to build one with the expenditure—the straightforward, honest expenditure—of $75,000. Then we demonstrated how much we did not know. When we had finished the enterprise on which we embarked we had expended about $300,000, and found ourselves called upon to back it up financially. It was in such a situation that we found ourselves competing in the telephone business. Seeing the endangered character of our investment, we called for an armistice in the competing conflict that was going on, and unification had its origin in that event. Out of unification, in spite of the opposition brought in the courts, we began uniting the telephone plants, and did unite them in my city. The example has been so helpful that unification has been going on throughout the country, and it ought to go on.

I venture to say if there is any one line of public-utility service in America that might reasonably come under Federal Government control it is the wire communication service of this country; and if it were now proposed as a deliberate peace proposition for the Government to take over that line of public service I would be very much inclined to give it friendly consideration, much as I am opposed to that school of political thought. My objection to the movement at this time is that we are seeking to establish a change in policy in the name of war.

Mr. President, I listened with a good deal of attention yesterday to the able remarks of the senior Senator from Illinois [Mr. LEWIS], and I recall that he said, if there were a real war emergency, if there were a present necessity for the seizure of the lines of communication in this country, the Chief Executive would take them over, else he would be unfaithful to his duties as such Chief Executive. I agree with that statement; and if the President believes that there is such an emergency, he ought to seize them.

I will say further, Mr. President, that I think I voice the sentiments of all who are opposed to the joint resolution when I say that, if it were officially stated that there is an emergency in this country demanding this grant of authority, there would not be a vote in this Chamber in opposition. I am not, however, as a Senator, content to accept a communication of the Chief Executive on so important a question in the form of a letter to some Member of Congress. It is a very simple thing officially to communicate to the Congress about so important a problem as this. The President is not lacking in readiness to communicate; he invariably does it well. I say now, if the Chief Executive believes that it is necessary to the successful conduct of the war that he must have this authority, or that it is likely that he must make this very radical change in our affairs, I will vote that authority. I will even go further, Senators. Much as I apprehend these excessive grants of power, much as I have been concerned about the changes going on in our representative form of government, I will go to the extreme limit of making the Chief Executive an absolute dictator in the United States to win the war. But my opposition rests in deluding the public and in making these great changes in our American institutions in the name of war when the emergency does not exist.

We all know how this question came up. It came up through the Executive and through the public press uttering his attitude and that of Cabinet officers because there was the threat of a strike. Well, I am not concerned about the threat of a strike, Mr. President. If the members of the organization which is known as the Union of Commercial Telegraphers in this country want to give a manifestation of their fitness to control the operations of the telegraph lines in this country by striking in this emergency, I for one, want to say, let them strike. We need just a little test on that policy in America right now.

There has been unlimited discussion on the floor here about the necessity of guarding the messages of the United States and making sure that we have a highly patriotic service. I would not think very much of the security of a service that was in the hands of an organization that would tie up the Government in stress of war.

The point I am trying to get at, Mr. President, in this rather rambling way is that this matter is being pressed upon Congress as a war necessity when no one in authority has had the courage to say so in an official way. Oh, I grant that there are Senators on this floor who have said as much, but their authority is no greater than my own. I am contending against this very radical change, made possible by the excuse of war. I am opposed to it, Senators, because we are doing so many things under that very same cloak. We have here pending the question of war-time prohibition. I thought we had disposed of the prohibition question a year ago, when I joined a two-thirds majority in this body in submitting to the States a Federal constitutional amendment for ratification; but notwithstanding that rational solution and disposition of the question, we are having it pending here almost every day as a special war measure, in spite of the pending decision of the people in the States.

The same thing relates to the great reform known as the enfranchisement of the women of the country. I think every Senator on this floor has had it drummed into his ears again and again and again that the Republic, to be consistent and to make a genuine fight for democracy, must make this grant of suffrage in order to make us effective in war. Why, Senators, I seek effectiveness in war with just as much earnestness as does any other man on this floor. I have made the ultimate statement; but I am weary of dragging in every social and economic reform that ever was dreamed of in the name of war, and I am weary of it because our judgment is not always best in times like these.

To make myself more clear, if I may: If the times were reasonably normal; if there were not so many undigested governmental undertakings; if we were not in a period when our course is marked by so many unavoidable failures; if we did not have before us the example of unending disappointments in the Railway Administration, I believe I would forsake my long-established opposition to Federal ownership, and consent to a deliberate consideration of this proposition; but the objection is that it is not before us as a question on its merits. No one pretends to believe that it is not designed to have this joint resolution passed to initiate Government ownership. I have

yet to hear any Senator say that is not the purpose of this program to get the initial authority to take over these lines of communication and establish Government ownership and control. If that be true, I had rather consider it on its merits, not as a war measure, but as a deliberate change of governmental policy respecting our internal affairs.

I have been interested in reading the testimony of the Cabinet officers concerned with this movement. I do not know how anyone can misconstrue the statements of the Secretary of War, the Secretary of the Navy, or the Postmaster General. They are all in favor of the altered plan; they have not anything else in mind; and I am wondering sometimes if this created emergency was not designed in the name of war to lay the foundation for this change.

The objection, Senators, to going into the business blindly might be elaborated upon to great extent. I think I said in the beginning that most of the telephone companies interested would be glad to see this action taken. I say that in absolute deliberation. I do not speak for the telegraph companies; but I do know that the telephone business and the telegraph business are so interwoven and so connected that one must of necessity go with the other; and I know, further, that there are more defunct institutions in the United States organized as telephone companies than in any other dozen lines of American business activity. That is an easy thing to understand. There never has been a field of such financial exploitation on a small scale. People seized upon the existing desire for competition. These companies were organized, bonded, preferred stock was issued, they were capitalized upon a fictitious scale, and then the operating forces were called upon to pay out all their resources in maintaining their stock and bond issues. The result was that the physical property belonging to the telephone companies in the United States has suffered a deterioration not found in any other line of business. It is rather an interesting point to know that there is not any other line of public service in the United States where the deterioration is so marked. I have forgotten the specific percentage allowed by the various public-utilities commissions in the States; but I happen to know that the outdoor property of a modern or any telephone institution deteriorates very much more rapidly than 10 per cent a year; and, unless the company is everlastingly devoting a large share of its resources to maintenance, it soon becomes little more than a scrap heap. I tell you, Senators, that there are 5,000 such scrap heaps in the United States today that would be very gladly turned over to the United States Government. I make this emphatic, because I do not want to be in the attitude of speaking solely for so-called vested property rights. I want the Congress, before it takes this leap toward Government ownership and control, to take the necessary steps to find out what it is getting and to make provision to protect the public in the charge for the service.

I do not know that it is becoming to bring in the railroad question again, but we have witnessed the remarkable spectacle of an advance in railroad rates such as no one would have dared to suggest under private ownership and control. In my home city, for example, where we have great lime and stone interests, which are dependent upon the freight service of the railroads, we have found the business essentially paralyzed by an advance in freight rates of from 100 to 200 per cent, and in the passenger service of the railways it costs more than two and a quarter times as much to go from my home city to the capital of the State as it did under old conditions. I am not saying that that is not necessary, but I am saying that the public in the transfer from private ownership and control to public ownership and control has been called upon to pay in many instances more than 100 per cent advance for the service. Apply the same proposition to the communication lines of this country and you will find a popular unrest and a wide dissatisfaction, and justly so. Then, in this hour of unrest and anxiety and difficult public problems, why undertake one more when the necessity is not yet made apparent? Senators, we can express in this body the willingness that we have repeatedly shown to back up the Chief Executive and his administrative agents in every essential to win the war; but why must we be committed at this time to what I look upon as a fundamental change, probably impelled by those who have less concern about the tranquillity of the Republic than those who have yielded to the impelling movement?

I have just read, Mr. President, of a dangerous crisis in the cabinet of France, passed only yesterday, because the Socialists of that Republic attempted to interfere with some sort of a bank charter. I do not think, Mr. President, that the man who thrusts upon the Government a radical change in our domestic affairs at this time is a patriot in the highest sense. I have no objection to the advocate of a certain reform furthering his purposes as best he can from time to time; I have no objection to the Postmaster General urging the enlargement of his department of service in the Republic; I have no objection to the wide extension of unionism throughout the United States, because I can see it has its advantages to those concerned; but I do not think these things ought to be forced upon the Government in the name of war.

In passing, I wish to say, Senators, that one of the greatest embarrassments in the United States to-day is found in too much organization. I do not mean by that statement that I am assailing organized labor; I do not mean by that statement that I am assailing organized capital; but the country is running riotously in the direction of organization.

The other day, Mr. President, I met a dairyman from my State, and the experience was rather interesting. I have known him for fully 30 years; I have seen him grow in financial resources and in attainments from one who started to drive his own milk wagon into the owner of hundreds of acres of land and hundreds of head of dairy stock. He came to me not very long since with his complaint that it was not possible for a dairyman to prosper in times like these, and in the progress of our conversation I led him into a revealment. This is precisely what happened: He had been pursuing the tenor of his own way for years and had prospered thereby, but finally he entered an organization of his particular kind; and the cost expert, whose compensation lies in being expert and teaching cost systems, told my friend how much money he was losing by not paying the members of his family an adequate salary; how much money he was losing by not charging a sufficient overhead on the investment in land; how much he was losing by not charging an ample depreciation on his delivery wagons; and how much he was cheating himself by his overtime work without extra compensation for overtime. When he came to figure it all out under the revealed system he was theoretically losing money, although his course had been a prosperous one for the 30 years that I have known him.

I only cite the instance to show that in every branch of American activity we are organizing to further the interests of that particular branch. The professional men organize; business men organize; and experts are on salaries to promote the furtherance of the interests of the particular organization, and sometimes to convey the interests of those organizations to the Members of this body either by appeal or by threat, as one sometimes encounters it. The result is that we have organization against organization in every walk of life, and I think that is in a large degree responsible for the increased cost of living throughout the United States. However, I have only diverted on that line in passing.

Now, to get back to the consideration I have in mind. As has been pointed out, in the Senate there are two schools of thought. I am content that they shall thrash the question out in the deliberations of peace; I am content, if it is the judgment of the majority, that the Government shall undertake this large field of activity, if it can be undertaken at a rational time; but nobody knows, Mr. President, what the cost is to be; nobody knows the extent of the undertaking; and somebody ought to stand guard here and cry out against these enormously expensive experiments, for which somebody has to pay. I am perfectly amazed, Senators, that we go on here undertaking these new problems to cost millions upon millions. Let me stop, in passing, to ask, Is there any Senator on the floor, any advocate or opponent of the pending joint resolution, who knows anything like the sum involved in this undertaking? Does my colleague know?

Mr. POMERENE. I beg the Senator's pardon. I did not hear him.

Mr. HARDING. I am asking for some Senator to say how much is involved in this great undertaking of Government ownership and control.

Mr. POMERENE. Mr. President, the Western Union Telegraph Co. has assets valued at $200,000,000 and corporate stock of $100,000,000. The Postal Telegraph-Cable Co. does about 20 per cent of the telegraph business of the country and the Western Union about 80 per cent. The telephone companies of the country, according to a statement made by the Senator from Minnesota [Mr. KELLOGG], are valued at $1,900,000,000.

Mr. HARDING. That is the telephone companies?

Mr. POMERENE. The telephone companies.

Mr. SMITH of South Carolina. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from South Carolina?

Mr. HARDING. I do.

Mr. SMITH of South Carolina. If the Senator will allow me, I think it would be very well to put into the RECORD at this point the figures given in certain tables that I have here from the Interstate Commerce Commission, showing the total invest-

ment of those telegraph and telephone companies reporting to the Interstate Commerce Commission up to and including 1917. Of course there are privately owned telephone companies that are not included, as they did not report to the Interstate Commerce Commission.

The latest figures on the telegraph are as follows: Total investment in plant and equipment, $154,149,113; capital stock, $104,039,602; funded debt, $32,744,000. The telephone companies of all classes reporting for the year ending December 31, 1916, had a total investment for classes A, B, and C of $1,991,549,075 and total assets and liabilities of $2,221,800,157.

These tables give a complete statement of the investment in the telephone companies reporting.

Mr. HARDING. Mr. President, I am very glad to have this interruption. I want to ask the distinguished Senator a question.

Mr. POMERENE. Mr. President——.

The PRESIDING OFFICER. Does the Senator from Ohio yield to his colleague?

Mr. HARDING. Certainly.

Mr. POMERENE. That does not include the radio systems, does it?

Mr. SMITH of South Carolina. No. If it does, it is not so indicated here. I do not think the radio systems are included—I am sure they are not—in these tables.

Mr. POMERENE. And the statement does not include the cable systems?

Mr. SMITH of South Carolina. I think the cable system is included. Just one minute.

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Minnesota?

Mr. HARDING. Surely.

Mr. KELLOGG. Cables are not included; radios are not included, because the telephone company has nothing whatever to do with the radio systems, nor has it anything to do with the cable systems or the telegraph systems.

Mr. SMITH of South Carolina. Mr. President, if the Senator will allow me just a minute, I will read the terminology used by the Interstate Commerce Commission. Amongst them I find the Colorado Postal Telegraph-Cable Co., Commercial Pacific Cable Co., Kansas Postal Telegraph-Cable Co., Mackay Telegraph-Cable Co. (Louisiana), Mackay Telegraph-Cable Co. (Texas), Mexican Telegraph Co., North American Telegraph Co., Ohio Postal Telegraph-Cable Co., Postal Telegraph-Cable Co. (California), Postal Telegraph-Cable Co. (Connecticut), Postal Telegraph-Cable Co. (Delaware), Postal Telegraph-Cable Co. (Illinois), Postal Telegraph-Cable Co. (Indiana), Postal Telegraph-Cable Co. (Iowa), Postal Telegraph-Cable Co. (Kentucky), Postal Telegraph-Cable Co. (Massachusetts), Postal Telegraph-Cable Co. (Michigan), Postal Telegraph-Cable Co. (Missouri), Postal Telegraph-Cable Co. (Nebraska), Postal Telegraph-Cable Co. (New Jersey), Postal Telegraph-Cable Co. (New York), Postal Telegraph-Cable Co. (Pennsylvania), Postal Telegraph-Cable Co. (Tennessee), Postal Telegraph-Cable Co. of Texas, and Postal Telegraph-Cable Co. (Washington). Therefore the inference would be——

Mr. KELLOGG. But the figures the Senator was reading as the total investment, $1,991,549,075, have not anything at all to do with the telegraph companies.

Mr. SMITH of South Carolina. No; the figure of nearly $2,000,000 that I gave, as I have indicated, referred to the telephone companies. I turned to the telephone companies' figures. The figures for the telegraph companies are $96,161,140. That is the investment of the companies to which I have just called attention.

Mr. HARDING. Mr. President, while the chairman of the committee is on his feet, I want to ask him if he has any information as to what the Government expenditure is going to be in taking over these properties and securing its service alone, not thinking in any way of the maintenance of the service which the individual citizen gets?

Mr. SMITH of South Carolina. Mr. President, as I understand this question, of course it may be due to my obtuseness, but my understanding of it is that it is to enable the Government to assume control, if the circumstances justify it, of any part or the whole, if need may be. Of course, I do not suppose they can determine what will be the necessary subsequent procedure until the emergency has crystallized to a point where they will put their hands on whatever is necessary for the common defense; and then, perhaps—I am just making this as a suggestion—the legislation may take a line similar to that which was taken when, under the enabling act, the railroads were taken.

Mr. HARDING. Mr. President, will it embarrass the Senator to say whether he thinks that that is all that is intended?

Mr. SMITH of South Carolina. No, Mr. President; it would not embarrass the chairman. The fact of the business is, I should like to state right now, that the power asked is one that it seems to me we can not shirk, because the responsibility on our part is so to legislate as to give those who are to prosecute this war actively no reason for embarrassment; and then, when they shall have acted, the wisdom or unwisdom of their acts must necessarily be upon them, not upon us.

Mr. HARDING. Will the Senator say whether he thinks this movement is intended merely as a measure of war efficiency or necessity?

Mr. SMITH of South Carolina. Well, Mr. President, I think it is.

Mr. HARDING. Does the Senator say he thinks that is all that is intended?

Mr. SMITH of South Carolina. I am not in a position where my thinking would change it or is necessary. It is those that we have charged with the responsibility of prosecuting this war that have to do the thinking as to what, in their opinion, is necessary.

Mr. HARDING. Will the Senator say what he thinks, then, of the purpose of the Cabinet officers who testified that they did not think the control should end with the war?

Mr. SMITH of South Carolina. Mr. President, so far as that is concerned, that is their opinion as to when it should end. The Senator and I are here to legislate upon a war emergency, as we did in the railroad proposition, where we said that the control should terminate definitely and specifically at a certain time, because I take it that this body is not going to commit itself without due consideration to Government ownership or to the socialistic tendency that some seem to believe has been injected here. As a matter of course, every one of us is going to give everything that is essential to win this war, and we are giving things that we would not dream of giving in times of peace.

While I am on my feet, if the Senator will allow me, I should like to say that I consider it a matter of congratulation to the American people that there does rise up a protest, in this body and out of it, whenever the accustomed privileges of democracy are invaded. They come around all right when they see that they must make the sacrifice in order to win this war; but it is very gratifying to some of us, at least, who do not believe in socialistic tendencies and in Government control of all sorts of things, to see that even with the menace of this tremendous war on us we are jealous of the fundamental principles of a rightly conducted democracy.

Mr. HARDING. Mr. President, will the Senator allow me to ask him whether he believes that if these lines are seized they will ever be restored to private ownership?

Mr. SMITH of South Carolina. I believe that if these lines are seized, this very body that is granting this privilege for the sake of winning this war will protect the American people in their rights, as it is now trying to protect them by temporarily taking what seem to be their rights.

Mr. HARDING. The Senator makes it entirely clear.

Mr. President, my question is the basis of what I have tried to say, namely, that this measure, which is alleged to be here in response to a war emergency, is nothing more than the beginning of a policy of Government ownership and control; and, as I said in the beginning, I should not object to that, because I think this is a particular line of activity in which we might make that venture consistently, if anywhere. My objection to this grant of power without official notification of the emergency lies in the fact that we are making this leap in the dark; that we are making this change without reason or excuse, and we are doing it under this unlimited grant of power on the part of Congress and turning over the matter of policy as well as the execution of laws entirely to the Chief Executive of the Government. For that reason, Mr. President, I am opposed to the passage of the joint resolution.

Mr. SHAFROTH. Mr. President, I should like to ask the Senator a question.

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Colorado?

Mr. HARDING. I was about to yield the floor.

Mr. SHAFROTH. I just want to ask the Senator a question. He has stated that he has not any serious objection to governmental ownership of these lines, but he does not want it done under the claim that it is a war emergency. Even taking that view, is it not better to have the experiment made during the war, to see with what success the operation of the lines can be conducted by the Government?

Mr. HARDING Mr. President, I am delighted to answer that question, because it involves a further feature of my objection.

I will say to the Senator from Colorado that I am opposed to the experiment now, because the Government has already undertaken so much that it is not doing the work as it ought. I do not mean to criticize. I have no desire at any time to rend the confidence of this country in its Government. The revelations have been sufficient. Nobody has had a word to say about the failure of the railway administration except as it applied to the transportation of fuel last winter. But it is a fact, nevertheless, that the handling of the railway problems in this country right now is little less than a scandal; not in any manner of dishonesty, not entirely along the lines of inefficiency, but inability to grasp the great task undertaken and to carry out the work as the Government ought to be able to do. I am not finding fault with it. It is too big a thing for any human agency unfamiliar with the task to grapple with and handle perfectly in so short a time. My objection is, expressed as a question, when there is not any necessity, why in this time undertake the things that we are not fitted to do? Why, Mr. President, with the undertakings incident to the War Risk Bureau, with the expansion of the War Department, with the addition of Government forces that come of railroad control and operation, with water transportation undertaken, we are overrun with a Federal organization that is not 40 per cent efficient.

Mr. President, if the Senator from Colorado will allow me to divert—and I have not meant to consume so much time—there are perfectly appalling things undertaken in this hour of experiment and adventure in Government control. I imagine that Senators, notwithstanding their sympathy with the housing movement, for example, will be utterly amazed when they learn what the day dreamers have undertaken at the expense of the American public. I had my attention called the other day to a housing movement in a section of the United States several miles from any civic or municipal center where we were building houses costing as high as $5,000 to $8,000 each, equipped with the most modern and complete and extravagant equipment that the most fortunate man in material affairs in the United States could wish for. I do not say that the man who toils for a daily wage is not entitled to all the comforts that any man can have, but my complaint is that in this great emergency, in this turmoil of the world, in this anxiety of the Republic, this saturnalia of expenditure for which somebody must pay, we are having the dreamers and the reformers and the idealists spending from the Public Treasury in this very impractical way. Now, that is only a phase. If we take over the telegraph and telephone systems, I do not know but that somebody will come along with an enormous Government expenditure that will very much improve the personal convenience of the man who seeks communication over the lines; but the problems involved are too enormous to divert the attention of the executive heads of the Government at this time.

I only say to the Senator from Colorado, if we are to make this experiment, let us do it when we have time, when we can give it consideration, when we are concerned with our internal affairs, and not at this time, when we are seeking to bend all the energies of the Republic to the winning of the war.

Mr. KING and Mr. SHAFROTH addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Ohio yield; and if so, to whom?

Mr. HARDING. I yield to the Senator from Utah.

Mr. KING. I wanted to ask the Senator, in view of the statement which he has just made—and I do it for information—if it is the organization over which Mr. Eidlitz presides that is embarking upon the expensive and extravagant and wholly unnecessary plan of building just alluded to? The reason why I make the inquiry is that I was advised, before we appropriated this large sum, that some of these faddists and dreamers were going to get control of the organization; that they proposed launching an extravagant scheme of building; they were going to construct buildings of the most modern type; they were going to put into them the finest sort of porcelain fixtures that would do credit to a millionaire's home, and so forth. In the light of the information I made inquiry immediately of various departments here, and registered a vigorous protest if that was the scheme which was involved, and insisted that if any money were appropriated it be utilized along legitimate and proper lines. I was told that those were not the plans, and that they were going to build temporary structures absolutely needed in those localities where governmental work was being prosecuted. If that plan has been departed from I think the Senator should tell us, and I think a resolution of inquiry might very properly be introduced and passed here to determine what the policy is.

Mr. HARDING. Mr. President, I will make this reply to the Senator from Utah: I did not rise to attack the policy of the Labor Department in dealing with the housing problem. I only cited it to show that we are undertaking too many things, and in this period of diversion from deliberate thought and deliberate progress we are doing so many impractical and extravagant things. In the particular instance to which I made allusion, just to show the idealists at work at Government expense, these homes, the lowest average cost of which, without the surroundings, was about $5,500 each, I believe, have window flower boxes with copper linings. Now, I think it is perfectly beautiful to have the flower boxes; but I have been married for 25 years, and trying to make a pleasant home, and I never had a copper-lined flower box in my life, and I have not felt that I was being seriously negligent in making myself comfortably surrounded. That is the point I am trying to make, Mr. President. In this hour of dreaming, and this perfectly unceasing flood of expenditures——

Mr. REED. What department is doing this? Who is doing it?

Mr. HARDING. The Senator from Missouri asks me what department is doing it. There is no question about the department. It is by order of the President under the Department of Labor. I will say, Mr. President—and I do not want to be misconstrued—that I voted for the housing appropriations. I assumed that we were going to relieve the crowded sections, and furnish comfortable, seemly homes to the men who are needed in furthering our war-industrial activities in this country. But instead of doing a thing like that, we are out on the highway of Utopia, and somebody who is not so far out on the highway is being called upon to pay.

Mr. SHERMAN and Mr. JONES of Washington addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Ohio yield; and if so, to whom?

Mr. HARDING. I yield to the Senator from Illinois.

Mr. SHERMAN. I should like to inquire of the Senator from Ohio—with the Government in charge of the railways, and the Government in charge of the employment of labor, with a vast organization to bring the employer and employee together, with directions to raise large crops of food supplies, why it is, when immense acreages of potatoes were put in and are now ready for the market, that they are rotting in the fields, and yet I look on my grocery bill and find that in Washington I am paying $4 a bushel for potatoes that bring 35 cents in the field? That is a practical question; and if the Senator will pardon a grossly materialistic view of the situation, I should like to be enlightened. If the Government can do things so well, I should like to have cheaper pototoes.

Mr. HARDING. Mr. President, the Senator from Illinois has charmed and enlightened me so often that I wish I might reciprocate and at this time give him some information about his "murphies"; but, as a matter of fact, I am not in intimate touch with the Food Administration, and I am utterly unable to explain. If the Senator from Missouri has information upon the potato question, I shall be glad to yield to him for a moment.

Mr. REED. Mr. President, I have not been able to follow the Food Administration into the potato bins of the country; but I believe that if Senators will take the trouble to ascertain the wholesale prices that are being paid for potatoes, and in fact nearly all things going upon the table, they will ascertain two things: First, that the citizen of Washington, within the immediate shadow of the Capitol, is being robbed a good deal worse than the people of other cities; and, second, that there is a gap between the price that the producer receives and the price that the ultimate consumer pays that could not exist and would not exist if the law of supply and demand were permitted to work. For instance, you can pay 75 cents a pound for a good beefsteak in Washington, and yet if you will look at the wholesale prices of beef, the prices of beef on the hoof, you will find that it is not very much higher than it was when you could buy beefsteak at 30 cents or 35 cents a pound. But there has been a regulation, and as I do not want to be guilty of high treason I am not going to express my opinion further in regard to that regulation.

Mr. HARDING. Very well, Mr. President, I will absolve the Senator from Missouri, and yield to the Senator from Washington.

Mr. JONES of Washington. Mr. President, I should like to say, in response to the suggestion, that I saw in the paper the other day that the food representative here had authorized an increase in the price of potatoes, I think, to the consumers; in other words, permitting the retailers to raise the price of potatoes. But what I wanted to ask the Senator was if he can tell about how many rooms there are in the houses he has described?

Mr. HARDING. The houses described are supposed to contain four or five bedrooms. That is the only way I will attempt to describe them, because I asked the same question myself. When I found that the houses were costing from $5,000 to $8,000 apiece, I immediately asked how many workingmen they would accommodate; and the gentleman who answered me, and who was familiar with the subject as a bidder is familiar with it, told me that by using all of the bedrooms, and the family itself not being too large because of children, the house would accommodate an average of three workmen.

I have not pointed this out because I have wished to attack the policy. I thought from the beginning it would be very much that way. We are a curious people. We send our millions of soldiers to the front, and we give them the compensation of a dollar a day, and think nothing more about them than that we expect them to make the supreme sacrifice of life on the altar of their country; and then, when we find people who are rushing to Washington to get into the Government service in this hour, and there is a little inconvenience about rooming them, they are not content to accept some of the hardships incident to these difficult times, so we immediately propose to expend millions to provide for them in comfort, at twice or thrice or four times the compensation of a man who goes out to sacrifice his life for the preservation of our ideals of American liberty.

Of course, Mr. President, when it is perfectly possible to do these things, one does not object to the higher state of things and the more comfortable order that we are trying to bring about. I think the housing proposition, if worked out in a proper way, could be one of the most helpful things undertaken in this country. But, Mr. President, a state of war, when all the energy and all the best thought and all the sacrifices of the Republic are called for, is not the time to indulge in dreams like these, because in the end somebody must pay; and it is not merely the man of great means who is called upon to pay, but in the end the burden of debt and the burden of expenditure falls upon the American people. The man who is temporarily enjoying it will find that the burden comes upon him, too; and while we grieve and protest and proclaim about the high cost of living, everybody, in this spirit of idealism and uplift and higher compensation, is continually adding to the cost of living. I am not so much concerned about the cost to-day as I am about the aftermath; about how in the deliberations and the necessities of the after-the-war period we are going to adjust ourselves to anything akin to the normal state of human activities.

I think, Senators, we might very well give some thought to the time that is coming, and we might reasonably prepare for it by such limitations as we can well undertake. Begging pardon of Senators here for the delay which I have unintentionally brought about, let me finish in a sentence. I am opposed to the joint resolution that is pending here, because I know, as every Senator on this floor knows, the purpose of the resolution. It is the great socialistic adventure. We are going into the field of Government ownership and control. I think the time for that adventure, instead of the anxiety of war, is one of deliberation, when the Government has not the mighty and unavoidable problems on hand which it is called upon to meet now. If we can postpone the needless activities we need not be concerned about the war emergencies, because the Chief Executive of the United States of America, if he found our war activities for one moment hampered by a threatened strike, or by the operations under private control, could seize the wire lines of communication in this country in an instant and he would be justified in doing so, and he would be sustained by a nation-wide and deliberate public sentiment in the United States.

STIMULATION OF AGRICULTURE.

Mr. SMITH of South Carolina. Mr. President, I want to propose, and do propose, the following unanimous-consent agreement. All Senators are more or less familiar with the reason and the object of it. I should like to have it read so that we may consider it now.

The PRESIDING OFFICER (Mr. MCKELLAR in the chair). The Secretary will read the proposed agreement.

The Secretary read as follows:

It is agreed by unanimous consent that the bill (H. R. 11945) entitled, "An act to enable the Secretary of Agriculture to carry out, during the fiscal year ending June 30, 1919, the purposes of the act entitled 'An act to provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products,'" shall continue the unfinished business of the Senate, and on and after August 26 it shall be considered to the exclusion of all other business (except that it may be temporarily laid aside by unanimous consent) until passed or defeated on a vote taken on the question of its passage.

Mr. PENROSE. This unanimous-consent agreement refers only to the amendment to the Agricultural bill.

Mr. SMITH of South Carolina. It does.

Mr. PENROSE. It does not refer to the whole bill.

Mr. JONES of Washington. It refers to the bill.

Mr. SMITH of South Carolina. This is a supplementary Agricultural bill, and, as a matter of course, the real point was the amendment which is now pending, and it would apply to that if we agree to this unanimous consent.

Mr. REED and Mr. MCCUMBER addressed the Chair.

The PRESIDING OFFICER. Does the Senator from South Carolina yield; and if so, to whom?

Mr. SMITH of South Carolina. I yield to the Senator from Missouri.

Mr. REED. I simply want to say that I am not going to object to this agreement, but I want to call the attention of the Senate to the fact that in a time of war, when anything is liable to happen, anything within the imagination, for any man to insist upon absolutely tying public business so that his particular pet measure must be considered to the exclusion of any other business, however important, is taking a very grave responsibility on himself. I have not the slightest doubt that the proponents of this particular amendment, that has provoked all of this controversy, would insist on passing it if the determination of a battle in France depended upon it.

Mr. MCCUMBER. Mr. President, before agreeing to this unanimous consent, I want to ask the Senator from South Carolina whether we are going to have a vote upon either of the agricultural measures—the vetoed measure or the supplemental measure? We ought to have one of them disposed of before the recess is begun. The general Agricultural bill, which was vetoed, has, I understand, since been passed by the House. I should like to know whether or not it is to be brought up and disposed of in the Senate before the contemplated recess.

Mr. SMITH of South Carolina. I have not charge of either of those bills, and can not speak specially; but the chairman of the Committee on Agriculture is present, and I presume he can state whether or not a vote will be had. I think there has been passed a resolution continuing the appropriations for such bills as will not be passed in case we do take a recess or an adjournment from day to day.

Mr. MCCUMBER. The chairman of the Committee on Agriculture is here, and undoubtedly he can inform the Senate whether we will have before us that bill for final disposition.

Mr. GORE. Mr. President, it is manifestly not the purpose of the Senate to pass at this time the special Agricultural appropriation bill, which is the one involved in the proposition in the unanimous-consent agreement. It goes over until August 26. I assume if the House has not passed the regular bill it will undoubtedly pass it at an early hour and will dispatch it to the Senate. I have not reached a definite conclusion as to what action I will ask the Senate to take. I intend to confer with a number of Senators before reaching a decision; but a continuing resolution has just been passed making provision for the Department of Agriculture for July and August. Still, it may be possible and it may be desirable to pass the regular appropriation bill.

Mr. MCCUMBER. I have been informed that the regular Agricultural appropriation bill, which was vetoed, has been passed again by the House, omitting the portion for which the veto was given.

Mr. GORE. That was the program, I know; but I have not been advised that the bill has already passed.

Mr. MCCUMBER. That is my information.

Mr. GORE. I had not been advised that a vote was taken.

Mr. MCCUMBER. I may be in error.

Mr. GORE. I understood the House was to have an extended debate before taking a vote on the final passage of the bill excluding the wheat amendment. Whether any action has been taken on it, I am unable to say.

Mr. MCCUMBER. I shall not at this time object to the unanimous-consent agreement if we can get it right away.

Mr. PENROSE. Mr. President, I simply desire to state I shall not object to the unanimous-consent agreement proposed. I recognize that perhaps at the present time the friends of the bill referred to in the agreement have a majority in the Senate to proceed this afternoon or on Monday with the measure, and in order to facilitate the public business and accommodate the desires of many Senators who wish a little interval in our legislative activities, I shall not object.

The PRESIDING OFFICER. Will the Senate agree to the unanimous-consent agreement? Is there objection? The Chair hears none, and it is agreed to.

Mr. REED. Can that be done without a roll call?

The PRESIDING OFFICER. The Chair is of opinion that it does not require a roll call under subsection 3 of Rule XII, which provides for a roll call when the agreement is for a final vote on a specified date. This unanimous-consent agreement

does not provide for a vote on a specified date but merely states that the bill shall continue the unfinished business of the Senate on and after August 26 and it shall be considered.

Mr. REED. I had not heard that part of it read.

Mr. HALE and Mr. McCUMBER addressed the Chair.

The PRESIDING OFFICER. The Senator from Maine.

Mr. HALE. Do I understand this matter has been settled?

The PRESIDING OFFICER. It has been settled.

TELEGRAPH AND TELEPHONE CONTROL.

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (H. J. Res. 309) to authorize the President, in time of war, to supervise or take possession and assume control of any telegraph, telephone, marine cable, or radio system or systems or any part thereof and to operate the same in such manner as may be needful or desirable for the duration of the war, and to provide just compensation therefor.

Mr. HALE. Mr. President, I shall take only three or four minutes of the time of the Senate. At the risk of taking up a matter which has already been discussed I make one last appeal to the chairman of the committee to enlighten the Senate as to the military necessity for this measure. I can not conceive how the chairman can so earnestly advocate the resolution himself unless he has some information in his possession which the rest of us have not.

As far as I am personally concerned, unless some military necessity can be shown, the principles that are involved in the measure I can not favor. I am not seeking to harass the chairman. I am seeking light to determine what my vote shall be on this question. If any military necessity can be shown, if in any way it can be shown that the joint resolution is necessary in carrying on the war, I shall cheerfully vote for it. I want to stand by the President in every measure necessary to carry on the war. If no such proof can be shown I can not vote for the joint resolution.

I have had occasion to make a canvass of this side of the Chamber on this bill. I am not in any way authorized to speak for the minority in the Senate, but I think I am at liberty to tell the Senator that there are very many Senators on this side of the Chamber who feel as I do about the measure, and that if a military necessity can be shown, a very large number of votes on this side of the Chamber will be cast for the resolution. I do not know that these votes are necessary to pass the joint resolution. I do not know that the votes are desired; but I do say that we are entitled to some enlightenment on this question before we do vote.

Mr. SMITH of South Carolina. In reply to the query I will say I do not like altogether the expression "this side of the Chamber." There is but one side in this war. There is no side here touching the war. I am sure the Senator from Maine used the expression inadvertently.

Mr. HALE. No, Mr. President, I said this side of the Chamber, because I did not presume to make a canvass of the other side.

Mr. SMITH of South Carolina. On a question of this kind, as the chairman of the committee, I have not hesitated to canvass the other side as well as this side on questions that seemed to me to be involved with the war.

Mr. PENROSE. Will the Senator permit a suggestion?

Mr. SMITH of South Carolina. Certainly.

Mr. PENROSE. I want to say to the Senator most emphatically that the steam-roller methods and the absence of consideration given to this measure and the denial of information have done more to make a demarcation than anything which has occurred recently in this Chamber.

Mr. SMITH of South Carolina. I was very much gratified in the committee at the action of the Republican Senators. It so happened that there were, if I may use that expression now, but two Republican members of the committee in the city.

Mr. PENROSE. The others were not even notified.

Mr. SMITH of South Carolina. The others were notified, as is the usual rule, but were not telephoned for, nor was any effort made even by those——

Mr. PENROSE. On the contrary, many had left the town on the assurance of the chairman that hearings would be had.

Mr. SMITH of South Carolina. The assurance of the acting chairman.

Mr. PENROSE. Yes; the official chairman for the time, and in accordance with the vote of the committee.

Mr. SMITH of South Carolina. Addressing myself to the inquiry of the Senator from Maine [Mr. HALE], I want to state that I took occasion to inquire why this joint resoluton was urged, and I was assured that it was the opinion of the administration, of the President, that there would very likely be a necessity for it. One of the reasons given was that with the telegraphs and telephones owned by different companies there had been some delay and some difficulty in the transmission of messages, which are numerous incident to the time of war; and it was desired, for the purpose of expediting communication, to bring them into harmony, so that telegrams would not have a preferential right on private interests, but in expedition of the public interests telegrams would be put immediately upon any line without regard to who owned it.

Mr. PENROSE. That is done now. The Government has priority now. The Senator forgot to use the word "coordinate," a very handy word.

Mr. SMITH of South Carolina. I am simply making a statement in reply to the Senator from Maine. There were other reasons given, one of them being that the Government business would certainly be better safeguarded by having the Government in control, as has been pointed out here, on certain lines and in certain emergencies.

Mr. PENROSE. What kind of emergencies?

Mr. SMITH of South Carolina. Mr. President, there was this feature, and this feature is paramount so far as I am concerned. Everyone recognizes as the administration recognizes that the methods of communication are as vital as the methods of transportation. There is not a Senator on this floor who would deny the Government the right to take control of and to operate any means of communication if in the judgment of the administration it was essential to the prosecution of the war.

The proposed joint resolution simply states that in case the emergency in the judgment of the Commander in Chief of the Army and Navy arises, without having to come to Congress immediately he can exercise his power for the protection of the public interests. None of us can tell what may arise. None of us would dare stand in the way in case it did arise; and now that we are in the thick of the fight, as the Commander in Chief has asked us to enable him in case an emergency arises to use this power, it will be ample time for us, it seems to me, to begin to pass definite legislation as to the methods by which it shall be handled if it becomes apparent that the power that we intrust to him has been abused to the detriment of the people and perhaps to the detriment of our participation in the war. It simply states that in case in his judgment the emergency arises he may use this power.

As I was about to say a moment ago, so far from its being aggravating to me as an American citizen and an individual to see men jealous of granting this power, it is a matter of congratulation to me as an American citizen, that in spite of the talk about socialism, in spite of the talk about Government control of these utilities, every one of these grants of power in the time of this emergency has been scrutinized and has been rather reluctantly granted not because I believe in my heart we were unwilling to grant this power but because of the democratic habit that has been ours from time immemorial that these were personal and individual rights; but after sober thought, when they knew that upon the altar of our country had to be laid these peace-time privileges, we have gone to it heroically and nobly.

I have no criticism to make of any man who stands here and voices his protest against this concentration of power, but as it is now, in the kaleidoscopic changes that are taking place every day, none of us know what emergency may arise even in this country for the use of a private telephone or a public telephone or telegraph line or cable, and we will not deny the power to those who are on the watchtower and must be always ready and equipped to meet the emergency when it does arise. It is for that reason that I am going to vote for this grant of power. If it is misused, the responsibility will be upon those to whom we grant it. The times are extraordinary, and if you and I had all the hearings that were possible, if we had summoned every interested party and heard their views, there is not a Senator on the floor who would have entertained the idea of putting private interests against the public welfare in this hour of our trial. There is not a man who would weigh the investments of the Western Union Telegraph Co. against the investment of the rights and the lives and prosperity of the American people. There is not a man here who would weigh the private interests and the private convenience of the American people in the balance against obtaining a victory over those who would destroy our Government. If all the interested parties had come before us and said this restriction ought to be placed, that amount of money ought to be safeguarded, they would have been brushed aside by every man in this Chamber and told if the emergency calls for it you are not to be considered; it is the safety of the American people and free institutions that are at stake now and not dollars and cents and private convenience.

For that reason I am going to say to the administration, "I grant you the power as a patriot, as a lover of my country, with pride in it, and upon you rests the responsibility of its wise use."

Mr. HALE. Mr. President, in other words the Senator has no further information than the rest of us on this subject. If I were chairman of a great committee and were given a great question such as this to handle and were not furnished with any greater amount of ammunition than the chairman appears to have, I should feel that I had been very badly equipped indeed.

Mr. SMITH of South Carolina. Mr. President, just one word in reply to that. When those whom we have charged with the active prosecution of this war, upon whose word and whose acts hang the destiny of the American people, whom we clothe with the highest power in the gift of the American people, tell me solemnly that this power is desired in order to meet any emergency that may arise, when I am cognizant of the fact that the means of communication are as essential to the proper prosecution of the war as money and transportation, I am not going to ask any further reason than to say, "I grant you the power, because I recognize that it may become essential to the prosecution of the war, if it is not essential now, and you shall not be embarrassed by not having the power to avail yourself of it when the emergency does arise."

Mr. REED. Will the Senator permit me to ask him a question?

Mr. SMITH of South Carolina. Certainly.

Mr. REED. Does not the Senator understand and believe that this power would be exercised almost immediately without waiting for any new occurrence or any new emergency?

Mr. SMITH of South Carolina. I do not. I do not think it will be used unless in some particulars somewhere the President thinks the public business might be benefited.

Mr. REED. The Senator is now talking about public business. A moment ago he was talking about military necessity.

Mr. SMITH of South Carolina. That is what I meant to cover.

Mr. REED. Does the Senator undertake to assure the Senate it is his understanding that the power granted in this bill will not be exercised until some great emergency shall arise of a military nature?

Mr. SMITH of South Carolina. I have no information along that line at all. I will say frankly that I do not know just what action the administration will take; but I do know that the contract between us expressed in this bill is if the emergency demands it, if the condition of America in the war demands it. If they want to violate that contract, it is up to them. I say, the solemn contract entered into between us and those whom we have to administer this law is "whenever the President shall deem it necessary for the national security and defense." That is the contract.

Mr. REED. Yes; but, Mr. President, that contract, as the Senator well knows, could be readily and honestly construed to mean that if at this moment or to-morrow the President thinks the taking over of these properties is necessary to the security or defense he could take them over and would take them over without any real emergency arising.

Now, I want to occupy just one moment. When I cast my vote upon this bill I do not intend to do it with my eyes closed to the fact that there has been no attempt by the committee to ascertain the reasons back of this bill, and although the Senate practically, although not technically, sent the bill back to the committee for investigation, an investigation was denied. Motions were made in the committee to request members of the Cabinet to appear and furnish information as to the reasons for this bill. Those motions were denied. Motions were made to call for information from other sources and those motions were denied. When I find that a man will not permit an investigation to be made I always know it is because he fears the investigation. I never saw a man in my life run away from an investigation when he was certain it was going to result in a satisfactory manner to him.

The reason for this action was that the committee preferred to stand upon the bald doctrine that whatever the President asks ought to be granted. I have heard the effort made to extort with a verbal corkscrew from the chairman of the committee and different members of the committee a direct answer with reference to what this bill means and under what circumstances and conditions it will be employed. I have never found anybody shrewd enough or keen enough to extract a direct answer. It was first intimated that there was going to be a strike, but the strike turned out to be a matter of imagination. We were then told that information would be leaking out or that information might at some future time leak out; that some other thing might happen in the future; but when Senators have asked whether anything of that kind has occurred, it seems to be now conceded that, under the present management and control, no difficulties have arisen in the way of information leaking out. So we get back to the proposition——

Mr. SMITH of South Carolina. Mr. President——

Mr. REED. I thought I was speaking in my own right.

Mr. SMITH of South Carolina. I had the floor.

Mr. REED. The Senator had yielded.

Mr. SMITH of South Carolina. I merely want to make this statement, and then I will, for the present, let my case rest on that.

In reference to the committee dodging the issue——

Mr. REED. I do not want to inject that into the middle of my remarks. I wish the Senator from South Carolina would wait until I conclude. I shall be very brief.

Mr. SMITH of South Carolina. Very well.

Mr. REED. So when we get down to the last analysis of this measure the committee say this joint resolution is desired as a war measure; it must be passed as a war measure; and it must be passed upon faith and not upon facts. They intimate to us, however, that the joint resolution will not be invoked or the powers conferred by it used until or unless some new emergency arising in the future shall come upon us.

Mr. President, I have no quarrel with those gentlemen who propose to pass this joint resolution before the President has asked it. I am going to ask to amend the joint resolution; and if I can get it amended, well and good; but if I can not, I may vote for the joint resolution anyway. I am, however, going to vote for it with my eyes open and with a full certainty—at least to my own satisfaction—that, without waiting for any new emergency to arise, the powers under this joint resolution will be exercised; the telephone and telegraph lines will be taken over; and when they are taken over there will begin the process of the scrambling together of the eggs—if I may employ the metaphor of another—just as to-day the railroad management has so intermixed the business of the railroads that I do not believe it can ever be unscrambled.

So I think, in the first instance, the telephone and telegraph business will in like manner be intermixed and scrambled so that it will with difficulty, and perhaps under no circumstances can it, ever be unscrambled. I will hazard the guess that within 90 days from this time the telegraph and telephone offices and the railroad offices will all be found to a large extent in the same building and under one common and general management, or, at least, there will be an alliance of management that will be very close. So, at the end of a few months' or a few years' time, when this war is over, we shall have a system of railroads that will be practically one system, and as a part of that system of transportation will be the telephone and the telegraph, all under governmental control and management. The final result will be, in my opinion, that these utilities will never go back to their present owners; that when we vote for the joint resolution to-day we are voting for the acquisition and control of these lines for all time.

I am not fooling myself a bit about it. I really think that the only redeeming feature there is about the whole business is that out of it all there may come in the end a complete control of public utilities by the public. What I regret is—and I most seriously regret it—that, instead of taking these utilities over one at a time and gradually absorbing them and placing them in charge of some independent tribunal as far removed from politics as possible, we are taking them over in the lump, and we are about to throw them into the hands of officers who, however patriotic they may be at this time, will at some time in the future have other interests than the winning of the war. They will have the interest of perpetuating their party in power, and these great instrumentalities may become great political agencies. That hour may come, not when Mr. McAdoo and Mr. Burleson are holding these offices, not when the Democratic Party is in control, but it may come when some other party and when some other men are in control, and it may be the occasion of profound regret to us that these great instrumentalities have been taken over in this haphazard way and placed in the hands of men who hold mere political positions.

That is the regret I feel; but I say that, in my humble judgment, there is no use of our trying to fool ourselves at all. We have taken over the railroads and taken them over for all time. They will never go back to the ownership that controlled them when the Government laid its hand upon them. We are now taking over the telephones and the telegraphs by this joint resolution; and when they have been taken over, whether you call it a lease or by whatsoever name you call it, it will be a permanent taking and, in my opinion, a permanent holding.

Mr. HARDING. Mr. President——

Mr. REED. I yield to the Senator from Ohio.

Mr. HARDING. If the Senator from Missouri is elaborating the seriousness of this great question, I want to ask him if he does not think that the Federal example will extend to municipal ownership throughout the country of the various utilities in the cities of this land?

Mr. REED. I have not any doubt that there will be more or less of that. There has been a great deal of it, at least as applied to certain municipal utilities, and it has been found a very great success.

Mr. McCUMBER. Mr. President, the Senator from Maine [Mr. HALE] having received such a clear, lucid, and definite reply to his query, I assume he is entirely satisfied now as to what course he will pursue. I have some views which I can express in a very few moments upon this subject; but I should like to know on what particular feature of the joint resolution they should be directed. I therefore ask the Chair to inform me what is the pending amendemnt?

The PRESIDING OFFICER. The pending amendment is that of the Senator from Indiana [Mr. WATSON] to strike out the word "telephone."

Mr. McCUMBER. I will direct my remarks to that amendment, for the reason that I shall have occasion to speak on another subject, upon the merits of the joint resolution itself, before the final vote.

Mr. President, I feel that it is due, at least to myself—although I do not for a moment suspect that any proposition I may make or that anyone else may make at this time will have the slightest effect upon the final vote—I feel that I ought to give a few reasons why I find it impossible now to cast my vote in favor of this general proposition. If to-morrow some reason should be given me by the President or by the committee having charge of the joint resolution why it is necessary, I should have no hesitancy in changing my vote; but to-day, with practically no information upon the subject, and at least with no evidence bearing upon the matter presented by the committee, I can not find my way clear to vote for this resolution.

Mr. President, when we entered the war and the President of the United States believed that it was necessary to take over the railways of the country as a war measure, he had no hesitancy whatever in sending to Congress a message upon the subject, in fact in delivering that message to Congress in person. He gave his reasons clearly and explicitly why he desired the control of the railways for war purposes. The matter was taken in hand in this body and investigated by the proper committee of the Senate, reported after a committee investigation, and after a full discussion it was voted upon by the Senate.

When, again, the President of the United States believed that it was necessary to control the prices of food products in the United States and to control the sales of food and munitions and their manufacture, he had no hesitancy whatever in presenting his views to the Congress of the United States, asking the Congress to investigate the subject, and after a full and free investigation upon the particular subject and after full debate by both branches of Congress, we acted upon his suggestion and placed these things under Government control.

Mr. President, if I now believed that it was necessary, in order to maintain the national security or defense, to take over the telegraph and telephone lines of the country, I should be guilty of little less than treason if I failed to place those instrumentalities of communication in the hands of the Government. I will go further, Mr. President, and say that, if I believed there was a reasonable probability that the Government might be injured in any way by withholding that control, I could not square my adverse vote with a sense of patriotism and loyalty to the country.

But knowing, Mr. President, the inexperience of the Government in the operation of any line of business, knowing how strikingly inefficient and how grossly extravagant in all cases have been our Government operations, I think that I am entitled to know wherein the necessity for Government operation of these lines of communication arises; and, in all sincerity, I ask some one to give me that information.

The very fact that the power to operate these lines must come through congressional action presupposes that the Members of the House and the Members of the Senate will exercise their legislative judgment upon that particular subject.

The Senator from Alabama [Mr. UNDERWOOD], in introducing the discussion, said that he knows of no reason and he can at present conceive of no contingency which might necessitate Government operation, but he tells us that the President thinks that there may arise such a possibility and therefore he is ready and willing to abdicate the authority of Congress, to escape responsibility, and to delegate the power. He says, in effect, "Let us exercise no judgment; let us pass this joint resolution with our eyes closed." The Senator from Illinois [Mr. LEWIS] not only voices the sentiment expressed by the Senator from Alabama in this respect, but he goes further and, in effect, says, "I close the windows of my own mind so that not a single ray of information on the subject shall penetrate, and now, being in darkness myself, I must leave the matter to the judgment of the President of the United States, who alone has the light of information."

Mr. President, I can not square that view with my understanding of the duty and the functions of Congress. Heaven knows that I want to do everything that is necessary to win this war, and not only that, but I want to do everything that may in any degree assist in winning the war. If it can be pointed out to me in any way that this will assist, that there is any possibility of its assisting in the prosecution of the war, I certainly will change my own conviction at the present time and vote in favor of it.

It is said the President wants authority to take possession and to control and operate these lines in case he finds at any future time that it is necessary so to do, and that he will not act until that occasion arises; but the President of the United States has not stated that to me; he has not stated that to any Member of Congress. The most that can be said is that the Postmaster General, who has always been predisposed toward Government ownership, has, seeing the possibility of a strike, thought it an opportune time to put these lines of communication into the possession of the Government, but immediately that fear has been dissipated by the telegrams and communications we have received from employees of the company all over the United States declaring positively that they will not strike.

Therefore, the only reason suggested for present action has been the fear of a possible strike which might tie up business; and I assume that when the President approved of what was stated in the letter of the Postmaster General, he necessarily was actuated by the same apprehension. With the disappearance of the strike fear must disappear the only reason for Government operation.

Mr. President, if the President should say to me, "I think I should have the power to act when I deem it necessary," I know the President as a broad-gauge, patriotic American citizen, recognizing the rights and authority of Congress over a subject of this kind, would expect me to ask him, "Why is it necessary?". And I know that the President would not answer me in the evasive manner by saying that he wished it for the national security and defense. If he made that statement, he naturally would expect me, in order to enable me to exercise my own judgment upon the matter, to ask him, "Wherein is the danger? Where does it lie? What is the occasion which demands a transfer of these lines to the Government at this time? Wherein is our national security and defense threatened?"

I would ask what the contingency was; and I believe, if the President thought that there was a contingency such as he foresaw when he sent in his message relative to the railway bill and the food-control bill, that he would be equally frank with the people of the United States and the Congress and would tell them what the exigency was.

I appreciate that, as Commander in Chief, the President of the United States would have the right within a war zone to take possession of any and all properties that might be necessary to effectuate his war purposes; and he could do that without the authority of Congress; but I question the legal declarations that have been made on this side of the Chamber that the President can, whenever he sees fit, without any immediate danger, take possession of all of the lines of transportation or that he can take possession of all other lines of communication.

Within the war zone his power would be complete; and if this great battle were being waged in the United States, between the Atlantic and the Pacific Oceans, as it is being waged to-day between the Gulf of Finland and the Mediterranean Sea, there would be no question that the telegraph and telephone systems would be so interlinked with the necessities of war that the President would have ample authority to take possession of them. But we are on a continent by ourselves; we are from three to six thousand miles away from the seat of war. Every communication that leaves this country can be censored to-day. The President of the United States and the Government of the United States could have no more control over the cables that are leased by American citizens and American companies than the companies themselves now exercise, and the Government could not by any possibility control the other end of the cable; but to-day the Government can, and does, censor every message that passes outside of the United States.

Mr. President, I am averse, I will admit, to Government ownership or operation of any line of activity that private ownership

or private operation could properly conduct. My own observation and experience are that it costs the Government from one and one-half to three times as much to do anything it has ever attempted to do than it costs the private individual to produce the same results.

But the Senator from Alabama [Mr. UNDERWOOD]—and his suggestion is reiterated by the Senator from Illinois [Mr. LEWIS]—asks, Why should we balk at turning over these telegraph and telephone lines to the Government when we have just turned over our railways to the Government? Why, Mr. President, when we turned over the railways we had the evidence of the necessity for so doing before us. We knew at that time that the financial conditions of the several railways of the country were such that in the face of the demands of the Government for money they could not raise the funds to maintain their several lines in a condition to take care of the Government business.

We also knew at that time that the facilities of the several lines were not sufficient to take care of the Government's business, and we knew, thirdly, Mr. President, that we must have the prior right of way over every line of railway in the United States. We knew that the Government ought and must have the right to say, "We will give preference to munitions of war over an order to ship pianos"; we knew and understood that the Government must have the right to say, "We will take possession of every passenger coach for the purpose of transferring our soldiers to the exclusion of the more remunerative transfer of the ordinary passenger." So we acted upon our judgment; we exercised a legislative judgment upon the subject.

So, Mr. President, with reference to the food-control bill, we knew that our allies were crying for food; that evidence was clearly before us; we knew what the supply of food in the United States was; we knew the facilities for transporting those foods both to our own people and to our allies. That was all discussed, all brought out, and we exercised our legislative judgment in declaring that the Government should have control of handling and sale of food products. We may have made a mistake; I am not saying that we did not, but we acted upon our judgment, and we passed the measures upon our legislative judgment. Why are we denied in this particular instance any evidential fact upon which we can base such judgment?

Mr. President, the Senator from Illinois suggested one danger that might arise under the private control of our telegraph lines. He said that code messages and ordinary messages which appear to be very innocent may go over the lines into Mexico and elsewhere, but that if the Government knew their meaning it would know that they were intended to be used in giving information against the Government itself, and he instanced that there might be sent over the lines a message asking about the price of buttermilk in Mexico or to what point it could be shipped, and that that little innocent appearing message might have a significance to the receiver that would enable him to jeopardize the interests of this great Government.

But, Mr. President, has the Senator stopped to think and to consider the comparative amount of information that goes secretly, day after day, through the mails of the country? Why, where there is one message sent by wire, which is recorded at both ends of the line and subject to public inspection, there are 10,000 letters which no one sees and no one has any understanding of their contents but the sender and the receiver; and yet we are not censoring throughout the United States all of these letters. Why, Mr. President, if we did, I am afraid half of our population would have to be converted into censors; and yet the mail is in the hands of the Government.

Mr. REED. Mr. President——

Mr. McCUMBER. I yield to the Senator from Missouri.

Mr. REED. Going back to the Senator's illustration of messages being sent in code—that is, a message inquiring about buttermilk, or something of that sort—suppose that the Government were to take charge of the telegraph lines to-day, how would it prevent the sending of messages which are so innocent that they can be sent to-day without causing the slightest suspicion unless, indeed, the Government stops all messages until they have been thoroughly explained and until they have run down both the sender and the receiver, in which event we might as well do away with the telegraph altogether?

Mr. McCUMBER. Ask the Senator from Illinois; he makes the suggestion.

Now, Mr. President, the Senator from Illinois made another statement which was rather startling to me. He said: "Why have hearings for a contingency that may never arise?" I might have innocently asked the Senator: "Why pass a joint resolution for a contingency that may never arise?" If there is any occasion for the passage of the joint resolution, certainly there must be an occasion for a hearing upon it; and yet the Senator from Illinois would not have us pass any judgment whatever upon this measure. Why, he says, or some other Senator upon that side says, that the fact that we ask for investigation, the fact that we discuss bills and joint resolutions, why we think they ought to be amended, is disheartening to our soldiers across the ocean. He cited as one of these disheartening facts the discussion upon increasing the draft age. There were Senators here who believed that we ought to put 5,000,000 men in France just as rapidly as it was possible for us to raise and equip them, and that in order to increase the number we ought to increase the number from which they could be drawn. Would it be disheartening to our soldiers in France to tell them that the Government intends to back them up 5,000,000 strong? I think if there was anything disheartening it was the vote of the Senate which failed to indicate to our soldiers that they would have that backing and would have it now, or as soon as possible.

Mr. President, I repeat, I believe that if the President of the United States foresaw a contingency that was dangerous to the Government he would have enlightened Congress upon that subject; and without that information I shall vote against this joint resolution.

But it was suggested by the Senator from Illinois, in the very strong speech that was made yesterday, that there might be recondite, secret, deep reasons which the President of the United States could not safely disclose to the public. He had in his mind a magazine of powder under our body politic which was in danger of being exploded by a spark of information. Mr. President, I do not know how to designate an argument of that kind. To my mind it is ridiculous. There is no such mighty danger. There is nothing that the President of the United States could not frankly tell Congress; and when he does tell us and demonstrates to us that this joint resolution is needed, that he needs the control of the telegraph lines and the telephone lines of the country, I, for one, shall be very willing to change my vote and give it to him, for Heaven knows we want to help him win this war in every possible way.

But, Mr. President, while I can see no reason for turning over this property to the Government at the present time, I can see a danger in so doing, and I will be frank to say what that danger is.

To-day, Mr. President, the employees of these companies, as a rule, are entirely satisfied. They are being treated well. Their wages are good. They are loyal to their companies, and loyal to the Government, and they say, "We are satisfied with conditions. We do not want them to be interfered with. We have contracts with our companies, whereby we are insured for life after a given length of service. We do not know to what extent those contracts may be modified under Government operation. Now, being satisfied, we are not asking for this change." I say, as a rule, that is the attitude of the employees; but there are always employees who would like to increase their wages, and they would like to do it whether it is just or unjust.

We had what was called a threatened strike in 1916; and to meet that threatened strike of employees on the railway lines we passed a bill, known as the Adamson bill, in which we increased the wages of all of those engaged in direct transportation of the cars or rolling stock, of freight and passengers. To my mind, there would have been no strike at that time. Those people, who were then receiving from $4.50 for a very few hours of work to $12 a day, were satisfied. You could not have gotten the majority of them to desert their companies; but there were a few noisy, discontented persons, and they demanded greater wages, and the Government immediately responded, and voted them, as I remember, 25 per cent increase.

Mr. President, that added enormously to the cost of freight, which goes directly into the cost of living; and immediately the railways demanded higher rates. The higher rates were granted. Then, again, we took possession of the railways; and the moment we took control we gave another advance all along the line of 25 per cent, when it was not even demanded. What did that mean? It meant $340,000,000 that must be raised by taxation, and that sum must be paid again by the people of the country to one class of its people.

Now, Mr. President, we are already carrying mighty heavy burdens. We are talking about 5,000,000 men in France. Do you appreciate the fact that it will cost us $35,000,000,000 a year to support 5,000,000 men there and keep the line up to that strength? And if we raise it in accordance with what some of the very best generals in our Army say that it ought to be raised to—5,000,000 men in France and 2,500,000 men back of them, noncombatants, and another 2,500,000 to 3,000,000 men in training in the United States—the total will amount to at least

$50,000,000,000 a year. Where are you going to get the money to do it? No matter how patriotic we may be, there is a limit to our credit and a limit to our ability to raise money.

What will be done when we secure possession of these telegraph lines? I will tell you what will be done. You will not have this matter under Government control 30 days before there will be a demand for a raise of wages. The Government will respond to that demand, and we will have another half billion dollars that must be raised, in addition to the enormous expenses we are shouldering in order to maintain this war. Every time you increase your wages along all these lines of Government activity you again increase the cost of living, and that necessarily creates a second demand for an increased wage; and so we will go on jack-screwing wages and living costs upward and upward until God only knows where we will finally land.

So I believe Government control, with its added expenses, will be a real injury to the Government of the United States; but, notwithstanding that, if the President of the United States will tell me, or tell Congress, that this is necessary, and why it is necessary, he will have my vote, as I know he will have the vote of every Member of the Senate.

Mr. WADSWORTH. Mr. President, I fear that the last suggestion made by the Senator from North Dakota [Mr. McCUMBER] will not be realized. The time has come when Senators are not supposed to know; and the history of this joint resolution, if I may say so, is a perfect indication, according to my judgment, of the truth of that assertion. The message comes by indirection. It is that such and such a piece of legislation is required. The reasons may be given, or they may not be given. In this case I am in entire sympathy with the contention made by the Senator from North Dakota to the effect that the reasons have not been given.

I have listened to nearly all of the debate that has occurred here, including the answer of the Senator from South Carolina [Mr. SMITH] to the question put to him by the Senator from Maine [Mr. HALE]. As a matter of fact, it is fair to say—and I say it with no unkind thought for any of my colleagues or anybody in the administration—that the lack of knowledge on this question in governmental circles and in legislative circles is complete. The only information, I think, that has been given to the Senate that was at all comprehensive, or approached being comprehensive, was that given in the address of the Senator from Minnesota [Mr. KELLOGG], who really endeavored to tell the Senate something about the organization and management of the telegraph and telephone companies. None of the proponents of this measure have attempted to say what those companies consist of, how great their business is, how they are managed, nor in any detail what kind of service they render to the public; nor have any of the Senators who support this joint resolution as yet informed the Senate how the Government can run these lines better than the companies that are now running them. But, as I say, we are not supposed to know. It is not the only matter that has come before the Senate in recent months in which the Senate has been without information.

We had a debate here this morning, shortly after our convening, in which some Senators discussed the great crisis now existing in Russia. Some suggestions were made as to what America might do to help in the Russian situation, and incidentally, by so helping, help ourselves; but it turns out that no Member of the Senate has the slightest idea as to what the intentions of this Government are with respect to Russia. The Senator from Illinois [Mr. LEWIS] was asked if he knew what the policy of our Government was in that respect; and while it took him some time to make the reply, it might have been concentrated into one sentence, "I do not know."

I have searched through the hearings held upon this bill in the House of Representatives. They were very brief; they contained the testimony of only three Cabinet officers; and I thought that perhaps from at least one of them we might find out something concerning this great problem. One of them, Secretary Baker, was asked by a member of the committee some questions, to ascertain, I assume, the size of this problem which it is now proposed that the Government shall take over; and perhaps it is fitting that I should read three or four of those questions and the answers. They will be found upon page 7 of the hearings. He was asked the following questions:

Mr. HAMILTON. Do you know how many miles of telegraph wire there are in the United States?
Secretary BAKER. I do not.
Mr. HAMILTON. In a general way, by what companies are these telegraph wires owned and controlled?
Secretary BAKER. I do not know that.
Mr. HAMILTON. Under existing law what power has the Government of control over messages and over the use of telegraph lines now?
Secretary BAKER. I can not answer that. I have not examined those laws, sir.
Mr. HAMILTON. Do you know anything about radio systems? They are referred to in this bill—that is, the names of the companies.
Secretary BAKER. No; only in a very general way.
Mr. HAMILTON. You don't know how many companies there are?
Secretary BAKER. I do not.

The questions and answers that I have just read are not read by me for the purpose of reflecting upon the Secretary of War; I read them in order to illustrate not only his ignorance but the ignorance of the Senate. With the possible exception of two or three Senators who perhaps by accident have known something of the operation and management of telegraph and telephone companies in the United States, this body is in complete ignorance of the entire problem, and I hasten to say that I am not one of those two or three Senators who know anything about it.

Mr. BRANDEGEE. Mr. President——

Mr. WADSWORTH. I yield to the Senator from Connecticut.

Mr. BRANDEGEE. I should like to ask the Senator if the other two Cabinet officials were as full of information as the Secretary of War? [Laughter.]

Mr. WADSWORTH. Mr. President, I have examined their testimony, and I find that they are bursting with the same ignorance from which the Secretary of War is suffering. They offer no suggestions whatever of practical value to guide either House of Congress in the consideration of this legislation. In fact, the Secretary of War apparently agreed, and I assume that his two colleagues agree, with the proposal that it is not worth the consideration of the Senate; that we are not required to know anything about it; that it is of no use on earth for Senators to inform themselves; for he says, upon page 14, in reply to a series of questions which led up to this final answer, as I read it:

Everybody ought to have a hearing, but I do not see any reason for hearings on this. Nobody ought to be denied a hearing whenever the committee is sitting and they want to be heard, but I do not see how the owners of the property could add anything to the committee's information about it.

Mr. President, I do not oppose this joint resolution on the theory that the owners of the property and their interests should be balanced and weighed against the people of the United States and their interests; but if there is anybody in this country that knows something about these properties and can give some information to the Congress or one of its committees it is the owners; and those are the very people that the Secretary of War said ought not to be heard.

There is a mystery surrounding the genesis of this joint resolution and its conduct thus far through its parliamentary stages in the two Houses. No man in either House, so far as I have studied the RECORD, has been able to point out the emergency now confronting the country which would make the taking over of these utilities necessary, nor the emergency which might confront the country in the future. Perhaps that is one of the reasons, and the chief reason, why it is not necessary, in the minds of those who are behind the joint resolution, to have any hearings, for it is entirely probable that any extensive inquiry into this situation would develop the fact that there is no emergency, and that there probably never will be any emergency. Some of us who have felt in doubt upon this joint resolution as a matter of general principle have listened with a good deal of interest during this debate to the suggestions made by certain Senators who support it that it will not by its provisions result in the taking over of the companies unless some emergency arises in the future, while other Senators who support the joint resolution tacitly admit that by its passage the companies will be almost immediately taken over. Where the truth lies no Senator seems to know, and all methods and means of getting information have been shut off or denied.

The Senator from Missouri [Mr. REED] some time ago stated it as his solemn belief that the railroad companies never would be returned to their owners. Under certain political contingencies, I agree with him in that statement, for I am coming more and more to the belief—a belief derived from observation of men and events at the present time—that there are men in high places in the Government to-day who are determined that the railroads shall be so managed while this war is going on, and the lines of political endeavor and operation shall be so laid, that, if they have their way, the roads will not go back to the owners; and I have not the slightest doubt that the men who adhere to that school of thought have exactly the same intention with respect to the telegraph and telephone companies.

Mr. HARDING. Mr. President——

Mr. WADSWORTH. I yield to the Senator from Ohio.

Mr. HARDING. The Senator from New York has been reading the House hearings on that subject?

Mr. WADSWORTH. I have.

Mr. HARDING. He is familiar with the testimony of the Cabinet officers on that subject, is he not?

Mr. WADSWORTH. If I am not greatly mistaken, the three Cabinet officers who appeared before the House committee are avowed advocates of Government ownership and operation, and they say there is no use of having any hearings about it; that is all.

Mr. BRANDEGEE. Mr. President, who are these other two Cabinet officials?

Mr. WADSWORTH. Secretary Daniels and Postmaster General Burleson. The Postmaster General, as the Senator knows, for at least five years, long before we went into this war, insisted in his annual reports that the telegraph and telephone companies should be taken over as a permanent policy of the Government. Now, in view of the fact that the Senate has no information—and I say that advisedly—which would even tend to show that an emergency exists or that an emergency may arise in the near future which would make it a military necessity to take over these companies, I contend that the only force back of this proposition is that it is a proper Government policy in time of peace as well as in time of war; and that is the real object, in my humble judgment, although it is not the object of most of the Senators who support it.

I am inclined to agree with the Senator from Missouri [Mr. REED], who stated a short time ago, not only with respect to the railroads but also with respect to the telegraph and telephone companies, that if this joint resolution passes the companies will never be returned to their present-day owners.

It is not a pleasant thing, Mr. President, to oppose any measure which is labeled a war measure. If I were confident of the genuineness of the label upon this joint resolution I would support the resolution.

Mr. HARDING. Mr. President——

Mr. WADSWORTH. I yield to the Senator.

Mr. HARDING. The Senator from New York is a member of the Military Affairs Committee having to do directly with war problems. I wish to ask him if the matter of the control of the telegraph and telephones has ever been brought to the attention of the committee as a matter of emergency.

Mr. WADSWORTH. I have not attended every session of that committee, but I think I am safe in saying that this subject has never been brought to the Military Committee in any shape or manner. No military officer ever has been before that committee; no civilian officer of the Government, whether it be of the War Department, the War Industries Board, or the Council of National Defense, who has suggested that our military operations were being handicapped through a lack of control on the part of the Government over the wire communications of this country.

Mr. HARDING. May I ask the Senator another question right there?

Mr. WADSWORTH. I yield.

Mr. HARDING. Is not the Senator aware of the fact that many of our industrial activities connected with the war have been hampered by the inefficiency of the Postal Service in the hands of the Government?

Mr. WADSWORTH. That is a matter of common public knowledge. The threat of the strike proved to be vague and indefinite, and finally had to be abandoned. So it can not be contended that even the Western Union Co. is threatened with a tie-up. No necessity has yet been proved in this House or in the other for the passage of this joint resolution. No emergency has been shown.

We come down to a consideration of what this resolution means as a matter of governmental policy in time of war, to be sure, when, of course, things are somewhat abnormal and we are willing to do anything to make the Government effective, and to a consideration of the effect of the governmental operations of these great utilities upon the public of the United States in time of peace.

Comment has been made, and I shall not repeat it, as to the effect of the governmental operation of the railroads. I do not think it inaccurate to say, Mr. President, that while many of the acts of the railway directorate may have been necessary, most of their acts are nevertheless somewhat unpopular in the United States. I have not given sufficient study to the railway question to determine with any degree of accuracy whether or not it was necessary to raise the railway rates to the extent they have been raised—both freight rates and passenger rates. I have no means of knowing, with my limited study of the subject, whether it is absolutely necessary for the railway directorate to embark upon the abandoning of railway stations, of eliminating from railway communication little country stations all over the United States, around which communities of Americans live and upon which those communities are dependent. It may be necessary in the interest of economy to abandon some or many of those stations. I have my doubts as to some of them. I am beginning to believe that the railway directorate is determined to show a profit in the operation of the railroads if it is humanly possible to do it.

Mr. SHERMAN. Mr. President——

Mr. WADSWORTH. I yield to the Senator from Illinois.

Mr. SHERMAN. The Senator will observe that there has been a net decrease in seven months of $105,000,000 in a report published in the Railway Age a few days ago. I have not had access to the report made to the Interstate Commerce Commission, but for that short time I quote from the Railway Journal in that particular.

Mr. WADSWORTH. I remember seeing figures to that effect. My recollection goes further in that direction, and I am compelled to observe, as I remember it, that the deficit of the railroads was mostly incurred in the winter months, and that since these different policies have been put into effect, and perhaps due also to more favorable weather conditions, the railroads under Government management have commenced to pick up, and at the present rate of traffic and the present rate of the charges, passenger and freight, it is expected by the railway directorate that there will be a most substantial profit to go into the Treasury of the United States. But, of course, we pay for it.

Mr. SHERMAN. Mr. President——

Mr. WADSWORTH. I yield to the Senator.

Mr. SHERMAN. The Senator will further notice that the department headed by the Director of Railways is now to make contracts. In fact, none of the contracts provided in the act lately passed by Congress for the taking of the roads have been signed; but now, even before those contracts are signed, there is a very decided effort on the part of the Government to make the railroads pay out of their fixed compensation for the improvements as well as for certain equipment of the roads, so that the Government will be relieved from meeting out of the gross earning power of the roads these necessary expenditures to keep the roads in order.

Mr. WADSWORTH. The observations of the Senator from Illinois are interesting and important. I confess I am not informed upon that point.

Mr. SUTHERLAND. Mr. President——

The PRESIDING OFFICER (Mr. PHELAN in the chair). Does the Senator from New York yield to the Senator from West Virginia?

Mr. WADSWORTH. I yield to the Senator.

Mr. SUTHERLAND. The Senator spoke casually of the increase in freight and passenger rates. Can he state what has been the actual increase in passenger and freight rates, thus enabling the present administration of the railroads to make an apparent profit but at the same time taxing the American people to the extent of probably $100,000,000 in order to do that?

Mr. WADSWORTH. I think those figures have already been alluded to or given in debate on this very resolution. I confess to the Senator from West Virginia that I do not know the exact degree of raise in rates that has taken place in passenger or freight rates. I know they have been very considerable. That I encounter when I go to a ticket office myself. If it is necessary to impose that extra tax—for that is what it is, Senators, taxation upon the American people—in order to keep the railroads in a proper condition to handle the business of the country, and in particular the military business, well and good. That is, if it is. But I am wondering if that is the only purpose back of the raise, and I am wondering if the same thing is going to happen in the telegraph and telephone businesses when they are taken over. For we might just as well admit here and now that when this resolution passes it means the taking over of these companies. I am not consoled at all with the suggestion that they are not going to be taken over unless some emergency arises in the future. There are three Cabinet officers who advocate their being taken over at once, and they are the only people who appeared for the administration. We might just as well make up our minds that within a month or six weeks after the passage of this resolution the Western Union and the Postal Telegraph will be taken over and steps will be inaugurated for the taking over of the Bell Telephone; and when they start taking over the trunk lines of the Bell Telephone System they have started upon a road which they can not forsake until they reach and take over the last little farmers' line out on the prairies. You can not stop halfway between. They are all connected up one with the other in the matter of service and of rates, through and local.

So I say with due deliberation, when this resolution passes, as I assume it is going to pass, you are going to have Govern-

ment operation of telegraph and telephones. The Senator from Missouri [Mr. REED] states that you will never have anything else after this war is over.

Mr. President, I can not follow that road. To me it means the eventual breaking down of our form of government. I can not believe that a representative democracy in which the people can truly and effectively rule can survive under a bureaucracy which must and will grow up under this policy of governmental ownership and operation of all public utilities.

I do not believe that a representative republic can survive in which a large proportion of the voters are hired and paid by the Government. The longer we keep away from a situation of that kind the longer will this Republic live. Never have my observations led me to believe that under such a system the public at large will be better served or live happier lives. Go where you will, Mr. President, all over this world, and you can not find a Government owned and operated railroad that compares with the railroads of the United States in their general average in efficiency.

Mr. HITCHCOCK. Mr. President——

Mr. WADSWORTH. I yield to the Senator.

Mr. HITCHCOCK. Supposing the Senator's prediction should come true and the Government should take over the telegraph and telephone lines of the country during the war and the war should last, say, two years, would that space of time not be sufficient to demonstrate whether the taking over of the railroads, telegraphs, and telephones under public control and ownership is a good or a bad thing, and does the Senator think that if it proves as bad as he predicts the country would make it permanent?

Mr. WADSWORTH. Mr. President, I fear the power of a bureaucracy, once it has been established at the seat of Government. Of course, while the war is on the test, as the Senator from Nebraska terms it, would not and could not be an entirely reliable one, but in the period that is to follow the closing of the war this country is to be confronted, as all other countries are to be confronted, with problems of tremendous difficulty, of tremendous complexity; not this one alone, but new ones about which we have no idea to-day. What I fear is that when that time comes the minds of the people of this country will be solely directed toward the solution of great world problems for the proper solution of which we are battling; a very plausible cry will go up from the bureaucracy here in Washington—and I use that term advisedly; every Senator knows what I mean by the term "bureaucracy"—a plausible cry will go from that bureaucracy, "Let things stay as they have been during those war years with respect to governmental ownership and operation of utilities," and that will seem to be the easiest way in the view of many people. That is the period that I fear most, that period of reconstruction, that period in which we must restore our balance if we can possibly do it. And when I see a resolution brought in here for which there has been no reason given worthy of the name, in which the Senate is not informed in any degree whatsoever, nor the House of Representatives, in connection with which there has been shown to exist no emergency, nor has the character of the emergency in the future been described to us even in remote language—when I see such a resolution brought here with the simple request that it be passed, I think we are adding to the burdens of our Government not only during the war, but to the complexities that will confront our people after the war is over.

Mr. REED. Mr. President——

Mr. WADSWORTH. I yield to the Senator.

Mr. REED. The Senator speaks of difficulties after the war. Of course we can not open the book of the future to tell what they may be, but that difficulties will exist I agree we may anticipate. It is possible that the war may work a solution of difficulties which will put war beyond the possibilities of the future. I say that is possible, but I do not believe it is probable, and I think it is the idlest dream that ever disturbed the fancy of a dreamer.

Now, with that premise I wanted to suggest this thought to the Senator: If at the end of this war we are confronted with the practical problem of preserving the life of our Nation by preserving its armies and its navies and its military power, and if during this war it has been found necessary as a war emergency to take over all of the facilities of the country, when the war is ended we are nevertheless obliged to maintain a military establishment for the future. Will not the fact that we did take over these facilities during the war be an almost unanswerable argument against returning them to private ownership because the cry would naturally be that if it were necessary to take them over during the war we ought to continue to hold them for military reasons? I think that is in accord with the argument the Senator has made and I think the argument well-nigh unanswerable, if this action to-day be sound.

Mr. WADSWORTH. There is no question about that. That will be one of the arguments, and perhaps the principal one, which will be held up to the American people at that time. The mere fact that it seemed necessary to do it during the time of war will be cited as proof positive that it is a better thing to keep on during time of peace, and people will have forgotten the circumstances surrounding the original embarkation of the Government upon this policy of governmental operation and governmental ownership.

I was about to say, Mr. President, and I shall close very shortly, that not only am I convinced that this tendency of ours to drift toward the socialistic state is a most dangerous one, one which, of course, we must tolerate in some degree in the framing of war measures in order that we shall consecrate our efforts in the waging of the war, but my conviction that the taking over of these companies would actually work against our Government and make its operations less efficient is equally strong.

To-day I think it fair to say that there is no audible complaint against the telephone and telegraph systems of the United States. The Government itself has no complaint against them. Search these hearings, and you can not find from the lips of any one of those three Cabinet officers any real criticism as to the way the business is being carried on. It is conceded that we have the best telegraph and telephone systems in the world. I think no one will deny it.

My conviction is that the instant the Government starts to operate these systems they will commence to go downhill in efficiency, unless, on the other hand, in order to cover up governmental inefficiency and produce the right kind of a balance sheet under governmental operation, the rates are raised for telephones and telegrams by the Government itself; in other words, I believe that when they are taken over, as they will be, we will pay more for governmental efficiency than we are now paying for the efficiency of the privately owned companies; and I contend that that will not help the United States in winning the war.

Mr. President, I did not expect to consume so much time.

Mr. SUTHERLAND. I desire to ask the Senator a question before he takes his seat, or to make an observation as showing how these governmental agencies work in actual practice after we have given them the power. I have in my hand an order of the United States Fuel Administration, dated June 13, from which I quote the following:

> 2. That the Maryland State fuel administrator is hereby authorized to direct the resale and distribution of all coal requisitioned for or consigned or diverted to and received by him, under the provisions of any orders of the United States Fuel Administration, to and among such consumers and users of bituminous or anthracite coal, respectively, in the State of Maryland as in his judgment may from time to time be in need thereof and occupied in the conduct of such industrial activities or of such public utilities as are essential to the national security and defense, for the successful prosecution of the war, and for the maintenance of the efficiency of the people in the State of Maryland, or any part thereof, in performing their part in the conduct of the war. In making such resale and distribution the State fuel administrator of Maryland shall first see that the needs and requirements of consumers entitled to preference in the supply of fuel under the orders of the priorities board are suitably taken care of. In connection with such distribution said Maryland State fuel administrator is authorized to use and employ the services of such persons and agents as he may from time to time select and to make or authorize to be made in the resale and distribution of such coal a charge of not exceeding 15 cents per ton for the compensation and expenses of the persons and agents so selected by him.

The result of this order has been that the wholesale dealers in coal find their coal reconsigned to various persons, some of whom are not any more in need of it for war purposes than were the original consignees. Then the Government agents are absorbing the 15 cents per ton which have been collected by the fuel distributors. In other words, the Government has taken the wholesale distribution of coal entirely into its hands, for which I believe there is no warrant of law.

Mr. WADSWORTH. The contribution of the Senator from West Virginia is interesting in this connection as to governmental operation. Mr. President, I shall conclude in just a sentence.

As I said early in my remarks, it is not at all a pleasing experience to oppose a measure which the administration wants passed in a time of war and national stress. I think, as I look back over the record of the last 14 months, that this will have been the first instance, with perhaps one exception, in which I have opposed any so-called war measure. I think I can say with truth that I have supported every measure that has been sent here from the administration or from the war-making branches of the Government or that has emanated from any committee of this Senate, and which, after due consideration,

has been recommended to the Senate as affording an additional weapon in the hands of America. In this case, however, I am free to say that nothing convincing has been stated here upon this floor, nor before a committee of either House of Congress, in the direction of showing that this is, in fact, the putting into the hands of America of another weapon with which to fight this war.

Believing that it carries with it elements of danger, not only those which will arise from inefficient management of these utilities while the war is on, but also in the effect upon that period of reconstruction which must follow the war, I can not follow the path laid down by the committee which reported this joint resolution.

Mr. SHERMAN and Mr. THOMAS addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. SHERMAN. I want to add one more suggestion to the Senator from New York [Mr. WADSWORTH], following out the suggestion made by the Senator from West Virginia [Mr. SUTHERLAND]. A coal shaft can not be opened up in this country now without a license. The Fuel Administrator must license everyone in the coal field before a new coal producer can be added to the list.

Mr. LENROOT and Mr. THOMAS addressed the Chair.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. LENROOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Colorado?

Mr. THOMAS. I ask for recognition in my own right.

Mr. LENROOT. Mr. President, I wish very briefly to state my position upon this joint resolution. If the situation to-day were the same that it was a week ago, I should vote against it. I voted for the recess a week ago to-night because I was not willing to vote upon this resolution in the face of a threatened strike, which, to me, was not a sufficient reason for the President to exercise the power that is sought to be delegated to him by this joint resolution to take over the telegraph and telephone lines of the country. The threat of a strike existed then, and if I believed that there was any possibility of the President taking those utilities over for that reason, I should vote against it. But I have had, and still have, too much confidence in the patriotism and the loyalty of the employees of the telegraph companies of this country to believe that they would for a moment consider the inauguration of a general strike at this time, while this country is in war. During the week that has passed we have had, and no doubt the President has had, a great quantity of evidence from all over the country that there is no possibility of a strike upon the telegraph lines of the country.

So, Mr. President, it seems to me that unless we assume that the President will grossly abuse the discretion that is proposed to be delegated to him in this joint resolution, these lines will not be taken over because of any such threat.

I shall not vote for the resolution because of any request that the President has made to us. I do not believe that the President has made any request of Congress for the passage of this joint resolution that Congress is called upon to consider or to in any way heed. True, he has indorsed this resolution through a Member of the House of Representatives; but, Mr. President, the circumstances were entirely different when he indorsed the joint resolution from what they are to-day.

Let me take just a moment to review the history of this joint resolution. It was first introduced, or one substantially like it, in the House of Representatives on January 4. No action was ever taken upon that joint resolution. A short time ago another similar joint resolution was introduced, and the author of that joint resolution consulted not the President but consulted the Postmaster General; and the hearings in the House show that the Postmaster General made some suggestions to the author of the joint resolution as to some changes in it, which were accepted by the author. The joint resolution was then introduced by him and referred to the Committee on Interstate and Foreign Commerce of the House. The chairman of that committee did not refer that resolution to the President in the first instance. The testimony shows that he had no information from the President as to the President's attitude in regard to it; but he did ask for the opinion of the Secretary of War, the Secretary of the Navy, and the Postmaster General, and those opinions were given in letters addressed to Mr. SIMS, the chairman, which are found in the RECORD.

In the first place, if we will reflect upon this for just a moment, we will see that the opinions of those three Cabinet officers could not have been otherwise than they were in favor of the resolution, because the joint resolution proposed to delegate an additional power to their superior, their Commander in Chief, the President of the United States; and is it to be supposed that those three Cabinet officers would report to the Committee on Interstate and Foreign Commerce against the granting of that power to the President? Of course not. The testimony shows that these three Cabinet officers did not consult the President of the United States. Then the chairman of the Committee on Interstate and Foreign Commerce asked for the opinions of the President upon the joint resolution, and the President in a letter indorsed the letter of the Postmaster General in that respect. I wish merely to refer to one paragraph in Mr. Burleson's letter of indorsement:

> At this moment the paralysis of a large part of the system of electrical communication is threatened, with possible consequences prejudicial to our military operations and other public activities that might prove serious or disastrous.

Clearly implying that the threat of a strike was the principal reason for the indorsement of the joint resolution upon the part of the Postmaster General. That indorsement the President made his own indorsement; so that, so far as any communication from the President is concerned, it was made at a time when a situation existed which does not exist to-day; and I am compelled to believe that the President was ill advised as to that threat of a strike and the consequences that might follow if the attempt were made to carry it out.

I must say that, from the testimony of the Postmaster General, there does seem to be evidence that he welcomed a situation among the employees of the telegraph companies that would bring about a strike and make it necessary to take the telegraph lines over. I very much regret to find in his testimony the plain statement upon his part that, in his opinion, every employee of the Government should receive a wage from 15 to 30 per cent more than is being paid in similar service in private hands. He stated that with reference to the telegraph lines, without any inquiry as to whether or not the employees of the telegraph companies were receiving sufficient compensation and without any inquiry upon his part as to whether there was any dissatisfaction upon their part with reference to the compensation they were receiving. It really, Mr. President, amounted to an invitation to the employees of the telegraph lines of this country, at that critical time when the threat to strike had been made, to strike, for it said to them, in effect, "If you will strike it will bring about a condition where it will become necessary to take over these lines immediately, and if I, the Postmaster General, shall be placed in charge of the telegraph lines, I will assure you that you will receive a compensation from 15 to 30 per cent higher than you are now receiving, even though you have no complaint at this time."

That is the situation, Mr. President. I very much regret the statements that were made by the Postmaster General, and, because of those statements, if I believed there was the slightest possibility of any attempt being made to carry out that threat I would vote against this joint resolution.

Mr. PENROSE. Mr. President, will the Senator permit an inquiry or an observation along that line?

Mr. LENROOT. I yield.

Mr. PENROSE. I happen to have here a clipping, containing an account of a meeting of the telegraphers of the New York division a few days ago, in which even this seductive invitation of Mr. Burleson was not considered an inducement, because it is said:

> Another resolution was adopted in which it was recommended that the railroad administration, instead of the Post Office Department, be in charge of the wires if taken over by the Government. Speakers opposed the control of the wires by Postmaster General Burleson and stated they preferred Director General McAdoo.

Mr. McAdoo must have outbid Mr. Burleson.

Mr. LENROOT. On that point, Mr. President, I do not assume that, if the time should come—and I hope it will not—when the President will exercise the power delegated to him by this resolution, that that power will be delegated to the Postmaster General, although it is true that Mr. Burleson in the hearings expressed the hope that it would be. I wish to call attention to the fact that if this power is exercised by the President we have a right to assume that he will exercise it only because of military exigencies.

The Postmaster General, in the same testimony, brought out the very interesting fact that recently the administration of the Postal Service in France had been taken away from the Postmaster General and had been assumed by the Secretary of War. In his testimony Mr. Burleson quotes the language of Gen. Pershing, as follows:

> We can not trust information as to the movement of the units—military units—to other than military forces; hence it is necessary for us to take over and militarize the postal service.

Mr. President, if there shall be any reason in the future for taking over the telegraph lines of this country, it must be, it seems to me, for the purpose of guarding military secrets; and

the same reasons that impelled the War Department to take away the Postal Service from the Postal Department in France would compel the President to decline to place in the hands of the Postal Department in this country the supervision and control of the communication of intelligence through the telegraph and the telephone.

Having said this much, Mr. President, I wish to state in a word why I shall vote for the joint resolution. I shall vote, first, for the amendment to strike out "telephones," because I can not conceive of any possible occasion in the future when it will be necessary to take them over. I believe that there may be an occasion arise in the future when the President ought to have this power with reference to telegraphs; and I have in mind, Mr. President, in coming to that conclusion, the fact that in the past I have voted to delegate to the President the power to take over for military purposes, for the national security and defense, practically every manufacturing plant in the United States. I have voted to enable him to take over every shipyard in the United States, every elevator in the United States, every mine in the United States. I have voted in the past to grant him these powers; and, to my mind, a much greater exigency may exist at some time in the future to take over the control of the channels of intelligence than may exist with reference to any of the other powers we have granted to him in the past. Having so voted in the past, I do not feel that I can consistently vote to withhold the power from him to take over the telegraph lines if the necessity shall arise. I say that, Mr. President, in the full confidence that he will not abuse the discretion imposed in him by this joint resolution by taking them over upon the threat of any strike by anybody.

Mr. WATSON obtained the floor.

Mr. POINDEXTER. Mr. President, will the Senator yield to me for just a moment for the purpose of calling attention to a telegram?

Mr. WATSON. Certainly.

Mr. POINDEXTER. The reason why I ask permission to do it at this time is because it is pertinent to the remarks of the Senator from Wisconsin [Mr. LENROOT] and corroborates his statement that there is not now any danger of a strike on the telegraph lines of the country. It is a telegram signed by 129 telegraph operators, employees of the Western Union Telegraph Co., at Louisville, Ky.; and I was particularly struck with one sentence in the telegram, as follows:

> Not a person among us is in any manner affiliated, or desires or would be affiliated, with the organization which is endeavoring to do us harm for the gain of those who and the organization of which we speak was inimical until the present time, when it seems to grasp an opportunity unfair, taking advantage of the condition of the country, of the people, and of the Government to further a cause which is not desired by those mainly interested in the cause.

I ask that the entire telegram be printed in the RECORD as a part of my remarks.

Mr. THOMAS. It has been printed two or three times.

The PRESIDING OFFICER. There being no objection, it is so ordered.

The telegram is as follows:

LOUISVILLE, KY., *July 11, 1918.*

Senator POINDEXTER,
Washington, D. C.:

We wish to be considered, first, loyal American citizens, and, second, we wish in all fairness to give credit where credit is due. We believe it only fair to say that we as employees of the Western Union Telegraph Co. have been granted during the last two years increases in salary ranging from 25 to 100 per cent and are at present receiving bonus of 9 to 12 per cent in excess of our regular earnings. To this is added two weeks' vacation with full pay, sickness disability benefits, pensions after permanent disability, and insurance equivalent to one year's salary in case of death without charge or obligation. Working conditions under the Western Union Telegraph Co. are very pleasant, and we have an office force who stand 100 per cent loyal to our Government, and all are well satisfied and doing everything within their power to render a satisfactory and efficient service to our Government, and also to our patrons in general.

* * * * * * *

It seems to desire to force us to its level or accept an alternative which might harm a perfect organization, of which we are a part. We would recommend that the telegraph be handled by its present owners and executives until more evidence of inefficient service is shown. We earnestly request that you do your utmost to help our cause.

F. A. NAU
(And 128 others).

Mr. POINDEXTER. In that connection I beg leave to repeat the suggestion that it seems to me it would be quite interesting and appropriate for the Government, through the Attorney General and the agents of the Department of Justice, to inquire into the antecedents and into the motives of this outside organization and into the leaders of that outside organization who are engaged in an undertaking with what seems to be a concealed or abstruse motive. It is difficult to understand why such an organization should be interested in calling a strike of the employees of the telegraph companies when not a member of the organization is in the employ of the telegraph companies, and the suggestion in this telegram from a large number of these employees as to the crisis which is now pending and as to the advantage which this outside organization seeks to take of the condition of the country and of the people of the country by this means which these very employees present might well be the subject of Governmental inquiry.

ADDRESS BY SECRETARY DANIELS AT NAVAL ACADEMY (S. DOC. NO. 268).

Mr. WATSON. Mr. President——

Mr. SMITH of Arizona. Mr. President, will the Senator yield to me?

Mr. WATSON. For what purpose does the Senator rise?

Mr. SMITH of Arizona. For the purpose of asking unanimous consent, as probably I shall have to leave the Chamber, to have action on a report from the Committee on Printing, to which, on request of the Senator from Utah [Mr. SMOOT], the matter was referred this morning.

Mr. WATSON. Will the Senator kindly wait? I shall not occupy the floor for more than 30 minutes. I shall be glad if the Senator will wait until the expiration of that time.

Mr. SMITH of Arizona. I promise not to take two minutes of the Senator's time.

Mr. WATSON. Well, I have yielded a day and I can wait two minutes longer.

Mr. SMITH of Arizona. I will not be a minute. I do not wish to take the Senator from the floor. I am occupying his time.

This is a matter presented by the chairman of the Committee on Naval Affairs [Mr. SWANSON] for printing a speech made by the Secretary of the Navy to the graduating class of the Naval Academy. The Senator from Utah this morning objected to it being printed as a document without being referred to the committee, in which I heartily concur. We are attempting to stop the printing of these things that are not essential. This speech, however, is to be circulated, as I understand, among the young graduates of the Navy as a high call to patriotism and duty, and a great moral lesson is involved. In view of these considerations I thought, since it was to be used for that purpose, that the committee had no cause for opposition; and understanding that this will be no precedent for the publication of any other Secretary's speech I ask unanimous consent that it may be granted.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

The resolution (S. Res. 284) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the address of Hon. Josephus Daniels to the graduating class of 1918, delivered at the Naval Academy June 6, 1918, be printed as a public document.

TELEPHONE AND TELEGRAPH CONTROL.

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (H. J. Res. 309) to authorize the President, in time of war, to supervise or take possession and assume control of any telegraph, telephone, marine cable, or radio system or systems or any part thereof and to operate the same in such manner as may be needful or desirable for the duration of the war, and to provide just compensation therefor.

Mr. WATSON. Mr. President, great questions have the habit of reappearing in human history. They reappear among all peoples and in all races; and since the establishment of this Republic we have been confronted at many periods with a tendency on the one hand to confer greater power upon the President, and on the other to confer greater authority upon the majority. It is the larger outlines of this problem in which I am more deeply interested than in the immediate passage of the joint resolution under consideration, because, having all my mature life been something of a student of the Government ownership and operation of public utilities and having also devoted some time to the study of the fundamental principles and the underlying policies of socialism, I am profoundly convinced that the passage of this joint resolution is but the opening of the door to that policy which, if relentlessly pursued, means inevitably a change in our form of government.

Senators, all scholars have studied our institutions historically. They have learned that progress is a monument reared only on the battle field of contending forces. From scenes of conflict in the past they have seen great principles arise and take the form of law. From these principles they have seen decisions spring as innumerable as the sands of the shore in the efforts of courts to apply these principles to all the complex affairs of men. And they have seen how all the struggles and sacrifices

of 60 centuries finally resulted in the adoption of the Constitution of the United States, the greatest document ever issued among men.

They have seen how this embodiment of fundamental principles guarantees to every man beneath its protecting ægis the right to life, liberty, and the pursuit of happiness, and that these rights carry with them the accompanying rights of the ownership and use of private property, of religious liberty, and the freedom of person. They have seen, too, how this organic law was afterwards altered so that there might be embedded forever in its solid granite the limitations upon the power of the majority imposed by its first five amendments.

SWEEPING ASIDE FUNDAMENTAL LAW.

Now, if this fundamental law is to be swept aside by the vote of a majority, if these basic ideas are to be overturned by a mere choice of the people, then principles are but illusions, the Constitution is a myth, fundamentals are hallucinations, law and order are iridescent dreams, courts are but the puppets of a maddened majority, organized society is an impossibility, and beneficent government is a Utopia that can never be realized among men. And I want to discuss for you some of the proposed movements of the day that will, if unchecked, lead us into conditions far worse than any from which we seek to escape.

At the time of the formation of the Constitution the fathers were confronted with innumerable difficulties, but, fortunately for us, fortunately for mankind, they were equal to the herculean task. Gladstone has passionately exclaimed that the men who formulated that document were "great men, not for that time alone, but for any time, for all time."

These men had a most thorough and accurate knowledge of all the experiments in government made in the centuries gone. With profound insight into human nature and human motives, they understood at once the strength and the weakness of all these attempts at government, and they sought to formulate a system that would preserve the one and eliminate the other.

They gleaned from the frightful pages of history that governments in the past had not endured because they had failed to recognize one or the other of the two fundamentals of all stable government—the rights of the individual on the one hand and the rights of the State on the other.

They knew that in some countries the fundamental principle of the government established was individual right and individual liberty—the one dominating, overwhelming idea being that the individual was everything and the State nothing. They saw that the application of that theory to the affairs of government ended in a tyranny of the one man so despotic that it could not long be tolerated, and that all such efforts resulted in an utter failure to accomplish the chief end for which government must be designed if it is to endure.

They understood, too, that in other countries the fundamental principle upon which their governments were established was the right and power of the majority—the one undisputed idea being that the State was everything and the individual nothing, and that the State was but the will of the majority as expressed at any given time.

They saw that governments thus established were unstable because the individual was entirely submerged and the minority was given no consideration whatever, and, of course, inasmuch as the man and the minority were deemed to have no rights, there was no provision made in any of these countries for protecting or defending them. Our fathers saw that this led to a tyranny of the majority as despotic and far more dangerous than the tyranny of the individual, for no matter how galling the rule of the one tyrant, the majority can finally overthrow his power and, if need be, destroy him. But who can behead the majority? No matter how intolerable their rule, what power can stay the hand of the multitude?

And, therefore, our fathers saw that if they would establish a permanent government they must nicely adjust and balance the rights of the individual on the one hand and the rights of the State on the other, giving to each the largest possible sphere of activity consistent with the rights of the other, and securing each from indiscriminate invasion by the other.

They knew, as every student of history must know, that the great struggles of the past were to secure the recognition of individual liberty; and they saw, as we, too, must see, that all governments that failed to take this fundamental into account when establishing their institutions have failed and fallen and passed into history.

They learned that because of this failure monarchies were destroyed, kingdoms subverted, principalities ruined, aristocracies overthrown, and that they were all finally swept away by the ever-ascending spirit of individual liberty, which is the white-winged angel of human progress. And yet they learned from a study of the past, as we, too, must learn, that any government founded upon the one overmastering principle of the liberty of the individual can not endure. And so our fathers were confronted with the duty of recognizing and preserving the rights of the individual on the one hand and at the same time giving equal recognition to and preservation of the rights of the State. And they wrought so splendidly, they wove a fabric so enduring, that from that time to this the progress of our country has challenged the wonder and the admiration of the world.

And yet to-day, despite all of this progress and all of these achievements, that very fabric is threatened by an insidious danger and I believe that there can be no industrial peace, there can be no political peace, until these problems are settled and settled right; and no problem is ever permanently settled in this world until it is settled in accordance with eternal principle.

AUTOCRATIC AUTHORITY.

In my judgment we are confronted in the pending measure with a proposition that in the first place will add to the autocratic authority of one man, and on the other hand will give increasing power to the majority. Senators, these institutions of ours are based upon four fundamentals. They are, first, individual rights, and to preserve these individual rights a government threefold in character—legislative, executive, and judicial. The four pillars of enduring representative government, founded upon a constitution and preserved by its provisions, are, therefore, individual rights—the power of the legislature, the power of the executive, and the power of the courts. If either one of these pillars be pulled down by any blind Samson, the whole edifice will crumble and fall to ruin. Therefore, when we come to consider the proposition of giving increased power either to the President of the United States or to the people of the United States, we threaten the invasion of the sphere of representative government from both sides which, if persisted in, must inevitably bring the whole fabric to destruction.

What do I mean by that proposition? Senators, we all know that for many years in this country the inevitable, aye, the well-nigh irresistible, tendency has been to augment the authority of the President of the United States. This has resulted, first, because of the general demand of the people, who almost universally believe in the President and insist on his sole leadership; and, second, because of his being the titular head of the party in power, and the general desire of Members of Congress to follow his leadership for political reasons. To this is added the necessary power of the President in the time of war, there being a universal recognition of the fact that the President is the head of the Government and that making war requires in many of its aspects the forceful leadership of a single man. This policy has been pursued both in peace and in war until now the President wields a power unprecedented in the history of the world. It is quite true that much of this authority has been conferred since the beginning of this conflict, because we have all constantly realized that the necessities of war recognize no limitations and know no bounds.

But yet he has the power; it is now in his hands; and we must trust alone to his patriotism and to his wisdom to use it wisely in the interests of the people and of the Government and not in a manner that will result disastrously to their highest concerns; and we must likewise trust to the wisdom and courage of Congress and the stability and determination of the people to see to it that this temporary power is turned back by the President to its legitimate spheres when the emergency that has caused its bestowal shall have happily passed.

And so, Mr. President, applying these fundamental principles to the question at issue, what will be the inevitable result if these utilities are turned over to governmental control? The only three sponsors for it have announced that if they could determine the future of these properties they would be permanently owned by the Government. And therefore we know that if we pass this bill we shall have these three powerful factors of the administration using all the additional power we thus place in their hands to force the full and final Government ownership of all these properties.

Senators assert that this power will probably never be exercised, that these properties will not be taken over unless the President is compelled to act by the force of some great emergency. But let us not delude ourselves with that fond hope. They will be taken over, and all their great force of operatives will be under the direct control of the Government within 60 days. Once clothed with the authority to sieze them, it will be easy enough to find a compelling emergency.

This movement was inaugurated when the railroads were taken over; it is to be continued by the passage of the pending bill; it will be followed by taking full possession of the mines; and, unless Congress rises to check the onrushing tide, all the factories in the country engaged in the manufacture of munitions

of war supplies will be laid hold of, and all the industries of the Nation, save alone agriculture, will soon be under complete governmental control, and that will be so regulated as to be dominated by the bureaucracy at the National Capital.

ROAD TO SOCIALISM.

Therefore, unless we are willing to march to the end along the highway upon which we have set out, let us not take these first steps, for, I warn you, Senators, that just as surely as we pass this legislation, just as surely as this movement is continued, it will mean a fight to the death with national and international socialism when the tides of war shall have rolled away. Therefore I, for one, am not willing to take this step. Four millions of people on the pay roll, four millions of Government employees at the close of the war, four millions of persons under direct obligation to the administration will constitute a tremendous organization to transform governmental control in time of war to governmental ownership in time of peace; and, if we are to credit Baker and Daniels and Burleson, this is the avowed object of it all.

If it be contended that this is a military necessity I deny the contention. Not a single syllable of evidence has been adduced to support that theory. Not one fact has been cited to sustain that statement. This bill is deliberately brought forward as a distinct step toward complete Government control, and this policy, by the use of the very force it will provide, is to be pushed to complete Government ownership at the close of this struggle.

If it be stated that this prediction is only an idle dream, I answer that this use of these forces has already begun in this country and will become more and more dangerous as the number of industries under Government control is increased. "There is not room enough in this great world for the German flag and the American flag," remarked Secretary McAdoo at El Paso, Tex., to a meeting of railroad employees, on the 17th of April, "and we are going to make the American flag fly over Berlin before we get through." And then he continued: "The railroads must function 150 per cent, for we are not employees of the railroad companies but of Uncle Sam, enlisted in the great legion of liberty." He asked the men not to become impatient because of the delay of the fixing of the new wage schedule, adding that if a raise was granted to the railroad men it would be retroactive and they would then be able to buy liberty bonds.

POLITICS IN GOVERNMENT CONTROL OF RAILROADS.

Then came this significant statement which points the moral to my argument, in which he says:

> You are all my boys, and I don't intend to let anyone kick you around, for I will defend you to the limit when you are right, and you won't go wrong I am sure.

That was as straight a bid for control as was ever made anywhere in this land. Suppose there were 4,000,000 of them, as there will be when this bill passes, can not anyone see the power, can not anyone apprehend the danger? And what was the inevitable result? Scarcely had his words ceased to echo throughout the country until there was a perceptible letting down in efficiency among railroad men. This is but human nature, and nothing less was to be expected, for if the men who are employed are told by the man who employs them that, in substance, they can do as they please, and that nobody shall be permitted to interfere, as a matter of course that will result in a greater laxity in the performance of duty.

Everybody knows that this is the situation with the railroads to-day, and everybody must know, too, that the governmental control of the lines affected by this bill will mean a greater degree of inefficiency in their operation, just as it does wherever the Government controls. And this movement for Government ownership, like a ball of snow, gathers force as it is pushed along, and that is the very object of this measure. Its sponsors seek to enlist more people in favor of this policy to place a greater number on the pay roll, people directly responsible to the administration for employment.

No sooner had the railroads been taken over than wages were increased $300,000,000. Who doubts that similar measures will come with reference to these lines after the passage of this bill? And thus will all these people be placed under additional obligation to the party in power.

Mr. GORE. Mr. President——

Mr. WATSON. I yield to the Senator.

Mr. GORE. I did not understand the Senator to state whether the compensation was increased $300,000,000 to the railroad men or the farmers.

Mr. WATSON. The railway men. I had understood that the farmers would pay a part of that $300,000,000, but would have no increase on what they produce.

However, permit me to further reply to the Senator, there is too much of a tendency here and now and always to accentuate class existence in the United States. Some want legislation for the farmers. Some want legislation for the laboring men. Some want legislation for the manufacturers. Others want legislation for the men engaged in some particular calling or vocation. I object to that sort of class legislation. We ought to have laws passed for the benefit of the whole American people, knowing that what inures to the benefit of one will, if it be a just policy of government, inure to the benefit of all, and that what helps all will, with the proper exercise of industry, help each individual unit of society.

Now, let me address myself to the two propositions announced yesterday by the distinguished Senator from Illinois [Mr. LEWIS]. His first assumption was that the President of the United States has the right to communicate with Congress in any manner that may seem appropriate to him. He was led to this remark because of the fact that in the present instance the President has not communicated his desires to Congress with reference to the pending proposition save, perhaps, in a letter to a Member of the Senate.

The Constitution provides that the President may, from time to time, communicate to Congress his ideas respecting legislation. The present President has followed the custom of a personal address to the two Houses of Congress assembled in one Chamber. This course he had the right to pursue, but he might with equal propriety have chosen to send a written message to each of the two Houses, as had been the custom of Presidents from the time of Jefferson until the advent of Wilson. But if he follow the direction of the Constitution, he must communicate to the Congress. I do not believe that it fulfills the demands of the Constitution for him to write a letter or address a private communication to any Member of either body, and, therefore, I do not know that the President demands the passage of the proposed law, and certainly there is nothing in any alleged communication at any time received from him with regard to this bill that urges its enactment as a military necessity.

SHALL CONGRESS ABDICATE ITS FUNCTIONS?

The second proposition announced by the able Senator from Illinois was that when the President has once made known his wish to the Senate we should without hesitation accede to it. I deny that statement. In my judgment, it fails utterly to compass the intendment of the fathers in formulating the Constitution or of recognizing the legitimate spheres of activity of the coordinate branches of government provided by that instrument.

The evident object of his entire speech was to defend that proposition. Judging by the rule he lays down, if any Senator or any Representative fail to carry out the express wish of the President he is in a manner unfriendly to the prosecution of the war and is thwarting the efforts of the administration to successfully conduct it. I most vigorously refute that theory.

Senators, how far may we justly go in opposing the desires of the President or in criticizing his action in time of war? If we concede that we are to have no voice whatever in the matter, except to register the presidential will, if the legislative branch of government is to be merged wholly into the executive, and if we are to be denied any opinion as to the merits of any measure he proposes, then Congress has entirely abdicated its functions and might quite as well adjourn without day.

Mr. President, as to the object of this war we are all one. No political issue can be raised upon any proposition that everybody is for, and we all know that everybody is for this war. To succeed in this conflict is the one supreme mission of the hour. It is the one all-important duty of all the people of the land. To it all other duties are subsidiary; to it all other propositions are subordinate. Therefore there can be no issue in that, because we are all for it, and for it to the relentless end. That being the one universal purpose, we may make new definitions respecting the attitude of our citizenship toward it. That is to say, that any man in America who is for the object of this war is a patriot, and that any man in America who is against the object of this war is a traitor. Men of all parties can meet on that common ground, and to that inclusive definition we can all agree.

But that is as to the object of the war. When we stand upon the seashore and look outward we are all one. Politics in the United States ceases at the shore line. Looking outward we proclaim to all the nations of the earth with many-voiced harmony that as a united America we are resolved to stand by American rights and to vindicate American liberty whenever and wherever assailed by any nation in all the broad circle of the earth. As to that resolution we are all one.

But when we turn our eyes inward and investigate the methods by which that object shall be accomplished, we are essentially many men of many minds. While we are all trying to reach one goal, and are determined to reach it at whatever cost, the highway by which we shall travel to arrive at it is as much a matter of my judgment as it is the judgment of the President of the

United States. That is up to the individual judgment and the individual conscience of the individual Senator sent here to represent a sovereign State in the greatest legislative body in the world.

The question of the method by which we shall achieve victory, then, is not one for the exclusive determination of the Chief Executive, but a problem for the correct solution of which each individual Member of Congress is also responsible, and I resent utterly the imputation that if any such Member fails to concur with the views of the President on all of these propositions he is unfriendly to the purpose of the war.

In the second place, it is worthy of all consideration that there is a clear line of demarcation between the military power of the President and his authority in the civil establishment of the country. He is the Commander in Chief of the Army and the Navy. The Constitution confers that power upon him. That is, therefore, his constitutional right. Congress may not invade that sovereign sphere, nor, if the Constitution is to be respected and maintained, can the people themselves interfere with that right. That power he may not share with others. That power Congress can not divide with him. It is his in accordance with the basic law of the Republic, and as such Commander in Chief I shall follow him to the end.

Because it is his sovereign duty completely to fill that sphere, a binding obligation rests upon every other citizen of the Nation to acquiesce in that right. This is the one remnant of autocratic power transferred from the past to the present, from Europe to the United States, by the framers of the Constitution. These men were not unacquainted with war. They had just emerged from what to them was seven years of exacting and wasteful strife. They had seen the disastrous results of many-headed counsel in the War of the Revolution. Therefore our fathers wisely determined that there must be one head to the Military Establishment of the United States, and they embedded forever in the solid structure of that instrument the provision that the President should be Commander in Chief of the Army and the Navy. That is his sovereign right, and as such it is our manifest duty to follow him.

If it be said that Congress has the right to raise and equip armies, I concur. That is not a presidential function; that is wholly a legislative function. Congress has the right to establish and maintain navies. This is entirely within the purview of our authority. But after we have raised armies, after we have established navies, the only point of contact that the legislative branch has with the Army and the Navy is to raise revenue to support them. After being raised and established, the Army and the Navy pass over into the Executive sphere of action free from the influence of legislative authority.

Congress can not wage war. Congress has no right to attempt it. The President alone is the director of the disposition of navies and the placement of armies, and, therefore, as Commander in Chief of the Army, I follow him. He is my commander as much as that of any man who wears the uniform. And if, in the exercise of this great power, the President deems it necessary to send our Army into France or into any other country to beat back the militant hosts of Germany, he has that sovereign right, and this no man, or set of men, may either gainsay or deny. Nor has Congress, nor have the people, the right to know as to the movement of armies or the disposition of ships, lest by spreading such knowledge to the enemy harm may be done to our cause. We unwaveringly support him as the head of our Army and Navy, and shall do so to the end.

But while that is true as to the Military Establishment, it is not essentially true as to the industry of the country. Congress alone has power to regulate commerce. The President of the United States, for instance, can not take charge of the mines without the authority of Congress. It is the legislative function to regulate them as well as agriculture and manufacturing and transportation and navigation. That is the province of the legislative body. The President of the United States has no more right to invade that sphere without our invitation than we have to invade his sphere and determine upon the location of troops or the disposition of navies.

Financial and economic problems are not to be controlled by one man in our system of government, except in the case of most exigent necessity. Congress alone has the right to assume the initiative in dealing with these problems. It is true that Congress may delegate to the President vast power in these fields of activity if in its judgment it is essential to military success, but without such delegation the President has no power to seize and exercise such authority. Therefore it is exclusively our right to determine how far we shall transfer this power of Congress under the Constitution into his hands and his sphere and give this authority over into his keeping and management. That is the sovereign right of every Senator and of every Representative who sits beneath the dome of this Capitol.

Therefore, when the President of the United States sends down word in some indirect and roundabout way that he would like to have control of all the telegraph and all telephone lines of the country, it is up to me to decide for myself as to whether or not that is a wise proposition, and as to whether or not it is essential to the winning of this war. I am under no obligation to obey that voice unless it appeals to my conscience and addresses itself to my judgment, because Congress controls the Civil Establishment of the United States.

LAVISH POWERS.

In very truth, the present Congress has conferred upon him greater authority than is exercised by any other living man, and, in fact, has transferred to him practically all the power it has, save alone the right to raise revenue.

Under these conditions, with the administration demanding and receiving such grants of power, is it conceivable that if mistakes are made or if errors are committed, that we, the representatives of the people, are to sit still with sealed lips and bridled tongues and offer no suggestions as to improvements or betterments?

And, in dealing with problems of such vast moment and consequence, is it thinkable than anyone is to be branded as a traitor or as a copperhead because he does not immediately accept any intimation, however diluted, that may emanate from the White House?

I resent such imputation. It is unworthy of anyone who holds a seat in this exalted place.

I profoundly believe that the investigations made by the Senate Committee on Military Affairs stimulated executive activity to such a degree that many of the things demanded have been conceded and that many of the errors committed have been corrected.

Just criticism, judicially made, with the sole object of improving the situation, can not possibly lend aid or comfort to the enemy; glossing over and concealing inactivity, incompetency, and inefficiency may render vital, though unintended, assistance to our opponents in this war.

I am now, and at all times have been, ready to vote for any measure, however extreme, that in my judgment is necessary to win this war; but it is my judgment that must be exercised as a Senator of the United States and not the judgment of any other man, and that judgment is not convinced that the enactment of the pending measure is necessary to success in this conflict.

But we hear on every hand the resounding cry, "Stand by the President!" and we shall hear more of it in the coming days. But let it be understood once for all that if this means to stand by him as the constitutional head of the Government, it will find a ready response throughout the land. If it means to stand by him as Commander in Chief of the military forces of the Nation, it will be indorsed by every patriot beneath the flag. But if it means to stand by him as a politician and a partisan, it will be resented by a multitude throughout the Union who do not believe in taking advantage of so terrible a situation as the present one to reap a partisan harvest. If it means to stand by him as the head of a party organization, I shall oppose it while I have voice to sound forth my protest.

I pluck no leaf from the laurel wreath that adorns the brow of the great man who sits yonder in the White House, in the loftiest station of the earth; but yet we must all recognize the patent fact that Presidents are but incidents in the history of the land. As President of the United States, as the constitutional head of the Republic, as Commander in Chief of the Army and the Navy, he shall have my unstinted support, and I shall readily accede to any request he makes that appeals to my judgment as a necessity of war. But as the head of a political organization, or as one who is seeking his own reelection, he shall have none of my support.

Men come and men go, but institutions remain. Nations come; they play their part upon the stage and pass into history, but fundamentals abide. I look away beyond Woodrow Wilson as an individual, to the Constitution, the country, and the flag, and when they tell me to "Stand by the President" I construe that to mean to stand by the Constitution, stand by the country, and stand by the flag, and stand by Woodrow Wilson as President of the United States, clothed with executive power, representing them all. That is my doctrine, and by that I am willing to either stand or fall.

But to proceed with my argument. We now have the Government control of railroads, and if to that we are to add a like control of telegraphs and telephones, of express companies, and of mines, we shall have on the pay roll 4,000,000 of people, subject to all the temptations of American political life. There is not a man in this Chamber who does not know precisely what that means.

These people will inevitably organize to help themselves, and to this end they will not scruple to use their power with the ruling administration. The tendency of that administration will undoubtedly be to accede to those demands, to raise wages if there be even a pretext for such a movement, and to comply with whatever other demand may be made. This is human nature and can not be cast aside, and we all know to what extent political parties will go in the heat of campaigns.

But, we must not forget that, as we increase the number of Government employees working under the direction of the Chief Executive, we inevitably increase his power; and that, as we increase the number of persons subject to his appointment or removal, we augment his influence over the legislative body, whose members are seeking these appointments.

Congress is even now subservient to the President's wish, at times manifesting a willingness to obey his every mandate that is almost abject. Increase the number of persons he appoints and you increase this power; increase this power and you augment his authority over the legislative body; take this step and you inevitably undermine the independence and shatter the strength of the legislative branch of the Government.

And, singularly enough, this causes the invasion of the legislative sphere from both sides, for, by placing this greater number under the control of the Government, it makes possible the adoption of the policies of the initiative, the referendum, the recall, and all the other incipient stages of socialism, the inevitable tendency and the express object of which is to weaken the legislative branch of government.

We see the manifest results of one phase of such a policy in Mexico, where the right of the majority to rule is unquestioned, and where this unbridled majority is not held in subjection by a powerful autocrat, as it was in the days of Diaz.

We see such results also in many similar efforts in the history of the past, and by scanning the present situation in some of our South American Republics, as well as in Mexico to-day, where the will of the majority is unquestioned, where individual liberty is set at naught, where individual rights count for nothing, where the minority is ruthlessly trampled under foot by the unscrupulous power of the maddened majority. In those countries, and, more and more in this country, the people follow men and not measures; they advocate leaders and not ideas; they crystallize their forces about persons and not parties; the brilliant leader of to-day will be overthrown by the brilliant leader of to-morrow; the whimsey of this hour will be cast aside by the whimsey of the next hour; and stability, which springs alone from an unwavering adherence to fixed principles of government, and which is essential to progress and prosperity, is unknown.

GERMANY OWNS HER RAILROADS.

We see in Germany a manifestation of the other extreme. That country is the most highly socialized nation in the world. The German Government owns all the railroads; it owns all the telegraph and telephone lines; it owns the express companies; it owns or controls all the lines of steamboats. Their education is all conducted at public expense; their great free laboratories are unexcelled in the world; bounties are paid on every hand, to her inventors, her scientists, and her philosophers. Germany's laws touching workmen's compensation, employers' liability, old-age pensions, and all such similar paternalistic legislation, make for the highest degree of socialization ever before known on this earth.

But how is it all wielded? By the one man at the head of it all, the one tyrant who governs it all and controls it all, and who wields that immense organization because this socialized state enables him to do it. A sufficient number of the people are directly responsible to the Government to enable the Kaiser to organize them, to control them, to use them for his own purposes and that is precisely the direction in which we are headed in this country.

Mr. President, we are coming nearer and nearer every day to that system in this Nation, for, if we pursue to the limit the policy of the proposed measure, it will be a question of a very few years until a President will be able to force his reelection for life: First, the autocratic authority of one man; second, the enlarged power of the people, the two acting together and reacting upon each other and constantly weakening the legislative branch of the Government. This is as inescapable as the deductions of logic, and we can no more free ourselves from these manifest results than we can from the laws of nature.

What reason is there why this branch of our Government should be weakened or its usefulness in any wise impaired? Why should its foundations be undermined? No other nation boasts of such progress as ours since this system was adopted. Under these institutions, where liberty is regulated by law and where the Constitution guarantees the largest measure of individual rights with the largest measure of community rights, we have gone from success to triumph, and from triumph to glory, and are enabled to-day to shoulder the mighty burdens of the world. Unless, therefore, there be some very urgent reason, some imperative demand, for a change in our form of government, no excuse can be offered for the adoption of the policy of Government ownership proposed by all the socialists of the day, in the inauguration of which policy the pending measure is an important step.

So, Senators, I am not in favor of this joint resolution. I am not going to analyze it at length, because you have all heard is discussed. In the first place, there is no excuse for it; in the next place, there is no emergency; and in the next place it has only filtered down to us until the little stream is so diluted that we can only suspect its source. But, even if the President does want it, unless he gives a good reason for it I am not bound to vote for it, and I shall not vote for it because I do not consider it a necessity. I know that there is no emergency that calls for it. I remember that he can now take charge of the radio service; that he can now control all our outgoing messages; that we already have censorship in this country; and these safeguards are, in my judgment, all sufficient, judging from the evidence we now have.

"NOT A MILITARY NECESSITY NOW"—SECRETARY BAKER.

The question was asked of Secretary Baker in the hearings before the House committee:

Do you believe that this taking over of the possession, operation, and control of the telephone and telegraph lines is a military necessity?

To which he responded:

I do not think it is a military necessity at this minute, but it might easily become a military necessity the next minute.

And upon that vague theory, and upon that misty supposition that he brought down from somewhere out yonder in the wide realm of conjecture, he finds sufficient justification for asking the Congress of the United States to turn over to the keeping of the Executive hundreds of millions of dollars' worth of property, touching practically every home in this broad land. I for one decline to respond to that sort of logic.

What else did he say about it? On page 18 of the same hearings:

Mr. MONTAGUE. I want to ask one question, Mr. Secretary. So far as the business carried on by the telephone and telegraph is concerned, has the service been inadequate, insufficient, or not?

What did Secretary Baker say in response?

I have not had any opportunity to observe the general situation throughout the country.

And yet without any knowledge of the subject, confessing absolute ignorance of the whole situation, he asks Congress to turn over to the Chief Executive all of these vast properties extending throughout the domain of the Nation.

"NO SERIOUS LEAKAGE OF MESSAGES"—SECRETARY DANIELS.

But what else? What did Secretary Daniels have to say on that proposition? Here is the question asked:

Mr. BARKLEY. Has your department experienced any difficulty on account of leakage of messages transmitted from one part of the United States to the other over the telegraph lines?

Secretary DANIELS. Not serious.

And there it is. Senators, there is no evidence of any necessity; there is not the slightest intimation of an emergency. They already have control of the radios; they already have control of all outgoing messages; and so far as the wires of the Associated Press and these other press bureaus are concerned, they can have them on demand, and the men who control them say so. What occasion, therefore, is there for the enactment of this joint resolution?

Let me give you my judgment as to why there is a pretended occasion for it; and I think that this solves the whole problem; it clears away all the mists and clouds of doubt and darkness, and lets the sun in upon this entire transaction:

Secretary BAKER. Well, I can only express a personal and unstudied preference in the matter. If I had my way about it, there would not be any limitation of time put in. That is the position I would have taken on the subject of railroad legislation.

And Mr. Daniels, on page 27, used the following language, showing conclusively where he stands on this proposition:

Mr. WINSLOW. Mr. Secretary, I would like to ask if you regard this resolution as a strictly war provision?

Secretary DANIELS. In its present aspect; yes. As a fundamental principle of government, I also think it is very important.

Then, further on, after Representative WINSLOW had asked him many questions seeking to elicit his views, Secretary Daniels apparently impetuously exclaimed:

If you wish my views, I would say it ought to last forever.

Then when Mr. Burleson came upon the witness stand he gave cheerful and ready testimony in support of the same proposition. Therefore, the three witnesses that were adduced there to prove

the proposition admit no emergency, give no excuse, frankly state that there is nothing wrong with the telegraph or the telephone service of the country, that there is no occasion for criticism in their operation from a loyal standpoint, but yet all three of them, sitting in the presence of the House committee, assert that they think that this control should be given now and made permanent hereafter.

Now, Senators, it is just as plain as the sun that shines in yonder noonday sky that this is but the beginning of the permanent ownership of these utilities, and that these three Cabinet officers, having no other excuse or even pretext for the passage of this resolution, have voiced their own real sentiments and expressed the true emotions of their hearts when they say that they are in favor of the permanency of this proposition. That is the beginning. No man may lift the veil, peer into the future, and see the end, if we this day inaugurate this policy.

But I have made a motion to strike out the word "telephone." I wonder if any Senator believes that there is any testimony as to telephones at all? The word is mentioned but three times in the hearings, and nobody has expressed an emergency; nobody has given an excuse; nobody has uttered a sentence that is a justification for the passage of this joint resolution so far as the telephones are concerned. Oh, but it is said it is not intended to take over the telephones. Mr. President, let me quote Secretary Daniels on that proposition, in answer to a question by Mr. COOPER of Ohio:

Mr. COOPER of Ohio. Mr. Secretary, just one question: Did I understand you to say that you believed the Government ought to be able to control all private conversation in my home over the telephone?

Secretary DANIELS. I believe the Government ought to have control of all communication, and—

Speaking to this Representative—

and safeguard you so that you could have your private communication by Government officials instead of by private employees of a company.

So, Senators, this control, like the pests of Egypt, is to be brought into our very kneading troughs; it is to reach into every home; and we are to have an army of men going up and down the country nosing into everybody's business, spying into everybody's affairs. It matters not that a man is as loyal to the flag as is the President himself, all his private communications with his friends and neighbors are to be censored by representatives of the Government he helps to sustain. I denounce that as an un-American policy unworthy of the traditions and history of this great Republic; and I shall never give my assent to a proposition that will fill the Republic with spies and interfere with the freedom of communication in the Nation.

If the loyalty or patriotism of any man is suspected, let him be investigated, let him be placed under surveillance, let his communications be censored, but do not, in order to catch the guilty few, inaugurate a universal system of espionage in the country that will prove expensive and oppressive and achieve no results comparable to the mischief it will produce.

Mr. NEW. And spying on us.

Mr. WATSON. Yes.

Now, Senators, just another word. I have made a motion to except the lines of the Associated Press and of the other press bureaus. The Associated Press, I find from their announcement—

is a mutual organization of persons representing more than 1,100 morning, evening, and Sunday newspapers, having for its purpose the collection and distribution of the important news of the world. For its most important service the Associated Press has its own leased wires, which form a network across the continent from Bangor, Me., to Seattle, Wash., and San Diego, Cal., and from Duluth, Minn., to New Orleans, Galveston, and Habana. The total mileage of this leased wire system is approximately: Day wires, 22,000 miles; night wires, 30,000. From various points along the trunk lines the report is sent to adjacent cities.

Senators, these lines give a 24-hour service in the Associated Press, half that time in the United Press, and half that time, as I understand, in the Hearst or International Service. So far as the two are concerned, the Government could very easily take the lines and use them while the press bureaus are not using them; but so far as the Associated Press is concerned they have a 24-hour service. Does anybody know of any reason why the Government should take those lines over for its own use except in case of the most exigent emergency? And if that shall arise does anybody imagine that the owners and the editors of the patriotic papers who operate these lines would decline to yield to the Government? In fact, if any information is correct, they have already yielded whenever requested.

Not only that, Senators, but there is a voluntary censorship now which prevents any news from going over these lines that the Government deems too valuable for the public to see, or too vital for the people to know. Does anybody know of a single instance in which it has been violated? Take all the movements of troops from this country, from points of embarkation to Europe, does anybody know of any instance in which the embarkation of a single man has been reported in any of these newspapers? I do not.

In what respect, then, have they violated the confidence reposed in them? In no single instance have they been false to their obligations to the Government. And if not, why is an additional censorship necessary as to them? It is not.

But why, on the other hand, should they be free to publish the news, limited only by requests of the Government, and subject to many existing laws for willful violation?

Senators, the continued existence of this Government is possible only on the theory that a majority of the people are intelligent enough to understand its operation; that they understand, first, the fundamental principles upon which it is founded, and, secondly, the issues involved in every campaign, and that they know enough to vote intelligently. But if all the springs of information are tainted, if all the sources of knowledge are polluted, the people may not know, and if they do not know they can not act aright, and if they can not act aright their ignorance will ultimately destroy a Republic founded necessarily upon the intelligence of the great majority.

And therefore I plead for the freedom of the press, which has been the bulwark of these institutions.

Mr. President, I wish, before I close, to advert to my distinguished friend from Illinois [Mr. LEWIS], whose voice I am always glad to hear. Yesterday in his remarks, to which I listened with a keen and indeed an unusual interest, he made the statement that we should follow the President; that in the day of stress, in the time of storm, and in the hour of peril, we should hear only the voice of the Chief Executive.

Let me call the Senator's attention to the fact that a very marvelous change has come over the spirit of his dreams. I recall that the present Senator was, during the Spanish-American War, a brilliant Representative from the State of Washington, the colleague, if I mistake not, of my friend, the present Senator from Washington [Mr. JONES]. In that body, at that time, my friend from Illinois made a speech, and I wish to read a portion of it to you in order to show the marked difference between the views of the then Representative from the State of Washington and those announced with so much cogency and force on the floor of the Senate yesterday by the present Senator from Illinois.

Mr. JONES of Washington. Mr. President, before the Senator proceeds, I wish to suggest that it was another Jones who sat in the House at that time.

Mr. WATSON. I knew that there were a good many Joneses, and I was not sure which Jones it was. I thank the Senator.

Mr. LEWIS. Mr. President, it is only fair for me to say that it was the present Senator from Washington [Mr. JONES] who defeated me and succeeded me in the House.

RECORD OF A DEMOCRAT IN SPANISH-AMERICAN WAR.

Mr. WATSON. In that speech, delivered on the 3d day of May, 1898, the then very able Representative from the State of Washington used this language; and I wish Senators to quiet themselves now in order to meditate calmly upon the fact of my brilliant friend from Washington having uttered these sentiments when the Spanish-American War was on, when we had a Republican President, and that they may realize fully the contrast between them and those he expressed in such flowing diction yesterday:

I have listened too often, Mr. Speaker, to the constant cry of "patriotism" as the reason for legislating measure after measure here, and only the other day we heard from our honorable friends on the other side that patriotism should always drive us into the line of action which shall execute the desire of the other side, irrespective of any virtue or vice of the measure.

Does not that have a homelike sound? [Laughter.]

On this side of the House there arises, now and then, as did my friend from New York, the distinguished and honorable gentleman, Amos Cummings, who advised this assembly that he "put his country above party," and under that cry certain gentlemen on the floor, under his leadership, calling themselves Democrats, found it agreeable to support the measure mortgaging the generation and their children yet unborn, irrespective of the fundamental justice of it.

That was at the beginning of the Spanish-American War, and the remarks quoted had reference to a revenue bill incorporating a provision for a $600,000,000 bond issue and against which my friend voted "no."

Mr. LEWIS. If the Senator will pardon me, the Senator does not wish to do me an injustice, I am sure.

Mr. WATSON. I would not do so for the world.

Mr. LEWIS. I have not for years seen the speech, and, of course, I can not now recall all its details.

Mr. WATSON. I congratulate the Senator.

Mr. LEWIS. But, as I remember that speech, it was addressed not to what the President demanded but to what the other side, which was then the Republican majority, exacted in a measure that was being put upon us. It did not relate to the command

or request of the Executive, the then President of the United States. Am I right? If I am, the Senator will say so.

Mr. WATSON. I will tell the Senator whether he is right or not.

Mr. LEWIS. Well, this is the time. I have not seen that speech for years; and I am asking the Senator if that was not the reference, and if that was not the basis of the speech?

Mr. WATSON. Mr. President, I wish to say in reference to the Senator——

Mr. LEWIS. If the Senator will pardon me, yesterday my reference was to the President of the United States, the Commander in Chief of the Army.

DEMOCRAT FAILS TO SUPPORT PRESIDENT IN 1898 WAR.

Mr. WATSON. The question came before the House of Representatives as to whether or not they should vote a bond issue of $600,000,000 to support the President and the administration in the Spanish-American War. That was the question. Was not that the voice of the President? Was not that the voice of the Commander in Chief? Was not that to carry out the military program? But my friend voted "no"; and, not only that, but he wanted to read everybody out of his party who did not vote with him.

Mr. LEWIS. I answer the Senator, if he will permit me, that that was not the voice of the President; that was not the request of the President. It was in reference to no measure of the President, but with reference to one of those measures exquisitely conceived in the name of patriotism which the Republican majority were putting on the minority when they knew the minority were helpless and could not defend themselves against them.

Mr. WATSON. Does the Senator from Illinois suppose for a moment that the Spanish-American War could have been conducted without funds or that it was not necessary to replenish the Treasury? We had to issue bonds to get the money with which to arm and equip our boys and put them on the battle front, wherever it might be, and yet, for the purpose of that preparation my friend from Illinois voted "no," because it came from "the other side of the House."

Now, let me go on. My friend the Senator says he has not read the speech for some years. I trust that he will enjoy my rereading of it in his presence. [Laughter.]

I realize that my friend from New York, who holds a high place on the floor, and deservedly so—

Referring to Amos J. Cummings (Democrat)—

not only from his ability but by his long service, may have a right to dictate to a great many Members both as to Democratic fealty and patriotism; but I am moved at this time to ask my friend when they say they put their country above party, above which party do you put yourself?

It always seems highly appropriate from my distinguished friends from New York—who have my constant affections and my equally constant efforts whenever I can serve them—whenever stimulated by that magnificent, indescribable buoyancy of putting their country above party, it is always to descend it immediately to the depths of the Republican Party.

DEMOCRAT REFUSES TO SUPPORT SOLDIERS IN FIELD.

The then Representative from Washington was speaking on the passage of the bill to provide a bond issue to obtain funds to carry on a war, a declaration for which had already been made, to arm the soldiers, to equip the troops, and to furnish revenue for all other needed purposes; to put the means in the hands of the President to successfully wage the pending conflict, and yet my friend voted "no"; and in his fine language castigated and chastised the members of his party who saw fit to differ with him. Let me proceed:

For myself I have tired of this constant, prating cry of patriotism, which is ever invoked on the floor of this House every time there is an attempt to commit a constitutional wrong.

A constitutional wrong to borrow money to equip the soldiers! What else?

When the Nation is languishing, when there are these tremendous burdens to be borne, can we meet these new demands? It is well worthy of consideration. Is it not time for us, under these conditions, to pause and reflect where the money is to come from to meet them?

Think of that! Six hundred millions of dollars! Why, only last week, if I remember correctly, we sat in this Chamber, and, as Senators, unanimously voted appropriations aggregating, if I am correct—the Senator from Utah [Mr. SMOOT] will know—fifteen billions of money.

Mr. SMOOT. Fourteen billions in two hours.

Mr. LEWIS. Mr. President, let me say, if I may be pardoned, that $600,000,000 seemed very excessive under the policies of a Republican administration; but under the prosperity and the great advances made under a Democratic administration since then, the latter great sum was small by comparison. [Laughter.]

Mr. WATSON. I wonder if the Senator refers to 1914? However, I shall not be diverted from the path upon which I set out to follow my friend even into this delightful field of controversy.

But let me climax my reference to this remarkable utterance by this patriotic outburst:

When has it come to be a familiar truth that in order to be a Democrat a man must either rise above or sink beneath his party? I say that with the true Democrat there can be no such cry as "My country before party." With him the cry must be, "My country and my party," for without my party I would not have had my country.

What glorious patriotism! [Laughter.]

Is that the position of the Democrats of this body at this time? I make no such charge and in fact I would be the first to refute such an assertion. Is that the attitude of the Senator from Illinois at this hour? Does he now say that with every true Democrat there can be no such cry as "My country before my party"? Does he now claim that the one resounding slogan must be with every true Democrat, "My country and my party"? No one who knows him would so assert, and my sole purpose in recalling this speech is to warn the Senator that in other days he did not deem it necessary, in order to prove his patriotic purpose or vindicate his patriotic desire, to follow implicitly every wish of the President, and with swift feet execute the presidential program.

Now, Mr. President, I shall close this part of my remarks by reading a final excerpt from this truly remarkable utterance:

Gentlemen, do not forget the common people. They are not always deluded. There is a time when their patience ceases, when a just retribution comes even to those most favored by high position. Such retribution must come to those who, assuming the garb of genuine republicanism, undertake to villify and anathematize true patriots, such as are found on both sides of the House, such as is personified in the poor, and by such declamation undertake to put through here measures which only a despot or a tyrant would impose upon a suffering and patient people in an hour like this.

Tyrant! Despot! Is that following the President? Is that merging his whole being into the presidential wish and will?

The appropriation of $600,000,000 to defray the expenses of the Spanish-American War!

Mr. SMITH of Michigan. Who was the tyrant?

Mr. WATSON. Ah! We had a Republican President then.

Mr. LEWIS. Mr. President, I apologize to the Senator—not an appropriation—it was a bond issue. We insisted that the taxes should be laid upon the powerful and the rich, which, if I recall, a majority wholly refused, excepting the powerful and the rich, and providing for a bond issue instead of levying taxes, if I am not in error. I have not seen the speech for some years, but that is my present memory.

Mr. WATSON. The Senator is in error, because this was a revenue measure, with a provision in it for a bond issue.

Then the present Senator from Illinois was immediately followed by Mr. CLARK, the present Speaker of the House of Representatives. Mr. CLARK said:

If it were not for my personal affection for the gentleman from New York—

That is, Amos J. Cummings—

I would inaugurate a movement among the Democrats in this and the other end of the Capitol to read out of the Democratic Party by name every man on this floor who voted for the bond bill the other day.

Mr. President, I did not bring this up to provoke political discussion; but when my friend says that whenever the President calls we must heed his voice or else subject ourselves to the cry of "treason," I commend him to a consideration of his own record. He was talking about us over here in these references, and in response to a question that I had asked him. I voted for this war. He voted for this war and the Spanish-American, also. I have voted for every dollar of appropriation asked. The Senator voted for no appropriation sought in that war. I have voted to give the President all power requested up to this time, but here I draw the line, because I do not regard this legislation as essential to the successful prosecution of the war.

Mr. LEWIS. Mr. President, does the Senator assert on this floor that I voted for no appropriation for the Spanish-American War?

Mr. WATSON. The Senator did not vote for the original bond issue of $600,000,000, out of which all the other appropriations came. After the bonds were issued and after the money was obtained, as a matter of course, I presume, though I have not looked it up, that the Senator may have voted for the minor appropriations that were necessary; but I know that the initial appropriation he voted against, and here is the record.

Mr. LEWIS. Mr. President, I assume that the Senator desires to present history, and not fiction. While it is some years back, and I have not been tracing the history of the legislation, as it seems the Senator did in order to have something upon which to hang some excuse for his opposition now, I recall that the first appropriation was $50,000,000, vesting discretion in President McKinley. That was the initial appropriation, carry-

ing not only my vote but my speech. Subsequent appropriations I recall, constantly receiving my support; but it is true, as the Senator says, that when subsequently a bond issue was tendered, instead of an income tax or a tax upon wealth, I opposed the bond issue, as I had been advocating a tax upon the powerful and the rich that should at that time support the war. The Senator has done an injustice to his record in trying to leave the impression that I had voted against the appropriation for the war; and in the statement, which I am sure he made in the exuberance of his enthusiasm and the ebullition of his eloquence, that I had not voted for any appropriation, he does a great wrong to his usual sense of justice.

Mr. WATSON. Mr. President, I would not for the world wrong my friend. If I made the statement that he voted for no appropriation, I was probably in error, though I have not examined the RECORD on that point; but I know that he voted against the bond issue, and I know that out of the bond issue came the money to pay all the other appropriations. If we had not issued the bonds and had not gotten the money, of what value or support to the country would have been his other votes? They would have been mere "leather and prunella," sounding brass and tinkling cymbal.

But I do not care to pursue this. I only know that it is very easy in the heat of debate, when men of luminous genius and brilliant imagination are speaking, and charging other people with a lack of patriotism, to have perhaps forgotten their own records.

Now, Senators, you have listened to me very patiently and kindly, and I shall not further obtrude myself upon you. I do not believe in this proposition. I do not believe that it should pass. I believe that it opens up a highway which, if we tread it, will lead finally to the overthrow of this Republic; and I want the boys who go abroad, when they come back, to come back to a republic, to come back to a nation which believes in liberty and in equality and in fraternity.

Mr. THOMAS. Mr. President, inasmuch as I differ from the majority of my colleagues with regard to the basis for this resolution, I have determined to speak briefly upon it. To its importance I need not refer, because there can be no question that a measure designed to transfer a vast utility from the hands of its owners to those of the Government should be seriously considered, and that the best of reasons should exist for its enactment.

Mr. President, I regret that we are to consider so important a subject in conjunction with a threatened strike of the employees, or some of them, engaged in the service of the companies affected. I should have preferred that this joint resolution should have been presented without such an embarrassment, because it goes far to justify the impression that the threatened difference between employer and employee prompted the Government to take a step which, in the absence of such a condition, it would not have taken. We had some legislation in 1916 under similar circumstances. I supported the bill passed during the closing hours of the summer session of the last Congress relating to railway employees only because the majority party pledged itself to a series of acts, of which that was the first, but none of which since that time has received any consideration whatever.

Mr. President, I do not like to be placed in the position of supporting or opposing a measure under outside pressure of any sort, unless it be one of those great and sudden emergencies which war conditions sometimes produce. If, therefore, I were convinced that the joint resolution was not designed for a purpose which addresses itself to my mind as a necessary one independently of such environment, I should certainly for that reason, if for no other, withhold my vote for it. I sympathize very fully with those who have riveted attention to that circumstance and have rerferred to it as a possible stimulus for the suggestion of this proposed legislation. And it is a remarkable fact that a strike of continent-wide proportions should have been threatened by an organization alien to the interests to be affected. I know of no other instance in the history of labor troubles in the United States that furnishes a parallel to the situation. My amazement was profound when I learned after this joint resolution was introduced that the threatened labor trouble proceeded from a source almost wholly external to the class of employment of the Western Union Telegraph Co. It leaves a bad taste in the mouth to infer—and there is ground for the inference—that this condition of affairs may have been prearranged in order to force the hand of the administration and compel affirmative action by the Congress. The Senator from Tennessee [Mr. SHIELDS] asks what was the source of the threatened strike to which I am referring. If I am correctly informed, it comes from an association of telegraphers whose membership is exclusive of the employees of the Western Union Telegraph Co., which does 80 per cent of the business of the country, and exclusive of the telephones and of the companies which operate them.

It is, therefore, only because of the conviction which I have long entertained that all methods of communication, whether by the agency of the electric current or of the mail, should be entirely within the control of the Federal Government that I bring myself at this time to consider this subject upon its merits, independently of the circumstances to which I have referred. Let me say, then, that primarily I have always been in favor of the Government ownership of telegraphs and telephones. I have never been able to understand why the Government should control our mail system, why it should have entire jurisdiction over our slower and more ancient methods of communication, and at the same time be denied similar control over the newer, more rapid, and more satisfactory means of communication. I believe when the discovery by Prof. Morse of the system of telegraphy was made the Government should have taken it over, as its inventor desired. I believe that a second blunder was committed when the telephone was permitted to remain in and be developed by private enterprise.

This view, Mr. President, may be socialistic, or betray a tendency toward socialism, a much-abused word and obnoxious to the sensibilities of many Members of this Chamber. This disturbs me but little, for the settled policy of the Nation upon the adoption of the Constitution was Federal control of communication. The reasons for it were persuasive; the proposition was discussed elaborately by the framers of the Constitution; and the prime importance, to say nothing of the advantages of nationalizing the Postal System, semipublic in its character, was then determined, and happily determined, for all time. Yet the same arguments now urged against the acquisition by the Government of the telegraph and telephone, if sound, could be made with equal emphasis and equal cogency against the existing system of Federal mail control.

But the people of the United States and their Government thought otherwise when telegraphy came into existence and when the telephone was discovered, or they were indifferent about it. Hence both have been developed by private enterprise. Both have come under the control and ownership of huge corporations, capitalized by the hundreds of millions, and transacting a business equal to that which is transacted by the mail.

Mr. President, these concerns, like all other private corporations controlling and owning public utilities, have waxed strong and powerful. They have identified themselves with local and with General Government, they have taken part in the conflict of political parties, they have contributed to the corrupting influences of modern politics, and have acted as those controlling public and semipublic utilities always seem to act, possibly in self-defense, certainly through motives of self-interest. While public ownership may be as disastrous as some of the opponents of this bill seem to think, I do not believe that the evil will be greater, that its abuses will be more extensive, than they have been, and doubtless will continue to be, if permitted to remain as heretofore under private control.

Believing therefore, Mr. President, that the Government should, as a matter of course, precisely as it controls our mail system also control our facilities for other means of communication, I shall vote for the pending resolution.

I regret very much that this subject was not acted upon simultaneously with out declaration of war against Germany. If there be anything among human agencies that should be under the absolute control of the Central Government during times of war, it is control of all means of communication. In so saying, Mr. President, I do not for a moment wish to be understood as reflecting upon the manner in which the telegraph and telephone companies have conducted their business during the war. I know of no complaint which can be made against them in so far as the public business is concerned. I know of no betrayal of confidence; I know of no delay in Government business; I know of nothing which would justify any adverse criticism of their admirable management.

But, Mr. President, that is merely a detail. Fundamentally where should control of all means of communication be in times of war? It is a fact familiar to every Member of this body, a fact perhaps familiar to the whole country, that in England, in France, in all the other considerable nations of the world, the telegraph and telephone systems have been nationalized ab initio. I can not at this moment recall a single nation of any consequence, I am unable to recall any of the smaller nations, which do not own or control the systems. The very obvious reason is that the national authority must in its own interest and for its own well being supervise and operate the agencies through which information and intelligence are distributed among the people.

Mr. President, it does not follow that our taking these lines over will commit the Nation to the policies of socialism. It does not follow from an adoption of this measure that we are

committing or will commit the Government to a policy that conflicts with our institutions or with the policies of the past. It by no means follows that Government acquisition of the lines of telegraph and of telephone will interfere seriously or otherwise with the business interests of the country, that the Government will become a spy upon private conversation and avail itself of its opportunities for espionage, or that a complete or any revulsion from present conditions to more disagreeable and undesirable ones will ensue.

Mr. President, if private conversations should be excluded from the knowledge of others I know of no manner in which to prevent it. Where the lines are under private control private conversations are as much subject to the eavesdropper as when they are under public control. It is a terrible thing, you say, for the Government agent to "listen in" upon a private conversation. But it is a common thing for a private agent to do so. The transfer of possession does not affect this condition, whatever else it may do. It in no manner changes the mechanical methods of communication but merely substitutes one control for another.

If this be an evil, this imagined change, because I can dignify it by no other term, it is strange that it has not manifested itself in other countries where the telegraph and the telephone have always been operated by government agencies and under government ownership.

These evils, Mr. President, are largely anticipatory ones. An old philosopher shortly before his death said that most of his troubles in life consisted of things that never happened. Most of the evils anticipated or predicted of this proposed change are evils which in my judgment will never happen. It may be, indeed, I think it is, true that private enterprise in the management of the telephone and the telegraph is more capable, more economic, more satisfactory than similar agencies under public control. I think that is true of the railway system. It is true perhaps of every well-ordered public utility. But the dangers attending and the evils which are the outgrowth of private control of things essentially public are so manifest and the tendency to evoke them so strong that it is not surprising that with this satisfactory service they are able to generate conditions which have frequently proved the wreck of parties, and as frequently provoked changes in administration.

I believe, Mr. President, thoroughly in the proposition that the Government should not only take over all the lines of telegraph and, at least, all the trunk lines of the telephone companies for the war but for all time, and operate them as the Postal System of the country has been operated since our Government was established. So believing I shall support this measure, although I shall vote for an amendment offered by the Senator from Missouri [Mr. REED] as affecting the transmission of private business, not because it is a war measure, not because it is offered at a time when industrial difficulties are suggested or threatened, but because I believe it is opportune to vest in the Government of the United States the permanent control of all the avenues and agencies of mental communication.

The system has been one-sided. I am willing to concede that these vast telephone and telegraph systems would not have been as well developed under Government management from the inception of the business as has been the case under private ownership. That, however, only indicates the greater importance of the system, because of the greater degree of its growth.

The Senator from New York [Mr. WADSWORTH] warned us that the passage of this bill meant the establishment of bureaucracy. Mr. President, if so, I should hesitate, much as I believe in the doctrine of public ownership of all agencies of intelligence, to vote for this measure. If I thought that any legislation, however urgent the necessity for its enactment, would establish bureaucracy as we understand it in our governmental affairs, I would only vote for it as a dire alternative to defeat at the hands of Germany. But unfortunately, Mr. President, bureaucracy has been established long ago in our public affairs. We are governed by bureaus and have been so governed for the last 45 or 50 years. We will continue to be governed by bureaus, increasing in number and extended in authority until we radically change our methods of legislation and require the States to exercise their rights and discharge their duties, instead of saddling them upon the Public Treasury.

Mr. President, you can not go on Pennsylvania Avenue and throw a stone without striking half a dozen bureaucrats. Not only the streets and the buildings but the woods are full of them, and they are multiplying every day. And with bureaucracy we have red tape in great and constantly increasing abundance. If a bureau is established to-morrow, day after to-morrow it will be bound hand and foot by the winding folds of that simple little article which we call red tape. It breeds like Canada thistles, springs spontaneously from the bosom of every bureau, whatever its purpose, just as soon as it is established. The red, white, and blue is the emblem of the Republic, but red tape has become its sign manual. Many of these bureaus are distinguished for the insolence and inability of those who control them. All are noted for their expertness in the art of passing the buck and teaching their subordinates how not to do it. But the enactment of this bill will not establish another bureau, for I think, Mr. President, the transfer should be, because it is a natural transfer, directly to the agency of the Government which has charge and control of the mails.

Mr. President, I have sometimes expressed a belief in the Government ownership of railways, not from a sense of conviction of its desirability, but from a belief in its expediency as the sole alternative to conditions developed by private ownership. Under private ownership a power has been developed which neutralizes the laws of the States which sometimes ignores those of the Nation, a power the control of which by the Interstate Commerce Commission has, in my judgment, proved largely ineffective; a power which can not safely coexist with that of the General Government. The only solution of this mighty problem would seem to be the possession by the Government of these vast properties and their general operation for the benefit of the public.

Hence, Mr. President, when the railroads were taken over last winter I regarded it as an opportunity for experiment by the Government of that great problem. I hoped that it would be characterized by efficiency, promptitude, satisfactory operation; in fact, by all the best features developed under private ownership. I felt that if it became a success during the war experiment public sentiment would overwhelmingly insist upon permanent Government ownership, with proper compensation to the owners for their property. On the other hand, I felt that if public administration proved unsatisfactory, unwieldy, smothered in the folds of bureaucracy, and subjected to the curses and delays of red tape, the revulsion of public sentiment from the idea of Government ownership would be equally overwhelming.

I do not know, no man can tell, whether the present administration of the railway systems from a business and economic standpoint will be as satisfactory as their private management, but judging from the progress we have made, candor compels me to state that it has not proved the success for which I had hoped.

Yet, Mr. President, I do not regret my support of the railway bill, because the public needs essentially demanded public control. I believe and hope that if public management and public control prove unsatisfactory and overexpensive, the roads will come back to the companies after the war shall have ended, which, chastened by their experience and the experience of the Nation, will conform more nearly to their duties and requirements and be less and less prone to lapse into those practices which have hitherto made private ownership obnoxious and unpopular.

Mr. President, I presume that if the owners are required to surrender to the Government their various lines of telegraphs and telephones the number of Government employees will be largely increased. I have no doubt that the wages of the operators will also be advanced, because of the increase in the cost of living and the natural tendency of the Government to pay more for the same service than is paid by private employers. Moreover, the tendency of public employees in these days to organize into unions and join the great federation will bring about that situation. I have on various occasions, Mr. President, called attention to these tendencies, and, as best I could, I have opposed them upon this floor, particularly those which indicate a purpose to meet every advance of the cost of living by corresponding advances in wages and of salaries.

However, Mr. President, that is one of the evils of the day not confined to Government employment but observable in all of the industrial life of the Nation. The profiteer begins with the man who demands more than a reasonable wage for his day's work, and it ends with the man who makes millions in Government contracts, or through opportunities created by war conditions. These are things to be deplored, but, unfortunately, they are inseparable from war. They have existed ever since history began, and they will continue to exist so long as human nature remains unchanged.

Mr. GORE. Mr. President——

Mr. THOMAS. I yield to the Senator from Oklahoma.

Mr. GORE. I want to ask the Senator if he does not think it would be as just and as justifiable to fix the rate of wages as to fix the price of wheat?

Mr. THOMAS. Mr. President, I think, to use the Senator's expression, it is just as justifiable to fix the price of wages as it

is to fix the price of wheat, and that it is just as justifiable to fix the price of wheat as it is to fix the price of anything else.

Mr. GORE. I think the Senator is right, but since I have asked the question, I should like to say that I do not believe in either one.

Mr. THOMAS. Mr. President, I was nearly through, but in view of the question of the Senator from Oklahoma let me say that I was at one time an advocate of price fixing. About the time of our declaration of war, when the cost of the necessities of life was being lifted beyond the means of the average man, when landlords, and particularly in this city, were taking advantage of our congested conditions and raising rents to an exorbitant degree, when the general supply of foodstuffs had to be conserved, not only for ourselves but for our allies, I entertained the opinion that we should have a price-fixing law, investing the Executive authority with the power, after studying the market, to place arbitrary limitations upon the cost of the necessities of life.

Mr. President, we have had something over a year's experience in that line. I do not think it has satisfied anybody. Some of us have read the experiences of other nations under similar conditions and studied legislation of simliar character at other times and in other countries. I have to some degree consulted authorities upon political economy with regard to legislation of such import. I may be mistaken, but I have reached the somewhat reluctant conclusion that there is but one way in which a nation can regulate prices and hold them down to a reasonable level in time of war, and that is by doing what Great Britain did immediately after her declaration of war, and what we should have done.

The British Government, Mr. President, immediately after the war declaration invested millions of dollars in the staples of life—in wheat, in sugar, in oil, in wool stuffs, and in other fabrics. It invested regardless of cost and accumulated vast stores of these staple commodities, which, of course, were purchased with the proceeds of taxation and bond issues. Until they were exhausted, she used these huge reservoirs in distributing for the public needs at reasonable prices the stores which she had accumulated, thus forcing down to the same level the prices of similar commodities in private hands. Of course that meant a loss to the taxpayer and a loss to the Government; but it were better, Mr. President, that the loss should thus come than that the wage earners and the salary receivers of a great nation should be exploited and oppressed as they have been for some time in the United States and who obtain little, if any, relief from price-fixing processes.

I do not intend to occupy the time of the Senate in discussing this subject, which is a digression, but I think every one has noticed that, although the Government fixed the price of wheat and has recommended substitutes for it, the recommendations having always been cheerfully acceded to by the great body of the people, the substitutes immediately rose in price until they reached a point in excess of the wheat price fixed by Government regulation. This indicates, Mr. President, the operation of natural laws of trade upon articles in great demand where no restraint whatever has been placed or sought to be placed upon them. We have, therefore, the remarkable spectacle of corn and rye and barley and their products being more expensive than wheat and its products, and the consequent spectacle of farmers feeding the more precious grain to their live stock, instead of the substitutes, which are better for the purpose.

If price fixing is to be followed, it should be applied universally; otherwise it is worse than useless. If it applies only to some commodities, other commodities of similar character will inevitably advance beyond all reason and production of the price-fixed commodity will diminish if it does not cease altogether. If the policy be applied to all commodities, the play of the law of supply and demand will tempt if it does not compel the people to disregard the price limitation or refuse to buy or sell as their resources or their needs may determine.

Mr. President, I do not think it is practically possible. There is a way of meeting the extortionist, however; and I hope that this Congress will adopt it before we adjourn. I refer to the liberal taxation of these extraordinary profits wherever found. The Government by that means, by a process of recaption, as it were, can compel the profiteers, whether large or small, whether they be men who toil with their hands or with their brains, to give the unusual gain to the service of the country, thus relieving the ordinary sources of revenue from the burdens which would otherwise be placed upon them.

Mr. President, I have said more than I intended to say. Let me summarize before taking my seat by stating that I shall support this measure, because I believe that these agencies of communication should be in the hands of the Government, because I believe they never should have been in any other hands, because I believe and hope that, when the transfer is made, it will be a permanent one and continue as well after as during the war.

Mr. McCUMBER. Mr. President, I wish very briefly to reply to that portion of the argument of the Senator from Colorado [Mr. THOMAS] which deals with the price charged for food products and substitutes for wheat flour. This, Mr. President, immediately involves the whole question of the veto of the Agricultural appropriation bill.

I have read the veto message of the President. The data upon which the President has formed his conclusion are so erroneous in character that I am compelled to believe that those who furnished him with the erroneous data are responsible for the veto. I can not imagine that he would formulate a conclusion upon the estimates that have been made to him unless he had relied entirely upon those who had given him the estimates.

But they are so inaccurate, Mr. President, that I feel it my duty to reply to them now. I feel that I can only answer my duty to my own constituents by a reply this afternoon. It has been suggested by some of my colleagues that I might allow this matter to go over until the Agricultural bill has been brought before us; but, Mr. President, I am opposed to going into the graveyard and digging up a body that has been interred for 40 days and then proceeding with a post-mortem examination. I shall be very brief, indeed, Mr. President, and will not take over 20 minutes' time if not interrupted.

I ask first to have printed in the RECORD, without reading, the President's veto message.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

The veto message (H. Doc. No. 1229) is as follows:

To the House of Representatives:

I regret to return without my signature so important a measure as H. R. 9054, entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1919," but I feel constrained to do so because of my very earnest dissent, from the point of view of principle as well as of wise expediency, from the provision of that part of section 14 which prescribes a uniform minimum price for No. 2 northern spring wheat of $2.40 per bushel.

I dissent upon principle, because I believe that such inelastic legislative price provisions are insusceptible of being administered in a way that will be advantageous either to the producer or to the consumer, establishing, as they do, arbitrary levels which are quite independent of the normal market conditions, and because I believe that the present method of regulation by conference with all concerned has resulted in the most satisfactory manner, considering the complexity and variety of the subject matter dealt with.

It is evident that the present method of determining the price to be paid for wheat has had the most stimulating effect upon production, the estimated crop of spring wheat for this year exceeding all high records in a very remarkable and gratifying way. By an overwhelming majority of the farmers of the United States the price administratively fixed has been regarded as fair and liberal, and objections to it have come only from those sections of the country where, unfortunately, it has in recent years proved impossible to rely upon climatic conditions to produce a full crop of wheat, and where, therefore, many disappointments to the farmer have proved to be unavoidable.

Personally I do not believe that the farmers of the country depend upon the stimulation of price to do their utmost to serve the Nation and the world at this time of crisis by exerting themselves to an extraordinary degree to produce the largest and best crops possible. Their patriotic spirit in this matter has been worthy of all praise and has shown them playing a most admirable and gratifying part in the full mobilization of the resources of the country. To a very greatly increased production of wheat they have added an increased production of almost every other important grain, so that our granaries are likely to overflow, and the anxiety of the nations arrayed against Germany with regard to their food supplies has been relieved.

The administrative method of agreeing upon a fair price has this very great advantage which any element of rigidity would in large part destroy, namely, the advantage of flexibility, of rendering possible at every stage and in the view of every change of experience a readjustment which will be fair alike to producer and consumer.

A fixed minimum price of $2.40 per bushel would, it is estimated, add $2 per barrel to the price of flour; in other words,

raise the price of flour from the present price of $10.50 at the mill to $12.50 at the mill, and inasmuch as we are anticipating a crop of approximately 900,000,000 bushels of wheat this increase would be equivalent to the immense sum of $387,000,000.

Such an increase of the price of wheat in the United States would force a corresponding increase in the price of Canadian wheat. The allied Governments would, of course, be obliged to make all of their purchases at the increased figure, and the whole scale of their financial operations in this country, in which the Government of the United States is directly assisting, would be thereby correspondingly enlarged. The increase would also add very materially to the cost of living, and there would inevitably ensue an increase in the wages paid in practically every industry in the country. These added financial and economic difficulties, affecting practically the whole world, can not, I assume, have been in contemplation by the Congress in passing this legislation.

WOODROW WILSON.

THE WHITE HOUSE, *12 July, 1918.*

Mr. McCUMBER. Mr. President, it is not my purpose to criticize or find fault with the President of the United States because of his veto of the Agricultural bill. He is clearly within his rights under the Constitution of the United States. He has applied his judgment in the veto of $2.40 per bushel wheat in conformity with his best judgment in the premises. The information upon which he bases his judgment must of course come from outside sources. It is impossible that any one man should know more than all other men about any one subject. On the other hand, each person has some knowledge on some subject not possessed by every other man. The duties of the President are multitudinous—incomparably greater than the duties of one who represents, as I do, a wholly agricultural State. But the fact that one does so represent an agricultural State forces upon him the necessity of acquainting himself with every important condition affecting the agricultural interests. And, Mr. President, it is because I have made a special study of agricultural conditions in the past, in order that I might properly represent the one great industry of my State, that I feel it my duty to reply in part to this veto message. It is not because anything I may say will change the result. We have not a two-thirds majority in favor of the Senate amendment. The veto can not therefore be overruled. But it is due to the wheat raisers of the United States that the justice of their cause be as clearly presented as I am able to present it in the brief reply I shall make.

The President is absolutely right when he says:

> Personally I do not believe that the farmers of the country depend upon the stimulation of prices to do their utmost to serve the Nation and the world at this time of crisis by exerting themselves to an extraordinary degree to produce the largest and best crops possible. Their patriotic spirit in this matter has been worthy of all praise and has shown them playing a most admirable and gratifying part in the full mobilization of the resources of the country.

I have never rested my argument for a more just consideration of the farmer's interest on the ground that his efforts to produce sufficient grain to supply the demands of this country and our allies needed the stimulation of more inviting prices. On the contrary, the fact that, notwithstanding the farmers could realize more out of any other cereal crop than out of their wheat, they have nevertheless planted more than the average acreage into wheat demonstrates a degree of patriotism and self-sacrifice that has not been manifested to the same extent in any other line of industry. My plea has been that of justice simply. The wheat raiser is not asking favors. He is asking for simple justice. He has never asked that you fix any price for his product. All he has asked is that the price of his product be allowed to adjust itself to the demand. He presents to you the fact that you have not only, through Government manipulation and encouragement and by actual Government edict, increased the price of labor from 200 to 400 per cent, but have thereby enormously increased the cost of raising his wheat, and at the same time you have increased to the same extent the price of everything which he must purchase. And he has a right to ask you, Mr. President, why you discriminate against him only.

Why is it that he has not rights equal, at least, to the rights of your lowest-paid labor? Anyone acquainted with the farm earnings of the United States knows that the net earnings of the farmer are not one-fifth the net earnings of the unskilled labor of the country. Why, then, further discriminate against him? Why should not the heavy burden of this war be borne equally by all? Why place upon the shoulders of the grain raisers the far heavier load? Your carpenters prior to the war received about $4 per day. These same carpenters are to-day receiving $10 per day, a dollar an hour through the week and $20 per day on Sunday. In the face of such an enormous advance in his wages, why should we deem it a hardship or a wrong to him to allow the farmer to obtain to a very little extent a portion of that which would be his due by right by the everlasting law of supply and demand, which, if not interfered with, automatically equalizes all differences to a degree of equality which no price-fixing machinery could ever possibly effect.

Again says the President of the United States:

> The increase would also add very materially to the cost of living, and there would inevitably ensue an increase in the wages paid in practically every industry in the country.

But did it not occur to you, Mr. President, when in 1916 you affixed your signature to a bill which increased by 25 per cent the wages of all the employees of all the railways of the country, who were then receiving from $4.50 to $12 per day, that it thereby necessarily increased the cost of living? Did it not occur to you when the Director of Railroads made another increase in wages to all employees of railways to an even greater extent, involving an addition of something like $340,000,000, you thereby further increased the cost of living? Did anyone present to you when you added this 25 per cent to freight and passenger rates, which in some instances increased freight rates over 100 per cent, that you not only greatly increased the cost of living but that a very important proportion of this $340,000,000 was charged back to the farmer who must ship his wheat?

Under your estimate the people of the United States would be compelled to pay to the farmers $387,000,000. I can not see how it is possible for you to arrive at that conclusion. You say that the anticipated 1918 wheat crop will be 900,000,000 bushels. The increase provided in this bill above the present price fixed by the Food Commission is 20 cents a bushel. Twenty cents a bushel on 900,000,000 bushels amounts to $180,000,000, or $207,000,000 less than your estimate. Who gave you that erroneous estimate? Some one who either knew nothing about what the increase would be, or who, it seems to me, must have purposely determined to mislead you.

Again, you say:

> A fixed minimum price of $2.40 per bushel would, it is estimated, add $2 per barrel to the price of flour; in other words, raise the price from the present price of $10.50 to $12.50 at the mill.

I am wondering who could possibly have presented to you such an estimate. Certainly you could not have made the computation yourself. Let me bring this to your attention, Mr. President, and show you the gross error of such an estimate.

The increase allowed the farmer by the Agricultural bill, as it finally passed, over and above what is allowed by your Food Commission, is just 20 cents a bushel. Now, it takes 4½ bushels of wheat to make a barrel of flour. The increased cost of the wheat would, therefore, be 90 cents per barrel, and not $2 per barrel. Certainly you would not contend that if the miller was compelled to pay 90 cents more for the wheat that goes into a barrel of flour he would thereby be justified in charging $2 a barrel additional for his flour. Did anyone present to you the fact that under the present prices this miller is selling the very bran, the shell of the wheat, back to the farmer for $60 per ton, or $1.80 per bushel?

And again, Mr. President, did anyone call your attention to the fact that during the last year, according to the report of your Trade Commission, the increase in the miller's profits in 1917 over and above prewar profits ranged from 112 per cent to 437 per cent? Do you not think, Mr. President, that, as a matter of fact, this 90 cents more for the wheat that goes into a barrel of flour could be absorbed in these enormous profits and still leave an immense profit to the millers without charging the public one cent more per barrel, much less an additional sum of $2 per barrel?

Again, you state:

> Such an increase of the price of wheat in the United States would force a corresponding increase in the price of Canadian wheat.

Prior to the war in Europe wheat in the United States, with equal freight facilities for exporting, averaged for years about 10 cents per bushel more than like grades of Canadian wheat. I have not the exact figures, and am unable to obtain them at this time, which are being paid by the British Government for Canadian wheat. I only know that when the Food Commission fixed the price of our wheat they fixed it considerably below what the British were paying for Canadian wheat. We ought to receive more for our wheat, because our wage scale in the United States is to-day far above that of Canada.

Mr. GORE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from Oklahoma?

Mr. McCUMBER. I do.

Mr. GORE. I am informed that the quotation in Winnipeg on June 24 for No. 1 northern spring wheat was $2.21.

Mr. McCUMBER. At Winnipeg?

Mr. GORE. At Winnipeg; yes, sir; and the price at Minneapolis fixed in the President's recent proclamation was $2.17.

Mr. McCUMBER. I note also, Mr. President, that the veto message contains an estimate of 900,000,000 bushels of wheat. I am not prepared to-day to either confirm or deny that estimate. My candid judgment is that it is far too large. I have seen no estimate made as to the spring wheat crop since the drought struck the Dakotas and Montana where the greater portion of the spring wheat is raised. I had a telegram the other day from one of the large wheat-raising counties which stated that the crop in about three-fourths of the area of the State would not be over 7 bushels per acre; and if the drought continued, there might be a total failure in that section. In the Red River Valley, I am informed, the crops are reasonably good and practically safe. I read from a letter of July 8:

Mr. Wiper wrote you the other day, and I presume he told you all about crop conditions. We still have a chance of a fair yield from the late grain, provided we get rain soon. The early grain is about gone. In fact, the cattle have already been turned on some of it. We had some hail a while back that damaged the rye considerably.

This information comes from a section of the country about 200 miles distant from the other communication which I have just read, and in a section where I have most of my own farming interests, and in which I have had a deficit for the last two years.

The latest information I have comes from Granville, in my State. It comes from a gentleman with whom I am personally acquainted, and who, I know, is not inclined to exaggerate matters. As this letter reports on all of that section of the United States, I shall read it in full:

GRANVILLE, N. DAK., *July 8, 1918.*

Hon. P. J. McCUMBER,
Washington, D. C.

DEAR SENATOR: Western North Dakota's wheat crop is mostly all gone, and the rye crop at the best will not be over 50 per cent, and a very poor grade, with the most favorable weather. No moisture in the ground, and the most of it is beyond relief. The hay is going to be very short.

I am reliably informed that it extends clear to Havre, Mont., and covers a wide belt. The State or National Government will have to come to the aid of 90 per cent of the farmers in procuring seed grain for 1919 if the land is to be cropped. I give you this information for your personal use and that you may be informed on conditions.

I am, very truly, yours,

C. W. HOOKWAY.

I am not presenting these letters and communications to appeal to Senators or to the President for sympathy for those in this section of the country who have already lost two previous crops; I am presenting them simply to show that the probable estimate of 900,000,000 bushels has not taken into account the late unfavorable climatic conditions which are so seriously affecting the greater portion of the spring-wheat belt.

In an address of the President of the United States delivered at the joint session of the two Houses of Congress December 4, 1917, he states:

The farmers, for example, complain with a great deal of justice that, while the regulation of food prices restricts their incomes, no restraints are placed upon the prices of most of the things they must themselves purchase; and similar inequities obtain on all sides.

The farmers of my State have had many things to contend against. But they have heretofore borne their losses with fortitude and, as a class, have never asked any favors of the Government. They have asked for justice. In striking down the market price of their product 80 cents per bushel, a great injustice was done them. In vetoing a bill which sought to turn back to them 20 cents a bushel, or just one-fourth of that which was taken from them by the edict of the Food Commission, another injustice is heaped upon them.

Mr. President, if all the people understood the real meaning and effect of this increase granted by the Agricultural bill, if they were able to compare it with the increase in the earnings of the American consumer, their sense of justice would have found voice in such an urgent protest that there would have been no veto. If the President understood this matter as those who have given the agricultural problems a life study, he never in the world would have vetoed this bill for the reasons stated. I wish to bring this matter into as clear relief as possible, so that he who runs may read.

This Agricultural bill increases the price to be paid for the 1918 wheat crop 20 cents per bushel above that which has been fixed by the Food Commission.

The Food Commission's price was 80 cents per bushel less than that fixed by the law of supply and demand. That 20 cents per bushel may measure the difference between a small profit and a certain loss to many farmers. That 20 cents a bushel, when carried into flour or bread, is so insignificant that, as a matter of fact, it will not be taken into consideration at all in the retail price of flour or the retail price of a loaf of bread.

Let us look into the sale of grain and its manufacture into flour. I shall not now discuss the uncertainty of a wheat crop, nor the number of total failures, nor even the enormous cost of labor which is necessary to produce a crop under present conditions.

Four and a half bushels of wheat make one barrel of flour, or 196 pounds. In addition to this it makes 74 pounds of middlings called shorts, or graham and bran. Therefore, about 27 per cent of the grain sold to the miller is in these middlings. The bran itself, which is the mere shell of the kernel, is to-day sold back to the farmer by the miller at about $60 per ton, and the middlings, graham, or shorts, are sold to the ultimate consumer at a higher price than the pure wheat flour.

The $2.20 per bushel fixed by the Food Commission for the 1917 crop and now carried to the 1918 crop is based upon No. 2 northern at the principal terminal points. As a matter of fact, the farmer's grades run very little No. 1, and mostly from No. 2 to No. 4. So that for his entire crop he probably would receive about $1.80 per bushel on the average at the local elevator. If the farmer, therefore, buys back the bran at $60 per ton he is paying for it at the rate of $1.80 per bushel, just about what he received for his wheat. Thus, we have the farmer—and I speak of the farmer and the dairyman as one person—selling a bushel of wheat at the nearest elevator for $1.80 and then buying back one-fifth of what he sells in weight, which is the bran—not taking into account the graham or middling—at the rate of $1.80 per bushel.

So this one-fifth of the wheat has not cost the miller one cent. It is exactly the same as though a cheese factory should buy the farmer's milk for 5 cents a quart, extract the cream and make it into butter, sell that butter for 40 cents per quart, and then take the milk, make it into cheese, sell it for 45 cents per quart, and then sell the whey back to the farmer for 5 cents a quart, just what he was paid for his cream, milk, and whey combined. And, Mr. President, this is just what the farmer is getting from this cheese-making Food Commission. He is getting the whey. The commission says to him, "Swallow it, it is good enough for a farmer."

But the Food Commission are attempting to hide behind the shadow of the ultimate consumer, this poor consumer whose hours of toil have been reduced to half those of the farmer and whose wages have been increased from 200 to 400 per cent above the pre-war wage scale. I said the commission was attempting to hide behind this shadow. But that is incorrect. There is not even a shadow to hide behind. The sunlight of truth falls straight from the zenith, shedding its illumination all around and through this false, assumed interest in the ultimate consumer.

If you, the Food Commission, wish to represent the ultimate consumer, why do you allow the charge for potatoes to increase overnight from the already extortionate price of 40 cents a peck to the criminal robbery of 80 cents per peck? If you are looking after the ultimate consumer, explain to him how it is that you allow the miller to increase his profits more than 300 per cent over prewar prices. If you are looking after the ultimate consumer, explain to him why it is that you permit the packer to increase his earnings 400 per cent above prewar earnings. If you are looking after the ultimate consumer, explain to him why you allow the flour and feed commission men to increase their earnings more than 300 per cent above prewar earnings. If it is the ultimate consumer you are looking after, tell him why the retail merchant is allowed to enormously increase his net earnings over prewar earnings. If you are trying to do justice to both the wheat producer and the wheat consumer, explain to the producer why you allow the miller to charge him for the waste products—the bran, the shell of the wheat—the same price that the miller paid him for the whole wheat. And then tell the consumer why you compel him to buy substitutes—graham flour, for instance, which is half bran—and permit the retailer to charge him for that adulterated flour a higher price than he has to pay for the pure wheat flour.

Now, let us place the farmer and this ultimate consumer face to face and allow them to present their respective cases. The farmer says to the ultimate consumer:

"Under the law of supply and demand the increased call for my wheat to supply the allies raised its price to $3 per bushel. Under the law of supply and demand calling for war supplies for the allies your labor advanced to $3 per day. Then the Government stepped in and with a Food Commission cudgel drove down the price of my wheat 80 cents per bushel and said that I should not receive even at the terminal markets more than $2.20 per bushel. At the same time that the Government drove the price of my product down it stepped in and increased

your wages from $3 to $5 per day. The Government, therefore, decreased the purchasing power of my wheat 26⅔ per cent and at the same time increased the purchasing power of your day's work 66⅔ per cent. Can't you see, therefore, that you not only get the best of me nearly 100 per cent in paying with your labor for the thing which my labor produces, but, in addition, that your labor has so increased the price of everything that I must purchase with my wheat that I am compelled to pay that additional 66⅔ per cent on all my purchases?"

"How do you make that out?"

"By a very simple process of computation. In one sense there is no such thing as raw material, as nothing is fit for use until labor has been bestowed upon it. What is one man's finished product becomes the raw material for the next man. And in this sense I use the term raw material. Under ordinary conditions your labor on the average constitutes at least 65 per cent of the cost of any finished article. Therefore, an article which heretofore cost, raw material 35 cents, labor 65 cents, total $1, by reason of this increase in the cost of your labor of 66⅔ per cent, will now cost me as follows: Increase in cost of raw material, that is adding 66⅔ per cent to the 35-cent ingredient, has brought that up to 58 cents plus, and adding your 66⅔ per cent increase to the 65 per cent increased-labor ingredient, we have brought that up to $1.08, or a total of $1.66."

"But," says the ultimate consumer, "I really ought not to pay any more than I do for my flour, because I am paying so much more for everything which I must now purchase."

The farmer answers: "Then why don't you apply the economy rule where it belongs? Can't you understand that the higher price for everything you buy, except my wheat, is due in a great part to your own higher wages? Can't you understand that if the brickmaker gets double wages and the brick hauler gets double wages, and the hod carrier gets double wages and the bricklayer gets double wages, it must necessarily increase enormously the cost of the house in which you live, and the store where you buy your products, and that this means increased rentals for both your home, your office, and store buildings, and that this means higher charges for commodities sold in such buildings? Can't you see that you have simply increased the price of nearly everything which you must consume because of the increase of your labor, and everybody dealing with you is compelled to raise the price of his product so that he can still purchase your labor or the thing produced by your labor? Why do you want the farmer alone to be the goat? But, as I have always labored under adverse conditions, have always carried the heavier burden, I am willing to do so now. I am not insisting upon the $3 a bushel to which I am without question entitled, but am asking through the Agricultural bill and through the vote of American legislators that they give me partial justice, just a little element of right, and increase the price of my product 20 cents per bushel. And this, while it may change a loss to a slight profit, will be a mere bagatelle in the matter of increased cost to you."

"Labor is now receiving from $4 to $10 per day. That is an increase of from 200 to 400 per cent. Now, I want 20 cents per bushel increase to partially meet these increased earnings of labor, carrying as they do increased cost of everything I am compelled to purchase. How much will that affect your living cost? Let us see.

"You consume a barrel of flour in a year. It requires 4½ bushels of wheat to make a barrel of flour. You, therefore, consume 4½ bushels of wheat per year. With the increase of 20 cents per bushel, the increase provided in the Agricultural bill, over the price fixed by the Food Commission, your flour would cost you 90 cents per year additional. That means 7½ cents per month, one-fourth of a cent per day, 1 penny every four days. Now, Mr. Consumer, just look at this thing straight in the face. My increase in price, which is still 60 cents per bushel less than the law of supply and demand would assure me, will cost you one-fourth of a cent per day. That is the additional price you are paying for my labor. But when I hire you I must pay you an additional price of from $2 to $5 per day, which means from four hundred to two thousand times as much as you pay me.

"Why, Mr. Consumer, there is not a pig on my farm that would not unkink his tail for very shame at such a proposition. It outhogs all the hogs in Christendom. The laboring man, with his enormously increased wages, is not asking for it. The families of the country, all of whose members above 14 years of age are receiving or can receive fabulous wages, are not asking for it. The profiteers increasing their net earnings from 200 to 400 per cent are not entitled to it."

And, Mr. President, no man who will take the time to make a study of the wide difference between farm earnings and city earnings will ever ask that such a monstrous injustice should be imposed upon one-third of the population of the United States for the special benefit of the other two-thirds, whose earnings are now so great that they have decreased our efficiency at least 25 per cent at a time when it ought to have been increased at least 50 per cent.

But it has been suggested that we should base our estimates on the increased cost of a loaf of bread to the consumer rather than on the increased price of wheat, as most people buy their bread from the baker.

Well, let us follow the computation into a loaf of bread. I quote the following from a report of the Department of Agriculture made about a year ago:

> The experiments of the Office of Home Economics have to do with household methods, and in bread-making tests we have as yet had opportunity only to consider the usual flours known as "bread flours," which are probably blends. We get about 1¾ pounds of bread from a pound of flour by household methods. The Bureau of Chemistry states that commercial reports published by bakers estimate that with modern methods, which involve more or less fat and sugar, 325 pound loaves (before baking) can be obtained from a barrel of hard-wheat flour, and 300 pound loaves (before baking) from a barrel of soft-wheat flour. During baking each loaf loses about 1½ ounces in weight. These are average values for both sorts of flour, and flours vary somewhat in the amount of water which they will take up and retain.

Carrying this 20 cents per bushel into a barrel of flour would increase the cost of the barrel of flour 90 cents. Dividing this 90 cents by 300, the least number of loaves produced from a barrel of flour, we have an added cost of three-tenths of 1 cent per loaf. The average family consumes about two loaves of bread daily, so that the added cost would be about one-half of 1 cent daily. Compare this increased cost to the consumer of ½ cent per day with the increased income of the skilled and unskilled labor, of from 200 to 500 cents a day, and you begin to grasp the treatment which is being accorded to the American farmer in the veto of this little increase to which he is so justly entitled.

Mr. President, it is just these rank injustices that have driven our farmers into such a state of exasperation that they often plunge into the realm of wildest radicalism to extricate themselves from the meshes of wrongs imposed upon them. These farmers are organizing themselves, independent of all political parties, to resist such injustices and establish and maintain their just rights, and while their actions may for a time be chaotic and uncertain they will ultimately move along lines of certainty, and then woe be to that portion of our population of the great cities who have fattened on their labors or denied them equal earnings and consequent equal opportunities in the industrial and social world.

Mr. President, some day they will be heard from; their voice will be stronger even than the voice of our Nonpartisan League in the State of North Dakota, and it will be Nation wide. I am asking justice for them. I have presented their cause in this short period as lucidly and clearly as possible. They have been greatly wronged by this veto.

Mr. GORE. Mr. President, I wish to say that I have listened with a great deal of interest to the speech which has just been delivered by the Senator from North Dakota [Mr. McCUMBER]. I had intended to submit a few observations upon the same subject myself at this time, but have decided to defer them, at least for the present.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Indiana [Mr. WATSON].

The amendment was rejected.

The PRESIDENT pro tempore. The Secretary will state the next amendment offered by the Senator from Indiana.

The SECRETARY. On page 1, line 8, after the word "thereof," it is proposed to insert "except any telegraph or telephone line owned, controlled, or operated by a press bureau or press association."

The PRESIDENT pro tempore. The question is on agreeing to the amendment just read. [Putting the question.]

Mr. CURTIS. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The vote is being taken.

Mr. JOHNSON of California. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. THOMAS. Mr. President, a parliamentary inquiry. What is the amendment upon which we are to vote?

The PRESIDENT pro tempore. The amendment just stated by the Secretary.

Mr. THOMAS. Whose amendment?

The PRESIDENT pro tempore. The amendment offered by the Senator from Indiana [Mr. WATSON].

Mr. JONES of Washington. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The roll call has begun. The Secretary will call the roll.

Mr. JONES of Washington. No response has been made.

The Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). I have a general pair with the senior Senator from Georgia [Mr. HARDWICK], and therefore withhold my vote.

Mr. MYERS (when his name was called). I transfer my pair with the Senator from Connecticut [Mr. MCLEAN] to the Senator from New Hampshire [Mr. HOLLIS] and vote "nay."

Mr. PENROSE (when his name was called). I have a general pair with the senior Senator from Mississippi [Mr. WILLIAMS], who is not present. I transfer that pair to the junior Senator from New Jersey [Mr. BAIRD] and vote "yea."

Mr. SMITH of Maryland (when his name was called). In the absence of my general pair, the Senator from Vermont [Mr. DILLINGHAM], I withhold my vote.

The PRESIDENT pro tempore (when Mr. WOLCOTT's name was called). My colleague, the junior Senator from Delaware [Mr. WOLCOTT], is absent on important business. If he were present he would vote in favor of the joint resolution, but I am not informed as to how he would vote on the amendments.

The roll call was concluded.

Mr. GORE (after having voted in the affirmative). I voted inadvertently. I desire to say that on this vote I have a pair with the senior Senator from Wisconsin [Mr. LA FOLLETTE]. If he were present he would vote "nay," and I should vote "yea." I withdraw my vote.

Mr. MCKELLAR. I desire to announce the unavoidable absence of the Senator from Arkansas [Mr. KIRBY] on official business. He is paired with the Senator from West Virginia [Mr. GOFF]. I ask that this announcement stand for the day.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Pennsylvania [Mr. KNOX] with the Senator from Oregon [Mr. CHAMBERLAIN];

The Senator from West Virginia [Mr. GOFF] with the Senator from Arkansas [Mr. KIRBY]; and

The Senator from Massachusetts [Mr. WEEKS] with the Senator from Kentucky [Mr. JAMES].

Mr. FRELINGHUYSEN (after having voted in the affirmative). I transfer my pair with the Senator from Montana [Mr. WALSH] to the Senator from Iowa [Mr. CUMMINS] and will allow my vote to stand.

Mr. FLETCHER. I have a general pair with the Senator from New Hampshire [Mr. GALLINGER], which I transfer to the junior Senator from Missouri [Mr. WILFLEY], and vote "nay."

Mr. LEWIS. I rise to announce the absence of the Senator from Kentucky [Mr. JAMES], occasioned by illness. I ask that this announcement stand for the remainder of the day.

I also wish to announce the absence of the junior Senator from Kentucky [Mr. BECKHAM]. I am informed that were he here and voting he would vote "nay."

I also wish to announce the absence of the Senator from Arkansas [Mr. ROBINSON], occasioned by official business or family illness, I do not know which.

Mr. MYERS. My colleague [Mr. WALSH] is necessarily absent. He is paired with the Senator from New Jersey [Mr. FRELINGHUYSEN]. If present my colleague would vote "nay."

Mr. SMITH of Georgia (after having voted in the negative). I have a general pair with the senior Senator from Massachusetts [Mr. LODGE]. I transfer that pair to the junior Senator from Louisiana [Mr. GUION] and will let my vote stand.

Mr. KENDRICK. I transfer my pair with the Senator from New Mexico [Mr. FALL] to the Senator from Arkansas [Mr. ROBINSON] and vote "nay."

Mr. WATSON (after having voted in the affirmative). I have a general pair with the junior Senator from Delaware [Mr. WOLCOTT]. I transfer that pair to the junior Senator from Michigan [Mr. TOWNSEND] and will let my vote stand.

Mr. FERNALD. I have a pair with the junior Senator from South Dakota [Mr. JOHNSON]. I transfer that pair to the Senator from Vermont [Mr. PAGE] and vote "yea."

Mr. SUTHERLAND (after having voted in the affirmative). I have a general pair with the junior Senator from Kentucky [Mr. BECKHAM]. He being absent, I withdraw my vote.

Mr. OVERMAN (after having voted in the negative). I notice the absence of my general pair, the Senator from Wyoming [Mr. WARREN]. I transfer that pair to the Senator from Texas [Mr. CULBERSON] and will let my vote stand.

Mr. GERRY (after having voted in the negative). I find that my pair, the junior Senator from New York [Mr. CALDER], is absent. I therefore withdraw my vote.

The result was announced—yeas 21, nays 39, as follows:

YEAS—21.

Borah	Harding	Penrose	Sterling
Brandegee	Johnson, Cal.	Pomerene	Wadsworth
Fernald	Kellogg	Reed	Watson
France	Lenroot	Sherman	
Frelinghuysen	McCumber	Smith, Mich.	
Hale	New	Smoot	

NAYS—39.

Ashurst	Kenyon	Owen	Smith, Ariz.
Bankhead	King	Phelan	Smith, Ga.
Benet	Lewis	Pittman	Smith, S. C.
Colt	McKellar	Poindexter	Swanson
Fletcher	Martin	Ransdell	Thomas
Henderson	Myers	Saulsbury	Thompson
Hitchcock	Nelson	Shafroth	Trammell
Jones, N. Mex.	Norris	Sheppard	Underwood
Jones, Wash.	Nugent	Shields	Vardaman
Kendrick	Overman	Simmons	

NOT VOTING—36.

Baird	Gallinger	Johnson, S. Dak.	Smith, Md.
Beckham	Gerry	Kirby	Sutherland
Calder	Goff	Knox	Townsend
Chamberlain	Gore	La Follette	Walsh
Culberson	Gronna	Lodge	Warren
Cummins	Guion	McLean	Weeks
Curtis	Hardwick	McNary	Wilfley
Dillingham	Hollis	Page	Williams
Fall	James	Robinson	Wolcott

So Mr. WATSON's amendment was rejected.

Mr. WATSON. Mr. President, I desire to state that I was absent when the vote was taken on the first amendment I offered—to strike out the telephones. I desire to serve notice that I shall reoffer that amendment when the joint resolution comes into the Senate in order, if possible, to obtain a yea-and-nay vote on it.

Mr. REED. Mr. President, I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. It is proposed to add at the end of the joint resolution the following:

> The right and privilege of the people and the press, substantially as heretofore enjoyed, to the unrestricted use of said utilities upon fair and equitable terms, shall not be interfered with, except that the governmental business may, when deemed necessary, be given precedence over all other business, and rules may be adopted and enforced to prevent the use of said utilities for any disloyal purpose.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Missouri.

Mr. THOMAS. I call for a division.

Mr. BORAH. Let us have the yeas and nays.

The yeas and nays were ordered.

Mr. REED. Mr. President, since there is to be opposition to the amendment, which I hoped would be adopted without opposition, let me briefly explain the purpose. I shall not be more than two or three minutes in this statement. I am going to state it, and that is all.

Under the provisions of the law as it now stands, any citizen has a right to go to a telegraph company and demand service. He has the same right with reference to a telephone company. He has that right because these properties are public utilities, and his rights exist under the common law, even if there were no statutes. Now, if the Government in its sovereign capacity should take over these instrumentalities, they having come into the possession of the Government itself, I am of the opinion that no private citizen would have any legal right to their use. Whatever right he had would be a mere permission. I think that we ought to preserve to the people of the country a legal right to the use of these instrumentalities, always subject to the paramount right of the Government—which is carefully preserved in the language of this amendment—to give preference to its messages, and to prevent any disloyal message whatsoever passing over the wires.

That is all I care to say. I do not care to argue the matter.

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from Missouri, on which the yeas and nays have been ordered. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). I have a pair with the junior Senator from Georgia [Mr. HARDWICK] which I transfer to the junior Senator from Oregon [Mr. MCNARY], and vote "yea."

Mr. FERNALD (when his name was called). Making the same announcement as before, I vote "yea."

Mr. FLETCHER (when his name was called). I make the same announcement as to my pair and its transfer, and vote "nay."

Mr. GERRY (when his name was called). I have a general pair with the junior Senator from New York [Mr. CALDER]. I therefore withhold my vote.

Mr. KENDRICK (when his name was called). Making the same announcement as to the transfer of my pair, I vote "nay."

Mr. MYERS (when his name was called). I make the same announcement of the transfer of my pair as on the last roll call, and vote "nay."

Mr. OVERMAN (when his name was called). Making the same announcement of the transfer of my pair as on the last roll call, I vote "nay."

Mr. SMITH of Maryland (when his name was called). Making the same announcement as before in regard to my general pair, I withhold my vote.

Mr. SMITH of Michigan (when Mr. TOWNSEND's name was called). I desire the RECORD to show that my colleague [Mr. TOWNSEND] is absent on account of illness in his family.

Mr. WATSON (when his name was called). Making the same announcement as on the last roll call, I vote "yea."

The roll call was concluded.

Mr. MYERS. I again announce the necessary absence of my colleague [Mr. WALSH] and the fact that he is paired.

Mr. McKELLAR. I wish to make the same announcement that I made awhile ago with regard to the junior Senator from Arkansas [Mr. KIRBY]. I will ask to have this announcement stand upon all roll calls for the day.

Mr. KNOX. May I inquire if the senior Senator from Oregon [Mr. CHAMBERLAIN] has voted?

The PRESIDENT pro tempore. He has not.

Mr. KNOX. I have a general pair with that Senator, which I transfer to the junior Senator from North Dakota [Mr. GRONNA] and vote "yea."

Mr. SUTHERLAND (after having voted in the affirmative). Making the same announcement as before as to my pair being absent, I withdraw my vote.

Mr. FRELINGHUYSEN (after having voted in the affirmative). Has the junior Senator from Montana [Mr. WALSH] voted?

The PRESIDENT pro tempore. He has not.

Mr. FRELINGHUYSEN. I transfer my general pair with the junior Senator from Montana to the senior Senator from Iowa [Mr. CUMMINS] and will let my vote stand.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from West Virginia [Mr. GOFF] with the Senator from Arkansas [Mr. KIRBY]; and

The Senator from Massachusetts [Mr. WEEKS] with the Senator from Kentucky [Mr. JAMES].

The result was announced—yeas 28, nays 33 as follows:

YEAS—28.

Borah	Hale	Lenroot	Sherman
Brandegee	Harding	McCumber	Smith, Mich.
Curtis	Hitchcock	New	Smoot
Fernald	Johnson, Cal.	Norris	Sterling
France	Kellogg	Penrose	Thomas
Frelinghuysen	Kenyon	Pittman	Wadsworth
Gore	Knox	Reed	Watson

NAYS—33.

Ashurst	Lewis	Pomerene	Smith, S. C.
Bankhead	McKellar	Ransdell	Swanson
Benet	Martin	Saulsbury	Thompson
Colt	Myers	Shafroth	Trammell
Fletcher	Nugent	Sheppard	Underwood
Henderson	Overman	Shields	Vardaman
Jones, N. Mex.	Owen	Simmons	
Jones, Wash.	Phelan	Smith, Ariz.	
Kendrick	Poindexter	Smith, Ga.	

NOT VOTING—35.

Baird	Gerry	Kirby	Sutherland
Beckham	Goff	La Follette	Townsend
Calder	Gronna	Lodge	Walsh
Chamberlain	Guion	McLean	Warren
Culberson	Hardwick	McNary	Weeks
Cummins	Hollis	Nelson	Willey
Dillingham	James	Page	Williams
Fall	Johnson, S. Dak.	Robinson	Wolcott
Gallinger	King	Smith, Md.	

So Mr. REED's amendment was rejected.

Mr. REED. Mr. President, I reserve the right to offer the amendment again when the joint resolution comes into the Senate, because I am very sure that there has not been a complete understanding of this question.

Mr. GORE. Mr. President, on line 7, I move to insert, before the word "telephone," the word "long-distance," and after the word "telephone" I move to insert the words "or any."

Mr. BRANDEGEE. Mr. President, if I may make a suggestion to the Senator, would it not be a better term to use the words "interstate telephone" rather than "long-distance telephone"?

Mr. GORE. The reason why I made the suggestion is that I notice that the report on the telegraphs and telephones of the country classified them into long-distance, exchange, and farmer or rural telephones.

Mr. BRANDEGEE. My impression is that those are not interstate terms. A call from one city to another city in the Senator's own State would be a long-distance call.

Mr. GORE. I think so; yes, sir.

Mr. BRANDEGEE. I did not know what the Senator's idea was about it.

Mr. GORE. I rather think, in view of the classification in this report, that this language will cover the matter. I may say, Mr. President, that there are four systems of telephones—the long-distance system, the toll system, the exchange system, and the farmer or rural system. It seems to me that the long-distance system is all that will ever be called into requisition by the Government; and the Secretary of War, in his statement before the House committee, said that the long-distance telephones could be segregated from the other systems and made available for Government use.

On the amendment I ask for the yeas and nays.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from Oklahoma.

Mr. POMERENE. Mr. President, I ask that the text be read.

The PRESIDENT pro tempore. The Secretary will read as requested.

The SECRETARY. On page 1, line 7, before the word "telephone," it is proposed to insert the word "long-distance," and after the word "telephone" it is proposed to insert the words "or any," so that if amended it will read:

Or to take possession and assume control of any telegraph, long-distance telephone, or any marine cable, or radio system—

And so forth.

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from Oklahoma. On that amendment the yeas and nays have been called for.

The yeas and nays were not ordered, and the amendment was rejected.

Mr. GORE. Mr. President, I offer another amendment, which I send to the desk and ask to have read.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. It is proposed to add a new section, as follows:

That in case the President shall take over any of the properties above described and shall enter into any agreement with the owners, lessees, or operators thereof, all such agreements shall contain, in so far as applicable, the same requirements, conditions, and stipulations as to liability to and exemption from taxation and the payment thereof as are prescribed in paragraph 3 of section 1 of an act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918, in respect to the taxation and payment of taxes on the part of common carriers under governmental control.

Mr. GORE. Mr. President, some Senators seem to be under the impression that there will be future legislation upon this subject. The pending joint legislation is final legislation upon that point. It authorizes the President to take over the telegraph and telephone systems. It authorizes him to enter into agreements with them. There will be no occasion for future legislation.

The amendment which I have proposed requires the President to insert in these agreements the provision which was embodied in the act confirming the taking over of the railroads. That measure provided that in agreements entered into by the President with the railroads the war taxes should be paid out of the just compensation of the railroads and all other taxes should be paid out of their gross revenues and should be charged up as an item of expense. If it was wise to insert that provision in the railway act, it ought equally to be inserted in the present joint resolution.

For that reason I offer the amendment.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Oklahoma.

The amendment was rejected.

The PRESIDENT pro tempore. The joint resolution is still in Committee of the Whole and open to amendment. If there be no further amendment to be proposed, the joint resolution will be reported to the Senate.

The joint resolution was reported to the Senate without amendment.

Mr. REED. Mr. President, I desire again to offer the amendment which I offered a minute ago; and when it is read I want to say just two or three words about it.

The PRESIDENT pro tempore. The Senator from Missouri offers an amendment, which will be stated.

The SECRETARY. It is proposed to add at the end of the joint resolution the following:

The right and privilege of the people and the press, substantially as heretofore enjoyed, to the unrestricted use of said utilities upon fair and equitable terms shall not be interfered with, except that the governmental business may, when deemed necessary, be given precedence over all other business, and rules may be adopted and enforced to prevent the use of said utilities for any disloyal purpose.

Mr. REED. Mr. President, I hope I can get the attention of the Senators just for a moment to this, I think, very important question. I know we are anxious to adjourn; but I hope that no Senator is going to allow his convenience for a few minutes to affect his vote on an important matter of this kind.

I am sure there is a misunderstanding as to the character of the action we are about to take. This joint resolution authorizes the taking over of these great utilities. There is no requirement of a single word of future legislation. They can be taken over to-morrow morning if this joint resolution is passed and signed to-night, and the subject matter will have passed from the control of Congress. The only possible chance we would ever have again at this question would be by an independent measure.

When we adopted the legislation touching the railroads—the only legislation that ever did really authorize the taking over of the railroads—we placed in the bill many safeguards. Among other things, we reserved certain powers to the Interstate Commerce Commission. I shall not take your time at this late hour to go into the details of that bill, but this bill as it is now drawn is simply a general authority to take over these utilities.

Mr. President, let me repeat in part what I said a few moments ago and offer an observation or two. At the present time a citizen has a right to the use of these utilities. They can not be denied to him by the proprietors, and why? Because they are public utilities and they are held in trust by the proprietors in part for the public use. Hence every citizen under the common law has the right to demand the service of these utilities and to demand it without discrimination and with a reasonable degree of care and promptness. But when the Government of the United States lays its sovereign hand upon these utilities it absorbs into itself all the rights the public bore to the State, all the rights of the individual citizens of the United States, because the Government stands for and represents all of them in contemplation of law. If then the Government should to-morrow take over these utilities and there is no clause written into the law which will perpetuate the legal right of the citizen to this service, any citizen can be refused that service and he is totally and absolutely without redress, first, because the public use has been absorbed in the sovereignty itself and, second, because he can not sue that sovereignty. Nobody can sue the United States of America except where Congress has expressly granted that permission.

Mr. SHIELDS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Tennessee?

Mr. REED. I do.

Mr. SHIELDS. I should like to ask the Senator the construction of the last clause in the joint resolution.

Provided further, That nothing in this act shall be construed to amend, repeal, impair, or affect existing laws or powers of the States in relation to taxation or the lawful police regulations of the several States, except wherein such laws, powers, or regulations may affect the transmission of Government communications, or the issue of stocks and bonds by such system or systems.

The exception, of course, is not relevant to the amendment the Senator from Missouri proposes.

Now, the question I wish to ask is, Are not the rights of the citizens of which the Senator speaks protected by the provision that this measure shall not be construed to amend, repeal, impair, or affect existing laws referring to taxation or the local police regulations of the several States? Is it not a fact that the right of the general public to be served by public utilities, such as common carriers, hotels, telegraph companies, and telephone companies, comes under the police regulation? Are not all the laws, both common and statutory, governing these public utilities police regulations, and must not the public utility render this service, and is not that preserved in the bill?

Mr. REED. If the right of a citizen to send a telegram is a police regulation it is news to me. The right of a citizen to send a telegram rests upon the common-law principle that these concerns are quasi public in their character, and that having undertaken to serve a public duty of that kind a citizen has a right to employ them.

Mr. SHIELDS. If the Senator will allow me to make a suggestion, is it not a fact that the right is born of the duty imposed upon the public utility company, because the citizen has no property and no interest of any kind in the property or the service of the company except as the police regulation requires the company to do certain things?

Mr. REED. It does not rest on that. Police regulations are for the protection of public morals and of public peace. The other rights are in their nature such as a suit could be brought to enforce.

Police regulations—

I read from Black's Law Dictionary—

Laws of a State, or ordinances of a municipality, which have for their object the preservation and protection of public peace and good order, and of the health, morals, and security of the people.

So, Mr. President, for once the distinguished lawyer and Senator, I think, is in error. The purpose of those who drafted this resolution and wrote the exception to the law was not to preserve any such rights as I am discussing.

Mr. GORE. Mr. President——

Mr. REED. Just one moment, until I finish this sentence. The exception in the bill was intended, first, to preserve those laws which affect taxation, and then it says "or the lawful police regulations of the several States." Neither of them has anything to do with interstate messages. The police regulations of the States, I think, that are referred to here are those rules and regulations which are adopted for the preservation of the public peace of the community. I yield to the Senator from Oklahoma.

Mr. GORE. Mr. President, I think the Senator from Missouri is eminently correct in his interpretation of this clause, and the history of the clause might shed additional light upon the subject. This proviso is imported from the railroad act. It was inserted in that act, of course, to protect the rights of the State over taxation and to protect the police powers growing out of the right of certain States to make regulations with respect to separate cars that ought to be preserved inviolate.

Mr. REED. The Senator means separate cars for white and colored.

Mr. GORE. Yes, sir; that is the origin of that part of the proviso. Of course it has no relation here, but was simply bodily transported into this act.

Mr. SHIELDS. The courts, both Federal and State, have held that the laws for the separation of the races on cars and in public places to be police regulations.

Mr. GORE. Certainly; that was my suggestion and it was to preserve that.

Mr. SHIELDS. At common law the regulation of charges upon vehicles, charges at hotels, and many other things were police regulations, and the duty of the common carrier to serve all was held to be a police regulation. Our statutes upon the subject are only supplementary of the common law, applied to the new public utilities that have arisen in latter days.

Mr. REED. Mr. President, the Senator has expressed his view and I have expressed mine. I am not going to be conceited enough to affirm that I am right, but I undoubtedly think I am right. If the right of the citizens to use the telephone is a police regulation and comes under the police regulation it is news to me, but I have frequently found that I run across something I never heard of before and that I have been in ignorance of. But let us assume that the Senator from Tennessee is right, I do nothing in this amendment but reaffirm and reassert a right and make it clear.

When these utilities are taken over the administration of their business affairs will be turned over to a vast multitude of men. It almost always happens that some men put into public position become more or less arbitrary, and if they are under no restraints whatever great damage and injury may be done. I think you make a mistake when you pass this bill and pass it in such a form as to make it as obnoxious as possible. I think it will do no harm to say to the people of the United States your right to use these instrumentalities is fully preserved. I am sure under ordinary conditions and circumstances an amendment of this kind would be accepted. It is not put in here for any purpose in the world except to cover what I believe will be a defect in the law governing these utilities after they are taken over. It preserves a right that all of you expect and wish and hope will be preserved.

Now, Mr. President, I do not care to argue it further for I do not want to take the time of the Senate.

Mr. KNOX. Mr. President, I would like to say one word in regard to the amendment. It seems to me a pity to enact this legislation after this proposition has been made and reject it. It is only written into the resolution that which is approved as a matter of course. It is not a right in my judgment that rests in the police power. It is a right that grows out of the nature of the service that these corporations offer to render to the general public, and we are only writing into the resolution a proposition that in our opinion no operations of these lines, if they are taken over by the Government, will interfere with that natural right. The amendment contemplates and specifically provides that in any situation where the private right and the Government right conflict the private right must give way. I hope the amendment will be adopted.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Missouri [Mr. REED].

Mr. REED. I ask for a roll call.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). Making the same announcement that I made on the previous roll call, I vote "yea."

Mr. OVERMAN (when his name was called). Making the same announcement as on the other roll call, I vote "yea."

Mr. FLETCHER (when his name was called). I make the same announcement of my pair and its transfer as on the last vote, and vote "nay."

Mr. GERRY (when his name was called). Making the same announcement as on the other roll call, I withhold my vote.

Mr. KNOX (when his name was called). Making the same announcement as on the previous vote, I vote "yea."

Mr. MYERS (when his name was called). I make the same announcement of the transfer of my pair as on the last vote, and vote "nay."

Mr. OVERMAN (when his name was called). Making the same announcement as on the previous vote, I vote "nay."

Mr. PENROSE (when his name was called). I have already announced the transfer of my pair, and I will let that announcement stand for the rest of the day. I vote "yea."

Mr. SMITH of Maryland (when his name was called). Making the same announcement of my pair as on the last vote, I withhold my vote.

Mr. SUTHERLAND (when his name was called). Making the same announcement of my pair as before, I withhold my vote.

Mr. WATSON (when his name was called). Making the same announcement as on the previous roll call, I vote "yea."

The roll call was concluded.

Mr. MYERS. I again announce the necessary absence of my colleague [Mr. WALSH] and the fact that he is paired with the Senator from New Jersey [Mr. FRELINGHUYSEN].

Mr. KENDRICK (after having voted in the negative). Making the same announcement of the transfer of my pair as on the former vote, I will let my vote stand.

Mr. SIMMONS (after having voted in the negative). I wish to inquire if the junior Senator from Minnesota [Mr. KELLOGG] has voted?

The PRESIDENT pro tempore. He has not voted.

Mr. SIMMONS. I have a pair with the junior Senator from Minnesota and withdrew my vote, not being able to get a transfer. I wish to state that if I were at liberty to vote I would vote "nay."

The result was announced—yeas 27, nays 32, as follows:

YEAS—27.

Borah	Harding	McCumber	Sherman
Brandegee	Hitchcock	New	Smith, Mich.
Curtis	Johnson, Cal.	Norris	Sterling
Fernald	Kenyon	Penrose	Thomas
France	King	Pittman	Wadsworth
Gore	Knox	Pomerene	Watson
Hale	Lenroot	Reed	

NAYS—32.

Ashurst	Kendrick	Owen	Smith, Ariz.
Bankhead	Lewis	Phelan	Smith, Ga.
Benet	McKellar	Poindexter	Smith, S. C.
Colt	Martin	Ransdell	Swanson
Fletcher	Myers	Saulsbury	Thompson
Henderson	Nelson	Shafroth	Trammell
Jones, N. Mex.	Nugent	Sheppard	Underwood
Jones, Wash.	Overman	Shields	Vardaman

NOT VOTING—37.

Baird	Gerry	La Follette	Townsend
Beckham	Goff	Lodge	Walsh
Calder	Gronna	McLean	Warren
Chamberlain	Guion	McNary	Weeks
Culberson	Hardwick	Page	Wilfley
Cummins	Hollis	Robinson	Williams
Dillingham	James	Simmons	Wolcott
Fall	Johnson, S. Dak.	Smith, Md.	
Frelinghuysen	Kellogg	Smoot	
Gallinger	Kirby	Sutherland	

So Mr. REED'S amendment was rejected.

The PRESIDENT pro tempore. The joint resolution is still in the Senate and open to amendment.

Mr. WATSON. I offer on page 1, line 7, an amendment to strike out the word "telephone," which I offered as in Committee of the Whole, and on that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). Making the same announcement that I did on the previous roll call, I vote "yea."

Mr. FERNALD (when his name was called). Making the same announcement as on the previous roll call, I vote "yea."

Mr. FRELINGHUYSEN (when his name was called). Making the same announcement as on the previous vote, I vote "yea."

Mr. GERRY (when his name was called). Making the same announcement as I did on the last roll call, I withhold my vote.

Mr. GORE (when his name was called). On this vote I am paired with the senior Senator from Wisconsin [Mr. LA FOLLETTE]. If he were present he would vote "nay," and if I were at liberty to vote I should vote "yea."

Mr. KENDRICK (when his name was called). Making the same announcement as to the transfer of my pair as on the last roll call, I vote "nay."

Mr. MYERS (when his name was called). Making the same announcement as to the transfer of my pair as on the last vote, I vote "nay."

Mr. SMITH of Georgia (when his name was called). Making the same transfer of my pair as on the last vote, I vote "nay."

Mr. SUTHERLAND (when his name was called). Making the same announcement as before, I withhold my vote.

Mr. WATSON (when his name was called). Making the same announcement as heretofore, I vote "yea."

The roll call was concluded.

Mr. MYERS. My colleague [Mr. WALSH] is necessarily absent. He is paired with the Senator from New Jersey [Mr. FRELINGHUYSEN]. If he were present, my colleague would vote "nay."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from West Virginia [Mr. GOFF] with the Senator from Arkansas [Mr. KIRBY]; and

The Senator from Massachusetts [Mr. WEEKS] with the Senator from Kentucky [Mr. JAMES].

Mr. FLETCHER (after having voted in the negative). I desire to announce the same pair and transfer as I did on the last vote, and I will let my vote stand.

The result was announced—yeas 20, nays 41, as follows:

YEAS—20.

Borah	Frelinghuysen	Lenroot	Smith, Mich.
Brandegee	Hale	McCumber	Smoot
Curtis	Harding	New	Sterling
Fernald	Kellogg	Penrose	Wadsworth
France	Knox	Sherman	Watson

NAYS—41.

Ashurst	Kenyon	Phelan	Smith, Ga.
Bankhead	King	Pittman	Smith, S. C.
Benet	Lewis	Poindexter	Swanson
Colt	McKellar	Pomerene	Thomas
Fletcher	Martin	Ransdell	Thompson
Henderson	Myers	Saulsbury	Trammell
Hitchcock	Nelson	Shafroth	Underwood
Johnson, Cal.	Norris	Sheppard	Vardaman
Jones, N. Mex.	Nugent	Shields	
Jones, Wash.	Overman	Simmons	
Kendrick	Owen	Smith, Ariz.	

NOT VOTING—35.

Baird	Gerry	Kirby	Sutherland
Beckham	Goff	La Follette	Townsend
Calder	Gore	Lodge	Walsh
Chamberlain	Gronna	McLean	Warren
Culberson	Guion	McNary	Weeks
Cummins	Hardwick	Page	Wilfley
Dillingham	Hollis	Reed	Williams
Fall	James	Robinson	Wolcott
Gallinger	Johnson, S. Dak.	Smith, Md.	

So Mr. WATSON'S amendment was rejected.

Mr. OWEN. Mr. President, before the vote is taken, I desire to call attention to Senate Document 399, Sixty-third Congress, second session, relative to Government ownership of electrical means of communication, dated November 23, 1913, the same being a report made by a special committee consisting of Daniel C. Roper, M. O. Chance, and J. C. Koons. That document shows that 69 nations of the world own and control the telegraph lines, and that the United States is the only great Nation which does not. That document is comprised in a book of 148 pages, showing most overwhelming evidence justifying the adoption of the control of the telegraph by the nations of the world, and I did not want to have the RECORD overlook that fact.

Mr. LEWIS. Mr. President, I merely wish now to say that the subject matter of this amendment respecting the wire companies and the protection of the newspapers and the press will all be taken care of by proper regulations when these companies pass into the hands of the Government. There need be no fear but that they will be taken care of after consultation with the owners and those who are interested.

Mr. PENROSE. Similar to the railroad regulations, I suppose.

Mr. LEWIS. Very similar, because such has been done, I will say to the Senator.

Mr. PENROSE. Increased rates, miserable accommodations for the traveling public, and general scandal and discontent all over the country.

Mr. LEWIS. The accommodation has not been as generous as we should like, but that is because the demands of the war have monopolized opportunity.

Mr. REED. Mr. President, I can not restrain from expressing the satisfaction I have at the official notice as to just how the business is to be managed.

The PRESIDENT pro tempore. If there be no further amendment to be offered in the Senate, the question is, Shall the joint resolution be read a third time?

The joint resolution was ordered to a third reading and read the third time.

The PRESIDENT pro tempore. The joint resolution having been read three times, the question is, Shall it pass?

Mr. SMOOT. I call for the yeas and nays.

Mr. WATSON. I demand the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. LEWIS (when Mr. BECKHAM's name was called). I am instructed to say that the Senator from Kentucky [Mr. BECKHAM] is necessarily absent on official business, and that, if he were present, he would vote "yea."

Mr. CURTIS (when his name was called). Making the same announcement of my pair and its transfer as on the previous roll call, I vote "yea."

Mr. FERNALD (when his name was called). Making the same announcement of my pair and its transfer as on the previous roll call, I vote "nay."

Mr. FLETCHER (when his name was called). I make the same announcement of my pair and its transfer as on previous roll calls, and vote "yea."

Mr. FRELINGHUYSEN (when his name was called). Making the same announcement as before as to my pair and its transfer, I vote "nay."

Mr. GERRY (when his name was called). Making the same announcement as on the previous roll calls, I withhold my vote. If permitted to vote, I should vote "yea."

Mr. GORE (when his name was called). On this vote I am paired with the senior Senator from Wisconsin [Mr. LA FOLLETTE]. If he were present he would vote "yea."

Mr. LEWIS (when the name of Mr. JOHNSON of South Dakota was called). I announce the absence of the Senator from South Dakota [Mr. JOHNSON], who has necessarily been called away, I am informed that if he were present he would vote for the joint resolution.

Mr. KENDRICK (when his name was called). I make the same announcement as to the transfer of my pair as heretofore, and vote "yea."

Mr. KNOX (when his name was called). Repeating the announcement I made on the previous vote, I vote "yea."

Mr. MYERS (when his name was called). I announce the same transfer of my pair as on the last vote and vote "yea."

Mr. OVERMAN (when his name was called). Making the same transfer of my pair as on the previous vote, I vote "yea."

Mr. SMITH of Maryland (when his name was called). Making the same announcement as on the previous vote, I withhold my vote.

Mr. SUTHERLAND (when his name was called). Making the same announcement as before, I withhold my vote. If permitted to vote, I should vote "nay."

Mr. WADSWORTH (when his name was called). I desire to be recorded in the negative and to say that my colleague [Mr. CALDER] is unavoidably detained from the Senate on important business. Were he present, he would vote in the negative.

Mr. WATSON (when his name was called). Making the same announcement as heretofore, I vote "nay."

The PRESIDENT pro tempore (when Mr. WOLCOTT's name was called). I desire to announce that if my colleague [Mr. WOLCOTT] were present he would vote in favor of the joint resolution.

The roll call was concluded.

Mr. LEWIS. I wish to announce that the senior Senator from Oregon [Mr. CHAMBERLAIN] is detained on official business, and that he is paired with the Senator from Pennsylvania [Mr. KNOX].

Mr. CURTIS. I desire to announce that the Senator from Oregon [Mr. MCNARY] is absent on account of a death in his family. Were he present, he would vote "yea."

I have been requested also to announce the following pairs:

The Senator from West Virginia [Mr. GOFF] with the Senator from Arkansas [Mr. KIRBY]; and

The Senator from Massachusetts [Mr. WEEKS] with the Senator from Kentucky [Mr. JAMES].

Mr. SUTHERLAND. I desire to announce the absence of my colleague [Mr. GOFF] on account of illness. He is paired with the Senator from Arkansas [Mr. KIRBY].

Mr. MYERS. My colleague [Mr. WALSH] is necessarily absent. He is paired with the Senator from New Jersey [Mr. FRELINGHUYSEN]. If present my colleague would vote "yea."

The result was announced—yeas 46, nays 16, as follows:

YEAS—46.

Ashurst	Kenyon	Owen	Smith, Ariz.
Bankhead	King	Phelan	Smith, Ga.
Benet	Knox	Pittman	Smith, S. C.
Colt	Lenroot	Poindexter	Sterling
Curtis	Lewis	Pomerene	Swanson
Fletcher	McKellar	Ransdell	Thomas
Henderson	Martin	Reed	Thompson
Hitchcock	Myers	Saulsbury	Trammell
Johnson, Cal.	Nelson	Shafroth	Underwood
Jones, N. Mex.	Norris	Sheppard	Vardaman
Jones, Wash.	Nugent	Shields	
Kendrick	Overman	Simmons	

NAYS—16.

Borah	Frelinghuysen	McCumber	Smith, Mich.
Brandegee	Hale	New	Smoot
Fernald	Harding	Penrose	Wadsworth
France	Kellogg	Sherman	Watson

NOT VOTING—34.

Baird	Gerry	Kirby	Townsend
Beckham	Goff	La Follette	Walsh
Calder	Gore	Lodge	Warren
Chamberlain	Gronna	McLean	Weeks
Culberson	Guion	McNary	Wilfley
Cummins	Hardwick	Page	Williams
Dillingham	Hollis	Robinson	Wolcott
Fall	James	Smith, Md.	
Gallinger	Johnson, S. Dak.	Sutherland	

So the joint resolution was passed.

ADJOURNMENTS OVER—UNANIMOUS-CONSENT AGREEMENT.

Mr. MARTIN. I send to the desk a proposed unanimous-consent order, which I ask may be entered.

The PRESIDENT pro tempore. The Secretary will read the proposed unanimous-consent agreement, as requested.

The Secretary read as follows:

It is agreed by unanimous consent that beginning with Monday, July 15, 1918, and until Saturday, August 24, 1918, the Senate will meet each Monday and Thursday, and on Thursday, August 22, 1918, the Senate will adjourn until Saturday, August 24, 1918, and at the close of the routine morning business of each Monday and Thursday the Senate will adjourn, and that during the period from July 15 to August 24, 1918, no business other than routine morning business will be transacted, and that no bills or resolutions shall be passed.

The PRESIDENT pro tempore. Is there objection to the unanimous consent asked for?

Mr. JOHNSON of California. Mr. President, I do not desire to interpose an objection to the particular resolution, because I do not wish, of course, to interfere with what my colleagues may desire, but of record I want to enter my protest against what is practically an adjournment at this time, and I want to enter my protest against an adjournment by which we come back here in a strait-jacket with a particular measure which shall occupy our time continuously, notwithstanding what emergency may confront us, until the particular measure shall have been disposed of.

Mr. SMITH of Georgia. Mr. President, I do not understand that the effect of the proposed unanimous-consent agreement will make it impossible for the Senate to meet prior to the time stated. I think it would have been better had an express provision been inserted that, subject to the call of the Democratic leader and the Republican leader, on three days' notice the unanimous-consent agreement would be suspended; but if a necessity should arise for a session of the Senate, unquestionably, on notice to Senators, they would return and this unanimous-consent agreement be set aside.

Mr. REED. Mr. President, I insist that unanimous-consent agreements can not be set aside. I am not going to object, although I am a good deal in the humor of doing so; but I call attention to the fact that under this proposed unanimous-consent agreement, no matter what the emergency may be, the Senate can not transact any business until the 26th day of August, unless it breaks the unanimous-consent agreement and its rules.

Mr. ASHURST. Mr. President, I wish to say——

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Arizona?

Mr. REED. I yield.

Mr. ASHURST. Does the Senator from Missouri say that the Senate can not transact any business until the 26th of August?

Mr. REED. Undoubtedly, under this proposed unanimous-consent agreement.

Mr. ASHURST. The Senate has passed one of the most important bills that it had before it—a bill providing for metalliferous mining on Indian reservations. That bill will pass the House within a few days with a slight amendment. Am I to be told that the Senate can not act on that measure until the 26th of August?

Mr. REED. Undoubtedly it can not.

Mr. JOHNSON of California. Mr. President, that is exactly what this proposed agreement means—that the Senate can not act until the 26th of August—and it not only means that——

Mr. ASHURST. I should like to have the proposed unanimous-consent agreement altered to that extent, and that the sole exception be made that the amendments of the House to the bill providing for the metalliferous mining on Indian reservations may be agreed to or disagreed to and that conferees may be appointed thereon.

Mr. NORRIS. Why limit it to that exception, Mr. President?

Mr. ASHURST. Because that is a very important bill.

Mr. NORRIS. I concede that to the Senator; but there may be many other things just as important as that. It does not seem to me that there is any necessity of binding up the Senate like this, even if the program is carried out.

Mr. JOHNSON of California. Mr. President, the vice of the situation is beyond that which has been suggested by the Senator from Arizona, too. One particular measure—that relating to prohibition—is to occupy us exclusively upon our return until it shall have been disposed of. Now, it may be disposed of in one day.

Mr. THOMPSON. Mr. President, will the Senator yield for one minute?

Mr. JOHNSON of California. Yes.

Mr. THOMPSON. It is expressly stated, "except by unanimous consent."

Mr. JOHNSON of California. Oh, yes; "except by unanimous consent"; but what unanimous consent will you possibly obtain, once you enter upon that measure? So you may take it that when we return here on the 26th day of August one measure—prohibition—will occupy us until it shall have been concluded. It may be concluded in one day; it is much more likely that it will be concluded in one month. So for a month from the 26th of August the Senate puts itself in such a situation that it can not do anything except debate prohibition, no matter what may happen upon the western front, and no matter what may happen in this great crisis and this great emergency.

Mr. THOMAS. Mr. President, let me ask the Senator if he does not think prohibition is more important just now than anything that may happen on the western front?

Mr. JOHNSON of California. I am unable to subscribe to that view. I am ready to sit here and vote upon prohibition on next Monday, Tuesday, Wednesday, or any day when it may be reached; but I call your attention, Senators, to the particular attitude into which we are getting ourselves at this time, and it is an attitude to which I will not subscribe. While I will not, because I am alone in that particular view, object to the unanimous-consent agreement, still I want to voice my protest against any such attitude and against any such situation.

Mr. THOMAS. Mr. President, let me say to the Senator that he is not alone in that view. I concur heartily in every word that he has uttered upon the subject.

Mr. JOHNSON of California. I am delighted to hear it; and it seems to me there ought to be a ready assent from the whole Senate to a view of that sort.

Mr. SHAFROTH. Mr. President, does not the Senator recognize that we have a morning hour each morning, and that we will not have to take up the bill until 2 o'clock, and that we can temporarily lay aside the bill at any time, and will do so if there is any emergency requiring it?

Mr. JOHNSON of California. But we can not transact any business. That is the unanimous-consent agreement.

Mr. PENROSE. We can talk. [Laughter in the galleries.]

Mr. JOHNSON of California. We can talk, and perhaps that is sufficient from the standpoint——

The PRESIDENT pro tempore. The Chair must announce that he intends to preserve order in the Chamber. The rule requires that the galleries shall be cleared if there is disorder, and the Chair will enforce the rule.

Mr. SHAFROTH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from California yield to the Senator from Colorado?

Mr. JOHNSON of California. I do.

Mr. SHAFROTH. The Senator said that when we got back here we could discuss nothing else than prohibition; but when we get back on the 26th day of August, or the 24th day of August, we will have the morning hour each morning, and, in addition to that, the bill can be temporarily laid aside if there is anything that is more important for consideration.

Mr. JOHNSON of California. Oh, by unanimous consent, of course, we can do anything; but the Senator realizes that in the heat of the argument of a question such as will confront us then there will be no unanimous consent.

Mr. SHIELDS. Mr. President, the Senator from California made the statement that he alone was willing to go on with the business before us. I voted against the recess. I am willing to go on, but when I know that the great majority—I think all, with the exception of three, as already stated—after this seven months' session desire to go home for a few days, I am not going to interpose any objection.

Mr. SMOOT. Mr. President, I desire to present an amendment to the unanimous-consent agreement, so that there can be no further objection to it, in my opinion.

The PRESIDENT pro tempore. The Chair calls the attention of the Senator to the fact that this is a request for unanimous consent and is not subject to amendment. Is there objection?

Mr. SMOOT. Why, Mr. President——

The PRESIDENT pro tempore. There is no doubt that Senators can discuss it and agree upon it.

Mr. SMOOT. Then I ask unanimous consent that the Senate allow me at least to propose this amendment.

The PRESIDENT pro tempore. That is not necessary. It is not in the form of a motion, as the Chair understands.

Mr. SMOOT. After the proposed unanimous-consent agreement as stated from the desk I suggest adding the following:

Provided, That in case an emergency arises, Senator MARTIN shall notify Senators thereof, and they shall reconvene on the day mentioned by him, and thereafter the Senate will proceed to the consideration of business.

Mr. SMITH of Georgia. Mr. President, I was just drawing a similar provision, including also the leader on the other side of the Chamber. I understand the difficulty about it, because he is sick, but I was unwilling myself to offer it without including both leaders. For my part, I think we ought to adopt the amendment proposed by the Senator from Utah.

Mr. JOHNSON of California. Mr. President, I have said that I will not object to the original unanimous-consent agreement. I do object, notwithstanding the high esteem and the great regard I have for the Senator mentioned in this particular case, to the amendment offered by the Senator from Utah.

Mr. SMOOT. Then, I withdraw the proposed amendment.

The PRESIDENT pro tempore. Is there objection to the original proposed unanimous-consent agreement?

Mr. SMITH of Georgia. Mr. President, I suggest the same language, substituting the name of the Vice President. Would that be acceptable to the Senator?

Mr. JOHNSON of California. I will say that I shall not object to the original unanimous-consent agreement that is asked. I wish to preserve my view upon that matter; that is all.

The PRESIDENT pro tempore. Is there objection?

Mr. NORRIS. Mr. President——

The PRESIDENT pro tempore. The Senator from Nebraska.

Mr. SMITH of Georgia. One moment, please, Mr. President, before the request is put.

Mr. NORRIS. If I am recognized, I should like to proceed.

The PRESIDENT pro tempore. The Senator from Nebraska has the floor.

Mr. SMITH of Georgia. Oh, I beg pardon.

Mr. NORRIS. I want to say something in reference to this matter.

Mr. SMITH of Georgia. I thought the Chair was about to put the unanimous-consent agreement to the Senate.

Mr. NORRIS. That is the reason why I took the floor, or one of the reasons.

While in my judgment the original unanimous-consent proposition is entirely unnecessary, and one that ought not to be offered at all—it seems to me we could save it all by simply doing nothing about it, since there is an understanding that without an emergency no business will be transacted until that time, and there is not any doubt that it will be carried out—the original suggestion there prohibits the Senate, when it meets and transacts morning business, from even passing a Senate resolution by unanimous consent or anything of the kind. It can not be done. If the Senate is to meet at all, it ought to have the right by unanimous consent to adopt some motion besides a motion to adjourn, and yet that would be out of order under the proposed unanimous-consent agreement. Now, I do not like to object to it, but it does seem to me that the Senate ought not to tie itself up as tight as that. That is, in

effect, an adjournment contrary to the Constitution of the United States, because only one motion will be in order, and that is a motion to adjourn.

Mr. SMOOT. Mr. President, I want to call the attention of the Senate to the fact that this unanimous-consent agreement is in the exact words in which we have had other unanimous-consent agreements for this purpose. I will suggest to the Senator that there will be very few Senators here, perhaps not to exceed half a dozen, and it is hardly fair to say that they could agree here to pass Senate resolutions.

Mr. NORRIS. At least it could be said in their behalf that they are here, and those who are away ought not to object to their transacting any business that may legitimately come before them, especially if they can do it by unanimous consent. It would always be in the power of any Senator so inclined to defeat it by making the point of no quorum. That would always be in order; but there are a good many things that it might be desirable to do. I do not like to object to the agreement, however, if almost everybody is satisfied with it.

The PRESIDENT pro tempore. Is there objection to the proposed unanimous-consent agreement?

Mr. SMITH of Georgia. Mr. President, I desire to suggest the following amendment, and submit it to the Senator from California [Mr. JOHNSON] with the very earnest hope that he will accept it. I do think we ought to have some way by which we can ourselves bring the Senate into session, if it is necessary, before the close of this period, and I ask the especial attention of the Senator from California:

Provided, however, That whenever, before the 22d day of August, 1918, a quorum of the Senate is found to be present the Senate may, by unanimous consent, vacate this agreement, such action to take effect three days thereafter.

Mr. JOHNSON of California. Mr. President, if the Senator will yield, to my mind that is far better than the original agreement; and I want to make plain to you that, while I am protesting against this adjournment, because I think it is our duty to remain here on the job, nevertheless, because of the overwhelming sentiment here, I do not propose to enter an objection to the original proposed unanimous-consent agreement or to this, which is presented by the Senator from Georgia. I think it adds something, at least, to the original proposal.

Mr. NORRIS. Mr. President, I want to ask the Senator from Utah if he will not accept the suggestion made by the Senator from Georgia?

Mr. SMOOT. It is perfectly satisfactory to me, and it seems to me that it covers every objection that possibly could be raised.

Mr. NORRIS. I ask, Mr. President, to have the Secretary read it again.

The PRESIDENT pro tempore. The Secretary will read the suggested addition to the proposed unanimous-consent agreement.

The SECRETARY. It is proposed to add, at the end of the proposed unanimous-consent agreement, the following words:

Provided, however, That whenever, before the 22d day of August, 1918, a quorum of the Senate is found to be present, the Senate may, by unanimous consent, vacate this agreement, such action to take effect three days thereafter.

The PRESIDENT pro tempore. Is there objection?

Mr. NORRIS. Mr. President, I want to ask another question of the Senator from Georgia. His amendment says "when a quorum is present." I do not know that it is very serious; but if there is already a quorum present, why provide that three days must elapse before the Senate can proceed to transact business?

Mr. SMITH of Georgia. In order that the absent Senators, who are not aware of the fact that we are about to proceed with business, may have an opportunity to get here.

The PRESIDENT pro tempore. Is there objection to the proposed unanimous-consent agreement as amended?

Mr. FRANCE. Mr. President, I shall not object, but I desire to state that my views coincide with those expressed by the Senator from California [Mr. JOHNSON].

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the unanimous-consent agreement is entered into.

The agreement as finally adopted is as follows:

It is agreed by unanimous consent that, beginning with Monday, July 15, 1918, and until Saturday, August 24, 1918, the Senate will meet each Monday and Thursday, and on Thursday, August 22, 1918, the Senate will adjourn until Saturday, August 24, 1918, and at the close of the routine morning business of each Monday and Thursday the Senate will adjourn, and that during the period from July 15 to August 24, 1918, no business other than routine morning business will be transacted and that no bills or resolutions shall be passed: *Provided, however*, That whenever, before the 22d day of August, 1918, a quorum of the Senate is found to be present, the Senate may, by unanimous consent, vacate this agreement, such action to take effect three days thereafter.

EULOGIES ON THE LATE SENATOR NEWLANDS.

Mr. PITTMAN. Mr. President, after consultation with the senior Senator from Virginia [Mr. MARTIN], I desire to give notice that on Monday, the 26th day of August, following the routine morning business, I shall ask that the unfinished business be temporarily laid aside, that the Senate may have an opportunity to pay respect to the memory of the late Senator FRANCIS G. NEWLANDS.

MOVEMENTS OF SOLDIERS' MAIL (S. DOC. NO. 266.)

Mr. SMITH of Arizona. Mr. President, the Postmaster General has made reply to a Senate resolution relative to the movements of the mails to and from our troops and auxiliaries abroad. It is always customary to print the replies to resolutions of the Senate directed to any one of the officers of the Cabinet; but this response was referred to the Committee on Printing without a request for its printing, to which no one would have objected. I therefore ask that the reply be printed as a public document.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION.

Mr. HITCHCOCK. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 15 minutes spent in executive session the doors were reopened.

NAMING A PRESIDING OFFICER.

The PRESIDENT pro tempore. The present occupant of the chair, thinking it likely that he may not be able to be present on each occasion when the Senate meets under the agreement as to recesses and nontransaction of business, asks unanimous consent of the Senate to designate JOHN H. BANKHEAD, a Senator from the State of Alabama, to occupy the chair should he be so absent prior to the 24th day of August next. Is there objection to that request and to such designation as stated? The Chair hears none.

ADJOURNMENT.

Mr. MARTIN. I move that the Senate adjourn.

The motion was agreed to; and (at 9 o'clock and 10 minutes p. m., Saturday, July 13, 1918) the Senate adjourned until Monday, July 15, 1918, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate July 13 (legislative day of July 11), 1918.

ASSISTANT CHIEF INSPECTOR OF LOCOMOTIVE BOILERS.

John M. Hall to be assistant chief inspector of locomotive boilers, vice Pack, appointed chief inspector.

STEAMBOAT-INSPECTION SERVICE.

Frederick J. Meno, of Michigan, to be supervising inspector eighth district, Steamboat-Inspection Service, Department of Commerce. (By promotion from local inspector of hulls at Detroit, Mich., vice Charles H. Westcott, deceased.)

APPOINTMENTS IN THE ARMY.

To be major generals in the line of the Army with rank from July 12, 1918.

Maj. Gen. William Crozier.
Maj. Gen. Henry G. Sharpe.

To be Quartermaster General with the rank of major general for a period of four years from date of appointment.

Brig. Gen. Harry L. Rogers.

To be Chief of Ordnance with the rank of major general for a period of four years from date of appointment.

Brig. Gen. Clarence C. Williams.

PROMOTIONS IN THE ARMY.

COAST ARTILLERY CORPS.

Maj. Laurence C. Brown, Coast Artillery Corps, to be lieutenant colonel with rank from June 11, 1918.

Capt. William H. Wilson, Coast Artillery Corps, to be major with rank from June 11, 1918.

CORPS OF ENGINEERS.

To be first lieutenants with rank from June 12, 1918.

Second Lieut. John P. Dean, Corps of Engineers.
Second Lieut. Patrick H. Timothy, jr., Corps of Engineers.
Second Lieut. Hugh J. Casey, Corps of Engineers.
Second Lieut. Robert E. Hamilton, Corps of Engineers.
Second Lieut. Patrick H. Tansey, Corps of Engineers.
Second Lieut. Hans Kramer, Corps of Engineers.
Second Lieut. Albert G. Matthews, Corps of Engineers.
Second Lieut. Amos B. Shattuck, jr., Corps of Engineers.
Second Lieut. Leland H. Hewitt, Corps of Engineers.
Second Lieut. Michael C. Grenata, Corps of Engineers.
Second Lieut. Preston W. Smith, Corps of Engineers.
Second Lieut. Thomas F. Kern, Corps of Engineers.
Second Lieut. Ralph E. Cruse, Corps of Engineers.
Second Lieut. Lewis T. Ross, Corps of Engineers.
Second Lieut. Roland Stenzel, Corps of Engineers.
Second Lieut. Charles F. Baish, Corps of Engineers.
Second Lieut. Clarence L. Adcock, Corps of Engineers.
Second Lieut. Keryn ap Rice, Corps of Engineers.
Second Lieut. Charles S. Ward, Corps of Engineers.
Second Lieut. Henry M. Underwood, Corps of Engineers.
Second Lieut. James B. Newman, jr., Corps of Engineers.
Second Lieut. James M. Young, Corps of Engineers.
Second Lieut. James C. Marshall, Corps of Engineers.
Second Lieut. Walter E. Lorence, Corps of Engineers.
Second Lieut. Meyer L. Casman, Corps of Engineers.
Second Lieut. Lucius Du B. Clay, Corps of Engineers.
Second Lieut. Lloyd E. Mielenz, Corps of Engineers.
Second Lieut. Pierre A. Agnew, Corps of Engineers.
Second Lieut. Alexander M. Neilson, Corps of Engineers.
Second Lieut. Hoel S. Bishop, jr., Corps of Engineers.
Second Lieut. Charles E. McKee, Corps of Engineers.
Second Lieut. Robert H. Elliott, Corps of Engineers.
Second Lieut. Samuel D. Sturgis, jr., Corps of Engineers.
Second Lieut. Thomas H. Nixon, Corps of Engineers.
Second Lieut. Anderson L. W. Moore, Corps of Engineers.
Second Lieut. Reginald Whitaker, Corps of Engineers.
Second Lieut. Eugene M. Caffey, Corps of Engineers.

CHAPLAIN.

Chaplain Marmaduke A. Seymour, National Army, to be chaplain in the Regular Army, with rank of first lieutenant, from July 11, 1918.

PROVISIONAL APPOINTMENT, BY PROMOTION, IN THE ARMY.

CORPS OF ENGINEERS.

Second Lieut. Alfred S. Niles, Corps of Engineers, to be first lieutenant with rank from May 15, 1918.

CONFIRMATIONS.

Executive nominations confirmed by the Senate July 13 (legislative day of July 11), 1918.

ASSISTANT CHIEF INSPECTOR OF LOCOMOTIVE BOILERS.

John M. Hall to be Assistant Chief Inspector of Locomotive Boilers.

MEMBER OF THE FEDERAL FARM LOAN BOARD.

Charles E. Lobdell to be a member of the Federal Farm Loan Board.

REGISTER OF LAND OFFICE.

William R. McGill to be register of the land office at Fort Sumner, N. Mex.

STEAMBOAT-INSPECTION SERVICE.

Frederick J. Meno, of Michigan, to be supervising inspector, eighth district.

COAST AND GEODETIC SURVEY.

Andrew C. Witherspoon to be junior hydrographic and geodetic engineer.

Henry W. Hemple to be aid.

APPOINTMENTS IN THE ARMY.

To be Major Generals.

Maj. Gen. William Crozier.
Maj. Gen. Henry G. Sharpe.

To be Chief of Ordnance with the rank of Major General.

Brig. Gen. Clarence C. Williams.

MEDICAL CORPS.

To be first lieutenants.

Robert Adwood Corbin.
James Craig Small.
John William Billingsley.
Edgar Matthias Medlar.
William James Carroll.
Harry Aloysius Bishop.
Martin Robert Broman.
Charles William Peabody.
David Albertus Gregory.
Robert Sydney Cunningham.
Tate Benton Collins.
Thomas Scott McClanahan.
Harold Augustus Spilman.
Benjamin James Slater.
Harvey Welton Snyder.
Carl Freund.
James Arthur Buchanan.
Juan Higinio Font.
Francis Elwood Weatherby.
Willard Harry Waterous.
John Arthur Keyton.
Stephen Horace Curtis.
Auda Vee Cash.
Philip Henry Clarke.
Ernest Boling Saye.
Levy Steven Johnson.
Horace Edward Auringer.
Walter Francis Tolson.
Lawrence Leonard Blackburn.
Roy Wilford Layton.
William Francis Greaney.
Clayton Lloyd McCoy.
Joseph Kopecky.
John Edward Dwyer, jr.
Bowers Hewitt Growt.
John Earl Stanton.
Rawley Watt Ward.
Arthur Venton Murtha.
Hugh Jefferson Davis.
Robert Guy Fuller.
James Joseph Fitzgerald.
Leland Oliver Walter Moore.
Ralph Gilmer Willy.
Luther Remi Moore.
Michael Gerard Healy.
Charles Ralph Ozias.
Charles Levi Maxwell.
Donald H. Pitts.
Leo Thomas Mullahey.
Alexander Farish Robertson, jr.
Vincent Gorman Smith.

PROVISIONAL APPOINTMENT, BY PROMOTION, IN THE ARMY.

CORPS OF ENGINEERS.

Second Lieut. Alfred S. Niles to be first lieutenant.

PROMOTION IN THE ARMY.

ORDNANCE DEPARTMENT.

Lieut. Col. Kenneth Morton to be colonel.

COAST ARTILLERY CORPS.

Maj. Lawrence C. Brown to be lieutenant colonel.
Capt. William H. Wilson to be major.

CORPS OF ENGINEERS.

To be first lieutenants.

Second Lieut. John P. Dean.
Second Lieut. Patrick H. Timothy, jr.
Second Lieut. Hugh J. Casey.
Second Lieut. Robert E. Hamilton.
Second Lieut. Patrick H. Tansey.
Second Lieut. Hans Kramer.
Second Lieut. Albert G. Matthews.
Second Lieut. Amos B. Shattuck, jr.
Second Lieut. Leland H. Hewitt.
Second Lieut. Michael C. Grenata.
Second Lieut. Preston W. Smith.
Second Lieut. Thomas F. Kern.
Second Lieut. Ralph E. Cruse.
Second Lieut. Lewis T. Ross.
Second Lieut. Roland Stenzel.
Second Lieut. Charles F. Baish.
Second Lieut. Clarence L. Adcock.
Second Lieut. Keryn ap Rice.
Second Lieut. Charles S. Ward.

Second Lieut. Henry M. Underwood.
Second Lieut. James B. Newman, jr.
Second Lieut. James M. Young.
Second Lieut. James C. Marshall.
Second Lieut. Walter E. Lorence.
Second Lieut. Meyer L. Cannon.
Second Lieut. Lucius Du B. Clay.
Second Lieut. Lloyd E. Niclens.
Second Lieut. Pierre A. Agnew.
Second Lieut. Alexander M. Neilson.
Second Lieut. Hoel S. Bishop, jr.
Second Lieut. Charles E. McKee.
Second Lieut. Robert H. Elliott.
Second Lieut. Samuel D. Sturgis, jr.
Second Lieut. Thomas H. Nixon.
Second Lieut. Anderson T. W. Moore.
Second Lieut. Reginald Whitaker.
Second Lieut. Eugene M. Caffey.

PROMOTIONS IN THE NAVY.

Marine Gunner Henry L. Hulbert to be second lieutenant in the Marine Corps.

REJECTION.

Executive nomination rejected by the Senate July 13 (legislative day of July 11), 1918.

W. H. B. Carter to be postmaster at Polson, Mont.

HOUSE OF REPRESENTATIVES.

SATURDAY, *July 13, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

God of the ages, our fathers' God and our God, author of liberty, we bow at its sacred shrine and would pour out our oblations in praise and gratitude to Thee for all the blessings vouchsafed to us as freemen; and we pray that Thy blessing may follow us and our allies in this last struggle, we trust, for the sacred rights of men.

We thank Thee that all kindred nations associated with us in the mighty struggle for liberty joined in the celebration of our natal day, and we bless Thee for the preparations now being made throughout our land to join with suffering France in the celebration of her natal day, the fall of the Bastille.

"The fellowship of kindred minds
Is like to that above."

May it hearten them and us and all lovers of liberty to press forward to a victory for peace, through Him who taught us the way, and the truth, and the life. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States, by Mr. Sharkey, announced that the President had, on July 12, 1918, approved and signed joint resolution and bill of the following titles:

H. J. Res. 313. Joint resolution providing for the disposition of moneys represented in the Alfred Bernard Nobel peace prize, awarded in 1906; and

H. R. 10021. An act granting the consent of Congress to the county commissioners of Trumbull County, Ohio, to construct, operate, and maintain a bridge and approaches thereto across the Mahoning River in the State of Ohio.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 12229. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 12100. An act to amend the act approved September 7, 1916, entitled "An act to establish a United States Shipping Board for the purpose of encouraging, developing, and creating a naval auxiliary and naval reserve and a merchant marine to meet the requirements of the commerce of the United States with its Territories and possessions and with foreign countries; to regulate carriers by water in the foreign and interstate commerce of the United States, and for other purposes."

NATIONAL HOLIDAY OF FRANCE.

Mr. BARKLEY. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman from Kentucky asks unanimous consent for the present consideration of the resolution which the Clerk will report.

The Clerk read as follows:

Resolution (H. Res. 419) extending greetings to the Republic of France upon the anniversary of its national holiday, and urging the people of the United States to observe July 14, Bastille Day, as a mark of regard for the people of France.

Whereas the people and the Government of the Republic of France have expressed their friendship for the United States by celebrating the Fourth of July; and

Whereas the 14th of July, the national holiday of France, is similar in its significance to our Fourth of July; and

Whereas it is fitting that the American people should express their appreciation for the celebration in France of our Independence Day and their admiration for the sublime courage with which the people of France have for nearly four years defended the liberties of the world and give voice to the unalterable determination of America to support the common cause of free nations to the utmost limits of our resources: Now, therefore, be it

Resolved, That the House of Representatives of the United States of America hereby tenders fraternal greetings from the people of the United States of America to the people of the Republic of France, and urges all our citizens to observe the national holiday of France, July 14, as a mark of special regard for our associate nation.

Resolved further, That the Secretary of State be directed to transmit a copy of this resolution to the President of the Republic of France.

The SPEAKER. Is there objection?

Mr. WALSH. Reserving the right to object, and I do not intend to object, I wish to say that I objected to the resolution which the gentleman offered yesterday, but I have no objection to this resolution, which I have seen and which seems peculiarly fit and should be passed by the House, a similar one having been passed by a coordinate branch of Congress.

Mr. MOORE of Pennsylvania. Mr. Speaker, reserving the right to object, I would like to ask whether this resolution has been submitted to any committee of the House.

Mr. BARKLEY. I have not submitted it to any committee.

Mr. MOORE of Pennsylvania. I wish to say that it is easily within the province and ability of any Member of this House to present a clever, patriotic resolution. He has a right to do it, I suppose. He can be as patriotic as he pleases, but when he introduces a resolution which commits the House of Representatives, and asks for its immediate passage without consideration by a committee, it seems to me he takes liberties with this great body. I am making the statement deliberately because on the Fourth of July a Member of the House rose, offered a resolution which was couched in patriotic terms, which any Member might write, asking unanimous consent to insert it in the RECORD. The unanimous consent was not given, although afterwards it appeared in the RECORD. It was one of those "We, the people of the United States," resolves, with certain preambles, that may or may not have comported to the dignity of the House of Representatives.

While I sympathize with what the gentleman from Kentucky has in mind, the resolution which he proposes provides that the Congress of the United States shall, through the Department of State, say so-and-so to the people of France and the world. It remains the literary production of the gentleman from Kentucky, however, and I think it is taking a great liberty with the Congress of the United States to ask that it be adopted, no matter how patriotic, without some deliberation by a committee of this body.

Mr. WALSH. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. WALSH. This does not commit the Congress of the United States to anything; it simply is an expression of the House of Representatives. It is similar in tenor to the resolution passed yesterday by the Senate. It does not commit Congress in any respect.

Mr. MOORE of Pennsylvania. Now, we have the word of the gentleman from Massachusetts backing up the resolution of the gentleman from Kentucky, but no committee of this House in a deliberative meeting has determined to recommend a resolution of this kind. Even its accuracy as to grammar has not been scrutinized.

Now, Mr. Speaker, I am reserving my objection for the purpose of calling attention to the danger of permitting a Member of the House, whether he be a Democrat, a Socialist, a Republican, or a Prohibitionist, to inject his ideas into a resolution and have them given out to the world as the action of the Congress of the United States. Only a little while ago a resolution was introduced by a Member of the House which resolved that a certain song composed by one of his constituents

should be declared the national anthem of the United States. It was dropped in the box, and everybody knows what that means. It means nothing, except that a bill has been introduced, yet the publisher of that song put on the front page that it had been indorsed by the Congress of the United States in the resolution introduced by Mr. So-and-So—a fine advertisement for the gentleman who introduced the resolution. Surely a Member of the House who has a brilliant idea or a patriotic suggestion should be willing to wait a minute or two and let the matter be referred to a committee. The gentleman from Massachusetts may indorse the idea of the gentleman from Kentucky, but even so it ought to be considered by a committee before it goes forth as the action of Congress.

Mr. WALSH. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Not for the present. Having been in session with the Ways and Means Committee for several weeks discussing the question of lobbies and propaganda, I have learned and seen enough of the manner in which so-called patriotic movements start fires under the people of the United States and their Congressmen in the interest of certain selfish interests sometimes that I hesitate before I accept as gospel everything which some Member may introduce in a resolution. Having said what I desired to say, I shall not object to what appears to be a patriotic resolution, but I intend to watch such resolutions hereafter.

Mr. MONDELL. Mr. Speaker, reserving the right to object, I shall not object, and I should not have said anything in regard to this matter, if it had not been for the remarks of the gentleman from Pennsylvania, which, I fear, may be misunderstood. The resolution before the House is an eminently proper one, couched in dignified language, similar, at least in its purport, to the resolution which has been adopted in the Senate. To-morrow is the anniversary of the fall of the Bastille, one of the great days in the world's history. I believe every Member of the House is thoroughly in sympathy with the purpose of the resolution, and I hope it will not only be not objected to, but that it will pass by a unanimous vote.

The SPEAKER. Is there objection? [After a pause]. The Chair hears none. The question is on agreeing to the resolution.

The resolution was agreed to.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. CONNELLY of Kansas, indefinitely, on account of official business; and

To Mr. BUTLER, indefinitely, on account of important business.

PNEUMATIC TUBES.

Mr. AYRES. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting therein a letter from the Postmaster General to the chairman of the Committee on the Post Office and Post Roads, Hon. JOHN A. MOON.

The SPEAKER. The gentleman from Kansas asks unanimous consent to extend his remarks in the RECORD by publishing therein a letter from the Postmaster General to the chairman of the Committee on the Post Office and Post Roads. Is there objection?

There was no objection.

The letter referred to is as follows:

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., June 29, 1918.

Hon. JOHN A. MOON,
Chairman Committee on the Post Office and Post Roads,
House of Representatives, Washington, D. C.

MY DEAR JUDGE MOON: Just a line to congratulate you upon the final outcome of the contest with the pneumatic-tube incubus. Of course, no one knew better than you that this pneumatic-tube service was, from a postal standpoint, utterly inefficient and grossly extravagant, hence absolutely indefensible. You have been antagonizing this imposition upon the Postal Service for many years, and to you more than any other person the Postal Establishment is indebted for the fact that we are at last and for all time free from this unnecessary and unjustifiable burden.

In this connection, I also avail myself of the opportunity to thank you for the splendid services you have rendered the Post Office Department in the improvement of the mail service since you have been chairman of the Post Office Committee. It was largely through your aid that there has been brought about the change in the system of compensating the railroads for mail transportation. For an antiquated, obsolete, uneconomical system requiring quadrennial weighing of the mails by sections, which was not only unsatisfactory but unfair to the department and under which the railroads were afforded grounds for complaint that inadequate compensation was being received for services rendered, there has been substituted a modern system which is thoroughly scientific and under which, when it has been finally approved by the Interstate Commerce Commission and a fair rate fixed, the department will be in an attitude where it can call for no more space than is needed for efficient service and can pay for such space no more and no less than a fair rate to be fixed by an impartial tribunal.

The space-basis system is fair and just alike to the Government and the railroads. It relieved the department of a vexatious and what apparently was a perennial controversy with the railroads. With your helpful assistance as chairman of the Post Office Committee, the department has been able to so adjust parcels-post rates and weights as to make this splendid service what you intended it should be when you fathered the parcel post, a beneficent godsend to the masses of the people, who have been quick to avail themselves of its advantages.

It was largely through your efforts that the first step has been taken toward the fixing of an equitable second-class postage rate, under which the department is partly relieved of the burdensome subsidy to magazines and newspapers, against which the various heads of the department have been crying out for years.

Under your administration as chairman efforts have been constantly made, and with a degree of commendable success, to strip the Postal Service of every species of favoritism and privilege, and you are entitled to take much pride and comfort in the fact that our Postal Service to-day is the equal in efficiency if not superior to any in the world.

I feel sure that in the future there will be no abatement of your energy, but that you will continue to give your valuable assistance in bringing about certain other postal reforms which are needed. If we could place post-office appointments for first, second, and third class offices under the classified civil service by the law and thus make permanent the divorcement of the department from all politics; and if we could secure a larger authority under the law for increasing the number of branch post offices, thus effecting not only great economy but a greater simplification of the accounting system; if we could secure authority under law for the department to bond its own employees by a plan of levying a small assessment, thus creating a guaranty fund as security against losses of postal funds; and if we could postalize the telegraphs and telephones, I feel that you could lay down the burden of your chairmanship with a feeling of confidence that certainly never in the past, and probably never in the future, would the record made be surpassed.

Again I want to extend to you, speaking for myself as head of the department and all those who are responsible with me for its proper and efficient conduct, sincere thanks for your splendid and valuable assistance to us.

Your friend, (Signed) A. S. BURLESON.

EXTENSION OF REMARKS.

Mr. LITTLE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD in respect to a misunderstanding about the vote upon the draft and volunteers.

The SPEAKER. The gentleman from Kansas asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

Mr. BARNHART. Mr. Speaker, reserving the right to object, on what does the gentleman intend to extend his remarks?

Mr. LITTLE. On the draft and volunteers—upon a misunderstanding about the vote.

Mr. BARNHART. To be the gentleman's own remarks?

Mr. LITTLE. Yes.

The SPEAKER. Is there objection?

There was no objection.

STANDARDIZATION OF SCREW THREADS.

Mr. TILSON. Mr. Speaker, I desire to submit a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TILSON. Mr. Speaker, there is upon the Speaker's table a conference report upon the bill (H. R. 10852) providing for the appointment of a commission to standardize screw threads. That conference report has been on the Speaker's table for some days. The chairman of the committee reporting the bill has been necessarily called from the city and the other members of the conference committee are out of the city at this time. The bill was passed by a practically unanimous vote by both branches of Congress and it is very desirous to have the conference report agreed to and the bill become a law. My inquiry is this: Can any other member of that committee, who was not a member of the conference committee, or can I, as the one who introduced the bill originally, call up the conference report for adoption?

The SPEAKER. It is rather irregular, but the Chair will recognize the gentleman to call it up after we get through with the vote upon the President's veto on the Agricultural appropriation bill.

DEPARTMENT EMPLOYEES SUBJECT TO MILITARY SERVICE.

The SPEAKER laid before the House the following communication from the Secretary of War, which was ordered to be printed in the RECORD and to lie upon the Speaker's table:

WAR DEPARTMENT,
Washington, July 11, 1918.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

SIR: In response to House resolution No. 371, of June 3, 1918, I transmit herewith a list showing the number of men in the service of the War Department at Washington who were on June 5, 1917, between the ages of 21 and 31 years for whom requests for exemption from military duty or deferred classification have been asked by the department and allowed, the name and home address of each such person, the character of work he is performing, and the length of time he has been in such service; also a similar list of those who have received commissions since date of exemption.

Another list of persons employed in the field service of the department will be submitted as soon as the data therefor can be obtained.

Very respectfully,

NEWTON D. BAKER,
Secretary of War.

List showing the number of men in the service of the War Department in the District of Columbia who were on June 5, 1917, between the ages of 21 and 31 years for whom requests for exemption from military duty or deferred classification have been asked by the department and allowed, the name and home address of each such person, the character of work he is performing, and the length of time he has been in such service.

Name.	Office.	Home address.	Character of work.	Length of time in service.
Daniel A. Garrahan	Secretary of War	Hazleton, Pa	Preparing reports to the Auditor for the War Department of changes submitted in status of civilian employees. Physically disqualified for military service and placed in class 1, limited (for clerical service only), prior to exemption.	Appointed July 5, 1917.
Marquis T. Albertson	The Adjutant General	537 Twenty-first Street NW., Washington, D. C.	By reason of the ability and aptitude displayed by him while an employee of this office, coupled with his great perseverance and close application to duty, Mr. Albertson was placed in charge of the statistical section of the enlisted division of this office about a month ago, then in process of organization, and has had immediate supervision of that section ever since. This section, which now numbers 149 employees, is engaged in the organization work of arranging and numbering enlistment papers and the preparation of the data for the Provost Marshal General necessary in determining the quotas of the several States. It is also engaged upon certain organization work connected with the prompt notification to relatives concerning the fate or whereabouts of our soldiers. This is very important work, is urgently demanded by the public, and Mr. Albertson is the only man in this office who is now available for the supervision of that work, which requires experience, good judgment, and administrative qualities.	Appointed Jan. 3, 1917.
Bert C. Gardner	do	2117 G Street NW., Washington, D. C.	By reason of the ability and aptitude displayed by him while an employee of this office, coupled with his great perseverance and close application to duty, Mr. Gardner has been placed in charge of the arrangement, filing, and active operation of the enlisted records of this office, now in process of preparation, and has immediate supervision of that work. This file, which when completed will constitute a self-indexed record of every enlisted man in the Army, is considered of vital importance in the successful prosecution of the work of the office. Much remains yet to be done in the arrangement of this file before its completion, so that it may be successfully operated in connection with a prompt notification to relatives concerning the fate or whereabouts of our soldiers and expeditiously furnish this and other information regarding them. This information is urgently demanded by the public, and the arrangement of the file is essential to the prompt dispatch of the business of this office. Mr. Gardner is the only man in the office who is now available for the supervision of the work described, which requires experience, good judgment, and administrative qualities, all of which are possessed by him.	Appointed Nov. 1, 1916.
Charles Kothe	do	1436 R Street NW., Washington, D. C.	By reason of the ability and aptitude displayed by him while an employee of this office, coupled with his great perseverance and close application to duty, Mr. Kothe was selected some time ago for the important position of assistant chief of the Mail and Files Division of this office. The position occupied by Mr. Kothe requires of him not only a complete knowledge of the scheme of Army correspondence and its ramifications and details, but experience, good judgment, and administrative qualities, all of which are possessed by him, and he is the most capable man in the office who is now available for the position.	Appointed Feb. 1, 1912.
Edward H. Hess	do	2006 G Street NW., Washington, D. C.	That Edward H. Hess is employed as a clerk in the Miscellaneous Division of this office on the work of enciphering and deciphering cablegrams sent to and received from the American Expeditionary Forces; that he has been thoroughly trained in that work and his services are greatly needed in connection therewith; that the demand for competent code clerks is greater than the supply and that Mr. Hess's absence from the work would seriously interfere with its prompt dispatch; that for these reasons the said Edward H. Hess is necessary to the adequate and effective operation of the Miscellaneous Division of The Adjutant General's Office and can not be replaced by another person without substantial, material loss in the adequate and effective operation of said division.	Appointed May 14, 1917.
Charles Geisenfeld	Quartermaster General	530 Vliet Street, Milwaukee, Wis.	Principal clerk of the Enlisted Branch, Personnel Division, handling all details in connection with the proper operation and administration of the affairs of the Quartermaster Corps, Regular Army, the Quartermaster Corps, National Guard, also supervising a force of 89 clerks.	Appointed Oct. 11, 1911. Resigned Nov. 1, 1916. Reinstated June 5, 1917.
Thomas Bigham	do	Fairfield, Adams County, Pa.	Assigned to duty in office of the chief clerk, handling all matters pertaining to printing and binding for the Quartermaster Corps, advertising and miscellaneous duties connected with the Office Service Branch.	Appointed Aug. 27, 1909.
Raymond E. Read	do	1810 Calvert Street NW., Washington, D. C.	Principal clerk of the Expeditionary Cable Branch, handling all cablegrams to and from Gen. Pershing pertaining to Quartermaster Corps business.	Appointed July, 1911. Resigned Oct. 5, 1916. Reinstated June 1, 1917.
Don F. Lauro	do	81 Degraw Street, Brooklyn, N. Y.	File clerk in the Bakery Division, engaged in very important work in that division.	Appointed Oct. 2, 1917.
F. J. Dodsworth	do	Natick, R. I.	Engaged upon statistical work in the Subsistence Division.	Appointed Jan. 11, 1918.
Harry E. Rimert	do	409 Eleventh Street, Portland, Oreg.	Has special qualifications in railroad work and is engaged upon work requiring a technical knowledge of classification and familiarity with Army Regulations.	Appointed Aug. 8, 1917.
John C. Evans	do	21 Regent Street, Wilkes-Barre, Pa.	Employed as a statistical draftsman	Appointed Dec. 19, 1917.
Arthur F. Lafrentz	War Credits	New York City	Assistant chief examiner. Mr. Lafrentz's commission is pending as a captain in the National Army.	Appointed Jan. 5, 1918.

List showing the number of men in the service of the War Department in the District of Columbia, etc.—Continued.

Name.	Office.	Home address.	Character of work.	Length of time in service.
Bruce Keener, jr	Chief of Staff	Portner Apartments, Washington, D. C.	Material man	Since Nov. 28, 1917.
Harry Blumberg	do	1013 Asquith, Baltimore, Md.	Buyer of materials	Since July 15, 1917.
Joseph Levy	do	Northumberland Apartments.	Principal clerk	Since June 9, 1917.
Ed L. Keeling	do	2817 Twenty-seventh Street NW., Washington, D. C.	Engineering draftsman	Since June 1, 1917.
F. E. Kaufman	do	Riverdale, Md	Technical assistant	Since June 17, 1917.
Joseph V. Connolly	Chief of Engineers	Fall River, Mass	In clerical charge of the Fortification and Mapping Section, responsible for the administration of a section containing 15 clerks. Owing to a lack of experienced employees in the section, he is compelled, in addition to the supervisory work properly incumbent on a chief fo division, to handle a very large proportion of the detail work, necessitating a knowledge upon his part of Government accounting, of the constructional details of fortifications, mechanical details of appurtenances, technical details of mapping, and laws and regulations regarding land titles, leases, and licenses affecting Government land, and all other activities of the Engineer Department regarding seacoast fortifications and military mapping.	Appointed Jan. 2, 1912.
Ray W. Ireland	do	Huntington, Huntington County, Ind.	Assistant Chief of the Equipment and Construction Division, comprising about 70 employees. Owing to a lack of experienced employees in this division, Mr. Ireland's services are considered absolutely essential to the conduct of the work.	Appointed Apr. 4, 1913.
Joseph W. Kimbel	do	Riverside, Northumberland County, Pa.	Handles such matters as approval of bridge plans, the granting of permits for wharves, dams, and other structures in navigable waters, and the drafting and enforcement of regulations for such structures and for anchorage and movement of vessels. The frequent emergency applications from both public and private sources for permits of the above character, received in connection with war operations, must be handled with the utmost dispatch and with due regard for existing laws and regulations. This work involves a high order of ability and a knowledge of laws and precedents which can only be acquired as a result of extensive experience. No other employee is available or can be readily trained to handle the duties of Mr. Kimbel.	Appointed July 22, 1913.
Leland H. Schenck	do	Topeka, Kans	Handles all financial matters in the Equipment and Construction Division. The appropriations handled during the current fiscal year aggregate about $400,000,000. These duties require, in addition to greater care and accuracy than is possessed by the average person, a very considerable knowledge of Engineer Department financial methods. No other employee is available or can be readily trained to handle the duties of Mr. Schenck.	Appointed Oct. 29, 1917.
Emmett C. Bailey	Chief Signal Officer	Milwaukee, Wis	Radio engineer in the trans-Atlantic special radio stations section of the radio development section.	Appointed Mar. 25, 1918.
George A. Graham	do	Baltimore, Md	Specification engineer	Appointed Sept. 15, 1913.
E. P. Apgar	Aircraft Production	54 Glenwood Avenue, Jersey City, N. J.	Acting chief inspector of miscellaneous supplies, inspection department.	8 months.
Chas. B. Blanchard	do	Brookline, Mass	In charge of industrial furloughs section, personnel department.	3¾ months.
R. E. G. Chauveau	do	1725 Seventeenth Street NW., Washington, D. C.	Inspector of ignition, inspection department	7 months.
Elmer A. Clark	do	Curtiss Aeroplane & Motor Corp., Buffalo, N. Y.	Inspector, inspection department	17 months.
J. M. Clark	do	New Brighton, N. Y	Editorial assistant, inspection manual, inspection department.	6½ months.
L. A. Cookson	do	1414 V Street, Washington, D. C., apartment 403.	Aeronautical mechanical engineer, inspection department.	9 months.
R. M. Crawford	do	New Haven, Conn	Executive assistant editor inspection manual, inspection department.	7 months.
J. R. Crippen	do	1623 Russel Street, Detroit, Mich.	Assistant in following production and distribution of instruments, ordnance and instrument department.	8 months.
John C. Eakle	do	1108 East Capitol Street, Washington, D. C.	Engineer representative of Chemical Section, Materials Department.	2 months.
Park E. Edwards	do	Lancaster, Pa	Mechanical draftsman, Lubrication Department	3¾ months.
J. C. Goddard, jr	do	209 Sheperd Street, Chevy Chase, Md.	Inspector, Inspection Department	5½ months.
N. C. Grannis	do	Congress Hall Hotel, Washington, D. C.	Tester of airplane motors, Lubrication Department	7 months.
S. J. Green	do	208 West Eightieth Street, New York City.	Tester, Lubrication Department	8 months.
Wm. A. Hutchinson	do	Somerville, N. J	Refining and laboratory expert, Lubrication Department.	4 months.
H. W. Johnson	do	University Place, Harvard, Nebr.	Radio Inspector, Inspection Department	7 months.
A. L. Krey	do	442 K Street NW., Washington, D. C.	Aeronautical mechanical engineer, Inspection Department.	6 months.
Earle J. McClees	do	762 North Forty-first Street, Philadelphia, Pa.	Production expert and assistant to head of Spares Engine Production Section.	4½ months.
A. McNaughton	do	Collingdale, Pa	Designer airplane motor gauges, Production Engineering Department.	7 months.
Wm. H. Mitchell	do	1630 North Bond Street, Baltimore, Md.	Draftsman, Planning Department	4½ months.
Moritz Mueller	do	1616 East Sixty-fifth Street, Seattle, Wash.	Aeronautical mechanical engineer, Inspection Department.	4½ months.
J. R. Reed	do	Chicago, Ill	Radio production engineer, Ordnance and Instrument Department.	2½ months.
E. C. Russell	do	Goodyear Flying Field, Akron, Ohio.	Production expert, Balloon Production Department.	4½ months.
W. F. Sandman	do	Indianapolis, Ind	Designer airplane motor gauges, Production Engineering Department.	9 months.
Edwin G. Schloss	do	114 East Seventy-third Street, New York City.	Production expert, Plywood Section, Materials Department.	2½ months.
G. W. Stimson	do	Detroit, Mich	Inspector, Lubrication Department	7 months.
J. Charles Stratt	do	2211 West Fayette Street, Baltimore, Md	Mechanical draftsman, Materials Department	3 months.
S. B. Vrooman, jr	do	1416 North Fifteenth Street, Philadelphia, Pa.	Inspector, Inspection Department	6½ months.

List showing the number of men in the service of the War Department in the District of Columbia, etc.—Continued.

Name.	Office.	Home address.	Character of work.	Length of time in service.
T. A. Wadden	Aircraft production	Madison, S. Dak	Assistant to Chief Inspector of Clothing and Equipment, Inspection Department.	5½ months.
Harry V. Luikart	Ordnance	Cleveland, Ohio	Supervisor of accounts	Appointed Dec. 27, 1917.
J. D. Cremer, jr	do	212 First Street SE., Washington, D. C.	Research work in compiling answers to requests for information.	Appointed Jan. 5, 1918.
B. E. Barnes	do	East Orange, N. J	Draftsman	Appointed Oct. 26, 1917.
L. M. Bell	do	Monocacy, Pa	do	Appointed Apr. 11, 1918.
H. P. Bonney	do	Fitchburg, Mass	do	Appointed Oct. 20, 1917.
N. Brubaker	do	Washington, D. C	do	Appointed Oct. 15, 1917.
J. J. Bucher	do	Dayton, Ohio	do	Appointed Nov. 19, 1917.
Frank Case	do	Barberton, Ohio	do	Appointed Jan. 21, 1918.
J. E. Collins	do	Canton, Pa	do	Appointed Nov. 16, 1917.
J. A. Cushnie	do	Watertown, N. Y	do	Appointed Jan. 8, 1918.
C. M. Edwards	do	Baltimore, Md	do	Appointed Oct. 8, 1918.
J. Ecker	do	Brooklyn, N. Y	do	Appointed June, 1917.
Paul Fitzpatrick	do	Richmond, Va	do	Appointed Jan. 11, 1918.
Harry Folkes	do	Brooklyn, N. Y	do	Appointed Dec. 10, 1917.
Harry Grasso	do	Passaic, N. J	do	Appointed Dec. 24, 1917.
J. Harber	do	New York City	do	Appointed Oct. 15, 1917.
E. C. Henn	do	Cleveland, Ohio	do	Appointed Nov. 7, 1917.
C. L. Henn	do	do	do	Do.
W. L. Helmer	do	Scranton, Pa	do	Appointed Nov. 3, 1917.
E. W. Irons	do	Syracuse, N. Y	do	Appointed Nov. 5, 1917.
P. F. Ireland	do	Lima, Ohio	do	Appointed Oct. 4, 1917.
E. Jordan	do	New York City	do	Appointed Jan. 15, 1918.
H. F. Lange	do	Cleveland, Ohio	do	Appointed Sept. 20, 1917.
L. J. Lalime	do	Providence, R. I	do	Appointed Nov. 1, 1917.
T. F. Matson	Chief of Ordnance	Goodell, Iowa	do	Appointed Oct. 17, 1917.
C. E. Palmatier	do	Syracuse, N. Y	do	Appointed Dec. 4, 1917.
Earl Polmateer	do	Avoca, N. Y	do	Appointed Jan. 3, 1918.
E. L. Sack	do	Lakewood, Ohio	do	Appointed Nov. 5, 1917.
B. Weiss	do	New York City	do	Appointed Oct. 16, 1917.
R. E. Warren	do	Cleveland, Ohio	do	Appointed Oct. 11, 1917.
G. W. Wilson	do	Washington, D. C	do	Appointed Nov. 8, 1917.
L. D. Wright	do	Battle Creek, Mich	do	Appointed Nov. 21, 1917.
Edward Ardesser	do	Washington, D. C	do	Appointed May 15, 1918.
C. J. Berardo	do	Brooklyn, N. Y	do	Appointed Apr. 30, 1918.
Joseph Cushing	do	Woodbrook, Md	do	Appointed Apr. 29, 1918.
Donald Cameron	do	Flint, Mich	do	Appointed Apr. 27, 1918.
Ellis Charles	do	Wichita, Kans	do	Appointed May 6, 1918.
Wm. Cavender	do	Syracuse, N. Y	do	Appointed Apr. 30, 1918.
B. F. Fallon	do	Salem, Mass	do	Appointed May 6, 1918.
J. P. Heer	do	Chicago, Ill	do	Appointed May 21, 1918.
I. S. Hilliard	do	East Jordan, Mich	do	Appointed Nov. 17, 1917.
F. H. Holloway	do	Rochester, N. Y	do	Appointed May 1, 1918.
E. P. Huttger	do	Philadelphia, Pa	do	Do.
Edwin James	do	Cincinnati, Ohio	do	Appointed May 17, 1918.
Frank Karger	do	Boston, Mass	do	Appointed May 6, 1918.
B. Keese	do	Winnebago, Wis	do	Appointed May 1, 1918.
C. Lindberg	do	Kewanee, Ill	do	Appointed May 22, 1918.
E. L. Laushell	do	Louisville, Ky	do	Appointed May 4, 1918.
M. McCann	do	Pittsburgh, Pa	do	Appointed Apr. 30, 1918.
J. J. Malsey	do	Grange, Ill	do	Appointed May 24, 1918.
Edward Mihaliak	do	Chicago, Ill	do	Appointed May 20, 1918.
Frank Meindl	do	do	do	Appointed May 22, 1918.
Alex North	do	Milwaukee, Wis	do	Appointed Apr. 22, 1918.
James Niemeyer	do	St. Paul, Minn	do	Appointed Apr. 20, 1918.
C. W. Bencia	do	Logansport, Ind	do	Appointed Apr. 1, 1918.
A. A. Bank	do	Chicago, Ill	do	Appointed Apr. 13, 1918.
L. Edwards	do	Springfield, Ill	do	Appointed Apr. 25, 1918.
F. G. Gerold	do	Brooklyn, N. Y	do	Appointed Apr 22, 1918.
V. D. Gorsuch	do	Columbus, Ohio	do	Appointed Apr. 21, 1918.
Roy Goppelsroeder	do	Chicago, Ill	do	Appointed Mar. 1, 1918.
R. E. Hagen	do	do	do	Appointed May 23, 1918
Fred Hager	do	Spencerport, N. Y	do	Appointed Feb. 18, 1918.
R. Howard	do	Toledo, Ohio	do	Appointed May 7, 1918.
E. M. Lorscheider	do	Rochester N. Y	do	Appointed Jan. 11, 1918.
H. P. Langill	do	Holliston, Mass	do	Appointed July 1, 1916.
O. Nestmann	do	Chicago, Ill	do	Appointed Feb. 25, 1918.
Geo. Peterson	do	do	do	Appointed Feb. 23, 1918.
Wm. Riewaldt	do	Cleveland, Ohio	do	Appointed Mar. 22, 1918.
A. E. Roberts	do	Chicago, Ill	do	Appointed Feb. 23, 1918.
R. J. Rohrdantz	do	Buffalo, N. Y	do	Appointed Apr. 13, 1918.
J. L. Zetterman	do	Shickley, Nebr	do	Appointed Apr. 6, 1918.
E. W. Allardt	do	Cleveland, Ohio	do	Appointed Dec. 14, 1917.
E. W. Cochran	do	Washington, D. C	do	Appointed Nov. 12, 1917.
Wm. Cleare	do	Fall River, Mass	do	Appointed Nov. 1, 1917.
E. P. Dorsey	do	Hartford, Conn	do	Appointed Sept. 20, 1917.
E. N. Hard	do	Elyria, Ohio	do	Appointed Sept. 24, 1917.
A. L. Laurell	do	Newberg, N. Y	do	Appointed Dec. 18, 1917.
M. F. Massey	do	Washington, D. C	do	Appointed Nov. 15, 1915.
E. J. McCormick	do	Alexandria, Va	do	Appointed Oct. 1, 1917.
R. M. Searle	do	Worcester, Mass	do	Appointed Oct. 8, 1917.
William Poloway	do	Baltimore, Md	do	Appointed Jan. 9, 1918.
H. C. Swain	do	Washington, D. C	do	Appointed Aug. 13, 1917.
Wm. Shields	do	do	do	Appointed Oct. 25, 1917.
G. S. Stoup	do	Lester, Ohio	do	Appointed Oct. 1, 1917.
D. B. Spencer	do	Washington, D. C	do	Appointed Jan. 10, 1918.
H. G. Towner	do	New Haven, Conn	do	Appointed Nov. 26, 1917.
M. Alexander	do	New York City	do	Appointed Jan. 17, 1918.
G. M. Baker	do	Washington, D. C	do	Appointed Mar. 29, 1918.
E. D. Brink	do	St. Paul, Minn	do	Appointed Dec. 31, 1917.
Sidney Burton	do	Providence, R. I	do	Appointed Apr. 16, 1918.
J. Dannhardt	do	Brooklyn, N. Y	do	Appointed Feb. 11, 1918.
T. F. Doelker	do	Columbus, Ohio	do	Appointed Mar. 9, 1918.
G. A. Doelker	do	Cincinnati, Ohio	do	Appointed Feb. 9, 1918.
N. B. Eichelberger	do	Lansing, Mich	do	Appointed Dec. 27, 1917.
E. G. Fredell	do	Chicago, Ill	do	Appointed Feb. 28, 1918.
Richard Goo	do	Brooklyn, N. Y	do	Appointed Mar. 13, 1918.
P. F. Kammerlen	do	Charles, Mo	do	Appointed Jan. 30, 1918.
J. G. Lipsky	do	Rochester, N. Y	do	Appointed Jan. 25, 1918.
C. Moore	do	Philadelphia, Pa	do	Appointed Feb. 18, 1918.
F. W. Mossmeyer	do	Cincinnati, Ohio	do	Appointed Feb. 25, 1918.
J. C. Nix	do	Freeport, Ill	do	Appointed Feb. 11, 1918.
O. Nielson	do	Chicago, Ill	do	Appointed Oct. 3, 1917.
J. J. Schmitt	do	Milwaukee, Wis	do	Appointed Mar. 2, 1918.
K. R. Templeton	do	Washington, D. C	do	Appointed Sept. 21, 1917.
A. Andriessen	do	Cincinnati, Ohio	do	Appointed May 8, 1917.

List showing the number of men in the service of the War Department in the District of Columbia, etc.—Continued.

Name.	Office.	Home address.	Character of work.	Length of time in service.
T. E. Bartlett	Chief of Ordnance	Philadelphia, Pa	Draftsman	Appointed Oct. 2, 1917.
A. S. Beyland	do	Newport, Ky	do	Appointed Oct. 26, 1917.
A. J. Bohrer	do	Cleveland, Ohio	do	Appointed Nov. 7, 1917.
J. J. Burgess	do	Washington, D. C	do	Appointed Oct. 8, 1917.
R. E. Belcher	do	Warren, Ohio	do	Appointed Dec. 13, 1917.
J. O. Branks	do	Gainesville, Wis	do	Appointed Feb. 25, 1918.
W. H. Baslet	do	Chicago, Ill	do	Do.
W. S. Benes	do	Milwaukee, Wis	do	Appointed Feb. 27, 1918.
H. Coleman	do	Washington, D. C	do	Appointed Sept. 8, 1917.
O. Czirr	do	Buffalo, N. Y	do	Appointed Nov. 26, 1917.
E. C. Coleman	do	do	do	Appointed Dec. 22, 1917.
Edward Doyne	do	Gary, Ind	do	Appointed Mar. 9, 1918.
L. Dupre	do	Chicago, Ill	do	Appointed July 2, 1918.
J. K. Farrely	do	do	do	Appointed Jan. 26, 1918.
F. A. Hassman	do	Norwood, Ohio	do	Appointed Sept. 17, 1917.
R. Flather	do	Nashua, N. H	do	Appointed Apr. 1, 1918.
V. Hanson	do	Graniteville, Mass	do	Appointed Jan. 21, 1918.
P. R. Houseman	do	Chicago, Ill	do	Appointed Feb. 7, 1918.
A. D. Hollister	do	Springfield, Mass	do	Appointed Mar. 25, 1918.
A. T. Jones	do	Youngstown, Ohio	do	Appointed Dec. 17, 1917.
Edward Kummer	do	Newark, N. J	do	Appointed Apr. 8, 1918.
N. Lesser	do	San Francisco, Cal	do	Appointed Oct. 1, 1917.
A. A. Lew	do	Chicago, Ill	do	Appointed Feb. 25, 1918.
E. H. Maltby	do	Washington, D. C	do	Appointed Oct. 26, 1917.
J. Morrow	do	(Resigned)	do	Appointed Dec. 11, 1917.
F. C. Muench	do	Riverside, N. J	do	Appointed Mar. 5, 1918.
G. McNamara	do	Chicago, Ill	do	Appointed Feb. 25, 1918.
D. L. Parkhurst	do	Washington, D. C	do	Appointed Aug. 30, 1917.
Chas. R. Pitts	do	Schenectady, N. Y	do	Appointed Feb. 12, 1918.
L. Rogahn	do	Milwaukee, Wis	do	Appointed Apr. 24, 1918.
A. Rinkel	do	Washington, D. C	do	Appointed June 17, 1917.
N. R. Randle	do	Baltimore, Md	do	Appointed Dec. 4, 1917.
Geo. Rosmarin	do	Brooklyn, N. Y	do	Appointed Apr. 9, 1918.
J. R. Randolph	do	Blacksburg, Va	do	Appointed Oct. 1, 1917.
L. E. Steere	do	Petersburg, Va	do	Appointed Jan. 7, 1918.
Carl Sieweke	do	Harrison, Ohio	do	Appointed May 7, 1918.
Walter Strybel	do	Cincinnati, Ohio	do	Appointed May 3, 1918.
F. R. Taylor	do	Fulton, N. Y	do	Appointed Apr. 25, 1918.
F. W. Wilder	do	Detroit, Mich	do	Appointed Jan. 8, 1918.
Earl Walker	do	Elmsworth, Pa	do	Appointed Mar. 20, 1918.
Joshua Wagner	do	Brooklyn, N. Y	do	Appointed May 6, 1918.
E. A. Wiedenmann	do	Manko, Minn	do	Appointed May 10, 1917.
A. E. Anderson	do	Washington, D. C	do	Appointed Oct. 26, 1917.
N. T. Anderson	do	Chicago, Ill	do	Appointed Apr. 26, 1918.
J. K. Blakeslee	do	Washington, D. C	do	Appointed June 18, 1917.
Walter Buchner	do	Shelton, Conn	do	Appointed Apr. 6, 1918.
C. M. Bauer	do	Buffalo, N. Y	do	Appointed Nov. 20, 1917.
D. G. Boozer	do	Paterson, N. J	do	Appointed Dec. 17, 1917.
L. B. Cogswell	do	Springfield, Mass	do	Appointed Feb. 4, 1918.
N. M. Christensen	do	Milwaukee, Wis	do	Do.
W. E. Flaherty	do	Boston, Mass	do	Appointed Nov. 19, 1917.
A. C. Ford	do	Washington, D. C	do	Appointed Aug. 13, 1917.
N. Fretter	do	Cleveland, Ohio	do	Appointed Nov. 3, 1917.
H. L. Gardner	do	Jamaica Plain, Boston, Mass	do	Appointed Dec. 15, 1917.
C. J. Highberg	do	Cromwell, Conn	do	Appointed Dec. 3, 1917.
Walter Hannenberg	do	Chicago, Ill	do	Appointed May 21, 1918.
O. Kupfer	do	Hoboken, N. J	do	Appointed Sept. 15, 1917.
E. W. Kryz	do	Cleveland, Ohio	do	Do.
Blaine Kelly	do	Syracuse, N. Y	do	Appointed Dec. 28, 1917.
W. C. Luebbert	do	Washington, D. C	do	Appointed Nov. 12, 1917.
W. R. Livingston	do	Marianna, Ohio	do	Appointed June 10, 1917.
H. A. Matson	do	Washington, D. C	do	Appointed Nov. 20, 1915.
H. G. Morehouse	do	Chicago, Ill	do	Appointed Nov. 19, 1917.
C. B. McCathron	do	Rochester, N. Y	do	Appointed Dec. 12, 1917.
Nelson Ogden	do	New York City	do	Appointed Nov. 2, 1917.
R. C. Parmenter	do	Washington, D. C	do	Appointed June 8, 1917.
J. J. Siekmann	do	Cincinnati, Ohio	do	Appointed Oct. 29, 1917.
H. J. Stambaugh	do	Washington, D. C	do	Appointed Jan. 16, 1917.
E. H. Straube	do	St. Louis, Mo	do	Appointed Jan. 2, 1918.
H. A. Sterrett	do	Washington, D. C	do	Appointed Oct. 12, 1917.
H. Treter	do	Cleveland, Ohio	do	Appointed Nov. 17, 1917.
R. D. Truitt	do	Grafton, Pa	do	Appointed Aug. 27, 1917
J. W. Taylor	do	Wilmington, Del	do	Appointed Nov. 13, 1917.
W. L. Wark	do	Washington, D. C	do	Appointed Oct. 9, 1917.
Frank Zuch	do	do	do	Appointed Dec. 13, 1917.
W. Zilsberger	do	Buffalo, N. Y	do	Appointed Apr. 19, 1918.
Oliver Bibler	do	R. F. D. No. 5, Pataskala, Ohio.	do	Appointed Oct. 8, 1917.
Daniel D. Collins	do	621 South Avenue, Rochester, N. Y.	Charge office organization	Appointed June 21, 1917.
Frank W. Reed	do	37 Fourth Street, Haverstraw, N. Y.	Machine gun orders, small arms section	Appointed Dec. 11, 1917.
R. A. Carmichael	do	4904 Pine Street, Norwood, Ohio.	Chief clerk, work order branch	Appointed Nov. 1, 1917.
J. W. Baldridge	do	145 North Keats Avenue, Louisville, Ky.	Charge unit, work order branch	Do.
Webster W. Tomb	do	1609 Brown Street, Philadelphia, Pa.	Charge of royal questions	About 1 year.
Arthur C. Israel	do	31117 Hiatt Place NW., Washington, D. C.	Charge preparation of orders	Over 1 year.
David L. Johnson	do	Valparaiso, Ind	Charge preparation of all records	8 months.
J. C. Lettice	do	100 Summit Avenue, Macon, Ga.	Office manager and executive assistant	Appointed Oct. 24, 1917.
Harold C. Davis	do	Wyebrook, Pa	Preparation of estimate of raw materials	Appointed Sept. 10, 1917.
Frank M. Watrous	do	50 Vanderbilt Avenue, New York City.	Preparation of requisitions for contracts	Appointed November, 1917.
W. S. Hazzard	do	63 Peachtree Place, Atlanta, Ga.	Negotiator and assistant in order supply branch	Appointed Oct. 1, 1917.
Wm. R. Vanderhoff	do	1350 Randolph Street NW., Washington, D. C.	Charge mailing, procurement division, orders and contracts.	Appointed Dec. 31, 1917.
Francis J. O'Brien	do	949 Chalkstove Avenue, Providence, R. I.	Charge order of work unit	10 months.
Harry Sahlman	do	74 Middleton Street, Brooklyn, N. Y.	Chief clerk statistical branch	Appointed November, 1917.

List showing the number of men in the service of the War Department in the District of Columbia, etc.—Continued.

Name.	Office.	Home address.	Character of work.	Length of time in service.
Walter J. Pawlak	Chief of Ordnance	30 Swinburne Street, Buffalo, N. Y.	Receives requisitions for contracts	6 months.
C. B. Harris	do	Harksdale, N. Y	Tracing orders, work order unit, general contract section.	Do.
B. H. Thomasson	do	2816 Shawhan Avenue, Brookline, Pittsburgh, Pa.	Securing approval of War Industries Board of contract, work order unit, general contract section.	Do.
Levi Porter Denny	do	Berkeley, Cal	Office manager trench warfare section	Do.
Private Edward Haskell Krauss.	do	190 Bedford Avenue, Brooklyn, N. Y.	Assistant to office manager	Appointed Oct. 1, 1917.
J. Macy Willets	do	30 West Fifty-second Street, New York City.	Head payment papers branch, credit section	Appointed Dec. 17, 1917.
Frank B. Cliffe	do	Ivyland, Pa	Chief clerk statistical branch	Appointed Sept. 24, 1917.
Richard H. Akers	do	Garret Park, Md	Statistician statistical branch	Appointed Aug. 6, 1917.
Sigmund S. Orenstein	do	Hartford, Conn	Mail and record work advertising section	Appointed Oct. 1, 1917.
Alfred T. Edel	do	Baltimore, Md	Secretarial	Appointed Nov. 6, 1917.
Raymond F. Crom	do	Braddock, Pa	Mechanical draftsman	Appointed Oct. 20, 1917.
Carl A. Carlson	do	Cleveland Heights, Ohio	Draftsman	Appointed Nov. 7, 1917.
John P. Cullen	do	Clevland, Ohio	do	Do.
H. H. Ellmaeker	do	Los Angeles, Cal	Schedule clerk statistical branch	Appointed Oct. 1, 1917.
L. H. Weiss	do	Newark, N. J	do	Appointed Sept. 20, 1917.
Christian Van Heest	do	Passaic, N. J	do	Appointed Aug. 20, 1917.
James K. Briggs	do	Adrian, Mich	Clerical work machinery of artillery ammunition	Appointed Nov. 21, 1917.
Donald H. Smith	do	Atlanta, Ga	Director United States Army tanks, fuel and transportation section.	Appointed May 13, 1918.
H. A. Tebbe	do	Brooklyn, N. Y	Chief clerk fuel and transportation section	Appointed Jan. 8, 1918.
W. J. Comley	do	New York, N. Y	Production and allocation of raw material, small arms section.	Appointed Nov. 1, 1917.
Francis E. Bannon	do	Baltimore, Md	Textile chemist	Appointed July 23, 1917.
Paul Hayes	do	Washington, D. C	Leather chemist	Appointed Nov. 15, 1917.
L. Griffin	do	New York City	Contract information and progress reports	Appointed July 16, 1917.
W. S. Lines	do	Jefferson, N. Y	Scheduling estimates dates of contracts	Appointed Nov. 6, 1917.
L. K. Thorne (first lieutenant).	do	New York, N. Y	Pay roll and automatic supply officer	Appointed Nov. 1, 1917.
Wm. A. Keating	do	Northampton, Mass	Classifier	Appointed May 4, 1917.
H. A. Needham	do	Detroit, Mich	Searching	Appointed June 6, 1917.
H. B. Wendell	do	Portsmouth, N. H	Classifier	Appointed Aug. 23, 1917.
W. J. Barrett (second lieutenant.	do	Boston, Mass	Supervising inspector contract installations	Appointed Dec. 15, 1917.
J. C. Hameetman	do	Hawthorne, N. J	Supervising inspector, packing containers	Appointed Dec. 1, 1917.
H. M. Smith	do	Richton, Miss	Clerk, instrument, machinery, and construction section.	Appointed Dec. 20, 1917.
John Worth	do	Washington, D. C	Supervising inspector package containers	Appointed May 1, 1918.
B. P. Lyons	do	Brookline, Mass	Reports and ballistic tests on trench mortar material.	Appointed Aug. 10, 1917.
R. A. Pael	do	Cicero, Ill	Chief clerk of group	Appointed Jan. 23, 1918.
L. C. Jaynes (first lieutenant).	do	Portsmouth, Ohio	Not assigned	Appointed Sept. 18, 1917.
C. H. Luby	do	Worcester, Mass	Chief clerk group	Appointed Aug. 1, 1917.
Wm. B. Eastman	do	Wilmington, Del	Statistical and recording work, small arms	Appointed June 5, 1917.
Samuel Elkind	do	Yonkers, N. Y	Inspector of facilities, machine guns	Do.
Garland W. Reese	do	New York City	Analyzing reports	Do.
Allen C. Badger	do	Cleveland, Ohio	Engineer of tests	Appointed Feb. 25, 1918.
M. S. Donnally	do	Charleston, W. Va	Steel mill operator	Appointed July 17, 1917.
R. F. Gifford	do	Detroit, Mich	Office manager	Appointed Dec. 15, 1917.
M. B. Gottlieb	do	Boston, Mass	Assistant chief of tests	Appointed Oct. 8, 1917.
C. E. McCoy	do	Middletown, Ohio	Travel supervisor	Appointed Dec. 3, 1917.
A. H. Putnam	do	Charleston, W. Va	Assistant supervisor field chemists	Appointed Dec. 8, 1917.
R. B. Textor	do	Cleveland Heights, Ohio	Superintendent field chemists	Appointed Nov. 30, 1917.
H. L. Thompson	do	New Britain, Conn	Assistant superintendent field chemists	Appointed Nov. 26, 1917.
J. W. Ballou	do	Concord, Mass	Assistant inspector powder and explosives	Appointed Oct. 3, 1917.
H. S. Norton	do	Philadelphia, Pa	do	Appointed June 15, 1917.
H. V. Hoye	do	New Haven, Conn	do	Appointed Dec. 1, 1917.
J. R. Winslow	do	Carthage, Ind	do	Appointed Feb. 25, 1918.
J. A. Kirkpatrick	do	Indianapolis, Ind	Chief clerk of explosives section	Appointed July 3, 1917.
R. M. Watrous (first lieut.)	do	Montrose, Pa	Assistant to chief shell, trench warfare	Appointed Oct. 1, 1917.
Ritchie Lawrie, jr. (first lieut.)	do	Pittsburgh, Pa	Assistant to personnel officer	Appointed Oct. 29, 1917.
Clarence M. Smith (first lieut.)	do	Roxbury, Mass	Not assigned	Appointed Aug. 29, 1917.
Addison R. Hamilton	do	Three Mile Bay, N. Y	Railroad and general drafting in construction section.	Appointed Dec. 17, 1917.
Brenton S. Kirk	do	New Philadelphia, Ohio	Assistant director of traffic	Appointed Jan. 17, 1918.
H. J. Aagaard	do	(Resigned)	Draftsman	Appointed Mar. 2, 1918.
W. E. Congdon	do	do	do	Appointed Oct. 1, 1917.
N. H. Myers	do	do	do	Appointed Nov. 14, 1917.
H. H. Myer	do	do	do	Appointed Dec. 28, 1917.
R. H. Hill	do	Frankford Arsenal	do	Appointed June, 1917.
H. S. Kartscher	do	Philadelphia, Pa	do	Do.
Arthur A. Smith	do	Sharon Springs, N. Y	Assistant engineer of tests	Appointed July 30, 1917.
Louis C. Baumbach	Director of military aeronautics.	Oil City, Pa., R. D. No. 2	Oil chemist in chemical testing laboratory	Appointed Feb. 27, 1918.
Claude E. Emmons	do	West Eighth Street, Bayonne, N. J.	Expert lubricating chemist in chemical testing laboratory, subbranch of engine and plane maintenance department.	Appointed Feb. 5, 1918.
Park E. Edwards	do	142 North Broad Street, Lancaster, Pa.	Draftsman, employed in making charts for lubrication records of the engine and plane maintenance department.	Appointed Feb. 25, 1918.
George W. Stimson	do	65 Hazelwood Avenue, Detroit, Mich.	Expert mechanical engineer, employed in testing force of the engine and plane maintenance.	Appointed Nov. 26, 1917.
C. E. Jarchow	do	3610 McClean Avenue, Chicago, Ill.	Chief field auditor in charge of all departments of aeronautics, operations, Signal Corps, at Dayton, Ohio.	Appointed Aug. 21, 1917.
Ernest J. Pfirrman	do	154 Foxall Street, Brooklyn, N. Y.	Certified public accountant, employed in the auditing branch, supply section, as supervising auditor.	Appointed Dec. 12, 1917.
Raymond Altermatt	do	Division No. 1, Erie, Pa	Draftsman	Appointed Apr. 6, 1918.
Walter J. Kelly	do	Amsterdam, N. Y	do	Appointed Apr. 19, 1918.

List showing the number of men in the service of the War Department in the District of Columbia who were on June 5, 1917, between the ages of 21 and 31 years for whom requests for exemption from military duty or deferred classification have been asked by the department and allowed and by whom commissions have been received since date of exemption, the name and home address of each such person, the character of work he is performing, and the length of time he has been in such service.

Name.	Office.	Home address.	Character of work.	Length of time in service.
M. O. Pinkham	Chief of Staff	231 Rock Creek Church Road, Washington, D. C.	Lumber buyer	Since June 18, 1917.
C. C. Watson	do	Royalton Apartments, Washington, D. C.	Assistant expediter	Since Oct. 15, 1917.
E. W. Case	do	4828 Jefferson Place, Washington, D. C.	Buyer of materials	Since July 25, 1917.
Frank W. Hatten	do	1459 N Street NW., Washington, D. C.	Chief inspector	Since June 1, 1917.
J. E. Erickson	do	1120 Harvard Street, Washington, D. C.	Buyer of materials	Since July 19, 1917.
T. S. Rogers	do	1310 L Street NW., Washington, D. C.	Civil engineer	Since July 23, 1917.
Edwin M. Kahn	do	Reading Road, near Rockdale, Avondale, Cincinnati, Ohio.	Real estate expert	Since Dec. 15, 1917.

AGRICULTURAL APPROPRIATION BILL.

The SPEAKER. The unfinished business is the vote upon the veto of the President of the Agricultural appropriation bill (H. R. 9054). The question is, Shall the House, upon reconsideration, pass the Agricultural appropriation bill, the objections of the President of the United States to the contrary notwithstanding.

Mr. GARNER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARNER. Could the House by unanimous consent refer this veto message to the Committee on Agriculture?

The SPEAKER. It could.

Mr. GARNER. Then I ask unanimous consent that the veto message be referred to the Committee on Agriculture.

Mr. WALSH. I object.

The SPEAKER. The gentleman from Massachusetts objects.

Mr. WALSH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WALSH. If upon a vote by a call of the roll a quorum should not develop, will the point have to be made?

The SPEAKER. No; the point does not have to be made. The Speaker will make it himself. He is bound to under the Constitution. The Clerk will call the roll.

The Clerk called the roll; and there were—yeas 73, nays 173, answered "present" 6, not voting 180, as follows:

YEAS—73.

Anderson	Evans	La Follette	Sinnott
Ayres	Fairfield	Little	Slemp
Baer	Ferris	McArthur	Smith, Idaho
Barnhart	Fordney	McFadden	Steenerson
Browne	Frear	McKeown	Timberlake
Burroughs	French	McLaughlin, Mich.	Towner
Butler	Fuller, Ill.	Mapes	Vestal
Campbell, Kans.	Gandy	Miller, Minn.	Volstead
Cannon	Greene, Vt.	Miller, Wash.	Wason
Classon	Hadley	Mondell	Watson, Pa.
Connelly, Kans.	Hamilton, Mich.	Morgan	Welling
Cooper, Wis.	Harrison, Va.	Osborne	Wheeler
Cox	Haugen	Ramseyer	Williams
Dale, Vt.	Hawley	Robbins	Wood, Ind.
Dixon	Helvering	Rodenberg	Woods, Iowa
Doolittle	Johnson, Wash.	Rose	Zihlman
Elliott	Kinkaid	Scott, Mich.	
Ellsworth	Knutson	Shallenberger	
Esch	Kraus	Shouse	

NAYS—173.

Alexander	Curry, Cal.	Hamlin	Lunn
Almon	Dale, N. Y.	Harrison, Miss.	McClintic
Aswell	Dallinger	Hastings	McLemore
Bankhead	Darrow	Hayden	Magee
Barkley	Davis	Heflin	Mansfield
Beakes	Decker	Helm	Martin
Bell	Dent	Hensley	Mays
Beshlin	Dewalt	Hicks	Montague
Blackmon	Dickinson	Hilliard	Moon
Bland, Va.	Doremus	Hull, Iowa	Moore, Pa.
Blanton	Drane	Hull, Tenn.	Moores, Ind.
Booher	Dunn	Humphreys	Morin
Borland	Dupré	Igoe	Mott
Brand	Eagan	Jacoway	Neely
Browning	Eagle	Johnson, Ky.	Nicholls, S. C.
Brumbaugh	Fairchild, B. L.	Jones	Nichols, Mich.
Buchanan	Fairchild, G. W.	Keating	Nolan
Byrnes, S. C.	Fields	Kennedy, Iowa	Oldfield
Byrns, Tenn.	Fisher	Kettner	Oliver, Ala.
Campbell, Pa.	Foster	Kitchin	Olney
Candler, Miss.	Francis	Langley	Overmyer
Cantrill	Gallagher	Larsen	Overstreet
Carter, Okla.	Gard	Lazaro	Padgett
Cary	Garland	Lea, Cal.	Park
Chandler, N. Y.	Garner	Lee, Ga.	Parker, N. J.
Clark, Fla.	Garrett, Tenn.	Lever	Parker, N. Y.
Coady	Garrett, Tex.	Linthicum	Peters
Collier	Glynn	Lobeck	Phelan
Connally, Tex.	Good	London	Pou
Cooper, Ohio	Goodwin, Ark.	Lonergan	Pratt
Crisp	Green, Iowa	Longworth	Price
Quin	Sears	Taylor, Ark.	Webb
Rainey, H. T.	Sherley	Taylor, Colo.	Welty
Rainey, J. W.	Sims	Temple	Whaley
Raker	Sisson	Thomas	White, Me.
Randall	Small	Tilson	White, Ohio
Reed	Snell	Tinkham	Wilson, Ill.
Riordan	Snook	Venable	Wilson, La.
Rouse	Steagall	Vinson	Wilson, Tex.
Rubey	Steele	Walker	Wingo
Rucker	Stephens, Miss.	Walsh	Wise
Sabath	Sterling, Ill.	Walton	Woodyard
Sanders, La.	Tague	Watkins	Wright

ANSWERED "PRESENT"—6.

Farr	Huddleston	Schall	Sumners
Hardy	Roberts		

NOT VOTING—180.

Anthony	Estopinal	Kelly, Pa.	Rowland
Ashbrook	Fess	Kennedy, R. I.	Russell
Austin	Flood	Key, Ohio	Sanders, Ind.
Bacharach	Flynn	Kiess, Pa.	Sanders, N. Y.
Black	Focht	Kincheloe	Sanford
Bland, Ind.	Foss	King	Saunders, Va.
Bowers	Freeman	Kreider	Scott, Iowa
Britten	Fuller, Mass.	LaGuardia	Scott, Pa.
Brodbeck	Gallivan	Lehlbach	Scully
Burnett	Gillett	Lesher	Sells
Caldwell	Glass	Littlepage	Shackleford
Caraway	Godwin, N. C.	Lufkin	Sherwood
Carew	Goodall	Lundeen	Siegel
Carlin	Gordon	McAndrews	Slayden
Carter, Mass.	Gould	McCormick	Sloan
Chandler, Okla.	Graham, Ill.	McCulloch	Smith, Mich.
Church	Graham Pa.	McKenzie	Smith, C. B.
Clark, Pa.	Gray, Ala.	McKinley	Smith, T. F.
Claypool	Gray, N. J.	McLaughlin, Pa.	Snyder
Cleary	Greene, Mass.	Madden	Stafford
Cooper, W. Va.	Gregg	Maher	Stedman
Copley	Griest	Mann	Stephens, Nebr.
Costello	Griffin	Mason	Sterling, Pa.
Crago	Hamill	Meeker	Stevenson
Cramton	Hamilton, N. Y.	Merritt	Stiness
Crosser	Haskell	Mudd	Strong
Currie, Mich.	Hayes	Nelson	Sullivan
Davidson	Heaton	Norton	Sweet
Delaney	Heintz	Oliver, N. Y.	Swift
Dempsey	Hersey	O'Shaunessy	Switzer
Denison	Holland	Paige	Talbott
Denton	Hollingsworth	Platt	Templeton
Dies	Hood	Polk	Thompson
Dill	Houston	Porter	Tillman
Dillon	Howard	Powers	Treadway
Dominick	Husted	Purnell	Van Dyke
Donovan	Hutchinson	Ragsdale	Vare
Dooling	Ireland	Ramsey	Voigt
Doughton	James	Rankin	Waldow
Dowell	Johnson, S. Dak.	Rayburn	Ward
Drukker	Juul	Reavis	Watson, Va.
Dyer	Kahn	Robinson	Weaver
Edmonds	Kearns	Rogers	Winslow
Elston	Kehoe	Romjue	Young, N. Dak.
Emerson	Kelley, Mich.	Rowe	Young, Tex.

So (two-thirds having failed to vote in favor thereof) the House on reconsideration refused to pass the bill.

The Clerk announced the following pairs:

Until further notice:

Mr. TALBOTT with Mr. BROWNING.

Mr. HARDY with Mr. GREENE of Massachusetts.

Mr. TILLMAN with Mr. DOWELL.

Mr. SUMNERS with Mr. REAVIS.

Mr. SLAYDEN with Mr. MCKINLEY.

Mr. DOMINICK with Mr. CARTER of Massachusetts.

Mr. BRODBECK with Mr. ANTHONY.

Mr. DONOVAN with Mr. COPLEY.

Mr. ESTOPINAL with Mr. COSTELLO.

Mr. BURNETT with Mr. BRITTEN.

Mr. DOOLING with Mr. DAVIDSON.

Mr. CHURCH with Mr. CHANDLER of Oklahoma.

Mr. ASHBROOK with Mr. DYER.

Mr. DOUGHTON with Mr. DEMPSEY.

Mr. STEPHENS of Nebraska with Mr. AUSTIN.
Mr. DELANEY with Mr. DALLINGER.
Mr. CLAYPOOL with Mr. EDMONDS.
Mr. CALDWELL with Mr. BACHARACH.
Mr. CLEARY with Mr. EMERSON.
Mr. BLACK with Mr. COOPER of West Virginia.
Mr. CROSSER with Mr. FESS.
Mr. CARAWAY with Mr. BLAND of Indiana.
Mr. DIES with Mr. FOCHT.
Mr. CAREW with Mr. BOWERS.
Mr. GREGG with Mr. GOODALL.
Mr. DILL with Mr. MCCULLOCH.
Mr. GRIFFIN with Mr. HAYES.
Mr. KEHOE with Mr. KENNEDY of Rhode Island.
Mr. GORDON with Mr. FOSS.
Mr. KEY of Ohio with Mr. KIESS of Pennsylvania.
Mr. MCANDREWS with Mr. HEATON.
Mr. KELLY of Pennsylvania with Mr. JAMES.
Mr. HOLLAND with Mr. KINCHELOE.
Mr. FLOOD with Mr. GILLETT.
Mr. OLIVER of New York with Mr. KING.
Mr. POLK with Mr. HERSEY.
Mr. HOOD with Mr. KREIDER.
Mr. GRAY of Alabama with Mr. GOULD.
Mr. O'SHAUNESSY with Mr. JUUL.
Mr. FLYNN with Mr. HASKELL.
Mr. RAGSDALE with Mr. LEHLBACH.
Mr. HAMILL with Mr. GRAHAM of Pennsylvania.
Mr. GLASS with Mr. KAHN.
Mr. HOUSTON with Mr. HUSTED.
Mr. LESHER with Mr. KEARNS.
Mr. GODWIN of North Carolina with Mr. LUFKIN.
Mr. LITTLEPAGE with Mr. GRAY of New Jersey.
Mr. HOWARD with Mr. LUNDEEN.
Mr. MAHER with Mr. HUTCHINSON.
Mr. RAYBURN with Mr. SANDERS of New York.
Mr. SHACKLEFORD with Mr. SANFORD.
Mr. CHARLES B. SMITH with Mr. WALDOW.
Mr. VAN DYKE with Mr. SIEGEL.
Mr. ROBINSON with Mr. SLOAN.
Mr. SAUNDERS of Virginia with Mr. WARD.
Mr. SHERWOOD with Mr. WINSLOW.
Mr. SCULLY with Mr. TREADWAY.
Mr. THOMAS F. SMITH with Mr. MEEKER.
Mr. ROMJUE with Mr. MERRITT.
Mr. STEDMAN with Mr. MUDD.
Mr. STERLING of Pennsylvania with Mr. PAIGE.
Mr. STEVENSON with Mr. PLATT.
Mr. SULLIVAN with Mr. ROGERS.
Mr. RUSSELL with Mr. ROWE.
Mr. WATSON of Virginia with Mr. STINESS.
Mr. WEAVER with Mr. STRONG.
Mr. YOUNG of Texas with Mr. RAMSEY.

On this vote:

Mr. SWITZER and Mr. GRIEST (for) with Mr. CRAGO (against).

Mr. GRAHAM of Illinois and Mr. DILLON (for) with Mr. MCKENZIE (against).

Mr. PURNELL and Mr. THOMPSON (for) with Mr. SNYDER (against).

Mr. CARLIN and Mr. YOUNG of North Dakota (for) with Mr. DENTON (against).

Mr. SANDERS of Indiana and Mr. ELSTON (for) with Mr. GALLIVAN (against).

Mr. CRAMTON and Mr. DENISON (for) with Mr. MADDEN (against).

Mr. FARR. Mr. Speaker, I desire to vote "no."

The SPEAKER. Was the gentleman in the Hall, listening?

Mr. FARR. I came in just a minute or so too late to answer to my name.

The SPEAKER. The gentleman can not vote.

Mr. FARR. I was unavoidably detained; if I had been here, I would have voted "no."

The SPEAKER. The gentleman will be marked "present."

Mr. BROWNING. Mr. Speaker, I voted "no." I have a general pair with the gentleman from Maryland, Mr. TALBOTT. I believe if he were present he would have voted as I have voted, and I shall therefore let my vote stand.

The result of the vote was announced as above recorded.

The SPEAKER. Does the gentleman from South Carolina desire to make a motion?

Mr. LEVER. Mr. Speaker, I shall make my motion later on.

LEAVE OF ABSENCE.

Mr. STERLING of Illinois. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. STERLING of Illinois. I want to ask leave of absence for my colleague Mr. DENISON, on account of sickness, for the day, if I may. He asked me to state that if present he would have voted "aye" on the roll call just called.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

STANDARDIZATION OF SCREW THREADS—CONFERENCE REPORT (NO. 738).

Mr. SEARS. Mr. Speaker, I call up the conference report on the bill (H. R. 10852) to provide for the appointment of a commission to standardize screw threads.

The SPEAKER. The Clerk will read the conference report.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10852) to provide for the appointment of a commission to standardize screw threads, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, and 8, and agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In lieu of the matter proposed insert "six months"; and the Senate agree to the same.

WILLIAM A. ASHBROOK,
E. E. ROBERTS,
Managers on the part of the House.

WM. S. KENYON,
W. G. HARDING,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10852) to provide for the appointment of a commission to standardize screw threads, submit the following written statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report as to said amendments, namely:

On Nos. 1, 2, 3, 4, 5, 6, 7, and 8: All taken together have the effect of increasing the proposed commission from five to nine members, two from the Army and Navy each instead of one, and two each from the American Society of Mechanical Engineers and the Society of Automotive Engineers, respectively, instead of one.

On No. 9: Limits the life of the commission to six months instead of one year, as proposed by the House and 60 days proposed by the Senate.

WILLIAM A. ASHBROOK,
E. E. ROBERTS,
Managers on the part of the House.

Mr. SEARS. Mr. Speaker, I move the adoption of the conference report.

Mr. WALSH. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. WALSH. I would like to ask whoever has this report in charge to yield a few moments.

The SPEAKER. The gentleman from Florida [Mr. SEARS] has the conference report in charge.

Mr. WALSH. I would like to ask the gentleman what change has been made by the conferees in respect to the length of time. Did not the original bill carry 60 or 90 days?

Mr. SEARS. The original bill, I understand, carried 12 months, and this makes it 6 months.

Mr. WALSH. Now, what is the change made in amendment No. 9?

Mr. SEARS. That is one relating to time, changing it from 12 to 6 months.

Mr. WALSH. What change was made with reference to the make-up of the personnel?

Mr. SEARS. A change from five to nine.

Mr. WALSH. How was that done?

Mr. SEARS. I was not on the conference committee——

Mr. TILSON. Will the gentleman yield to me for a moment?

Mr. SEARS. I yield to the gentleman from Connecticut.

Mr. TILSON. On account of the fact that I was the original introducer of the bill, I was called into conference by the chairman of the committee, and therefore can speak with some degree

of assurance as to the reason for the change. The reason it was done was because it was believed that it would make the commission stronger and more representative to add an additional member from the Army, so that one might cover the Ordnance and one the Quartermaster's Department, and one additional from the Navy, one coming from the Bureau of Steam Engineering and the other from the Bureau of Construction. It was also believed that the two additional engineers from civil life would likewise make the commission stronger. The entire eight amendments, numbers 1 to 8, inclusive, simply affect the provision changing the number from five to nine commissioners.

Mr. WALSH. Will the gentleman yield me three or four minutes?

Mr. SEARS. Certainly.

Mr. WALSH. Mr. Speaker, I have listened to the explanation given by the gentleman from Connecticut [Mr. TILSON] in reference to the amendments to this bill, and while it is a meritorious project I do not agree with the method of making up this commission, and I submit that we ought not to establish a precedent here of permitting any society of mechanical engineers or automotive engineers or any other private association to participate in naming members of an official commission. The members of any official board ought to be nominated by the officials of this Government, and in this instance we ought not permit private societies to say to the Secretary of Commerce, you shall name certain individuals, who will of course be members of the society upon this important commission, that you must select those two men to serve on this important commission. Now, this commission is to standardize screw threads, and it will undoubtedly make recommendations which will probably be followed by the Army and the Navy and the various other departments of the Government that have to do with its industrial activities, and if we permit these societies to select the experts to represent the various lines of industry or activity in this country we are establishing a bad precedent and a dangerous one, which we ought not to follow. These associations can furnish all the experts they desire, but they should be as witnesses and they ought not to be allowed to name the members of a commission when they will be biased and will no doubt seek only to secure the establishment of the standards adopted or fixed by their society, and they ought not to be permitted to fix a standard and then as members of a Government commission vote to have the Government ratify their action; and I trust that when similar measures come up in the future that the committees having them in charge will not follow the precedent set in this measure and say in making up an official commission to act on behalf of the Government that any private society shall have the right conferred on it to submit certain of its members to the appointing official and in effect say, as in this instance we say to the Secretary of Commerce, "You must appoint these men whom we have selected." In this respect I think this act is faulty, and I think the conferees might well have stricken out any such provision as that, and I am sorry they did not insist on its elimination. I do not, of course, expect that the conference report will be voted down, although it would not be a public calamity if it were not adopted, but I thought attention ought to be directed to this provision and to the precedent which is attempted to be established. I thank the gentleman from Florida [Mr. SEARS] for this opportunity to express my opinion.

Mr. SEARS. Mr. Chairman, in reply to the gentleman, I will say that, as a member of the committee, I took the same stand that he now takes, but the committee decided otherwise, and the Senate increased the number from five to nine. I understand the Secretary of Commerce does not have to appoint unless he wants to do so. This is simply a recommendation. And having been passed on by both Houses, it will only delay the bill now to change it. Mr. Speaker, I ask for a vote.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

PRESIDENT'S VETO MESSAGE—AGRICULTURAL APPROPRIATIONS (H. DOC. NO. 1229).

Mr. LEVER. Mr. Speaker, I move to refer the President's veto message on the Agricultural appropriation bill to the Committee on Agriculture.

The SPEAKER. The gentleman from South Carolina moves to refer the President's veto message to the Committee on Agriculture.

The motion was agreed to.

CONFERENCE REPORT—CHARTER RATES, ETC.

Mr. ALEXANDER. Mr. Speaker, I desire to call up the conference report on the bill H. R. 12099 for adoption. It is a bill to confer on the President powers to prescribe charter rates and freight rates, and to requisition vessels, and for other purposes.

RATIFICATION OF PROHIBITION AMENDMENT.

The SPEAKER. Before we begin on that, the Chair announces that he has a communication from the secretary of state of the State of Georgia announcing the ratification of the prohibition amendment, to be filed in the archives of the House. [Applause.]

CHARTER RATES, ETC.—CONFERENCE REPORT (NO. 756).

The SPEAKER. The Clerk will report the conference report on the bill H. R. 12099.

The conference report was read.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. ALEXANDER. I will.

Mr. WALSH. Will not the gentleman ask to have the statement read?

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent that the statement also be read.

The SPEAKER. The gentleman from Missouri asks unanimous consent that the statement be read. Is there objection? [After a pause.] The Chair hears none.

The statement was also read.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12099) to confer on the President power to prescribe charter rates and freight rates and to requisition vessels, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4 and 5.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, and 6, and agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: Page 8, line 11, after the word "the," strike out the words "title to" and insert in lieu thereof the word "use"; and the Senate agree to the same.

J. W. ALEXANDER,
RUFUS HARDY,
G. W. EDMONDS,
L. H. HADLEY,
Managers on the part of the House.

DUNCAN U. FLETCHER,
JOS. E. RANSDELL,
KNUTE NELSON,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12099) to confer on the President power to prescribe charter rates and freight rates and to requisition vessels, and for other purposes, submit the following written statement explaining the effect of the action agreed on:

On No. 1: The House receded. Under section 3 of the act as it passed the House all power and authority vested in the President or by him delegated and all restrictions imposed in this act shall cease upon the proclamation of the final treaty of peace between the United States and the Imperial German Government: *Provided*, That if, in the judgment of the President, the tonnage shortage at such time is so severe that national interests of the United States are jeopardized he may, by proclamation, extend the provisions of this act for a further period of six months. The Senate amendment agreed to in conference extends the period of time to nine months instead of six months, as provided in section 3 of the bill as it passed the House.

On amendment No. 2: The House receded from its disagreement. The effect of this amendment is to require the freight rates and the terms and conditions of affreightment which shall govern the transportation of goods on vessels of the United States to be filed with the United States Shipping Board and open to public inspection.

On amendment No. 3: The House receded from its disagreement and agreed to the Senate amendment with an amendment as follows: On page 8, line 11, after the word "the," strike out the words "title to " and insert in lieu thereof the word "use." The effect of this amendment is to vest in the President the power only to lease or to requisition the use or temporary possession of, or to assume temporary control of, any dry docks, wharves, or loading or discharging terminal facilities, in any

port of the United States, etc. The power of the President to acquire by purchase for the purposes named is eliminated from section 13 of the bill.

On amendments Nos. 4 and 5: The Senate receded. The effect of which is to restore the penal provisions of section 16 as it passed the House.

On amendment No. 6: The House receded from its disagreement. This amendment adds a provision to section 16 of the bill providing that the district court of the Canal Zone shall have jurisdiction of offenses committed against the provisions of the act within the Canal Zone. The advisability of this provision is apparent.

J. W. ALEXANDER,
RUFUS HARDY,
G. W. EDMONDS,
L. H. HADLEY,
Managers on the part of the House.

Mr. ALEXANDER. Mr. Speaker, I move the adoption of the conference report.

Mr. WALSH. Will the gentleman yield?

Mr. ALEXANDER. Yes.

Mr. WALSH. I would like to ask the gentleman if the effect of amendment 3, as agreed to by the conferees, is simply to limit the authority of the President to requisition the use of these facilities and not to acquire by eminent domain title to the actual physical property?

Mr. ALEXANDER. Yes. That is the purpose and the effect of the amendment agreed to. That is, we agreed to the Senate amendment with an amendment, the effect of which is to do that.

Mr. WALSH. Does the gentleman think with that power, or the authority through which he will exercise this jurisdiction, the President will have sufficient authority to utilize these facilities to the best advantage?

Mr. ALEXANDER. The counsel for the Shipping Board were of the opinion that the provision as framed in the conference report would be sufficient. And it is not the purpose of the Shipping Board in any event to purchase these facilities. The only purpose is to utilize them during the time this act may be in effect and not acquire any of them by purchase.

Mr. WALSH. Will the gentleman yield for one further question?

Mr. ALEXANDER. Yes.

Mr. WALSH. With amendment No. 1 you have limited the time after the proclamation of peace to nine months instead of six months, as proposed by the House. But the statement does not set forth what the Senate provision was. Was not the Senate provision for a considerably longer time?

Mr. ALEXANDER. When the bill was reported to the Senate by the Senate Committee on Commerce it was 18 months, but on the floor of the Senate it was amended and limited to 9 months.

Mr. WALSH. And the conferees adopted the Senate provision?

Mr. ALEXANDER. The conferees agreed to the nine months' provision. Mr. Speaker, I ask for a vote.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

On motion of Mr. ALEXANDER, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

WATER-POWER LEGISLATION.

Mr. SIMS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the water-power bill.

Mr. SHERLEY. Mr. Speaker, before the gentleman presses that, may I inquire of him whether there is any agreement reached as to limitation of debate?

Mr. SIMS. There is not.

Mr. SHERLEY. Does not the gentleman feel that at this time it would be in order for him to make some motion to the House looking to the limitation of general debate?

Mr. SIMS. Mr. Speaker, while the water-power bill has been considered during a portion of two days, there was only 1 hour and 15 minutes used the first day and only 1 hour and 22 minutes the second day, all used by myself, and so far as I am concerned, I would not want to have to limit the debate.

Mr. SHERLEY. I do not want to limit debate in the sense of cutting off all debate. I think the House is entitled to know something about what we are going to do, whether we are going to drive on indefinitely with general debate or whether we are going to have consideration of the bill and action by the House on it.

Mr. SIMS. The gentleman from Wisconsin [Mr. ESCH] is entitled to 3 hours and 38 minutes before we are entitled to any further time. I will be glad to confer with him as soon as he has used his time, and see the number of inquiries that he has got and what I have and try to agree to a limitation on general debate at that time.

Mr. SHERLEY. May we have the assurance that the gentleman will, when he next moves to go into committee, make a request touching the limitation of debate?

Mr. SIMS. I will confer with the members of the special Water Power Committee and determine what I shall do after conferring with them.

Mr. SHERLEY. But some of us might want to make a motion now.

Mr. SIMS. I have no power to make a motion now.

The SPEAKER. Has the gentleman from Tennessee any request to make?

Mr. SIMS. Not at this time.

Mr. ESCH. I suggest, Mr. Speaker, that later this afternoon we will probably come to some limitation of time, but it would not be proper to do it now, as this side has not had any time.

Mr. SHERLEY. I do not want to deny reasonable debate.

Mr. ESCH. I think we can come to some arrangement later on.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Tennessee.

The motion was agreed to.

The SPEAKER. The gentleman from North Carolina [Mr. WEBB] will take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill S. 1419, with Mr. WEBB in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill S. 1419. The Clerk will report the bill.

The Clerk read the title of the bill, as follows:

A bill (S. 1419) to amend an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906, as amended by the act approved June 23, 1910, and to provide for the improvement and development of waterways for the uses of interstate and foreign commerce.

Mr. SIMS. Mr. Chairman, the gentleman from Wisconsin [Mr. ESCH] is entitled to use 3 hours and 38 minutes before any further time is yielded on this side.

Mr. SHERLEY. Oh, no; the gentleman is mistaken about that. I want him to have that time, but under the rules he is entitled to recognition for an hour.

Mr. SIMS. Under the agreement between the gentleman from Wisconsin and myself we control the time half and half.

Mr. SHERLEY. In the House?

Mr. SIMS. Yes; and I have used 3 hours and 38 minutes on this side, and the gentleman from Wisconsin is entitled to the same amount of time.

Mr. ESCH. Mr. Chairman, I yield 40 minutes to the gentleman from Washington [Mr. LA FOLLETTE].

The CHAIRMAN. The gentleman from Washington is recognized for 40 minutes.

Mr. LA FOLLETTE. Mr. Chairman, when I yielded the floor yesterday for the consideration of the President's veto of the wheat price-fixing provision, and with it the Agricultural appropriation bill, I was about to remark that this bill is, in my judgment, one of the most important pieces of legislation that has been before the House for many years, and that if we could work out a comprehensive plan under which the millions of potential horsepower energy now running to waste in the rivers and streams throughout the various States of the Union could be developed and utilized for the benefit and comfort of mankind we would have performed a service second to none, and worthy to rank with the highest, rendered by any previous Congress in our history.

Mr. Chairman, as important a matter of legislation as is this should not be entered on with any misleading or erroneous assumption of facts. We should each and every one charge ourselves with the duty of giving it most careful and comprehensive consideration, and this for several good and sufficient reasons. First, we should fully understand the genesis of the legislation, the reason for its coming into being, the need for its enactment, and why this or some similar mode of procedure is necessary of adoption if we ever hope for water-power development in the United States. Secondly, is this character of legislation wise? Is it sound in principle, sane in its premises; and what is most important of all if we would not have our labors for naught and bring ourselves under criticism and derision, will it stand the test of constitutionality in the highest courts of the land? Third, is its enactment good public

policy and a justifiable expedient for the procuring of development?

Mr. Chairman, before touching on these essential propositions I have mentioned, I desire to say that the gentleman from Oklahoma [Mr. FERRIS], who filed the minority report, and the chairman of the committee [Mr. SIMS] are evidently proceeding under an entirely different assumption of fact and theory for the creation of this bill and the Government's relationship to it, than does the Member who is now addressing you. They seem to approach it from the viewpoint of the Government being a supreme proprietor and we, as legislators, working out a plan whereby she can provide for development, through private individuals, of her properties. The gentleman from Oklahoma, on the last page of the reports from committee on this bill, among other things, says:

I deny that it is the correct principle for the Federal Government to first grant away the most valuable of all its resources, and then by ponderous, cumbersome, provisions make its recapture and retaking nonfeasible if not impossible.

Mr. Chairman and gentlemen, I would be the last man in this House to raise a question as to the soundness of that enunciation if I thought the gentleman had even a questionable legal right for his assumption. I know these gentlemen to be honest and earnest in their desire to safeguard from their viewpoint the people as a Federalized Government. But, Mr. Chairman, after a careful and painstaking study of the Constitution of the United States, and after reading most carefully many United States Supreme Court findings and decisions, as well as many State court decisions, I have been compelled to conclude that the Federal Government's having any proprietary rights superior to any other riparian owner, with the exception of freedom from taxation, in what the gentleman designates as "the most valuable of all its resources," is romance, pure and simple.

Mr. Chairman, we have here the Constitution of the United States. I am very desirous of instruction and information. I will be pleased for the gentleman from Oklahoma, or any other gentleman who shares his ideas as to the Federal Government's proprietary rights, to kindly call to my attention the particular article and section of the Constitution that confers on the Federal Government any proprietary rights in the streams, lakes, or harbors of the United States, or any amendment to the Constitution that does so. It is true that under Article IV, section 3, paragraph 2, we find the following language:

The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States, or of any particular State.

But, Mr. Chairman, the Supreme Court, in decision after decision, has enunciated the opinion that this provision of the Constitution does not imply nor show that the Federal Government has any proprietary rights as to water, or to bed or bank, of any stream in these United States, either in navigable or nonnavigable streams. In the House Manual and Digest, under the paragraph of the Constitution which I have just read, there are some 38 United States Supreme Court citations, many of them touching on this very question of proprietary rights. In Martin *v.* Waddell (16 Pet., 410), Chief Justice Taney said in part:

When the Revolution took place the people of each State became themselves sovereign, and in that character hold absolute right to all their navigable waters and the soils under them for their common use, subject only to the right since surrendered by the Constitution to the General Government.

In the case of Pollard, lessee, *v.* Hagan (3 How., 229), the court, after quoting the above statement, said:

Then, to Alabama belong the navigable waters and soils under them in controversy in this case, subject to the rights surrendered by the Constitution to the United States, and no compact that might be made could diminish or enlarge these rights.

The court concludes the opinion in that case in these words:

By the preceding course of reasoning we have arrived at these general conclusions: First, the shores of navigable waters and the soils under them were not granted by the Constitution to the Untied States, but were reserved to the States, respectively. Secondly, the new States have the same rights, sovereignty, and jurisdiction over this subject as the original States. Thirdly, the right of the United States to the public lands and the power of Congress to make all needful rules and regulations for the sale and disposition thereof conferred no power to grant to the plaintiffs the land in controversy in this case.

Mr. Chairman, there are dozens of Supreme Court decisions upholding the States' sovereignty and right of control of the water, beds, and banks of navigable and nonnavigable streams, lakes, and tidal bays. The very latest Supreme Court decision on this question contains in part this language: (October term, 1916, 243 U. S., 316. Syllabus. United States *v.* Cross. United States *v.* Kelly et al. Error to the District Court of the United States for the Eastern District of Kentucky. Nos. 84, 718. Argued Dec. 13, 1916. Decided Mar. 12, 1917.)

The States have authority to establish for themselves such rules of property as they may deem expedient with respect to the streams of water within their borders, both navigable and nonnavigable, and the ownership of the lands forming their beds and banks (Barney *v.* Keokuk, 94 U. S. 324, 338; Packer *v.* Bird, 137 U. S. 661, 671; Hardin *v.* Jordan, 140 U. S. 371, 382; Shively *v.* Bowlby, 152 U. S. 1, 40, 58; St. Anthony Falls Water Power Co. *v.* St. Paul Water Commissioners, 168 U. S. 349, 358), subject, however, in the case of navigable streams, to the paramount authority of Congress to control the navigation so far as may be necessary for the regulation of commerce among the States and with foreign nations (Shibely *v.* Bowlby, 152 U. S. 1, 40; Gibson *v.* United States, 166 U. S. 269, 272; Scott *v.* Lattig, 227 U. S. 229, 243); the exercise of this authority being subject, in its turn, to the inhibition of the fifth amendment against the taking of private property for public use without just compensation (Monongahela Navigation Co. *v.* United States, 148 U. S. 312, 336; United States *v.* Lynah, 188 U. S. 445, 471).

This decision was rendered March 12, 1917, and fully sustains the States' power and sovereignty over water, bed, and banks of all character of streams.

Decisions by the hundred can be produced to sustain the contention that section 3, paragraph 2, of Article IV, of the Constitution, infers no such proprietary rights in the Federal Government. The syllabus of the case known as Kansas *v.* Colorado (206 U. S., 46–92), expresses the situation and status of the United States clearly and succinctly. It reads in part:

The Government of the United States is one of enumerated powers; that it has no inherent powers of sovereignty; that the enumeration of the powers granted is to be found in that alone; that the manifest purpose of the tenth amendment to the Constitution is to put beyond dispute the proposition that all the powers not granted are reserved to the people, and that if in the changes of the years further powers ought to be possessed by Congress they must be obtained by a new grant from the people. While Congress has general legislative jurisdiction over the Territories and may control the flow of waters in their streams, it has no power to control a like flow within the limits of a State, except to preserve or improve the navigability of the stream; that the full control over these waters is, subject to the exception named, vested in the State.

And later on it says:

It is useless to pursue the inquiry further in this direction. It is enough for the purposes of this case that each State has full jurisdiction over the lands within its borders, including the beds of streams and other waters.

Mr. Chairman, Article I, section 8, paragraph 3, contains what is known as the commerce clause of the Federal Constitution, which reads:

[Congress shall have power] to regulate commerce with foreign nations, and among the several States, and with the Indian tribes.

It is under that provision that we concede the Government's power and right to maintain jurisdiction over navigable waters of the United States for the purposes of navigation and the improvement thereof; and that clause confers no property rights whatever upon the United States, nor does it confer any supervisory right upon the United States for any other purpose than that of navigation, a contention, Mr. Chairman, that has been decided affirmatively for so long a period that it is needless to enlarge on it. The United States is simply the trustee of the States, to preserve and see that the general navigation rights of all are equally protected, and, when necessary, improved to insure the usableness of those avenues of commerce and trade "with foreign nations, between the States, and with the Indian tribes." This and nothing more.

This, Mr. Chairman, brings me back to my first premise: That we should understand the genesis of this legislation; the reason for its coming into being and need for its enactment.

We have for many years been trying to develop more or less power from rushing or falling water in many States of the Union, and many power possibilities would have long ago been developed and be giving service to man if it were not for a divided authority. While the right of water control and the ownership and jurisdiction of bed and banks of our watercourses are admittedly in the States, the jurisdiction over the navigation of all streams being in the Government the States could not well pass laws conferring upon private individuals rights to build dams across the streams, because the Government could intervene and stop proceedings under the plea of control of navigation.

It is true that some of the States have granted such rights, and dams have been built, and their legality upheld by the courts, and there have been many interesting questions raised and decisions rendered; but time forbids my going into that phase of this question.

Building dams and developing water powers is usually a hazardous and costly undertaking. Men will not engage in it on uncertainties. Consequently with indefiniteness of tenure and occupation created by dual or divided authority but little development has been made. Under pressure for something to be done to make development possible the Interior Department, without any legal status other than the act of February 15, 1901, United States Statutes, chapter 372, "relating to rights

of way through certain parks, reservations, and other public lands," put into effect a system of revocable permits where such lands were involved. The gentleman from Oklahoma, in his minority report, refers to our operating under that system. It would have been interesting had he seen fit to put in a table showing how many such permits have been granted, how many so-called horsepower have been developed under that system, and how many millions of dollars have been invested subject to the revocation at will by some political appointee. He did not do so, and I think he himself would have been surprised had he made an investigation. For all practical purposes there has been no development whatever under that system; any plants built under such a system necessarily being restricted to those whose projectors had their own capital or could give other security than the plant if they borrowed money for the enterprise. The law referred to as appertaining to navigable streams also hampers, but would not deter capital as does the one where the lands above the bank are public domain. Court decisions can be found justifying the belief that the Government would not be allowed to revoke licenses at will, but only where navigation needs were imperative, making the destruction of the plant a necessity—a remote possibility. The builders would naturally build in such a way as to make that risk a negligible quantity. However, there has been but little development under that provision of law. Capital demands and will have certainty of tenure and definite assurances as to its human liabilities. To expect anything else is unwarranted and not justified by commercial principles and practices of the decades and centuries gone by.

This bill is brought here because it is apparent that we can get no development under a divided authority, and development is needed. Our not having greater development is inexcusable on any other ground than lack of grasp of the situation and inability to cope with it. This bill is not based on either the Government's ownership or its sovereign authority, but on the hypothesis that we as representatives of the States have authority to act for the States in matters of this character and pass laws for the general good, by the establishment of a limited trusteeship or commission composed of officials of the Government, to carry out and administer this law in such a way as not to infringe any of the rights of the States nor to impede or restrict navigation, but rather to benefit it. The commission is composed of the Secretary of War, who has supervisory control over all navigable streams for the purposes of navigation alone; the Secretary of the Interior, who has control of the public domain and of the power sites on such domain; and the Secretary of Agriculture, who has administrative control of all power sites in forest reserves. The three working together can harmonize all questions involving Federal interests, and under the proposed law the would-be licensee is supposed to have procured all concessions and necessary powers of the State or States in which the proposed project is situated before a license can be issued, thus harmonizing State and Federal interests, making development possible without either transgressing the sovereign powers of the States or conferring on the Federal Government any plenary power not contemplated by the Constitution. Under this bill we only allow the commission a supervisory power over those functions entirely within the State's jurisdiction for the period covered by any license, the State having exercised its rights in advance of issue.

I think legislation of this character is wise and worthy of fair trial in view of the fact that under present conditions no development is possible. I think the legislation will prove to be sound in principle and sane in provisions as it comes from the committee, and, what is of transcendent importance, it will, with possibly one or two changes, stand the test as to constitutionality. Unless it will pass that test, to pass it would be futile.

Is the passing of this kind of legislation good public policy? I think it is. There has been a widespread demand for State and National supervision over all natural and national resources. The Government is attempting to apply that principle to the resources of various kinds on and in the public domain. Various bills have been introduced, some of which have passed either the House or the Senate, and in one case—Alaska coal lands—both, for the leasing of oil deposits, coal deposits, phosphates, and sodium, and so forth. By the enactment of this bill we shall be able to develop our water powers, recognizing the States' rights as to water, bed, and bank control. Their public-utilities commissions will control the matter of rates charged for service, and the plants will be entirely subject to State laws as to taxation, and so forth.

Under this bill the State abrogates none of its powers or rights. Section 9 distinctly provides that satisfactory evidence must be given that the applicant has complied with the requirements of the laws of the State or States within which the proposed project is to be located with respect to the appropriation, diversion, and use of water for power purposes, and with respect to the right to engage in the business of developing, transmitting, and distributing power, and in any other business necessary to effect the purposes of a license under this act.

Mr. Chairman, I propose at the proper time to offer to amend this paragraph, page 35, in line 4, after the word "to," by adding the words "bed and banks and," so it will read:

Satisfactory evidence that the applicant has complied with the law of the State or States within which the proposed project is to be located with respect to bed and banks and the appropriation, diversion, and use of water for power purposes—

And so forth.

If we make it one of the conditions precedent to the procuring of a license that the applicant has complied with the requirements of State law as to bed, banks, diversion, and use of water, we are most assuredly not infringing any State's right in that respect, but are definitely insisting that the State's rules of property as to water, bed, and banks must have been fully complied with or license can not issue.

Under the bill the Government does not pay a dollar for the recapture at the end of any license period of any Government land it has licensed in connection with any water-power development, nor does the value of such land, rights of way over Government land, good will, or going value figure in the net investment settlement. We do, however, make as one of the conditions precedent to the acceptance of a license the relinquishment and sale of any vested or riparian rights the licensee may have at the end of his license period to the United States if it elects to buy the plant; and said riparian right, land, and so forth, must be sold to the Government at its actual reasonable cost to the licensee at the time of its acquisition. This is quite a drastic provision. In the 50 years his investment in land might increase a hundredfold. The licensee, in order to get a license and permission to carry out some idea for his present betterment, must contract that his heirs and assigns will accept the original cost of any land he uses in connection with the plant, the accrued value, if any, going to the Government. In addition to this concession made by the applicant desiring to engage in the development of water power, there are gentlemen here, like the distinguished chairman of the Public Lands Committee, who think that, in addition to the conditions precedent to securing a license already mentioned, we should have added yet another condition, making it possible for some agency not provided for in the original draft to place on the property of every description owned by the licensee needed and used in connection with the project apart from the land such value as in the province of that agency is considered fair, not to exceed actual cost of the property taken.

The Government can, if it so elects, take over the property. If it is a good thing, the Government takes it; otherwise it does not have to. It likewise takes such part of the licensee's private lands used in connection with the plant as it elects, at the reasonable cost of the land to the original licensee. Not satisfied with this great advantage conferred on the Government by the elective feature of this bill, it is proposed to take his plant over, regardless of its earning capacity, at such a proportion of its physical value as some agency may pronounce fair. Mr. Chairman, there are some men in this country, no doubt, who would erect power plants under that provision, knowing they would be dead when the time for a possible partial confiscation of their property rolled round; but such men would, I judge, be few and far between. Any man who had any respect for his own ideas of business and a square deal to his successors and assigns would rebel at such an uncertain provision and refuse to put his money at hazard.

That is not all. Most of the large projects in the United States are beyond the financial ability of most corporations and individuals; they have got to interest houses that make a business of bonding commercial enterprises and selling the bonds to investors. Such houses do not do business on sentiment or theory, and under the uncertain term of "fair value," with all chance for accretions in value of lands, franchises, and so forth, eliminated by the terms of the license itself, no bond house in the United States that thinks anything of its reputation would loan a dollar for the construction of any plant. If we place that provision in the bill, in my judgment the fifty-five estimated millions of horsepower in the United States yet undeveloped will run unmolested to the sea, wasting energy enough each year to conserve 50 per cent of the coal burned in the United States for all purposes if we could utilize that waste. I have heard men say they would rather it would so waste than to fall into the hands of monopolists. I do not think that there are any chances to take on monopoly under this bill. If any monopoly or extortion is practiced under it

anywhere in the United States, it will be the fault of the States and not the commission. We can not guarantee either the efficiency or sufficiency of State utilities commissions and their powers under their laws to control monopolies. The entire matter is in their hands, and should be. Mr. Chairman, the term "net investment" is not justly subject to the criticism made on it in the minority report here. In section 9, paragraph C, of the bill, is a provision that makes it incumbent on the licensee, in the case of a navigable stream, to keep the project works in repair adequate for the purposes of navigation and for the efficient operation of the works for the purposes created, to make all necessary renewals and replacements, and the licensee is compelled to keep an adequate depreciation reserve for that purpose. Subsection F, of section 4, on page 30, provides similar safeguards for other projects.

Mr. Chairman, I again desire to call attention to the minority report and some of the unwarranted contentions contained therein. The gentleman from Oklahoma [Mr. FERRIS] clearly intimates that the committee was alone responsible for changing from fair value to net investment in what is known as the recapture provision of the bill. The facts are that both terms came from the Secretaries, and no member of this committee was responsible for the change. A large majority of the committee agreed with the Secretaries that the first term was too uncertain and that under such a term there was little probability of development. I hope no Member of the House will allow himself to be prejudiced by a misunderstanding in regard to this change of phraseology and as to who was primarily responsible for the change. The minority report, under the subheading, "Comments on the net-investment amendment," the very first premise set forth by the gentleman is simply a word painting without one scintilla of evidence to warrant the assertion. The gentleman characterizes the recapture provision wherein we provide for the Government's taking over the private property of the licensee by paying the net investment as "prescribing in advance the measurement of damages the Government should pay in the event of retaking." Retaking what? Neither the Government nor the State ever had any part of the physical property to be taken under this provision of net investment. It is the property of the licensee, and we, instead of taking it by paying him a measure of damages for the retaking of something we had licensed or transferred, are arbitrarily, if we so elect, taking it over at cost, and we are not allowing the licensee one "sou markee" as a measure of damages for severing him from his property. He has to submit to it without damages, regardless of its earning value or enhanced market value, because he agreed to as a condition precedent when he accepted the license.

Gentlemen, let us keep these matters straight in our minds. If we do, we will be better able to do justice to the people who through this commission will grant permission for the development of water-power projects and to those citizens who put their money at hazard when they undertake the enterprise. Surely one is as much entitled to the square deal as the other.

The gentleman, Mr. FERRIS, says again under the same heading that the Government becomes an absolute insurer of all the money invested in the water-power plant. This is simply a mistake. The Government insures nothing. The Government has given nothing. The Government had actually nothing to give, unless it would be land, the title of which is in the Government, and she pays not one cent for its return at the end of the license period. Neither does she need to take over any plant unless it is valuable and a good thing. Then she arbitrarily takes it under the law by the paying of net investment, and the finding as to net investment and the keeping the property up to the value of the net investment is under the supervision of our own commission. They do not share the gentleman's fears and forebodings in regard to this provision. They each and every one indorse it as more practical and just than the other, and they also realize that under the uncertain provision, championed by the gentleman but discarded by the Secretaries, there would probably be no development whatever. And they and the President of the United States, under whose direction they originally drafted the outline for this legislation, are really desirous of water-power development.

The gentleman, Mr. FERRIS, further states in his report under the same heading:

> It requires as a condition precedent to any retaking of the property that the full net investment shall be returned to the water-power developer, and this is true even though the water-power developer has used the property and received profits and dividends from it for the full life of the lease, covering a period of 50 years.

Are you gentlemen willing to subscribe to the proposition that in case you have developed and made valuable a piece of property, worthless until developed, and have made a profit out of it for a term of years, you should agree in advance to take such part of the principal you invested, in making this former thing of waste a thing of value, as is adjudged fair by some undefined method of appraisement? How many gentlemen here would invest money under a proposition of that kind? Not one of you, in my judgment, would do so. We should not expect others to do what we would not do ourselves. We will not ask it if we expect and desire development.

The further remark under the same comment on net investment goes on to say:

> This is also true even though the property has become dilapidated, obsolete, and worthless. It is also true even though the property has never been a going concern and would not have any value whatever to the city, county, State, or Government that sought to bring about its retaking that as a condition precedent to any retaking of the property the full net investment must be paid therefor.

Mr. Chairman, if it were possible under this bill for the property to get into the condition described without the people's own commission being responsible for it, the lugubrious condition described by the gentleman might be a scarehead, but it would be a sad commentary on both the State in which the project was located and on the Nation whose secretaries as a commission would permit the property to get into such a condition. I do not think the gentleman read and digested this bill very carefully before he filed his minority report or he would not have made it. If he had read subsection F of section 4, and subsection C of section 9 in connection with sections 25 and 26 of the bill, he would see that the commission would have to be very derelict in its duties for any property they license to get in the condition described. The bill provides a method for getting rid of such licensees, and the criticism of the net investment feature by the method pursued in the minority report is camouflage, pure and simple.

This is a bill which needs careful study and digestion before too hasty an opinion is passed on it. I have great hopes of some real development being accomplished under it if we can once get it in operation. Remember that under the recapture clause we only recapture the franchise and site, if the title to the site is in the Government. If the Government desires to become the operator of the plant, we capture by paying actual reasonable original cost any land and riparian rights the licensee owns, and the net investment he has made in the plant. The licensee as a condition precedent has developed a useless unused possibility and made it something of value. This he has got to give up at the end of his license period if the commission so elects. I do not see how under those conditions we can object to his getting back the original capital he put at hazard, which has been subject to the supervision of the commission all the time.

Mr. Chairman, it might be better, as some men seem to think, if all jurisdiction as to water, bed, and banks of streams was in the Federal Government instead of in the States. If it were so there would be no complication caused by a conflicting authority. We, however, have to legislate under conditions as we find them.

Mr. Chairman, I have had the honor of being a Member of the House of Representatives for almost eight years. During the time I have been here there have been many water-power bills introduced, most of them general in character but some few individual in scope.

To the best of my recollection now, but one of those bills ever crystallized into law. That was a bill for an extension of time for the commencing of a water-power project on the Pend Oreille River in what was then Stevens, now Pend Oreille County, Wash. The bill for said extension was introduced by myself.

The site for the dam was unfortunately in a forest reserve. The gentlemen comprising the company put in much time here in Washington City in conference with the Secretary of Agriculture, who has charge of the administrative features of forest reserves, and with the Secretary of the Interior, who has the disposal, contractual or otherwise, of all public lands whether in or out of forest reserves; and after many conferences a water-power development permit was executed by the Secretary of the Interior, and under that permit the grantees tried to finance their project, but to no purpose. They could not find a financier in the United States who would loan them a dollar for the building of a foundation and dam or works under their grant.

Handicapped with a revocable permit for the use of the site above the banks they had to tie their dam to, the financiers of the country were quite sure the Secretary's permit was not worth the dam. [Laughter.]

Mr. JOHNSON of Washington. Mr. Chairman, will the gentleman yield?

Mr. LA FOLLETTE. Yes; I will.

Mr. JOHNSON of Washington. Does the gentleman know what amount of capital would have been necessary for that project?

Mr. LA FOLLETTE. I do not, but it was to be a very costly project and a very valuable one.

The gentlemen who received the only water-power grant made by Congress since I have been a Member had to see their franchise lapse and suffer great financial loss because the Congress of the United States had failed to pass a law that would allow the erection of water-power projects and make it possible for grantees to procure capital for development and construction purposes thereunder.

Mr. SMALL. Would the gentleman state the conditions that were imposed in that permit?

Mr. LA FOLLETTE. I could not offhand. It contained extensive rules and regulations, including a recapture clause; and the Secretary had supervision over all their activities, and could call them to book at any time. But the main thing was the revocable clause, revocable at will.

Mr. SINNOTT. Mr. Chairman, will the gentleman yield?

Mr. LA FOLLETTE. I will.

Mr. SINNOTT. I think that permit was inserted in the water-power hearings of the last Congress.

Mr. LA FOLLETTE. It was published at the end of a report on some bill considered by the House.

Mr. SMALL. Which bill was that? Was it the bill known as the Ferris bill—the hearings on that bill?

Mr. SINNOTT. Yes.

Mr. LA FOLLETTE. Mr. Chairman, for many years the United States, through its Congress, passed most liberal land laws and was equally liberal with possessions of every character on and in the Public Domain. And the administrative officers construed the laws passed by Congress in a spirit of liberality, with the result that barren wastes were made habitable, States were hewn from wildernesses and an empire such as the world had never witnessed was founded in an incredibly short time, and this Nation expanded more than thirtyfold in but little over a century. States, counties, and municipalities vied with each other in soliciting capital, both domestic and foreign, to enter their respective domains and assist in the development of field, of mine, of forest, of water power, and every line of development known to man. Most liberal inducements were made by municipalities, by counties, by States, and by the United States. Under this great stimulus development was enormous, and abuses naturally followed, and as corporate wealth increased and grew fat from, in many cases mistaken, liberality, it began to dawn on the public that it was time to call a halt; that it was not good public policy to allow certain natural resources that should be enjoyed and controlled in perpetuity for the benefit of all our people to go untrammeled into the hands of a few who could abuse their control of them by extorting from the public unholy profits to which they were not morally or ethically entitled.

The cry of "Stop thief" was raised, and raged with great violence for a decade, with the result that our Government, through timberland withdrawals, power-site withdrawals, coal-land withdrawals, and other withdrawals of various kinds, backed up by Congress, always alert to what it thinks the people want, swung to the other extreme, and for a decade or more now there has been practically no development of water power, of coal lands, and other Government-controlled possibilities throughout the great West and in the Territory of Alaska, with the natural result following, that within a short time our expanding commerce and trade, our manufactories and internal development had drawn so heavily on coal and oil properties already developed as to cause a rapid increase in price of those commodities, and in many localities an even worse hardship—that of not receiving an adequate supply or none at all.

I have watched for years the pendulum swing from excess of liberality to a worse extreme of niggardliness, and, like the dog in the manger, we could or would not eat the hay ourselves, neither would we allow the horse to eat it. We would not, and no doubt wisely not, develop our water powers ourselves, neither would we pass laws under which private capital properly regulated could safely be invested in water-power development.

I have watched the pendulum swing from one extreme to the other, and I have been hopefully waiting for it to swing back to the happy medium, with the hope that the people of the present day might derive some of the great blessings stored up for the use of mankind in our streams and rivers running from the watersheds and mountain fastnesses of our broad land, in most cases as yet unharnessed, to the sea.

We are burning up millions of tons of coal and other millions of gallons of oil for fuel and power purposes that could have in a large part been conserved had we only made use of the millions of horsepower energy that could have been developed from our waterfalls and rapids, which once developed are there practically in perpetuity, and thus made our coal and oil supply last many decades longer for purposes not suitable for handling by hydroelectric energy.

I sincerely hope we are seeing the dawn of a happy-medium day, and that this bill will become a law, and under it many, many million kilowatts of power will be developed and put to beneficial use, and I am confident that those uses will be expanded to an extent hardly realized by any of us. I prognosticate that hydroelectric energy, properly applied, will in the days to come prove to be the greatest blessing of all those applied by man from nature's storehouse to human use.

Mr. Chairman, competent authorities have estimated that within the United States there are some sixty-one millions of potential horsepower energy in our waterfalls and rapids. The State of Washington, which I have the honor to represent in part, is credited with some ten million seven hundred thousand of said horsepower, or between one-fifth and one-sixth of the total, and, Mr. Chairman, I am satisfied that to that 10,000,000 of horsepower could be added half as much again and then not exaggerate the potential horsepower possibilities of the State of Washington. And of all that enormous energy stored there by Omnipotence, but 291,000 horsepower have ever been utilized.

Mr. Chairman, the Government of the United States has built some wonderful reservoirs for the impounding of water for irrigation purposes, which are going to be of immense value to man. There will be many great reservoirs built in connection with hydroelectric-energy development, but, gentlemen, none of them will ever compare with the great natural reservoirs that have been erected by the Almighty himself in the great States of Oregon and Washington. [Applause.] We have within the confines of those two States more mammoth mountain peaks covered with millions upon millions of tons of perpetual snow and ice than are within the confines of the same amount of territory probably on the face of the globe.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. LA FOLLETTE. Not now. The gentleman will excuse me.

Mr. Chairman, I was about to say that down from those great reservoirs pour hundreds of small streams, and in those streams are many millions of potential horepower energy that have never yet been figured on at all as water-power factors. They, of course, are figured on when they are merged into a few great streams with falls and rapids, but they are capable of many more horsepower before reaching those points because of their faster fall and immense precipitation.

Mr. Chairman, there is energy enough running to waste in my State of Washington to pump water onto every acre of our arid lands not capable of irrigation by natural flow, and in addition turn all the wheels of commerce that will ever be erected in that State, and light and heat every home and building in city, country, and town within its confines, electrify all its railroads, street cars, and riding vehicles, do all the work in forest, field, and home that can be done by mechanical power, and then have electric energy galore to transmit by long-distance wire to States not so happily situated. Of all the States in the Union, Washington is, I think, the most vitally interested in the passage of safe and sane water-power legislation.

The CHAIRMAN (Mr. WHALEY). The time of the gentleman has expired.

Mr. ESCH. I yield five minutes more to the gentleman.

The CHAIRMAN. The gentleman is recognized for five minutes more.

Mr. LA FOLLETTE. Mr. Chairman, I am anxious to safeguard the public, both present and future, but I do not want to see us attempt to safeguard the future to such an extent as to continually prevent development within the present, thus denying to present generations blessings and comforts they are entitled to on the theory that our posterity are not going to be as smart or wise as we are, consequently not as able to look out for their own interests. I am willing to grant that they will be at least as wise as we, and I sincerely hope much wiser. Let us have some development within the decades yet to be enjoyed by those now born and not leave it all for development by the unborn millions to follow. They will probably be able to improve on our methods and add largely to the blessings we bequeath to them.

Now I yield to the gentleman from Iowa [Mr. GREEN].

Mr. GREEN of Iowa. I thank the gentleman, but I was not aware of the fact that he was pressed for time.

Mr. MILLER of Washington. Mr. Chairman, will the gentleman yield for a question?

Mr. LA FOLLETTE. I will.

Mr. MILLER of Washington. The gentleman is acquainted with the fact that there is a rapidly growing sentiment in the West for municipally owned hydroelectric plants. Does the gentleman think the provisions in the bill—the provisions that the bill carries—will stimulate the growth of municipally owned plants of that character?

Mr. LA FOLLETTE. I will say yes. It gives them, providing they exercise the right to take out a permit, a preference right over any private individual or corporation.

Mr. MILLER of Washington. The gentleman looks with favor upon that class of operated hydroelectric plants?

Mr. LA FOLLETTE. I do. Wherever the interests of the public are best served by it, I think it is just as well and better to give it to the municipality than it would be to give it to private individuals to do the same thing.

Mr. MILLER of Washington. And it is the opinion of the gentleman further, if I may ask the question, that the provisions now relating to municipally owned plants are as favorable as the committee could report, having the facts in view?

Mr. LA FOLLETTE. Yes. There were several on the committee who were particularly interested in that phase, and they tried to put in everything that the committee would stand for.

Mr. TAYLOR of Colorado. Mr. Chairman, if the gentleman will permit, let me supplement his answer. I will say to the gentleman from Washington that I tried very hard indeed to get favorable provisions inserted in this bill for municipally owned plants, and I was unsuccessful in doing so before this committee. I hope the sentiment of the House may join with me in providing amendments to this bill that will bring about what the gentleman intimates that he would favor, and I am exceedingly in favor of encouraging and at least making it possible for the municipalities to own their plants, and I feel that this bill as it now stands gives but mighty little encouragement to that laudable ambition.

Mr. JOHNSON of Washington. The gentleman intends to offer amendments to that effect?

Mr. TAYLOR of Colorado. Yes; I intend to offer amendments not only to make it possible, but to give them a preference right to acquire water power, and I am going to do my utmost to try to get the House to adopt amendments of that kind.

Mr. MILLER of Washingon. I want to assure the gentleman from Colorado that those of us who have looked with favor upon municipally owned plants, particularly those that have been successful in the West, will be glad to have the cooperation of the gentleman from Colorado.

Mr. LA FOLLETTE. Mr. Chairman, the committee thought that the gentleman, in his zeal and desire to get development by municipalities, was trying to encroach on what was or should be the equal rights of individuals, and the committee could not altogether agree with the gentleman as to some of the desired provisions.

Mr. TAYLOR of Colorado. I do not admit that an individual or a corporation has an equal right with a municipality to own a water-power site. I feel that the municipality, the citizens themselves, ought to have a preference right over any corporation in the water power for their own municipal uses, and that was the bone of contention before the committee on which they were divided.

Mr. MILLER of Washington. If the gentleman will yield for a moment, I want to express myself as thoroughly in accord with the gentleman from Colorado [Mr. TAYLOR] on that subject.

Mr. LA FOLLETTE. I yield the floor, thanking the committee for its attention. [Applause.]

Mr. ESCH. Mr. Chairman, I yield 40 minutes to the gentleman from Wyoming [Mr. MONDELL.]

Mr. MONDELL. Mr. Chairman, I am delighted to have so splendid an audience before me as I proceed to the discussion of this highly important legislation. Not all of the Members are here, it is true, but such as are here represent the flower of this legislative body. [Applause.] And they are the gentlemen whom I particularly desire to address in this connection.

Mr. SLOAN. Will the gentleman yield?

Mr. MONDELL. "The gentleman" will yield to "the Senator from Nebraska." [Applause.]

Mr. SLOAN. I think the audience thoroughly reciprocates the sentiments of the gentleman.

Mr. MONDELL. The gentleman is a truthteller.

Mr. Chairman, first, I want to discuss this measure from the standpoint of the West, and particularly of the intermountain West, the section of the West whose water-power possibilities are almost wholly on nonnavigable streams. I have the honor to represent one of the very few States in the Union that never get into a river and harbor bill because of the fact that it is impossible by the most extraordinary stretch of imagination to bring any of our beautiful streams within the category of navigable waters.

Speaking from the standpoint of the intermountain and the Pacific west, so far as their water-power development is from nonnavigable streams, I must say that I regret that the water-power development of that character is to be brought within the jurisdiction of the commission provided for in this bill. I shall support the bill, however, because I realize that the views that many of us hold with regard to these matters do not seem to be the views of the majority of the Congress, and therefore we are for the legislation, though we do not think it aptly applies to our situation as the best legislation obtainable. What we ought to have and all we need in all the public-land States for power development on nonnavigable streams is a good right-of-way act, an extension of the provisions of the act of March 3, 1891, to include the uses of water for the development of power and the restoration of the lands now reserved as power sites. Under such a right-of-way act, now applicable to practically all other uses of water, such as irrigation, municipal, and domestic uses, we would have a large development unhampered and unvexed by Federal authority.

The Federal Government controls no water in that section and in such streams, whatever may be the character of its authority elsewhere. The waters belong to the people of the States and the only property that the Federal Government has is land; generally land of no great value lying along the borders of the nonnavigable streams. The only reason why Uncle Sam still continues to own those lands is because they are of so little value that succeeding waves of homestead settlement have passed them by because settlers have not considered it worth while to acquire them. Otherwise the Federal Government would own but little land in that section needed for water-power development. And while this is true, the further fact is true that, except on the forest reserves and in the higher areas of the forest reserves particularly, comparatively little of the land that will be utilized for much of the hydroelectric development is public land.

But the plan and purpose of those who for many years have been endeavoring to extend Federal control over water-power development of that sort and kind is to utilize the necessary use of small areas, fragments of the public lands in connection with power development as an excuse for bringing the entire development under Federal control. The land so used may be only a narrow strip of broken, rock-bound hills, over which it may be necessary to carry a ditch or pipe line, or perhaps a strip of comparatively worthless public land over which it may be necessary to carry a power line. Taking advantage of this situation, the necessity which exists in some places for the utilization of a considerable amount of public land, but in the majority of instances of a limited amount of public land compared with the entire area used for the development, it is proposed to bring these enterprises under the same jurisdiction and control as enterprises necessarily under Federal control by reason of the fact that they utilize waters useful for navigation over which the Federal Government has jurisdiction and with regard to which it has a duty to perform in maintaining the navigable character of the streams.

There are other reasons why it is unnecessary from the standpoint of the public interest to apply a measure of this kind to development on nonnavigable streams in the western section. If there is any portion of this country that needs Federal control, over and beyond the duty of carrying out the Federal obligation to maintain navigability, it is the part of the country to which this bill will not apply. That is the section east of the Mississippi River, where the law of riparian rights control, and where the public has no direct, positive, and definite control over the use of water. In all the western States the ownership of water in the people collectively is recognized, and water can not be diverted from its natural channel for any purpose whatever except under public control and by permission of public authority. Without regard to what the use may be, the water is at all times under that public control. In such a section it must be very apparent to any thinking man that there is no very considerable need for the establishment of Federal control over and above the absolute, unquestioned, unchallenged local control over the use of water.

But whether we like it or not, we are likely to come under the provisions of this bill, and, therefore, we are tremendously interested in its provisions, not only from the standpoint of our own section, but from the standpoint of the people of the country as a whole. With just one more reference to our western situation, I want to discuss the bill from the standpoint of the country generally.

During the discussion of this bill in the committee there were some members of the committee who, I understood, believed it important that the use of water for the purposes of irrigation should be considered in connection with the issuance of the permits and licenses provided for in the bill. Of course, it is apparent to anyone upon the slightest reflection that a bill drafted as this bill is, with a view of developing power and with a so-called recapture clause, can not properly apply to the diversion and the use of water for the irrigation of land to which the water so applied becomes appurtenant. A recapture clause in the case of an irrigation enterprise would involve the possible eventual taking over by the Federal Government of farms and homes, towns and municipalities, all of the developments of great communities dependent on irrigation.

Mr. SLOAN. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. SLOAN. Is the purpose of this bill to give exclusive control of these streams to the Federal Government and take away from the States the control that has generally been understood belong to the States?

Mr. MONDELL. The bill, thanks to the good judgment of the membership of the committee, expressly disavows any intent or purpose of taking over control of the waters from the States. But nevertheless and notwithstanding, the fact of Federal ownership of land is taken advantage of to assert a control and jurisdiction that could not be acquired in any other way, the theory being that the Government in granting the use of its lands may fix any sort of a condition relative to that use. It is not an entirely sound theory, in my opinion, but we have passed that phase of the discussion long since, and we have reached the point where we are discussing these things from the standpoint of what is likely to happen and occur, rather than what we would like to have happen.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. GREEN of Iowa. In that connection I may say that while I understood the gentleman to state in reference to governmental control generally, I did have the impression, as far as the water-power sites are concerned, the Government intended to assume absolute control. Am I correct in that?

Mr. MONDELL. The Government has no control over the waters of nonnavigable streams, or the power developed from it, where the Government does not own land. In other words, the Government would have control of very little water-power development in the New England States except in the lower courses of the rivers, only partial control on the South Atlantic seaboard, very little in the gentleman's own country, and only partial control in my section of the country and elsewhere. In other words, the bill can only apply to those classes of cases where the waters utilized are navigable over which the Federal Government has control for the purposes of maintaining navigability. As to the nonnavigable streams, control arises, if at all, out of the fact that there may be lying along the banks of a stream, or somewhere in the locality, land useful in the development which belongs to Uncle Sam. Advantage is taken of such a situation to bring the development under Federal control.

In my section of the country water power entirely free from Federal control will be running side by side with water power under Federal control, and that will be true in every State in the Union having nonnavigable streams. In States that have no public land the development on nonnavigable streams will be free of Federal control under this bill.

Mr. GREEN of Iowa. Will the gentleman yield further?

Mr. MONDELL. I will.

Mr. GREEN of Iowa. I see that I did not express myself clearly. The line of jurisdiction between Federal control and State control is, of course, very clear and easily stated, but where once the jurisdiction has attached and where once it is put in force, by and through this bill, then I understand that the jurisdiction will be absolute and the State will not be permitted to interfere in any way.

Mr. MONDELL. While we are on the question of control it might be worth while to consider just what the provisions of the bill are in that regard.

First, all projects licensed under the act are under control of the Federal commission, as follows:

The licensee shall "make all necessary renewals and replacements, shall maintain adequate depreciation reserves for such purposes * * * shall conform to such reasonable rules and regulations as the commission may from time to time prescribe for the protection of life, health, and property."

As the local authorities also have jurisdiction over these matters there is in regard to them a divided jurisdiction, the boundaries of which must eventually become the subject of judicial decision.

Second, every project licensed under this act, except certain minor and municipal development, must "pay to the United States reasonable annual charges in an amount to be fixed by the commission." As the State has the power to tax the tangible property, this will, of course, be a burden on projects licensed in addition to the tax burden borne by competing concerns not under Federal license.

If the project operates wholly within a State, the bill provides that the licensee "shall abide by such reasonable regulation of the services to be rendered to customers or consumers of power, and of rates and charges of payment therefor, as may from time to time be prescribed by any duly constituted agency of the State in which the service is rendered or the rate charged."

Where the project and its service is not all in one State, the following provisions of section 20 apply:

SEC. 20. That when said power, or any part thereof, shall enter into interstate or foreign commerce the rates charged and the service rendered by any such licensee, or by any subsidiary corporation, the stock of which is owned or controlled directly or indirectly by such licensee, or by any person, corporation, or association purchasing power from such licensee for sale and distribution or use in public service shall be reasonable, nondiscriminatory, and just to the consumer, and all unreasonable, discriminatory, and unjust rates or services are hereby prohibited and declared to be unlawful; and whenever any of the States directly concerned has not provided a commission or other authority to enforce the requirements of this section within such State, or to regulate and control the amount and character of securities to be issued by any of such parties or such States are unable to agree through their properly constituted authorities on the services to be rendered or on the rates or charges of payment therefor, or on the amount or character of securities to be issued by any of said parties, jurisdiction is hereby conferred upon the commission, upon complaint of any person aggrieved, upon the request of any State concerned, or upon its own initiative to enforce the provisions of this section, to regulate and control so much of the services rendered, and of the rates and charges of payment therefor as constitute interstate or foreign commerce and to regulate the issuance of securities by the parties included within this section.

Mr. MAYS. Does the gentleman class Green River in his State as navigable?

Mr. MONDELL. I do not think Green River can be properly classed as a navigable stream.

Mr. MAYS. According to the definition given by the gentleman from Tennessee, it certainly would be navigable if it will float a saw log and on which a boat can be operated.

Mr. MONDELL. Of course, that is a very large question which we might discuss at great length and arrive at no definite conclusion. There are all sorts of opinions as to what constitutes a navigable stream. Those questions will have to be eventually decided.

Mr. TAYLOR of Colorado. Will the gentleman yield?

Mr. MONDELL. Certainly.

Mr. TAYLOR of Colorado. Under the definition of this bill of navigable waters, has the gentleman ever considered the possibility of Federal construction including all of the streams in the United States, instead of only a part of them, all of them being put under Federal control?

Mr. MONDELL. Unless the Supreme Court shall render a decision different from those that have been rendered heretofore there will continue to be many streams in the Union that are not navigable.

Mr. SLOAN. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. SLOAN. Does this bill give a new definition to the term "navigable?"

Mr. MONDELL. It gives a definition of navigability.

Mr. TAYLOR of Colorado. On page 26 of the bill.

Mr. MONDELL. It does not, I imagine, absolutely fix, decide, and determine the question. But even under that definition, fairly construed, I would say that none of the streams in my State are navigable, and none of the streams in the State of my friend from Nebraska are navigable. That, however, is a matter which will require some consideration when we reach it.

But, coming back to this question of irrigation, I find from a careful reading of the bill that the committee has endeavored to hew to the line and to exclude from the bill diversions of water used for irrigation purposes, although it has referred in one section to the development of power for irrigation purposes—that is, for the purpose of pumping for irrigation—and it is perhaps wise to do that. But there is one provision in section 10 of the bill on which I am not entirely clear, and which I want to discuss under the five-minute rule a little later. It provides that the commission in considering the issuance of licenses shall take into consideration the most comprehensive scheme of improvement and utilization for the purpose of navigation, of water-power development, irrigation, and other beneficial purposes.

What I fear is that that section will be construed by the commission as in some way giving them jurisdiction over the question of the diversion of water for irrigation. It was evi-

dently not so intended. In my opinion, a fair interpretation would not justify such a view, and yet I fear that that is just the view the commission would take. What I fear is that having invited the attention of the commission to the question of the diversion of water for irrigation, we shall have the commission in a short time assuming to pass on applications which should be granted under the right-of-way act of 1891 for irrigation. Let us remember that the Secretary of the Interior, who is the officer who administers the act of 1891, is a member of this commission, and a Secretary of the Interior who was inclined to act on his authority as a member of the commission rather than as Secretary of the Interior might easily do what is done now every day in the year on the forest reserves, relative to irrigation rights of way.

The act of 1891 grants an easement in perpetuity for irrigation, and yet it is a notorious fact that those who enter forest reserves seeking a right of way for irrigation under that act are often met with delays until in many cases the applicant, thoroughly tired out and disgusted with those delays, accepts a suggestion that if he will take a revocable permit under the act of February 15, 1901, he can go to work at once on his development. I presented to the House some time ago a large number of cases where men clearly entitled to perpetual rights of way on forest reserves for irrigation purposes had been persuaded or compelled to accept revocable permits because of delay by the Forest Service in passing on their application. I fear the same thing will occur here under this bill, although clearly the committee does not intend and did not intend to give this commission any authority whatever over the diversion of water for irrigation. In my opinion it would be very much better to leave the word irrigation out of this bill in the two places where it occurs. This is a power bill. It is a bill that proposes what is known as a recapture, which everybody knows would be absolutely fatal to irrigation development.

I fear, when we invite these people to even inquire as to irrigation development in the granting of a power permit, in a short time we will find them asserting control over irrigation development upon the theory that the bill was intended to give them some such authority. Nothing that could happen would be more fatal to our development than that.

Mr. TAYLOR of Colorado. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. TAYLOR of Colorado. I may say that I am delighted that the gentleman from California [Mr. RAKER], a member of the committee, is here to hear the statements of the gentleman from Wyoming [Mr. MONDELL], because I thoroughly coincide with the judgment of the gentleman from Wyoming, and I feel it is very, very dangerous to have that word in here. I call the gentleman's attention to the fact that after strenuous efforts I succeeded by a vote of 8 to 7 in getting section 27 put into this bill, which is the saving clause of our irrigation rights and is copied from the reclamation act, and I am in hopes this may obviate the danger the gentleman seems to feel we are threatened with.

Mr. MONDELL. I am glad the provision the gentleman urged, and which I also urged in my hearing before the committee, is in the bill. It is highly important, and yet the gentleman knows that it is simply a declaration of fact; it is simply the recognition of a fact; but it is important to have it in the bill.

Mr. TAYLOR of Colorado. It is very important to have it in the bill.

Mr. MONDELL. Very important, as I suggested when I was before the committee; but here is the difficulty, that with all of the declarations in the world in the bill, if this water-power commission assumes authority to say whether or no a right of way shall be granted for irrigation, a declaration that they have no control over the water will be powerless to prevent them from doing just what the Forest Service has done in the cases I have referred to.

Whenever you invite these people, who should have to do with power development and that alone, to consider the question of diversion for irrigation, independent of power, you certainly invest them with something of control over that development. That would be harmful to irrigation development.

Mr. RAKER. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. RAKER. Right in that connection, suppose an application was made under this bill for power purposes and it was granted, the commission finding in the first instance that it was more valuable for hydroelectric-power development than for irrigation, but at the same time that irrigation could be used in connection with it, if the works were so constructed that the water could be made available for that purpose. In that circumstance does not the gentleman think that the irrigation feature should be taken care of instead of leaving it absolutely useless and idle?

Mr. MONDELL. If the gentleman's statement were that of a situation likely to arise, then I would be inclined to agree with his view. This is a power bill, drawn with a view to the development of power, providing for a recapture, so called, at the end of a fixed period—a thing which everyone knows would be absolutely fatal to irrigation development. In that situation what are you going to do? You might go to the old irrigation right-of-way law and make provision in that law, if it were necessary to do so, under which no power development should be allowed until there had been an inquiry with regard to the uses of irrigation.

But the fact is that power development is not likely to so use and utilize water as to interfere with irrigation development, and the moment you invite a power commission to inquire into the questions of irrigation, they are likely to assume authority either to grant or to refuse to grant the diversion of water for irrigation. Under such construction of the statute the applicant for irrigation diversion might be seriously hampered by the decisions of this board——

Mr. RAKER. Not to interrupt the gentleman, but will he yield——

Mr. MONDELL (continuing). With an attempt to bring the project under their control with all of the fatal effects of the recapture clause.

Mr. RAKER. The recapture clause, as it relates to power, must be as necessarily effective on industries that have been built up by reason of the development as industries and farms built up under irrigation?

Mr. MONDELL. Irrigation could not exist under recapture so called. Nobody would irrigate farms if they thought that at the end of 50 years there was authority to take over the farm, the crops, and the community so built up. My friend from California will agree with me on that, and, therefore, irrigation should not be considered in connection with this water-power development measure. As the bill was originally drawn, it was confined to the use of water for purposes of power, and while the language I have referred to does not grant on fair construction any authority to this commission to attempt to control the use of water for irrigation, I am afraid they will endeavor to use their authority as I have explained the Forest Service use their authority on the forest reserves. I am of the opinion that few ordinary applicants for a right of way on a forest reserve for an irrigation ditch get their right of way under the act of 1891. They ordinarily get their right of way under the act of 1901, which is a revocable permit, unless they are wealthy and powerful and have their attorneys and contest the matter until they finally get their rights. The smaller and the average fellow gets tired of everlasting delays and accepts what he can get rather than that to which he is entitled.

Now, Mr. Chairman, having discussed those features, I want to discuss for a short time what is known as the recapture clause. There are people in this world who have the idea, or appear to have, that in some way you can inveigle capital into investing in the hope or on the pretense that it is going to be protected, and then by a carefully prepared legislative trap take over the result of capital's effort and investment without anybody having paid for it in the meantime. When the millennium comes and men shall work wholly for the glory of God and the good of their fellow men, without the thought of income or reward, you may be able to do that. In the meantime we are legislating to develop enterprise as it is carried on in the world. No man can live and feed and clothe himself and support his family unless he receives a fair reward for his labor and his efforts, which includes fair return on any funds he may have accumulated, saved up, and invested. No one should lay the flattering unction to his soul that you can fix up some scheme whereby you can deprive men of a fair reward and a reasonable income from their toil or their accumulations of toil in the form of cash and still get them to put forth effort. The man who indulges in any such vain imagining is bound to be disappointed.

It is argued that certain so-called recapture provisions should not be adopted because under them it would be difficult if not impossible to secure development. That is a highly important viewpoint. We want development, and we must have laws under which reasonably cautious men, men who do not want to invite financial loss, will feel justified in making investments. If we pass laws under which we can not secure development we legislate in vain. But there is another viewpoint which is even more important than that, and that is the viewpoint of the people to be served. You may secure some development of water power under a revocable permit, and we have in some cases. You might secure some

development of water power under a provision that at the end of 50 years the public shall take the property over without paying a cent for it. You might secure some development under a provision of recapture under which there would be a strong probability of a considerable loss on the investment at the end of the period of the license. We might get some development under any of these plans, but anyone who imagines that any values secured by the public at the time of recapture would not have been paid for in the meantime by the users of power is certainly not using ordinary common sense and judgment. The power-using public would pay for all future losses by increased rates during the license period, and not only pay it all but probably pay it manyfold.

Assuming a recapture clause under which at the end of 50 years the plant becomes the property of the public without payment, what is the situation when you come to fix the rates and charges on that kind of property? Why, the first thing that would be done would be to fix an amortization charge. Is there anybody foolish enough to think that such a charge would not be added to the price which the public would pay for the service? Of course, if the enterprise was alongside of and in competition with an enterprise not so burdened the enterprise would not be developed, but assuming that it was not so situated, but it was so located that it could secure business, even at high rates, the public would pay for the final loss on investment in rates and charges. If we are to have any sort of provision of recapture less favorable than is provided in this bill, which I think a fair one, and which is intended to secure the investment against confiscation, then we should have one under which the public takes the property over without paying a dollar, so the investor will know exactly what to expect.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. I ask the gentleman from Wisconsin if I may have 15 minutes additional——

Mr. ESCH. I yield the gentleman 15 minutes.

Mr. MONDELL. Then we would know exactly where we were, and the investor would know where he stood. He would fix his rates and charges on knowledge of the fact that at the end of a 50-year period his investment would be wiped out, and he would recoup himself in the meantime and the user of power would pay for it.

Mr. RAKER. You have the same provision now contained in this bill in regard to the recapture clause, providing for amortization, by which, as a matter of fact, at the end of 50 years the plant will be paid for and can be taken over.

Mr. MONDELL. There is no provision in the bill authorizing a charge or rate for powder based on the amortization of the property with a view of returning in 50 years all the investment, together with interest. As a matter of fact, there is no provision in the bill that establishes a basis on which the State authorities shall fix the rates.

Mr. TILSON. I would like to ask the gentleman if, in case a recapture was made as easy as that, so that it would be amortized during the period, whatever it was—50 years or any other time—that would not simply mean that only the most promising of the water-power developments would be made?

Mr. MONDELL. That is true, and therefore no such plan should be adopted. I simply suggested it to illustrate my argument.

Mr. TILSON. All but the most promising would be left without any development at all, and the power that we want developed so as to save coal would not be developed at all.

Mr. MONDELL. That is true. But that is a plan under which everyone would know just where they stood. The man who developed the water power would know that he would have to have a rate high enough to return his principal and interest in the 50-year period. If in his opinion the development could prosper under those conditions he would undertake it, but otherwise he would not undertake it.

Now, how about the recapture plan which has been contained in the bills that have been before the House in the past, and which certain gentlemen are now contending for? Even the chairman of the committee, much to my surprise, has deserted the final judgment of the committee, and the gentleman from Oklahoma [Mr. FERRIS] joins with him. What is it they propose? The gentleman from Oklahoma [Mr. FERRIS] says, among other things, that the House has passed twice practically the sort of a recapture proposition he now approves of, and therefore, like the laws of the Medes and Persians, it should be considered as fixed and unalterable. The last man in this House who should make an argument of that kind is the gentleman from Oklahoma. His committee reported and passed through the House on two occasions an oil bill, as he said, with the indorsement of everybody worth while and the unanimous vote of the House. Those bills contained certain provisions of great and vital importance. On the third occasion on which the leasing bill was presented to the House by the gentleman from Oklahoma in lieu of the provision to which I have referred it contained a radically different provision, insisted upon by the gentleman from Oklahoma, a provision much less satisfactory to those interested and affected by it, and this provision was adopted.

It is true that on former occasions when water-power legislation was before the House a recapture provision, quite different from that now contained in the bill, was agreed to. I doubt, however, if that recapture provision was entirely satisfactory to anyone.

Let us examine for a moment that recapture provision which the gentleman from Oklahoma refers to in his minority report and insists shall be adopted in lieu of the provision now in the bill, which was submitted to the committee by, and has the approval of, the Cabinet members who will compose the Federal power commission. The recapture provision now insisted upon as a substitute for the provision in the bill sounds fair enough, as it proposes the taking over of the property at the end of 50 years on the basis of what is called "fair value." The taking over of the properties at their fair or reasonable value, if that is what was actually proposed, might not be particularly objectionable if it were not for the element of uncertainty involved, but this particular "fair value" scheme is subject to all sorts of exceptions and limitations. It is, in fact, anything but a real fair-value appraisal.

Under this particular scheme of so-called "fair value" no credit is to be given for increases of land values during the 50 years, notwithstanding the fact that in the majority of cases none of the lands would have been acquired from the Federal Government. No part of the so-called "fair value" is to be based on the business which has been built up during the period. There is to be no appraisal of "fair value" of franchises or contracts or good will. The so-called "fair value" is to be based only on the physical property, not including increased values of real estate.

In other words, it is proposed that the investor shall take all the chances and all of the risk, including the risk of having his property taken over at merely the bare value of the machinery and equipment.

Such a provision is not fair from the standpoint of the investor and is not in the public interest, because so uncertain that the public would have to pay increased rates and charges to compensate for the uncertainty and probable loss. An uncertain proposition like that invites the highest kind of high rates during the entire period of the license, on the theory that as there is likely to be a loss at the end of the period the investor has the right to recoup himself for that anticipated loss by charges high enough to cover it. Of course, if the conditions are such that the plant can not be operated because the business will not stand high rates, the enterprise will not be undertaken, or, if undertaken, will not be fully developed and may close down. We may be certain, however, that if a plant operates under that sort of a recapture clause the public will pay in rates and charges for all the uncertainties of the investment.

Take any ordinary rate-fixing board, with a provision such as the gentleman from Oklahoma contends for and such as I regret to say the chairman of the committee now seems to contend for. What would be the situation? Assume, as an illustration, that you gentlemen were members of a rate-fixing board, anxious to do your duty both by the people who furnished the power and those who pay for it. Suppose a power company were to appear before you with a view of having rates fixed.

They would present, first, a statement as to investments, depreciation, cost of operation, and the production of power. In addition to that, they would call your attention to this recapture clause, to its character and its probable effect on their particular enterprise. They would dwell on the uncertainty of the project incident to surrounding conditions and particularly on the uncertainty surrounding the investment at the end of the 50-year period. With such a recapture clause as is proposed, they could convince any reasonable person of the strong probability, amounting to almost a certainty, of a very considerable loss on the investment when the recapture clause became operative.

Any honest rate-fixing board would be compelled under the circumstances to establish rates high enough to cover these elements of uncertainty, these items of loss. If they did not, the courts would soon remind them that the investor has the right to a fair return on his investment, including a sum sufficient to reimburse him for property proposed to be taken over. As the investor would be entitled to the benefit of any reasonable doubt, the rates fixed or decreed would in all probability, in the majority of cases, prove to be more than ample to cover the final loss, and the public would suffer, as the public always does

when some unwise, overzealous, or demagogic alleged friend sets on foot some illogical, unjust, or uneconomic scheme.

It is of vital importance that we shall have legislation which will insure the largest possible soundly economic development of water power. It ought to be entirely clear to the most superficial student or investigator of the subject that we can not hope for such development, except under conditions which will make low rates possible, and that low rates will only be possible if to the natural uncertainties and hazards of such enterprises we add no statutory artificial hazards and uncertainties.

Let us keep constantly in mind the fact that our aim and purpose should be to secure large development and to give the public the use of this development under the very best conditions and at the lowest possible rate. We can only hope to accomplish that by refraining from laying excessive burdens, creating artificial legislative handicaps, and avoiding impairment or confiscation of the investment.

No enterprise built under the provisions of the bill can successfully contend that it will, by reason of the provisions of the recapture clause, suffer any material loss in its capital investment at the end of the period, and therefore they can not ask for a penny in the rates and charges based on such a loss.

Mr. HUMPHREYS. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. HUMPHREYS. The gentleman assumes that the people who engage in the development of these water powers do so in order to make money?

Mr. MONDELL. That has been my assumption. I grant you from the viewpoint of some gentlemen that seems to be a violent one.

Mr. HUMPHREYS. I wish to call the gentleman's attention to a statement——

Mr. MONDELL. And I want to say to the gentleman right there, that no one more than I insists that there shall be at all times public control, unquestioned public control, over the rates and charges, so that there shall not be more than a reasonable income.

Mr. HUMPHREYS. Let me call the gentleman's attention to a statement made by the chairman of this committee the other day in response to a question that I asked of him, because I myself had been laboring under the impression that probably gentlemen who invested their money in water-power development had some notion that they would make some money from the transaction. He said:

> Let me call the attention of the gentleman to the fact that the Government is not hunting up anybody to give them permits to make money for themselves.

[Laughter.]

Mr. MONDELL. I think the chairman of the committee must have made that statement without thinking for the moment just how it sounded. And that brings me to another idea on which part of the theory in regard to flytrap recapture clauses is evidently based.

Some gentlemen seem to have in their minds some such theory as this, that in sundry and divers places throughout the country there are golden opportunities lying around loose, like coined doubloons, ready for some one to pick them up, and that the Federal Government actually has great, instantly valuable, and coinable resources of vast wealth which it is proposing to hand out under this bill. If I held any such view as that I would not be for such legislation as this at all. The Federal Government has no right to hand out to any individual immediately available resources of very great value. If the Federal Government has such it should utilize them in the interest of all the people. There may be a few cases where the Federal Government has itself made a development which renders a water power instantly or readily available. In such cases there should be a real charge based on the Government's investment.

In the majority of cases water-power projects are questionable in the extreme. They require the most careful examination, and if found feasible the most intelligent and painstaking development and management. They are subject to all sorts of contingencies and uncertainties, and we can not hope to secure their development unless we do the fair thing by the investor. The investor takes all the chances; let us not forget that. We are not proposing to relieve the investor from any of the perils that naturally attach to his enterprise; let us not, however, create artificial dangers and invite artificial uncertainties. If we do, we not only retard or prevent development but we afford excuses or reasons for the laying of added burdens on the people.

I insist on the strictest and most continuous public control of every service and every rate. But that being done, let us not imagine that we can lay burdens in taxes and charges and final confiscation that the people will not pay. They will pay them, and they will pay them multiplied times over, as the years go by, in the rates and charges for the use of these properties.

The interest of the public in all water-power development is this: The most complete development, the largest possible use, and the lowest possible rate. We will secure all these if we make the conditions clear and definite and lay the fewest possible burdensome obligations. Let us control, not burden these enterprises, to the end that we may secure the largest development, and that the people shall have the widest and best use at the lowest possible rate. [Applause.]

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. ESCH. Mr. Chairman, I yield 25 minutes to the gentleman from New York [Mr. SNELL].

The CHAIRMAN. The gentleman from New York is recognized for 25 minutes.

Mr. SNELL. Mr. Chairman, the development and utilization of the latent water power of the country is the most important question before the American people. Both from a commercial and economic standpoint it appeals equally to all, and it was the one subject, besides regular war legislation, of such importance as to receive special mention in President Wilson's first message to the Sixty-fifth Congress. It is especially befitting that this legislation should be considered at this time when preservation and conservation are uppermost in the minds of our people, for it is the only known natural resource that is not lessened or diminished by continued use, and its fullest conservation can only be accomplished by its complete utilization. The development of water power goes hand in hand with progress and prosperity, brings comfort and profit to humanity without distruction, without deterioration, and without loss. As a people develop and advance in civilization, so also are their water powers made most use of. In France and Germany water power and water transportation play an important part in their national life, while in the Western Hemisphere, with our superabundant supply of nature's resources, we have never given them the attention their importance demands, and only in New England and some of the Eastern States has any substantial part of the available water power been used.

Power, and cheap power, is the cornerstone of a nation's industrial progress, and the internal development of any country must precede its external commerce, and this power, like "acres of diamonds," is to-day lying dormant in the dooryard of the American people, and we have not awakened to our opportunity, as is shown by the fact that we have only developed about 8 or 10 per cent of the 60,000,000 horsepower available in this country. The last two decades have seen the greatest advances and development during our Nation's history along every line except water power. Just stop for a moment and consider what has been done in the iron and steel industry, railroads, paper and pulp, telegraph and telephone, manufacturing of every kind, and, above all, in the knowledge and use of electricity, yet the very source of this electrical energy, water power and hydroelectric development, has been at a practical standstill, except in private domain where Federal control could not interfere.

It was with full knowledge of present conditions that led the President to say:

> It is imperatively necessary that the consideration of the full use of the water power of the country and also the consideration of the systematic and yet economical development of such of the natural resources of the country as are still under the control of the Federal Government should be immediately resumed and affirmatively and constructively dealt with at the earliest possible moment. The pressing need of such legislation is daily becoming more obvious.

It is a fact universally conceded and not contradicted that the sole reason why but 10 per cent of the water powers of the United States have thus far been developed is because capital for development purposes can not be obtained under the unfair, unbusinesslike, and restrictive terms of the Federal laws now in force.

PRESENT LAW.

Prior to 1890, when Congress passed the first general law controlling structures in navigable streams, the individual States exercised their sovereignty over navigable rivers, authorized the construction of dams and bridges, and defined the rights of riparian owners in their waters without any interference on the part of the Federal Government. While the act of 1890 was quite general in its effect, the act of 1899 assumed complete control over all navigable streams and actually forbade the construction of any piers, dams, or structures of any name or nature without the special consent of Congress.

An act entitled "An act to regulate the construction of dams across navigable rivers" was passed in 1906, which required the consent of Congress by special act for any dam construction

and provided the conditions upon which any construction or development could be made.

Mr. HUMPHREYS. Mr. Chairman, will the gentleman yield?

Mr. SNELL. Yes.

Mr. HUMPHREYS. What is the act of 1899 that the gentleman referred to?

Mr. SNELL. Eighteen hundred and eighty-nine, I should have said.

Mr. HUMPHREYS. What is that?

Mr. SNELL. That was the first general law controlling structures in navigable streams passed by the Federal Government. Before this individual States exercised control over navigable streams; but there was no specific law really contained in the act. But I am now speaking of the act of 1906, which was superseded by the act of 1910, which is the present law. This act, which was intended to amend former acts, really repealed them all and completely covered the question of power development. This act not only requires the consent of Congress by special act for each individual development on navigable streams and on public domain but, as far as possible, describes the conditions under which all construction must be made. These conditions are so entirely impracticable and uncertain that all water-power development under Federal control has practically ceased.

First. This act requires the person making the development to comply with or construct according to plans approved by the Secretary of War and Chief of Engineers and authorizes those officers to impose such terms and conditions as they deem necessary to protect present and future needs of navigation. That is, the Federal Government may come along after you have completed your development and require you to construct, maintain, and operate without expense to the Government any necessary dams, appurtenances, works, locks, sluices, or other structure or structures which Congress, the Secretary of War, or Chief of Engineers may at any time consider necessary or in the interest of navigation. Of course, the first part of this reservation is proper and correct, that they should make all due allowances and reservations for navigation; but when you add on the fact that the owner of the development must make any additional expenditures that some officer might in the future deem necessary, and to operate it for all time without expense to the Government, regardless of cost, regardless of the proportionate expense of this added construction to the original cost or size of the development, you have placed restrictions in the law that no sane man or man of experience will go up against. I can readily conceive of a small development where the Government might come along later and call for an expenditure of an amount in building locks, sluices, and so forth, that would even be in excess of the original cost.

Second. The Secretary of War is not only authorized to fix and collect various charges for permits granted, but the rights acquired under the act may be annulled at any time by the company's failing to comply with some minor provisions of the act, and the company obliged to actually remove all its dams and improvements of every name and nature at its own expense without any recourse on the part of the courts of the land; and, also, Congress can repeal the act at any time without any protection on the part of the developing company for property taken or destroyed.

Third. The time limit of 50 years in itself is all right, but there is absolutely no provision for renewal or pay for the property taken over by the Government at that time, or guaranty of protection for any business that may be depending on it for power.

Instead of "An act to regulate power development," it should have been called "An act to prohibit power development." As proof of this statement I have only to call your attention to the fact that with but two small exceptions no power developments and river improvements have been made by private capital upon navigable streams since 1912, and developments are prevented and held back aggregating over 2,000,000 horsepower and which would open over 1,000 miles of additional inland waterways to navigation, through investment of private capital, and without taxation or appropriation of public moneys.

The would-be conservationist has, in my judgment, been one of the greatest drawbacks to progressive water-power legislation we have in the whole country. Under this guise they have flooded the people with all kinds of propaganda intended to deceive and mislead. Not one of them ever developed a water power or has had a particle of actual experience in this work. They simply advance fancied theories on the basis of State or Government ownership, and want all the benefits to accrue to the State, all the revenues; in fact, absolute control even if built by private capital. And this bombastic talk under caption of conservation influenced the people for some time, but it is fast losing its grip, and the thinking, conservative people of this country well know that the only way to stop this waste, to conserve and use this power that is to-day running idle to the sea, is by passing such a law that will not only protect the public but attract private capital. And the water powers of this country will never be successfully and economically developed except by private enterprise and private capital.

NOT ALL PROFIT.

As a result of this false propaganda in regard to profits and water-power trusts, and so forth, a great many people have a mistaken idea about the amount of easy money in water-power development. The idea is prevalent that all you have to do is to find a water power somewhere and the world is yours. Let me disabuse your mind of that fact, for, on the other hand, it is one of the most uncertain and hazardous undertakings of any line of business I know of, not excepting mining or drilling for oil and gas. Furthermore, it takes such a long time to get any returns on your money. Any medium-sized power development will take two to four years to develop, even if you have good luck, and then it may take almost any length of time, from 1 to 10 years, to get full market for your power. And there is no kind of machinery that costs more or wears out and becomes obsolete faster than water wheels and general hydroelectric machinery; therefore wear and tear and replacement expenses are almost beyond comprehension. The average water power is away from the centers of population, in rough and undeveloped sections, and the man who has the courage and nerve to tackle the problem generally has to build roads to it, clear ground, build houses, and a dozen other things that cost an immense amount of money, which are all done away with later, and the casual observer who comes along after the plant is completed and looks it over has very little conception of the work that has been done, the obstacles that have been overcome, or the enormous amount of money that has been spent and is covered up with apparently nothing to show for it.

It is on account of this uncertainty, the hazardous character of the whole work, that makes it absolutely imperative if you want to attract capital and men of experience, energy, and ability to this kind of work—and you will need them all before you finish a good-sized hydroelectric development—to put up a proposition that is something more than a mere interest-bearing proposition, for they can get that without taking all these long chances. Still we hear men arguing on this floor that if the developer gets interest on a successful proposition, and so forth, he should be satisfied. I tell you, gentlemen, going out into the wilds and developing any kind of a proposition is no simple-interest game. You can be one of these "swivel-chair officers" we hear so much about nowadays, and get simple interest; but the man who takes all the chances, and goes out and actually produces something, he does not take it away from anyone; he produces something that makes the world richer; produces something that benefits the present generation and all posterity. That man is honestly entitled to more than a bond and mortgage interest return on his investment, and some people would want him limited to that. He is entitled to a liberal return, for the simple reason that he has been a lifter instead of a leaner in the community in which he lives. The hazards of this kind of work are so many that the paper profit before you begin must be very attractive or you will never get anyone to undertake this work. Let me enumerate some of these unforseen things that happen in water-power development and you will see that it is not all sunshine. And I might say right here I am speaking from actual experience.

You employ the best and most experienced engineer you can find. He tells you, after months of figuring, surveying, sounding, and estimating, that your proposition will cost so-and-so and will take so long to put in operation. You start on that basis. You have made arrangements for so much money, so long a time to do the work, and on this basis you can make a good profit on the sale of your power. The first proposition you are up against is that low water does not come this year until a month later than the usual year, so you can not get your cofferdams in as you expected. When you do get this cofferdam in, the foundation rock is not as firm as expected and you must get additional machinery and take out a great deal more than anyone could possibly anticipate from the original soundings. The rains come weeks earlier this fall than ever before and high water is on you before you are ready and everything is drowned out and no human effort can help it.

Elements have been against that kind of work all the year, and it becomes freezing weather or such high water that you can not do to advantage that kind of work and must wait—or practically do so—until another season. Thus one year is gone and your work is not well under way, although you have spent

money enough to get nearly all your foundation in. Next year labor is 20 per cent higher than it was ever known before, or you figured in the estimates, and it is impossible to get efficient labor at any price. Thus you go on; one thing after another happens, until you find it has taken 12 to 24 months longer than you expected and cost anywhere from 50 to 100 per cent more than you figured to do the work. Then, when you are ready for business, the public-service commission comes along and values the property, insists on the highest-grade service, and regulates the rates in such a way that it is difficult to figure a fair interest return on the investment.

This is the history of all water-power development—costs much more than you expect and takes longer to do the work. So there must be more than ordinary inducement on the start or men will never undertake it. The three largest water-power developments in my State in the last 20 years have all failed from one to three times before they got on a firm business basis. The largest one was reorganized by the third set of men before it was a paying proposition. One, I think, is still in the hands of a receiver; and yet the casual observer or uninformed will tell you about these water powers and how much they are making when he does not know how many thousands of dollars have been sunk there and the years it took to put them on a paying basis.

Therefore, gentlemen, on account of this uncertainty, the hazardous nature of it all, if you want your water powers developed you must pass a law liberal enough in every way to attract men of experience and capital or these powers will continue to lie dormant, the same as they have in the past.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. SNELL. Certainly.

Mr. WALSH. The gentleman is making a very interesting statement, and I know he has a very intimate knowledge of this problem. I wanted to ask him if, under the provisions of this bill, water-power development in his own State would be materially stimulated or encouraged? How much opportunity is there in the gentleman's State for the further development of water power?

Mr. SNELL. As far as our own State is concerned, outside of a few special places like the St. Lawrence River, the water power is fairly well developed; and, as I understand the bill or as I hope the bill will be when entirely completed, the nonnavigable streams, or what we call in our State nonnavigable-in-fact streams, will not come under the provisions of the bill. There is a big power on the St. Lawrence River that must have some special legislation before it can ever be developed; but that, of course, being a boundary stream, I do not understand that it comes under the provisions of this bill.

Mr. WALSH. One further question. Has the State of New York assisted private capital in the development of water power?

Mr. SNELL. Not that I know of.

Mr. WALSH. So that the great power plants in the gentleman's State have been established and maintained through private capital?

Mr. SNELL. Entirely through private capital.

Mr. TILSON. Mr. Chairman, will the gentleman yield there for one question?

Mr. SNELL. Yes.

Mr. TILSON. Referring to the streams that the gentleman has spoken of, are they inside the State entirely?

Mr. SNELL. Absolutely.

Mr. TILSON. And are under the control of the State, and would not come under the provisions of this bill?

Mr. SNELL. I do not consider they will come under the provisions of this bill. My purpose was to show that all development has taken place on streams not affected by Federal laws.

Mr. TILSON. My own recollection agrees with that of the gentleman, that all water-power development has practically stopped since the original law of 1910 was passed, so far as United States waters are concerned, or waters which the United States controls.

Mr. SNELL. Nothing has been developed since the enactment of the present law, with two small exceptions.

Mr. TILSON. And the development has taken place largely within the States without being hampered by the law of 1910?

Mr. SNELL. Yes; almost entirely so.

Mr. SINNOTT. Mr. Chairman, will the gentleman yield?

Mr. SNELL. Certainly.

Mr. SINNOTT. Speaking of nonnavigable streams, what is the outlet of those streams that the gentleman referred to? What do they flow into?

Mr. SNELL. I want to take up that question later. There may be some discussion about that point. They flow into navigable streams.

Mr. SINNOTT. Then, according to the theory of some, Congress would have jurisdiction over those nonnavigable feeders on the theory that he who destroys the foundation of my house takes the prop by which it is sustained. On that theory Congress would have jurisdiction over the nonnavigable streams for the purpose of protecting navigation on the larger streams into which those smaller streams flow, and thereby your nonnavigable streams would come under the provisions of this bill.

Mr. SNELL. I think they would under that construction.

Mr. TAYLOR of Colorado. Mr. Chairman, will the gentleman yield for a question?

Mr. SNELL. Yes.

Mr. TAYLOR of Colorado. I want to say that I am very glad that the gentleman feels that his streams will not be included; but as a member of this committee, I think the policy contemplated is to include them all; and when you attempt, as I hope you will do, to have some express provision placed in the bill regarding them, you will find a great deal of opposition to anything that specifically limits or excludes them.

Mr. SNELL. I am going to take up that subject later in my remarks.

The idea that any law that Congress may enact would be eagerly accepted by would-be water developers and by investors has thus been proved to be a delusion. To be effective, to cure the present stagnation, and to bring about the development of our now wasting water powers, the present faulty laws must be repealed and replaced by legislation based upon business principles. As I have already tried to show, and shall endeavor to show later on, the water-power business, under the supervision and control of the public authorities as to rates and service, is conducted upon a close margin of profit; and if development capital is to be secured the investor in water-power securities must know in advance that in so far as the requirements of Federal laws are concerned they will be such as will protect and not imperil his investment.

Prudent men could not give their time nor invest their money under the impractical conditions of our present Federal laws, and, prevented by the laws and policy of their own country from engaging in developing the water powers of the United States, our citizens have found in other lands the welcome for their enterprise and capital denied them at home. Thus over 300,000 horsepower has been developed in Canada, Norway, Sweden, and France by Americans with American capital, and the establishment of great industrial plants involving the expenditure of millions of dollars and the employment of thousands of men has been lost forever to the United States. I have a concrete example of this in my home county. A company owned a power site on the St. Lawrence River, but on account of the restrictive laws of this country and their inability to get a proper charter, they went 75 miles down the river into Canadian territory and purchased a new site, put in a development, used the same water, met all navigation restrictions and regulations, developed 150,000 horsepower by hydroelectric energy, and are to-day bringing over one-half of that power over 85 miles of wire back into the United States and manufacturing equipment for the United States Army.

The CHAIRMAN. The gentleman's time has expired.

Mr. SNELL. Will the gentleman from Wisconsin yield me about 10 minutes more?

Mr. ESCH. I yield the gentleman 10 minutes.

Mr. SNELL. Thus millions of American money have been spent in Canada, labor employed there, and taxes paid there that should be in the United States. But that is not the whole story. If Canada needs this power she may take it at any time and shut off a supply that is of vital importance to this Government at this time. With proper legislation on our statute books this important water-power development would to-day be under the American flag at the complete command of the Federal Government.

Let us be careful, therefore, that in the preparation and the enactment of the new legislation now under our consideration we do not perpetuate instead of cure the present unfortunate situation. If we adopt a narrow, cheese-paring policy and load down development and operation with too many restrictions, our water powers will continue to waste while those of other countries are being utilized.

A good deal has been said regarding Congress protecting the interests of the people in this matter. It is in the interest of the people, and tremendously in their interest and for their benefit, that Congress should enact legislation of a character which will encourage and not prevent water-power development. The importance and necessity that coal and oil should be conserved through utilization of the hydroelectric energy now wasting in our falling waters is so great that Congress could well afford to authorize the payment of a substantial

bonus for hydroelectric development if it could be secured in no other way.

It is estimated that under stress of war conditions and necessities brought about through lack of coal and shortage of electrical energy for production of munitions, that during the period since the war began the development of over 2,000,000 water horsepower has been undertaken in European countries. It may be truthfully said that it will take from two to three years to complete water-power developments on a large scale, and that the war will probably be over before the power would be ready for utilization. But the war may last for three years or more, and the development of our water powers and the utilization of the vast amount of energy contained therein, which would largely replace man power, might be a mighty factor in deciding the conflict in our favor. I consider, therefore, that water-power legislation is essentially war legislation, and that not an unnecessary day should be lost in its enactment. And in the time of peace to come, when the nations will grapple as never before for world supremacy in trade and commerce, no factor will be so important, so necessary, to industrial expansion and to the growth of our foreign commerce as cheap electrical power in unlimited quantities.

The country needs and demands that our water powers be developed. The newspapers all over the land are voicing this demand. All but 6 of the 1,339 business organizations which constitute the membership of the United States Chamber of Commerce, and having a membership of over 500,000 business men, have voted recommending "that Federal legislation encouraging the development of water powers should at once be enacted."

The hour has struck. The country calls on Congress to promptly enact water-power legislation of a nature that will insure development.

I have carefully studied the bill reported by the Water Power Committee. It fully protects every public interest. Its terms and penalties are severe. I wish that its terms were more encouraging to the investor, but, with the three changes indicated below, I believe that it will put the proposed Federal power commission in a position to issue permits under which money might be obtained for development purposes.

FIRST CHANGE.

Section 3, top page 26, defines "navigable waters" as "all streams or parts of streams and other bodies of water or parts thereof, over which Congress has jurisdiction under its authority to regulate commerce with foreign nations and among the several States."

From this definition there is no doubt in my mind but that the bill goes further in its control than the committee intended, as I do not believe they intended to bring small feeders to navigable streams under the provisions of this bill or to require anyone who desires to develop power on privately owned land, on these small feeders, nonnavigable in fact, to apply to a Federal commission for a permit. And I believe the language of the Shields bill defining navigable streams, as follows, to be much better:

That the term "navigable waters" as used in this act and as applied to streams shall be construed to include only such streams or parts of streams as are in their ordinary natural condition used for the transportation of persons or property in interstate or foreign commerce, or which through improvement heretofore or hereafter made have been or shall become usable in such commerce. As to all other streams or parts of streams over which Congress has jurisdiction, under its authority to regulate commerce with foreign nations and among the several States, permission is hereby given to construct dams therein, subject, however, to removal or reconstruction, without expense to the United States unless utilized by the United States, whenever the United States enters upon the improvement thereof for the purpose of making the same usable for interstate or foreign transportation: *Provided*, That any person who proposes to construct a dam in any such last-mentioned stream or part of stream may make application to the Secretary of War, and thereupon may receive a permit under the conditions with all the rights and privileges herein provided for streams or parts of streams used for the transportation of persons or property in interstate or foreign commerce in their ordinary, natural, or improved condition. Nothing in this section shall be construed to grant any right to occupy or use any public land.

This definition of navigable streams, in my judgment, could be used to better advantage than that carried in the bill and in no way injure the intent or purpose of the bill, and at the proper time I intend to offer such an amendment, which I trust will be accepted by the committee.

Mr. ANDERSON. Will the gentleman yield?

Mr. SNELL. I yield to the gentleman from Minnesota.

Mr. ANDERSON. The gentleman certainly does not consider this bill in the sense of requiring anybody to apply for a license. There is nothing in the bill that requires anybody to apply for a license.

Mr. SNELL. I certainly do consider that they can not go on and develop on navigable streams and feel secure in their work unless they apply for and act under license.

Mr. ANDERSON. They simply take their chances if they do not.

Mr. SNELL. They certainly will not take chances; so if they do develop they will necessarily come in under this law if passed, and I trust it will.

Mr. ANDERSON. If they develop power on a small stream they take their chances that Congress may at some time make a requirement with respect to small streams. This bill does not do that at all.

Mr. SNELL. I trust that is so, but I say that the language of the Shields bill as to navigable streams should be used in this bill, instead of the language that is used at the present time, for the definition of navigable streams in the Shields bill, in my judgment, covers all that was intended.

Mr. SINNOTT. Will the gentleman yield?

Mr. SNELL. Yes.

Mr. SINNOTT. The gentleman from Minnesota said they run their chances at the present time. At the present time they are not running any chances. They go on a small stream and secure their rights, and if the Government hereafter should undertake to interfere with those rights the Government would have to compensate them for any loss.

CHANGE TWO.

Mr. SNELL. The second change that I would like in the bill is in section 6.

Section 6 provides that licenses shall be issued for a period not exceeding 50 years.

Sections 14 and 15 give the United States the option to do one of three things upon the expiration of the license:

First. Upon two years' notice upon or after the expiration of the license to purchase the property for itself;

Second. To issue a new license to the original licensee; or

Third. To issue a new license to a new licensee who, before taking possession of the property, shall purchase it on the terms of the Government option.

But the bill does not cover the time which may elapse between the expiration of the original license and the time when the Government takes action upon one of the three things before mentioned. If this hiatus is not remedied it will prevent development, for it would leave the licensee at the end of his license without any right whatever and in the position of a trespasser until such time as the Government or a new licensee purchases his property or he is granted a new license.

In section 6, line 25, after the word "years," should be inserted an amendment providing that "after the termination of such period the licensee, upon application for a new license, shall continue in undisturbed possession and use under the conditions prescribed in the license until a new license is issued, as provided in section 15 hereof, or until the properties are taken over and compensation is made as provided in section 14 hereof."

CHANGE THREE.

Section 15 provides that if the United States does not at the expiration of the original license purchase the property, or if the property is not purchased by a new licensee, that the commission is authorized to issue a new license to the original licensee "upon such terms and conditions as may be authorized or required under the then existing laws and regulations."

Thus the licensee would be obliged, if the property is not purchased from him, to accept a license in accordance with the then existing laws, but which might not be workable and which might imperil his investment and under which he might not be able to earn a fair return upon his investment.

In other words, he might be forced to accept a new license of a character which, could he have foreseen its terms, would have prevented him from making his original investment. I doubt very much whether it will be possible to induce the investment of capital in the development of water powers unless the bill gives assurance that if the original licensee is obliged to continue the operation of the property under a new license after the original license expires that the new license shall be of a nature which will not imperil his investment nor prevent the earning of a reasonable return thereon. I therefore suggest that there be inserted in section 15, page 21, line 1, after the word "regulations," the words "but not for a period of less than 20 years and not such as will impair the net investment nor the right to earn a reasonable return thereon." I consider that this will be only fair to the investor. Capital will not invest in a business where the earnings are close in the face of a condition which might imperil its safety and earning capacity.

I would like these few changes incorporated in the bill, but if the committee does not agree with me I shall support and vote for it. I believe it is the best piece of legislation on this subject ever presented to this House for consideration. It is

the result of honest effort on the part of the committee to meet the demands of the country for legislation that will encourage instead of prohibit future development, and I hope it will pass by unanimous vote and soon become the law of the land. [Applause.]

Mr. LONDON. Will the gentleman yield?

The CHAIRMAN. The gentleman's time has expired.

Mr. ESCH. I yield 15 minutes to the gentleman from Oregon [Mr. MCARTHUR].

Mr. MCARTHUR. Mr. Chairman, the object of the pending bill, as I understand it, is to secure the development of the water powers of the country. Much has been said and much more could be said of the importance of such development, but it is unnecessary to dwell upon that at length, because substantially every Member of this House understands it. We all know that the only way to conserve water power is to use it; that water power will in many cases take the place of exhaustible fuel resources; that industries which can not exist without cheap power, and which therefore are at present practically nonexistent in this country, will come into being with water-power development; that in connection with water-power development vast irrigation enterprises are possible, greatly increasing the agricultural resources of the country; that water-power development will result in the production of more and cheaper fertilizer products, again to the great benefit of agriculture; that with it new industrial centers will be established, railroad transportation will be improved and perhaps cheapened. In short, we all know that for years the country has been permitting one of its greatest resources to go to waste for the lack of the very legislation we are now attempting to secure.

The question presented, therefore, is not the need of water-power development, but rather the method of development. Evidently there are only two ways: Either the Government must develop the water powers or they must be developed by private capital. I do not favor water-power development by the Government, because I think the Government has sufficient burdens already, but I am willing to concede that if the country were ready for it, and Congress and the Executive were ready to embark upon that policy, water-power development might be secured in that way. The fact is the country is not ready for it, and, if I am able to judge of the temper of Congress, Congress is not ready for it. If Government development of water power were to be depended on to secure the advantages all concede would flow from such development, there would be a very long delay before it could be accomplished, if it ever could be accomplished. The result is that for practical purposes it is necessary to assume that such development can only be secured now by the use of private capital. That is the tenor of the Executive recommendation, partly in response to which we are acting, and it is the theory, and properly so, of the pending bill. Under these circumstances it is natural and proper that some consideration at least should be given to the conditions of investment under which private capital can be secured for these enterprises, or in fact for any enterprise.

Since the war began we have had an important object lesson relating to the source from which the money, which is required in large quantities, must necessarily come, namely, from the savings of the people of the country. These savings, though comparatively small in individual cases, in the aggregate amount up to figures which are enormous. They become available at the present time for war uses through the investment of the people in liberty loans and savings certificates. In ordinary times they become available for the construction of railroads, public-utility enterprises, and great works of all kinds through their investment in securities offered by reliable concerns. There is in normal times a great competitive investment market, where through various agencies the savings of the people are placed to secure profitable and safe investment. Money to develop the water-power enterprises of the country must necessarily be secured in this competitive market. Consequently if we are to secure water-power development by means of private capital it is necessary to make the terms and conditions under which the investment is to be made such that it will afford absolute security to the investor and will be sufficiently attractive so that it can compete in the investment market with other desirable investments offered.

This does not mean that the public interest need in any way or at any time be sacrificed or should be sacrificed. On the contrary, the complete protection of the public interest should be the first consideration. To my way of thinking, the development of the water-power resources of the country is in itself a tremendous public interest. We can do nothing to safeguard the interests of the public by imposing water-power terms and conditions so onerous as to defeat development. The next matter of great public interest is that after water-power development is secured there shall be public regulation of the rates and charges for service, so that the development, when it takes place, shall benefit the consumers of power. This, I feel, has been amply provided for in the pending bill. A third matter of public interest is that the way may be left open so that at some time if the Government desires to take over and operate these properties it may do so. This also has been amply provided for in the pending bill, but the method of doing so has been attacked in the minority report, and I wish to dwell upon this matter for a moment.

It has been said that the so-called "recapture" terms in the pending bill are so onerous and cumbersome that they practically deny any right of recapture which they purport to afford. I deny that this is true. The term "net investment" is not a cumbersome term nor one not easily understood. The meaning is that if the Government takes over the property of the water-power licensee, thus compelling him to hand over the business and retire from the field, there shall be returned to him the amount of money which he has legitimately invested in the enterprise and no more. It has been said that by this clause the Government guarantees the water-power licensee against loss in the enterprise. Of course, it does nothing of the kind. If the water-power enterprise is unsuccessful the licensee has no power to compel the Government to take over the property, and he must bear his losses as best he can. If, on the other hand, the enterprise is successful, he must at the end of 50 years, if the Government desires it, take back his invested money without any profit whatever thereon, except such as he may have earned from year to year, and retire from the business. He not only is not guaranteed against loss, but he is, on the contrary, prohibited from receiving more than ordinarily reasonable annual profits. In addition thereto the licensee is compelled to make necessary renewals and replacements to take care of depreciation and deterioration, so that upon recapture the Government may have a sound plant. There are some of us who believe that he should be far more liberally dealt with; that when a man has taken the risk and spent the time, energy, daring, and determination necessary to develop one of these hazardous enterprises, he should, if called upon to relinquish it, be given some compensation for the work that he has done other than ordinary annual profits. However this may be, it is perfectly obvious that no one will invest in water-power enterprises unless he is at least assured that he shall not have his property taken away from him without return of the capital invested. This is all the so-called "recapture clause" of the bill provides for.

This legislation means a great deal to my State and to the section of the country which I in part represent. The committee which has reported this legislation has, I believe, given ample and thorough consideration to the measure. While it is not in all respects as liberal as I wish it were, and while I do not believe that it will secure development to the extent I wish development might be secured, I am convinced that it will secure some development almost immediately, and I trust that it will have the approval of this House substantially in the form reported by the committee. [Applause.]

Mr. ESCH. Will the gentleman from Tennessee yield some time?

Mr. SIMS. I yield to the gentleman from Connecticut [Mr. LONERGAN] 10 minutes.

Mr. LONERGAN. Mr. Chairman, the bill under consideration, when properly amended and passed, will be at once a most important piece of war legislation and a powerful addition to that legislation which tends to fortify our Nation for the reconstruction period to follow after the war. The first district of Connecticut, which I have the honor to represent, is vitally interested in it, for we have on the Connecticut River, about 12 miles above Hartford, at what is known as the Enfield Rapids, 40,000 horsepower running to waste every day, although it is situated in the heart of a manufacturing district where more than 100,000 horsepower are being manufactured daily out of coal at a high cost to manufacturers, to say nothing of the difficulties of securing an adequate coal supply at present.

If this bill had been passed before the war broke out we would have been spared the sacrifice of last winter, when coal was sent to the homes of our citizens and to our ships at the expense of our manufacturing establishments, when there should have been enough to go around. Oil would have been saved. The power that might have been available by such a bill as the one under consideration could have been used for factories, while the Fuel Administration could have diverted its supplies to homes and to ships.

Power can be supplied to Connecticut concerns within a reasonable radius of the Enfield Rapids at about half the cost of

producing steam power. Connecticut has already granted authority for the development of this power, the State of Connecticut owning the bed of the river. The State more than 10 years ago, through its general assembly, went on record as favoring a special act permitting the damming of the river at Windsor Locks. The $5,000,000 necessary for financing this project, I am informed, is ready and waiting. I am told that about 70 Connecticut and Massachusetts men have been organized into a company anxious to see this development made, and prepared to invest their money in it. The men include manufacturers, who want the power in their large industries; transportation men, who wish to see the navigable possibilities of the river developed; and men otherwise interested in the growth of the State.

There is no navigation on the Connecticut River above Hartford on account of the Enfield Rapids. The Government has declined to improve the river owing to the expense of placing a dam across it in order to permit boats to surmount the rapids. It has, however, recommended that certain improvements be authorized, provided private capital build a dam at Windsor Locks.

The passage of this act will practically clear the way for wonderful development.

Added to the long story of the water-power controversy is the feature, now palpable to all, that the enactment of the measure will help immeasurably in winning the war. Then, too, there are the other reasons not so important, but in themselves compelling. The purpose is to serve the public interest; to safeguard the people against any overcharge for power; to prevent illegal combinations in restraint of trade and at the same time to permit and encourage the investment of capital in the development of water-power projects in order that the vast amount of hydroelectric power now being wasted in this country can be immediately utilized. From every part of the country there is an insistent demand for electric power. This call comes from the city and from the country, from factory and from farm, from the manufacturing centers of the East, from the arid lands of the West, and from the new industrial cities of the South. More and cheaper electric power is demanded for lighting our houses and streets, for cooking our food, for use in our factories, for moving our railroads now operated by steam, and for street railways, and for interurban lines; for pumping water for irrigation and to drain the overabundantly watered lands of the South.

Cheap electric power is demanded that this country may be on an industrial footing equal to that of the nations of Europe, where, it must be admitted, the development of the new electric chemical industries is far in advance of this country. The present laws have caused what is practically a deadlock between capital and the Government in the development of water powers upon all rivers under the control of the United States. Grants permitted under the terms of the present laws are not such as to encourage the investment of capital in water-power projects. The result is a complete stagnation of water-power developments. The few plants that have been constructed have either been exceptionally favored in their situation or have become bankrupt.

In the attempt to protect the interests of the public preventive measures have been passed, so that the public has been deprived of the great benefits to be secured from the full and adequate development of the water powers of this country. What is needed to-day is a constructive program rather than a destructive one, legislation which will permit and encourage the development of navigation and hydroelectric plants to the utmost, yet at the same time safeguard the people against extortion by high prices for power and combinations to prevent the full development and use of these powers. It is just as important to secure for the public the benefits to be derived from the development of these waterways as it is to protect them against high prices and illegal combinations.

All legislation should be in the public interest, but it is not in the public interest to pass laws which prevent utilization of the greatest natural resources of this country.

It is now time to pass constructive legislation which will enable the development of these water powers on terms fair to the public and to private capital.

It is a mistaken policy to prevent the present development of water powers in the belief that in the future they will be more valuable than now and a large source of income to the United States Government, to be raised through the taxation of these water powers. All taxation must be uniform. Every tax laid on water powers must be paid by the consumers of the power and means a higher price for power to those consumers. The correct policy is to encourage the development of our water powers and to protect the consumers by provisions which will prevent extortionate charges for water power, or a too high rate of return, or more than a reasonable return to capital, a policy which will result in both protecting capital against confiscations and the consumer against extortionate rates.

In addition to increasing power, the bill will add to navigation on the Connecticut River. The present dam has been built since 1831. The plan is now to relocate the dam at the foot of the rapids instead of at their head, and, through locks and canals, to provide a continuous journey from Hartford to Springfield and Holyoke.

No one, I am sure, feels that our waterways should be left to the exploitation of private interests, but a program fair to all concerned should be inaugurated. Perhaps in a generation or two the Government will own all water powers, but in the meantime they should be developed along lines laid down by the Government.

The development of the water power at Windsor Locks is a matter which concerns all of the towns situated near that place. This is a manufacturing as well as an agricultural part of the State of Connecticut. The communities which will be directly interested and their population in 1910 follow:

Hartford	98,915
New Britain	43,916
East Hartford	8,138
Windsor	4,178
South Windsor	2,251
East Windsor	3,362
Windsor Locks	3,715
Suffield	3,841
Enfield	9,719
Rockville	9,087
Manchester	13,641
Stafford Springs	5,235
Glastonbury	4,796
Bristol	13,502
Southington	6,516

To-day the population of the above communities, especially Hartford, New Britain, and Bristol, has increased, perhaps, 30 per cent over the figures given.

Every one of these communities is in direct line for the benefits which would result from the developing of the water power at this part of the river. These cities and towns are among the most prosperous as well as the oldest in the State. Among their residents are thousands of people who are engaged in manufacturing and agricultural pursuits, and whose products go beyond the border of the United States. There are hundreds of prosperous mercantile and manufacturing concerns and hundreds of thousands of consumers who will indirectly feel the benefit of a substantial movement to increase the manufacturing facilities in their respective localities. Not only the places I have mentioned but several other important towns and cities in Connecticut and Massachusetts will be accommodated by the proposed improvements on the Connecticut River. There is no question but that with the increased population and continued industrial development the demand for water power is growing rapidly. It would be difficult to estimate the great advantages to the industries of northern Connecticut which are bound to follow when the proposed project opens up this new source of power.

The firm belief in the ultimate success of the project is greatly strengthened by the personnel of those who are back of the enterprise. They are substantial men of affairs who have achieved marked success in other lines and who are identified with the largest commercial and manufacturing interests in their respective towns, and it may be expected that they will bring to this important undertaking the same ability, enterprise, fair dealing, and judgment that have characterized their endeavors in the past.

The Connecticut Valley is anxious to make the most of the natural resources of the Connecticut River. In my speech in the House of Representatives on March 21, 1914, I mentioned the reasons for the widespread desire for the improvement of the Connecticut River. The Connecticut rises in the extreme northern portion of New Hampshire and flows in a southerly direction between that State and Vermont, forming the boundary line between these two States, and through Massachusetts and Connecticut, emptying into Long Island Sound and Saybrook, about 30 miles to the eastward of New Haven and about 40 miles to the westward of New London. Its entire watershed is said to be about 11,000 square miles, of which only about 850 square miles are below Hartford. Most of the important tributaries of the Connecticut River join it above Hartford. Below Hartford there are only five that may be considered of any importance. The Park or Hog River enters the Connecticut from the westward at Hartford about 4,100 feet below the highway bridge, and the Hockanum River flows into it from the eastward about 5,000 feet below the mouth of the Park River. At Middletown, Little River flows in from the westward, and just above East

Haddam the Salmon River and, a short distance above Essex, Eight Mile River empty in from the eastward.

As to the possibilities of the freight-traffic development of the river, the value of freight transported on the river in 1917 was about $50,000,000; and the tonnage figures pointed toward the million being coal, lumber, building materials, fertilizer, petroleum products, and miscellaneous steamboat freight. Furthermore it costs New England manufacturers nearly $3 to bring every dollar's worth of coal to the section, according to reliable figures. How long can New England expect to do business under this handicap with the aggressive interior and west, so much more favorably situated in regard to the food supply and the market?

An idea of the large number of people who are in position to be benefited by the development of the river is given by referring to the population of the cities and towns concerned. The communities in Connecticut interested in the river improvements have approximately 800,000 inhabitants. They are in the front rank among New England's manufacturing towns, and their products, which are so diversified that they range all the way from an ordinary pin to an automobile, are shipped to all sections of the civilized world.

Historical records show that a hundred or more years ago elaborate plans were commenced for the development of the Connecticut River. A system of canals was proposed, and charters were secured in Vermont, Massachusetts, and Connecticut. Under the Connecticut charter, which was granted in 1824, the recipient was given permission to widen the channel of the river and remove obstructions from that part of the river between the bridge at Hartford and the city of Springfield. Authority to construct canals was also given. Extensive improvements were made at that time, and it is said that at that period the Connecticut River entered upon its era of greatest commercial activity. According to the records, the whole river was open to navigation from Hartford, Conn., to Wells River, Vt. The river is about 345 miles long. Freight was carried in flatboats with capacity of 30 to 40 tons.

The Connecticut Valley is one of the most important tobacco-producing districts in the United States, the crop for last year alone being valued at nearly $12,000,000 for that part of the valley within the confines of Connecticut. The river passes right through the heart of the tobacco belt. The problem of irrigation engages the attention of the growers, and the Department of Agriculture is assisting along constructive lines; but the solution of the whole situation would be hastened if, through the present measure, the way can be opened for the irrigation of this large district.

Mr. TILSON. Will my colleague yield to me for a moment before he leaves that subject?

Mr. LONERGAN. I yield to the gentleman for a moment.

Mr. TILSON. In regard to the water power at Windsor Locks, not only will that improvement give water power and not impede navigation, but will it not really make navigation possible which now is practically impossible?

Mr. LONERGAN. Oh, yes; between Hartford and Springfield and Holyoke, Mass.

Connecticut is the munitions State of the Union. A greater part of its manufacturing industries are producing munitions and materials of war than the industries in any other State in the Union. The crying demand is for more power. Every available water power on its nonnavigable streams has been developed to its limit. There are thousands of horsepower on its navigable streams that have not been developed because of failure of Congress to legislate. Last winter many factories engaged in the production of war materials were obliged to shut down on account of lack of fuel, although a few miles away water power on navigable streams remained undeveloped and the waters running to waste.

Those who have studied this situation in Connecticut are convinced that power shortage will constitute a very serious obstacle to the production of materials vitally needed at present in the war. In the district I have the honor to represent, the 40,000 horsepower running to waste at Windsor Locks, if developed, would have saved the transportation of more than 200,000 tons of coal, and released those cars and railroad facilities for the transportation of other articles and help relieve the freight congestion which New England is suffering from. Freight embargo after freight embargo has been placed on New England on account of the inability of the railroads to transport the coal, raw materials, and finished products to and from our factories. Immediate relief from this condition is demanded. It is a vital necessity as a war measure and relief can not come too quickly.

Another great argument for the development of our water powers is the imperative necessity that we produce sufficient fixed nitrogen in this country to meet its requirements.

The development of water power is more closely related to the production and conservation of food than any other project that has been proposed. Other countries with lands in a high state of cultivation many years ago utilized their water powers in the production of atmospheric nitrogen for use as fertilizer. This country, up to the beginning of the war, was dependent largely upon the Chilean nitrate fields for its supply of fertilizer. Since then the price of Chilean nitrate has advanced from $40 to $85 a ton, and even at that price a sufficient supply can not be obtained on account of the lack of ships to transport it. The development of cheap water power furnishes the only other source of supply for this product. The fixation of the nitrogen of the atmosphere as a fertilizer through the electric furnace, using cheap hydroelectric power, ranks among the most important of the economic and industrial elements of this generation. The manufacture of air fertilizers, so far advanced and so well established in France, Italy, Norway, and Germany, as well as in other countries, promises to give us abundant and cheap fertilizers, and the fertilizer industry is recognized to-day as the most important of all in its relation and possibilities for reducing the high cost of living. Only by the utilization of our great water powers and the fixation of atmospheric nitrogen can we ever meet European competition in commerce. The countries of Europe on lands that have been in cultivation for thousands of years use double the amount of fertilizer per acre that is used in this country, and for double the amount of fertilizer the European farmer pays no more than the American farmer pays for half the amount, and as a result the yield per acre in Europe is double that in the United States.

Fertilizer in this country will not be cheaper while the war lasts under present methods of manufacture, even if it can be obtained at all, nor cheap enough after the war is over for generous use unless it is made by cheap hydraulic power.

Nitrogen in the form of nitric acid is the main constituent of all explosives used in war, and the immediate development of our wasting water powers and the establishment of atmospheric-nitrogen plants is an immediate war necessity.

The necessity for news-print paper is recognized everywhere. This can only be secured in sufficient quantities by the use of cheap hydroelectric power in the far West. The great unused stands of pulp-wood timber are almost without exception in sections of this country where the available water powers lie either in the public domain or on navigable streams. As power is absolutely essential in the conversion of wood into paper pulp, it is obvious that we can not remedy this situation without the passage of a bill permitting the development of water powers. This is one form of practical relief that Congress can extend to newspapers in a very trying situation, and one that is daily becoming worse.

This bill is therefore a necessity both for purposes of war and purposes of peace. After the war, when the nations have grappled as never before for world supremacy in trade, industry, and commerce, no factor will be so important and so necessary to industrial expansion and growth as cheap electric power in unlimited quantities. Action by Congress is all that prevents the utilization of the vast amount of energy contained in the undeveloped water powers of this country. The country needs it and demands that the development of these water powers be utilized.

Mr. Chairman, I have touched in a general way upon the reasons, peculiar to Connecticut, which should prompt us to pass the present legislation at the earliest opportunity. What is true of Connecticut is, I am sure, true of every State in the Union. The question is no longer a local one. For that matter it is no longer a strictly national measure, for its possibilities have reached out until they have assumed an international aspect. Our whole strength, with the strength of our associates in the war, is bent toward winning the great conflict. The passage of the present measure will enable us to grant still more aid to our allies and bring to an earlier conclusion the world struggle into which we have entered. [Applause.]

Mr. SIMS. Mr. Chairman, I yield 20 minutes to the gentleman from Kentucky [Mr. HELM].

Mr. HELM. Mr. Chairman, the allies have acted wisely in not having heretofore taken any definite action in Russian affairs, but I believe that the time has arrived when prompt and material assistance should be rendered to that element of loyal Russians who are opposing German aggressions in Russia.

The allies are warranted in effectively opposing any Russian organization distinctively pro-German and cooperating in arms with Germany and as a necessary sequence in rendering aid and assistance of every kind to any Russian organization or group distinctively proally, and especially the loyal element that has never broken faith with the allies; in other words, the allies have the same right and duty to save Russia for the true and loyal Russians as they have to save France for the French.

Vague and unconfirmed reports have been circulated relative to the alleged assassination of the Czar. It is reasonable to conclude that they are not true. In the first place, if they were true the world would have known far more than has been published about the manner in which it was done and its effect and bearing on the entire war situation. Second, the loyal Russians have all to lose and nothing to gain by bringing such a disaster to their country. Third, the only element that would be parties to the crime, the Bolsheviki, would not venture to attempt it without the consent and approval of Germany, which it will never get so long as the Kaiser entertains the hope of placing the Czar back on the Russian throne. The Bolsheviki are dominated and controlled by Germany; they take their orders from Berlin, and yet Germany is ready to throw them overboard the instant it becomes expedient to do so by reason of their inability to retain their hold on Russian affairs, which hold is rapidly waning. The editorial in the Washington Post of date July 10, 1918, entitled "The struggle over Russia," presents the situation very aptly and is as follows:

THE STRUGGLE OVER RUSSIA.

It is not generally known that Count von Mirbach, the German minister recently slain in Moscow, made a secret proposition to the middle-of-the-road Russians about May 20, offering in Germany's name to throw over the Bolsheviki and revise the treaty of Brest-Litovsk more liberally for the Russians, if the Russians would agree to this separate peace and keep the allies at arm's length. Count von Mirbach promised the Russians that a German force would enter Moscow and Petrograd and drive the Bolsheviki out within 24 hours from the signing of the protocol.

The Russians who received this proposal from the German minister rejected it instantly. Nevertheless, they did not question the intent of the German Government to execute the proposal to the letter if it should be accepted. The proposal was not a mere piece of German duplicity, but was evidently in pursuance of Germany's solid conviction that the Bolsheviki could not retain their hold upon Russian affairs, even with German support. Germany, being unable to overrun Russia with soldiers, must exercise diplomacy while the struggle is on along the western front. Russia is certain to coalesce the scattered elements of political union in some form. Even chaos evolves some limitations and works toward order. The Russian necessities will compel the creation of some kind of government. It can not be Bolsheviki government, since the cornerstone of Bolshevism is discrimination which sets neighbors to slitting one another's throats and disputing all authority. Trotzky at this moment is engaged in the task of arming poor peasants so that they may rob the rich peasants. If this is not a sure method of avoiding success in government, none was ever invented.

Since the Germans are practical and foresee the inevitable downfall of Bolshevism in Russia, it is quite reasonable to expect them to cast about for an element in Russia which will organize a government and make separate peace to suit Germany. No doubt this work is going on with great energy. Unless German intriguants and corruptionists are busily at work among Russian political parties and leaders, the brains that engineered the wonderful disintegration of Russia have lost their cunning.

It is to Germany's advantage to have a friendly government in Russia, not mere anarchy. There is no advantage to the enemy in attempting to swallow Russia, at any rate not now. It is costly to support a weak government and dangerous to support a treacherous one. A German-made government in Russia—that is, an iron rule by German military governors, would be costly, ineffective, and perilous, besides interfering with Germany's obvious plans in other parts of the world. Therefore the best plan for Germany to adopt is that which Count von Mirbach attempted to put into effect; a new compact with a strong element, to be set up in place of the Bolsheviki.

If that is Germany's aim in Russia, having in view, of course, the most speedy exploitation of Russian materials for German use, then the task of the allies is made somewhat clearer. Evidently it is not wise for the allies to deal with the Bolsheviki, for they are important now, and would surely be destroyed by Germany if they should last long enough to make a deal with the allies. The allies should lose no time in advising the Russian people that plans are on foot to aid them to recover possession of their own government in every root and branch. The Russians should be warned not to countenance any bargain with the Germans through any political party or agency, under any guise, no matter how plausibly the advantages of separate peace with Germany may be set forth. They should be reminded that offers to revise the treaty of Brest-Litovsk are empty assurances of changes in a scrap of paper. Germany violated the treaty before the ink was dry.

The resurrection of Russia is not the long and heart-breaking task it has been held out to be, if the allies will undertake it promptly and effect it according to well laid and workable plans. It is a struggle of wits more than of guns, although there will be bloodletting. Let the allies always work with and through the Russians, for the Russians, and they will win. The regeneration should begin in Siberia, where the people are unaffected by Bolshevism and are opposed to separate peace. With Siberia strong and organized, the redemption of Great Russia would follow in spite of German intrigue and German guns.

I concur in the views expressed in the editorial as to the manner in which Russia is to be resurrected and regenerated. It has been disintegrated province by province, it can be rehabilitated in like manner, and Siberia is unquestionably one of the beginning points.

The most recent and reliable dispatches state that a substantial movement has already been inaugurated by the Czecho-Slovaks which, if promptly supported, will save Russia from complete German control. The situation can not be better set forth and described than is done by another editorial in the Washington Post of date July 7, 1918, entitled "The opportunity in Russia," as follows:

THE OPPORTUNITY IN RUSSIA.

Providence has shown more than once that it is on the side of the allies, notwithstanding the fact that Germany usually has had the heaviest battalions. Nowhere has fortune favored the allies more strikingly than in the interposition of the Czecho-Slovaks in Siberia at the psychological moment when the allies are debating the delicate question of sending armed forces to bolster up Russia. While the United States has delayed a decision on this question it has been answered by events. Armed allied forces are actually at work bolstering up Russia. To the small nation of Bohemia belongs the credit of being the first of the allies to extend a helping hand to Russia. This little nation is not yet fully born, although several allies have recognized its independence. The United States has not yet given that encouragement to the Czecho-Slovak people.

The question now before the allies is, Shall we join with our ally Bohemia in aiding Russia in Siberia, or shall we stand off and see the Bolsheviki arm German and Austrian prisoners, sweep the Czecho-Slovaks out of Siberia, and turn Russia over to Germany?

If the Czecho-Slovaks were enemies of the Russian people, the allies could easily decide. Or if Russia were not an ally of the entente, the allies could leave her to her fate. But President Wilson has just said that Russia remains an ally, and everybody knows that it is true. The betrayers of Russia are not Russia, any more than the American pacifists and defeatists are America. Are the Russian people attacking the Czecho-Slovaks? On the contrary, they welcome them and recognize them as friends. It is only the Germans and their agents, the Bolsheviki, who are disturbed by the presence of the Czecho-Slovaks in Siberia. The Germans will not stick at anything to eject the Czecho-Slovaks, for two reasons: First, in order to fasten their grip on Russia; and second, for the sake of discouraging the revolutionary Bohemians in Austria. If the allies permit the Czecho-Slovaks to be defeated or ejected from Siberia, the Germans and Magyars of Austria will say to the Bohemians, "Look at your false friends, the allies! They are treating you as they treated Belgium and Serbia and Roumania. They have left your forces in the lurch. You will always be betrayed by the French and the British and the Americans. If you join them, you will meet the fate of Serbia." Thus the failure of the allies to help the Czecho-Slovak forces will react disastrously in Austria as well as in Russia.

The Russian people need only a rallying point around which to meet and recover their battle spirit. They do not want German domination. They hate the Bolsheviki. The Bolsheviki do not have the support of the peasants in Russia, and many of the workmen's organizations have deserted them. The Bolsheviki are now nakedly exposed as German tools. Are the allies to cater to them?

Some officials of the United States Government take the position that they must not "take sides" in Russian affairs, as though the Bolsheviki were equally to be considered with the remainder of the Russians. That is most illogical and dangerous. Since the Bolsheviki are pro-German, the refusal to "take sides" against them is equivalent to taking an impartial position between Germany and Russia. Is that where the United States wishes to be found? No wonder the allied governments are hammering frantically at the gates of Washington, sounding the alarm concerning Russia.

A great opportunity to save Russia has suddenly appeared in the providential appearance of the Czecho-Slovak forces in Siberia. Those forces merely need allied support to serve as the rock of salvation for the great Slav Republic. Small contingents should be speedily sent forward by each allied power to operate in Siberia under one commander. An interallied civil commission should be created forthwith to go to Siberia and develop and direct the allied policy of aid to Russia. This civil commission should have supreme power and the military authorities should execute its will. No attempt should be made to build up a great allied army for operations against Germany. No army could march at present from Siberia to the western front of Russia, nor could a German army go to Siberia. The sole purpose of the allied forces would be to establish order and enable the Russian people to organize their government independent of Germany or the Bolsheviki agents of Germany.

There is not the slightest doubt that with an allied stabilizing force in Siberia the level-headed elements in Russia would rally and organize their communities and rapidly build up their own defensive forces. In due time they would hold a national assembly, organize a Russian government, and throw out the Germans. The recovery of Russian territory from the German thieves is a part of the allied program, in which Russia, as a strong and faithful ally, would cheerfully join.

It is my belief that the ultimate aim and purpose of the Kaiser is to put the Czar back on the Russian throne if it is possible for him to do so, and it is my further belief that he is putting forth and straining every effort in the most subtle manner to accomplish this.

He is influenced in so doing by the bonds of family ties, by the knowledge that a Russian democracy lying alongside of Germany and Austria means the downfall and end of the Hohenzollerns and Hapsburgs; furthermore, he does not underestimate the significance of the fact that the Czar is the head of the established Church of Russia, which wielded the most powerful influence in the former empire. He is fully aware that although the Bolsheviki have desecrated and despoiled the church—a fatal mistake—that it is destined to be reestablished. Again, he with all others knows that Bolshevism, which breeds and engenders chaos, is self-destructive, which when it has served his purpose to accomplish his ends will go down in history as a natural nightmare.

I have never believed that the enforced abdication of the Czar was an advantage to the allies. The Czar's army had fought faithfully and well. His is the only army that has invaded Germany during this war, and it was this invasion, approaching uncomfortably close to Berlin, that caused the withdrawal of a sufficient number of the German forces invading France to maks possible the French victory at the battle of the Marne.

The German strategists were fully cognizant of the extreme peril of extending their line of communication too far into the

vast domain of Russia. They were equally well aware of the widespread smoldering fire of revolution, ready to erupt if an opportunity was presented. There never was so fertile a field for intrigue with promises of such satisfactory results.

Utter chaos was the end in view and in this way only could Russia be rendered ineffective and eliminated. The manner in which the poorly equipped Russian army fought clear up to the time of the dethronement of the Czar warrants the belief that he was not a party to the clever and subtle intrigue of Germany, culminating in his abdication, although the ease with which it was accomplished might justify suspicion. I am rather disposed to believe he was betrayed by those whom Germany had succeeded in corrupting, cooperating with and assisted by those revolutionists who believe that it was the opportune time to throw off the galling yoke of oppression, thereby hoping to establish a more liberal government.

Germany foresaw the inability of these incoherent and extremely radical elements to overthrow the established Government and then suddenly organize and maintain a stable Government of their own, which they never will be able to do.

The great masses of the Russian people being unwilling to suffer the ills they were then enduring, flew to others they knew not of. Now they have awakened to find their present condition worse than their first, and for this reason Germany knows the element that must and will ultimately control Russia prefers and will welcome the Czar back on the throne rather than the present conditions.

It therefore behooves the allies not to forget the valuable service rendered by the Czar when and as long as he was in position to do so. There has been no overt act on his part, so far as I have been able to ascertain, that justifies the conclusion of bad faith on his part toward his allies.

It is to be hoped that, in so far as it is possible, no opportunity has been neglected to convey to him the sympathy and the utmost assurance of the desire and anxiety of the nations with which he was allied to extricate him from the extremely deplorable situation in which he is now placed. The initial step is an interallied movement extending a helping hand, always working with and through the loyal Russians for Russia.

I am convinced that the loyal and patriotic Russians will flock to any place that promises safety and security for life and property, even though the place be remote and small in the beginning. Once a rallying place can be found or a city of refuge established, it will spread and increase in area and influence with each passing day until Russia, having passed through the valley of the shadow, will again arise a newborn Government, not unlike the British Government or, better still, like our own. [Applause.]

Mr. SIMS. Mr. Chairman, I yield 15 minutes to the gentleman from New York [Mr. LONDON].

Mr. LONDON. Mr. Chairman, the collapse of Russia as a fighting force, the so-called Brest-Litovsk treaty of peace, "a treaty of amity" dictated by the devil at the point of the sword, the confusion resulting from the overthrow of a Government which had sapped the vitality of its people, one political revolution following upon the heels of another, the withdrawal of large bodies of men engaged on the eastern front to add to the slaughtering capacity of German junkerdom, the desire to see an eastern front reestablished, a feeling of anger at a withdrawing cofighter, mingled with a profound sympathy for the agony of the Russian people, all this confusion of incomplete thoughts and resentments added to the lack of definite information as to what is really transpiring in that land of sorrow makes the problem of aiding Russia the most complex one that has presented itself to thinking men.

That the Czar's government was an abomination very few will deny. It has turned a land literally flowing with milk and honey into a land of blood and tears. It has pitted nationality against nationality, race against race. It has implanted hatred in the hearts of the simplest. It did not really govern. It just weighed down upon the people. The only time the people knew that there was a government at Petrograd was when something or somebody was being taken away from them. It was hazardous for the allies to have such a partner.

It is unfortunate that the upheaval resulting from the overthrow of the Czar took place when the world was engaged in a death grapple with German militarism.

We must be careful not to make this temporary reverse a source of continuous weakness. Revolutions are not Sunday-school picnics. They follow no prescribed code of good manners. A revolution means the upsetting of things. No country seems to be inclined to benefit by the experience of another.

Russia has to live through her revolution in her own way. In addition, the Russian revolution was something more than a political uprising, something more than a mere desire to change the form of government. People do not fight for abstractions; not for any length of time, anyway. What the great masses of industrious and hard-working peasants were after was an opportunity to earn their bread, and to the peasantry, who constitute the great majority of the Russian people, it meant the right to have access to the land. While in other countries national ownership of land is considered the ideal of the extremely radical, the peculiar Russian institutions of collective ownership of land by the village community has prepared the minds of the people for the doctrine that freedom means access to the land and that any system of government which prevents that is fundamentally wrong.

The question of distribution of land became the center around which all political groups were compelled to form themselves. The advocacy of the collective ownership of land, growing out of Russian conditions struck terror into the hearts of the feudal lords and of the land-owning classes everywhere. No greater danger can be imagined to German junkerism, which is nothing more than feudal landlordism and militarism combined, than the presence to the east of Germany of a prosperous republic, with feudalism abolished, landlordism eliminated, and the principle established that only he is entitled to the possession of the land who works thereon. It is this fear that will explain the peace with Ukraina. Ukraina was the granary of Russia and of Europe. Its black soil was famous throughout the world. The principle of the collective ownership of land was unknown in Ukraina. The Russian revolution threatened to extend the principle of collective ownership to all parts of Russia. Germany hastened to cut off Ukraina from Russia. She used to accomplish her sinister purpose the very principle of self-determination. The Ukranians are of the same racial and linguistic stock as the Russians and of the same religion. In their schools Russian has been taught for generations. There has never been any serious separatist movement there. They suffered under the Czar, but in common with the rest of the Russian people. The principle of self-determination was used by the Ukranian landlords to check the spread of the ideals of revolutionary Russia and to intrench themselves and their possessions as landlords with the aid of the kindred spirits of the German junkerdom. To-day Ukraina is under a German dictatorship with half a million German troops engaged in rooting out the revolutionary elements and in crushing the peasantry who have no enmity toward Russia and whose hope is to form part of a federated Russian Republic.

The geographical and historical boundaries of Ukraina are uncertain. This offers an opportunity to Germany to stretch out its destructive arm deep into the very heart of Russia and claim everything as Ukraina.

Let us at this juncture note that the only people who are showing fight and who are keeping a half million Germans away from the western front are the very same Soviet elements whom some would repudiate as outlaws.

The industrial labor movement of Russia is necessarily more radical than that of other countries. From the principle of the democratic control of land it is not far to the principle of democratic control and management of industry, and from the very first day of the revolution a struggle ensued between those who believed that Russia had to pass through the rise and development of modern gigantic industry and between those who thought that Russia was ready to lay the basis for a cooperative industrial democracy. The latter group, together with the peasantry, are to all appearances in control of Russia to-day. That the very attempt to establish such a government should bring down upon them the hatred of all who are discomforted in Russia and the implacable enmity by all elements everywhere similarly situated could have easily been foreseen.

It is this soviet form of government, consisting of men periodically elected by delegates who are in their turn elected by local soviets—councils—of workmen and peasants, that forms the present government of Russia. While there are conflicting reports about various groups here and there disputing the authority of the soviet government, it seems to be certain that it manages to overcome its internal enemy.

It is not so fortunate, however, with its external enemy, Germany. The Brest-Litovsk peace came after a complete economic and military collapse of Russia. More than 20,000,000 of men had been put by the Czar in uniform. Not more than one-fourth could be used at the front. The rest, taken away from industry and agriculture, were but adding to the disorganization of life in Russia. A month before the revolution regiments were marching barefooted in the south of Russia. On the eve of the revolution the army at the front had only a 48-hour supply of food. Petrograd was starving. With the overthrow

of the Czar all discipline disappeared in the army. The soldier knew that the government which had got him into the trenches had been overthrown. He did not see any further reason for fighting. He could not see why the German workers should not overthrow their Government and end the war. If the Czar was to be removed, the soldier could not see why the Czar's war should continue. The word "peace" has a charming effect. It did not take long before the demand for it became general. Every man in Russia capable of looking ahead saw the disaster that would follow a separate peace. The only way to stave off a separate agreement with Germany was to make an effort to obtain a universal settlement of the war.

On numerous occasions the Kerensky government promised a general interallied conference for the purpose of making a statement of the interallied war aims. The attempt of some Russian statesmen to induce the Russian people to continue the fight for the purpose of obtaining Constantinople could not appeal to the men who proclaimed the principle "no annexations, no indemnities." It only served to disclose the fact that secret treaties had been made providing for the alienation of lands from the defeated countries. The Government kept on delaying and the allied governments made a statement of the allied war aims only after the Kerensky government had fallen.

The revolution had been accomplished mainly through the efforts of the socialists. When the socialists demanded an opportunity to meet at an international socialist congress that was again frustrated by the allied governments. Things were going from bad to worse. Confidence in the allies was destroyed. The army was demoralized. In the last agonizing moments in the negotiations with Germany Trotzky and Lenine submitted a program for universal peace, but no one came to their aid. Germany was quick to take advantage of the situation.

Trotzky made an effort not to sign any peace treaty at all, proceeding along the lines followed in the case of a lost strike, but Germany insisted on a piece of paper. Having disregarded one treaty as a scrap of paper, she wanted to base her right of plunder upon another piece of paper. Had Germany been guided by statesmen and not by a militarist band, there was her opportunity. Had she treated Russia with kindness, had she refused to take advantage of her distress, had real friendly relations been restored, the vast resources of that enormous empire would have been at her disposal and she could have defied the allies forever. But her rulers know only the logic of the sword. She began a process of dismembering Russia. What she could not take herself she offered to Turkey.

What inexcusable folly it is for the allies to treat unfortunate Russia and the men who made the disastrous peace as the culprits! Russians are at liberty of accusing each other of having betrayed their country. This must not be done by the allies. Any group, any political organization, that would have concluded such an unfortunate arrangement would invite attack from friend and foe. The people wanted peace. For 11 months they were fed with promises. Their Government thought it would give them a breathing spell. The enemy refused to make it a real peace.

What is to be done now?

We have to aid Russia. She is entitled to the sympathy of the world if for no other reason because she has suffered so intensely. For nearly three years her men were dying in heaps, fighting with bare fists against the most thoroughly prepared military machine. Primarily an agricultural country, without any industries to speak of, she was waging a hopeless contest with one of the best developed industrial nations. Her breakdown was merely a question of time.

No Russian Government, unless it be that of the Czar, can be a friend of Germany. Russia is no friend of Germany to-day. Russia would welcome aid from the allies, and particularly from the United States. Let every form of economic and financial aid be extended to Russia. Let us stop talking military intervention. Let us stop choosing a government for her. If it be true that the men now at the head of the Russian Government are the agents of Germany, then there is no hope either for Russia or for the allies. We can not proceed upon any such theory as that.

No revolutionary government can guarantee stability. Revolutionary periods should be measured by days and weeks and not by decades. Nor is it possible to imagine the establishment of a government which would not meet opposition in some sections of Russia from some elements. How many days or months is a revolutionary government to continue before its existence is to be recognized? The Czar's government was a Russian institution. A government founded on the ruins of Czardom must be accepted as a Russian institution. We play into the hands of Germany by treating Russia as an outlaw. We are not bound to recognize the Brest-Litovsk peace. It can not be recognized unless the world is ready to have junkerism extended.

We should offer such aid as we can give to the now existing Government of Russia. It is more likely than not that the mere acceptance of industrial and financial help by the Soviet government would provoke further aggressive military action on the part of Germany and would intensify the spirit of resistance of Russia. It took the United States nearly three years to enter the war. We were prospering while Russia was bleeding. We can not afford to treat her as an outcast. Let us regard her rather as a fellow fighter, temporarily disabled.

Fortunately, Russia has a friend in the President of the United States.

Mr. SIMS. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. WEBB, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (S. 1419) to amend an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906, as amended by the act approved June 23, 1910, and to provide for the improvement and development of waterways for the uses of interstate and foreign commerce, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. PADGETT, indefinitely, on account of important business; and

To Mr. HICKS, indefinitely, on account of an official inspection trip with the Committee on Naval Affairs.

NATIONAL GERMAN-AMERICAN ALLIANCE.

Mr. WEBB. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk, to repeal the charter of the German-American Alliance.

The SPEAKER. The Clerk will report it by title.

The Clerk read as follows:

A bill (S. 3529) to repeal the act entitled "An act to incorporate the National German-American Alliance," approved February 25, 1907.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the act approved February 25, 1907, entitled "An act to incorporate the National German-American Alliance," be, and the same is hereby, repealed.

The SPEAKER. The question is on the third reading of the Senate bill.

Mr. CANNON. Why repeal it? I do not recollect the legislation that incorporated the alliance that is referred to. I think it might be well if the gentleman from North Carolina would explain. I do not object, but I would like to know what are the provisions of the act to incorporate the German-American Alliance, if we ever incorporated it.

Mr. WEBB. Yes. They incorporated in 1907. It is a general charter, following very much along the line of other charters granted by Congress, giving them certain corporate rights and a corporate existence. A mass of testimony was taken before the Senate Judiciary Committee, explaining the activities of this alliance, both before we entered the war and since the war, and especially before we entered the war, showing that their activities were more pro-German than pro-American, and that they had carried on a propaganda in the United States which cultivated a segregation of Germans in this country as opposed to the Americanization of people of German blood.

I will say to my friend from Illinois that there must be four or five hundred pages of the testimony taken by the Senate Judiciary Committee, which the committee of the House had access to, and I reported a digest of it in the report filed by the committee when it recommended the disorganization of this German-American Alliance.

I will say further that this alliance has disorganized itself, disbanded, and gone out of business. It has dispensed with its money, and the last portion of its assets was given to some cause—I think probably the Red Cross—amounting to a few thousand dollars. But they themselves have voluntarily abrogated their charter, and this is simply a repealing act revoking the charter.

Mr. CANNON. Then there is "nothing doing" in this association at this time? They have dissolved?

Mr. WEBB. Yes; they have dissolved, as far as they can; but the charter itself has not been repealed.

Mr. CANNON. The law is still there, under which they could reorganize?

Mr. WEBB. Yes; the law is still there under which they could reorganize.

Mr. HAMILTON of Michigan. Mr. Speaker, will the gentleman yield?

Mr. WEBB. Yes.

Mr. HAMILTON of Michigan. Does the gentleman desire to have it deduced that this alliance is substantially a disloyal alliance?

Mr. WEBB. I think there is much testimony in the hearings tending to show that, but I did not know that the gentleman wanted me to go into that in full. If the testimony is to be believed, this organization certainly has not acted as an American organization ought to act. It has abused the privileges that Congress gave it, and those privileges ought to be withdrawn by the power that gave them.

Mr. CANNON. Then the gentleman is satisfied that while there is nothing doing under this legislation, and the organization has disbanded, it is wise at this time to repeal the act; and if in the distant future some legislation might be indicated, the Congress then in existence might enact it and would enact it if it thought it proper?

Mr. WEBB. Yes; I think it is the belief of the committee and of the Congress that acting under its charter the German-American Alliance has done enough already to deserve to have its charter repealed, and that is what we ought to do.

Mr. QUIN. Ought we not to repeal it as soon as possible and get that dirty snake out of the country? [Applause.]

Mr. WEBB. Of course all that is necessary for us to do is to pass this bill repealing it.

Mr. RANDALL. Does not the gentleman from North Carolina understand that a large amount of the funds collected by the German-American Alliance were devoted to the campaign in opposition to prohibition?

Mr. WEBB. I think there was testimony along that line.

Mr. CANNON. For or against?

Mr. RANDALL. Against prohibition. The gentleman from North Carolina admits that a large portion of the funds collected by the German-American Alliance was devoted to the campaign against prohibition in various parts of the country.

Mr. MOORE of Pennsylvania. Since other national charters of this kind have been granted, and bills have been introduced for other such incorporations, may I ask the gentleman whether he is familiar with the movement to create the German-American Alliance?

Mr. WEBB. I am not.

Mr. MOORE of Pennsylvania. The gentleman was in the House when the bill granting this charter passed, was he not?

Mr. WEBB. I certainly was.

Mr. MOORE of Pennsylvania. Is the gentleman familiar with the fact that at that time a great deal of enthusiasm was manifested in the passage of the bill granting a charter?

Mr. WEBB. I do not recall that; no. The gentleman may. I certainly shared none of it, because I did not know anything about it.

Mr. MOORE of Pennsylvania. There was a very strong movement for the passage of the bill, was there not?

Mr. WEBB. I do not recall that. My friend is probably right.

Mr. MOORE of Pennsylvania. It came up from every section of the country from citizens of German origin.

Mr. WEBB. I do not think it came from my part of the country, because we have not many German-Americans in my country.

Mr. MOORE of Pennsylvania. Of course it would not be patriotic to oppose this repeal, since this organization is now supposed to have been disloyal. In this connection I want to call attention to the fact that other nationalities have been asking for charters of this sort, and that other movements are on foot for national charters, and that efforts are being made, and will be made, to induce the Congress of the United States in other instances to do exactly what it did in this. Sometimes Congress has to unscramble the things that it does.

Mr. WEBB. The Congress reserved the right to repeal this charter, and it now proposes to exercise that right.

Mr. MOORE of Pennsylvania. This may be a lesson to Congress itself in matters of this kind.

Mr. FOCHT. I do not recall whether I was here at the time this German-American Alliance was chartered, although I rather think I was, but I do not remember the legislation. I should like to ask what the request for this legislation was predicated upon? What were set forth as the objects and purposes of the organization? It may be a latter-day thought that this German-American Alliance or some other alliance is offensive to us; and it is going to be more so, no matter who may apply for anything other than a straight American charter, which is all I will vote for in the future. [Applause.] If I voted for this one, I am sure I did it as others did, under a misapprehension. What could have been the purpose of such an organization when the charter was originally granted?

Mr. WEBB. I do not recall that.

Mr. FOCHT. The gentleman from California [Mr. RANDALL] would have the impression go abroad that it was organized to oppose prohibition.

Mr. WEBB. I did not say that at all.

Mr. FOCHT. Then nobody knows what it was passed for?

Mr. CANNON. Will the gentleman yield further?

Mr. WEBB. Yes.

Mr. CANNON. Of course, in the presence of this great struggle, if there is a well-founded ground that this legislation ought to be repealed, notwithstanding, as the gentleman says, the corporation is dead, I am quite willing to cooperate as one Member of the House, but I want to call the attention of the gentleman to the fact that as the sun comes up and the sun goes down, as the years come and go, as generations are born, live, and die—I want to call his attention to the fact that the statue of Frederick the Great in front of the War College has already been removed, and I think wisely removed, perhaps, but if you go down to Jackson Square there you will find on each corner thereof a statue of Lafayette, Kosciusko, Steuben, and Rochambeau. None of us want to tear down those statues, I take it. I am not speaking in opposition to the proposition, but God knows I do not know, and no Member within the sound of my voice knows, what the conditions may be 50 or 100 years from now. But if the gentleman, after investigation, thinks it is wise to repeal this legislation I shall not object.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. WEBB, a motion to reconsider the vote whereby the bill was passed was laid on the table.

RECESS.

Mr. SIMS. Mr. Speaker, I ask unanimous consent to make a statement for three or five minutes.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to proceed for four minutes. [Laughter.] Is there objection? [After a pause.] The Chair hears none.

Mr. SIMS. Mr. Speaker, it is well known by the membership of the House on both sides that I have most strenuously, openly, and boldly opposed a recess of Congress, either by joint resolution or by agreement, for three days' recess, until the water-power bill has been considered and passed by the House. My reasons were that the House bill is an amendment to the Senate bill and if passed it could go immmediately to conference, while the recess either by joint resolution or otherwise was in force, and that the conferees could go ahead and figure out the differences and have a conference report ready when the two Houses reconvened for business after the expiration of the recess.

I have just been informed by the leader of the House that the Senate has agreed to and expects to pass a resolution this afternoon by which there will be no business transacted whatever until the 24th of August, during which time not even conferees could be appointed on the water-power bill, if passed by the House. Personally, I prefer to remain here next week and pass the bill, send it over to the other body, and let the responsibility rest with it for not appointing conferees. But no one man should undertake to enforce his personal views and opinions upon the entire Congress or upon the House of Representatives of 435 Members.

Now upon condition, and only upon such condition, will I consent that there shall be a joint resolution recess or a gentleman's agreement to adjourn every three days until the proposed recess is ended—and that is that the water-power bill shall be made the continuing order and that it shall be considered and disposed of after the recess before the revenue bill is taken up for consideration. The reason that I have opposed all the time having a recess prior to the consideration of this bill was that I believed that after the revenue bill was passed by the House and sent to the Senate and went to the Finance Committee to be considered, that during that time it would be impossible to keep a quorum in the House to pass the water-power bill, and that it would result in the absolute defeat of the bill in the end.

Now, with the privileged status given the bill and the assurance that the bill shall be considered and passed before the

revenue bill is considered by the House, I have no objection to a recess to August 19, which is five days in advance of the expiration of the Senate's agreement to do no business, in which time we can consider and pass the water-power bill and send it to the Senate by the date set for actual business in the Senate.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. SIMS. Yes.

Mr. WALSH. Can the gentleman inform the House what the President thinks of this suggestion?

Mr. SIMS. I have not said a word to the President about it, and he has not said a word to me, and I can not read his mind, except that I know he is always for what he thinks is the best interest of the country.

Mr. WALSH. I admire the gentleman's temerity in making a proposition of this importance without knowing what the Chief Executive thinks, particularly when the gentleman, in insisting upon the consideration of this water-power bill and its being passed before the recess, gave as a reason for it that the President was strongly of the opinion that the House should stay here and pass that measure. I want to congratulate the gentleman upon his courage.

Mr. SIMS. That would do no good now, provided the Senate adopts the resolution which I understand they are going to adopt.

The SPEAKER. The time of the gentleman from Tennessee has expired.

Mr. CANNON. What is the gentleman's request?

The SPEAKER. He has not made any.

Mr. KITCHIN. Mr. Speaker, I may be mistaken in what I am about to suggest, as I was very much mistaken on a former occasion, but I believe that after the passage of the wire-control resolution and the passage through the House of the Agricultural appropriation bill a majority of the House is in favor of entering into a gentleman's agreement for an adjournment every three days until August 19. Of course, we can not enter into an agreement of this kind unless we make an arrangement with the gentleman from Tennessee [Mr. SIMS] in respect to the consideration of the water-power bill and the gentleman from South Carolina [Mr. LEVER] and the gentleman from Iowa [Mr. HAUGEN] in respect to the passage of the Agricultural appropriation bill in the House. It is not exactly proper to ask unanimous consent for an order of this kind, but I want to make an agreement or have an understanding with the House about it. If there be any objection to it, I hope the gentleman who entertains such an objection will make it now, so that we can not enter into the understanding. What I suggest is this, that after the passage of the wire-control bill and after the passage through the House of the Agricultural appropriation bill we begin to take a series of three-day recesses on Monday next, to be continued until August 19. That is, we will meet on Monday, and when we adjourn on that day we will adjourn until Thursday. When we meet on Thursday, we will then adjourn until the next Monday, and so on, until August 19, and that there will be no business, not even by unanimous consent, transacted upon the days upon which the House meets, and that a motion to adjourn will be made immediately after the reading and approval of the Journal.

Mr. HUMPHREYS. What does the gentleman mean by "no business"?

Mr. KITCHIN. I mean none whatever; no unanimous consent granted to extend remarks, or anything of that kind; that this agreement and understanding shall be entered into sincerely, with the intention of its being kept strictly by every Member of the House. When we meet on Monday next we may have to transact some little business, but after we adjourn on Monday, after the transaction of such business as we may have to take care of on that day, we shall adjourn until Thursday and then from Thursday to the next Monday, and so on.

When the House meets on Thursday, after the adjournment on Monday, it will be the understanding that there will be no business transacted; that the only thing to be done would be to call the House to order, for the Chaplain to open by prayer, for the reading and approval of the Journal, and then that a motion to adjourn shall be made and agreed to; and so on until August 19.

Mr. MONDELL. Mr. Speaker, will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. MONDELL. The gentleman is not taking into consideration the District appropriation bill?

Mr. KITCHIN. No.

Mr. GARNER. The Senate is not going to do any business?

Mr. KITCHIN. I have the unanimous-consent agreement here which will be entered into by the Senate this afternoon, in which it is agreed that they will adjourn on Monday for three days, until Thursday, and from Thursday until Monday, and so on until August 24.

Mr. MONDELL. Is there no possibility of disposing of the District appropriation bill.

Mr. KITCHIN. It is with the understanding that no bills or resolutions of any kind shall be passed; nothing done but the routine business. The gentleman from Tennessee [Mr. SIMS], I understand, will object to this unless he can obtain unanimous consent to take up on August 19 the water-power bill and make it the continuing order until disposed of.

Mr. PARKER of New Jersey. Will the gentleman yield?

Mr. KITCHIN. I will.

Mr. PARKER of New Jersey. I want to ask if the gentleman would not have to do one piece of business, and that is ask unanimous consent for the three-day adjournment?

Mr. KITCHIN. This agreement would include the asking of unanimous consent for the three-day adjournment.

Mr. PARKER of New Jersey. Because you can not have a three-day adjournment without unanimous consent.

Mr. KITCHIN. When we adjourn on Thursday, by unanimous consent it is agreed that the adjournment shall be over until the succeeding Monday, and that on Monday the adjournment shall be until the succeeding Thursday, and so forth.

Mr. CANNON. Will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. CANNON. The best way is to be perfectly candid with it and fair with each other. Now, I should not object, as a Member of the House, to the proposition that the gentleman makes, but if there is to be coupled with that proposition that the House shall meet five days before that time and agree that the water-power bill shall pass, considered and be passed by the 19th of August——

Mr. LONGWORTH. Disposed of.

Mr. KITCHIN. The gentleman misunderstands me. I undertook to state that we could have no gentleman's agreement unless we got unanimous consent that when we came back on August 19 that the water-power bill would then be made a special order, a continuing order until disposed of.

Mr. CANNON. A continuing order. What does a continuing order mean, that the House can not take up any other business and displace that?

Mr. KITCHIN. That is what a continuing order is.

Mr. CANNON. Then I would not consent to do it; I am not willing thus far in advance——

Mr. KITCHIN. I did not mean until it was passed; I meant until it was disposed of, of course.

Mr. CANNON. Oh, well, what is the disposition of it?

Mr. KITCHIN. Well, put it to a vote and it may be defeated or it may be recommitted.

Mr. CANNON. But it is to have the right of way before any other business is transacted and must be disposed of either by defeating it or otherwise disposed of before you can do any other business.

Mr. KITCHIN. It is just like it is right now.

Mr. CANNON. Not right now because we could raise the question of consideration any day.

Mr. GARNER. Exactly, we could do that on the 19th.

Mr. KITCHIN. No; I do not think you can do that, not after you enter into this unanimous-consent agreement.

Mr. CANNON. I for one will not agree to tie the hands of the House that it must be disposed of before any other bill can be considered or any other business can be done.

Mr. HAMILTON of Michigan. Will the gentleman yield?

Mr. KITCHIN. I will.

Mr. HAMILTON of Michigan. Inasmuch as under the gentleman's suggestion no business whatever will be done before August 19, what advantage has the three-day arrangement over a regular recess adjournment?

Mr. KITCHIN. Because the Senate will not pass a regular recess adjournment. It passed one and the House turned it down. Now, their position is if you want a recess, make a gentleman's agreement. They are going to take care of themselves in making a gentleman's agreement.

Mr. HAMILTON of Michigan. Suppose the House should propose one, should initiate and propose a recess adjournment?

Mr. KITCHIN. That has been put up to them and they said they would not vote for it.

Mr. LONGWORTH. It is a condition, not a theory.

Mr. WALSH. I should like to ask the gentleman from North Carolina if he contemplates, in preferring his request, that the control of the telegraph and telephone bill shall be disposed of by passage through both branches; that is, dispose of the conference report?

Mr. KITCHIN. Yes; I understand the Senate has practically agreed to pass it this afternoon just as it came from the House without amendment. Of course this agreement does not hold good until that becomes a law, until it passes both bodies and is agreed to and sent to the President.

And then the passage of the Agricultural bill through the House is the only condition precedent, and not for the Senate. The Senate will not act on that, I understand.

Mr. WALSH. May I further ask the gentleman a question? The gentleman's request, of course, does not include the condition to make the water-power bill the continuing order?

Mr. KITCHIN. But I understood the gentleman from Tennessee [Mr. SIMS] would object to this gentleman's agreement unless we could satisfy him and his committee.

Mr. WALSH. May I ask the gentleman one further question; whether in his own experience in the House the desire for a recess or adjournment, or any other emergency, has, by unanimous consent, dispensed with the rule giving a revenue bill, a measure having the highest privilege, the right of way over any other legislation?

Mr. KITCHIN. I do not know that I recall any, but I would say to the gentleman it is exceedingly doubtful whether the Ways and Means Committee will be able to report a bill of $8,000,000,000 by August 20, or the 24th or the 25th. It will be somewhere between August 20 and August 30. This committee has been working and will continue to work every day. It will not have two hours in a day of recess from now until it completes the bill.

Mr. LONGWORTH. Will the gentleman yield?

Mr. KITCHIN. Many other gentlemen on the committee think it will take until September 1 before we can possibly report the bill out.

Mr. LONGWORTH. May I suggest to the gentleman—and I would like the attention of the gentleman from Illinois, because I understood him to raise some objection—that it would be of real value, in my judgment, and I think the chairman will bear me out, in saving time, if the Ways and Means Committee could have the opportunity, without having to come to the House during sessions, to consider and to frame this revenue bill; that we will have very much more time and that we can do better work.

Mr. KITCHIN. We can save two weeks at least.

Mr. LONGWORTH. Yes.

Mr. KITCHIN. To illustrate, I came down this morning to the Capitol at 8 o'clock, and the clerks and myself went to work at 9 o'clock. I have been called out of that room up to the present time by 18 different Members of Congress who wanted to see me about something. And I really have not worked an hour and a half. I have not spent an hour and a half in that room to-day, when I hoped to spend 8 or 10 hours to get the bill ready for Monday, or the sketch of a bill, so that our committee could begin to work on it.

Mr. LONGWORTH. So that the gentleman from Illinois, in giving consent to the arrangement of the gentleman from North Carolina [Mr. KITCHIN], perhaps will really be in the interest of the revenue bill rather than an obstacle?

Mr. KITCHIN. I am sure the gentleman from Tennessee and the members of his committee, although they give this unanimous consent to make up a special order, would, if they saw there was going to be a delay in the revenue bill——

Mr. STERLING of Illinois. I think the gentleman from Tennessee [Mr. SIMS] only desires that the bill on the 19th of August shall have the same status as it has now.

Mr. SIMS. Exactly; only with this difference, that the water-power bill shall be considered and disposed of by the House before the House takes up the revenue bill.

Mr. CANNON. I will never consent to that.

Mr. GARNER. Will the gentleman from North Carolina [Mr. KITCHIN] yield to a suggestion?

Mr. LITTLE. Mr. Speaker, will the gentleman yield for a question?

Mr. KITCHIN. After the gentleman from Texas is through. He has been on his feet asking me to yield.

Mr. GARNER. I want to suggest to the gentleman from Tennessee, since the statement of the gentleman from Illinois that he would not under any condition enter into a unanimous-consent agreement based upon the idea or agreement that the water-power bill was to be taken up and considered and disposed of before the revenue bill was considered——

Mr. CANNON. Before any other business.

Mr. GARNER. Before any other business. With the assurance of the leader of the House and the gentleman from Tennessee that he would have an entire week, so far as his assistance could give it to him, outside of Calendar Wednesday——

Mr. KITCHIN. We will dispose of Calendar Wednesday now.

Mr. GARNER. We can do it by unanimous consent now. But with the entire week in which to consider his bill, commencing on the 19th day of August, why can he not let this unanimous-consent agreement be entered into without the consent that his bill shall be considered and disposed of before the revenue bill? That will give him the entire week to consider his bill, with the assistance of the majority leader, and with his assurance, so far as his influence can go. It does seem to me that the gentleman from Tennessee [Mr. SIMS] ought to make that agreement.

Mr. SIMS. Of course, Mr. Speaker, if there should be any attempt to use this bill to prevent consideration of the revenue bill or any other important legislation, I would withdraw at once any binding consent agreement for its further consideration. But you all know that if the revenue bill is considered first, we will have no quorum here after that bill is passed until the bill is passed by the Senate and is returned to the House. But if the water-power bill is to be acted on first, everybody will remain for the revenue bill, because it is a war measure. If on the 19th of August we take up this bill where we may have left off, and no dilatory tactics are resorted to in order to prevent its passage by the 24th, that it will be passed. My further belief is that the good faith of the committee of which the gentleman from North Carolina himself is the chairman is such that they would not report the revenue bill or ask its consideration, so far as can now be seen, but no one can foresee possible future developments that might demand a change in this program.

Mr. GARNER. Suppose the gentleman from North Carolina assures the gentleman from Tennessee that the Committee on Ways and Means will not ask for right of way for the purpose of considering its bill until the 19th of August, giving the entire week to consider the gentleman's bill. Would he still insist?

Mr. SIMS. It would be so apparent on the face of it that the proposal was so fair, square, and sincere that I would not have the boldness or the hardihood to do a manifest wrong simply in order to be consistent and uselessly persistent. [Applause.]

Mr. PARKER of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. SIMS. I have not the floor; otherwise I would yield.

Mr. GOOD. I observe that this bill that the gentleman is talking about passed the Senate on the 14th day of December last. It then came to the House, and it was reported out of the gentleman's committee only on the 28th day of June, 1918. If the bill has all the importance that the gentleman now attaches to it, why did he not report it out months ago? Take the District of Columbia appropriation bill. It is not passed. That bill carries increases of salary for a thousand of the poorest-paid employees in all this country—the school-teachers—who receive around $500 or $600 a year, and they do not get any increase under this continuing resolution. There are a great many other things before the House that are of importance to the House. Here is a bill tied up in committee for six months, and now all at once it becomes so important that the gentleman wants to tie the hands of every Member of the House, or, he says, there will be no understanding or agreement. So far as I am concerned, there will be none unless the bill that the gentleman has takes its place on the calendar with the rest of the business that is before the House. That is what ought to be done.

Mr. SIMS. Let me reply to that. The implication is a charge against the Water Power Committee. If the gentleman knows all the facts, he could not be fair without stating them all, and the gentleman did not state them all. The gentleman knows that the committee was created by a special rule of the House at the request of the President; a committee composed of six members of the Committee on Interstate and Foreign Commerce, six members of the Committee on Public Lands, and six members of the Committee on Agriculture, and the gentleman knows that all three of those committees have had very important legislation to consider besides the water-power bill. The railroad-control bill was taken up immediately by the Committee on Interstate and Foreign Commerce, and it did not become a law until March 21. The chairman of the Committee on Agriculture and the ranking member and the other gentlemen connected with it had very important legislation before the Committee on Agriculture, and the Committee on Public Lands had charge of what is called the oil-leasing bill. Now we had practically to scrap three committees with just as important legislation before them as this bill was in order to consider this bill. I want to say that the Committee on Water Power held continuous sessions, and all the sessions that could possibly be held consistent with the necessary and important separate committee legislation that they had to take care of, and any insinuation to the effect that the Water Power Committee has not done everything it could to report this bill as soon as possible is wholly unwarranted by any facts that the gentleman can cite.

Mr. GOOD. I am not making any charge against the committee. I am only making the charge now that if the bill had

the importance that the gentleman now attaches to it, he would have seen to it that the committee was organized and the bill reported out long ago.

Mr. SIMS. The gentleman attributes to me too much power.

Mr. GOOD. With the aid of the President, I know the gentleman could have called it up months ago.

Mr. KITCHIN. Mr. Speaker, the gentleman from Kansas [Mr. LITTLE] wanted to ask a question. I promised to yield to him.

Mr. LITTLE. The question I was trying to ask was about the same as that which was asked by the gentleman from Illinois [Mr. STERLING]. The gentleman from Tennessee [Mr. SIMS] wanted to be assured that his bill would have all the right of way. The gentleman from Illinois [Mr. CANNON] is willing, as I understand it, to agree that it shall have the same right of way that it has now; and the suggestion was made by the gentleman from Illinois [Mr. STERLING] that the gentleman from Tennessee ought to be willing to let this agreement be entered into without objection if it is agreed that his bill shall be put right where it is now, and this strikes me as right and fair enough.

Mr. KITCHIN. The gentleman from Tennessee [Mr. SIMS] accepted the proposition of the gentleman from Texas [Mr. GARNER] that he shall have the week beginning August 19 for the consideration of the water-power bill; but that it shall not displace the revenue bill or conference reports if, at the end of that week, the revenue bill is ready to report.

Mr. CANNON. I am willing, as one Member, to agree to a recess, and I am perfectly willing that when the House comes together again the water-power bill shall have the same right that it now has, and I will not go a step further.

Mr. TILSON. That it shall be the unfinished business, as it is now? Is not that proper?

Mr. WALSH. No.

Mr. TILSON. It is the unfinished business now.

Mr. WALSH. If you make it the unfinished business you can not displace it with anything else.

Mr. PARKER of New Jersey. Will the gentleman yield?

Mr. KITCHIN. I yield to the gentleman from New Jersey.

Mr. PARKER of New Jersey. I am a member of the Water Power Committee; but it seems to me that if at any time the great revenue bill comes in nothing whatever should delay that one single day, and I would appeal to the gentleman from Tennessee [Mr. SIMS] to take the chances of the revenue bill coming in when we first meet again, because when it does come in it ought to have the first chance.

Mr. SIMS. Oh, I agree to what the gentleman says.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that on August 19, when we get back here, the water-power bill be given the same status that it now has.

Mr. HARRISON of Mississippi. Reserving the right to object——

Mr. GARNER. It will have that status anyway.

Mr. MONDELL. That is the situation now. No request for unanimous consent is necessary.

Mr. GARNER. No request for unanimous consent is necessary. It has that status now.

Mr. KITCHIN. If it is understood by the House that it is unnecessary to have such unanimous consent, I will withdraw the request.

Mr. SIMS. Upon the assurance that we will have that week, so far as you now know.

Mr. KITCHIN. Yes.

Mr. CANNON. That does not bind the House.

Mr. WALSH. It was brought in here by a special rule, was it not?

Mr. SIMS. No; by unanimous consent, not by a special rule.

Mr. HARRISON of Mississippi. Will the gentleman yield?

Mr. KITCHIN. I yield to the gentleman from Mississippi.

Mr. HARRISON of Mississippi. What assurance has the gentleman from the Senate that they have entered into a unanimous-consent agreement that the wire bill is going to pass to-night?

Mr. KITCHIN. I have no assurance that a unanimous-consent agreement has been entered into, except that the Democratic leader of the Senate told me that they would pass the wire bill to-day, and the request that I make is conditioned upon the passage of the wire bill—that is, upon its becoming a law.

Mr. HARRISON of Mississippi. Suppose they should put an amendment on the wire bill, then what?

Mr. KITCHIN. Then this agreement would amount to nothing, and we would have to enter into another one.

Mr. HARRISON of Mississippi. The gentleman stated that he made this suggestion, and that he wanted anyone who raised any objection to state it now.

Mr. KITCHIN. That is correct.

Mr. HARRISON of Mississippi. I want to say to the gentleman that my position is this: The President came here and said we ought to stay here and pass certain important legislation.

Mr. KITCHIN. Oh, no; but go ahead.

Mr. HARRISON of Mississippi. Well, that is my construction of what he said. Now, I have tried to stay here through the winter, spring, and summer, and I think I have as much at stake as any other Member. I did go away on the 4th of July to attend a Fourth of July celebration. As soon as I got home I read in the papers that a certain gentleman from Mississippi, who is now in Washington, said that "the congressional slacker who would desert his post at this time," and so forth, "deserves the execration of all patriotic men. A soldier in front of the enemy who would perpetrate such a crime would be shot." I want to know if all the Senators indorsed this postponement of the session of the Senate until August 26, and if every one of them agrees to that unanimous-consent agreement?

Mr. KITCHIN. I talked with Senator MARTIN, the Democratic leader of the Senate, and my understanding is that, before the session closes to-day, by unanimous-consent agreement they will begin on Monday three-day adjournments, which will last until August 24, and that no business except the morning routine business will be considered and that no bills or resolutions will be passed in the meantime.

Mr. HARRISON of Mississippi. I understood from the gentleman from Tennessee [Mr. SIMS] that the President of the United States was very insistent upon the passage of this water-power legislation.

Mr. KITCHIN. Senator SIMMONS and I had a conference with the President last night, and although we did not go down to see the President about a recess, the matter of a recess on the part of the Senate, a gentleman's agreement, until August 26 came up, and also the question of an adjournment around August 20. I asked the President the direct question if he would object, or did he have any legislation that it was necessary to pass before August 20, and did he object to an adjournment by both Houses until that time. I asked him if an adjournment until August 20 would have his approval, and he said, "Yes"; that he had no legislation at this time. So I say that the President approves of this agreement.

Mr. SIMS. Mr. Chairman, I want to make a statement in justice to myself. I have not seen the President since the gentleman from North Carolina talked with him, but I have no question that the gentleman from North Carolina states the facts. When it was published in the newspapers some weeks ago that there was an agreement for a recess and that the President did not object I went immediately to see him and told him if that was his view about the matter I was not going to ask that the water-power bill be considered. He told me, in substance, that in a conversation with two Senators and the gentleman from North Carolina [Mr. KITCHIN], he himself brought up the question of considering the water-power bill, and that he was assured by them that a recess would not delay the final passage of the water-power bill—that immediately after the Congress had had its recess and the revenue bill was disposed of the water-power bill would be considered, and he said, therefore, that he interposed no objection. But he said he was very anxious to have it passed, and I reported that statement to the members of the committee.

Mr. HARRISON of Mississippi. Mr. Chairman, can the gentleman tell us what the status of the appropriation bill from the Agricultural Committee, carrying about $12,000,000, is in the Senate?

Mr. KITCHIN. That has been postponed by agreement until August 26.

Mr. GARNER. That has already been agreed to be postponed until August 26.

Mr. HARRISON of Mississippi. I think until we know exactly what the Senate does I shall have to object.

Mr. KITCHIN. This agreement is to be based upon the fact that the wire bill will be passed, that the Agricultural bill will be passed, and that the Senate is going to enter into this agreement to adjourn three days at a time until August 24. If on Monday the Senate has not carried out that understanding, if something interferes to prevent it, if the wire-control bill is not passed, if the Agricultural bill is not passed, this agreement or understanding between Members is null and void.

Mr. DOOLITTLE. Will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. DOOLITTLE. Do I understand the situation to be that if the House remained here and passed the water-power bill

by reason of the fact that the Senate has recessed there would be no place to send the bill for conference?

Mr. KITCHIN. That is my understanding.

Mr. MONDELL. Will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. MONDELL. The gentleman from North Carolina desires to have gentlemen express their views now or forever hold their peace on this matter of recessing. Personally I am so situated by reason of having important office and departmental work to attend to that I can not leave the city in case of a recess. It is necessary for me to remain here. Therefore, as far as I am personally concerned, I should be just as content if the House continued its sessions, and I believe there is legislation—the water-power bill and other bills—that the House might properly and advantageously consider at this time. There is the Unanimous Consent Calendar that ought to be disposed of, or at least ought to be taken up. There is the Private Calendar that ought to have consideration. The oil-leasing bill is in conference and should be given consideration. There are a number of bills of importance which we could properly dispose of or pass upon at this time. But it is known of us all that for the past two weeks or more the majority of Members on each side have believed that the public business would not suffer if they went home for a short time.

If the House should recess three days at a time for some weeks or take a recess for a month, many gentlemen on both sides believe that in the long run we shall be as far along with legislation as if we attempt to remain here and legislate continuously during the hot summer days, considerable of the time, perhaps, without a quorum. The gentleman from North Carolina [Mr. KITCHIN] tried some days ago in good faith to bring about the sort of arrangement which he believed a majority of the Members favored, but he was unable to consummate that arrangement.

Mr. KITCHIN. Yes; I recollect the transaction.

Mr. MONDELL. He now makes another suggestion along the same line. The parties are pretty evenly divided here; but, after all, the responsibility is upon the Democratic side of the House. Personally, as one member of the minority, if the majority of the gentlemen upon that side desire the arrangement suggested by the gentleman from North Carolina [Mr. KITCHIN], I am of the opinion that the minority should not interpose an objection, provided the Agricultural bill and the wire-control legislation are previously disposed of, and provided that we know it shall not be said after the arrangement has been made that we have neglected the public business in the opinion of those high in authority. The gentleman has stated that the President has expressed the opinion that the public business would not suffer if Congress shall remain in recess for a time. If that is true, and that is understood, and these bills I have mentioned are disposed of, it is my opinion that the minority should not object to the arrangement proposed.

Mr. KITCHIN. Mr. Speaker, of course the statement of the gentleman may be very adroit, but I doubt whether it is right or fair for him or for Members upon the Republican side who desire a three-day gentleman's agreement to very shrewdly and keenly try to throw the responsibility all upon the Democratic side. I shall make no such request, and I shall withdraw it if it is not perfectly agreeable to gentlemen upon both sides, with the understanding that every individual Member in the House shall take his responsibility for it. [Applause.] I have no interest, I will say to the gentleman from Wyoming [Mr. MONDELL], any more than he has in the matter. I shall stay here and work, as the gentleman says he will. I think that the legislation is such that we will facilitate the passage of all legislation during this session and expedite it by such a gentleman's agreement as I have proposed. The Senate has taken that view of it. Whatever legislation we might pass would not effect anything, because the Senate is not in session during this time, and so far as the Unanimous-Consent Calendar and the Private Calendar are concerned, we will have a month or two months in which to dispose of all of this other legislation that might come up after we pass the revenue bill, and during which time the Senate is considering it. I think the gentleman ought to say that in saying what he did he was speaking jocularly and did not mean it.

Mr. MONDELL. No. I am sure the gentleman from North Carolina will agree with me that responsibility——

Mr. KITCHIN. I do not think the gentleman ought to say that. This is a matter of making a gentleman's agreement, and it ought not to be monopolized by either side. I think one side is just as gentlemanly as the other, and yet the gentleman from Wyoming wants us to undertake the responsibility and his side to take no part of it.

Mr. MONDELL. On the contrary, each and every one of us who agrees to this——

Mr. KITCHIN. If we are going to have a gentleman's agreement let us all take the responsibility for it upon both sides. If any man objects upon either side with this understanding which I have outlined——

Mr. HARRISON of Mississippi. Mr. Speaker, I have already stated to the gentleman that I understood that he was making a suggestion, and that if he asked unanimous consent at this time I should object. The Senate ought to act first.

Mr. KITCHIN. But this agreement is based upon the action of the Senate and will be absolutely null and void unless the Senate acts as I have outlined.

Mr. HARRISON of Mississippi. I shall object for the present.

Mr. GARNER. Mr. Speaker, will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. GARNER. I want to ask the gentleman what the parliamentary situation would be in connection with the gentleman from Mississippi [Mr. HARRISON]? Suppose the gentleman from Mississippi should object and remain here, and we should not enter into this agreement, and that the gentleman from North Carolina should take the responsibility on Monday of moving to adjourn until Thursday, and on Thursday of moving to adjourn until the following Monday, and so on, what would the gentleman from Mississippi accomplish while he is here and while the Senate is gone for six weeks?

Mr. KITCHIN. If the gentleman from Texas will permit, I am not as good a parliamentarian as the gentleman from Mississippi, and I will yield to the gentleman from Mississippi to answer. Of course, we might adjourn every third day.

Mr. HARRISON of Mississippi. Here is the situation as I see it. The Senate has the wire bill. It is not yet passed. The Senate several times has gone back on things they stated they were going to do. It will not affect anything nor anybody for us to stay here and see what the Senate is going to do before we take any action.

Mr. GARNER. If the gentleman will permit, the gentleman from North Carolina has stated to the House repeatedly that this unanimous-consent agreement was requested and would be had upon the specific condition that the wire bill was to become a law—that is, to be signed by each of the presiding officers of the two Houses—and that the House shall pass the Agricultural bill before this agreement becomes effective; that is the condition precedent.

Mr. HARRISON of Mississippi. I have not stated to the gentleman I would object after the Senate acts, but I do object for the present to the proposition. I think we ought to wait until the Senate gets through.

Mr. KITCHIN. If the Senate is not through, then this agreement is null and void. I will say to the gentleman, if the Senate fails to pass the wire bill and if it fails to take action on entering into the unanimous-consent agreement for three-day adjournments until August 24, then the understanding here will be of no effect, and we will meet on Monday and meet regularly.

Mr. HARRISON of Mississippi. I shall object until the Senate takes action.

Mr. GARNER. Will the gentleman from Mississippi object after it takes action?

Mr. HARRISON of Mississippi. It is not now necessary for me to state.

Mr. SIMS. Mr. Speaker, I move that the House do now adjourn; Mr. Speaker, if there is other business I will withdraw that motion.

LEAVE OF ABSENCE.

By unanimous consent, Mr. ROBBINS was granted leave of absence Monday next on account of the funeral of Judge Doty, of Westmoreland County, Pa.

Mr. WALSH. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Massachusetts rise?

Mr. WALSH. What has become of the request preferred by the gentleman from North Carolina?

The SPEAKER. He never preferred any.

Mr. WALSH. I beg the Chair's pardon, he stated a unanimous-consent request.

The SPEAKER. He never addressed the Chair and preferred any request, however. This whole talk for the last hour has been out of order.

Mr. MOORE of Pennsylvania. Mr. Speaker, I make the point of no quorum——

Mr. WALSH. Mr. Speaker, what does the gentleman from Mississippi object to? The gentleman from North Carolina preferred a request for unanimous consent.

The SPEAKER. If the gentleman objected, he had no reason to object. He notified all concerned he would object.

Mr. WALSH. Mr. Speaker, the gentleman from North Carolina stated that if there was going to be any objection he would withdraw the request——

The SPEAKER. It does not make any difference what the gentleman from North Carolina stated. He never made any request, unless the Chair has gone stone deaf.

Mr. WALSH. The Chair did not hear.

Mr. KITCHIN. I made the suggestion——

Mr. WALSH. Request.

Mr. KITCHIN. Practically a request to the membership of the House to enter into this agreement, but I did say that if any gentleman of the House objected and was not going to carry it out in good faith he ought to object then, and the gentleman from Mississippi objected.

Mr. MOORE of Pennsylvania. Mr. Speaker, I make the point of order there is no quorum present.

Mr. KITCHIN. I would like to ask the gentleman from South Carolina if he is ready to proceed with the Agricultural bill?

Mr. LEVER. Mr. Speaker, when I called the Committee on Agriculture to meet and consider this Agricultural appropriation bill this afternoon it was agreed among the committee that I should not call up for consideration that bill unless this agreement about which we have been talking for the last hour should be entered into, so I am not prepared to call up that bill at this time.

Mr. MOORE of Pennsylvania. Mr. Speaker, I make the point of no quorum unless a motion to adjourn is made.

ENROLLED BILLS SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 12002. An act for the establishment of Bar Harbor, in the State of Maine, as a port of entry and delivery for the immediate transportation without appraisement of dutiable merchandise; and

H. R. 8839. An act for the establishment of Oswego, in the State of New York, as a port of entry for immediate transportation without appraisement of dutiable merchandise.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 46 minutes p. m.) the House adjourned until Monday, July 15, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Atchafalaya River and Bayous Courtableau, Teche, and Vermilion, La., with a view to forming navigable connections between said streams, including consideration of any proposition for cooperation on the part of local interests (H. Doc. No. 1230), was taken from the Speaker's table, referred to the Committee on Rivers and Harbors, and ordered to be printed, with illustrations.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Ways and Means was discharged from the consideration of the bill (S. 110) for the relief of the Eldredge Bros. Live Stock Co., a corporation, and the same was referred to the Committee on Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SANDERS of Louisiana: A bill (H. R. 12721) to extend the time for constructing a bridge across the Mississippi River at or near the city of Baton Rouge, La.; to the Committee on Interstate and Foreign Commerce.

By Mr. WATSON of Pennsylvania: Joint resolution (H. J. Res. 315) proposing an amendment to the Constitution of the United States empowering Congress to regulate wages and professional fees, the hours of labor in industries and occupations, and the price of commodities; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALEXANDER: A bill (H. R. 12715) granting a pension to Mamie Russell; to the Committee on Invalid Pensions.

By Mr. FIELDS: A bill (H. R. 12716) granting a pension to George W. Lambert; to the Committee on Pensions.

By Mr. KEATING: A bill (H. R. 12717) granting a pension to John C. McDowell; to the Committee on Pensions.

By Mr. SNOOK: A bill (H. R. 12718) granting an increase of pension to Magdalina Klein; to the Committee on Pensions.

By Mr. WINSLOW: A bill (H. R. 12719) granting a pension to James A. Gaffney; to the Committee on Pensions.

Also, a bill (H. R. 12720) granting a pension to Annie G. Hall; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CAREW: Memorial of the board of directors of the Chamber of Commerce of the United States, relative to appropriation for United States Employment Service; to the Committee on Appropriations.

By Mr. CARY: Petition of the American Federation of Labor, favoring passage of bill to establish a national conservatory of music and art; to the Committee on Education.

By Mr. ELSTON: Petition of citizens of Berkeley, Cal., on behalf of the Armenian people of Russian Caucasus; to the Committee on Foreign Affairs.

Mr. Mr. FARR: Petition of 20,000 Americans of Lithuanian descent, pledging their loyalty to our Government and expressing their hope and wish for independence of Lithuania; to the Committee on Foreign Affairs.

By Mr. KENNEDY of Rhode Island: Memorial of the school committee of the city of Providence, R. I., favoring universal military training; to the Committee on Military Affairs.

By Mr. O'SHAUNESSY: Memorial of the school committee of Providence, R. I., favoring passage of bill for universal military training; to the Committee on Military Affairs.

By Mr. RAKER: Resolutions of the Business Men's Association of Cloverdale, and of the Ferndale Chamber of Commerce, of Ferndale, Cal., also of the people of Glendale, Oreg., all indorsing the system of military highways on the Pacific coast and urging action by Congress; to the Committee on Military Affairs.

Also, letter of Mrs. Eli Rice, of Fort Bidwell, Cal., and resolution adopted by the union labels trade department of the American Federation of Labor, protesting against the zone system and urging its repeal; to the Committee on Ways and Means.

By Mr. RANDALL: Petition of the First Presbyterian Church of Newhall, Cal., favoring war prohibition; to the Committee on the Judiciary.

By Mr. STEENERSON: Petition of Mrs. Calvin Young, of Mapleton, Minn., urging repeal of second-class postage provisions of the revenue law; to the Committee on Ways and Means.

SENATE.

MONDAY, *July 15, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, as we assemble this morning we hear the news has been flashed over the wires that the supreme moment has come in the conflict between truth and error, autocracy and freedom, and as a Nation bends its knee before Thy throne at this trying moment, when from thousands of churches ring out the bells calling the people to prayer, we unite our hearts with theirs, asking the God of nations, the God of truth and power, to make bare His arm to save. Strengthen our boys who stand against the fierce onslaught of our enemies. Give them safety and Thy protection. Give them victory under Thy divine blessing. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of the proceedings of the legislative day of Thursday, July 11, 1918, when, on request of Mr. SHEPPARD and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the Speaker of the House had signed the following enrolled bills and joint resolution, and they were thereupon signed by the President pro tempore:

H. R. 10852. An act to provide for the appointment of a commission to standardize screw threads;

H. R. 12099. An act to confer on the President power to prescribe charter rates and freight rates and to requisition vessels, and for other purposes; and

H. J. Res. 309. Joint resolution to authorize the President, in time of war, to supervise or take possession and assume control of any telegraph, telephone, marine cable, or radio system or systems or any part thereof, and to operate the same in such manner as may be needful or desirable for the duration of the war, and to provide just compensation therefor.

PETITIONS AND MEMORIALS.

Mr. GORE rose.

The PRESIDENT pro tempore. Petitions and memorials are in order.

Mr. PENROSE. I present resolutions adopted by Lithuanian residents of Pennsylvania in mass meetings assembled on the 4th of July, 1918, extending to the United States of America assurances of their unswerving allegiance to this Government and its loyal support. The resolutions will go to the Committee on Foreign Relations, I suppose.

The PRESIDENT pro tempore. The resolutions will be referred to the Committee on Foreign Relations.

Mr. WARREN presented resolutions adopted at a meeting of sundry citizens of Wyoming, favoring the enactment of further prohibition legislation as a war measure, which were ordered to lie on the table.

Mr. CURTIS presented a petition of the congregation of the Presbyterian Church of North America, praying for the substitution of the oath required of enlisted men for the oath required of officers, which was referred to the Committee on Military Affairs.

Mr. CURTIS (for Mr. LODGE) presented petitions of sundry citizens of Massachusetts, praying for national prohibition as a war measure, which were ordered to lie on the table.

JOHN CHICK.

Mr. WARREN, from the Committee on Military Affairs, to which was referred the bill (S. 3985) for the relief of John Chick, reported it without amendment and submitted a report (No. 551) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PENROSE:

A bill (S. 4829) granting an increase of pension to Enoch Laudenslager; to the Committee on Pensions.

By Mr. PENROSE (for Mr. FERNALD):

A bill (S. 4830) granting an increase of pension to George W. Davis (with accompanying papers); to the Committee on Pensions.

The PRESIDENT pro tempore. Concurrent and other resolutions are in order.

PERSONAL EXPLANATION.

Mr. POINDEXTER. Mr. President, unless some one desires to introduce a concurrent or other resolution, I wish to ask leave, as a matter of personal explanation, to call attention to a statement made on Saturday by the Senator from Nebraska [Mr. HITCHCOCK] in regard to the newspaper publication which I presented in the Senate. That newspaper publication was printed in the Washington Post, and stated that the circumstances which it related, being a defense of Germany against certain charges of cruelty, were given out as news by the War Department. The Senator from Nebraska seemed to question whether or not that was a reliable statement, whether or not it was given out by the War Department, and whether or not the opinion which I expressed that the agency by which it was given out by the War Department was the Publicity Committee of which Mr. Creel is chairman.

I refer to the RECORD of that date for the position taken by the Senator from Nebraska, without further specific reference to it, and in support of the position which I took at that time, that the presumption created by the publication of this item in the Washington Post, with the statement that it was given out by the War Department, was sufficient to be relied upon until the contrary was shown, and in the further statement I made that, in view of the general course of publications of the administration, it, in all probability, was published through the agency of Mr. Creel. I call attention to the publication known as the Official Bulletin, published in this city, of the date of July 11, 1918. At the head of it, on the front page, are the words "Published daily under order of the President of the United States by the Committee on Public Information, George Creel, chairman," and on the same front page is the same identical article which I quoted from the Washington Post. I submit that statement, the Official Bulletin being in the library and being open to reference by anyone who desires to look at it, in proof of all the statements and all the conclusions that I stated in the Senate in reference to that item.

In connection with the same matter, Mr. President, the Senator from Florida [Mr. FLETCHER] at the conclusion of my remarks in the Senate in regard to the item which I have just referred to got out of his desk—I think he got it out of his desk—a newspaper publication which he seems to have kept there for some time for handy reference, and which I think we heard read in the Senate on other occasions, a very up-to-date argument in the speech made by Lucius Æmilius Paulus 168 B. C. The Senator from Florida read it with approval and apparently indorsed it, particularly the statement of Paulus—I never heard of him before, I am free to say; evidently he did not make any very great, lasting reputation in his lifetime out of his military expedition—inviting those who criticized him to go into Macedonia with him. The subject matter which is under discussion now, Mr. President, is whether or not we are to have an expedition into Russia, not how the expedition is to be conducted after it is launched. The quotation from Livy which the Senator from Florida read was quoted from the San Francisco Star, and my purpose in referring to it now is to say that a short time ago I read in that same San Francisco Star an editorial in which Count Von Bernstorff's privileges in this country were defended and in which the statement was made, in response to a suggestion that Von Bernstorff ought to have been treated as the criminal that he was and prosecuted for his crimes, that we could not do that because he was hedged around with the immunities and privileges of an ambassador from a foreign country, the position taken by the San Francisco Star being that an ambassador from a foreign country to the United States, and particularly Ambassador Von Bernstorff, could murder and burn through his agents, and commit the crimes which the evidence shows Count Von Bernstorff has been guilty of, with impunity because of his ambassadorial privileges. The same editorial in the same San Francisco Star contained an insolent boast that we would not have dared to punish Von Bernstorff for his crimes in this country, because Mr. Gerard was in Germany at the time and Germany would have retaliated upon him. That is the tone and policy of the newspaper that contained the article quoted by the Senator from Florida.

Mr. FLETCHER. Mr. President, I may say in this connection that it was the sentiments of the Roman consul that I was then indorsing, and not particularly the San Francisco Star. I simply gave that paper credit for having discovered the speech delivered by the Roman consul 168 B. C. The sentiment of the speech I thought was applicable to conditions today, and it was that, rather than expressions of the Star itself, that I desired to impress upon the Senate. The fact that it appeared in the Star I mentioned, because I think it proper when we see an article of that sort in any journal to give that journal whatever credit there may be for publishing the article. It is not original with the Star, I take it, but the Star unearthed the speech in some way. At any rate, it was the speech that I particularly desired to call attention to, and the sentiments in that speech, and I think they are applicable today as a general principle. That a pilot on shore can not very well direct a ship at sea is quite sound, as also, I think, the sentiment that those who want to direct the military operations ought to be on the ground and might be invited to proceed to Macedonia, along with the commanders, in order to get full information. I do not know that the authority commended itself to the Senator, but I think it is a very admirable address. I will say generally, with reference to the Senator's expression, I was out of the Chamber at the time of the debate regarding the Russian situation. I read his speech since in the RECORD, and I find myself quite in accord with his view concerning the Bolsheviki.

Mr. POINDEXTER. Mr. President, I am sincerely glad to know that a prominent Senator, like the Senator from Florida, on the majority side, entertains those views; and I hope and believe that his position will have some effect upon the policy of the Government. Of course, the particular matter in the Star is not of great importance, but the general issue which seems to be suggested by the presentation of it, that one should not criticize the administration, is an issue of considerable importance. My purpose in referring to it was to suggest to anyone who is interested in the matter at all and give him what information I had as to the character and general policy of the paper, and to emphasize the particular point that the position which the paper, by inference at least, takes, that the administration is not to be criticized, that no suggestions are to be made as to the policies of government by anybody except, presumably, the President, is a position taken by a paper that de-

fends the immunity of Von Bernstorff and insolently boasts that he can commit the crimes of which he was guilty in this country without punishment. I think it throws some light upon the motive back of the paper.

FIGHT BETWEEN THE "MONITOR" AND THE "MERRIMAC."

Mr. NELSON. Mr. President, in the midst of this great war, when our Navy Department has been bending all its energies to circumvent the submarine, I think it is appropriate to call attention to one of the most momentous events of the Civil War in connection with the operations of our Navy.

JOHN ERICSSON.

One of the most far-reaching and momentous events of the Civil War was the battle in Hampton Roads March 9, 1862, between the *Monitor* and the *Merrimac*. When that occurred the war had been dragging, on land and sea, for nearly a year with scant success for the cause of the Union. To obtain and hold the mastery of the sea had become all important for the success of our arms. To maintain a blockade of the ports of the South and to keep the ports of the North open was vital, and became the great task of our Navy.

For this task the North had a small fleet of wooden ships, some of sail and some of steam. The best of these were our four steam frigates, the *Merrimac*, the *Wabash*, the *Roanoke*, and the *Minnesota*, all of the same class and each of 3,500 tons burden, and 40 guns.

The South had no fleet at the opening of the war, but proceeded to make up for this deficiency by embarking, in a limited way, upon the construction of ironclads of various types and designs.

In the spring of 1861 the Union forces were obliged to vacate and abandon the Norfolk Navy Yard, where the *Merrimac* was undergoing repairs. When the yard was abandoned she was scuttled and set on fire, but only partially burned. The Confederates, during 1861 and the early part of 1862, raised, repaired, and converted her into a powerful and formidable ironclad. In the meantime, in August, 1861, Congress had directed the Secretary of the Navy to take steps for the construction of ironclads.

At this juncture John Ericsson came to our relief by furnishing plans and specifications for the construction of his noted ironclad, the *Monitor*, and offering to construct and complete the same within less than four months.

At first he met with a chilling and unfriendly reception in the Navy Department, but finally a few patriotic and public-spirited men came to his relief, and through their intervention his plan was adopted, and a contract was made with him and his friends for the construction and completion of the *Monitor* within 100 days after the contract was let, with the unusual and drastic condition, however, that if the vessel failed to accomplish all that was expected of it the cost of construction was to be borne by Ericsson and his friends.

Those 100 days were days of great trial for Ericsson. He not only had to study out and prepare from day to day the specifications and detailed working drawings and supervise the work, all of which kept him busy and under constant tension early and late, but he had also to bear the nagging and criticism of unfriendly or doubting officials of the Navy Department, who, from week to week, in one form or another, were admonishing him and criticizing his work.

However, in spite of all obstacles and drawbacks, the *Monitor* was completed nearly on time and turned over to the Government, after a trial trip, on the 19th of February, 1862.

After being duly equipped, officered, and manned, on the 6th of March, 1862, she left New York for Hampton Roads, where she arrived, after a stormy and tempestuous passage, late on the evening of the 8th of March, anchoring first by the side of the *Roanoke* and later by the side of the *Minnesota*, where she nestled until early the next morning.

The *Monitor* arrived none too soon; in fact, she came at a time when our entire fleet in Hampton Roads was threatened with complete destruction.

There seems to have been, as it were, a veritable race in construction between the builders of the *Merrimac* and the *Monitor*, with ampler time in favor of the *Merrimac*.

The *Merrimac* appeared on the momentous scene of action one day sooner. Early on the 8th day of March, 1862, she boldly and defiantly steamed out of the navy yard at Norfolk and proceeded on her raid of havoc and destruction.

There were at that time in Hampton Roads 16 of our war vessels of all classes, mounting 298 guns. Of these the most important were the *Roanoke*, the *Minnesota*, the *Cumberland*, and the *Congress*—all wooden ships, and one of them, the *Congress*, without steam power. On that fated day the *Merrimac* destroyed and sank the *Cumberland* and *Congress* and disabled the *Minnesota*, and then, as if wearied of her day's work and feeling certain of her prey—the remnant of our fleet—on the morrow, returned in the afternoon to her lair in the Norfolk Navy Yard to prepare for the raid of the next day.

The cause of the Union was at this time at its lowest ebb. Another day's work of the *Merrimac* such as that of the 8th of March would have destroyed the remnant of the fleet in Hampton Roads, and Washington, Baltimore, New York, and Boston, and our other cities, would have been at her mercy. Our merchant marine would have been driven from the sea and McClellan's army could never have found a safe retreat on the banks of the James River after its defeat in the Peninsular campaign.

It was in the midst of this gloom, when our cause seemed well-nigh hopeless, that the spirit of John Ericsson, embodied in the *Monitor*, came to our relief. It seemed an act of Providence that had found its expression in the soul and brain of the great inventor, who had zealously, for months, day and night, labored at his task with a faith that was boundless and harbored no doubt. Quietly and modestly the *Monitor*, after a trying and stormy passage, anchored late that night of the 8th of March in the shadow of the disabled *Minnesota*, ready for its task of the morrow. Her officers and crew, with knowledge of what had befallen the *Cumberland* and *Congress*, realized fully that the fate of our country was in their hands, but there was no hesitation and no doubt on their part.

Early on the morrow the *Merrimac*, the pride of the Confederacy, with three consorts, boldly and confident of an easy victory, steamed into Hampton Roads, making straight for the *Minnesota*. She expected as speedy and as easy a victory as that of the day before. But soon a small speck, as it were—the *Monitor*—emerged from the shadow of the *Minnesota* and boldly approached the iron leviathan. The latter paused for a moment and cast a suspicious glance at her Lilliputian adversary and then advanced to the attack, and one of the most noted battles of the ages began. I will not weary you with any details of the intense struggle. The *Merrimac* soon found that she was not encountering a *Minnesota*, a *Cumberland*, or a *Congress*, but that she was confronted with a most dangerous and formidable adversary. It was once more a Goliath pitted against a David, and David, as of old, was entirely victorious. The *Monitor* continued to ride triumphant in Hampton Roads while the *Merrimac*, limping and disabled, slowly steamed back to the navy yard at Norfolk, where she could vex us no more and where she soon met the fate of a suicide.

It was a most glorious and momentous victory. It saved McClellan's army and the remnant of our fleet. It gave permanent immunity to the harbors of the North and enabled us to maintain an effective and nearly complete blockade of the ports of the South.

It had a restraining influence on the statesmen of other countries, who were eager to recognize the independence of the Southern Confederacy. And it entirely revolutionized naval warfare, and rendered the proud wooden fleets of the great naval powers obsolete and worthless.

That great son of Sweden and the adopted son of America, John Ericsson, had, without the blare of trumpets and in the midst of many difficulties, wrought this great miracle for our relief. He had placed the hammer of Thor in our hands at the most critical period of the struggle for the preservation of the Union.

Sweden has, from first to last, contributed many of her best sons and daughters to America for its growth and development, who have constituted and continue to constitute one of the best elements of our heterogeneous ethnic make-up. But the greatest contribution Sweden ever made was when she gave us John Ericsson, one of the noblest, greatest, and bravest of all her sons. Oh, that he were still young and with us to-day, as in the days of the *Monitor!* If he were, I feel confident that he would furnish us an antidote against the submarine as effective as the antidote he furnished us against the *Merrimac*.

He rendered many other important services to our Government during the Civil War in addition to that of the *Monitor*. And he was often annoyed, hampered, and harassed by the bureaucratic officers of the Government when rendering such services. But his anxiety for our success, his intense patriotism, and his loyalty to our country were so paramount with him that, regardless of these slights and rebuffs, he persisted in giving all that was in him, his soul and his whole heart, to the welfare and salvation of our country.

And this lesson of loyalty and patriotism he has left as a precious legacy to us and to our children. May that spirit of patriotism and loyalty which was his during the dreary days of the Civil War be ours in full measure during the pending war. Let us all have America and her cause uppermost and foremost in our love and affection, in war as well as in peace.

While the remains of John Ericsson have found their final resting place in his beloved Värmland—the land that bore him and cradled him—yet he seems as near and dear to us to-day, in spirit at least, as in those somber and trying times of '61–62, when he came to the relief of our country in the hour of her great distress.

When can his glory fade?
Oh! the brave charge he made;
All the world wondered.

ORDER OF BUSINESS.

The PRESIDENT pro tempore. If there be no further morning business, the morning business is closed.

Mr. GORE. Mr. President——

The PRESIDENT pro tempore. The Senator from Oklahoma.

Mr. GORE. Mr. President, I had desired on Saturday last to submit a few observations on the President's veto message in respect to the Agricultural appropriation bill. I was not willing, however, at that time to obstruct or to delay the immediate consideration and passage of the telegraph and telephone measure which was then pending.

Mr. BRANDEGEE. A parliamentary inquiry, Mr. President.

The PRESIDENT pro tempore. The Senator will state it.

Mr. BRANDEGEE. Has the morning business been closed?

The PRESIDENT pro tempore. Morning business has been closed.

Mr. BRANDEGEE. I regret to say——

Mr. GORE. I was on my feet——

Mr. BRANDEGEE. I do not think that prevails against a point of order.

Mr. GORE. I think the Senator from Connecticut is right about that.

Mr. BRANDEGEE. The unanimous-consent agreement provides that immediately upon the closing of routine morning business the Senate shall adjourn. I dislike very much to interrupt the Senator from Oklahoma, and I should not do so except that a precedent might be created which would hereafter be embarrassing.

Mr. GORE. I think the Senator is correct, unless the fact that I had risen to address the Chair and did not succeed may be considered to alter the circumstances.

Mr. BRANDEGEE. If the Chair wants to rule that he closed morning business too quickly and did not know the Senator was addressing the Chair, I have no objection; but I do not want to have it established that after morning business has been closed the Senate can continue in session.

Mr. GORE. I think the Senator from Connecticut is right about that, and I remit the question to the Chair.

Mr. JOHNSON of California. I ask unanimous consent that the order made by the President pro tempore as to the closing of morning business be set aside in order that the Senator from Oklahoma may proceed.

Mr. BRANDEGEE. One unanimous-consent agreement can not change another, Mr. President; and I should much prefer that the President pro tempore should change his ruling.

Mr. GORE. I doubt if that could be done, although I appreciate the kindness of the Senator from California; but unless the Chair should recall his ruling in view of the fact that I had risen——

The PRESIDENT pro tempore. The Chair would be very glad, if he thought he properly could do so, to recall his statement that morning business had closed; but the Chair stated, "If there be no further morning business," expecting any Senator who desired the floor to rise, but no Senator did until the morning business was declared closed. The Chair, of course, regrets it.

Mr. GORE. I had risen to address the Chair.

Mr. SMOOT. Mr. President, I know that the Senator from Oklahoma desired to address the Chair, for he was compelled to step out of the Chamber a moment ago and sent word to me not to let the morning business close until he came back, because he desired to submit some remarks.

The PRESIDENT pro tempore. The Chair observed that the Senator from Oklahoma intended to address the Chair when the Senator from Minnesota [Mr. NELSON] was recognized, but before declaring that morning business was closed the Chair looked toward the Senator from Oklahoma to see if he desired recognition, and did not declare the morning business closed until after asking whether there was any further morning business.

Mr. SMOOT. I think the Chair is perfectly correct in his statement; but many times after such an announcement has been made and it subsequently appeared that a Senator was on his feet and desired to speak the announcement has been recalled.

The PRESIDENT pro tempore. The Senator from Oklahoma was not on his feet at the time the inquiry was made or until morning business was declared closed.

Mr. GORE. I think I was, Mr. President.

The PRESIDENT pro tempore. The Senator is mistaken, because the Chair indicated a desire to know whether the Senator from Oklahoma desired to address the Chair and looked toward his seat.

Mr. NORRIS. Mr. President, I am inclined to think the Chair is right about that. I understood, however, that the Senator from Oklahoma was going to try to get the floor at the time the Senator from Minnesota was recognized; but we know the infirmity of the Senator from Oklahoma. When the Senator from Minnesota closed, I was expecting the Senator from Oklahoma to address the Chair, but, of course, he could not know that the Senator from Minnesota had really ceased talking, for there might merely have been a pause in his remarks. Under those circumstances the Chair could well say that while he did announce—the Chair is right about that—"morning business is closed," and prefaced that announcement with the remark that he said he did, if the Senator from Oklahoma says—and we all know such to be the case—that he was trying to get recognition and was seeking recognition before morning business was closed, it seems to me that the Chair could very well say that he made the announcement a little too soon.

Mr. GORE. I will say in that connection that I had a page report to me when the Senator from Minnesota was about finishing his speech, and he reported that the Senator from Minnesota was on the last page.

The PRESIDENT pro tempore. The Chair will say that he can not be responsible for not strictly carrying out a unanimous-consent agreement. The Senator from Connecticut can withdraw the point of order that the Senator from Oklahoma is out of order, and the Chair then will not call attention to the fact that an adjournment is required. That is the only condition the Chair thinks that is appropriate to the occasion.

Mr. BRANDEGEE. Mr. President, I withdraw the point of order, if I may, but I do not want the fact that the Senator from Oklahoma is allowed to proceed to constitute a precedent for the construction of the unanimous-consent agreement in any other respect than the Chair has just announced.

The PRESIDENT pro tempore. Is there objection to the Senator from Connecticut withdrawing the point of order, which the Chair has not yet ruled upon? The Chair hears none, and the Senator from Oklahoma is recognized.

Mr. GORE. Mr. President, I am very much obliged to the Senator from Connecticut [Mr. BRANDEGEE]. I appreciate the importance of adhering to the unanimous-consent agreement, and I am sorry to throw myself upon the grace of the Senate in this fashion.

The PRESIDENT pro tempore. The Senator from Oklahoma.

PRICE OF WHEAT—VETO MESSAGE.

Mr. GORE addressed the Senate. After having spoken for 20 minutes,

Mr. ASHURST. Mr. President, I simply wish to inquire if the routine morning business has been closed?

The PRESIDING OFFICER (Mr. BANKHEAD in the chair). It has.

Mr. ASHURST. I make the point of order that nothing is in order but an adjournment under the unanimous-consent agreement.

The PRESIDING OFFICER. The Chair holds the point of order is well taken.

Mr. HITCHCOCK. I will state that the President pro tempore of the Senate when in the Chair at one time announced that the morning business had closed, but withdrew his ruling because the Senator from Oklahoma had been endeavoring to get the attention of the Chair. So the present condition is that the morning business has not been closed.

Mr. BRANDEGEE. If the Senator will allow me, I do not think the Senator is stating the situation quite correctly. I made the point of order that under the unanimous-consent agreement, the morning business having been closed, there was nothing to do but for the Senate to adjourn, and I thought it was the duty of the Chair under the unanimous-consent agreement to declare the Senate adjourned the minute he declared that the routine morning business was closed. But upon explanation that the Senator from Oklahoma had attempted to address the Chair before the morning business had closed I withdrew the point of order. The Chair therefore made no ruling on the question, but at any time when the point of order is renewed if the Chair rules that the point of order is well taken and there is no appeal from that ruling, in my opinion it is the duty of the Chair to declare the Senate adjourned under the unanimous-consent agreement.

Mr. THOMAS. May I suggest, Mr. President, while it is not at all binding upon the Senate, the fact is that the Senator from Oklahoma intended to address the Senate on Saturday upon the resolution then before the body. He consented to postpone his address until this morning that we might obtain a final vote before adjournment, with a tacit understanding on the part of some Senators that he would have full privilege to speak to-day. While it is true that is not binding upon the Senate, I think it is fair and only fair to the Senator from Oklahoma that that understanding should be regarded at least by those of us who were aware of it on Saturday afternoon.

Mr. ASHURST. Mr. President, since I made the point of order I wish to say that on Saturday I most reluctantly consented to the unanimous-consent agreement. In conscience and in honor, as it is violated now before the ink is dry, if proceedings of this character in open and flagrant violation of the unanimous-consent agreement are to be carried on, I shall consider myself absolved from it, for you are violating it before the ink is dry, and I shall call for a quorum.

Mr. GORE. Mr. President, of course if any one Senator feels as the Senator from Arizona has expressed himself, I defer to the ruling of the Chair.

Mr. ASHURST. I should like to hear the address of the Senator from Oklahoma, because he is my particular friend, and I feel more at liberty to make a point of order when my friend is violating the agreement than when one who is not so friendly is doing so.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from Utah?

Mr. ASHURST. I do not yield. We ought not to make an agreement, after begging and imploring Senators for hours not to object, and then come in on Monday and violate the agreement we make.

The PRESIDING OFFICER. Does the Senator insist upon his point of order?

Mr. ASHURST. I do insist upon the point of order.

The PRESIDING OFFICER. The Chair sustains the point of order and declares the Senate adjourned until next Thursday.

Thereupon (at 12 o'clock and 55 minutes p. m.) the Senate adjourned until Thursday, July 18, 1918, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *July 15, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Incline Thine ear, O God, our Heavenly Father, and hear our petition. Inspire us with great thoughts, high ideals, and noble endeavors, that we may meet the changing conditions of life and build for ourselves a character which shall stand the tests which confront us, and leave behind us a record worthy of the gifts Thou hast bestowed upon us, after the similitude of the Lord Jesus Christ. Amen.

The Journal of the proceedings of Saturday, July 13, 1918, was read.

CORRECTION.

Mr. LITTLE. Mr. Speaker, I am requested to say that if the gentleman from Tennessee, Mr. AUSTIN, had been here he would have voted for $2.50 wheat. I was requested to make that statement by a lady who said that she was his clerk. And he would have voted for $2.40 wheat also if it had come to that.

ENROLLED JOINT RESOLUTION AND BILLS SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolution and bills of the following titles, when the Speaker signed the same:

H. J. Res. 300. Joint resolution to authorize the President, in time of war, to supervise or take possession and assume control of any telegraph, telephone, marine cable, or radio system or systems or any part thereof and to operate the same in such manner as may be needful or desirable for the duration of the war, and to provide just compensation therefor;

H. R. 12099. An act to confer on the President power to prescribe charter rates and freight rates and to requisition vessels, and for other purposes; and

H. R. 10852. An act to provide for the appointment of a commission to standardize screw threads.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10852) to provide for the appointment of a commission to standardize screw threads.

The message also announced that the Senate had disagreed to the amendments of the House of Representatives to bills of the following titles, had requested a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. WALSH, Mr. THOMPSON, and Mr. SMOOT as the conferees on the part of the Senate:

S. 4194. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

S. 4722. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors; and

S. 4543. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

The message also announced that the Senate had passed without amendment joint resolution (H. J. Res. 309) to authorize the President, in time of war, to supervise or take possession and assume control of any telegraph, telephone, marine cable, or radio system or systems or any part thereof and to operate the same in such manner as may be needful or desirable for the duration of the war, and to provide just compensation therefor.

EXTENSION OF REMARKS.

Mr. OSBORNE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the war.

The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks in the RECORD on the subject of the war. Is there objection?

Mr. KITCHIN. Mr. Speaker, reserving the right to object, they will be your own remarks?

Mr. OSBORNE. Entirely; except some quotations from the Secretary of War.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

WOMEN REGISTRANTS AT AMARILLO, TEX.

Mr. JONES. Mr. Speaker, I ask unanimous consent to proceed for one minute.

The SPEAKER. The gentleman from Texas asks unanimous consent to proceed for one minute. Is there objection? [After a pause.] The Chair hears none.

Mr. JONES. Mr. Speaker, I desire to have read in my time an Associated Press dispatch clipping, which I send to the Clerk's desk.

Mr. WALSH. Mr. Speaker, reserving the right to object, what is the dispatch about?

Mr. JONES. I am just having it read in my time. I have gotten consent.

Mr. WALSH. You have gotten the time, but you have not gotten the consent to have it read.

Mr. JONES. It is just calling attention to the fact that there are more women registrants in my home town than men registrants.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

WOMAN VOTERS IN MAJORITY—OUTNUMBER IN DEMOCRATIC PRIMARY JULY 27 AT AMARILLO, TEX.

AMARILLO, TEX., *July 13.*

More women than men will be entitled to vote here July 27 in the Democratic primary, it developed to-day, when the registration of women was completed.

A total of 2,112 women registered, as against 2,072 men, who registered last January.

Women in Texas may vote in the primaries under a restricted-suffrage act passed at the last session of the legislature.

Mr. SINNOTT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a patriotic address made by Frederic C. Shafer, of Fort Rock, Oreg.

Mr. WALSH. Mr. Speaker, I object; he is not a Member or an official of the Government.

Mr. CANNON. Mr. Speaker, I ask unanimous consent to print in the RECORD remarks covering appropriations and expenditures for the last fiscal year and for the coming fiscal year.

The SPEAKER. The gentleman from Illinois asks leave to print in the RECORD a statement of appropriations and expenditures for the last fiscal year and for the next fiscal year. Is there objection? [After a pause.] The Chair hears none.

Mr. COOPER of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my remarks on the Spanish-American War widows' pension bill which recently passed the House, and in connection therewith to print correspondence between the gentleman from Minnesota [Mr. VAN DYKE], the national patriotic instructor of the order of Spanish War Veterans, and the governors of some of the States and others.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent to extend his remarks on the subject of the Spanish War widows' pensions and also correspondence carried on by Congressman VAN DYKE, of Minnesota, with certain governors on the same subject. Is there objection? [After a pause.] The Chair hears none.

Mr. NELSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of loyalty.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent to extend his remarks in the RECORD on the subject of loyalty. Is there objection?

Mr. WALSH. Are they the gentleman's own remarks?

Mr. NELSON. My own remarks.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. LINTHICUM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the telegraph and telephone bill just passed.

The SPEAKER. The gentleman from Maryland asks unanimous consent to extend his remarks in the RECORD on the telegraph and telephone bill. Is there objection?

Mr. McARTHUR. Mr. Speaker, I demand the regular order.

The SPEAKER. The regular order is objection to the gentleman from Maryland extending his remarks on the telegraph and telephone bill.

Mr. WALSH. I object, and shall object to all extension of remarks hereafter in view of the gentleman calling for the regular order.

Mr. OVERSTREET. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a statement that——

Mr. WALSH. I object.

PENSIONS.

Mr. KEATING. Mr. Speaker, I ask unanimous consent to call up the bill S. 4723, an omnibus pension bill, with Senate amendments. This will be the last of the pension bills reported from the House Committee on Pensions.

The SPEAKER. The gentleman from Colorado asks unanimous consent to call up the bill S. 4723, from the Senate. Is there objection?

Mr. McCLINTIC. Mr. Speaker, reserving the right to object, I have a letter from the father of a boy who was killed on the battle field of France, in which he seriously complains because of an attempt made by an attorney here in Washington to charge him a commission for the collection of the back pay that is due his son from the Government. I would like to ask unanimous consent to address the House for two minutes, as I consider this matter of vital interest to the entire country.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to address the House for two minutes. Is there objection. [After a pause.] The Chair hears none.

Mr. McCLINTIC. Mr. Speaker, a young soldier by the name of Alexander P. Garrett, son of A. R. Garrett, a prominent citizen of Mangum, Okla., was killed on the battle field of France a few days ago. This young man was a patriot. He not only volunteered his services for the country but he made a sacrifice by taking a portion of his salary each month and investing it in liberty bonds. According to the statements made in the letter which has been sent me by the young man's father, there are certain attorneys here in Washington who seek to make contracts with the parents of those who have lost their lives, when they must know that the department does not countenance such action, and that whenever the proper proofs are filed no difficulty will be encountered in collecting all that is due in cases of this kind. It is for this reason that I have brought this matter to the attention of the House.

When the information came to Judge Garrett that his son had been killed on the battle field of France a blank was sent him by the War Department to be filled out in making the proper claim for the back pay due the soldier and the amount he had advanced on liberty bonds. He filled out this blank and returned it. He makes the statement in his letter to me that instead of receiving the pay that should have been sent him, an attorney here in Washington sent him a contract asking that he pay 20 per cent commission before the money is received.

Mr. Speaker, I would like to have read in my time the letter in this connection.

The SPEAKER. Without objection, the Clerk will read.

MANGUM, OKLA., *July 9, 1918.*

Hon. JIM MCCLINTIC.
Washington, D. C.

DEAR SIR: I am inclosing herewith a paper which explains itself. In so far as any back pay or claim of any kind, money due my son, Alexander P. Garrett, for his services and fighting for his country and world democracy, I do not care for the money individually. You will see from the inclosed copy of the paper that I am sending you that it appears that beneficiaries who are entitled to receive any money for services rendered by their sons must employ an attorney to secure the same.

In a circular letter from the Treasury Department some time ago it was declared that no attorney was necessary to collect any moneys due a soldier who had been killed and who had advanced money to buy liberty bonds or had any back pay coming to him. But, from the inclosed document, I take it that some one in the department is helping or aiding Edward J. Redmond to fleece beneficiaries. I am loyal to my Government, but I am not loyal to graft. And if it is a fact that it is necessary to employ an attorney to obtain any money due beneficiaries it certainly is not in harmony with the great principles for which my son died on the battle field of France.

I trust that you will take sufficient interest in this matter, not on my personal account, but in behalf of every father and mother who has and who will lose sons in this great struggle, to investigate and see if it is an actual fact that it is necessary that an attorney be employed to secure any money, by reason of the death of their sons, from the Treasury Department of the United States.

I would be glad to hear from you concerning this matter. Several days ago, long enough to have a remittance from the Treasury Department, I filled out the blanks sent me and had the necessary witnesses as to identity to collect some claim for services of my son and also money that he had advanced on liberty bonds, as per instructions, and instead of a remittance I have received the inclosed instrument, of which I am sending you a copy, as above stated.

Yours, very truly, A. R. GARRETT.

Mr. MONDELL. Mr. Speaker, will the gentleman yield to me for a question?

Mr. McCLINTIC. In just a minute. If I can have my time extended just a few minutes, I wish to send up to the desk the contract that was sent to Judge Garrett.

Mr. SEARS. Mr. Speaker, I ask unanimous consent that the gentleman's time be extended five minutes.

The SPEAKER. The gentleman from Florida asks unanimous consent that the time of the gentleman from Oklahoma be extended five minutes. Is there objection?

There was no objection.

The SPEAKER. The Clerk will read, without objection.

The Clerk read as follows:

May 27.

(This claim in no way relates to war-risk insurance or compensation.)

DECLARATION.

I, ——— of ——— ———, the ——— and next of kin of Alexander P. Garrett, who served as a private in the United States Army, hereby make claim to recover all pay and allowances due on account of his services as aforesaid.

I appoint Edward J. Redmond, of Washington, D. C., my attorney to prosecute this claim, and direct that the warrant drawn in payment of the same be sent me by the department to the address given below.

Witness my hand this day of ———, of ———, 1918.

Signature of claimant: ——— ———,
Post office: ——— ———.

Witnesses:
1. ——— ———.
2. ——— ———.

FEE AGREEMENT.

Whereas the undersigned having made claim for pay and allowances on account of the services of aforesaid soldier, through Edward J. Redmond:

Now this agreement witnesseth: That for and in consideration of services done and to be done in the premises, I hereby agree to allow my attorney, Edward J. Redmond, of Washington, D. C., a fee equal to 20 per cent of the amount allowed me by the United States, which shall include all amounts to be paid for any services in the furtherance of said claim, and no fee shall be demanded by or payable to said attorney, in whole or part, except in case of the allowance of said claim, when I agree to remit to him upon receipt of the check in payment of the claim, 20 per cent of the amount of said check; and it is further understood that I shall not be liable for any costs or expenses whatever in the prosecution of said claim; and it is further understood that this agreement in no way relates to claims for war-risk insurance or compensation.

Signed this ——— day of ———, 1918, at ——— ———.

——— ———.

Witnesses:
——— ———.
——— ———.

Mr. GARNER. Mr. Speaker, will the gentleman yield?

Mr. McCLINTIC. I promised first to yield to the gentleman from Wyoming.

Mr. MONDELL. Do I understand that the paper just read was mailed from the Bureau of War-Risk Insurance?

Mr. McCLINTIC. The statement made in Judge Garrett's letter was that he received an application blank from the War-Risk Insurance Bureau, and that with this was a circular letter stating it would not be necessary to employ the services of an attorney. He filled out the blank and returned it to the department, and instead of receiving the money due him he received a letter from this attorney containing a contract calling for a commission of 20 per cent where a collection was made of any kind, with the exception of the Bureau of War -Risk Insurance. Mr.

Speaker, there are a great many dependent parents throughout the Nation who have patriotic sons who are willing to make sacrifices for the rights of the American people. Some of these parents are not very well informed as to the rules and regulations that govern the collection of money from the various departments of our Government, and it is too bad that there are those who have no regard for humanity, but on the other hand are eager of the opportunity to filch them out of money that they have no right to.

Mr. GARNER. Mr. Speaker, will the gentleman yield?

Mr. McCLINTIC. Yes.

Mr. GARNER. Is it not a fact that the Secretary of the Treasury sent out a circular letter, a printed letter, distributed throughout the country, of which you and anyone can get copies now, warning these people that they ought not to employ an attorney, saying that it will not cost them a cent, and that the War-Risk Insurance Bureau will attend to it? The inference the gentleman conveys there is undoubtedly that the War-Risk Insurance Bureau is assisting some attorney, whoever this man may be, in getting the information, so that he may write to them. If that is the case——

Mr. McCLINTIC. The gentleman is in error. The statement does not refer to the War-Risk Insurance Bureau, but on the other hand it refers to back pay due the soldier and the amount advanced by him for the purchase of liberty bonds. Consequently it goes to a different department.

Mr. GARNER. If the gentleman will yield further, if that is the case, there is no punishment too great that can be inflicted on the men in the War-Risk Insurance Bureau who are bringing this about, but I do not believe it. The gentleman ought to follow up his facts and put the facts in the RECORD at the first opportunity.

Mr. TREADWAY. Mr. Speaker, will the gentleman yield?

Mr. McCLINTIC. Yes.

Mr. TREADWAY. I would like to ask the gentleman if, since he has received the letter from the father of the young man, he has consulted with any officials of the War-Risk Insurance Bureau?

Mr. McCLINTIC. The letter was received by me yesterday, and I have not had time to do so. I thought I would bring it to the attention of the House, because we would probably recess to-day. This was my first opportunity to bring it to the attention of this body.

Mr. TREADWAY. The first thing I want to state is that it is easy for these attorneys to secure the lists of these casualties without consulting the War-Risk Insurance Bureau, and the second is that we have passed legislation within a short time, within two or three weeks, covering this very point, making it a criminal offense to send out such a circular letter as that. I would suggest to the gentleman, if I may be pardoned in following up the question I interjected, that he take up the matter with the War-Risk Insurance Bureau in reference to this circular letter. They are just as much interested, I take it, as we are, and——

Mr. McCLINTIC. There are many parents who have sons in the Army, and when they receive statements of this kind from attorneys they feel that they ought to employ them. I want to say that it is not necessary for them to enter into a contract with the War Department in order to collect back pay which is due one of their sons if he should be killed. I hope this incident can be brought to the attention of the entire country, so that no attorney can defraud the parents of any of our brave soldiers.

The SPEAKER. The time of the gentleman from Oklahoma has expired.

Mr. QUIN. I would like to have a minute.

Mr. COX. The regular order, Mr. Speaker.

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent to proceed for five minutes.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to proceed for five minutes. Is there objection?

Mr. QUIN. I would like to know what has become of my minute. [Laughter.]

The SPEAKER. The Chair did not understand the gentleman.

Mr. QUIN. I say I would like to know what is the matter with my minute request.

The SPEAKER. Somebody objected. The regular order was demanded. The regular order was, Could the gentleman from Mississippi have one minute? Is there objection.

There was no objection.

Mr. HAMLIN rose.

The SPEAKER. For what purpose does the gentleman from Missouri rise?

Mr. HAMLIN. Reserving the right to object——

The SPEAKER. It is too late.

Mr. HAMLIN. Not on that, but the request of the gentleman from Minnesota.

The SPEAKER. Two gentlemen can not speak at once. The gentleman from Mississippi [Mr. QUIN] is recognized.

Mr. QUIN. The gentleman from Oklahoma [Mr. McCLINTIC] was speaking about a very serious matter, and I think that what he has said may leave the implication unintentionally by his remarks that the War-Risk Insurance Bureau would countenance this kind of conduct on the part of these dirty buzzards endeavoring to prey upon the unfortunate people who have a soldier son who has gone forth and died in battle. [Applause.] I think, and I know, in fact, that the War-Risk Insurance Bureau and every other branch of this Government has put the seal of condemnation on these inhuman pirates, and no part of this Government would countenance such conduct on the part of shysters as the gentleman from Oklahoma has related here; and if it happens that there be any people who fall into the pitfalls of these human vultures it is their misfortune. As the gentleman across the aisle [Mr. TREADWAY] stated, we have already enacted a law to prevent that. [Applause.]

No lawyer should be allowed to get one cent of the soldier's back pay or Government insurance as a fee for collecting it. No soldier nor the parents of a soldier or sailor need the aid of a lawyer to get this money.

The War-Risk Bureau will pay every dime that is due any soldier and it will pay every dime due the beneficiary under the policy.

Every Congressman will aid his constituents in collecting the money.

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent to proceed for five minutes.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to proceed for five minutes.

Mr. HAMLIN. Mr. Speaker, reserving the right to object—and I am not going to object—I also want five minutes on a kindred matter.

The SPEAKER. Let us attend to one thing to a time. Is there objection to the gentleman from Minnesota [Mr. KNUTSON] having five minutes?

There was no objection.

The SPEAKER. The gentleman from Missouri [Mr. HAMLIN] asks unanimous consent that he may have five minutes when the gentleman from Minnesota has concluded. Is there objection?

There was no objection.

DEPARTMENTAL EMPLOYEES LIABLE TO MILITARY SERVICE.

The SPEAKER. The other day the gentleman from Tennessee [Mr. GARRETT] propounded a question to the Chair that he could not then answer, but he now has the information. The gentleman from Tennessee wanted to know how many reports from the executive departments relative to applications for exemption of departmental employees have been handed in. The Chair is informed by the Clerk that all of the inquiries have been answered except those addressed to the Post Office Department, the Department of Agriculture, the Interstate Commerce Commission, the Food Administration, and the Fuel Administration.

Mr. GARRETT of Tennessee. Mr. Speaker, the immediate inquiry which I made was whether all had answered, and the reason I made that inquiry was that I thought we ought to take some steps to dispose of them; that is, that there ought to be a reference to a committee. I am not interested in their answering except as they are able to answer. Of course, they must answer in time, but I simply wanted to explain that that was the only purpose of my inquiry. To be frank about it, I thought they had all answered, and I intended to make a motion to refer them, because by agreement they are held on the Speaker's table until all the replies come in.

The SPEAKER. The Chair will suggest to the gentleman from Tennessee that, as we may adjourn to-day, he had better make his motion, at some time to-day, to include all those that have come in as well as those that come in hereafter.

EAST ST. LOUIS RIOTS (H. DOC. NO. 1231).

Mr. JOHNSON of Kentucky. Mr. Speaker, no provision has yet been made for publishing the report of the committee to investigate the East St. Louis riots. There is great demand for this report, and the committee has money left out of the appropriation that was made to defray its expenses. I have learned that 5,000 copies of that report can be printed for about $80. Is it permissible for the committee to have that printing done?

The SPEAKER. The gentleman had better ask unanimous consent.

Mr. JOHNSON of Kentucky. The gentleman from Tennessee [Mr. GARRETT] volunteers the information that it is permissible for the committee to have the printing done.

Mr. GARRETT of Tennessee. Mr. Speaker, my recollection is that authority was given to the committee to have such printing and binding done out of the appropriation as the committee might deem proper.

Mr. JOHNSON of Kentucky. Mr. Speaker, I ask unanimous consent to have 5,000 copies of the report printed.

The SPEAKER. The gentleman asks unanimous consent to have 5,000 copies of the report on the East St. Louis riots printed——

Mr. JOHNSON of Kentucky. For the use of the committee.

The SPEAKER. For the use of the committee. Is there objection?

Mr. WALSH. To be paid for out of the amount appropriated for the committee?

The SPEAKER. To be paid for out of the appropriation made for the expenses of that committee. Is there objection?

There was no objection.

BACK PAY OF SOLDIERS.

The SPEAKER. The gentleman from Minnesota [Mr. KNUTSON] is recognized for five minutes.

Mr. KNUTSON. Mr. Speaker, I am in receipt of a letter from State Senator George H. Gardner, of Brainerd, Minn., an attorney at that place, which I desire to read:

STATE OF MINNESOTA,
Senate Chamber, July 8, 1918.

Hon. HAROLD KNUTSON,
Washington, D. C.

DEAR HAROLD: Gunnard Erickson, late private, Company F, Eighteenth Infantry, at the time of his death in France had coming to him about $200 of back pay. He was also insured and his brother, Charlie Erickson, 1720 Maple Street, SE., Brainerd, Minn., is the beneficiary under the policy. The policy is for $10,000.

I am writing to find out if there isn't some way that Charlie Erickson, with whom Gunnard Erickson has always made his home, and whom he must have thought a good deal of when he left him the insurance, can get this back pay of $200 that Gunnard had coming?

A short time ago I wrote to the Director Bureau of War-Risk Insurance, Treasury Department, in regard to the matter, but I have not as yet heard from them, but to-day Charlie Erickson, brother of Gunnard Erickson, came into the office and showed me a letter, which I have before me, from the law firm of Redmond & Redmond, McGill Building, Washington, D. C., inclosing a "fee agreement" to the effect that they would get 20 per cent for collecting this back pay of Gunnard Erickson.

Now, I am wondering how the information got to this law firm relative to the claim of Gunnard Erickson and how this leak came about? It seems to me that the officials of the War-Risk Insurance Department are in big business informing certain attorneys in Washington of certain claims of back wages for soldiers.

Charlie Erickson, relative, is entitled to Gunnard Erickson's back wages, and it should not be necessary for him to be called upon to put up money to some Washington attorney to prosecute this claim.

If you will kindly take this matter up and find out if Charlie Erickson can not get the back wages without the intervention of attorneys and officials in Washington working in cahoots and making a divy on the proposition, I will appreciate it very much.

Very truly, yours, GEORGE H. GARDNER.

Here we have a case of a beneficiary writing to the Bureau of War-Risk Insurance with reference to the back pay due a soldier who has been killed on the battle fields of France. Instead of hearing from the Bureau of War-Risk Insurance the beneficiary receives a letter from a firm of Washington attorneys who very generously offer to collect the back pay due the deceased soldier for 20 per cent commission. I do not want anything that I may say to be taken as a reflection upon the bureau as an organization, for I feel that it is doing a great work. If there has been any improper conduct I am sure that it has been on the part of some subordinate employee.

Knowing that the Bureau of War-Risk Insurance would not have anything to do with the matter of back pay, I went down to the War Department this morning and conferred with Adjt. Gen. McCain. Gen. McCain stated that this was probably the result of publishing addresses with casualties. Whether or not that be true I do not know, but I would like to know how the firm of Redmond & Redmond ascertained that this man Erickson had $200 back pay coming to him from the Government. It surely looks as though some subordinate in the bureau is leaking and probably on a 50-50 basis.

Mr. MONDELL. Will the gentleman yield?

Mr. LANGLEY. Will the gentleman yield?

Mr. KNUTSON. I yield to the gentleman from Wyoming.

Mr. MONDELL. The gentleman is of the opinion that Gen. McCain's explanation did not explain?

Mr. KNUTSON. I do not think it explains this particular case.

Mr. MONDELL. And that as a matter of fact the publication of the casualties with the addresses of the soldiers could not have informed these people with regard to this particular claim?

Mr. KNUTSON. Hardly in regard to this particular claim.

Mr. MONDELL. And that there must have been a leak in the Bureau of War-Risk Insurance?

Mr. KNUTSON. It appears to me that that must be so.

Mr. BYRNS of Tennessee. The gentleman says this is a question of back pay?

Mr. KNUTSON. Yes.

Mr. BYRNS of Tennessee. As a matter of fact, the Bureau of War-Risk Insurance has nothing whatever to do with the arrears of pay of soldiers?

Mr. KNUTSON. Absolutely nothing. I agree to that. But the gentleman will also admit that the leak must have come from the Bureau of War-Risk Insurance, because the matter was by mistake taken up with that bureau, and it is on all fours with the case presented by the gentleman from Oklahoma [Mr. McCLINTIC].

Mr. BYRNS of Tennessee. As a matter of fact, every soldier who dies is entitled to some back pay.

Mr. KNUTSON. How did they know that the amount was $200?

Mr. BYRNS of Tennessee. I can not say that. That would seem to indicate that somebody had given some information.

Mr. KNUTSON. Exactly.

Mr. BYRNS of Tennessee. But I do not think it is fair to say that the leak was in the Bureau of War-Risk Insurance.

Mr. LANGLEY. Mr. Speaker, I was going to make the same suggestion, that if the War-Risk Insurance Bureau has no jurisdiction of these matters, how is it that this case and the other case referred to by the gentleman from Oklahoma [Mr. McCLINTIC] have both by mistake been referred to that bureau?

Mr. KNUTSON. Many persons back home are of the opinion that all these matters must be taken up with the Bureau of War-Risk Insurance. It was merely a mistake in reference.

Mr. LANGLEY. I undestand, but I do not think the gentleman ought to leave such a strong inference about the Bureau of War-Risk Insurance, when there are other ways in which they might obtain such information.

Mr. KNUTSON. Can the gentleman advance any better theory?

Mr. LANGLEY. No, I can not; but I do not think it is fair to make that strong inferential charge against the Bureau of War-Risk Insurance. I do not want to see anyone accused unjustly in this public way unless there is stronger proof than has thus far been presented.

Mr. KNUTSON. The gentleman is needlessly concerned about the Bureau of War-Risk Insurance.

Mr. LANGLEY. No; I am not. I simply wish everybody to have fair treatment.

Mr. BARNHART. Will the gentleman yield?

Mr. KNUTSON. I yield to the gentleman from Indiana.

Mr. BARNHART. I did not get the full statement that the gentleman made relative to the amount of back pay that was due.

Mr. KNUTSON. Two hundred dollars.

Mr. BARNHART. Did the attorney's letter state that?

Mr. KNUTSON. It says that they inclosed an agreement to the effect that they would get 20 per cent for collecting the back pay.

Mr. BARNHART. But it does not say that the amount is $200.

Mr. MONDELL. The letter was not received from the attorneys until the application had been made to the War-Risk Bureau, was it?

Mr. KNUTSON. No. The only reply that they received from the communication they sent to the War-Risk Bureau was from Redmond & Redmond.

Mr. BARKLEY. Did Redmond & Redmond say that they were replying to the communication addressed to the War-Risk Bureau?

Mr. STAFFORD. They are not such fools as that.

Mr. KNUTSON. The gentleman knows better than to ask that question. I will say that these birds of prey do not put all of their cards on the table face up.

Mr. BARKLEY. I am willing to admit that. But the gentleman does not mean to make the statement that the letter of Redmond & Redmond was a direct reply to the letter sent to the War-Risk Bureau.

Mr. KNUTSON. I do not.

Mr. BARKLEY. It is not so stated in terms.

Mr. KNUTSON. No.

The SPEAKER. The time of the gentleman from Minnesota has expired.

Mr. KNUTSON. I ask for five minutes more.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. BARKLEY. My question was not prompted by any desire to cover up anything that is wrong in these bureaus, but if the letter on its face shows that it is a reply to the letter written to the War-Risk Bureau, we ought to know it. That would be direct evidence that somebody had communicated the facts to these attorneys.

Mr. KNUTSON. I have wired for the Redmond & Redmond letter. I had not intended to bring the matter up this morning, but in view of the gentleman from Oklahoma [Mr. MCCLINTIC] having presented his case, I concluded to present this and verify his case.

Mr. ROSE. Will the gentleman yield?

Mr. KNUTSON. I will.

Mr. ROSE. I have an idea that every person who is named in the casualty list will have a letter sent to his relatives from the firm of Redmond & Redmond, but I do not believe that the War-Risk Bureau had anything to do with divulging secrets in their department. I have noticed that that is the case in pension claims as well as for services in some other matters. I put the question whether the gentleman does not think himself that it will be ascertained later that this firm has written to every person interested in back pay for services to the Government?

Mr. KNUTSON. I know of several casualties where the firm of Redmond & Redmond did not write to the relatives.

Mr. McCULLOCH. Will the gentleman yield?

Mr. KNUTSON. Yes.

Mr. McCULLOCH. Is it the gentleman's intention to ask for an investigation or is his purpose merely to advertise the fact that such communications are being sent out?

Mr. KNUTSON. Both.

Mr. McCULLOCH. Does the gentleman expect to make a motion that an investigating committee be appointed?

Mr. KNUTSON. Does not the gentleman think that it would be a waste of time to call for an investigation?

Mr. McCULLOCH. Not if it is as serious as the gentleman's statement of facts makes it appear.

Mr. FORDNEY. Will the gentleman yield?

Mr. KNUTSON. Certainly.

Mr. FORDNEY. It is quite unlikely that this law firm can obtain the names of the relatives of the dead soldier and their addresses unless he receives them through some official.

Mr. KNUTSON. That is exactly the position I take.

Mr. FORDNEY. Therefore it is quite evident that this information came from some one in the employ of the Government, else the attorneys would not know the names and addresses of the relatives.

Mr. LINTHICUM. Will the gentleman yield?

Mr. KNUTSON. I will yield to the gentleman from Maryland.

Mr. LINTHICUM. I was going to ask the gentleman if most anybody could not get information from the bureau with reference to soldiers. They do not have to prove that they have an interest, do they?

Mr. LANGLEY. I do not think they can get it in a matter that might involve the filing of a claim. The rules of all the departments and bureaus prohibit that.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. KNUTSON. Yes.

Mr. JOHNSON of Washington. I know that the gentleman from Minnesota does not intend in his statement to reflect on the War-Risk Insurance Bureau at a time when the people are just becoming informed as to the great work of that bureau. I think it would be much better to arrange to introduce a resolution for the appointment by the Speaker of a committee of 7 or 15 Members of the House to investigate the matter thoroughly and report.

Mr. KNUTSON. I think the gentleman's suggestion is a good one.

Mr. TREADWAY. Will the gentleman yield?

Mr. KNUTSON. I will.

Mr. TREADWAY. I can not agree with the suggestion made by the gentleman from Washington. I would like to call the attention of the House to an amendment enacted into law making it a criminal offense to solicit such commissions as this letter presents. I would therefore offer the suggestion that the letters issued by Redmond & Redmond or any other attorneys be turned over to the Department of Justice. The law is explicit.

Mr. KNUTSON. I think the gentleman from Massachusetts will find that the law he refers to only has reference to insurance and does not cover back pay.

Mr. TREADWAY. The amendment recently passed to the war-risk bureau bill which the chairman of the committee on Interstate and Foreign Commerce introduced.

Mr. DECKER. Mr. Speaker, I ask for two minutes to read the law referred to by the gentleman from Massachusetts.

The SPEAKER. The gentleman from Missouri [Mr. DECKER] asks for two minutes to read the law. Is there objection?

There was no objection.

Mr. DECKER. Mr. Speaker, as a member of the Committee on Interstate and Foreign Commerce, which has responsibility for reporting the war-risk insurance bill to the House, I think it only fair to them and to the House briefly to read the law applying to this subject, which is as follows:

Provided, however, That payment to any attorney or agent for such assistance as may be required in the preparation and execution of the necessary papers shall not exceed $3 in any one case—

The object of that being to cover notary fees and clerical work and the search sometimes, perhaps, of court records—

And provided further, That no claim agent or attorney shall be recognized in the presentation or adjudication of claims under articles 2, 3, and 4, except that in the event of disagreement as to a claim under the contract of insurance between the bureau and any beneficiary or beneficiaries thereunder, an action on the claim may be brought against the United States in the district court of the United States in and for the district in which such beneficiaries or any one of them resides, and that whenever judgment shall be rendered in an action brought pursuant to this provision, the court, as part of its judgment, shall determine and allow such reasonable attorney's fees, not to exceed 5 per cent of the amount recovered, to be paid by the claimant in behalf of whom such proceedings were instituted, to his attorney.

Any person who shall directly or indirectly solicit, contract for, charge, or receive, or who shall attempt to solicit, contract for, charge, or receive, any fee or compensation, except as herein provided, shall be guilty of a misdemeanor, and for each and every offense shall be punishable by a fine of not more than $500 or by imprisonment at hard labor for not more than two years, or by both such fine and imprisonment——

Mr. BARKLEY. Mr. Speaker, will the gentleman yield?

Mr. DECKER. I yield to the gentleman.

Mr. BARKLEY. I call attention to the fact that this applies only to claims under the War-Risk Bureau, and does not apply to claims under the Quartermaster Department, which covers a claim such as the gentleman from Minnesota [Mr. KNUTSON] calls attention to.

Mr. DECKER. That is true.

Mr. BARKLEY. And the letter from this firm read by the gentleman from Oklahoma [Mr. MCCLINTIC] specifically stating it does not apply to war-risk claims, shows on its face that it is an effort to evade the law by making it apply to only the Quartermaster General's Department claim.

Mr. DECKER. I want to say this, in addition. I have read the law for the purpose of showing to the House or reminding the House and the country that the House and the Congress have not been unmindful of the welfare of the soldiers or of those who may have been left dependent upon them after they have given their lives for their country.

The SPEAKER. The time of the gentleman from Missouri has expired.

Mr. DECKER. Mr. Speaker, I ask unanimous consent to proceed for one minute more.

The SPEAKER. Is there objection?

There was no objection.

Mr. TREADWAY. Mr. Speaker, will the gentleman yield for a moment?

Mr. DECKER. Yes.

Mr. TREADWAY. In reading the amendment to the war-risk law, I did not hear the gentleman read the date of its passage.

Mr. DECKER. The bill was approved May 20, 1918. It seems to me that in matters like this—and I am not reflecting upon the motives of anyone who has spoken here upon the subject—the first thing for a man to do is to take a letter like that referred to either to the Department of Justice or to some of the Treasury officials so that they may be enabled to give the proper information thereon, because I do not believe that any of us want to give the impression to the country that this body is so derelict in its duty that it would allow the people of the country whose soldiers are fighting for us on the other side of the sea to be robbed by the vultures or the buzzards, as the gentleman from Mississippi calls them, who seek to profit through the death of these brave lads who die for the freedom of the country.

The SPEAKER. The time of the gentleman from Missouri has again expired, and the gentleman from Missouri [Mr. HAMLIN] is recognized for five minutes.

Mr. HAMLIN. Mr. Speaker, the matter to which I wish to direct the attention of the House is somewhat akin to the matter which has just been discussed, and yet it is somewhat different. I am not presenting my matter in the spirit of complaint or criticism, but for the consideration of the membership of the House. Unfortunately, many of our boys are dying on the front, and I have an idea that we will be confronted with many situations such as was called to my attention this morning. I received this morning a letter from a constituent,

calling attention to the fact that Pvt. William T. Bloyd, Company A, Fifty-fifth Engineers, died in the service; that he had an insurance policy of $10,000, written by the Government; and that he had named as his beneficiaries in said policy his nieces and a nephew. This soldier died and after his death the department was called upon by these beneficiaries, asking for the payment of this policy to them. They were notified that they were not within the permitted class and were not, therefore, entitled to be named as beneficiaries and could not receive this insurance. I have a letter, which I shall read, written by the department to one of the persons named as beneficiary:

TREASURY DEPARTMENT,
BUREAU OF WAR-RISK INSURANCE,
Washington, June 18, 1918.

Miss GENEVIEVE SKINNER,
Green Ridge, Mo.

DEAR MADAM: We are in receipt of the emergency information blank returned by you, giving information in reference to William T. Bloyd, late of Company A, Fifty-fifth Engineers.

We note your statement that the deceased left neither widow, children, parents, brothers, or sisters.

Under the act of October 6, 1917, the deceased applied for $10,000 insurance, naming you, Ephraim Levi Skinner, and Ernest Bert Skinner as his beneficiaries. It is provided, however, under the same act that an enlisted man may apply for insurance and name as his beneficiary any one of the following permitted class: Parent, brother, sister, spouse, child, or grandchild. Having no one living within the permitted class, the insurance is not payable to anyone.

By an entirely separate and distinct provision of the same act compensation is payable to a wife, child, or dependent widowed mother. However, in this case no compensation is payable.

Any further communications addressed to this bureau should contain the full name, rank, and organization of the deceased. The number C-13187 should also appear thereon.

Very truly, yours,

H. C. HOULIHAN,
Superintendent of Compensation.
Per J. L. F.

Mr. JOHNSON of Washington. Mr. Speaker, will the gentleman yield?

Mr. HAMLIN. In a moment. I am not criticizing anyone, but it seems to me that here is a case which should command our attention. This policy, it appears, was written by the Government naming these nieces and the nephew as beneficiaries, and after the soldier dies these people are then told that they are not within the permitted class, and that the insurance can not be paid to them. I called up the insurance division of the Bureau of War Risk this morning and asked them to tell me how much premium the soldier had paid upon this policy. They informed me that they could not tell; that they did not have the records; that it was evidently paid through the Quartermaster General's Department. I called that department up, but was never able to connect with anyone who could give me the information, and have not yet been able to get the information I wanted. I anticipate we will have a number of this sort of cases. This soldier undoubtedly paid the premium upon the policy from the time he took it out until he died, and some one permitted him to name as beneficiaries those who are now told they are outside of the permitted class. What is to be done with the money that was deducted from this soldier's pay as premium upon the policy? If the Government can not, and I think it can not under the law, pay the money to the people named as beneficiaries, then some one ought to be "called down" for writing such a policy, and the premium collected on the same ought to be refunded.

Mr. BARNHART. Mr. Speaker, will the gentleman yield?

Mr. HAMLIN. I promised to yield to the gentleman from Washington.

Mr. JOHNSON of Washington. I understand that in New York City and at other places where large bodies of troops have assembled, soldiers have asked lawyers in regard to naming beneficiaries who would not legally be beneficiaries, and the lawyers have said that if a soldier would make his insurance payable to his estate and then make his will he could name in the will the person he desired as his beneficiary. I doubt if that is so, but soldiers are naming their sweethearts by that plan.

The SPEAKER. The time of the gentleman has expired.

Mr. HAMLIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting certain other letters.

Mr. McCLINTIC. Mr. Speaker, I make the same request.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. FOCHT. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. FOCHT. To ask unanimous consent to proceed for one minute and to extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania? [After a pause.] The Chair hears none.

Mr. FOCHT. Mr. Speaker, I merely wish to make a correction of an error made in another body by two eminent gentlemen with regard to a historical fact——

The SPEAKER. The gentleman can not do it.

Mr. FOCHT. Well, I am not going to mention the name of anybody.

The SPEAKER. The Chair knows, but the rule is that you can not comment on anything that happened in the Senate.

Mr. FOCHT. Then I am not going to refer to the Senate.

The SPEAKER. All right.

Mr. FOCHT. I recently read a statement to the effect that the State of Pennsylvania by legislative enactment had bought the estate of James Buchanan in Lancaster County, known as "Wheatland," and turned it into a public park in commemoration of the public life and service of the former proprietor. This statement is wholly in error, since Pennsylvania never did anything of the kind. The only monument erected in Pennsylvania in commemoration of the life and service of the former President was paid for by his niece, Mrs. Harriet Lane Johnston, and now stands in an obscure spot in a ravine west of Foltz, Franklin County, Pa., adjacent to the site of the home where Mr. Buchanan was born. The matter of erecting a monument to James Buchanan having been settled, I have no desire to do other than set history aright, and particularly as it pertains to Pennsylvania, and to do this without reference as to the justification for the erection of monuments, public or private, to the memory of Pennsylvania's only President. We quote in part from the statement made by the eminent gentleman whose remarks are contained in the public document referred to, as follows:

For a full half century Mr. Buchanan's career had been weighed, scanned, and inspected by Pennsylvania's ablest jurists, publicists, and historians, and the verdict rendered by the unanimous vote of both houses of the people's representatives in the year of the semicentennial anniversary of his retirement from public life took the form of an act to take over and maintain as a public park his beautiful "Wheatland" estate adorned with a monument to his memory. Who now will say, except those who have already said it, that it is a seemly thing to sneer at the verdict of the loyal and rock-ribbed Republican Commonwealth upon the career of its great Democratic son?

We read in the same public document an emphasis and reiteration of this gross error regarding this mythical monument "erected on 'Wheatland' and the purchase of that estate by Pennsylvania as an act of commemoration and made a public park." This latter gentleman's deliverance is as follows:

I was greatly impressed by the suggestion * * * of a matter I had known before, but had forgotten—that by a unanimous vote of both houses of the legislature the great Republican State of Pennsylvania has recognized James Buchanan to the extent that it has purchased the beautiful estate "Wheatland," of which he himself was so fond, and has made it a memorial at which the citizens of Pennsylvania can meet and recall the services of the man whom they honor and respect whether we do or not.

In answer to a letter written to the recorder of deeds of Lancaster County, July 1, 1918, A. C. Welchaus, Esq., the recorder of deeds of said county, wrote as follows:

Former President James Buchanan devised the above estate "Wheatland" to his niece, Harriet Lane Johnston, who in 1884 sold it to Mary A. Willson. The said Mary A. Willson died intestate, leaving to survive her two children, Mary E. Willson and George B. Willson, to whom the same descended under the intestate laws of Pennsylvania and who are the present owners.

In further confirmation of the error in reference to purported action on the part of Pennsylvania in honoring the late James Buchanan by the purchase of "Wheatland" and turning the estate into a public park we have the following letter from Hon. Thomas L. Montgomery, librarian of the State Library of Pennsylvania:

Hon. BENJAMIN K. FOCHT,
House of Representatives, Washington, D. C.

MY DEAR MR. FOCHT: You asked me whether the Commonwealth of Pennsylvania had ever taken any action looking toward the purchase of the house of James Buchanan, and also whether there was any consideration of a monument to be placed there. I can find no act which refers at all to Buchanan in the laws of Pennsylvania except that of 1911 (P. L., p. 21): "An act to permit the Commonwealth of Pennsylvania to accept from the trustee of the James Buchanan monument fund the land in Franklin County on which is erected a monument marking the birthplace of the late James Buchanan." This was put in charge of the forestry department.

Yours, very sincerely,

THOS. L. MONTGOMERY, *State Librarian.*

UNANIMOUS CONSENT CALENDAR.

The SPEAKER. This is Unanimous Consent Calendar Day and anything that happens hereafter to-day has to be done by unanimous consent unless that day is abolished.

PENSIONS.

Mr. KEATING. Mr. Speaker, I ask unanimous consent to call up the bill S. 4723, an omnibus pension bill.

The SPEAKER. Is there objection?

Mr. WALSH. Reserving the right to object——

Mr. STEENERSON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. STEENERSON. Is not the regular order the call of the Unanimous Consent Calendar?

The SPEAKER. Of course it is; and that is exactly what the Chair just announced—that anything that is done to-day is by unanimous consent unless to-day is abolished. The gentleman asks unanimous consent. Is there objection?

Mr. WALSH. Mr. Speaker, reserving the right, is the gentleman intending to ask the consideration of this bill——

Mr. KEATING. Yes; it is an omnibus pension bill. The House has offered certain amendments. The House must first agree to those amendments and then send it back to the Senate. This is a Senate bill that has come over to the House, and the House committee has reported it back with certain amendments. It is a very short bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. KEATING. Mr. Speaker, I ask unanimous consent that the bill may be considered in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. KEATING. Mr. Speaker, I ask unanimous consent that the first reading of the bill may be dispensed with.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and the Clerk will read the bill for amendment.

The bill was read, as follows:

An act (S. 4723) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors.

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of Alada T. P. Mills, widow of Albert L. Mills, late major general, United States Army, Regular Establishment, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Elizabeth K. Cottman, widow of Vincendon L. Cottman, late rear admiral, United States Navy, Regular Establishment, and pay her a pension at the rate of $50 per month.

The name of David A. Kooker, late of Company I, Second Regiment United States Volunteer Engineers, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Oscar L. Geer, late of Company L, Sixteenth Regiment Pennsylvania Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Alonzo G. Williamson, late of Battery A, Third Regiment United States Field Artillery, Regular Establishment, and pay him a pension at the rate of $50 per month.

The name of Charles E. Anderson, late of Company A, Twentieth Regiment Kansas Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of James W. Wilson, late of Company L, Twentieth Regiment Kansas Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Mark M. Coffman, late of Troop K, Second Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Martha E. Hammond, dependent mother of Daniel Howe, alias Daniel Hammond, late of Troop I, Fourth Regiment United States Cavalry, Regular Establishment, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Louise R. Hanley, widow of William B. Hanley, late of Company F, Third Regiment Wisconsin Volunteer Infantry, War with Spain, and pay her a pension at the rate of $25 per month and $2 per month additional on account of the minor child of said William B. Hanley until she reaches the age of 16 years.

The name of Amy E. Wingreen, now Macomber, late nurse, Medical Department, United States Army, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Belle H. Purdon, widow of William R. Purdon, late captain Company I, First Regiment North Dakota Volunteer Infantry, War with Spain, and pay her a pension at the rate of $25 per month.

The name of John Bernard Rueben, alias Bernard Reuben, late of Battery D, First Regiment United States Artillery, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Sarah J. Wood, widow of Palmer G. Wood, late brigadier general, United States Army, Regular Establishment, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Thomas Smith, late of Company L, First Regiment Tennessee Volunteer Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Mary E. Stafford, widow of Samuel B. Stafford, late captain Company C, First Regiment Oregon Mounted Volunteers, Oregon and Washington Territory Indian War, and pay her a pension at the rate of $20 per month.

The name of James Besheres, late of Company K, Twenty-first Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of David Krant, late of Company K, Twenty-first Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Amy B. Mitchell, widow of William G. Mitchell, late of Company I, Thirtieth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $25 per month, and $2 per month additional on account of each of the minor children of said William G. Mitchell until they reach the age of 16 years.

The name of Louis Miller, late of Battery B, Utah Volunteer Light Artillery, War with Spain, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Dora L. Brown, dependent mother of Wilbur H. Brown, late of Troop F, First Regiment United States Cavalry, War with Spain, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of John W. Franklin, late of Company L, Sixteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $30 per month.

The name of Robert J. Erwin, late of Company H, Eighth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Robert H. Bailey, late of Hospital Corps, United States Army, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of James W. Grant, late of Company I, Fifteenth Regiment Minnesota Volunteer Infantry, and Hospital Corps, United States Army, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Missouri Perea, widow of Beverly Perea, late first sergeant, United States Army, retired, Regular Establishment, and pay her a pension at the rate of $25 per month and $2 per month additional on account of the minor child of said Beverly Perea until she reaches the age of 16 years.

The name of Julia Carey, dependent mother of Christian C. Carey, late of U. S. S. *Dale*, United States Navy, Regular Establishment, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The first committee amendment was read, as follows:

Strike out lines 6 to 9 inclusive, as follows:

"The name of Alada T. P. Mills, widow of Albert L. Mills, late major general, United States Army, Regular Establishment, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving."

Mr. MAGEE. Mr. Speaker, I want to make a protest against this amendment. I do not care to bring up a formal contest at this time, because I do not know what action the Senate may take on an amendment of this character, but this provision in the Senate bill proposes to raise the pension of the widow of Maj. Gen. Albert L. Mills from $30 to $50 a month. The Committee on Pensions has, I understand, adopted a rule that they will not allow any widow in excess of $25 per month. My information is that the Committee on Invalid Pensions does not take that position. Now, I do not believe that this stand taken by the Committee on Pensions can prevail ultimately. I do not know what position the conferees of the Senate will take, but if they take the position that they will not yield to this amendment of the House, then I want to reserve the right, so far as I am concerned, to make a contest in the House upon this proposition. It seems to me that it is absolutely unjust, unfair, inequitable, and untenable for the House to say that it will not give the widow of a major or of a colonel more than $25 a month, or the widow of a general, as in this case. We might just as well say that we will not pay an officer in the Army any more than we pay a private soldier.

Mr. KEATING. Will the gentleman yield?

Mr. MAGEE. I will.

Mr. KEATING. Was the gentleman in the House when we were considering the war-risk insurance bill?

Mr. MAGEE. Yes; I was here.

Mr. KEATING. And when the gentleman from Texas made the motion that the widows of officers and privates should receive exactly the same allowance?

Mr. MAGEE. There is not anything in the law creating the Bureau of War-Risk Insurance contrary to my contention.

Mr. KEATING. Was the gentleman in the House?

Mr. MAGEE. Yes; I was here.

Mr. KEATING. Did he vote for or against the provision?

Mr. MAGEE. I was here, but what I say is that the position taken by your committee is absolutely unwarranted in law.

Mr. KEATING. What attitude did the gentleman take when the bill dealing with the widows of soldiers and officers of this war was before the House?

Mr. MAGEE. What attitude does the Committee on Invalid Pensions take?

Mr. KEATING. I am not asking that question.

Mr. MAGEE. I ask you that question.

Mr. KEATING. The gentleman should have information concerning his own action. Did the gentleman vote on the war-risk insurance bill?

Mr. MAGEE. You answer my question. What I say is this, that some day this question must be determined by the House. So far as I am concerned, I have not gotten down to such a socialistic basis that I am willing to say that the widow of a general, who perhaps performed illustrious services for his country, shall not receive some recognition from the Government, and that the pay of the widow of a general shall be placed exactly on the same basis as the pay of the widow of a private soldier.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. MAGEE. Mr. Speaker, I ask unanimous consent for one minute more.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. MAGEE. What I want to say now is that while I do not propose to raise a formal contest at this time, if the Senate does not yield to the House amendment, I will, when the matter comes back to the House, fight for justice, equity, and fairness toward the widows of efficient and illustrious Army officers.

Mr. KEATING. Of course, the gentleman has the unalienable right, when the matter comes back from the Senate, to make such a fight as he sees fit. But I want to call attention to the fact that the House has on a number of occasions expressed itself in a decisive fashion concerning this matter of increasing the pensions of widows of officers above the figures allowed by law. In the last Congress the Committee on Pensions came before the House with a number of such cases, and, led by the distinguished Republican leader, Mr. MANN, of Illinois, the House decided it would not increase the pensions of widows of officers above the figures allowed by law.

In this Congress the question was placed before the House when we were considering the war-risk insurance bill. The gentleman from Texas [Mr. BLACK] made a motion to place the widows of officers and men on an exact equality. That proposition was debated here, and not more than half a dozen Members voted in favor of granting the widows of officers pensions in excess of those allowed the widows of privates. And so far as the Committee on Pensions in this House is concerned, it will continue to adhere to its position that officers' widows are to be treated exactly like the widows of privates, and the committee will not change its position until the House reverses its decision.

Mr. MAGEE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. OSBORNE rose.

The SPEAKER. Does the gentleman from California desire to debate this amendment?

Mr. OSBORNE. I do. I quite agree with the theory that privates and generals should be treated alike as to pensions, but I dissent from the position of the committee in this respect: That where either private or a general has rendered some peculiar service that entitles him to recognition above his fellows, then the Committee on Pensions should make it possible, or should not by their rules make it impossible, to recognize such special service, whether rendered by a major general or a corporal or a private.

There is another item in this bill similar to the one which is now under consideration, that of the widow of Gen. Palmer G. Wood, late brigadier general in the United States Army, and a resident of my district. This lady has lost not only her husband in the service but has lost her two splendid sons, and is in circumstances that really entitle her to special consideration. And it is cases of this kind that I think should be made exceptional, whether they be generals or whether they be privates.

The SPEAKER. The question is on the committee amendment.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. MOORES of Indiana. Division, Mr. Speaker.

The House divided; and there were—ayes 45, noes 18.

So the amendment was agreed to.

The following committee amendments were also read and agreed to:

Page 2, strike out lines 1 to 4, inclusive. (Pension of Elizabeth K. Cottman.)

Page 2, strike out lines 5 to 8, inclusive. (Pension of David A. Kooker.)

Page 2, strike out lines 20 to 22, inclusive. (Pension of James W. Wilson.)

Page 2, strike out lines 23 to 25, inclusive. (Pension of Mark M. Coffman.)

Page 3, strike out lines 1 to 5, inclusive. (Pension of Martha E. Hammond.)

Page 3, strike out lines 6 to 11, inclusive. (Pension of Louise R. Hanley.)

Page 3, strike out lines 15 to 18, inclusive. (Pension of Belle H. Purdon.)

Page 3, strike out lines 19 to 22, inclusive. (Pension of John Bernard Rueben.)

Page 3, strike out lines 23 to 26, inclusive. (Pension of Sarah J. Wood.)

Page 4, strike out lines 17 to 22, inclusive. (Pension of Amy B. Mitchell.)

Page 4, strike out line 23 and strike to and including line 2, on page 5. (Pension of Louis Miller.)

Page 5, strike out lines 3 to 7, inclusive. (Pension of Dora L. Brown.)

Page 5, strike out lines 11 to 14, inclusive. (Pension of Robert J. Erwin.)

Page 6, strike out lines 4 to 8, inclusive. (Pension of Julia Carey.)

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. KEATING, a motion to reconsider the vote by which the bill was passed was laid on the table.

SITE OF PUBLIC BUILDING AT EATONTON, GA.

Mr. BRAND. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 10609) authorizing the Secretary of the Treasury to exchange the present Federal building site at Eatonton, Ga., for another site on the public square in said city.

The SPEAKER. The gentleman from Georgia asks unanimous consent for the immediate consideration of the bill H. R. 10609, which the Clerk will report.

The Clerk read the title of the bill, as follows:

A bill (H. R. 10609) authorizing the Secretary of the Treasury to exchange the present Federal building site at Eatonton, Ga., for another site on the public square in said city.

Mr. WALSH. That bill is on the Unanimous Consent Calendar. Why can not the gentleman wait until it is reached?

Mr. BRAND. Will the gentleman let me make an explanation?

Mr. WALSH. I will reserve the right to object in order that the gentleman may make a statement. But we are going to call up the Unanimous Consent Calendar presently.

Mr. BRAND. I would like to make a statement. This bill authorizes the changing of the post-office site from the present location to the site on the public square, and is recommended by the Committee on Public Buildings and by the Treasury Department. The owner of the property adjoining it wants to erect a $25,000 or $30,000 hotel right next to it, and until the fate of this bill is determined he does not know what to do.

Mr. WALSH. Well, a few hours would not make any difference to him.

Mr. BRAND. He owns the property where it is proposed to locate the new post-office building, and he owns the adjoining property, and if this transfer is authorized he wants to build a fine hotel next to it.

Mr. MONDELL. Mr. Speaker, will the gentleman yield?

Mr. BRAND. Yes.

Mr. MONDELL. This is a House bill?

Mr. BRAND. Yes; this is a House bill.

Mr. MONDELL. So that whatever action we take now, the bill would not become a law for some time, in any event. The Senate stands in recess for six weeks.

Mr. BRAND. Yes; but this man will have to make arrangements for an architect and a contractor, employ workmen, and make other arrangements to erect this building. We know, if it passes the House, that it will likely pass the Senate.

Mr. WALSH. I have no objection to the passage of the bill, but it is on the Calendar for Unanimous Consent and it is only 8 or 9 or 10 numbers down on the first page of the Calendar for Unanimous Consent, and the chances are a hundred to one that it will be reached when that calendar is called. I do not object to its consideration, but I think the gentleman should wait, because if he takes this off the Unanimous Consent Calendar and asks for its immediate consideration it will undoubtedly be followed by other requests of that kind, although if the calendar is reached it can be disposed of there.

Mr. BRAND. But it may not be reached.

Mr. WALSH. I will not object.

Mr. STAFFORD. Reserving the right to object, I observe the majority leader [Mr. KITCHIN] is on the floor, and I want to take this opportunity to make an inquiry. No, Mr. Speaker, I demand the regular order, and I understand that is calling the Unanimous Consent Calendar. For the present I object.

The SPEAKER. The regular order is, Is there objection to the request of the gentleman from Georgia [Mr. BRAND]?

Mr. STAFFORD. I reserve the right to object.

The SPEAKER. The gentleman just demanded the regular order. The regular order is, Is there objection to the request of the gentleman from Georgia?

Mr. STAFFORD. As I understand it, the regular order is the calling of the Unanimous Consent Calendar to-day.

The SPEAKER. The regular order is to put the very question I have put.

Mr. STAFFORD. Then for the time being I object.

The SPEAKER. The gentleman from Wisconsin objects. The Clerk will report the first bill on the Unanimous Consent Calendar.

PENSIONS.

Mr. SHOUSE. Before that is done, Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill S. 4194, insist on the House amendments, and agree to the conference asked for by the Senate.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

An act (S. 4194) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

The SPEAKER. The gentleman from Kansas asks unanimous consent to take that bill from the Speaker's table, insist on the House amendments, and agree to the conference asked for. Is there objection?

There was no objection; and the Speaker announced as the conferees on the part of the House Mr. SHOUSE, Mr. LONERGAN, and Mr. LANGLEY.

Mr. SHOUSE. Mr. Speaker, I make the same request relative to the bill S. 4722.

The SPEAKER. The gentleman from Kansas makes the same request relative to the bill S. 4722. The Clerk will report it by title.

The Clerk read as follows:

An act (S. 4722) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

The SPEAKER. Without objection, the same order will be made.

There was no objection; and the Speaker announced as the conferees on the part of the House Mr. SHOUSE, Mr. LONERGAN, and Mr. LANGLEY.

Mr. SHOUSE. Mr. Speaker, I make the same request relative to the bill S. 4543.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

An act (S. 4543) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

The SPEAKER. Without objection, the same order will be made and the same conferees appointed.

There was no objection; and the Speaker announced as the conferees on the part of the House Mr. SHOUSE, Mr. LONERGAN, and Mr. LANGLEY.

The SPEAKER. The gentleman from Wisconsin [Mr. STAFFORD] asks five minutes in which to interrogate the gentleman from North Carolina [Mr. KITCHIN].

Mr. STAFFORD. No, Mr. Speaker, I demand the regular order, which, I believe, is the calling of the Unanimous Consent Calendar.

Mr. WALSH. I object to the request of the gentleman from Wisconsin.

Mr. STAFFORD. The gentleman from Wisconsin made no such request, the able objector on this side to the contrary notwithstanding.

Mr. WALSH. I base my objection on the statement of the Chair.

RECESS.

Mr. KITCHIN rose.

The SPEAKER. The gentleman from North Carolina is recognized.

Mr. KITCHIN. Mr. Speaker, owing to what I believe to be the overwhelming sentiment of the House for three-day recesses, or adjournments, until August 19, I desire to suggest a gentlemen's agreement—that is, subject to the passage by the House of the Agricultural appropriation bill to-day—that when the House adjourns to-day it adjourn to meet Thursday, and will adjourn Thursday until the following Monday, and from Monday to Thursday, and so on, each respective Monday and Thursday, until August 19; that on these days of meeting no business shall be transacted. After the Chaplain's prayer and the reading and approval of the Journal, then an adjournment to the respective Mondays or Thursdays will be had. And I want to say in connection with this that the request I make to-day, as well as the request I made on Saturday, is with the approval and consent of the President. As I said Saturday, Senator SIMMONS and myself conferred with the President on Friday, and the question came up as to adjournment of the Senate and the House until around about August 20. The President expressly approved and consented, saying that there was in sight no urgent legislation necessary to be passed in the meantime. Now, we can not make a unanimous-consent order to cover all of this agreement. It can be only a gentleman's agreement. I would say, too, that it is unnecessary for the House to stay in session from now until August 19, or even until August 24, for the reason that the Senate has entered a unanimous-consent agreement, which it can do, to have these three-day recesses until August 24.

As I said, the President understands the matter. There is no urgent legislation to be transacted in the House before then. In the meantime it will be understood that if during these three-day recesses until August 19 there shall at any time arise circumstances which, in the opinion of the administration, will necessitate legislation, the minority Member and I will give sufficient notice to the Members to come in. As I said, practically no effective business could be transacted by the House until after the 19th, or until the Senate returns. In the meantime it will take the Ways and Means Committee certainly until August 19, and perhaps longer, to report the revenue bill. There is no reason why Members who are compelled to remain should have to come in here every morning only to witness adjournment; and as to those who can go home, certainly it will be unnecessary to make them stay around Washington until August 19. I trust that every Member will in good faith enter into this agreement. But if there is anyone who is unwilling to enter into this agreement and keep it in good faith, he ought to make it known now.

Mr. STEENERSON. Mr. Speaker, I have frequently conferred with the gentleman and others here about the Unanimous Consent Calendar. Is this agreement to supersede the calling of the Unanimous Consent Calendar?

Mr. KITCHIN. No; it is to take effect when we adjourn to-day.

Mr. STEENERSON. I should like to have that calendar called so as to reach the very urgent case of some settlers, which I have mentioned several times.

Mr. WALSH. The gentleman does not know——

Mr. STEENERSON. Of course it may not be passed by unanimous consent, but I would like to have the opportunity to try.

The SPEAKER. The Chair will state that at 3.30 o'clock to-day he will recognize the gentleman from Minnesota to move to suspend the rules and pass that bill. He promised him that four weeks ago. [Applause.]

Mr. KITCHIN. In answer to the gentleman, my thought is that if we enter into this gentleman's agreement the Unanimous Consent Calendar will be called immediately and disposed of, so far as we can, and then we will take up the Agricultural bill and dispose of that; and so by the time when we adjourn to-night, if we enter into this agreement, the Unanimous Consent Calendar and the Agricultural bill will be out of the way.

Mr. GARNER. If the Agricultural bill passes the House, it can not pass the Senate before August 26.

Mr. WALSH. Will the gentleman yield?

Mr. KITCHIN. I yield to the gentleman.

Mr. WALSH. While I can not quite agree with the gentleman that there are no important matters pending in the House to be acted upon, I should like to know what is to be gained by passing the Agricultural bill to-day?

Mr. SISSON. It will get it out of the House.

Mr. WALSH. It can not be acted upon in the Senate until after this recess. Why can we not devote the day to the Unanimous Consent Calendar and then adjourn? There are other matters pending. I do not know why we should give the Agricultural bill the preference.

Mr. KITCHIN. There are members of the Agricultural Committee who would be inclined to oppose this gentleman's agreement unless the Agricultural bill is disposed of by the House.

Mr. WALSH. They may find other gentlemen who are inclined to oppose the gentleman's agreement if they insist on passing the Agricultural bill.

Mr. KITCHIN. I would ask the gentleman what objection he would have to passing the bill to-day?

Mr. LEVER. Will the gentleman yield?

Mr. KITCHIN. I will.

Mr. LEVER. Let me say to the gentleman from Massachusetts that the members of the Committee on Agriculture are very anxious to dispose of this proposition and put it over to the Senate. We are satisfied that the passage of the Agricultural bill to-day ought not to take more than a very few minutes. Then the Unanimous Consent Calendar can go on until we adjourn this afternoon. If we should delay the Agricultural bill until we come back here after the recess, if we have one, the probability is that the bill would have to be reintroduced and committee hearings had, and it might take us a week or 10 days to pass the bill. As it is now all amendments have been agreed to by both Houses, and it seems to me we can easily pass it to-day, because there is nothing in dispute, either in this House or at the other end of the Capitol.

Mr. WALSH. Oh, well, the gentleman is assuming that all that will happen will be that this bill will be read at the desk and that nobody will attempt to amend it. I think the gentleman is due for a surprise.

Mr. CAMPBELL of Kansas. I desire to suggest to the gentleman from South Carolina that the calling up of the Agricultural appropriation bill will provoke extended discussion in the House.

Mr. LEVER. My understanding with the minority members is that with liberal discussion there will be no prolonged debate on the bill.

Mr. CAMPBELL of Kansas. The whole membership of the House have not been consulted in reference to this matter.

Mr. LEVER. That is true.

Mr. CAMPBELL of Kansas. And in view of the fact that nothing can be done with the Agricultural bill by the Senate until after the recess and that many Members desire to take up the Unanimous Consent Calendar and to make motions to suspend the rules, I think the time can be much better spent than in now considering the Agricultural bill.

Mr. LEVER. Let me say that I have been informed by gentlemen on the other side that if we could get unanimous consent for a five-day extension of remarks on the veto message on the $2.40 wheat proposition it would greatly curtail the discussion on the bill.

Mr. CAMPBELL of Kansas. An extension in that way might be satisfactory to some Members, but it would be unsatisfactory to others. This is a very live matter which Members want to discuss face to face on the floor.

Mr. LEVER. The gentleman understands that I could not get the bill up now except by unanimous consent.

Mr. CAMPBELL of Kansas. I wish the gentleman would not call it up or put it in the way of the unanimous-consent agreement.

Mr. HAUGEN. Mr. Speaker, I desire to say to the gentleman from Kansas that this bill has been under consideration and passed by the House and by the Senate, agreed to except the provision in relation to the price of wheat. My understanding is that there are no items in the bill that are in dispute, and it occurred to me that the bill might be passed within a short time, but by Members on this side I was advised that there was no time desired except for a few minutes. I understand if the bill is taken up for debate it could not be passed to-day, and I know of no particular reason why the bill should not go over if it is so desired.

Mr. WALSH. All that the gentleman says will be true on the 19th of August.

Mr. HAUGEN. Yes; but if we pass it now it would be out of the way.

Mr. WALSH. Yes; and there are a lot of other bills that if we pass now would be out of the way.

Mr. LEVER. If gentlemen will permit, I desire to say that I do not feel disposed to stand in the way of the gentleman's agreement for a recess for three days at a time by insisting on the immediate passage of the Agricultural appropriation bill. And if there is anyone who would object to this unanimous-consent agreement on account of the Agricultural appropriation bill, I now notify the House that I shall not undertake to press the bill.

Mr. FRENCH. Mr. Speaker, I want to make an inquiry of the gentleman from North Carolina. We have something like 200 bills on the calendar. I do not wish to stand for a policy which will delay the passage of these bills, which will not get them through the House in time for the Senate to pass them. One bill I have in mind now on the calendar has been passed by the House twice unanimously, but failed to pass the Senate because the Senate had not the time.

Mr. KITCHIN. The fault seems to have been with the Senate and not with the House.

Mr. FRENCH. Yes; but if we could get it through soon they might have the time to consider it.

Mr. KITCHIN. Our thought is that the Senate will have under consideration the revenue bill for a month and a half or two months, and that during that time we will take a few days for the Private Calendar and bills on the Unanimous Consent Calendar, and then, perhaps, if there is no other urgent legislation or war measures, some time in October, or possibly in September, we might have another gentleman's agreement for a three days' adjournment for 30 days while waiting for Senate action on the revenue bill. We have had that in practically every session in which we have had a revenue bill. But I promise the gentleman that we will not then ask for a unanimous-consent three days' adjournment until we have had some days for the consideration of the business on the Private Calendar and the Unanimous Consent Calendar.

Mr. FRENCH. Then it is the gentleman's opinion that this agreement would not delay the outcome of these bills?

Mr. GARNER. No; it would hasten the consideration of them.

Mr. KITCHIN. My idea is that it would expedite them. I think the committee can report the revenue bill two or three weeks earlier with this recess agreement than if the House was in continuous session every day, for the reason that the members of the committee are often called out by something that transpires in the House—some gentleman makes the point of no quorum and the members of the committee have to leave their work, as we have several times this session, two or three times a day.

Mr. Speaker, I make the unanimous-consent request which I send to the Clerk's desk.

The Clerk read as follows:

It is agreed by unanimous consent that when the House adjourns to-day it shall stand adjourned until Thursday next, and that thereafter the House shall meet only on Monday and Thursday each week until the 19th day of August next, and that adjournments on such Mondays and Thursdays shall be until the succeeding Monday or Thursday, as the case may be.

Mr. SIMS. Reserving the right to object, Mr. Speaker, I want to ask the gentleman a question. The gentleman from North Carolina in making a statement a while ago inadvertently stated something that might be misunderstood. The gentleman said there would be really no reason why Members should return before August 26, when he must have intended to say August 19.

Mr. KITCHIN. No; I said that Members could not go home. Some Members will necessarily have to stay here. In fact, there will have to be some Members here every time we meet, because there might be some gentlemen present who would say "I was not present and therefore not a party to this agreement that no business should be done, and I call up such and such a matter," and who would insist on some action, making no-quorum points of order, demanding roll calls, and so forth. We will have to have enough Members present at each session to prevent that being done. As to the Members who do go home, they can go home with the knowledge that no business will be done, and there will be no use of keeping them here for 30 days while the Ways and Means Committee is preparing the bill.

Mr. SIMS. I had no reference to that situation; I have reference to the statement of the gentleman that there would be no real need to return until the 26th of August.

Mr. KITCHIN. No; I said, or intended to say, the 19th, and the unanimous-consent order shows that. On the 19th, when we return, the gentleman's bill, the water-power bill, will have a privileged status, and he will be able to take it up just as he would if no recess took place.

Mr. CANNON. Which makes a quorum necessary at that time.

Mr. KITCHIN. Certainly.

Mr. SIMS. The water-power bill will occupy the same situation then as though we had not made this agreement?

Mr. KITCHIN. Yes.

The SPEAKER. The order made respecting the water-power bill a week or two ago holds.

Mr. CANNON. Mr. Speaker, will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. CANNON. I understand the Senate has practically taken a recess until the 26th of August.

Mr. KITCHIN. Yes.

Mr. CANNON. So that the Senate will not be in condition to perform work until the 26th. This proposition, as I heard it read, is that the House shall take a recess practically until the 19th.

Mr. KITCHIN. Yes.

Mr. CANNON. Then it will be necessary from the 19th to the 26th that we should have a quorum here?

Mr. KITCHIN. Yes.

Mr. CANNON. Qui bono—what good?

Mr. KITCHIN. I think we shall have a quorum then. If we do not, it will be the fault of the Members who do not return.

Mr. CANNON. But I do not propose, as one Member, to be called back here, with the Senate not in session, for a whole week.

Mr. KITCHIN. It would not be necessary for the Senate to be in session for the House to consider even the revenue bill, much less the Agricultural bill. I think the House will recognize its duty and that we will have a quorum here, and that in that week we will be able to pass, perhaps, the water-power bill—that is my hope—and then take up the revenue bill. It would not be necessary to have the Senate here in order to do that, or to have it in continual session for us to pass the revenue bill.

Mr. WALSH. If objection is made to fixing the date at the 19th, would the gentleman renew his request and fix the date on the 26th?

Mr. KITCHIN. I would hate to do that, because we would like to take this bill up and have it ready for the Senate to consider when it meets.

Mr. SIMS. That is the Agricultural bill?

Mr. KITCHIN. Yes; or the water-power bill.

Mr. WALSH. The gentleman is assuming that the water-power bill is going to pass the House.

Mr. MONDELL. Mr. Speaker, reserving the right to object, in view of the action taken by the Senate in agreeing to recess three days at a time until August 24, it is very patent to all of us that the House could do very little in advancing legislation by remaining in session in the meantime. Therefore, under these circumstances it would seem that the wise thing for the House to do would be to agree to the unanimous-consent suggestion made by the gentleman from North Carolina [Mr. KITCHIN]. There are some of us who expect to be here and who will try to help carry out that agreement in the interim.

The SPEAKER. Is there objection?

Mr. DOOLITTLE. Mr. Speaker, reserving the right to object, I want to ask a question. My understanding is that there is to be no business transacted until the 19th?

Mr. KITCHIN. There will be no business transacted at all.

Mr. DOOLITTLE. Would the gentleman object to putting that into the form of the request?

Mr. KITCHIN. That can not go in under the rules, but this will be a gentleman's agreement. The days of the meetings and adjournments of the House, not exceeding three days at a time, can by consent be made the order of the House, but the gentleman's agreement is to do no business and to adjourn after the reading and approval of the Journal.

Mr. DOOLITTLE. I would suggest that the presiding officer in another body at the other end of the Capitol has held that under the agreement they have entered into there, to recess every three days until August 26, he is not authorized to appoint conferees.

Mr. KITCHIN. And we will not do anything. I will say this, that every man who can go home may go with the knowledge that we are not going to do anything during the three-day recesses. I recognize the fact that there are a great many who can not go, and who have official business here that must be attended to during the recesses.

Mr. GREEN of Iowa. Mr. Speaker, reserving the right to object, I wish to occupy a moment or two. Although I am reserving the right to object, I do not intend to make any objection, but I do desire to express my disapproval of this program. I think that Congress should have remained in session at a time like this. This adjournment will delay the completion of our business.

I think the result will be to extend the session all through October. It would have been better to continue our work at this time.

Mr. CARTER of Oklahoma. Why does not the gentleman object, if he feels that way?

Mr. GREEN of Iowa. Because the Senate has already adjourned and agreed to stay in recess until late next month, so that we can get nothing done with our bills if we pass them. I realize that in the present situation nothing would be accomplished, and while I have got to stay here anyway I do not wish to make others stay to no purpose.

Mr. GARNER. The gentleman is on the Committee on Ways and Means?

Mr. GREEN of Iowa. Yes.

Mr. GARNER. And it is making up the revenue bill. Does the gentleman think we can work over there while this House is in session considering this matter?

Mr. GREEN of Iowa. Not so well, of course; but if the Committee on Ways and Means were excused from attendance upon the House it could be done.

The SPEAKER. Is there objection?

Mr. WALSH. Mr. Speaker, I think this proposition had better be deferred a little later in the day. Mr. Speaker, I withdraw it.

The SPEAKER. Is there objection?

Mr. RANDALL. Mr. Speaker, reserving the right to object, I notice the gentleman from South Carolina is here. Will the gentleman yield for a minute?

Mr. LEVER. I will.

Mr. RANDALL. I have reserved the right to object. The House recently passed an important bill known as the food-production bill, which we all understand is tied up in the Senate, and I want to inquire of the gentleman from South Carolina what will be the attitude of his committee in respect to that bill after it passes the Senate. Will it be laid before the House without delay after action or sent to a conference committee?

Mr. LEVER. I can assure the gentleman there will be no delay on that bill as far as I am concerned.

Mr. RANDALL. There will be immediate action by the House after the Senate passes it?

Mr. LEVER. The probability is the bill upon objection will go to the Committee on Agriculture, but I can assure the gentleman it will be reported back as expeditiously as possible.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. [Applause.] The Clerk will call the first bill on the Unanimous Consent Calendar.

EXTENSION OF REMARKS.

Mr. SHERLEY. Mr. Speaker, I ask unanimous consent to extend my remarks by printing a financial statement touching the expenditures of the Government for the past fiscal year and the appropriations for the succeeding fiscal year.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to print a statement of the expenditures of the past fiscal year and appropriations for the succeeding fiscal year. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, is the gentleman aware in preferring that request that a similar request has been preferred by the gentleman from Illinois [Mr. CANNON]? I wish to inquire whether it is the same statement that he has in mind to insert in the RECORD?

Mr. SHERLEY. Mr. Speaker, I presume the figures will be largely the same, but I am not advised as to just what the gentleman from Illinois proposes to print. What I desired to do was to make for the House the usual statement that is made by the chairman of the Committee on Appropriations touching receipts and expenditures and appropriations.

Mr. CANNON. Will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. CANNON. I am inclined to think if the gentleman makes a complete statement that it would be a fair statement, and I doubt whether I will file mine.

Mr. SHERLEY. I beg to say to the gentleman the statement I had in mind is to give to the House and the country the facts, and that it is in no sense a political statement.

Mr. CANNON. There will be no difficulty about that.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of appropriations and expenditures since the beginning of the war.

The SPEAKER. The gentleman from Wyoming asks unanimous consent to extend his remarks in the RECORD on the subject of appropriations and expenditures since we entered into the war. Is there objection? [After a pause.] The Chair hears none.

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the congressional recess.

The SPEAKER. The gentleman from the State of Washington asks unanimous consent to extend his remarks in the RECORD on the subject of the recess. Is there objection?

Mr. McARTHUR. Mr. Speaker, reserving the right to object, is the gentleman in favor of a recess or against it?

Mr. WINGO. Mr. Speaker, pending that I make the point of order that there is no quorum present. I think we ought to have all the Members here. Mr. Speaker, I withdraw it.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and the gentleman from Arkansas withdraws his point of order. The Clerk will report the first bill.

MEDALS OR DECORATIONS FROM FOREIGN GOVERNMENTS.

The first business in order on the Calendar for Unanimous Consent was the bill (S. 2796) to permit American citizens to wear medals or decorations received from certain foreign countries on entering the military or naval service of the United States, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, the military appropriation bill recently passed carried some provision relating to the privilege of conferring medals of honor, and I wish to inquire of the gentleman from Nebraska whether this bill was not covered in the agreement of the conferees?

Mr. SHALLENBERGER. The gentleman from Wisconsin states a fact, and I move to lay this bill upon the table, it having been taken care of in the general appropriation bill.

The SPEAKER pro tempore (Mr. RAKER). Without objection, it is so ordered.

There was no objection.

BRIDGE ACROSS TENNESSEE RIVER NEAR LOUDON, TENN.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 10818) to authorize the county of Loudon, in the State of Tennessee, to construct a bridge across the Tennessee River near Loudon, Tenn.

The SPEAKER pro tempore (Mr. RAKER). Is there objection?

Mr. STAFFORD. Reserving the right to object, when this bill was first considered on the Unanimous Consent Calendar, about six weeks ago, if my memory serves me right, some gentleman represented that the gentleman from Tennessee [Mr. AUSTIN] wished to be present when it was considered. It has been passed over on two occasions since, with that understanding in mind. The gentleman from Tennessee [Mr. AUSTIN] is not present.

Mr. SIMS. I can answer the gentleman. I was the one who made the request. I reported this bill, and on the day that that request was made to me I was called up by the clerk from Mr. AUSTIN's office, who said that he did not want the bill considered in Mr. AUSTIN's absence. When Mr. AUSTIN came back and I saw him, he said it was an error, and he would be very glad indeed to have it considered as early as possible.

Mr. STAFFORD. Mr. Speaker, I withdraw the reservation of the objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the county of Loudon, in the State of Tennessee, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Tennessee River at a point suitable to the interests of navigation near the city of Loudon, Loudon County, Tenn., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressely reserved.

Also the following committee amendment was read:

Strike out the word "expressely," incorrectly spelled, and insert the same word correctly spelled.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. SIMS, a motion to reconsider the vote by which the bill was passed was laid on the table.

EXTENSION OF REMARKS.

Mr. LINTHICUM. Mr. Speaker, I ask leave to extend my remarks in the RECORD on the telegraph and telephone bill recently passed.

The SPEAKER pro tempore. The gentleman from Maryland asks unanimous consent to extend his remarks in the RECORD on the wire bill. Is there objection? [After a pause.] The Chair hears none.

RIGHT OF WAY THROUGH PUBLIC LANDS FOR TRAMROADS, CANALS, ETC.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 7236) to amend an act to permit the use of the right of way through the public lands for tramroads, canals, and reservoirs, and for other purposes, approved May 11, 1898.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. WALSH. Mr. Speaker, reserving the right to object, can the gentleman from Idaho state why it was necessary to put the limitation of 5 acres of ground in the bill, this being 5 acres of ground adjoining these rights of way?

Mr. SMITH of Idaho. The bill does not state that the size of the tract shall be 5 acres, but not exceeding 5 acres. That amount of land is necessary in order that these ditch riders or attendants, for whose convenience and comfort it is proposed to construct houses along the canals, shall have ample space; for, in addition to land upon which to erect a house and barn, land is needed for corrals for the horses and cows, as these men frequently have two or three horses and one or two cows. They are usually married and have their families with them, making it desirable to have several acres surrounding these stations for the purposes indicated, and so that the dwelling may not be too near the canal.

Mr. WALSH. Is 5 acres of ground a standard amount of space for one or two horses and three or four cows?

Mr. SMITH of Idaho. Not necessarily. They need space for them to roam around and have exercise. The land is absolutely worthless. It is on the public domain and generally arid and wild land.

Mr. WALSH. If that is the case, why not give a hundred acres?

Mr. SMITH of Idaho. They do not need that much.

Mr. WALSH. Suppose the rider has more than two or three horses?

Mr. SMITH of Idaho. They never have more than two or three horses, as they do not need more.

Mr. WALSH. Will the gentleman state where they keep their horses now?

Mr. SMITH of Idaho. They keep their horses tethered on the public domain, as they are not allowed to fence the land. They simply tie the horses with ropes and allow them to range around.

Mr. WALSH. Where do the ditch riders live?

Mr. SMITH of Idaho. On the right of way, on the banks of the laterals or the canals. The proposition of providing the 5 acres, in addition to accommodating their horses and cows, is that they may build their homes a little distance from the canal.

Mr. WALSH. What is the advantage of that?

Mr. SMITH of Idaho. Because there is danger of the children of the family getting into the water. It is a matter of safety. In order to get men to stay at these remote places it is almost always necessary to get married men, because a single man does not want to stay out there. The married men are more satisfied, being permanently located.

Mr. WALSH. I think this limitation of 5 acres is too much.

Mr. SMITH of Idaho. Well, it is optional with the Secretary of the Interior. If he finds they do not need it, he can give them 2 acres or 1 acre.

Mr. WALSH. They are not, as I understand it, occupying any such space now within the right of way?

Mr. SMITH of Idaho. Now they have to keep their horses tied, and they range around in that way.

Mr. WALSH. May I ask how many people this will probably affect in this over 1,000 miles of canals and tramroads, and so forth?

Mr. SMITH of Idaho. Probably 100 people in the State of Idaho are engaged in this work of protecting the dams and the ditches.

Mr. WALSH. It is not limited to the State of Idaho?

Mr. SMITH of Idaho. No; not necessarily.

Mr. WALSH. There would be 500 acres of the public lands in the State of Idaho that would be subject to this law if the Secretary granted the permission.

Mr. SMITH of Idaho. I may say, in addition to what I have stated with reference to the necessity of accommodating these people as proposed, that since the war began it has been deemed necessary to employ guards to go into the vicinity of these canals and dams to protect them against possible destruction by those not in sympathy with our country's war policy. They are employed at the county expense, and the irrigation companies also employ some. The State also had some guards out there in order to remove the danger of the blowing up of these dams.

Mr. WALSH. Are you going to give to each one of these guards 5 acres?

Mr. SMITH of Idaho. No. The guard does not get title to the land. It simply widens the right of way in those localities where it is desired to establish these stations.

Mr. WALSH. The Secretary of the Interior, who seems to think, if the change is made that he recommends, that the measure would be unobjectionable, states that the interest in the land in the nature of an easement is provided for by this grant.

Mr. SMITH of Idaho. The easement granted is just like any other right of way over the public domain granted under the general right-of-way acts.

Mr. WALSH. Where does the gentleman read that in the law?

Mr. SMITH of Idaho. That is in the general law.

Mr. MONDELL. If the gentleman will allow me, the right-of-way act of 1891, which is referred to, is the right-of-way act which gives a perpetual easement. The particular right-of-way act referred to is the right of way which applies only to irrigation work, and it grants, as, of course, is necessary in cases of that kind, a perpetual easement. My attention in the past has been called to this situation a number of times. It is true that in the building of a reclamation project, the right of way being narrow, there is occasionally needed above the ditches, where the land is dry and arid and generally practically worthless, a little land for the accommodation of those who have charge of the ditches. This would all be in the discretion of the Secretary of the Interior, and of course no acreage of that kind would be allowed unless, in his opinion, it would be necessary.

Mr. WALSH. What would be the situation if a man built his house on these 5 acres and confined his horses and cattle there and then left the job? Would he have to give up the easement in that land?

Mr. MONDELL. It is a perpetual easement in the canal.

The SPEAKER pro tempore (Mr. RAKER). Is there objection?

Mr. WALSH. Still further reserving the right to object. Mr. Speaker, I want to say that I can not find any valid objection,

in view of the statement made by the gentleman from Idaho [Mr. SMITH] and the gentleman from Wyoming [Mr. MONDELL], both of whom are experts in this class of legislation. The information they have given me is sufficient.

The SPEAKER pro tempore. Is there objection?

Mr. WINGO. Reserving the right to object, Mr. Speaker, I would like to get a little more information on this subject, because, as I understand, it is an outright grant. I would like to know whether or not the words "determined by the Secretary of the Interior" as used would give the Secretary of the Interior the absolute control, leaving it in his discretion as to whether any particular district would have 5 acres? This absolutely grants to each district 5 acres.

Mr. SMITH of Idaho. "Not exceeding 5 acres," according to the phraseology of the bill.

Mr. WINGO. It says "it is hereby granted." He is authorized to permit the use of 5 acres if in his judgment it is necessary; but more than that, you make it an absolute grant.

Mr. SMITH of Idaho. I do not so understand it. Not a grant as in a patent, simply an irrevocable permit.

Mr. WINGO. What condition is put in?

Mr. SMITH of Idaho. It is optional with the Secretary of the Interior. He grants it under the right-of-way act, if the land is to be used for the purposes contemplated by the law.

Mr. WINGO. That is what I want to get at. I do not recall the provisions of that law. Does that give the Secretary any discretion at all?

Mr. SMITH of Idaho. Of course, it gives him discretion to act if the conditions enumerated in the law are complied with.

Mr. WINGO. You make an absolute grant here. In line 4 you say "by the Secretary of the Interior," but your legislative enactment is an absolute grant. But it says before that, "subject to the conditions and restrictions." That still does not prevent it from being an absolute grant for all practical purposes, the same as if you named a particular piece of land and said that the Land Office is directed to issue the patent. What are the restrictions? What are the limitations and the conditions?

Mr. MONDELL. Mr. Speaker, will the gentleman yield?

Mr. WINGO. Yes.

Mr. MONDELL. The right-of-way act of 1891 is what is known as the irrigation right-of-way act, and anyone who proves to the Secretary of the Interior that he has a right to divert a certain amount of water at a certain place and carry it to a certain point for irrigation purposes, and who makes application setting out the forms of the work and the character of the work and the dams and the ditches and head gates and plan and style, and what is proposed to do, and what the party has the right to do in the irrigation of the land, thereupon he grants the right of way.

Mr. WINGO. That is for the improvement and the canal?

Mr. MONDELL. For the canal and the reservoir.

Mr. WINGO. Necessary improvements that constitute the physical project?

Mr. MONDELL. Yes; but it only includes a certain distance on each side of the canals and the reservoir. And this situation develops, that in caring for one of these projects, one of these big canals that runs for some miles, it is sometimes necessary to have a small piece of land lying above the ditch, a small piece of dry land above the ditch, for management purposes; and while the right-of-way act is a grant—and this would be a grant or easement, not a patent, an easement in perpetuity as long as the land is used for this purpose—while that is a grant, of course, the inclusion of one of these locations in the grant is in the discretion, under this bill, of the Secretary of the Interior.

Mr. WINGO. Does each location mean one irrigation project or district?

Mr. SMITH of Idaho. No; it simply means places where it may be deemed necessary to locate a home or a station for a ditch rider. They may be 50 miles apart or 10 or 20 miles.

Mr. WINGO. The word "location" means this: Any point that the authorities of the irrigation project wanted to designate as a location for a house for a caretaker or other employee. Then under that act they could designate locations for every employee?

Mr. SMITH of Idaho. Yes; but there is no probability that they will employ more men than they need.

Mr. MONDELL. Of course, it is to be assumed that the Secretary of the Interior will use good judgment in the granting of these rights. Let me suggest to my friend that this will always be land above the ditch. No grant of land below the ditch is required or necessary, because that is land required for irrigation purposes. It is necessarily the dry and generally rocky and comparatively valueless land that lies above the line of the ditches. It is land that any homestead settler could get 160 or 320 or 640 acres of, as the case may be, free, as a settlement right; so that the land acquired could, under no circumstances, be land of any considerable value. The Secretary must decide in his good judgment how frequently along the line of a canal this sort of an acreage would be required, once in 20 miles or once in 10 miles, and whether or not as much as 5 acres will be required.

Mr. WINGO. Does the gentleman contend that the words "to be determined by the Secretary of the Interior" have reference to the number of the locations?

Mr. MONDELL. And the acreage.

Mr. WINGO. The acreage is to be 5 acres.

Mr. MONDELL. Not to exceed 5 acres; so that the discretion of the Secretary applies to the acreage and to the number of the locations.

Mr. WINGO. The gentleman thinks that under the wording of the act the Secretary of the Interior will have some control over the number of locations?

Mr. MONDELL. Absolute control.

Mr. WINGO. If that is the fact, I have no objection.

Mr. SMITH of Idaho. In any event there is no probability that the company is going to employ extra employees who are not needed.

Mr. WINGO. It appeared to me that all that would be necessary in order for the company to get an absolute grant of any number of these 5-acre tracts would be to make a sufficient number of locations and designations.

Mr. SMITH of Idaho. The Secretary of the Interior will not approve permits for useless stations, even if they were applied for, which is unlikely.

Mr. WINGO. But if the gentleman thinks the Secretary of the Interior will have control of that under the language of the bill, I shall have no objection to it.

Mr. FRENCH. More than that, the sentiment of the settlers in favor of the limitation of the expenses would be an additional safeguard to keep down the number of locations.

Mr. WINGO. My observation is that the sentiment of the settlers does not always control those who are handling these Government lands.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. SMITH of Idaho. I ask unanimous consent that this bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman asks unanimous consent that this bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc., That the act entitled "An act to permit the use of the right of way through the public lands for tramroads, canals, and reservoirs, and for other purposes," approved January 21, 1895, and amended May 11, 1898, be, and the same is hereby, amended by adding thereto the following:

"That the Secretary of the Interior be, and hereby is, authorized and empowered, under general regulations to be fixed by him, to permit the use by any citizen or association of citizens of the United States for the purposes of furnishing water for domestic, irrigation, public, and for other beneficial uses, of the right of way through the public lands of the United States for canals and reservoirs to the extent of the ground occupied by the water of such canals or reservoirs, and 50 feet on each side of the marginal limits thereof, and in addition thereto, at locations to be determined by the Secretary of the Interior, 5 acres of ground to be used for the erection thereon of dwellings and outbuildings for the convenience of ditch riders and other employees engaged in the management of said canals and reservoirs."

With the following committee amendment: Strike out all after the enacting clause down to and including line 13, page 2, and insert in lieu thereof the following:

"That in addition to the rights of way granted by sections 18, 19, 20, and 21 of the act of Congress entitled 'An act to repeal timber-culture laws, and for other purposes,' approved March 3, 1891 (26 Stats., p. 1095), as amended by the act of Congress entitled 'An act to amend the irrigation act of March 3, 1891 (26 Stats., p. 1095, sec. 18), and to amend section 2 of the act of May 11, 1898 (30 Stats., p. 404),' approved March 4, 1917 (39 Stats., p. 1197), and, subject to the conditions and restrictions therein contained, there is hereby granted not to exceed 5 acres of ground adjoining the right of way at each of the locations, to be determined by the Secretary of the Interior, to be used for the erection thereon of dwellings or other buildings for the convenience of those engaged in the care and management of the works provided for by said acts."

The amendment was agreed to.

Mr. MONDELL. Mr. Speaker, I move to strike out the last word. I simply want to call attention to the fact that the title of the bill does not now correctly state the amendment proposed. But the title does not control, and it does refer to one of the amendments affected, so I do not think it is necessary to change the title, because the language of the bill itself is entirely clear and definite. I withdraw the pro forma amendment.

The SPEAKER pro tempore. Has the gentleman from Idaho [Mr. SMITH] an amendment?

Mr. SMITH of Idaho. I withdraw my amendment.

The SPEAKER pro tempore. The question is on the third reading of the bill.

The bill was ordered to a third reading, and was accordingly read the third time and passed.

On motion of Mr. SMITH of Idaho, a motion to reconsider the vote by which the bill was passed was laid on the table.

RESURVEY OF LANDS HERETOFORE SURVEYED.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 8004) authorizing the resurvey or retracement of lands heretofore returned as surveyed public lands of the United States under certain conditions.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. WINGO. Let the bill be reported. It seems to be a bill changing existing law.

The bill was read, as follows:

Be it enacted, etc., That upon the application of the owners of three-fourths of the privately owned lands in any township covered by public-land surveys, more than 50 per cent of the area of which townships is privately owned, accompanied by a deposit with the United States surveyor general for the proper State, or if there be no surveyor general of such State, then with the Commissioner of the General Land Office, of the proportionate estimated cost, inclusive of the necessary work, of the resurvey or retracement of all the privately owned lands in said township, the Commissioner of the General Land Office, subject to the supervisory authority of the Secretary of the Interior, shall be authorized in his discretion to cause to be made a resurvey or retracement of the lines of said township and to set permanent corners and monuments in accordance with the laws and regulations governing surveys and resurveys of public lands; that the sum so deposited shall be held by the surveyor general or commissioner when ex officio surveyor general and may be expended in payment of the cost of such survey, including field and office work, and any excess over the cost of such survey and the expenses incident thereto shall be repaid pro rata to the person making said deposits or their legal representatives; that the proportionate cost of the field and office work for the resurvey or retracement of any public lands in such township shall be paid from the current appropriation for the survey and resurvey of public lands; that similar resurveys and retracements may be made on the application, accompanied by the requisite deposit, of any court of competent jurisdiction, the returns of such resurvey or retracement to be submitted to the court; that the Secretary of the Interior is authorized to make all necessary rules and regulations to carry this act into full force and effect.

The SPEAKER pro tempore. Is there objection?

Mr. WINGO. Mr. Speaker, who has charge of this bill?

Mr. STAFFORD. Reserving the right to object——

Mr. FOSTER. I want to reserve the right to object to this.

Mr. KINKAID. This bill was reported by the gentleman from Colorado [Mr. TIMBERLAKE]. I defer to him if he wishes to make an explanation of the bill.

Mr. TIMBERLAKE. Do I understand the gentleman to reserve the right to object?

Mr. WINGO. I reserve the right to object. I want some statement about the bill.

Mr. TIMBERLAKE. I want to say with reference to this bill that we who have lived in the West know the necessity for its enactment, by reason of the fact that there are certain townships in many parts of the West where the Government markings have been erased. There are many whole townships where there is not a Government cornerstone to be found. These townships have been settled up by actual settlers, and the earlier arrivals have arranged their locations according to information received from some source, and they have built permanent improvements. Yet later arrivals are, in many instances, contesting these boundaries, and trouble in consequence is of frequent occurrence. To obviate this condition, these lands should be resurveyed, and many petitions have been filed with the department for this purpose. These in all cases have been denied where more than 50 per cent of the lands had passed to patent or alienated.

Mr. WINGO. Will the gentleman yield right there? What is to prevent them from doing like I thought was the custom everywhere—it is the custom in my State—going and employing a public surveyor and paying him to do the work, to rerun his lines, if he has any doubt about the correctness of his locations?

Mr. TIMBERLAKE. There is this reason: These people believe they are entitled to a Government survey upon which they can rely in locating their lands.

Mr. WINGO. They have it already.

Mr. TIMBERLAKE. And the further reason that serious trouble has resulted in neighborhoods by reason of having it left to a local authority to determine; whereas, if it was settled definitely by the Federal authorities, this trouble would pass away, and all would abide by a survey made by the General Government.

Mr. WINGO. But, if the gentleman will permit me right there, this is the information I want to get. There is nothing undertermined at present. The survey that the United States Government has made of these Government lands is fixed and unquestioned. Now, if there is any dispute about the recorded survey and the records that are in the Surveyor General's office, you already have ample authority of law to cover that.

Mr. TIMBERLAKE. What is it?

Mr. WINGO. I do not remember the details of it, but I have a hazy recollection of calling upon the Surveyor General's office and furnishing to one of our surveyors all the information that they had in the office here. If there is an error in it, then I think the Surveyor General has authority to complete his records and correct any errors that there may be in his record. But why should you go, at the expense of the Government of the United States, and rerun the United States survey, unless it be in a case where you can show that there is some error in the old survey?

Mr. TIMBERLAKE. This bill carries no expense to the General Government, for this resurvey for private lands is borne by the owners of these lands, and the Government would only pay for the public lands.

Mr. WINGO. Who is going to pay it?

Mr. TIMBERLAKE. It provides that upon petition of three-fourths of the residents of the locality where the resurvey is desired, when they accompany that petition with the full cost of the resurvey, in so far as the private lands are concerned——

Mr. WINGO. That is the resurvey of private lands. Who is going to pay for the resurvey of the public lands?

Mr. TIMBERLAKE. The ruling of the department in relation to resurveys is that they will make a resurvey of a township where less than one-fifth or one-half has passed to private ownership. They use the appropriation made by Congress in making a resurvey under those circumstances. But they also hold that where more than 50 per cent has passed to patent they can not apply the funds appropriated by Congress, and refuse to make the resurvey. It is only to care for this class that this bill is asked. They pay for it themselves, which they are perfectly willing to do, but they want the Government back of that survey instead of a local survey by the county surveyor.

Mr. WINGO. What good would that do?

Mr. TIMBERLAKE. They are more apt to abide by the result.

Mr. WINGO. Will not the court abide by the decision of the survey of the official surveyor of the county or State? Can the gentleman tell me a single court that has refused to abide by the lines run by the official surveyor of the State?

Mr. TIMBERLAKE. I do not think I can cite any individual case, but I do know that there have been many disagreements with local surveys that have been made.

Mr. KINKAID. Will the gentleman yield?

Mr. TIMBERLAKE. I will yield to the gentleman from Nebraska [Mr. KINKAID], who introduced the bill, which was at the suggestion of the department, and in full accord with what it thought was necessary to bring relief to a very large number of people seriously affected by the rules under which the department was working in connection with these cases.

Mr. KINKAID. Mr. Speaker, I introduced this bill. I did not prepare it. I have been working for the enactment of such a measure for about 10 years, or a measure which would cover the exigency that exists for such legislation. Now, after seeking for this kind of legislation for years, after presenting it to the Commissioners of the General Land Office and the Secretaries of the Interior who have come and gone, and to the present able incumbents, the Commissioner of the General Land Office and the Secretary of the Interior finally, after much experience in administering the law in existence in regard to surveys and resurveys of public lands and private lands, came to the conclusion that just such an act as this was actually necessary—even expedient. Now, it is a very conservative and inexpensive concession made to a long-felt demand.

The Commissioner of the General Land Office volunteered the information that he had come to the conclusion that a bill should be prepared, and he ordered it prepared in his office, without a single suggestion having been made by me for more than a year previous. He told me that there had been other Members, representing Western States, who had come to his office seeking some such legislation. Now, why is it that this work can not be done by the county surveyor or the State surveyor? It is because this work is of a peculiar character. It requires long experience, and skill resulting from long experience, to perform the work so that it will be of value and so that it will carry conviction to those interested that it is right. As long as the conviction shall not be established that the work done is correct there will be no peace in the particular neighborhood. There has been talk all along here about war measures; this is a war measure in the sense that it is sought to

secure peace in the neighborhood, because riots occur, shootings occur, killings may occur in disputes over these lines. We all know about the bitter feuds that have been engendered by disputes over boundary lines of farms in our various States.

Mr. FOSTER. That does not happen in Nebraska, does it?

Mr. KINKAID. Yes.

Mr. MONDELL. Some in Illinois.

Mr. KINKAID. It costs the Government nothing at all. The settlers were entitled to have these lands surveyed in the first place. They do not have the land unless they have the lines; their claims or entries can not be identified without corners and lines.

Mr. WALSH. Will the gentleman yield?

Mr. KINKAID. Yes; with pleasure.

Mr. WALSH. What do they riot about?

Mr. KINKAID. In disputes over the lines. Now, here is a letter from the Secretary of the Interior justifying this legislation. He says they have no tangible survey. That means that there is no survey on the ground. It means that there is a survey in the General Land Office on paper. It means that in some cases there was a survey originally, but prairie fires and sand storms have obliterated it. In some cases there was never any survey made on the ground because 40, 50, or 60 years ago there were no examinations made by special agents of the department of the work done before the contract was adopted and paid for. Now, in these times, there is an inspection made unless the survey is by the Government surveyor, and there is a strict supervision by the Government, and the surveys are correct, but that was not the case when these surveys were made.

Mr. WINGO. Will the gentleman yield?

Mr. KINKAID. Yes; with pleasure.

Mr. WINGO. Will the gentleman explain the present law with reference to surveys where you show the department that the survey was never made?

Mr. KINKAID. That will not apply to these cases.

Mr. WINGO. Perhaps the gentleman did not catch my question. If you make a showing that no survey was ever made, does not the law provide for a survey?

Mr. KINKAID. No; not in such a case as this. It does where not more than half of the lands of a township has passed to patent.

Mr. WINGO. That is the resurvey, but I mean where there never was any survey made.

Mr. KINKAID. These are places where a survey was made and recorded, and you could not prove in these cases beyond cavil that no survey was ever made. Generally here and there are to be found evidences of surveys. They did not make some corners, perhaps township corners.

Mr. WINGO. These record surveys contain the regular calls.

Mr. KINKAID. They contain the record.

Mr. WINGO. They contain the regular calls that any State surveyor can take and locate.

Mr. KINKAID. Oh, no. In these cases they only make it where surveyors not experienced and skilled can not find the corners at all, and the Government owes it to these people that a survey be made, for these are all homestead lands. It is a legal fraud on entrymen that there are no corners to be found. They are ready to pay for work to be performed by experienced Government surveyors. I mean experienced in precisely this kind of work.

Mr. WINGO. Does the gentleman mean to say that you have not any surveyors out there who can take the field notes in the surveyor general's office and take the calls of those notes and locate the corners of a given section?

Mr. KINKAID. It requires great skill, and it is only the Government surveyors, with few exceptions, who have had large experience with such work whereby they have qualified themselves to perform the work to satisfaction, and the Secretary's letter states that that is the fact, and he states that the Government surveyors have the time to do it, and that it will be done at the expense of those asking the relief in this case. They deposit the money in advance. If it is ordered by the court, they deposit the money in the court, and if it is not ordered by a court, they deposit it in the General Land Office, and the Government is at no expense. They are doing the Government's work which the Government years ago paid for but did not have done. They are going to do the work at their own expense and have the work performed this time.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. KINKAID. Yes; certainly.

Mr. WALSH. I am very much impressed by the statement the gentleman is making, and I know he is familiar with that sort of legislation and the situation out there; but what I want to ascertain is how he will, having these surveys made, dispense with the necessity for having riots out there. Will not the same disputes arise as to the location of the survey?

Mr. KINKAID. Oh, no. Long experience has proved that the people acquiesce in it; they bow to the auspices of the General Government in the work performed by the Government surveyors.

Mr. WALSH. They evidently do not bow to the law of the United States that they shall not kill one another.

Mr. WINGO. Mr. Chairman, I withdraw myself from the controversy, and I am satisfied with the statement of the gentleman from Nebraska [Mr. KINKAID]. He has convinced me of the merit of the bill.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I wish to inquire of the gentleman from Nebraska in respect to a suppositional case, where 90 per cent of the land is in private ownership and only three-fourths make application for this resurvey, and the three-fourths contribute their proportionate part. In that case who pays the expense, under the bill introduced by the gentleman, of these privately owned lands that are resurveyed in the township for persons who have not petitioned for a resurvey?

Mr. KINKAID. Those who put up the money in the first place; the three-fourths have to put up the money.

Mr. STAFFORD. I question whether the bill is broad enough to compel them to pay the expense of the lands resurveyed for those who have not petitioned for it.

Mr. KINKAID. It covers that completely.

Mr. STAFFORD. Will the gentleman point that language out? I have read the bill, and I do not find the language.

Mr. KINKAID. I think it covers it—I am sure it covers it very fully—with the greatest deference to the diligence of the gentleman from Wisconsin.

Mr. STAFFORD. Let us take the first section of the bill:

That upon the application of the owners of three-fourths of the privately owned lands in any township covered by public-land surveys, more than 50 per cent of the area of which townships is privately owned, accompanied by a deposit with the United States surveyor general for the proper State, or if there be no surveyor general of such State, then with the Commissioner of the General Land Office, of the proportionate estimated cost, inclusive of the necessary work, of the resurvey or retracement of all the privately owned lands in said township, the Commissioner of the General Land Office, subject to the supervisory authority of the Secretary of the Interior, shall be authorized—

And so forth. The proportionate estimated cost of what?

Mr. MONDELL. Of all privately owned land.

Mr. STAFFORD. That is not stated here. The proportionate estimated cost refers to the three-fourths of the petitioners, or such portion of the land as is owned by the petitioners.

Mr. KINKAID. No; there are other lands there. They are Government lands; and it is contemplated that the Government will pay itself for the resurvey of the Government lands, and this in proportion to the cost of paying for the survey of the Government lands. The Secretary of the Interior recognized the justice of the Government paying for the resurvey of the Government lands. That is the relation in which the word "proportionate" is employed.

Mr. STAFFORD. I wish to ask the gentleman another question. In the original act providing for the resurvey, where more than 50 per cent in the township was public lands, there was a provision, which is found in the letter of the Secretary of the Interior recommending this bill, providing that no such resurvey or retracement shall be so executed as to impair the bona fide rights or claims of any claimant, entryman, or owner of lands affected by such resurvey or retracements.

There is no such proviso in the bill under consideration. I wish to inquire whether it is the purpose, by reason of the resurvey, to bar the rights of those who do not join in the petition for the resurvey in case their lines are found to be different from what they claimed were their boundary lines.

Mr. KINKAID. Where the title has passed it is incompetent for the Congress to legislate so as to bar any rights. We do not pretend to do that, but this resurveying carries acquiescence and satisfaction to these communities, so that there is no trouble afterwards at all when the Government performs the work.

Mr. STAFFORD. Why should not such proviso be carried in the bill, so as to protect the rights of those who do not petition for the resurvey?

Mr. KINKAID. It would be regarded as superfluous, and it would be; the courts recognize this, the department recognizes it, and the Constitution preserves the right——

Mr. STAFFORD. Which right?

Mr. KINKAID. That is the constitutional right that a man's property can not be taken by legislative act in this way without due compensation, and so forth.

Mr. SINNOTT. Will the gentleman yield?

Mr. KINKAID. I will, of course.

Mr. SINNOTT. What effect will this act have upon the claim of a person for the period of the statute of limitation on a mistaken boundary? Suppose the statute has run for the 10-year

period, and there is a claim to a mistaken line, will this bill have any effect upon that? Suppose the statute of limitation is 10 years, and there is a claim to a mistaken line——

Mr. KINKAID. Yes; but the statutes differ in the different States. And this bill does not change that in any way.

Mr. SINNOTT. He would still retain his right to set up the statute of limitation as a claim of title?

Mr. KINKAID. Yes; under the State law, whatever it is.

Mr. STAFFORD. One further question, if the gentleman will permit. I notice that the bill has not incorporated the amendment suggested by the Secretary of the Interior.

Mr. KINKAID. That is, correctly. It has the amendment suggested by the Secretary of the Interior, but it is put in line 15 instead of in line 17, and I shall ask to correct that.

Mr. STAFFORD. Where is the amendment now incorporated?

Mr. KINKAID. The amendment suggested by the Secretary of the Interior is found in the bill in line 15, and it should be in line 17. The mistake was made in the letter written by the Secretary of the Interior, on page 3, third paragraph.

Mr. STAFFORD. The amendment is not incorporated in the bill as reported to the House.

Mr. KINKAID. That is by clerical omission in the printing of the bill.

Mr. STAFFORD. So the gentleman intends to move to incorporate that amendment?

Mr. KINKAID. Precisely that which was asked by the Secretary of the Interior except in a different line, to place it in the right line.

Mr. STAFFORD. Can the gentleman give any information as to how much additional expense will arise by reason of the Government paying its proportionate part of the resurvey of public lands included in these townships?

Mr. KINKAID. That would be very speculative and would be very presumptuous in me to guess at it, and it would not be good faith to undertake to make any estimate without information. The Secretary says there are means to do this, that this will be all right, and there is no trouble about paying the expense. The expense is very negligible as compared with the appropriations made for surveys and resurveys.

Mr. STAFFORD. How general does the gentleman contemplate this act will be availed of if it is enacted?

Mr. KINKAID. It is only in rare cases of a township here and there in a few Western States where the surveys are, as in my State, none younger than 45 or 50 years old.

Mr. STAFFORD. I withdraw the reservation of the right to object.

Mr. MONDELL. Mr. Speaker, reserving the right to object, and I certainly shall not object, but, in order to have the RECORD straight, let me suggest that this bill becomes necessary not by reason of any law but by reason of a regulation.

Mr. KINKAID. That is right.

Mr. MONDELL. And regulations under our Government become the laws of the Medes and Persians, and in order to get around a regulation you must pass a law.

Mr. FOSTER. Will the gentleman tell us about that? I am anxious to know.

Mr. MONDELL. The law in regard to resurveys—and I am quite well acquainted with it, because I introduced the bill in its present form—provides that resurveys and retracements may be made whenever, in the opinion of the Secretary of the Interior, necessary to determine the boundaries of the public land remaining undisposed of.

Mr. FOSTER. I understand that; but as to the regulations?

Mr. MONDELL. Under that law if there were a single public-land line in a township the establishment of which thoroughly and definitely was necessary in order to make clear the boundary of the public land, that boundary could be retraced under the law, and if there were a sufficient number of those lines in a township, the entire township could be retraced; but the Secretary of the Interior, in order to save himself trouble—not the present Secretary, but a former Secretary—made a ruling, hard, fast, and arbitrary, to the effect that if 50 per cent in a township had passed to private ownership no resurvey would be ordered. It is only a rule. The result of that is that in many cases where resurveys are absolutely essential in order to establish the boundaries of the public lands remaining undisposed of they will not be executed, because more than 50 per cent of the lands of the township have passed to private ownership. Now, the Secretary declines to waive that rule, with the result that, while appropriations have been had for years for resurveys and retracements, they are only made where more than half of the land in the township is still public land, and then the entire township is retraced——

Mr. TIMBERLAKE. Will the gentleman yield?

Mr. MONDELL. I will yield.

Mr. TIMBERLAKE. I agree with the statement I understood the gentleman from Wyoming to make, that it was a departmental ruling rather than any law that determined them in refusing to make resurveys of a township where more than half had passed to patent. I see in the Secretary's letter, however, he says that the 50 per cent restriction originally——

Mr. MONDELL. It was originally placed in a bill which I introduced for some specific resurveys, because we could not get the bill through without putting that restriction in, because the Secretary of the Interior insisted upon it, and then the Secretary comes back and says that the provision which a Secretary insisted upon having become the law, therefore a later Secretary was justified in continuing the rule after it ceased to be the law.

Mr. TIMBERLAKE. That was the act of 1908?

Mr. MONDELL. Yes. But later, in order to cure that situation, I introduced another bill with regard to retracements, under which the Secretary was given the authority, which he now has, to execute retracements anywhere that he believes they are necessary to establish the boundaries of public lands undisposed of. But he declines to do it because of his hard-and-fast rule of 50 per cent.

Now, the situation is this: In some of the public-land States there are townships where, as a matter of fact, some of the lines were never run in the field. They were assumed to be run and a beautiful plat was brought in, but no surveys or marks were made in the field. Those were some of the cases. Other cases are where the surveys were made 30 or 40 years ago, and with the buffalo and domestic stock, and the winds and the storms, and the prairie fires burning wooden posts, the boundaries have been completely obliterated, so that it is necessary to have a retracement. Many retracements are made by local surveyors, but in a great many cases the people decline to accept the judgment of a local surveyor. He is generally employed by one of the parties in interest, and the other party very frequently declines to accept his judgment and opinion.

Mr. FOSTER. Do you not have the county surveyor?

Mr. MONDELL. We have. I was referring to the county surveyor. In a great many cases if the county surveyor tries to make a retracement under the rule and according to the manual, some of the parties other than those who employed him, even some of those who employed him possibly, decline to accept his judgment and decision if it is not entirely satisfactory.

Now, our experience is that in nine cases out of ten people will accept the judgment of a Government surveyor. They know he is entirely unbiased, and that if he makes a mistake it will be entirely unintentional, and that his orders are not to run a new line but find the old line if possible—to retrace it. While in my State, I presume, the Government surveyors have resurveyed a hundred townships, I do not know of a single case where anyone has carried a controversy to the courts. Eventually the people have generally agreed to the lines as retraced, and they will do that in the great majority of cases.

Now, nothing is necessary in this bill to reserve the right of the landowner to go into court and attempt to prove that the retracement as made under this bill is not in fact an accurate retracement of the original survey; and if he can prove that is true and can prove in the court what would be a proper retracement, of course that governs rather than the retracement that is made. And there is not one case in a thousand, I imagine, where any question of that kind would be raised. So this legislation, now answering another question propounded by the gentleman from Wisconsin, in all probability will reduce the expenditure of the Federal Government, assuming that the Secretary of the Interior were to follow the law rather than his rule. Of course, as the Secretary of the Interior has laid down the hard-and-fast rule of 50 per cent, this does lay a slight added burden on the Federal Government, which would not otherwise be laid, because it would bring about the survey of some of the townships where more than 50 per cent of the land is in private ownership. The cost in the running of the years would be comparatively small, would amount perhaps to a few thousand dollars per year, but the benefits would be a very great deal indeed, and settle a great many land controversies which have been brewing for a long time.

Mr. SINNOTT. Is not there this added advantage, that if there are any public lands involved the survey by the county officials would not be binding on the Land Office, but the survey by the Federal officials would be binding on the Government?

Mr. MONDELL. That is true, though a survey by a county official, if he follows the manual, is binding on everybody as much as any resurvey is binding on anyone, until you have a judicial decision, if a controversy arises. The trouble is that in

a great many cases the people will not accept the judgment of the county surveyor.

Mr. SINNOTT. If the survey conflicts with the monument, the monument would prevail?

Mr. MONDELL. Certainly.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

Mr. TIMBERLAKE. Mr. Speaker, I ask unanimous consent that this bill be considered in the House as in the Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Colorado asks unanimous consent that the bill be considered in the House as in the Committee of the Whole. Is there objection? [After a pause.] The Chair hears none. The Clerk will read the bill.

The Clerk read as follows:

A bill (H. R. 8004) authorizing the resurvey or retracement of lands heretofore returned as surveyed public lands of the United States under certain conditions.

Be it enacted, etc., That upon the application of the owners of three-fourths of the privately owned lands in any township covered by public-land surveys, more than 50 per cent of the area of which townships is privately owned, accompanied by a deposit with the United States surveyor general for the proper State, or if there be no surveyor general of such State, then with the Commissioner of the General Land Office, of the proportionate estimated cost, inclusive of the necessary work, of the resurvey or retracement of all the privately owned lands in said township, the Commissioner of the General Land Office, subject to the supervisory authority of the Secretary of the Interior, shall be authorized in his discretion to cause to be made a resurvey or retracement of the lines of said township and to set permanent corners and monuments in accordance with the laws and regulations governing surveys and resurveys of public lands; that the sum so deposited shall be held by the surveyor general or commissioner when ex officio surveyor general and may be expended in payment of the cost of such survey, including field and office work, and any excess over the cost of such survey and the expenses incident thereto shall be repaid pro rata to the person making said deposits or their legal representatives; that the proportionate cost of the field and office work for the resurvey or retracement of any public lands in such township shall be paid from the current appropriation for the survey and resurvey of public lands; that similar resurveys and retracements may be made on the application, accompanied by the requisite deposit, of any court of competent jurisdiction, the returns of such resurvey or retracement to be submitted to the court; that the Secretary of the Interior is authorized to make all necessary rules and regulations to carry this act into full force and effect.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

Mr. KINKAID. Mr. Speaker, I want to offer an amendment. The committee has an amendment, but it is asked for in the wrong line.

The SPEAKER pro tempore. There is no amendment on the bill.

Mr. KINKAID. Not on the bill, but it is in the report. I ask unanimous consent that the amendment be made in accordance with the recommendation of the committee, except that it be placed in line 17, page 2, after the word "lands" and before the semicolon following the word "lands."

The SPEAKER pro tempore. The Clerk will report the amendment.

Mr. KINKAID. Line 17, page 2, that the amendment be made between the word "lands" and the semicolon following the word "lands."

The Clerk read as follows:

Committee amendment: Page 2, line 17, after the word "lands," insert the words "in addition to the portion of such appropriation otherwise allowed by law for resurveys and retracements."

Mr. MONDELL. Mr. Speaker, I shall not object to the amendment, but it is entirely unnecessary, and I do not know that it is entirely wise. The object of the Secretary in recommending this amendment is to increase his appropriation for this class of work. Under the current law not to exceed 20 per cent of the survey funds may be used for resurveys and retracements. The Secretary evidently wants a fund for this class of work in addition to that 20 per cent, and separate from it. Of course, if such an appropriation is made it would serve to separate these expenditures from the other resurvey expenditures, but the effect of the amendment would be to prevent any surveys under this bill during the present fiscal year unless there was an additional appropriation made. There is not any reason why the 20 per cent of the survey fund that may be allotted for resurvey and retracements should not be used for this class of retracements as well as other classes of retracements. There is not any reason why the two classes of resurveys or retracements should be kept separate as an item of appropriation.

Mr. FOSTER. If this bill becomes a law without this amendment they would simply use this 20 per cent that they now have?

Mr. MONDELL. Yes.

Mr. FOSTER. If this were adopted——

Mr. MONDELL. It would be necessary to make another appropriation for this particular work.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. KINKAID. Yes.

Mr. WALSH. I would like to ask the gentleman from Wyoming a question. If this amendment was not adopted, he knows—as, of course, he does know, as he has expressed the opinion—that the expenses of these resurveys will consume entirely the available fund, leaving nothing with which to meet the Government's share as a supplement to the settlers' deposit for resurveying townships where the 50 per cent mark is exceeded?

Mr. MONDELL. I am of the opinion that the 20 per cent is more than will be used for all classes of resurveys. There is now 20 per cent of $400,000. That is $80,000. That is available at this time for resurveys and retracements, and in my opinion it is entirely sufficient for resurveys and retracements for this year, both for this sort of retracements and the ordinary retracements. In that case why should we hold up that sort of retracements until we can make appropriations at the beginning of the next fiscal year?

Mr. FOSTER. The Government does now make these resurveys and retracements under the law?

Mr. MONDELL. Yes; where there is only 50 per cent of the land in private ownership.

Mr. FOSTER. And this would only add another class in which now they are prohibited from doing it?

Mr. MONDELL. They are not prohibited; but if there be more than 50 per cent in private ownership, they are not executed. But the moment we pass this law the appropriation for retracements becomes available for this work.

Mr. STAFFORD. Mr. Speaker, I wish to be recognized in favor of the amendment. There is 20 per cent of the general fund now available for retracements and resurveys of public lands. It was the intention that there should be available at all times 20 per cent of the general amount voted for resurveys that could be utilized for retracements and resurveys on the public lands where the Government directly was concerned. This bill is one for the benefit of private owners.

Mr. MONDELL. All resurveys are for the benefit of private owners.

Mr. STAFFORD. No; not all resurveys. The direct benefit under the present law is an aid to the Government to relocate the lines of the public lands. This law here is for the benefit of the private owners, and Congress should determine how much we should spend yearly for the benefit of those private owners in the way of resurveys of public lands in these townships where more than 50 per cent of the land is privately owned.

Mr. FOSTER. Let me get it clear in my head. This law, as I understand, simply raises the amount of privately owned land in certain townships where they make the surveys. Now, they do this very thing, as I understand from the gentleman from Wyoming, under the present law.

Mr. MONDELL. Let me illustrate: As I have just stated, under the law the Secretary has the authority to resurvey if 90 per cent of the lands have passed into private ownership. He has fixed an arbitrary 50 per cent. That is a rule; not the law. Now, assuming a township with 50 per cent of the land in private ownership. It may now be retraced and the Government pays all the cost. Under this law if 51 per cent of that township were in private ownership, then the private owners would pay for the 51 per cent and the Government would only pay for the 49 per cent. The Government under the present law pays for the resurvey of private lands as well as of public lands. Under this bill the Government pays for nothing but the resurvey of the public lands, and there is not any reason why those two classes of retracements should be under separate provisions of appropriations. This is a much more satisfactory piece of legislation from the standpoint of the guardians of the Public Treasury than the general law, because under this we pay for nothing except for the survey of Uncle Sam's land, while under the present law we pay for surveying both Uncle Sam's land and the private owner's land.

Mr. STAFFORD. This bill primarily is for the benefit of the private owner of formerly Government-owned land. Now, where more than 50 per cent is in private ownership it is proposed that the Government should undertake this work, but the expense should be borne by the private owners, so far as the private-owned land is concerned, and by the Government so far as the remainder is concerned. The Government ought to control as to how much should be voted for the resurveys from time to time. We can not tell how much shall be demanded, but we should always know how much shall be voted for that purpose rather than allow the 20 per cent to be controlled always for the benefit of the private owners.

Mr. KINKAID. I only wish to say that I hope the amendment will be agreed to, in order to keep faith with the Secretary of the Interior.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. KINKAID. Yes.

Mr. WALSH. The gentleman is a member of this committee?

Mr. KINKAID. No.

Mr. WALSH. I thought the gentleman was.

Mr. KINKAID. I regret to say I am not on that very fine and active committee.

Mr. WALSH. I understood the gentleman to say that he was offering a committee amendment.

Mr. KINKAID. I said this was a committee amendment.

Mr. WALSH. Then I should like to ask the gentleman who reported the bill from the committee whether or not the recommendation of the Secretary of the Interior was given consideration by the committee?

Mr. TIMBERLAKE. It was; and when the report was handed in it was an oversight that a copy of the amended bill was not handed in.

Mr. WALSH. It is true that the committee saw no objection to this amendment?

Mr. TIMBERLAKE. The committee saw no objection to it, and recommended a favorable report of the bill with that understanding.

Mr. KINKAID. Unanimously.

Mr. TIMBERLAKE. Yes.

The SPEAKER pro tempore. The question is on the amendment.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

On motion of Mr. TIMBERLAKE, a motion to reconsider the vote by which the bill was passed was laid on the table.

BIRD RESERVATION IN CALIFORNIA AND OREGON.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 10612) to restore to the public domain certain lands heretofore reserved for a bird reservation in Siskiyou and Modoc Counties, Cal., and Klamath County, Oreg., and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. WALSH. Mr. Speaker, out of deference to the gentleman who is occupying the chair [Mr. RAKER], who therefore is not able to explain the provisions of the bill, I think the bill ought not to be considered to-day.

The SPEAKER pro tempore. The Chair hopes the gentleman will not object on that account.

Mr. WALSH. And, furthermore, it is a rather important measure, which ought not to be considered by unanimous consent. Therefore I object.

Mr. MONDELL. I ask unanimous consent that the bill may remain on the Unanimous Consent Calendar.

Mr. WALSH. I shall object unless it goes to the foot of the calendar.

Mr. MONDELL. I accept the gentleman's amendment if he insists.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wyoming, acceded to by the gentleman from Massachusetts [Mr. WALSH], that the bill go to the foot of the calendar and remain on the calendar?

There was no objection.

LANDS AT YELLOWSTONE, MONT., FOR HOTEL PURPOSES.

The next business on the Calendar for Unanimous Consent was the bill (S. 41) to authorize the sale of certain lands at or near Yellowstone, Mont., for hotel and other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Reserving the right to object, I think some explanation ought to be given as to the reason for making a preferment of the Oregon Short Line Railroad Co. to purchase some public land at $25 an acre for hotel purposes.

Mr. EVANS. Mr. Speaker, a branch of the Oregon Short Line Railroad terminates at the border line of the Yellowstone National Park. This is one of the entrances to the park. Thousands of tourists are transported to the park along that line of road. The terminus is in a forest reserve. There is no land there to be acquired in private ownership, and it seems rather necessary that hotel facilities be constructed for the convenience of the traveling public who go into that park. For that reason a bill was introduced permitting the railroad company to purchase from the Government about 126 acres, as I recollect, for hotel purposes. The land is not valuable. In the public market it probably would not sell for $5 an acre. The bill provides that it shall be sold upon appraisement at a price not less than $25 per acre.

Mr. FOSTER. Is this a short-line railroad that runs in there?

Mr. EVANS. It is a branch of the Oregon Short Line.

Mr. FOSTER. Has the Government taken that over?

Mr. EVANS. The Government has taken over what is known as the Oregon Short Line Road.

Mr. FOSTER. I know; but did it take over this branch line?

Mr. EVANS. I can not say. I do not know.

Mr. FOSTER. So the gentleman does not know whether the Government, in the operation of this railroad, desires this land for this purpose or not?

Mr. EVANS. No; I could not say as to that.

Mr. FOSTER. Why do they need such a large number of acres of land?

Mr. EVANS. One hundred and twenty-five acres for track purposes, yard purposes, and hotel purposes at a park is not a great acreage, in my judgment.

Mr. FOSTER. To save my life I can not see why the railroad company should need 125 acres of land there.

Mr. STAFFORD. The gentleman from Montana is in error as to the number of acres. It is 88.2 acres.

Mr. EVANS. I think it was originally 126 acres, but the amount was reduced by one 40-acre tract.

Mr. FOSTER. How can they use that much land?

Mr. EVANS. The report states that some Y tracks are to be changed in the yard. The railroad runs through a wild country to this national park, and the operation of the hotel is to be under the control of the Secretary of the Interior. It seems to me that it is a meritorious proposition.

Mr. FOSTER. I am not familiar with the location of this line. This is the terminus of the railroad?

Mr. EVANS. Yes.

Mr. FOSTER. Close to the national park?

Mr. EVANS. Yes.

Mr. FOSTER. How far from the entrance?

Mr. EVANS. I think it is within a mile or so, or very close to the line. There are three entrances to the park, one from the north, one from the west, and at Cody from the east.

Mr. FOSTER. This is the Oregon Short Line?

Mr. EVANS. This is the Oregon Short Line. People coming from Salt Lake and Denver up that road come to that entrance to the park on the Union Pacific. The Oregon Short Line is a branch of the Union Pacific system.

Mr. FOSTER. Would this give them all the best land there is there, that is owned by the Government and accessible to the entrance to this park?

Mr. EVANS. Individually I could not tell you. I have never been on the ground. This is a part of a forest reserve. I think there are millions of acres of land just like this there. There is an entrance into the park there because the road is built up to that point and it hauls its passengers there.

Mr. FOSTER. This is giving the railroad a monopoly, is it not?

Mr. EVANS. I do not think so. Of course, it is giving a monopoly of the land in private ownership, because the rest of it is public land.

Mr. FOSTER. But that would give them all the land surrounding the terminus of the railroad.

Mr. EVANS. Yes; it would give them 80 acres, or whatever this bill covers.

Mr. FOSTER. Is the gentleman of the opinion that granting that much land to the railroad would at all interfere with the travel to and from the park?

Mr. EVANS. If it was not granted, or if it was granted?

Mr. FOSTER. If it was granted.

Mr. EVANS. It would not only not interfere, but it would encourage travel to the park.

The railroad company is not willing to build a hotel on the public domain. They want to put a million dollars into the hotel for the accommodation of the public. They think they are entitled to the land before they put the money in it. If some one else wants to put a hotel there they could not do so, because they have no title, unless they put it on contiguous land.

Mr. FOSTER. They would be some distance from the railroad.

Mr. EVANS. Yes.

Mr. FOSTER. It is the gentleman's opinion that this would not interfere with the rights of the public and would give them no monopoly, but that it is merely for the convenience of entry of people into the park?

Mr. EVANS. Yes.

Mr. RAKER. Will the gentleman yield?

Mr. EVANS. Certainly.

Mr. RAKER. In looking over this some time ago I was wondering whether or not the proviso on page 2, line 14—

Provided, however, That any hotel erected on said lands shall be operated by the said Oregon Short Line Railroad Co., or its successors in interest, under such rules and regulations as the Secretary of the Interior may prescribe for the conduct and operation of hotels within the Yellowstone National Park.

This gives the title absolute in fee to the railroad company. The railroad company may transfer its rights to a transferee, who is therefore not under the jurisdiction of the Secretary of the Interior at all, who can handle the hotel as he or they may see fit. I wondered, as it is the entrance to the park and blocks the way for anybody else, whether or not the gentleman would object to an amendment that this condition should be inserted in the patent—that the hotel property, whether run by this company or its successors in interest, should be always under the supervision and control of the Secretary of the Interior, and that the provision should be inserted in the patent. That is a provision we have inserted in other patents.

Mr. EVANS. I have no objection, but I think it is wholly unnecessary.

Mr. RAKER. The gentleman can see that this is a grant in fee, and the very moment they get the patent they can transfer it to anybody else and the transferee would not be under the jurisdiction of the Secretary of the Interior.

Mr. EVANS. The bill provides—

That any hotel erected on said lands shall be operated by the said Oregon Short Line Railroad Co., or its successors in interest, under such rules and regulations as the Secretary of the Interior may prescribe for the conduct and operation of hotels within the Yellowstone National Park.

Mr. FOSTER. That would put it under the same regulation as the hotels in the park are under.

Mr. EVANS. I am perfectly willing that the gentleman should put in any amendment that he thinks makes it clear that the Secretary will always have control over the hotel, but I think it is there now.

Mr. RAKER. What is there to bind the successors?

Mr. EVANS. The law itself.

Mr. RAKER. There is not a thing in the patent with reference to it.

Mr. EVANS. Has the gentleman any amendment to offer?

Mr. RAKER. I did have, but not knowing that this would come up at this moment I have not it here.

The SPEAKER. Is there objection?

Mr. WALSH. I object.

Mr. EVANS. Will the gentleman permit the bill to remain on the Calendar for Unanimous Consent?

Mr. WALSH. I have no objection, Mr. Speaker, to its holding its place on the calendar, as I understand the gentleman wants to call it up some time later in the day.

PUBLIC-LAND ENTRIES.

Mr. STEENERSON. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 78) to validate certain public-land entries.

The SPEAKER. The gentleman from Minnesota moves to suspend the rules and pass the bill, which the Clerk will report.

The Clerk read the bill, as follows:

A bill (H. R. 78) to validate certain public-land entries.

Be it enacted, etc., That all entries heretofore erroneously allowed for lands opened to entry under the act approved February 20, 1904 (33 Stat. L., p. 46), and the act of February 16, 1911 (36 Stat. L., p. 913), to persons who had previously exhausted their homestead rights, are hereby ratified and confirmed; and any such entry which has been canceled for the reason given shall be reinstated in the absence of conflicts and proceed to patent upon compliance with the law under which the entry was made.

The SPEAKER. Is a second demanded?

Mr. WALSH. I demand a second.

Mr. STEENERSON. I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from Minnesota asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

Mr. STEENERSON. Mr. Speaker, this bill affects the entry of 14 settlers upon what is known as ceded Indian lands in northern Minnesota. These lands were originally opened under the act passed in February, 1904, which act provided that they should be sold to persons who would apply under the homestead law at not less than $4 an acre, and the right to take them was put up at auction; anybody that wanted to give any more had an opportunity to bid, and so some of the land was sold for more than $4 an acre. The act provided that in view of the high price the bidders might be qualified, although they had exhausted their homestead right. The result was that many went in and bought these lands and some of them remained unsold. They were swamp lands, and two years later there was an act passed providing for a drainage survey. The lands unsold were withdrawn in order that the drainage act might be executed. Three years later the Indian appropriation act provided that these same lands would be thereafter open to homestead settlers under the homestead law.

The homestead laws as administered by the register and receiver was supposed to be the original act of 1904, which gave them the right to take a homestead, although they had exhausted their rights. The register and receiver accepted filings from 14 settlers who had stated in the original papers that they had exhausted their rights. They were allowed to enter and to make improvements, and they have done so, and the payments were made in installments. Most of these settlers have paid for the land in full at these high prices of from four to seven or eight dollars an acre.

When they made their final proof, or at least one or two of them did, and offered the balance, the last installment, the matter went to Washington, and here the Interior Department discovered that in the law they did not refer to the homestead law under which they were opened in the first place, where they would have been qualified, but said that that must mean the general homestead law, and consequently by that reasoning they arrived at the conclusion that the register and receiver had wrongfully allowed these men to take their homesteads and make improvements and pay for their lands; and the Secretary of the Interior in a letter to me suggested that the only relief was to apply to Congress. The Secretary of the Interior recognized the equity of those cases by suspending adverse action and recommending congressional action. Hence this bill. The Public Lands Committee of the House has unanimously reported the bill, and it is on the calendar. The Senate Committee on Public Lands and the Senate passed a bill identical with this, and the settlers have now been waiting for quite a long time and are in real distress unless their homes can be saved to them. Some of them have paid in full and some of them have paid in part.

Mr. MONDELL. Mr. Speaker, will the gentleman yield?

Mr. STEENERSON. Yes.

Mr. MONDELL. The only question involved is this: The original law provided that former homestead entry should not be a bar to a purchase entry.

Mr. STEENERSON. Yes.

Mr. MONDELL. That is the usual provision?

Mr. STEENERSON. Yes.

Mr. MONDELL. The second law passed covering these lands did not contain that provision?

Mr. STEENERSON. No; it simply said, "under the homestead law."

Mr. MONDELL. Although it was undoubtedly the view of the committee that passed it that it would be interpreted as the first law was, which is the usual form of that sort of legislation.

Mr. STEENERSON. Yes.

Mr. MONDELL. But the department hewed close to the line and held that inasmuch as no reference was made to a former homestead entry, therefore the entryman who had made a former entry was barred.

Mr. STEENERSON. Yes.

Mr. MONDELL. Now, this relieves those entrymen and puts them in the same position of the entrymen who entered under the law, in the first place.

Mr. STEENERSON. Yes; and the register and receiver of the United States Land Office took the same view that the gentleman has suggested.

Mr. MONDELL. In other words, all the Government officials believed these men were within their rights until they had paid their money and resided on the land and improved it and the cases came here to the Land Office.

Mr. STEENERSON. They have not only built houses and lived upon the land but they have paid their share of the cost of ditches, costing $7 and $8 an acre, besides.

Mr. WALSH. How did these entries come to be allowed erroneously under the drainage law? Who is at fault for that?

Mr. STEENERSON. The drainage law is an act of Congress.

Mr. WALSH. And these entries were allowed under that act?

Mr. STEENERSON. Only a part of these entries were made under the drainage law of May 20, 1908, and the Secretary recommended that the bill as originally introduced be changed so as to include those as well. That is what is known as the

Volstead Act. That provides that the entryman shall pay and that the amount paid shall go to the Indians, whatever it may be, $4 or $5 or $6 an acre, and that he shall also pay the drainage cost imposed under the State law for the reclamation of these lands, and then get title.

The drainage law there referred to did not contain this qualification that the original act of 1904 did, which the gentleman from Wyoming [Mr. MONDELL] suggested. Therefore the register and receiver assumed they were qualified under the original act that opened this reservation, the act of 1904.

Mr. WALSH. The register and receiver made the error.

Mr. STEENERSON. The register and receiver made the error, as well as the local lawyers, and your humble servant as well. It was supposed that the bill would give these settlers the same rights as those who entered under the act of February 20, 1904, but the wise lawyers in the Interior Department discovered this point after, as has been stated, the men had lived on the land the full time and had made their payments and had complied with the law in every respect.

Mr. WALSH. The gentleman stated that $4 an acre was rather a high price.

Mr. STEENERSON. It was for these lands, for the reason that they were swamp lands, and before any of them were fit for anything the State authorities had to lay out ditches which in some cases cost as high as $10 an acre for each tract, and they had to improve the river that was the outlet; and they levied heavy drainage taxes on these lands in addition to the $4 that went to the Indians. The $4 was the minimum sum. Some of them were sold for more than $4.

Mr. WALSH. These were entered as homesteads?

Mr. STEENERSON. It was in this way: They were ceded Indian lands and they were to be paid for, and in addition to paying for them they were to comply with the homestead law.

The SPEAKER. The question is on suspending the rules and passing the bill.

Mr. STEENERSON. Mr. Speaker, I ask unanimous consent to substitute for this bill the bill S. 4555, an identical Senate bill which has been passed by the Senate. That will avoid our having to go back to the Senate.

Mr. FOSTER. Is it exactly in the same language?

Mr. STEENERSON. Exactly; word for word. Senator KELLOGG introduced it and had it reported.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to substitute the Senate bill, which is on the Speaker's table. Is there objection?

There was no objection.

Mr. WALSH. Mr. Speaker, I do not remember whether the House bill was read.

The SPEAKER. Yes; it was read. The question is on suspending the rules——

Mr. STAFFORD. Mr. Speaker, I think the Senate bill should be read.

The SPEAKER. The Clerk will report the Senate bill.

The Clerk read as follows:

An act (S. 4555) to validate certain public-land entries.

Be it enacted, etc., That all entries heretofore erroneously allowed for lands opened to entry under the act approved February 20, 1904 (33 Stat. L., p. 46), and the act of February 16, 1911 (36 Stat. L., p. 913), to persons who had previously exhausted their homestead rights, are hereby ratified and confirmed; and any such entry which has been canceled for the reason given shall be reinstated in the absence of conflicts and proceed to patent upon compliance with the law under which the entry was made.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

The House bill No. 78 of similar tenor was ordered to lie upon the table.

EMPLOYEES LIABLE TO MILITARY SERVICE.

The SPEAKER laid before the House the following communication.

The Clerk read as follows:

UNITED STATES SHIPPING BOARD,
Washington, July 9, 1918.

The CLERK HOUSE OF REPRESENTATIVES,
United States Congress, Washington, D. C.

SIR: In compliance with the provisions of the House of Representatives resolution No. 383, I take pleasure in submitting a statement showing the names, addresses, and character of work of all employees of the United States Shipping Board and the Division of Operations, Emergency Fleet Corporation, who have been given deferred classification.

I shall also submit at the very earliest moment a statement showing the same information relative to all other employees of the Emergency Fleet Corporation. The statement is now in the course of preparation.

Very truly, yours,

LESTER SISLER, *Secretary.*

Employees of the United States Shipping Board for whom deferred classification has been requested and allowed.

Name.	Home address.	Character of work.	Length of time in service, since—
Amberg, Harold V..	544 Melrose Avenue, Chicago, Ill.	Attorney.....	Sept. 19, 1917
Cohen, Benjamin V.	20 West Jackson Boulevard, Chicago, Ill.	.....do.....	Aug. 1, 1917
Henderson, Gerald C.	Monadnock, N. H.....	.....do.....	Mar. 19, 1917
Shepardson, Whitney H.	Hamilton, N. Y.....	.....do.....	May 2 1917
Welch, Joseph N....	Prymghar, Iowa.....	.....do.....	June 10 1917
Rouse, Harrison V..	1628 Monroe Street NW., Washington, D. C.	Auditor of Board Disbursements.	Apr. 16, 1917
Weist, Wm. D., Jr..	Apartment 2, 204 F Street NW., Washington, D. C.	Secretary to disbursing officer and deputy comptroller.	Mar. 19, 1917
Clark, C. G.....	1327 Shepherd Street NW., Washington, D. C.	Accountant in charge Division of Accounts.	July 16, 1917
Gendron, U. J.....	1101 Euclid Street, Washington, D. C.	Matters pertaining to charters of all steamers.	May —, 1917
Bailey, R. H.....	1439 Fairmont Street NW., Washington, D. C.	Confidential clerk.....	Apr. 4, 1917
Barber, John E.....	3717 Morrison Street, Washington, D. C.	Assistant to chairman.	July 27, 1917
Roberts, L. R.....	1902 G Street, Washington, D. C.	Head, Mails and Files.	Aug. 27, 1917

Employees of the Division of Operations, United States Shipping Board, Emergency Fleet Corporation, for whom deferred classification has been requested and allowed.

Name.	Home address.	Character of work.	Length of time in service, since—
Anderson, Clarence J	Kenilworth, N. J.....	Accountant.....	Feb. 1, 1918
Banvard, James G..	1025 Carroll Street, Brooklyn, N. Y.	Chief, Accounting Department.	Aug. 16, 1917
Blake, Edward L...	Detroit, Mich.; 260 West 86th Street, New York City.	Auditor (senior).....	Mar. 4, 1918
Brandwein, David S	545 West 142d Street, New York City.	.....do.....	Dec. 26, 1917
Bell, Howard A.....	517 Chauncey Street, New York City.	Auditor at New London, Coun., office.	Jan. 1, 1918
Brumbaugh, Emmet S.	1356 East 21st Street, Brooklyn, N. Y.	Interviewing and settling with steamship masters.	Feb. 1, 1918
Brouthers, Addison J.	138 West 96th Street, New York City; temporarily at Newport News, Va.	Assistant paymaster..	May 13, 1918
Bosworth, Alvin....	707 Vanderbilt Avenue, Brooklyn, N. Y.	Bookkeeper.....	May 22, 1918
Burroughs, Benjamin.	316 Jefferson Avenue, Brooklyn, N. Y.	Auditor at port of Halifax, Nova Scotia, Canada.	Jan. 1, 1918
Comet, Richard W..	1323 Nostrand Avenue, Brooklyn, N. Y.	Bookkeeper.....	Apr. 8, 1918
Cavanaugh, George A.	Detroit, Mich.; 225 West 110th Street, New York City.	Auditor (junior).....	Mar. 16, 1918
Doyle, Joseph J.....	(Now in Army, Camp Hancock, Augusta, Ga.; application for his discharge has been made.)	.....	
Du Lac, William D.	Detroit, Mich.; 657 East 21st Street, Brooklyn, N. Y.	Auditor (junior).....	Do.
Demschak, Henry L.	Detroit, Mich.; Forest Hills, Long Island, N. Y.	Assistant paymaster..	Mar. 13, 1918
Davidson, Jesse J...	(Not yet on Emergency Fleet classification list.)	.....	June, — 1918
Eichhorn, Karl A...	Port Huron, Mich.; Hackensack, N. J.	Auditor, New York agency.	Feb. 1, 1918
Ernst, Bradford L..	523 West 143d Street, New York City.	Auditor (junior).....	Mar. 1, 1918
Fritz, Paul J.....	410 Merrick Road, Lynbrook, Long Island, N. Y.	Auditor (senior).....	Feb. 16, 1918
Goldberg, M. Benjamin.	142 North Clinton Avenue, Trenton, N. J.	Clerk in voucher department.	Dec. 26, 1917
Hanley, Robert J...	Forest Hills, Long Island, N. Y.	Chief auditor, requisitioned steamships.	Dec. 11, 1917
Hoff, Charles N.....	Detroit, Mich.; 657 East 21st Street, Brooklyn, N. Y.	Auditor (junior).....	Mar. 15, 1918
Hartman, Ernest F.	105 11th Street, Hoboken, N. J.	Assistant paymaster..	Do.
Hammel, Joseph F..	289 West Eighty-sixth Street, New York City.	Auditor (junior).....	Mar. 25, 1918

Employees of the Division of Operations, United States Shipping Board, Emergency Fleet Corporation, etc.—Continued.

Name.	Home address.	Character of work.	Length of time in service, since—
Hill, Albert R.....	517 West One hundred and forty-second Street, New York City.	Auditor (senior).....	Feb. 18, 1918
Irwin, Walter C.....	341 Bainbridge Street, Brooklyn, N. Y.	Auditor (junior).....	Mar. 26, 1918
Kelly, John T.....	1227 Union Avenue, Bronx, New York City.	Assistant paymaster..	Oct. 17, 1917
Kuesel, Arnold J....	107 Decatur Street, Brooklyn, N. Y.	Chief accountant and auditor, New York agency.	June 27, 1917
Kern, Maxwell L....	373 West One hundred and sixteenth Street, New York City.	Clerk in accounting department.	Apr. 19, 1918
Keane, Theodore J..	Glendenning Hotel, One hundred and third Street and Amsterdam Avenue, New York City.	Bookkeeper.....	Jan. 1, 1918
Kiefer, John H.....	52 Cedar Street, Brooklyn, N. Y.	Transportation clerk..	May 10, 1917
Lynch, John W.....	3 West Eighty-fourth Street, New York City.	Clerk in accounting department.	Feb. 11, 1918
Lenane, William E., jr.	Detroit, Mich.; Forest Hills, Long Island, N. Y.; at Norfolk, Va., at present.	In temporary position of pay roll checker and timekeeper.	Apr. 9, 1918
Lloyd, John O.....	449 Kosciusko Street, Brooklyn, N. Y.	Auditor (senior).....	Jan. 21, 1918
Metz, Albert F.....	57 Clifton Place, Brooklyn, N. Y.	Cashier New York agency under Treasurer Smith.	June 11, 1917
Morrison, Donald Stuart, discharged from Army upon application.	Elmhurst, Long Island, N. Y.	Auditor (senior).....	Apr. 16, 1918
Mahoney, John J....	70 West Ninety-third Street, New York City.	Assistant in freight revenue department.	Apr. 1, 1918
McDonald, Stephen A.	242 East Fortieth Street, New York City.	Assistant paymaster...	Apr. 8, 1918
MacArthur, Charles A.	150 Barbey St., Brooklyn, N. Y.	Clerk in voucher department.	Jan. 1, 1918
MacDonough, E. Everett, discharged from Army upon application.	472 Lafayette Avenue, Brooklyn, N. Y.	Assistant paymaster..	Apr. 17, 1918
Mahoney, William J.	565 Park Place, Brooklyn, N. Y.	Accountant.....	Mar. 4, 1918
Muer, Elmer H.....	Detroit, Mich.; 260 West Eighty-sixth Street, New York City.	Auditor (senior), in charge auditing department.	Dec. 14, 1917
Messing, Arthur J...	Became 21 years of age recently. Not yet on Emergency Fleet classification list.	Auditor (junior).....	Apr. 8, 1918
Ohlert, Thomas P...	280 West Eighty-sixth Street, New York City	.....do.....	Apr. 1, 1918
Oswald, John H.....	710 Forest Avenue, Brooklyn, N. Y.	Timekeeper and typist for superintendent of engineers.	Dec. 13, 1917
Peyser, Herbert F...	210 West Forty-fourth Street, New York City.	Translator foreign accounts.	Apr. 16, 1918
Robertson, Allen....	North Adams, Mass.; 207 Winthrop Street, Brooklyn, N. Y.	Auditor (junior).....	Mar. 4, 1918
Robertson, Harry J., jr.	559 West One hundred and fortieth Street, New York City.	.....do.....	Jan. 16, 1918
Ramsey, Thomas H., jr.	No longer in service...	.....	
Rabaut, Leo.....	Forest Hills, Long Island, N. Y.	Auditor (junior).....	June 5, 1918
NOT YET ON EMERGENCY FLEET CLASSIFICATION LIST.			
Rost, Henry L.....	641 East One hundred and seventy-sixth Street, New York City.	Clerk in accounting department.	May 20, 1918
Sachs, Abraham.....	464 Eastern Parkway, Brooklyn, N. Y.	Auditor (senior).....	Dec. 26, 1917
Soleau, Irving H....	260 West Eighty-sixth Street, New York City.	.....do.....	Dec. 14, 1917
Swift, William H....	68 Eighth Avenue, New York City.	Position book department, chief.	Mar. 25, 1918
Slottman, William F.	99 South Ninth Street, Brooklyn, N. Y.	Cashier in paymaster department.	Feb. 1, 1918
Salpeter, Charles....	716 Macy Street, Brooklyn, N. Y.	Auditor (senior).....	Feb. 18, 1918
Schweiger, Charles..	2047 East Fifteenth Street, Brooklyn, N. Y.	Auditor (junior).....	Mar. 25, 1918

Employees of the Division of Operations, United States Shipping Board, Emergency Fleet Corporation, etc.—Continued.

Name.	Home address.	Character of work.	Length of time in service, since—
NOT YET ON EMERGENCY FLEET CLASSIFICATION LIST—continued.			
Schliesman, John E.	145 Somers Street, Brooklyn, N. Y.	Assistant to chief of accounting department.	Jan. 16, 1918
Stallings, Reuben Alex.	176 Victoria Avenue, Hampton, Va.	Assistant paymaster, Newport News, Va.	Jan. 1, 1918
Simerlein, William..	43 Menehan Street, Brooklyn, N. Y.	Auditor (junior).....	Mar. 25, 1918
Swain, Edwin Warren.	761 East Thirty-first Street, Brooklyn, N. Y.	.....do.....	Apr. 24, 1918
Waters, John F.....	158 Hoyt Street, Brooklyn, N. Y.	Bookkeeper.....	Mar. 11, 1918
Williams, Charles R.	77 Fifth Avenue, New York City.	Assistant paymaster...	May 10, 1918
White, Arthur J.....	679 Sterling Place, Brooklyn, N. Y.	Bookkeeper.....	May 16, 1918
Harris, A. J.....	1105 S Street NW., Washington, D. C.	Translator of foreign languages.	Feb. 26, 1918
Dalley, C. C.....	1108 Jefferson Street NW., Washington, D. C.	Chief, department verification of prices and discounts.	Feb. 21, 1918
Alvey, W. W.....	314 D Street NE., Washington, D. C.	Auditor of charter hire.	Jan. 7, 1918
Baugh, William R..	645 G Street SE., Washington, D. C.	Accountant.....	May 24, 1918
Conroyd, William Allen.	1924 Seventeenth Street NW., Washington, D. C.	Bookkeeper accountant.	Mar. 18, 1918
Fitzgerald, J. J.....	759 Fairmont Street NW., Washington, D. C.	Accountant and recorder of vessels movements.	Nov. 27, 1917
Connelly, Charles R.	3404 Harford Street, Baltimore, Md.	Accounting of vessels..	Feb. 6, 1918
Callahan, Thomas F.	107 Eighth Street SE., Washington, D. C.	Auditor, Army and Navy bills.	Jan. 9, 1918
Waddy, Robert W..	66 West One hundred and seventh Street, New York City.	Auditor (junior).....	Apr. 1, 1918
Templeton, Harry Lee.	1102 L Street NW., Washington, D. C.	Accounting of vessels.	Feb. 27, 1918
Wood, C. Ivy.....	Apartment 403, 1731 Columbia Road, Washington, D. C.	Bookkeeper accountant.	Mar. 1, 1918
Fitzgerald, E. J....	301 Fifteenth Street NE., Washington, D. C.	Secretary to assistant treasurer.	Nov. 25, 1917
White, Hubert Taylor.	941 K Street NW., Washington, D. C.	Accounting of vessels..	Feb. 14, 1918
Greenfield, William Hugo.	204 F Street NW., Washington, D. C.	Accountant bookkeeper.	Apr. 8, 1918
Howard, Bronson..	3123 N Street NW., Washington, D. C.	.....do.....	Apr. 6, 1918
Holl, A. E.....	2283 Twenty-fifth Street, Baltimore, Md.	General bookkeeper...	Jan. 14, 1918
Fendrich, Charles Welles.	1101 K Street NW., Washington, D. C.	Bookkeeper accountant.	Feb. 16, 1918
Price, F. V.....	107 Eighth Street SE., Washington, D. C.	.....do.....	Feb. 12, 1918
Westerlund, Wm. N.	69 West One hundred and eighty-first Street, New York City.	Special marine expert, assignment of tonnage for operation and management; chartering and supervision of vessels in various trades.	May 20, 1918
McQuen, W. E.....	926 Perry Avenue, Palmyra, N. J.	Follow-up work of the chartering committee.	May 9, 1918
Peabody, Robert E.	2230 California Street, Washington, D. C.	Special marine expert; movements of ships and compiling and furnishing every form of marine information and ship statistics.	May 26, 1917
Mood, Louis.....	2922 West Thirty-third Street, Seagate, Long Island.	Allocation and statistics.	Nov. 20, 1917
Bynum, Frank M..	634 Gresham Place, Washington, D. C.	Confidential clerk.....	Mar. —, 1917
Fischer, Stanley H.	1744 Lanier Place, Washington, D. C.	Stenographer.....	Oct. —, 1917
Heerbrandt, George	236 East One hundred and seventy-eighth Street, New York City.	Matters pertaining to charters of all steamers.	Dec. 20, 1917
Welling, J. Harry..	52 I Street, Washington, D. C.	Secretary to assistant director.	Jan. 1, 1918
Espey, Francis H., jr.	Hyattsville, Md.....	Record clerk.....	Oct. 24, 1917

The SPEAKER. This document will be printed in the CONGRESSIONAL RECORD and lie upon the Speaker's table.

Mr. TAYLOR of Colorado. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TAYLOR of Colorado. What becomes of these reports of these various departments in reference to these exemptions?

The SPEAKER. They are printed in the RECORD by agreement here two or three weeks ago and they lie upon the Speaker's table, and after all come in they are to be referred to the Committee on Military Affairs except the one from the Navy Department.

Mr. TAYLOR of Colorado. I hope that committee will report on them.

EXTENSION OF REMARKS.

Mr. SIMS. Mr. Speaker, I desire to ask unanimous consent further to extend my remarks on the water-power bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. Mr. Speaker, I desire to make a similar request.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

INCREASE OF PENSIONS FOR LOSS OF LIMBS IN MILITARY OR NAVAL SERVICE.

Mr. LANGLEY. Mr. Speaker, I move to suspend the rules and pass the bill H. R. 6421, commonly known as the maimed soldiers' bill.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 6421) to increase the pensions of those who have lost limbs or have been totally disabled in the same in the military or naval service of the United States.

Be it enacted, etc., That from and after the passage of this act all persons on the pension roll, and all persons hereafter granted a pension, who while in the military or naval service of the United States, and in the line of duty, shall have lost one hand or one foot, or have been totally disabled in the same, shall receive a pension at the rate of $65 per month; and that all persons who in like manner shall have lost an arm at or above the elbow, or a leg at or above the knee, or have been totally disabled in the same, or where there has been an excision or resection of any part of the bones of the arm or leg, or of the elbow or knee joints, or where there is an ankylosis of either of said joints, shall receive a pension at the rate of $70 per month; and that all persons who in like manner shall have lost an arm at the shoulder, or a leg at the hip joint, or so near the shoulder or hip joint, or where the same is in such a condition as to prevent the use of an artificial limb, or have been totally disabled in the same, or where there has been an excision or resection of any part of the humerus or femur or of the shoulder or hip joint, or where there is ankylosis of either of said joints shall receive a pension at the rate of $75 per month; and that all persons who in like manner shall have lost one hand and one foot, or have been totally disabled in the same, or where there has been an excision or resection of any part of the arm or leg, or where there is an ankylosis of any of the joints of said arm or leg, shall receive a pension at the rate of $100 per month; and that all persons who in like manner shall have lost both hands or both feet, or have been totally disabled in the same or where there has been an excision or resection of any part of the bones or joints of either of said arms or legs, or where there is an ankylosis of any of the joints of said arms or legs, shall receive a pension at the rate of $100 per month; and that all persons who in like manner shall have lost both arms and both legs, or have been totally disabled in the same, or where there has been an excision or resection of any part of the bones or of the joints of either of said arms or legs, shall receive a pension at the rate of $150 per month: *Provided, however,* That this act shall not be so construed as to reduce any pension under any act public or private.

Mr. STAFFORD. Mr. Speaker, this is a very important bill, increasing the expenditures of the Government hundreds of thousands of dollars, and I think a quorum should be present for its consideration, and therefore I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Wisconsin makes the point of order that there is no quorum present, and evidently there is not.

Mr. GARRETT of Tennessee. Mr. Speaker, I move that the House do now adjourn.

Mr. TAYLOR of Colorado. Mr. Speaker, will the gentleman withhold that for a moment, in order to enable me to make a parliamentary inquiry?

The SPEAKER. The gentleman will state it.

Mr. TAYLOR of Colorado. Mr. Speaker, I would like to ask, where a Member has asked permission to extend and revise his remarks and has not yet done so, under the rule we have adopted to-day can he put a speech of that kind in the RECORD hereafter?

The SPEAKER. Why, if a Member gets general leave to extend his remarks in the RECORD he can extend them any time between now and the 4th of next March.

Mr. TAYLOR of Colorado. What I mean is, where a Member has already made a speech and held it out and asked to revise and extend it in the RECORD, can he now drop it in the basket on either Monday or Thursday?

The SPEAKER. Unless there is some time limit, the privilege extends to the 4th of next March.

Mr. TAYLOR of Colorado. And he can put it in at any time?

The SPEAKER. At any time you please. The gentleman from Tennessee moves that the House do now adjourn——

Mr. LANGLEY. Mr. Speaker, will the gentleman withhold that for a moment?

Mr. GARRETT of Tennessee. For what purpose?

Mr. LANGLEY. For the purpose of enabling me to present a parliamentary inquiry. I would like to know if, under the rules, I can withdraw my motion, since I know we can not get a quorum, and substitute a motion to suspend the rules and pass the Army nurse bill, which is on the calendar, also, and to which I know there can be no objection, as it only involves a few thousand dollars and justice to 151 heroines of the Civil War who are in need, many of them suffering for the necessaries of life, and who should have been included in the act of October 6, 1917, increasing widows' pensions?

Mr. GARRETT of Tennessee. What is that?

Mr. LANGLEY. I wanted to know if I can substitute this nurse bill if the gentleman will withdraw his motion to adjourn and the gentleman from Wisconsin his point of no quorum?

The SPEAKER. The Chair has already announced that there is no quorum present.

Mr. LANGLEY. I am sorry to be the innocent cause of interfering with other gentlemen who are waiting to get recognition, but I had hoped that there would be no objection to either bill and that I could get them both through to-day. I will bring them up again after the recess.

ADJOURNMENT.

The SPEAKER. The gentleman from Tennessee moves that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 34 minutes p. m.) the House, under its previous order, adjourned until Thursday, July 18, 1918, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. HULL of Tennessee, from the Committee on Ways and Means, to which was referred the bill (H. R. 12704) to authorize the importation without the payment of duty of sundry articles for the American National Red Cross, to be donated or used by it solely to or for the benefit of the land or naval forces of the United States or its allies, or for the relief of the civilian population of the United States or its allies, reported the same without amendment, accompanied by a report (No. 757), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. OSBORNE: A bill (H. R. 12722) amending an act to pension the survivors of certain Indian wars from January 1, 1859, to January, 1891, inclusive, and for other purposes; to the Committee on Pensions.

By Mr. CRISP: A bill (H. R. 12723) to provide for the entrance into the civil service of veterans of the war with Germany; to the Committee on Reform in the Civil Service.

By Mr. HASTINGS: Resolution (H. Res. 420) to amend clause 3, Rule XIII; to the Committee on Rules.

By Mr. CARY: Joint resolution (H. J. Res. 316) calling for the immediate printing and binding in the form of eulogies with accompanying illustration of 17,100 copies of the proceedings on the unveiling of the statues of Kosciusko and Pulaski; to the Committee on Printing.

By Mr. LOBECK: Memorial of the Legislature of the State of Nebraska, favoring confiscation of all excess profits by the Government; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRUMBAUGH: A bill (H. R. 12724) granting an increase of pension to Simon J. Fought; to the Committee on Invalid Pensions.

By Mr. DENT: A bill (H. R. 12725) for the relief of James Gee; to the Committee on Naval Affairs.

By Mr. GOOD: A bill (H. R. 12726) granting an increase of pension to Tivis C. Simmons; to the Committee on Pensions.

By Mr. KAHN: A bill (H. R. 12727) granting a pension to Thomas Newman; to the Committee on Pensions.

By Mr. LONERGAN: A bill (H. R. 12728) granting a pension to Margaret Steele; to the Committee on Invalid Pensions.

By Mr. McARTHUR: A bill (H. R. 12729) for the relief of George Owens, John J. Bradley, William M. Godfrey, Rudolph G. Ebert, Herschel Tupes, William H. Sage, Charles L. Tostevin, Alta B. Spaulding, Grace E. Lewis, and Dolly Nuly; to the Committee on the Public Lands.

By Mr. OSBORNE: A bill (H. R. 12730) granting a pension to Mary E. Seabrook; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BARNHART: Petition of citizens of Laporte, Ind., to give chiropractors medical status in the Army and Navy; to the Committee on Military Affairs.

By Mr. BURROUGHS: Petition of Miss Janet A. Adams and 11,907 others, all citizens of the State of New Hampshire, in favor of war-time prohibition; to the Committee on the Judiciary.

Also, petition of F. W. Baldwin and 6,312 others, all citizens and voters of the State of New Hampshire, in favor of war-time prohibition; to the Committee on the Judiciary.

By Mr. CLASSON: Petition of citizens of Wisconsin, asking that chiropractors be given the opportunity to work in the Medical Corps of the Army and Navy; to the Committee on Military Affairs.

By Mr. COOPER of Wisconsin: Petition of residents of Burlington, Kenosha, Lake Geneva, Rochester, and Honey Creek, all in the State of Wisconsin, asking Congress to enact House bill 5118, giving a status to osteopaths and chiropractors in the Army and Navy; to the Committee on Military Affairs.

By Mr. COSTELLO: Petition of chiropodists of the United States, favoring passage of House bill 5118; to the Committee on Military Affairs.

By Mr. ESCH: Petitions of sundry citizens of the State of Wisconsin, relative to House bill 5118, to give certain rights to osteopaths; to the Committee on Military Affairs.

Also, petition of citizens of Clark County, Wis., protesting against the repeal of the tax on oleomargarine; to the Committee on Agriculture.

By Mr. FREAR: Petition of citizens of Barron County, Wis., asking that House bill 5118 be so amended as to include chiropractors, as well as osteopaths; to the Committee on Military Affairs.

Also, petition signed by many citizens of the State of Wisconsin, asking for the enactment of war-prohibition legislation; to the Committee on the Judiciary.

By Mr. GOULD: Petitions of sundry citizens of the thirty-sixth congressional district of New York, favoring the passage of national war prohibition; to the Committee on the Judiciary.

By Mr. KAHN: Papers accompanying a bill granting a pension to Thomas Newman; to the Committee on Pensions.

By Mr. LINTHICUM: Telegrams from sundry business firms of Baltimore, Md., protesting against the passage of the Agricultural appropriation bill with the prohibition rider attached; to the Committee on Agriculture.

Also, petition of the Bank of Crisfield, Crisfield, Md., protesting against the passage of Senate bill 4426; to the Committee on Banking and Currency.

By Mr. MAGEE: Petition of Robert A. Foley, Esq., and other citizens of Cortland, N. Y., favoring war prohibition; to the Committee on the Judiciary.

By Mr. OSBORNE: Petition of E. B. Reed and others, of Los Angeles, praying for enactment of legislation on prohibition; to the Committee on the Judiciary.

By Mr. ROWLAND: Petition of chiropractors of Clearfield County, Pa., for rights equal to those already granted to the practitioners of osteopathy; to the Committee on Military Affairs.

Also, petition of the Woman's Christian Temperance Union and others, of Rockton, Clearfield County, Pa., urging the passage of war prohibition; to the Committee on the Judiciary.

By Mr. RUCKER: Petition of Livingston County, Mo., citizens, favoring passage of House bill 5118, relative to the chiropodists of the United States; to the Committee on Military Affairs.

By Mr. SANDERS of New York: Petition of H. M. Clark, jr., V. M. Clark, Merrill Clark, S. R. Sipperly, L. J. Holcombe, B. F. Clark, I. D. Stone, W. D. Holcombe, Carrie H. Clark, E. C. De Witt, E. L. Clark, and C. S. Holcombe, all of Henrietta, N. Y., favoring war prohibition; to the Committee on the Judiciary.

Also, petition of Robert E. Balty, J. P. Crosin, F. A. Dimmick, V. C. Whipple, H. H. Fuller, and C. W. Thompson, all of Portage, N. Y., favoring war prohibition; to the Committee on the Judiciary.

Also, petition of Louis B. Shay and Francis Hitchcock Shay, of Brockport, N. Y., favoring war prohibition; to the Committee on the Judiciary.

Also, petition of A. D. Collister, of Bergen, N. Y., and 17 others, urging the passage of a war prohibition measure; to the Committee on the Judiciary.

Also, petition of Frank T. Marsh, C. E. Elmendorf, and Caroline S. Marsh, all of Rochester, N. Y., favoring war prohibition; to the Committee on the Judiciary.

Also, petition of J. W. Mills, H. J. Wright, C. F. Tibbitts, M. S. Hatch, L. F. Smith, H. E. Williams, Ora L. Dirby, L. M. Shaub, G. B. Hakes, J. S. Eaton, M. Mills, E. S. Boughton, H. L. Wright, G. J. Smith, R. B. Hatch, K. A. Mills, E. A. Williams, H. H. Ford, and R. H. Ford, all of Albion, N. Y., favoring war prohibition; to the Committee on the Judiciary.

By Mr. SHOUSE: Petition of citizens of Rice County, Kans., for a bill to provide for the substitution of the oath required of enlisted men for the oath required of officers; to the Committee on Military Affairs.

By Mr. SNELL: Petition of J. M. Harwood and W. H. R. Nelson, both of North Bangor, N. Y., favoring war prohibition; to the Committee on the Judiciary.

Also, petition of Celia M. Pike, Mrs. Laidlaw, Jennie McCloy, Mrs. Henry Beach, Mrs. W. A. Freeman, Mrs. H. L. Smith, Mrs. F. A. Cumins, Mrs. A. B. Richardson, Mrs. C. A. Holt, and Ruby M. Tabor, all of Gouverneur, N. Y., favoring war prohibition; to the Committee on the Judiciary.

Also, petition of the Epworth League, representing the young people of the First Methodist Episcopal Church of Keeseville, N. Y., favoring war prohibition; to the Committee on the Judiciary.

By Mr. VARE: Memorial of the Lumberman's Exchange, in favor of war-time prohibition, providing that compensation is given for property confiscated; to the Committee on the Judiciary.

By Mr. WHITE of Maine: Petition of Victory Lodge, No. 308, Independent Order of Good Templars, of Lisbon Falls, Me., praying for war prohibition; to the Committee on the Judiciary.

SENATE.

THURSDAY, *July 18, 1918.*

Bishop Yoshiyasu Hiraiwa, D. D., of Tokyo, Japan, offered the following prayer:

Almighty God, the Maker of heaven and earth, the Father of all mankind, Ruler of the whole nations upon the earth, we come before Thee and assemble in Thy own holy name.

Thou hast trusted great things concerning the human race especially to the hands of this great Nation. We beg Thy special guidance and pray for the wisdom from on high and for mercy. Bless President Wilson and all advisers of him at this most troublesome and critical time in the world's history; comfort and strengthen him in all the things he undertakes to establish the peace and righteousness in this country, as well as in all the countries now concerned. We ask also that Thy blessing be upon Congress, and especially upon this body. Guide them in their deliberations and consideration of the things pertaining to the Nation. Bless and guide all of those who are in authority. Have mercy upon us all and be near us, within us, behind us, and in the midst of us.

We ask it in the name of the Lord Jesus Christ, who died for us all. Amen.

The Journal of the proceedings of Monday, July 15, 1918, was read and approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the House had passed the bill (S. 4555) to validate certain public-land entries.

The message also announced that the House had passed the bill (S. 4723) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House, insists upon its amendments to the bill (S. 4194) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, disagreed to by the Senate, agrees to the con-

ference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SHOUSE, Mr. LONERGAN, and Mr. LANGLEY managers at the conference on the part of the House.

The message also announced that the House insists upon its amendments to the bill (S. 4543) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, disagreed to by the Senate, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SHOUSE, Mr. LONERGAN, and Mr. LANGLEY managers at the conference on the part of the House.

The message further announced that the House insists upon its amendments to the bill (S. 4722) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, disagreed to by the Senate, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SHOUSE, Mr. LONERGAN, and Mr. LANGLEY managers at the conference on the part of the House.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 7236. An act to amend an act to permit the use of the right of way through the public lands for tramroads, canals, and reservoirs, and for other purposes, approved May 11, 1898;

H. R. 8004. An act authorizing the resurvey or retracement of lands heretofore returned as surveyed public lands of the United States under certain conditions; and

H. R. 10818. An act to authorize the county of Loudon, in the State of Tennessee, to construct a bridge across the Tennessee River near Loudon, Tenn.

PETITIONS AND MEMORIALS.

Mr. GRONNA. Mr. President, I am in receipt of a telegram, which consists of only one line, which I ask to read to the Senate. It is dated Sarles, N. Dak., July 18, 1918, and is addressed to myself. It reads as follows:

> We want your support in passing the $2.40 wheat bill over the President's veto.

The telegram is signed "Cypress Farmers' Club, of 93 members, Sarles, N. Dak."

Mr. President, I ask unanimous consent to address the Senate for 15 or 20 minutes. I shall not do so at this particular time while it is out of order, but I hope that I may be given at least 15 or 20 minutes when the morning business shall have been concluded.

Mr. SMOOT. Before it is concluded.

Mr. GRONNA. Yes; before morning business has closed.

Mr. GORE. I should like to admonish the Senator from North Dakota that he had better inject his remarks before the morning hour is concluded.

Mr. GRONNA. A parliamentary inquiry, Mr. President.

The PRESIDING OFFICER (Mr. BANKHEAD in the chair). The Senator will state it.

Mr. GRONNA. Is it in order now to address the Senate upon the petition?

The PRESIDING OFFICER. The Chair is of the opinion that, under the unanimous-consent agreement, nothing can be done except such as is provided for in that agreement; but the Chair is of the opinion that by unanimous consent of the Senate Senators may address the Senate when no special business is involved.

Mr. GRONNA. I simply desire to explain this petition, Mr. President, and I ask unanimous consent to do so now.

Mr. LEWIS. Mr. President, will the Senator from North Dakota allow just one moment for a petition to be introduced?

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Illinois?

Mr. GRONNA. Yes; certainly.

Mr. LEWIS. Mr. President, I have asked the Senator from North Dakota to yield to me merely for the purpose of presenting a petition. I present a petition, and I ask that it take the proper course.

Mr. President, I desire to ask the attention of the Senator from Utah [Mr. SMOOT], and also the attention of the Senator from Florida [Mr. FLETCHER], to the fact that this petition, I am informed by a committee of citizens of the city of Chicago, is a mere copy of one which has been presented to the other House and has been printed in the RECORD of the House proceedings. It is asked that this petition be printed in the CONGRESSIONAL RECORD. It would occupy, evidently, what is called a "stick." The signatures to it I do not ask to have printed in the RECORD, but I respectfully ask, if it is in order, that the body of the petition be printed in the RECORD. If it is in order, I should like to have that done. If it is not, I will follow the rule. I do not insist on any exception.

Mr. SMOOT. I desire to ask the Senator from Illinois if the petition has already been printed in the RECORD?

Mr. LEWIS. I do not know. I will quote very literally. The petitioners state that the Speaker of the House and others presented this petition, and said it had been agreed that it should go into the CONGRESSIONAL RECORD. Of that I do not know; but the petitioners ask that it be printed in the RECORD. The petition is respecting Irish freedom.

Mr. SMOOT. I have no objection to the petition going into the RECORD, provided it has not already been printed in the proceedings of the other House.

Mr. LEWIS. Then, if this goes in first, I will endeavor to seek to intercept the other, so that it will not be printed twice. I ask that the petition be printed in the RECORD without the signatures. The petition states that it contains 600,000 signatures.

Mr. FLETCHER. Does the Senator from Illinois ask that the names be printed in the RECORD?

Mr. LEWIS. No; but I should like that, instead of printing the names, the Senate would allow the words to be inserted as written at the edge of the petition—that it contains 600,000 signatures.

Mr. JONES of Washington. As I understand, this is in the nature of a petition of a legislative body? Is that correct?

Mr. LEWIS. It is a petition concerning the recognition for what is spoken of as "Irish freedom" from the viewpoint of those who prepared the petition.

Mr. JONES of Washington. By whom is the petition signed?

Mr. LEWIS. By American citizens, mostly Irishmen, who are citizens of Chicago.

Mr. JONES of Washington. The only reason I asked the question was that this morning I received a petition with the request that it be printed in the RECORD. I will not ask that that be done because of the action of the Senate, and I wrote the parties that the Senate had adopted the policy not to print such matters in the RECORD. I do not myself like to object.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Utah?

Mr. JONES of Washington. Certainly.

Mr. SMOOT. I wish to ask the Senator from Illinois if he will not allow this petition to be referred to the Committee on Printing, and then, if it is proper that it should be printed, we can so report?

Mr. LEWIS. Mr. President, if it is the idea of the Committee on Printing that this petition should first be referred to that committee to determine whether or not it shall be printed in the RECORD, of course I yield. I know the rule, and I favored it. Later I shall ask to have the petition printed in the RECORD.

Mr. FLETCHER. Mr. President, I think we might have the petition presented by the Senator from Illinois [Mr. LEWIS] read, and then other Senators will know whether it is a similar petition to those which have been sent to them for presentation.

Mr. KING. Mr. President, I am opposed to the reading of the petition. I may be in error, but I believe there is an attempt being made to embarrass one of our allies—Great Britain. There are a few traitors in our country calling themselves Irishmen, who have been willing to cooperate with Germany to injure Great Britain and thus injure our own country. A propaganda has been attempted here by Sinn Fieners against our ally, and I am opposed to anything being done by our Government at this time that could be regarded as an assault upon Great Britain. I am afraid this petition will be regarded as an attempt to assail our ally and construed as being in line with the anti-British propaganda just referred to.

Mr. LEWIS. Mr. President, there may be objections to the petition being printed, in view of the rule we have respecting matters going into the RECORD, and it may be that the senior Senator from Utah [Mr. SMOOT] is accurate in his wish and in the expression that it should first go to the Committee on Printing to determine as to the question of printing, but I can not allow the expression of the junior Senator from Utah [Mr. KING] to remain as having any application to any people signing this petition who are residents of the city of Chicago. My city does not hold any traitors; and these Irish people, I can assure the Senate, are as loyal as and are not excelled in their patriotism by any human beings anywhere in the world. If there are others who may be termed "traitors" in the United States elsewhere I do not know, but I should hate to feel that any petition which I presented here carried with it the stigma that could be impugned with the suggestion that the eminent

junior Senator from Utah has addressed to some whom I do not know.

The PRESIDING OFFICER. The petition will be referred to the Committee on Printing.

Mr. JONES of Washington presented a petition of sundry citizens of Seattle, Wash., remonstrating against the enactment of legislation appointing a national day for supplication and prayer for the success of our arms in the present war, which was referred to the Committee on Education and Labor.

Mr. WARREN presented resolutions adopted at a meeting of sundry citizens of Wyoming, favoring the enactment of further prohibition legislation as a war measure, which were ordered to lie on the table.

Mr. MYERS presented a petition of the Chamber of Commerce, of Red Lodge, Mont., praying for the creation of a centralized Federal authority to determine and direct the highway policy of the United States, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Chamber of Commerce of Red Lodge, Mont., and a petition of the Chamber of Commerce and Agriculture of Glasgow, Mont., praying for a Federal investigation of the high prices of gasoline and other petroleum products, which were referred to the Committee on Agriculture and Forestry.

Mr. CURTIS presented a petition of the congregation of the First Congregational Church of Bruce, Wis., praying for national prohibition as a war measure, which was ordered to lie on the table.

He also presented a petition of sundry citizens of Rice County, Kans., praying for the substitution of the oath required of enlisted men for the oath required of officers, which was referred to the Committee on Military Affairs.

Mr. BRANDEGEE presented resolutions adopted at a meeting of sundry Lithuanians of Bridgeport, Conn., pledging allegiance and support to the United States during the present war, which were ordered to lie on the table.

ELIZABETH T. WELLS.

Mr. MYERS, from the Committee on Military Affairs, to which was referred the bill (S. 1930) for the relief of Elizabeth T. Wells, reported it without amendment and submitted a report (No. 552) thereon.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GRONNA:

A bill (S. 4831) granting an increase of pension to Frank C. Myrick; to the Committee on Pensions.

By Mr. KING:

A bill (S. 4832) to pension the survivors of certain Indian wars and disturbances in Utah Territory from 1849 to 1869, inclusive, and for other purposes; to the Committee on Pensions.

By Mr. CURTIS:

A bill (S. 4833) granting a pension to Susan A. Cline (with accompanying papers);

A bill (S. 4834) granting an increase of pension to William T. Potts (with accompanying papers);

A bill (S. 4835) granting an increase of pension to William B. Lawrence (with accompanying papers);

A bill (S. 4836) granting an increase of pension to Ellen Temperance Smith (with accompanying papers);

A bill (S. 4837) granting a pension to Sarah E. Ross (with accompanying papers);

A bill (S. 4838) granting an increase of pension to Jacob Reitzel (with accompanying papers);

A bill (S. 4839) granting an increase of pension to William Peterson (with accompanying papers);

A bill (S. 4840) granting a pension to Harvey C. Myers (with accompanying papers);

A bill (S. 4841) granting a pension to Howard Copeland Little (with accompanying papers);

A bill (S. 4842) granting a pension to William H. Gage (with accompanying papers); and

A bill (S. 4843) granting a pension to Flora E. White (with accompanying papers); to the Committee on Pensions.

By Mr. MARTIN:

A bill (S. 4845) granting an increase of pension to Elizabeth E. Baker; to the Committee on Pensions.

By Mr. FLETCHER:

A joint resolution (S. J. Res. 167) to enable the Secretary of Agriculture to cooperate with and make an exhibit illustrative of agricultural progress in the United States at the Pan-American International Farm and Live Stock Exposition, to be held in Jacksonville, Fla., during the fiscal year ending June 30, 1919, and for other purposes; to the Committee on Agriculture and Forestry.

RETIREMENT OF JUDGES OF TERRITORIAL COURTS.

Mr. SAULSBURY. I introduce a bill for appropriate reference, and I desire at this time to say a word concerning it.

The bill (S. 4844) to provide retirement in certain cases for judges of the United States district courts in the Territories was read twice by its title.

Mr. SAULSBURY. Mr. President, I have been in some doubt as to the proper reference of this bill. While in general terms it extends the provisions of retiring on salary the judges of Territorial courts complying with the terms, namely, 10 years' service, age over 70, as a matter of fact it applies only to a single case, that of Judge Dole, of Honolulu, who is one of the historic figures of this country. At first I thought of asking that the bill be referred to the Committee on Pacific Islands and Porto Rico, but have concluded that probably the best reference would be to the Judiciary Committee.

I can only say that Judge Dole, who is a man, I think, of about 80 years, has returned to the practice of law in competition with the younger members of the Honolulu bar, who are very able, in order to maintain the position that he has in the islands. Judge Dole has served his country well and brought that Territory into a condition where there are no more loyal people, I believe, under the American flag. I think it is due to him that this bill should be passed; and I trust that the Judiciary Committee, to which I ask that it be referred, shall give it early consideration.

Mr. WARREN. Mr. President, I wish to indorse what the Senator from Delaware [Mr. SAULSBURY] has said with regard to Judge Dole.

The PRESIDING OFFICER. The bill will be referred to the Committee on the Judiciary.

THE PACKING INDUSTRY.

Mr. SHERMAN. Mr. President, I ask unanimous consent of the Senate to read to the Senate—it will occupy about five minutes—a statement from one of my constituents, Swift & Co., packers, of Chicago, which contains some statements of fact which I think ought, in fairness to them, to be embodied in the CONGRESSIONAL RECORD in reply to matters which have already been included in the RECORD.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Illinois? The Chair hears none.

Mr. SHERMAN. Under date of July 3, 1918, addressed to myself, they state as follows:

SWIFT & Co.,
Chicago, July 3, 1918.

Hon. LAWRENCE Y. SHERMAN,
United States Senate, Washington, D. C.

DEAR SIR: We wish to call your attention to the fact that Swift & Co. has protested to the Federal Trade Commission that its report on war profits for the years 1915, 1916, and 1917, issued June 29, contains unfair and misleading statements about the packing industry.

In this protest, copy of which is inclosed, we call attention to certain unfounded charges and to unfair statistical comparisons. It is a matter of national concern that a department of the Government, established largely to prevent unfair business methods, should itself issue misleading statements, and attempt to throw discredit on an honestly conducted industry that has met all emergency war demands promptly and completely.

Swift & Co. has nothing to conceal and fears nothing from unbiased investigation of its finances or impartial appraisal of its conduct.

The unusual economic conditions of the past three years have necessarily resulted in larger than normal profits in the packing industry, as in other industries, but this profit can hardly be considered excessive because it has been just as essential as has been the largely increased income of the farmer and wage earner.

Our increased profits have been used to help finance large inventories at exceptionally high prices, and to build at increasing costs extensions and improvements, which are made necessary largely by unprecedented war demands.

After paying 10 per cent dividends to more than 20,000 stockholders out of the 1917 earnings, Swift & Co. found that, even after putting the balance of its profits back into the business, it has had to issue additional stock in order to raise more money to finance operations and to maintain efficiency; it has also had to increase its borrowings from the banks by over $75,000,000, as compared with prewar times. Whereas Swift & Co.'s inventories were about $50,000,000 before the war, they now run in excess of $150,000,000.

We are, of course, not protesting against excess-profits taxation, nor against fair investigation of war profits, but it would be easy to cripple the packing industry by allowing it an inadequate income. A net profit of $2,000,000 to-day goes no further in furnishing a proper return for investors in financing heavy inventories and in allowing for extensions and improvements than a $1,000,000 profit did four years ago.

We wish to call your attention to the fact that the profits mentioned by the Trade Commission were earned prior to November 1, 1917. Since that time the profits on the meat departments of our business have been limited by the Food Administration to 9 per cent of the capital employed, or to about 2 cents on each dollar of sales. Other departments are in competition with manufacturers whose profits are not restricted. Swift & Co. is living up to all Government regulations.

The Trade Commission emphasizes the fact that the aggregate profit of four large packers for the three war years was $140,000,000—a figure that could have been derived by anyone from the published statements of the companies concerned. The commission neglected to mention that this profit was earned on total sales of over four and a half billion dollars, and that it amounted to only about 3 cents on each dollar of sales, thus forming a negligible factor in prices.

Respectfully, yours,

L. F. SWIFT.

Then a telegram which was addressed to Mr. Bracken, secretary of the Federal Trade Commission, a copy of which was also sent to me, dated Chicago, July 1, 1918. If the Senate will permit the telegram to be printed in the RECORD without reading, I will not read it.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The telegram is as follows:

CHICAGO, *July 1, 1918.*

Mr. LEONIDAS L. BRACKEN,
Secretary Federal Trade Commission, Washington, D. C.:

Swift & Co. protests against certain unwarranted statements in the report issued by the Federal Trade Commission on war profits in that they give the public a false impression regarding the profits and the conduct of the packing business.

Swift & Co. can justify its profits as not only reasonable but necessary for efficient conduct of the business, to finance large inventories at high prices, and to expand facilities at increasing costs.

The report states that the five large packers have a monopoly of the meat industry and manipulate the market without regard to law. This is a serious charge, unsupported by facts. Swift & Co. is in competition with all other packers, has no control over prices, and the policy of the company is to obey the law.

Packers' profits are unjustly exaggerated by the statement that four large packers made a profit of $140,000,000 during the three war years, as against an average annual profit of $19,000,000 for the three years before the war. This compares a three-year profit with a one-year profit, and the $19,000,000 should have been $57,000,000 to make the comparison just.

It would be fair to the industry if the report had stated that this $140,000,000 profit of four large packers was earned on sales of nearly $5,000,000,000, and amounted to only about 3 cents on each dollar of sales. This profit amounts to only a fraction of a cent per pound of product. In view of these facts the packers can not be justly accused of having "preyed upon the public unconscionably." The Trade Commission's report as a matter of fairness should have explained this, and that it covered transactions prior to establishment of control by the Food Administration in November, 1917. Since that time our profit has been limited to 9 per cent on capital employed in the meat business, equal to about 2 cents on each dollar of sales.

The impression has gone broadcast that license control has been flouted by the packers. Swift & Co. has at all times endeavored to live up to all regulations of the Food Administration both as regards the handling and marketing of food products and also as to profits.

LOUIS F. SWIFT,
President Swift & Co.

Mr. REED. Mr. President, will the Senator permit an inquiry with regard to the petition which he had just presented?

Mr. SHERMAN. Yes, sir.

Mr. REED. If Swift & Co. are accurate in their statement that $2,000,000 of profit now amounts to no more than $1,000,000 of profit a year ago, then would it not naturally follow that $2.50 for wheat to-day is not any greater price than $1.25 wheat would have been a year ago?

Mr. SHERMAN. Yes, sir. The Senator's inquiry and the necessary deduction would follow, that they are not much out of proportion.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on Public Lands:

H. R. 7236. An act to amend an act to permit the use of the right of way through the public lands for tramroads, canals, and reservoirs, and for other purposes, approved May 11, 1898; and

H. R. 8004. An act authorizing the resurvey or retracement of lands heretofore returned as surveyed public lands of the United States under certain conditions.

H. R. 10818. An act to authorize the county of Loudon, in the State of Tennessee, to construct a bridge across the Tennessee River near Loudon, Tenn., was read twice by its title and referred to the Committee on Commerce.

PRICE OF WHEAT—VETO MESSAGE.

The PRESIDING OFFICER. The Senate having already granted unanimous consent to the Senator from North Dakota [Mr. GRONNA] to address the Senate, the Senator is now recognized.

Mr. GRONNA. Mr. President, the Senator from Oklahoma [Mr. GORE] wishes to be recognized; and if I do not lose my place, I should be very glad to defer to him.

The PRESIDING OFFICER. The Senator from Oklahoma asks unanimous consent to address the Senate. Is there objection?

Mr. GORE. Do I understand that I have to ask unanimous consent?

The PRESIDING OFFICER. The Chair is getting it for the Senator now. The Chair hears no objection, and the Senator will proceed.

Speech begun July 15, 1918.

Mr. GORE. Mr. President, I desire to submit a few observations upon the President's message vetoing the Agricultural appropriation bill. It is not necessary for me to say what the Senate already knows, that I have done my utmost to secure an increase in the price of wheat. Animated by a sense of duty, I could not consent to do less than my best. Whether I have fought a good fight or not, "I have kept the faith." Perhaps I might add with truth "I have finished my course." But, however that may be, I could not consent to do less than I have done.

I wish to say, also, that respecting the $2.40 per bushel wheat amendment and respecting the effort to increase the price of wheat the Senate has behaved splendidly. It has been animated by a sense of public duty, and I believe has been inspired by wisdom, by justice, and by statesmanship which the future will abundantly vindicate. The Senate took the extraordinary step of suspending the rules in order to adopt this measure of justice. By a majority of 3 to 1 it did its duty toward the American farmer.

I wish to say that the other House also has behaved splendidly respecting this measure. On the last roll call, by a vote of 150 to 106 the House adopted the $2.40 wheat amendment. I think the House, too, was animated by wisdom, by justice, and by a sense of duty which the future will not fail to justify.

To this I wish to add that I hope no Member of either House will lose his seat on account of his vote in favor of this amendment. I hope that no Democratic Member of Congress will lose his seat on account of the fact that this measure was vetoed by a Democratic President. If the next Senate, if the next House, if the next Congress go Republican, it will be due to this veto message. This opinion is based on the assumption that nothing be done to countervail the effects of the message. In any event I hope that no farmer will cast his vote against a Democratic Senator or a Democratic Representative on account of the action—the constitutional action, I may say—of the Democratic President. I feel that I ought to give expression to this hope.

The President of the United States was entirely within his constitutional power when he vetoed the Agricultural appropriation bill. Our Constitution has vested that power within the Chief Executive. It was vested as a conservative power. It ought to be, and I assume is always, exercised with extreme care and conservatism.

This principle in our Constitution was borrowed from the English system, but no King of England has vetoed an act of Parliament during the last 200 years. During his 8 years in the presidency, Jefferson did not veto a single measure which had received the approval of Congress; in every instance he permitted the will of the legislature to become the law of the land. I do not know that he is entitled to any special commendation on account of that forbearance.

Mr. President, I respect the partition of power between the three departments embodied in our Constitution. I would be as much opposed to the legislative department meddling with the powers, the duties, and the functions of the executive department as I would be opposed to the Executive meddling with the powers, the duties, and the functions of the legislative department. We ought to respect the boundary established between these two departments, for whenever we disregard that boundary we set our feet in the path which must inevitably lead either to anarchy upon the one hand or to despotism upon the other. When, if ever, the legislative department assumes or absorbs the powers of the Executive, we will have degenerated into an oligarchy or into an aristocracy; whenever the Executive assumes or absorbs the powers vested in the legislative department, we will have centralized and hardened into an autocracy—that form of government against which the civilized world is embattled to-day.

Mr. President, it may be surprising to hear me say that I indorse much that is contained in the President's veto message. I may say without reserve that I approve the general principles, I approve the abstract principles, which the President lays down with so much force and so much lucidity. I can not, however, quite appreciate his application of those principles to the facts of this particular case; indeed, sir, the principles which he lays down with so much clearness have no more application to the amendment fixing the price of wheat at $2.40 than they have to the Draconian Code or to the nebular hypothesis. This I shall demonstrate before I conclude. Between his theory and the facts, between his principles and the situation there is a hiatus which the imagination, with all its facilities for intellectual aeronautics, can not span.

The President in express terms bases his veto upon principle and upon what he is pleased to call "wise expediency." I am obliged to dissent both from the President's reasoning and conclusions as to the expediency of the veto. Mr. President, injustice is always inexpedient. This truth is so plain as to be self-evident; this truth is so broad as to be universal; this truth is so enduring as to be eternal; it admits of no exception.

Mr. President, I heartily approve of the generous, the golden praise which the President lavishes upon the American wheat farmer with such exuberant and artistic grace. Whatever of comfort the farmer can derive from these gracious compliments is his for the having. In so far as fine phrases and charming rhetoric can compensate the American farmer for the loss of $450,000,000 in the year 1917 and for the loss of $700,000,000 in the year 1918, that compensation is the farmer's. My only fear is that such compensation may prove to be "such stuff as dreams are made of."

I repeat, I indorse the tribute which the President showers upon the farmer. The President says that the American farmer does not require "the stimulation of prices" in order to do his duty. That, sir, is true. The President says that the American farmer, inspired by the spirit of patriotism, has filled his granaries to the point of overflowing. Mr. President, I hope that is true. The President predicts that the wheat harvest this year will exceed the last by 250,000,000 bushels. If this dream comes true, 200,000,000 of the increase will be due to favorable seasons and only 50,000,000 to increased acreage. I will not insult the farmer's patriotism by defending it. I will only say that the patriotism of the American farmer does not have to be purchased; his loyalty does not have to be subsidized; his devotion to the flag does not have to be suborned. Upon the American farmer rests the burden of feeding the world during this terrible tragedy; upon the American farmer rests the burden of feeding the peoples of our own country and of the allied and neutral nations; upon the American farmer rests the burden of feeding not only our own armies but the armies of the allies who are to-day battling in a common cause against a common enemy. The American farmer will bear that burden; the American farmer will bear that burden with patience and with patriotism; the American farmer will bear that burden with or without justice.

The farmer will continue to do his duty throughout this terrible crisis without war profits and without peace profits so long as he can endure. The farmer can not continue to produce at a loss any more than he could continue to live in a vacuum.

Mr. President, the farmer, like charity, is long suffering. The farmer, like charity, seeketh not his own, is not easily provoked, thinketh not evil. The American farmer, like charity, beareth all things, believeth all things, hopeth all things, and endureth all things.

[At this point Mr. ASHURST raised a point of order and Mr. GORE suspended his speech.]

Thursday, July 18, 1918.

Mr. GORE. Mr. President, when I was interrupted the other day I was more or less surcharged with the subject. The Senate and the country will never know what an intellectual and rhetorical treat was denied them on account of that interruption, but I still have a few rambling remarks to submit.

As I was saying when the Ashurst rebellion broke out, the farmers will submit to a great deal, and I may add will submit to a great deal of injustice. They will submit in silence and without complaint, but I am far from thinking that this constitutes any justification for heaping up injuries and injustice upon them.

We should not forget that sometimes "the shallow murmur, but the deep are dumb." A sense of injustice is the mightiest dynamic force in the moral universe. That feeling may be long harbored in silence; it may be pent up; it may smolder for ages; but yet it sometimes bursts forth with volcanic violence, destroying thrones and crowns and scepters and powers and principalities like waxen images in a temple swept with flame. We can rely upon the character and the training of our people; we can rely upon their inbred instinct for law and order to protect us against such revolutionary methods and against such revolutionary consequences.

The President in his veto message declared that an overwhelming majority of the farmers regard the administrative price upon wheat as fair and liberal; that an overwhelming majority of the farmers regard the reduction of the price of wheat from $3 a bushel to $2.20 a bushel as fair and liberal. I have often thought that the farmer is the only class of our citizenship who has occasion to feel that his luck is high when he happens to get justice. In his veto message of December last the President declared, with truth, that the farmers complain, with justice, that they are obliged to sell in a restricted market and are obliged to buy in an unrestricted market.

Mr. President, when did the farmer come to regard a situation fraught with injustice as fair and liberal? How could the farmers complain with justice of a system or of a situation which they regard as fair and as liberal? Such a thing is little short of a moral miracle. It is a moral miracle unless something has happened to change the situation, unless something has happened to reconcile the farmers to injustice or rather to remove the injustice.

What has happened to convert a system and a situation, admittedly characterized with injustice, into a system and a situation now hailed as fair and liberal by its victims? Since December last the cost of living has greatly increased; the cost of production has greatly increased; the wages of farm labor have greatly increased; the price of farm implements has greatly increased. The $2 and less which the farmer actually receives for his wheat to-day will buy one-third less than when the price was fixed in August last. The $2 and less which the farmer receives for his wheat to-day will buy 25 per cent less than it would buy in December last, when the farmer complained with justice that he was obliged to sell in a restricted and to buy in an unrestricted market.

The farmer's strength seems to increase with his burden. The farmer is developing an enthusiasm for adversity which "passeth all understanding." The farmer is a good deal like the old man in the Latin fable, who was borne down with the weight of years and infirmities. His burden was too grievous to be borne. He cried out in a loud voice for Death to come and relieve him of his burden. Death responded to the invitation, but upon his arrival the old man told him that he called him merely to push his burden a little farther up on his shoulders. In the light of this fable I can understand how the American farmer has come to regard an unjust system as being characterized with fairness and with liberality.

Mr. President, of course I am obliged to believe, and Senators are obliged to believe, that an overwhelming majority of the actual farmers, the farmers who produce wheat, the farmers who eat their bread in the sweat of their own faces, who have conferred with the President upon this subject, have assured him that the administrative price upon wheat was both fair and liberal; I am obliged to believe that an overwhelming majority of the actual farmers who have communicated with the President upon this subject have assured him that the 80-cent per bushel reduction on wheat was eminently fair and liberal. I have no choice but to believe. Indeed, I could believe without proof that all the political farmers who have conferred or communicated with the President upon the subject have assured him that this 30 per cent reduction below the market price was a realization of poetic justice and of the highest ideals of fairness and of liberality. I mean the agricultural courtiers, whose chief delight is to stir and fan the incense in not unseen censers; I will not say censers swung by sycophants whose footfalls tinkle on the tufted floor. It is no fault of rulers—it is rather their misfortune—that they are ofttimes surrounded by courtiers and by flatterers who speak to them what they imagine will be pleasing to the ear and do not speak the plain unvarnished truth. I can imagine a conversation between one of these courtier farmers and the President upon the administrative price of wheat. I imagine it would run a good deal like a conversation between the Prince of Denmark and the chief of his courtiers.

Hamlet said:

Do you see yonder cloud that's almost in shape of a camel?

Polonius answers:

By the mass, and it is like a camel, indeed.
HAMLET. Methinks it is like a weasel.
POLONIUS. It is backed like a weasel.
HAMLET [without breaking the sentence]. Or like a whale?
POLONIUS. Very like a whale.

If Hamlet had suggested that the cloud resembled a rose, I have no doubt Polonius would have answered, "Mighty lak' a rose."

I imagine that such were the honest responses of these agricultural courtiers to each and every suggestion of the President as to the administrative price upon wheat.

Mr. President, I shall not cumber the RECORD by adducing testimony here to show that at least a respectable minority of the farmers would prefer $3 per bushel for wheat to $2.20 a bushel for wheat, contrary as that may seem to the first principles of human nature. The President may have greater facilities for ascertaining the views and sentiments of the wheat farmers than have the Senators and Representatives from the wheat-producing States; he may have better facilities for ascertaining their views and sentiments than have Senators and Representatives from nonwheat-producing States, who, with enlightened vision, voted for $2.50 and $2.40 wheat. The President may have greater facilities for ascertaining the views and sentiments of farmers than has the National Grange. A committee of the National Grange, which met in Utica last April, adopted strong resolutions indorsing the proposition to advance the price of wheat. That was before injustice had resolved itself into fair-

ness and liberality. The leaders and officials of the farmers' organizations in the great wheat belt have declared their wish and the wish of their constituencies to have the price of wheat advanced in the direction of the market price. I do not know whether they represent the views and sentiments of the wheat farmers or not. I have here now a letter from the farmers' national headquarters, situated here in the city of Washington, sent to me on Saturday last, the day the President's message was published, in which they, with respect and with propriety, review and refute the arguments and the conclusions of the President. Evidently this new moral regimé has not yet brought these farmers within the pale of its jurisdiction.

Mr. FLETCHER. Mr. President, will the Senator from Oklahoma allow me an interruption?

The PRESIDING OFFICER (Mr. BANKHEAD in the chair). Does the Senator from Oklahoma yield to the Senator from Florida?

Mr. GORE. I yield for a question.

Mr. FLETCHER. I should merely like to make a statement in this connection. Last week I met a gentleman who is a farmer in the West. He assured me that he had one farm in Nebraska and one in Montana.

Mr. GORE. Two farms?

Mr. FLETCHER. Yes; he had two farms—one in Nebraska and one in Montana—of very considerable proportions, one of them consisting of 1,000 acres and the other perhaps of less. I said to him, "I want to know the truth about this situation." I asked him about the price of wheat down to the time when we got into the war, the price last year, and so forth, that we know pretty well about. Of course, it is conceded that the farmers were formerly glad to get 85 and 90 cents a bushel for wheat. I said, "What is the situation now? What does it cost you to produce wheat?" He said to me—and I give it for what it is worth; I know no more about the circumstances than what this gentleman told me, and he is a reliable man—he said, "Any amount that we can get over a dollar a bushel for wheat is a profit on wheat to-day." He may have been all wrong, but I give that to the Senator from Oklahoma as a mere matter of information.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Missouri?

Mr. GORE. Not for the present, if the Senator from Missouri will pardon me.

Mr. REED. Certainly.

Mr. GORE. Mr. President, when the wheat committee met here in Washington last August there were a few representatives upon that committee who were qualified to speak for the wheat farmer and for the wheat section. The president of the Agricultural College of North Dakota made a survey of his State, and upon his responsibility reported to that committee that the cost of producing wheat in North Dakota last year was $2.19; but the farmers have been receiving under Government control only $2.05 and $2.10 in that State. A similar study was made in the State of Minnesota, and the report was that the cost of producing wheat last year was $3.01; and yet they were obliged to take $2.10 and $2.15 for wheat in the State of Minnesota.

It may be true that the Senator from Florida fell into the arms and listened to the siren voice of one of these agricultural courtiers who whispered sweet suggestions in the President's ear.

Mr. President, the day this Government broke the price of wheat it was selling for $3.06 in Minneapolis. From that time forward it has been selling for $2.17 in Minneapolis—a reduction of more than 80 cents. Cotton to-day is selling for 30 cents a pound. Is the Senator from Florida willing to vote to reduce the price of cotton to 22½ cents a pound?

Mr. REED. Mr. President——

Mr. GORE. I want the Senator from Florida to answer that question.

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Missouri?

Mr. GORE. I do so unless it prevents an answer from the Senator from Florida.

Mr. REED. I want to ask as to the price of cotton when the war began.

Mr. FLETCHER. I do not know that that has anything to do with the price of wheat; but I am perfectly willing to concede that if there had been no regulation of the price of wheat we might have been paying $3.50 or $4 a bushel for it to-day.

Mr. GORE. Does the Senator from Florida justify a reduction in the price of wheat?

Mr. FLETCHER. I give the Senator what information I have on the subject. That is all.

Mr. GORE. Will the Senator give me what information he has as to any views or opinions he may entertain about reducing the price of cotton?

Mr. FLETCHER. I do not feel that we ought to fix the minimum price of wheat at $2.50 with the light which is before me. I think the price now is a price that is altogether favorable to the farmer; that is my impression. Of course, I am open to conviction about it, and if the facts justify the price of wheat going to $2.50 a bushel, I am perfectly willing that it shall do so. There is no man on this floor who feels a keener sympathy and a more sincere interest than do I in the people who by their toil produce the necessary foodstuffs. I do not believe that they are asking for this increased price. That is my impression. I have talked with a good many of them, and they have not said so to me.

Mr. GORE. Mr. President, $2.50 a bushel for wheat is 20 per cent less than the market price when the Government broke the price. Twenty-four cents a pound for cotton would be 20 per cent less than the prevailing price. Would the Senator vote for such a reduction on cotton? There was a meeting in this city on yesterday of the agricultural commissioners of a number of Southern States, a meeting of representatives of farm organizations from a number of Southern States, to protest against meddling with the price of cotton and the breaking of the price of cotton. I assert now that they will find in the Senator from Florida an unyielding champion of their position. Nobody will obtain power to reduce the price of cotton with his vote or with his consent. I only ask, Mr. President, that the Senator apply the same principle and the same protection to the wheat farmers that he will extend to the cotton farmers of the State of Florida. I ask to have printed in the RECORD, in rebuttal of the hearsay testimony of the Senator from Florida, a letter coming from the farmers' national headquarters in the city of Washington.

Mr. GRONNA. Mr. President, before that is printed, I desire to suggest to the Senator from Oklahoma that I could cite at least one disinterested witness who was before our committee—the distinguished Prof. Warren, of New York. In taking the census of the farmers of New York he found that, with the price fixed by the administration, almost one-half less acreage was planted to wheat in 1918 than was planted in 1917, due to the high cost of producing wheat. I think the Senator from Oklahoma will remember that testimony.

Mr. GORE. I remember Dr. Warren's statement quite well.

The PRESIDING OFFICER. Is there objection to the printing in the RECORD of the letter referred to by the Senator from Oklahoma? The Chair hears none.

Mr. GORE. Mr. President, I stated on Saturday last, and I now reiterate, that I indorse the principles laid down by the President in his veto message. They are, I think, beyond challenge; they are not open to controversy. I think it was Carlyle or Ruskin who said—at any rate, I shift the responsibility—that "platitudes are sometimes luminous." I promised, Mr. President, to demonstrate that the President's principles, sound as they are, had no application whatever to the amendment which he was vetoing. I suggested, indeed, that they had no more application to that amendment than they would have to the Draconian Code or to the nebular hypothesis; indeed, I may say less than to the Draconian Code, because that was rather rigid and inflexible; and that was the President's chief complaint.

Now, on this point, Mr. President, I do not merely assume the burden of proof, and I shall not merely content myself with presenting the preponderance of evidence. I shall not content myself with proving my contention beyond reasonable doubt. I shall demonstrate it beyond any sort of doubt. Even the courtier, though he dally, shall not doubt.

Mr. President, what were the principles and the objections laid down by the President? First, that inelastic price provisions were unwise and undesirable. That is a self-evident truth.

Mr. President, the tables I print go back to the year 1902. They show the price of wheat paid to the farmer. The comparison of these tables will show that the year the war began wheat was bringing 98.6 cents per bushel, and that it has advanced to $2.09 per bushel. This is the price, as I understand, of No. 1 wheat, of which there is very little.

The cotton figures show that in 1914 upland middling cotton brought 12.5 cents per pound—that figure, in fact, being the highest for three years, and much higher than the figures for 1915, which were 7.3 cents per pound. The table shows that in 1917 cotton had advanced from 7.3 cents to 17.3 cents. It is to-day bringing in the market from 31 to 32 cents, and is commanding an even higher price. It will be seen that cotton has increased over the 1915 price more than 400 per cent, while wheat has increased but little more than 100 per cent, a difference that does not represent the depreciation in the purchasing value of money.

If the price of wheat is to be regulated downward, then cotton must come in for its share of regulation, and I warn the Senators from the cotton States that they will not escape the same kind of destructive regulation as has been visited upon the wheat farmers. I warn them of the fact that Mr. Hoover possesses exactly as much power to regulate cotton as he does to regulate wheat. Indeed, there is even a greater power, because the law does fix a point below which he can not force the price of wheat without violating the express language of the statute. No such limitation exists in the law with relation to cotton. I would not be misunderstood. The right to regulate the price of wheat was never vested in Mr. Hoover. Congress never intended him to exercise any such right, but we did give the right to license the dealers. Mr. Hoover has exercised that power so as to compel the dealers to pay but one price, which he fixes, and in this way he fixes the price of wheat. He can, of course, by a similar process, fix the price of cotton. The tables I refer to are as follows:

Cotton: Production, consumption, imports, and exports, 1902 to 1917.

[Source: Reports of the Bureau of the Census, Department of Commerce. Bulletin 131 of that Bureau, p. 51, cites original sources.]

Year ended—	Production value of lint per pound, upland cotton.
	Cents.
1902	8.1
1903	8.2
1904	12.2
1905	8.7
1906	10.9
1907	10.0
1908	11.5
1909	9.2
1910	14.3
1911	14.0
1912	9.6
1913	11.5
1914	12.5
July 31—	
1915	7.3
1916	11.2
1917	17.3

Cereal crops: Estimated production and value 1902 to 1917.

[Source: Reports of the Department of Agriculture.]

WHEAT.

Period.	Average farm value per bushel Dec. 1.
	Cents.
1902	63.0
1903	69.5
1904	92.4
1905	74.8
1906	66.7
1907	87.4
1908	92.8
1909	99.0
1910	88.3
1911	87.4
1912	76.0
1913	79.9
1914	98.6
1915	91.9
1916	160.3
1917	200.9

Mr. President, perhaps I ought to say that I am quite as much opposed to the Government hammering down the price of cotton, although I think it is now engaged in that enterprise, as I am opposed to the Government hammering down the price of wheat. The two policies stand upon exactly the same principle, and that a false principle.

Mr. FLETCHER. Will the Senator allow me to make one statement?

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Florida?

Mr. GORE. Yes.

Mr. FLETCHER. In connection with the price of cotton, we can not expect otherwise than that it should approach a high level. In the first place, in producing cotton you can not use machinery to any very great extent. You can get machine plows to some extent, and you can do a little work in the cotton field with plows, but there has never been any machine invented which could pick cotton. That has got to be done by human fingers. The people who usually produce the cotton crop of the South are not now there; they can not be found there. You can not employ labor because the labor does not exist in that vicinity. The people who are needed in the cotton fields have gone elsewhere—into the munition plants, the manufacturing plants, and so forth. The women and children will have to do a large part of gathering the cotton crop; but when it comes to the employment of labor, you must pay men $5, $6, $7, and $8 a day, because they are offered those wages in the cities, where the shipbuilding, the munition work, and all that sort of thing is going on. So that it is not possible, in the first place, to produce the quantity of cotton which we have been accustomed to produce. In the next place, when cotton is gathered and ready for the gin, it has cost the farmer many times more than it ever cost him before.

So far as the long-staple cotton is concerned, in Florida the area is necessarily greatly reduced, and I am informed by people living in States adjoining mine that people who had, for instance, 100 plows, as they term them down there, in producing cotton last year were reduced to 15 or 20 plows this year, because they could not get the labor to work the farms. The cotton produced in Florida, however, is not the middling cotton to any great extent. The chief cotton production there is long-staple or sea-island cotton. I am informed by the Trade Board that they have just recently authorized the importation of 80,000 bales of sea-island long-staple cotton from Egypt, and that comes in competition with the product down there, which is now being produced under the adverse circumstances and conditions which I have described. That is the situation.

Mr. GORE. Mr. President, the Senator is belaboring himself to demonstrate a self-evident truth. Nobody can answer the Senator's arguments. They are absolutely conclusive as to cotton, and they are equally applicable and as absolutely conclusive as to wheat. There is a scarcity of labor in the South; there is a scarcity of labor in the West; wages have advanced in the South; wages have advanced in the West. The cost of producing cotton has undoubtedly greatly increased; the cost of producing wheat has equally increased. It happens that a larger number of boys qualified under the physical test in the wheat-producing States than in any other States, and particularly in the Southern States, where the negro population exists—a larger number and a larger percentage of farmers have been drafted for military service than in any other calling.

There are two facts, however, as to which the Senator was in error. As the Senator from Missouri [Mr. REED] suggests, circumstances alter cases. The Senator's ox is cotton, and he does not want it gored. I agree with him. I say that there were two statements on the part of the Senator as to which he was unwittingly in error. He says the farmers can not and will not produce so much cotton as formerly; that they have been obliged to reduce their acreage of cotton. The cotton acreage is about 10 per cent more this year than last. Last year it was 35,000,000 acres, while this year it is 38,000,000 acres. Last year the crop was eleven and a quarter million bales. This year the estimated crop will be more than 15,000,000 bales. So the farmers have found ways and means largely to increase their production. But I do not gainsay either the Senator's arguments or his conclusions as to the unwise economic policy, and I will add the unwise ethical policy, of making the cotton farmers of Florida take less for their commodity than it is worth in the market place. I agree with the Senator. I have a statement which I shall print in the RECORD, prepared by the market commissioner of my State, showing the average farm and the average acreage that a farmer can tend of cotton, corn, and wheat. They show that the farmers' net profits in Oklahoma this year on corn will average $624; the cotton profits will average $375; and on wheat $96—a king's ransom—golden unprecedented profits—idyllic farmers—a little more and the wheat farmer will find himself in the anointed, self-sacrificing dollar-a-year class. I do not know from what State the illuminating witness whom the Senator quotes hails from. It might be possible to find some cotton farmer who has two farms in the South who is expecting a position at the hands of the President, who might insist that 22 cents would be an adequate price for cotton, but that would not convince me, nor would it convince the Senator from Florida, nor would it convince the millions who are engaged in the production of cotton.

In his message the President expressly declares that he vetoes the measure both upon the ground of "principle" and on the ground of "wise expediency." I shall survey and analyze both grounds. Let me now state in substance the principles upon which the President vetoed the measure. I shall insert the message at the close of my remarks. First, he says that inelastic price provisions are unwise and undesirable. That is a self-evident truth. The President says that arbitrary price levels made without regard to normal market conditions are unwise and undesirable. A Ricardo come to judgment! The

President says that no element of rigidity should be injected into this situation. That is also a self-evident truth. The President says that flexibility ought to be preserved, so that it will be possible at every stage, and in view of each experience, to readjust the price so as to be fair alike to producer and consumer. "Plato, thou reasonest well!"

The law under which the President fixed the price of wheat for the current year is section 14 of the food-control act, approved August 10 of last year. Section 14 answers all of the President's requirements. It has a sufficient degree of elasticity and of flexibility; it is innocent of any "element of rigidity." The existing law fulfills the President's ideal; it answers all his exactions. It is perfection realized.

Mr. President, the amendment which the President vetoed was section 14, copied sentence for sentence, word for word, syllable for syllable, letter for letter, and mark for mark, and I may say grammatical error for error, with two exceptions. The existing law makes the basic grade of wheat No. 1 northern spring—an ideal grade, which few farmers, if any, produce. The amendment which the President vetoed made No. 2 northern spring the basic grade. It substituted the figure "2" for the figure "1." Did that destroy any flexibility? Did that abrogate elasticity, so much to be desired? Did that petrify discretion?

What was the other solitary change in the existing law which answers so well the President's ideal as to flexibility and elasticity? The provision that the guaranteed price for 1918 shall be not less than $2 at the principal interior primary markets. The amendment which the President vetoed on account of its rigidity provided that the guaranteed price for 1918 should be not less than $2.40 a bushel at the principal interior markets heretofore designated by the President, and at such interior markets as he might hereafter designate.

We preserve his discretion as to that, remembering his penchant for discretion.

The existing law says not less than $2.00; the vetoed amendment said not less than $2.40. The figures $2.00 were changed to $2.40. The first naught was converted into a four; only that and nothing more. We purposely preserved the words "not less than," knowing that phrase to be the source and fountain of discretion, knowing it to be a reservoir of flexibility and elasticity. There was no desire, there was no purpose, to take any liberties with Sampson's locks.

The existing law says not less than $2; it establishes that as the sea level, and above and beyond that level gradations can be established and ordained according to the President's pleasure.

The amendment which he vetoed would have established $2.40 as the sea level above and beyond which gradations might be ordained and established in accordance with the President's discretion. I repeat, we purposely preserve that phrase word for word, so that there could be no question as to the flexibility, no question as to the elasticity, and no suggestion that we were undertaking to handicap administrative discretion and substitute rigidity for flexibility. In the time when the doctrine prevailed that the king could do no wrong mistakes, when they chanced to occur, were attributed to a minister and not to the monarch. I am bound to believe that the President in the midst of the great variety and the pressure of official obligations and duties was obliged to rely upon some adviser. I do not know how otherwise to account for such a misapprehension of the measure to which he was applying the coup de main.

Mr. President, this point is not open to doubt; it is not open to debate; it is not open to controversy; but I am not yet content. I shall unseal the eyes even of the wayfarer. I shall show by concrete illustration that the dead amendment was not only almost but was altogether as flexible as the living law. Of course that does not quite make out a case of "unintentional homicide." I shall ask to print as a part of my remarks the President's proclamation, issued on February 21 last, fixing the price of wheat for the current calendar year.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. GORE. I want to show how the amendment could have been and how I supposed it would be administered. In this proclamation the President fixed the price at the various interior markets and established the gradations. At Salt Lake, at Spokane, and at Great Falls, Mont., he established a price of $2 per bushel. That was the irreducible minimum; he could not under the law pay less than $2 per bushel; but there he begins with his gradations. The price, fixed in his proclamation, at San Francisco was $2.10; at Galveston it was $2.20; at Fort Worth it was $2.09; at Oklahoma City it was $2.05; at Wichita it was $2.08; at Kansas City and Omaha it was $2.15; at St. Louis it was $2.18; at Minneapolis and Duluth it was $2.17; at Chicago it was $2.20; at New York it was $2.28. I shall not name all of the wheat markets.

Now, then, let us admit that those gradations are divinely inspired, if you please; let us admit that those ratios are sacred and that none but an infidel would lay profane hands upon them. Here is what I suppose would happen under the amendment which the President vetoed: At Salt Lake City, Spokane, and Great Falls, I suppose he would establish the irreducible minimum, $2.40; at San Francisco, $2.50; at Galveston, $2.60; at Fort Worth, $2.49; at Oklahoma City, $2.45; at Wichita, $2.48; at Kansas City and Omaha, $2.55; at St. Louis, $2.58; at Minneapolis and St. Paul, $2.57; at Chicago, $2.60; at New York, $2.68; reestablishing, of course, each and every gradation upon this new sea level, without even an irreverent thought of variation—their sanctity could have been preserved inviolate—touch not Saguntum!

Mr. President, it is as clear as the desert sun at noontide that there is no suggestion, no vestige, no "element of rigidity" in the amendment which the President vetoed because of alleged rigidity. The amendment made no change or shadow of choice in the flexibility or in the elasticity of the existing law. It is this conspicuous and undoubted fact which excites wonder as to the President's misapprehension concerning the language and effect of the amendment to which he administered the death blow.

Mr. President, I not only agree as to the principles laid down by the President, but I agree as to the reasons which he assigns for entertaining those principles. The President says that the flexibility of the existing law and administrative method should be preserved so as to "render possible at every stage and in the light of each experience a readjustment which will be fair alike to producer and consumer."

Mr. President, among all the wise utterances of the President of the United States he never gave utterance to a wiser truth than that. Let us see. Flexibility ought to be preserved so that the price could be readjusted in the light of new experience. I believe it was on the 31st of August, 1917, that the President issued his proclamation fixing the price of wheat for the harvest of 1917 at $2.20 a bushel at Chicago. On the 21st of February, 1918, the President issued his proclamation fixing the price of wheat for the current year at $2.20 at Chicago. There should be a readjustment of price in view of each new experience. What sort of experience?

Mr. President, it is known of all men that the cost of producing the present wheat crop is from 30 to 40 per cent more than was the price of producing the crop in 1917. I call Mr. Swift to the witness stand. He says that $2,000,000 to-day will not pay for the same amount of cost of production that $1,000,000 would pay for in the year 1917. He further insists that in the light of this new experience his greater returns are justified, and he justifies Mr. Hoover, of the Food Administration, for allowing him such generous and golden profits under his benignant régime. If the cost of the packing business has increased, that not only justifies but in morals it necessitates an increase in their returns; and I insist that there should not be one standard of profits and patriotism for the packers and another standard for the farmers who produce wheat or cattle.

We had before the Agricultural Committee this spring actual farmers, who testified that they were losing from $40 to $80 per head on steers, and that they were losing from $1.50 to $2 a head on lambs; and Mr. Cotton, who is Mr. Hoover's chief of the meat division, and Mr. E. Dana Durand, the assistant chief, both solemnly declared before the Agricultural Committee that the farmers and producers were losing money alike on cattle and on sheep; and yet Mr. Swift believes that an increase in the cost of production justifies an increase of the return. That is self-evident, and the only question is as to the measure of the increased return. The President avers that the wheat amendment was vetoed because it was inflexible, and that he preserves potential flexibility in order to readjust the price in the light of new experience; yet with a cost—I will not say 100 per cent greater, as Mr. Swift said—30 to 40 per cent greater there is no readjustment in the price of wheat. There is a rigidity that is appalling.

Mr. President, if the price of $2.20 at Chicago for wheat in the calendar year 1918 is high enough, then the price of $2.20 at Chicago in 1917 was too high. If the price at $2.20 for wheat at Chicago in 1917 was not too high, then the price at $2.20 for wheat in the year 1918 is not high enough.

There is no escape from the horns of this dilemma.

There has been a great deal of experience. There has been an increase in the cost of production, and, according to the President's infallible doctrine—I say "infallible," for it can not be assailed—there ought to be a readjustment of the price of wheat upward in accordance with the President's self-evident principles.

Let me revert to this: The President said last December that the farmers complained, and with justice, of selling in a restricted and buying in an unrestricted market. There are two ways in which to remedy that injustice; the one is by advancing the price of what the farmer sells, the other is by reducing the price of what the farmer buys. The Congress of the United States, acting within its constitutional province, decided to adopt the former remedy. It advanced the price of wheat, not up to the market price but in the direction of the market price. The President vetoed that amendment. There is only one other remedy left, and that is the reduction of the price on all the necessaries and on all the comforts which the farmer buys from 30 to 40 per cent below what the price was in August, 1917. I confess that I do not favor that remedy. This would embark upon a general scheme of price fixing, one of the oldest blunders known to the sons of men. It has been tried times without number, not so often in this enlightened age as in the half-enlightened ages of the past. I find instances of price fixing as far back as the reign of Hammurabi in ancient Babylon, 2,250 years before Christ. I find it in Athens, the most enlightened state of antiquity. Diocletian tried it in 301. He had all the discretion and all the power that can be vested and concentrated in a human being. He issued an imperial edict fixing prices on a thousand articles, not on wheat alone. He undertook to go through. He fixed the price on everything from knitting needles up and down. The historian records that the edict wrought infinite mischief. The producers were not satisfied with the price and declined to produce. The worst thing that can happen to the consumer is for the producers not to produce a surplus, for when that happens the consumer is the first to suffer and the producer is the last to suffer.

The warring nations have tinkered with this price-fixing project. France fixed a price on wheat that was unsatisfactory to the French peasants. They shook their heads and reduced production. England fixed a price on dairy products that was unsatisfactory to the dairymen. They butchered their milk cows—a distinct social and economic loss. Germany, with her autocratic power, fixed a price on wheat, rye, barley, and oats that did not correspond with their respective values, and the German peasants fed their wheat and their rye to live stock and marketed the barley and the oats.

I have never been able to account for this strange infatuation in regard to price fixing. The first legislative assembly that ever met in America, the first legislature of Virginia, adopted a food-control act which might serve as a model for the existing law. Surely we tread the same paths our fathers have trod. Price fixing, squaring the circle, and inventing perpetual motion are three fallacies and three follies which it seems will never lose their spell over the human imagination. I do not believe that merely because the Government has touched the pocket in which the farmer puts the proceeds of his wheat, that that is any justification for touching the pocket in which he puts the proceeds of his corn, or any justification for touching the pocket in which he puts the proceeds of his cotton.

Mr. President, the only remedy which has yet been tendered to the farmer was to increase by legislative action the price of his wheat, which was too low. That has been vetoed because the act was alleged to be too rigid. The President, as I have said, has stated an unanswerable argument in favor of preserving the flexibility of the law in order that readjustments may be made in the light of new experience; and yet I say to Senators that the ground of expediency urged by the President for his veto makes impossible the exercise of this flexibility in behalf of the farmers. The only readjustment that is possible under this argument is a readjustment downward, not upward. It is desirable, of course, to preserve the flexibility, so that if new experiences justify an advance to meet increasing costs, an increase can be made.

The President vetoed this amendment, both on the ground of principle and of expediency. I have shown that his principles have no application to the amendment itself. I will now show why his reasons based upon expediency do not, in my judgment, accord with a sound or a wise public policy.

Mr. President, what is the other set of reasons, apart from those of principle, urged by the President for vetoing this amendment? First, that it would necessitate an increase in the price of wheat in Canada; second, it would oblige the allies to pay the higher price for wheat; third, it would increase the cost of living; and, fourth, it would necessitate an advance in wages. The President assigns these four reasons of so-called "wise expediency" for vetoing the wheat amendment.

A legislative advance in the price of wheat he alleges was subject to all these objections, and these objections he alleges in justification of his veto. Do they justify the veto? Do they establish the unwisdom, the inexpediency, of a legislative advance? Do they not equally establish the unwisdom and inexpediency of an administrative advance? Why all this ado about rigidity and elasticity? Do they not write the legend of despair above the door of every wheat farmer in America, "Abandon hope"?

Can an administrative advance in the price of wheat be made in the light of these insuperable objections, against these reasons of "wise expediency"? Would not an administrative increase in the price of wheat equally necessitate an advance in the price of wheat in Canada? Would it not equally oblige the allies to purchase wheat at the higher price? Would not an administrative increase in the price of wheat increase the cost of living? Would it not necessitate an advance in the current wages of the country? Is there any kind of incantation by which an administrative board can advance the price of wheat and escape those inevitable consequences? If those consequences are sufficient to justify the veto of a legislative advance in price, will they not be omnipotent to control the administrative discretion if an advance in price be urged upon administrative authority?

So that, while the President's reasons are sound as to preserving the flexibility in order that prices can be readjusted either upward or downward as the occasion, necessity, and justice may require, yet he has placed himself in a situation where he can not advance the price of wheat, no matter what the new experiences may be, without disregarding those reasons.

Mr. President, I do not agree that the President's reasons are sufficient. It is always pleasant to agree with the President; it is painful not to agree with him; but it is not possible for any one man always to agree with any other man. Patrick Henry declared that different men often see the same subject in different lights. That is most fortunate, for if all men should see the same subject in the same light, and should that by any chance happen to be the wrong light, this might involve the world in irretrievable disaster. By the presentation of different views and the exchange of opinions it is possible to detect and to eliminate error and to ascertain or approximate the truth. This is the chief virtue and the chief value of free discussion.

I say that to my own judgment—it may be my fault—the grounds of expediency upon which the President vetoed this measure do not commend themselves as sufficient. They either prove too little or too much. They either prove that as an impossible thing this is necessary or else they prove that a necessary thing is impossible. What a dilemma! I will review the last of his reasons first. The President says that if Congress should increase the price of wheat to $2.40 "there would inevitably ensue an increase of the wages paid in practically every industry of the country." That proposition does not prove itself. It is the chief boast of Mr. Hoover that he has reduced the price of flour from $16 to $10.50 a barrel. Of course it is a very different sort of flour; but there was undoubtedly a decline of several dollars per barrel upon flour after the advent of the last harvest and Mr. Hoover. I do not recall, however, that the wages in any industry of this country underwent a corresponding decline. I do not recall that when flour was reduced $6 a barrel there was a like reduction of 40 per cent in the current wages of the land. I have not known that the price of flour and the rates of wages are connected by any indissoluble bonds which unite them like the Siamese twins. If flour could be reduced 40 per cent without reducing wages, it looks to me as if wheat might possibly be advanced 15 or 20 per cent without occasioning any advance in wages. But I will not insist upon that point. In order to simplify the issue I will admit that an increase in the price of wheat would necessitate an increase in the rate of wages. I had not previously suspected that the administration was opposed to increasing wages.

Since the war began there have been three or four thousand threatened strikes. Wages have been advanced on every hand, not only by private employers; the Government itself has set the pace and blazed the way. I am making no protest. But the President argues that if he had approved the Agricultural bill with the wheat amendment it would have increased the price of flour $2 per barrel. Well, let us admit that. The average wage earner in this country has four and a half members in his family. The average consumption of flour in ordinary times is one barrel per capita. That would necessitate an increase of $9 in the average wage earner's bread budget during the whole year. It would necessitate an increase of about 3 cents a day in his wages. The laboring man who had been getting $3 heretofore would have a right then to insist upon $3.03; if he had been getting $6 he would have a right to insist upon $6.03; or if he had been getting $12 a day, as many do—and I rejoice that that is so—he would be entitled to receive $12.03. This is the frightful increase in wages which would have ensued had the farmer

been allowed this small measure of justice which the Congress, the constitutional custodian of the public purse, sought to extend to him.

Mr. President, I do not know any reason why the President could not by administrative action prohibit, if necessary, this enormous increase in wages of 3 cents a day. There would be just as much authority in law for fixing a level for wages as there is to fix an absolute price—I distinguish it from a minimum price—upon wheat. I do not think that the President would advocate such a policy.

Mr. President, when the price of wheat was fixed in Minneapolis last August it was selling as high as $3.06. It went down to $2.17—I speak generally. What would be thought of a governmental policy which would undertake to reduce the wages of a laborer in Minneapolis who was receiving $3.06 a day down to $2.17? Is there a man in America so reckless as even to suggest such an experiment? What would be thought of a Government which would undertake to reduce the wages of a Minneapolis laborer from $6.12 down to $4.34, or to reduce the wages of a laborer in Minneapolis from $12.24 down to $8.68? To mention such a folly is to condemn it. The proponent of such a folly would be a fit candidate for the madhouse. Is there any reason based upon principle, "wise expediency," justice, or policy that will justify the Government reducing the price of wheat in Minneapolis from $3.06 to $2.17 per bushel that would not equally justify the reduction of wages in Minneapolis from $3.06 to $2.17 per day? What intellectual alchemy makes one of these actions wise and the other unwise? What moral alchemy makes one of them right and the other wrong? The laborers are organized and the farmers are unorganized. The farmers do not threaten to strike; they never order a walkout. I have sometimes inclined to the belief that if this administration acknowledges any dictator, that dictator is organized labor. The administration seems to stand in as great dread of organized labor as all other classes seem to stand in dread of the administration. Organized labor was the first to learn that it could look and live. But, sir, may I be so bold as to suggest that all reigns of terror look a good deal alike to me.

The President declares that the advance in the price of wheat would aggregate the farmers $387,000,000 this year more than they will receive under the existing law. Well, I will accept those figures. I do not care to challenge them. The amount is utterly immaterial. Mathematical quantities have no place and no value in a moral equation; the problem is not one of mathematics but of morals; the issue is not one of economics but of ethics.

Mr. STERLING. Mr. President——

The PRESIDING OFFICER (Mr. KING in the chair). Does the Senator from Oklahoma yield to the Senator from South Dakota?

Mr. GORE. I yield.

Mr. STERLING. The Senator from Oklahoma says he does not challenge those figures.

Mr. GORE. I do not mean by that that I admit their accuracy.

Mr. STERLING. How can it be figured that 900,000,000 bushels of wheat, at 20 cents additional per bushel, will make an additional amount of $387,000,000? As I figure it, it would be not exceeding $180,000,000.

Again, if I may ask the Senator, how much would 20 cents a bushel additional for wheat add to the cost of flour, it being understood that 4½ bushels of wheat are required to make a barrel of flour?

Mr. GORE. That used to be the estimate, but I think 4 bushels or less make a barrel now.

Mr. STERLING. How can it be said that 20 cents a bushel on 4½ bushels of wheat that enter into a barrel of flour will make the additional cost of a barrel of flour $2?

Mr. GORE. Mr. President, I said I did not challenge the figures, because that argument of the President rests upon economic grounds; it rests upon industrial grounds; it rests upon financial and fiscal grounds.

There is another consideration upon which this whole question turns; and I will state a concrete case to demonstrate to the Senator why, under the circumstances, I think it rests upon ethical and not economic grounds. Let us take a concrete case. We will say that a farmer living in Maryland produces this year enough wheat to make a barrel of flour. Under the amendment which the President vetoed he would have received $2 more for this wheat than he will now receive under the existing law.

Now, let us say that a laboring man here in Washington buys the barrel of flour made from the Maryland farmer's wheat. This laboring man will be able to purchase this barrel of flour for $2 less than he would have been obliged to pay had the President approved the wheat amendment. This vital, this crucial fact is admitted on all hands. The President's veto message obliges the Maryland farmer to take $2 less for his wheat than he otherwise would have gotten under the amendment; it enables the Washington laborer to buy a barrel of flour for $2 less than he would otherwise have paid. This is the vital question, this is the crucial question in this whole controversy. Whose $2 is this? Whose $2 is this with which this great Government is sporting as it were a child's plaything? To whom does this $2 of right belong? Who has the best right to the $2 involved in this controversy between the farmer and the laborer? The farmer produced the wheat by his toil in sunshine and in shower. He had the highest title known to the sons of men; the highest, the most indefeasible title that can exist to property. It was the fruit of his own toil. What title is more sacred than that? The Government to which he owes allegiance and which owes him protection has taken that $2 away from that farmer without consideration and without recompense and has transferred it to the laboring man living here in Washington, without payment and without cost, as a gift, as a gratuity.

The Government has taken from one sovereign citizen of this Republic who had earned it $2 and has given it to another citizen of the Republic who had not earned it and has no title to it except for the misguided generosity of this Government, which owes equal protection to the life, to the liberty, and to the property of these two equal citizens. One of the supreme objects of human government is to protect, not to create, a situation in which one man can get without earning what another man earns without getting. I believe this is the first instance in our history where the Government of the United States has taken private property for private use without the owner's consent and without compensation. It may not be the last. In such a precedent misguided radicals may one day pretend to find the raw materials of a red revolution. If this Government has the right to take $180,000,000 worth of property away from the wheat farmers without compensation, it has the right to take $387,000,000 away from them without compensation. If this Government has the right to take $387,000,000 worth of property away from the farmers without compensation, it has the right to take all the property of all the people without compensation—without that just compensation which the Constitution requires and undertakes to secure. Conservative editors and conservative politicians who applaud this act of qualified confiscation may come to rue the day and rue the deed if another law of compensation should ever assert its sovereign sway. What greater right has this Government to confiscate the property of the wheat farmer than the Bolsheviki and the red guard have to confiscate the property of the Russian bourgoise?

Mr. President, I can not agree to the other argument advanced by the President as one of the grounds of expediency upon which he has vetoed this measure. He states that the allies would be obliged to purchase wheat at the advanced price had he approved the measure. I think that is true. I do not know whether our allies expect, I do not know whether they would insist, that the American farmer should furnish them wheat at 80 cents a bushel less than it is worth. I do not know what official, I do not know what department, of this Government has any right, legal or moral, to bind the American farmer to furnish the consumers of the United States or to furnish the consumers of the allied countries wheat at 80 cents less than market price. But, Mr. President, I waive those considerations merely with the mention. I do not know that if it be necessary to the winning of this war to furnish wheat to the allies at less than the market price I am willing to do that. If it be necessary to the winning of this war to furnish wheat to the allies at $2 per bushel, I am willing to do that. Mr. President, if it be necessary to the winning of this war to furnish wheat to the allies without money and without price, I for one am willing to do that; but, Mr. President, I do believe that if it must be done, then this great sovereign Nation, the most opulent nation upon the globe, this Government, organized society itself, should assume and should absorb the loss and should not visit that loss upon the most defenseless and the most indispensable class of our citizens. This Nation is not a mendicant; it is not an almstaker; it does not have to rely either upon charity or upon confiscation. It is a sovereign Nation vested with the highest attributes of sovereignty and with all the powers requisite to self-defense. The Government can lay taxes without limit; the Government can sell bonds without limit. I think that this Government ought to raise the revenue for the waging of this war by the imposition of taxes and by the sale of bonds and not by anything which savors of confiscation.

Mr. President, to my mind it has always been one of the chiefest virtues of our constitutional system that this great sovereign Nation could not take private property, even for public use, except upon the payment of just compensation; I have al-

ways deemed it one of the chiefest virtues of our constitutional system that this great sovereign Republic could not take private property for private use under any circumstances or upon the payment of any compensation whatever; I have always thought it one of the chiefest glories of our constitutional system that this Republic, in its collective and in its sovereign capacity, did not have the power to strip the ragged shirt from a street urchin's back without that urchin's consent save only for public use and upon the payment of just compensation; I have always thought it one of the chiefest glories of our constitutional system that this sovereign and majestic people, able to defend itself, could not strip a ragged shirt from the street urchin's back for any private purpose whatsoever; and yet, Mr. President, if this Government takes wheat for 80 cents a bushel less than it is worth and turns it over to the American consumer, turns it over to the American wage earner, is not that taking private property for private use?

Mr. President, this price-fixing policy violates the fundamental laws of economics and introduces economic anarchy and economic mobocracy. *This* is true, in my opinion, and is a sufficient reason for resisting an embarkation upon this perilous tide in these perilous times.

Mr. President, I remember that one of the most brilliant epigrams which ever emanated from the pen of the President was this: "Equal justice is the heart of democracy." This was in a message addressed to a conference of laboring men in Minneapolis. That sentiment is much more than a brilliant epigram; it is an analysis of justice itself, the most sovereign of all the virtues, either human or divine.

Mr. President, under the food-control act the elevator men have been allowed a profit twice as large as the profit they received before the assumption of control by the Government; the millers, according to the report of the Federal Trade Commission, which I have here, are receiving fabulous returns upon their investment even under Mr. Hoover's régime. In 1914 the millers received 8.9 per cent return upon the capital invested, a little less than 9 per cent, while in 1917, they received a return of some 37 per cent, an advance of 300 per cent in the return upon their capital. Perhaps it is less now. Yet the farmers have been obliged to take 30 per cent less for their product than it is worth. Is that "equal justice"?

The packers have been allowed to receive a return of 9 per cent on their meat output and a return of 15 per cent upon the by-products, while the farmers have been obliged to sell them cattle and sheep at less than the cost of production. Under Government control their returns have been fabulous. "Unto him that hath shall be given." On the second day of the current month of July the price of copper was advanced 2½ cents per pound. The previous price was 23½ cents per pound, while the present price is 26 cents per pound, an advance of a little more than 10 per cent on the price of copper. If that were necessary, if that were justifiable, I do not complain, for there is as little excuse for confiscating copper as there is for confiscating cotton; and yet during the same month an advance in the price of wheat to rectify in some measure the evil of which the farmers complain with justice has gone to its death. Is that "equal justice"?

Now, the Government has taken over the railway systems of the country. This has been justified, or rather urged, as a war necessity. The railroads have been guaranteed the average return for the last three years preceding their taking over, the most remunerative years in all their history. I think the railroads ought to have a just and reasonable return. Whenever the Government takes private property for public use the compensation ought to be just. I believe the return to the Burlington road under the present arrangement is about 26 per cent per annum on all of its capitalization, water, and what not. Mr. President, upon the diminished return from the farmers' wheat his Government obliges him to pay out of those diminshed returns an income tax, if his returns exceed the exemption. Out of those diminished returns, diminished by the hand of his own Government, the farmer is obliged to aid in guaranteeing the Burlington Railroad 26 per cent per annum whether earned or not. Is that "equal justice"? Is that the "heart of democracy"?

Within the past few months the wages of railway employees of this country have been advanced something like $300,000,000 a year. I do not complain of that; the advance may have been not only justifiable but necessary. I do not think that we ought to enslave the railway employees of this country, but they have been given an increase of $300,000,000, while an increase earned by the farmer upon his wheat of $387,000,000 has been denied. Is that the "heart of democracy"?

The Secretary of the Treasury, at El Paso, declared that the railway employees were now "his boys," and that nobody should be suffered to kick them around. Nobody ought to have either the power or the disposition to kick any set of free-born American citizens around in this Republic. I do not know that the farmers would enjoy the patronizing compliment that they were anybody's "boys." I think that nobody should have either the power or the disposition to kick the farmers around.

I reiterate, Mr. President, my agreement with this wise, this statesmanlike, this philosophical utterance of the President, that "equal justice is the heart of democracy." The French Revolution was carried on in the name of liberty, equality, and fraternity. Victor Hugo said that meant infantry, cavalry, and artillery. It has been blazoned abroad that we are waging the present war in the name of liberty, humanity, and democracy. All our public policies should be worthy of those lofty protestations. We should make universal our renunciation of the Kaiser's creed that "might is right."

APPENDIX.

[From the Washington Post, July 13, 1918.]

VETOES $2.40 WHEAT—INCREASES COST OF LIVING TOO MUCH, WILSON TELLS CONGRESS—CALLS FARMERS PATRIOTIC—NEED NO STIMULATION OF $387,000,000 TO SERVE NATION IN CRISIS—FLOUR AT $12.50 A BARREL WOULD DISTURB THE WHOLE WORLD—PRESENT PRICE-FIXING METHOD SATISFACTORY, PRESIDENT DECLARES—HOUSE EXPECTED TO PASS AGRICULTURAL BILL TO-DAY WITH PRICE ELIMINATED.

Increase of the guaranteed minimum price of wheat to $2.40 by legislative rider caused President Wilson yesterday to veto the annual Agricultural appropriation bill. The veto message reached the House late in the afternoon. Representatives from States in the wheat belt immediately set about organizing in an effort to pass the bill over the President's veto, but as there was no quorum, the vote was deferred until to-day. It is generally expected, however, that the appropriation bill will be repassed with the price-fixing provision eliminated.

Some Senators from wheat-growing States were disposed yesterday to urge the Senate to pass the bill over the President's veto, while others suggested that the wheat-price amendment might be added to the $11,000,000 emergency agricultural bill, to which is attached the prohibition amendment.

WOULD AFFECT CANADIAN PRICE.

In his message President Wilson emphasized that the proposal to raise the price of wheat in this country would cause a corresponding advance in the price of Canadian wheat and so would add materially to the already high cost of living. The President emphasized that according to estimates the proposed increase of 20 cents a bushel in the price of wheat would add $2 to the cost of a barrel of flour, making that necessity sell for $12.50 at the mill, instead of $10.50 as at present. As the anticipated 1918 wheat crop will be 900,000,000 bushels, "this increase," the President said, "would be equivalent to the immense sum of $387,000,000."

The veto message follows:

"I regret to return without my signature so important a message as H. R. 9054, entitled 'An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1919,' but I feel constrained to do so because of my very earnest dissent, from the point of view of principle as well as wise expediency, from the provisions of that part of section 14 which prescribes a uniform minimum price for No. 2 northern spring wheat of $2.40 a bushel.

DISSENTS ON PRINCIPLE.

"I dissent upon principle because I believe that such inelastic legislative price provisions are insusceptible of being administered in a way that will be advantageous either to the producer or to the consumer, establishing as they do arbitrary levels which are quite independent of the normal market conditions, and because I believe that the present method of regulation by conference with all concerned has resulted in the most satisfactory manner, considering the complexity and variety of the subject matter dealt with.

"It is evident that the present method of determining the price to be paid for wheat has had the most stimulating effect upon production, the estimated crop of spring wheat for this year exceeding all high records in a very remarkable and gratifying way. By an overwhelming majority of the farmers of the United States the prices administratively fixed has been regarded as fair and liberal, and objections to it have come only from those sections of the country where unfortunately it has in recent years proved impossible to rely upon climatic conditions to produce a full crop of wheat, and where, therefore, many disappointments to the farmers have proven to be unavoidable.

NOT REQUIRED BY FARMERS.

"Personally, I do not believe that the farmers of the country depend upon the stimulation of prices to do their utmost to serve the Nation and the world at this time of crisis by exerting themselves to an extraordinary degree to produce the largest and best crops possible. Their patriotic spirit in this matter has been worthy of all praise and has shown them playing a most admirable and gratifying part in the full mobilization of the resources of the country.

"To a very greatly increased production of wheat they have added an increased production of almost every other important grain, so that our granaries are likely to overflow and the anxiety of the nations arrayed against Germany with regard to their food supplies has been relieved.

"The administrative method of agreeing upon a fair price has this very great advantage, which any element of rigidity would in large part destroy, namely, the advantage of flexibility, of rendering possible at every stage and in view of every experience a readjustment which will be fair alike to producer and consumer.

"A fixed minimum price of $2.40 per bushel would, it is estimated, add $2 per barrel to the price of flour; in other words, raise the price of flour from the present price of $10.50 to $12.50 at the mill, and inasmuch as we are anticipating a crop of approximately 900,000,000 bushels of wheat, this increase would be equivalent to the immense sum of $387,000,000.

ALL ALONG THE LINE.

"Such an increase of the price of wheat in the United States would force a corresponding increase in the price of Canadian wheat. The allied Governments would, of course, be obliged to make all of the purchases at the increased figure, and the whole scale of their financial operations in this country, in which the Government of the United States

is directly assisting, would be thereby correspondingly enlarged. The increase would also add very materially to the cost of living, and there would inevitably ensue an increase in the wages paid in practically every industry in the country. These added financial and economic difficulties, affecting practically the whole world, can not, I assume, have been in contemplation by the Congress in passing this legislation.

"(Signed) WOODROW WILSON."

FIXING GUARANTEED PRICES FOR WHEAT.

By the President of the United States of America: A proclamation.

Whereas, under and by virtue of an act of Congress entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel," approved by the President on the 10th day of August, one thousand nine hundred and seventeen, it is provided among other things as follows:

"SEC. 14. That whenever the President shall find that an emergency exists requiring stimulation of the production of wheat and that it is essential that the producers of wheat, produced within the United States, shall have the benefits of the guaranty provided for in this section, he is authorized, from time to time, seasonably and as far in advance of seeding time as practicable, to determine and fix and to give public notice of what, under specified conditions, as a reasonable guaranteed price for wheat, in order to assure such producers a reasonable profit. The President shall thereupon fix such guaranteed price for each of the official grain standards for wheat as established under the United States grain standards act approved August eleventh, nineteen hundred and sixteen. The President shall from time to time establish and promulgate such regulations as he shall deem wise in connection with such guaranteed prices, and in particular governing conditions of delivery and payment, and differences in price for the several standard grades in the principal primary markets of the United States, adopting number one northern spring or its equivalent at the principal interior primary markets as the basis. Thereupon, the Government of the United States hereby guarantees every producer of wheat produced within the United States that, upon compliance by him with the regulations prescribed, he shall receive for any wheat produced in reliance upon this guarantee within the period, not exceeding eighteen months, prescribed in the notice, a price not less than the guaranteed price therefor as fixed pursuant to this section. In such regulations the President shall prescribe the terms and conditions upon which any such producer shall be entitled to the benefits of such guaranty. The guaranteed prices for the several standard grades of wheat for the crop of nineteen hundred and eighteen shall be based upon number two northern spring or its equivalent at not less than $2 per bushel at the principal interior primary markets. This guaranty shall not be dependent upon the action of the President under the first part of this section, but is hereby made absolute and shall be binding until May first, nineteen hundred and nineteen."

Now therefore, I, Woodrow Wilson, President of the United States, by virtue of the powers conferred upon me by said act of Congress, and especially by section 14 thereof, do hereby find that an emergency exists requiring stimulation of the production of wheat, and that it is essential that the producers of wheat produced within the United States shall have the benefits of the guarantee provided for in said section; and, in order to make effective the guarantee by Congress for the crop of nineteen hundred and eighteen and to assure such producers a reasonable profit, I do hereby determine and fix, and give public notice of reasonable guaranteed prices for No. 1 northern spring wheat and its equivalents at the respective principal primary markets as follows, to wit:

Chicago, Illinois, two dollars and twenty cents ($2.20) per bushel;
Omaha, Nebraska, two dollars and fifteen cents ($2.15) per bushel;
Kansas City, Missouri, two dollars and fifteen cents ($2.15) per bushel;
St. Louis, Missouri, two dollars and eighteen cents ($2.18) per bushel;
Minneapolis, Minnesota, two dollars and seventeen cents ($2.17) per bushel;
Duluth, Minnesota, two dollars and seventeen cents ($2.17) per bushel;
New York, New York, two dollars and twenty-eight cents ($2.28) per bushel;
Philadelphia, Pennsylvania, two dollars and twenty-seven cents ($2.27) per bushel;
Baltimore, Maryland, two dollars and twenty-seven cents ($2.27) per bushel;
Newport News, Virginia, two dollars and twenty-seven cents ($2.27) per bushel;
Charleston, South Carolina, two dollars and twenty-seven cents ($2.27) per bushel;
Savannah, Georgia, two dollars and twenty-seven cents ($2.27) per bushel;
Portland, Oregon, two dollars and five cents ($2.05) per bushel;
Seattle, Washington, two dollars and five cents ($2.05) per bushel;
San Francisco, California, two dollars and ten cents ($2.10) per bushel;
Los Angeles, California, two dollars and ten cents ($2.10) per bushel;
Galveston, Texas, two dollars and twenty cents ($2.20) per bushel;
New Orleans, Louisiana, two dollars and twenty cents ($2.20) per bushel;
Salt Lake City, Utah, two dollars ($2.00) per bushel;
Great Falls, Montana, two dollars ($2.00) per bushel;
Spokane, Washington, two dollars ($2.00) per bushel;
Pocatello, Idaho, two dollars ($2.00) per bushel;
Fort Worth, Texas, two dollars and nine cents ($2.09) per bushel;
Oklahoma City, Oklahoma, two dollars and five cents ($2.05) per bushel;
Wichita, Kansas, two dollars and eight cents ($2.08) per bushel,

and that the guaranteed price for the other grades established under the United States grain-standards act approved August 11, 1916, based on said price for No. 1 northern spring wheat at the respective principal primary markets of the United States above mentioned, will assure the producers of wheat produced within the United States a reasonable profit; the guaranteed prices in the principal primary markets above mentioned being fixed by adopting No. 1 northern spring wheat or its equivalents at the principal interior markets, as the basis.

For the purposes of such guaranty only I hereby fix the guaranteed prices at the respective principal primary markets above mentioned for the following grades of wheat, to wit: No. 1 northern spring, No. 1 hard winter, No. 1 red winter, No. 1 durum, No. 1 hard white. The guaranteed prices at the respective principal primary markets aforesaid of all other grades of wheat established under the United States grain standards act approved August 11, 1916, shall be based on the above guaranteed prices and bear just relation thereto.

The sums thus determined and fixed are guaranteed by the Government of the United States at the respective principal primary markets of the United States above mentioned, to every producer of wheat of any grade so established under the United States grain standards act, upon the condition that said wheat is harvested in the United States during the year 1918, and offered for sale before the first day of June, 1919, to such agent or employee of the United States, or other person as may be hereafter designated, at any one of the above-mentioned cities, which are, for the purposes of this act, hereby declared to be the principal primary markets of the United States, and provided that such producer complies with all regulations which may be hereafter promulgated in regard to said guaranty by the President of the United States.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done in the District of Columbia this twenty-first day of February, in the year of our Lord one thousand nine hundred and eighteen, and of the independence of the United States of America the one hundred and forty-second.

[SEAL.] WOODROW WILSON.

By the President:

ROBERT LANSING,
Secretary of State.

Table showing the numbers of crop units a man can produce and the profits per unit and profit per year with cotton, corn, and wheat when cost of plant-food elements removed from the soil by cotton fiber and grain is included.

Crop.	Number of acres cultivated per man per year.	Number of units per acre.	Number of units raised per man per year.	Price per unit in 1917.	Cost of producing a unit in 1918.	Profit per year in 1918.	Farmer's profit per year in 1918 based on 1917 prices.
Cotton:							
Lint	15	175 pounds	2,625 pounds	$0.28½ per pound.	$0.1878 per pound	$0.1178 per pound	$307.65
Seed		353 pounds	2.65 tons	$60 per ton	$35.20 per ton	$24.80 per ton	65.72
							373.37
Corn	60	20 bushels	1,200 bushels	$1.50 per bushel.	$0.98 per bushel.	$0.52 per bushel.	624.00
Wheat	100	12 bushels	1,200 bushels	$1.75 per bushel.	$1.87 per bushel.	$0.08 per bushel.	96.00

Crop.	Price the farmer should receive when based on the farmer's yearly income from corn.		Price the farmer should receive when based on the farmer's yearly income from wheat.		Price the farmer should receive when based on the farmer's yearly income from cotton.	
Cotton:						
Lint	$0.3634 per pound.	$624.00	$0.1979 per pound.	$96.00	$0.285 per pound.	$373.37
Seed	$76.69 per ton.		$41.54 per ton.		$60 per ton.	
Corn	$1.50 per bushel.		$1.06 per bushel.		$1.29 per bushel.	
Wheat	$2.19 per bushel.		$1.75 per bushel.		$1.98 per bushel.	

FARMERS' NATIONAL HEADQUARTERS,
Washington, D. C., July 13, 1918.

Hon. THOMAS P. GORE,
Chairman Senate Committee on Agriculture and Forestry; and
Hon. ASBURY F. LEVER,
Chairman House Committee on Agriculture.

GENTLEMEN: In view of the President's veto of the Agricultural appropriation bill on account of the provision therein guaranteeing a minimum price of $2.40 for wheat, we ask you to take steps to have this question brought up for consideration immediately on its own merits. We feel that the President's veto of $2.40 wheat is based upon a misunderstanding, and that when the facts are brought to his attention he will be most ready to secure adequate recompense for the farmers.

In his veto message the President states that 900,000,000 bushels of wheat are anticipated. This is 100,000,000 bushels less than we have been assured by the Department of Agriculture, and we know that there will be nothing like 900,000,000 bushels of wheat raised next year unless the price is made higher than $2.20. We have received this morning a letter from Mr. John C. Lawrence, a big wheat raiser of Spokane, Wash., in which he says:

"I have just returned from our farm and find our crop close to a failure, five bushels to the acre being the probable yield. Thousands of acres will never be harvested and thousands more will yield but a bushel or two to the acre. This is in a locality more seriously affected, where a veto of the measure would be decisive as to farming operations there another year in a great many cases. Last year was a poor crop in the entire inland empire, which comprises eastern Oregon, eastern Washington, and northern Idaho. This year the yield will not be to exceed two-thirds of last year. Next year there will be considerable acreage practically abandoned by farmers who have lost money both years who will be unable to continue farming operations another year. The price of $2.40 wheat now would help out quite a little this year, and would do much to obtain credit necessary to putting in a crop next year.

"It will be a serious error if this bill does not become a law. Those who are advising the President to veto certainly do not grasp the situation. The increased acreage on which we must depend for increased production will come in that character of land referred to capable of producing a large amount of wheat in favorable conditions. Montana has practically a complete failure. Southern Alberta is burned up. This, with the inland empire, will mean 100,000,000 bushels or more in loss of wheat to the allies. Alberta wheat is now higher than the prices fixed in the United States."

The farmer is patriotic, but he doesn't insist upon having a monopoly of patriotism. He can not afford to raise wheat or any other crop at a loss. As Mr. Lawrence states in his letter, the farmer will not raise wheat another year unless he is going to make a reasonable profit, just exactly as organized labor would not be regarded as unpatriotic in refusing to work for half of the cost of living. The President's suggestion that a fixed minimum price of $2.40 per bushel would add $2 per barrel to the price of flour is based upon a misapprehension of the method of dealing with the situation.

The United States Food Administrator recently wrote us that the British Government purchases grain from America and other places at the market price prevailing on the day of purchase. This is turned over to the millers at a price which will allow the miller to sell the flour at the mill door at a trifle less than $7.50 per barrel. Parliament made an appropriation of nearly $200,000,000, which it is expected will make it possible for one year for bread to be sold, as at present, at a fixed price of 18 cents for a 4-pound loaf, 9 cents for a 2-pound loaf, and 5 cents for a 1-pound loaf. Some such action can and should be taken in this country instead of asking the farmers to produce at a loss. Unfortunately neither the Department of Agriculture nor the Food Administration have the information upon which to base an estimate of the cost of producing wheat nor have they a policy to increase production. On a recent date the Secretary of Agriculture wrote us in regard to data on the cost of producing wheat:

"This question presents many complications and difficulties. The cost varies widely from section to section and from season to season, depending upon yields, climatic conditions, and other important factors. It would be exceedingly difficult, therefore, if not impossible, to secure data which would be accurate for all sections of the country. While the department has obtained some information on the subject, it is not adequately representative, and I would not be willing to have it appear as an expression of the views of the department regarding the cost of producing wheat."

We asked Food Administrator Hoover whether the Food Administration had any policy for meeting the food needs of our own country and our allies, and he replied, in substance, that they have not as far as production is concerned. It is putting it mildly to say that the farmer has been singled out for an intensity of financial sacrifice which neither organized labor nor organized capital is invited to share. In the statistics of income for 1916, published by the Bureau of Internal Revenue, it is shown that only twenty-four hundredths of 1 per cent of the agriculturists of the country received in that year a net taxable income of over $4,000 (single men $3,000), while nearly 2 per cent of saloon keepers were in this class.

It is perfectly true that a large proportion of the wheat needed for ourselves and our allies can be raised at price of $2.20—some of it even for $1.50. But it is unfair to ask that three or four hundred million bushels be raised at a loss to the farmers. Farmers who make big profits raising wheat will pay excess profits and income taxes and be glad to do so. Have we any right to commandeer without payment the services of farmers who can not make money at wheat at $2.20 or at less than $2.40? That is substantially what the failure to grant the minimum price of $2.40 amounts to unless the Government will ascertain the cost of production for every wheat raiser and pay him the cost of production plus a reasonable profit. This is the only just alternative to a minimum price of $2.40 for wheat.

We hope that you will take steps at once to bring this suggestion to the attention of the President. It is unfair to impugn the loyalty of the farmer and to stimulate the criminal action of the privileged business interests of the country, which are making billions out of this war and are now persecuting the farmer by implying that the farmer is unpatriotic if he insists on making a fair living and refuses to produce at a loss. Would the honest and sincere servants of democracy now in Congress continue to serve if they did not receive any salaries?

Yours, truly,

BENJAMIN C. MARSH, *Secretary.*

Mr. GRONNA obtained the floor.

Mr. LEWIS. Mr. President, will the Senator from North Dakota allow me to make a request? Knowing that the Senator has obtained consent to address the Senate, at the conclusion of his remarks I ask the Senate to allow me, say, five minutes to address myself to a report or statement in the public press this morning upon a question I may say that does not touch the wheat question. I ask the Senate after the conclusion of the remarks of the Senator from North Dakota to reserve me perhaps five minutes.

Mr. GRONNA. Mr. President, the question of the production of and a fair price for wheat, both to the consumer and the producer, has been so thoroughly and so ably discussed by Members of this body that I shall not take the time of the Senate to go into that discussion. The Senate of the United States accepted, I may say, the judgment of those who presented the facts to the Members of this body. The President's veto of the Agricultural bill has also been ably discussed by the able Senator from Oklahoma [Mr. GORE] and by my distinguished colleague [Mr. MCCUMBER], and I wish to say, Mr. President, although I did not have the privilege of being present to hear the speech of my colleague, that I have read it, and I indorse every word he said upon the subject. I also indorse what the Senator from Oklahoma has so ably said, but if I may be permitted to answer one suggestion of the Senator from Florida [Mr. FLETCHER] as to the increased cost of producing cotton, let me say to the Senator from Florida that while I believe what he said relative to cotton is absolutely true, I also wish to assure him that the same increase in the cost of production has taken effect with reference to wheat and other commodities.

I simply wish to cite one instance. In the western portion of the country grain is thrashed in the shock. In normal times thrashing costs the farmer from 8 to 10 cents a bushel. The man who furnishes the thrashing machine also furnishes the help and furnishes the board, and thrashes the grain for a certain price per bushel or a certain price per hour. Last year, I believe I am safe in saying, it cost the farmers of my State on an average not less than 20 cents a bushel. This year the thrashers are not willing to set a price per bushel, but they ask so much per hour, and while in normal times, in peace times, we could get a crew of men and a large machine to work for $15 or $17 per hour, I was told last week by men who were engaged in that business that they would have to charge from $30 to $40 per hour, which means not less than 30 cents a bushel, and in many instances it will cost the farmer 40 cents a bushel to have his grain thrashed. The Senator from Florida can see from this one illustration what the increased cost is to the producer of grain.

Mr. FLETCHER. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Florida?

Mr. GRONNA. I yield with pleasure.

Mr. FLETCHER. What is the crew? Is it composed of the men and the machine that do the thrashing?

Mr. GRONNA. Yes; and a sufficient number of teams to haul the grain to the machine.

Mr. FLETCHER. How many men?

Mr. GRONNA. I should say about 30 men, and about 10 or 12 teams.

Mr. President, as I have said, this subject has been so ably discussed by the two Senators whom I have named that I should not perhaps take a single moment of the time of the Senate to further discuss it were it not for the fact that I received this morning the telegram which I read a few moments ago and which I shall read again. It is addressed to me and is as follows:

SARLES, N. DAK., *July 18, 1918.*

We want your support in passing the $2.40 wheat bill over the President's veto.

THE CYPRESS FARMERS' CLUB,
OF 93 MEMBERS, SARLES, N. DAK.

I received that message at 10.30 this morning. Sarles is a small village located on a branch of the Great Northern Railroad within a few miles of the Canadian line. I know of no place in the United States where the people are more patriotic and where they are more interested in the outcome of the war than in this little community.

The people of this community have given their sons to their country's cause; they have gone in large numbers to the field of battle, and I can say for them that they are willing to sacrifice every energy and every dollar at their command in order that this war shall be won; but, Mr. President, necessity compels me to tell the truth, and the truth is that the price which has been fixed for wheat by the Food Administration and by the Chief Executive is at this time not a compensatory price.

It is certainly not my purpose to criticize the Chief Executive simply because he has seen fit to veto the Agricultural appropriation bill for the reason that that bill contained the provision fixing a minimum price of $2.40 for wheat, but, Mr. President, I feel constrained to dissent from his judgment. I wholly disagree with him.

Mr. President, on the 12th day of July the President of the United States vetoed the Agricultural appropriation bill. In his veto message, amongst other things, he said:

I feel constrained to do so because of my very earnest dissent, from the point of view of principle as well as of wise expediency, from the provision of that part of section 14 which prescribes a uniform minimum price on No. 2 northern spring wheat of $2.40 per bushel.

I dissent upon principle, because I believe that such inelastic legislative price provisions are insusceptible of being administered in a way that will be advantageous either to the producer or to the consumer, establishing, as they do, arbitrary levels which are quite independent of the normal market conditions, because I believe that the present method of regulation by conference with all concerned has resulted in the most satisfactory manner, considering the complexity and variety of the subject matter dealt with.

Mr. President, I do not rise for the purpose of, or with the idea of, criticizing or finding fault with the President of the United States because of his veto of the Agricultural bill. The President has exercised a constitutional right, but I feel it my duty to call to the attention of the President and the county the fact that I disagree wholly with his conclusions.

The objections which the President urges are based upon reasons which are not founded upon facts. I ask, Is it wise or expedient to fix a maximum price at a time when this article of food is so badly needed? Is it wise, I ask, to fix the value of the farmer's products at a price which will not stimulate production?

Of course, everybody knows how difficult it is to prove that all the farmers of the United States, or even a majority of the farmers of the United States, are satisfied with the price fixed by the administration. It is difficult, because it is impossible to get all the farmers together, and the farmers can only be represented or misrepresented by men at the head of their organization, or by men who are supposed to represent them in an official capacity.

Speaking for myself, I believe that a majority of the farmers of the United States are dissatisfied with the present price of wheat. I know that in the State which I in part have the honor to represent the farmers are dissatisfied with conditions as they exist at present.

The PRESIDENT pro tempore. Will the Senator permit the Chair to interrupt him for a moment?

Mr. GRONNA. Yes.

The PRESIDENT pro tempore. The Chair thought it would be courteous to call the attention of the Senator to the fact that the morning hour will have expired at 2 o'clock, and thereafter no further business under the unanimous-consent rule, in the opinion of the Chair, may be transacted. The Chair regrets the necessity of making that ruling; but the unfinished business would technically come before the Senate at that time and could not be taken up under the unanimous-consent agreement.

Mr. GRONNA. Let me say that I think the present occupant of the chair was not in the chair when I asked unanimous consent, either at that time or later, to proceed for 10 or 15 minutes. That unanimous consent has been given.

The PRESIDENT pro tempore. The Chair only made the suggestion to the Senator because he wanted to be as courteous as possible. The Senate, the Chair thinks, will have to adjourn automatically under the original unanimous-consent agreement at 2 o'clock. That is the opinion of the Chair.

Mr. McCUMBER. Mr. President, may I call the attention of the Chair to the fact that the unanimous-consent agreement refers simply to morning business? It does not say "at the conclusion of the morning hour," but we can continue the morning business; and, while it would automatically be closed and the unfinished business would come up at 2 o'clock, it has been the custom of the Senate to take up at any time morning business, which consists of the introduction of petitions, the presentation of reports of committees, the introduction of bills and joint resolutions, and so forth. The agreement is that we shall proceed with the morning business. It does not say that we shall close morning business at 2 o'clock, at the close of what is known as the morning hour, but only when we complete whatever morning business the Senate may wish to consider. I wish to say that my own view of the matter is that morning business could, just the same as on any other day, be considered by unanimous consent.

The PRESIDENT pro tempore. The Chair regrets very much that he will be compelled to rule that morning business as such can only be transacted during the morning hour. If transacted at any other time, it is not morning business within the terms of the unanimous-consent agreement. The Senator will have an opportunity when the Senate meets on Monday to continue, but the Chair thinks——

Mr. GRONNA. I may not be here Monday; but I am sure that the country and the people of the country will live although I may not have an opportunity to make this speech. I will say to the Chair, however, that I do not agree with his conclusions, although I shall make no objection to them.

The PRESIDENT pro tempore. The present occupant of the chair is extremely sorry that the views of the Chair are not in accord with those of the Senator.

Mr. GRONNA. I think I can find plenty of instances to show that there is no regular time set for morning business; but if there is morning business to come before the Senate, whether it is 1 o'clock or 2 o'clock or 3 o'clock, it can be transacted. I believe that is the custom of the Senate. However, I shall be glad to accept the ruling of the Chair.

The PRESIDENT pro tempore. May the Chair say to the Senator that there are other Senators who desired also to speak this morning, and the Chair informed them the Chair would rule that it would be impossible for them to do so after 2 o'clock? Therefore, the Chair trusts the Senator will understand that the ruling is not directed at him.

Mr. GRONNA. I appreciate that, Mr. President. I shall close by saying that I am sorry that I have to disagree with the conclusions of the President of the United States as stated in his message in vetoing the Agricultural bill. I am sure that if he had used his own keen judgment and not based his conclusions upon the estimates that necessarily must have been furnished him by some one, because no President of the United States, even in times of peace, can go into the details of these complex questions, but must depend upon his subordinates for data and estimates upon the questions involved, his conclusions would have been different.

The PRESIDENT pro tempore. The hour of 2 o'clock having arrived, the morning business is concluded, and the Senate stands adjourned.

Thereupon (at 2 o'clock p. m.) the Senate adjourned, the adjournment being under the order heretofore entered, until Monday, July 22, 1918, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, *July 18, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O God, our Heavenly Father, look down from Thy throne of grace with compassion upon a sorrowing world, now engaged in the most sanguinary struggle that the world has ever witnessed.

Thousands are dead; thousands dying; thousands maimed for life. On the one hand, a bloodthirsty foe seeking to destroy the most hallowed principles; on the other hand, men striving to uphold those principles which Thou hast taught us to love and cherish.

Our Nation's heart and the hearts of our sister nations associated with us are bleeding in sorrow and grief.

Draw very near, O God, with Thy pitying love, to the fathers, mothers, wives, children, and friends who are suffering anxiety for their precious ones; especially those who are mourning for their dead and dying.

Comfort their hearts with the thought that theirs is a supreme sacrifice for humanity.

Hear us, O God, and answer our prayer in the name of Him who gave his life for suffering humanity. Amen.

The Journal of the proceedings of Monday, July 15, 1918, was read and approved.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 9 minutes p. m.) the House adjourned until Monday, July 22, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of Commerce submitting supplemental estimates of appropriations required by the Steamboat-Inspection Service for the fiscal year 1919 (H. Doc. No. 1236); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Acting Secretary of the Treasury, transmittting a supplemental estimate of appropriation for additional services and equipment for the office of the Auditor for the Treasury Department for the fiscal year 1919 (H. Doc. No. 1237); to the Committee on Appropriations and ordered to be printed.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CARTER of Massachusetts: Petition of Newton Boatown, Courtenay Guild, John F. Brant, Henry H. Cummings, Duncan A. McPhil, Tremont Temple, and Rector D. Stetson, of Boston; Ralph P. Jones, of West Somerville; and George H. Carter, James M. York, and F. E. Cheney, of Cambridge, all in the State of Massachusetts, for complete and immediate prohibition; to the Committee on the Judiciary.

By Mr. KRAUS: Petition of sundry citizens of Marion, Ind., in behalf of the chiropractors of the United States; to the Committee on Military Affairs.

By Mr. SNELL: Petition of A. H. Minkler, F. W. Elger, Mary A. Elger, A. Elger, Effie M. Dignean, John G. Barnes, Eila B. Barnes, Wesley E. Baker, Royal Dignean, Jessie L. Kingsley, Charles G. Chase, Mildred T. Chase, R. B. Shoen, Frank Larme, Cephas A. Gilman, Jessie C. Shoen, M. H. Taylor, Elizabeth J. Taylor, Harriet A. H. Baker, and Harriet N. Hamilton, all of Racket River, N. Y., favoring war prohibition; to the Committee on the Judiciary.

SENATE.

MONDAY, *July 22, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come to Thee in the exercise of our highest and most sacred privilege—the privilege of prayer—to lay before Thee our Nation's cause and our Nation's interest. To it we have consecrated our fortunes, our lives, and our sacred honor. All that is dearest to us has been put into the cause of our Nation. We look to Thee for Thy guidance and blessing. We pray that Thou wilt let Thy care be vouchsafed to those who represent us on the bloody battle field on this day; that the General of the Army may be given wisdom so to guide and direct the men under his command that they may move forward, as they have been moving forward, to yet greater victory and to greater glory to their arms. We pray Thee to hasten the day when our troops will come home with victory upon their banners, with the accomplishment of a world peace, and the entering in of the world's highest civilization. For Christ's sake. Amen.

NAMING A PRESIDING OFFICER.

The Secretary (James M. Baker) read the following communication:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
July 22, 1918.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JOHN H. BANKHEAD, a Senator from the State of Alabama, to perform the duties of the Chair during my absence.

WILLARD SAULSBURY,
President pro tempore.

Mr. BANKHEAD thereupon took the chair as Presiding Officer.

The Secretary proceeded to read the Journal of the proceedings of Thursday, July 18, 1918, when, on request of Mr. SMOOT and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the Speaker of the House had signed the enrolled bill (S. 4555) to validate certain public-land entries, and it was thereupon signed by the Presiding Officer.

PETITIONS.

Mr. CURTIS presented a petition of sundry citizens of Clay County, Kans., and a petition of sundry citizens of Gore County, Kans., praying for the substitution of the oath required of enlisted men for the oath required of officers, which were referred to the Committee on Military Affairs.

Mr. FLETCHER. I present a petition from citizens of the fourth district of Florida, the heading of which I ask to have read.

The Secretary read as follows:

Hotel Seminole meeting, held July 4, 1918, fourth district of Florida:
We, the undersigned, urge you to vote and work for the immediate passage of the national suffrage amendment.

The PRESIDING OFFICER. The petition will lie on the table.

Mr. JONES of Washington. I have a petition, signed by 37 citizens of King County, Wash., praying for the passage of a bill to provide for the substitution of the oath required of enlisted men for the oath required of officers. The petitioners respectfully urge the passage of this bill, giving as a reason that it will not excuse any man in the church from military service but will open up the way for more to enlist. I move that the petition be referred to the Committee on Military Affairs.

The motion was agreed to.

Mr. WARREN. I have a communication in the nature of a petition from the United Mine Workers' Local Union No. 2335, of Hanna, Wyo., setting forth that resolutions were adopted by that body with relation to, in fact recommending, some reclassification of registrants for the draft, so that those above the present prescribed draft age who have no vocation and those who may allege that they are in a vocation such as that of salesman or traveling representative, who make profit between producer and consumer, may be reached in this draft; in other words, the petition is in support of the rule that men of proper age and ability shall either work or fight. I present the resolutions, and I wish to add that I agree fully with the prayer of the petitioners. I ask that the petition be referred to the Committee on Military Affairs.

The PRESIDING OFFICER. Such will be the order.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMOOT:

A bill (S. 4846) granting an increase of pension to John F. Mannel (with accompanying papers); to the Committee on Pensions.

By Mr. NORRIS:

A bill (S. 4847) granting a pension to Louisa Jones; to the Committee on Pensions.

WITHDRAWAL OF PAPERS—CHARLES DADE.

On motion of Mr. CURTIS, it was

Ordered, That leave be granted to withdraw from the files of the Senate the papers accompanying the bill S. 1659, Sixty-fifth Congress, second session, granting relief to Charles Dade, no adverse report having been made thereon.

PRINTING OF THE DAILY CALENDAR.

Mr. SMOOT. Mr. President, I wish to say to the Senate that if there is no objection I am going to ask that the Secretary request the Public Printer not to print the daily Calendar of Business until the 24th day of August. We can thus save 18 or 20 pages of paper and the printing involved. The calendar is of no use whatever to the Senate from to-day until the 24th of August, and we will be able to save just that much paper and just that much printing.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Utah? The Chair hears none, and it is so ordered.

STRIKE IN WAR INDUSTRIES.

Mr. THOMAS. Mr. President, I send to the desk a clipping from yesterday's New York Times, and I ask that the Secretary read it.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

Mr. SMOOT. What was the request of the Senator from Colorado?

Mr. THOMAS. I asked for the reading of a short clipping, but if the Senator from Utah prefers that I should read it, I will do so.

Mr. SMOOT. I should prefer that the Senator read it.

Mr. THOMAS. Mr. President, I read the following extract from yesterday's New York Times, which is entitled "31,000 strikers out in New England."

FEDERAL CONCILIATORS ACTIVE IN ATTEMPT TO END DISPUTE WHICH IS HAMPERING WAR WORK.

BOSTON, *July 20.*

The close of the first week of the Franco-American counteroffensive finds 31,000 workers—more than an American division—idle because of labor disputes at 10 industrial centers in Massachusetts and Rhode Island. Virtually all had been engaged on munitions of war and the disputes were over wages, shop conditions, or recognition of the unions.

There were few encouraging developments to-day, but it was hoped that meetings of the strikers and conferences between employers and employees might be fruitful of an early resumption of work. The most serious situations were at Lynn, where a strike of 10,000 workers had tied up the plant of the General Electric Co., and at Brockton, where an equal number of shoe operatives were out.

Federal Investigators James A. Sullivan and R. H. Leslie went to Brockton to-day. At Haverhill Mayor Morse made a futile attempt at reconciliation. At Pawtucket, R. I., John Golden, president of the United Textile Workers of America, announced that a representative of Secretary of War Baker had arrived.

Nothing new of importance was reported from Bristol and Woonsocket, where rubber makers are on strike, or from Warren, R. I., where 750 textile workers are out.

The Smith & Wesson revolver factory at Springfield continued in operation, but with its force depleted by about 900 men, according to strike leaders. The lesser troubles of the paper makers at Holyoke and weavers at Easthampton appeared no nearer adjustment.

The same edition of the paper gave an account of an address to some 5,000 strikers in New Jersey by Mrs. Creel on Saturday, who called attention, in a very commendable way, to the existing crisis and to the need for constant effort in production.

Mr. President, at a time when the fortunes of war seem to be changing, when the allied troops are marching from triumph to triumph, fighting by day and by night, fighting under the most oppressive conditions and winning victory for the great cause

which they represent, it is doubly unfortunate that in their country, where munitions are the crying need of the hour, when everything needed for the facilitation of the success of our arms should be produced, over 40,000 men and women are voluntarily idle because they want to secure higher wages and what they think are better working conditions.

It is doubly unfortunate, Mr. President, when we reflect that within the last 60 days, pursuant to conferences between representatives of labor and those of the Government and by the unanimous consent of all concerned, a commission was appointed, with an ex-President of the United States at its head, equipped with power and with authority to inquire into and adjust all differences between employer and employee—a commission the appointment of which was hailed with much satisfaction by everyone as offering in all probability a happy solution of future differences, both actual and potential, whose good offices these strikers wholly repudiate.

It seems that our efforts to forestall a situation like this are made nugatory by the action of many who belong to, if they do not represent, one side of the conference which led to this gratifying result.

Mr. President, I want to enter my protest at this time, when the boys of America are engaged in the greatest struggle known to history, when everyone recognizes what this war means and how essential success is to the world's future, that so large a proportion of our population should be so indifferent to their duty and to the requirements of the hour as to suspend work under any circumstances—work quite as essential to our success as that so gloriously performed across the ocean.

What we need at the front, Mr. President, besides men are munitions, and we are not yet producing our quota of munitions. What these men across the sea need is clothing of all sorts, and while they have abundance for the present they may not have abundance when the snows begin to fly in October and November. If, forsooth, Mr. President, this victorious thrust to the eastward of the splendid soldiers of France and of America be halted for want of munitions, that very fact may result in a counter disaster that would restore the Germans to all that they have lost.

I affirm, Mr. President, that the conduct of these people at this time, although they may not so intend it, gives aid and comfort to the enemy at the very time when aid and comfort are greatly and sorely needed and who will doubtless welcome it. If striking were necessary, I would be the last to condemn this effort on the part of wage earners to secure what they think and what the country might determine to be an essential improvement in their condition; but when we consider that wages to-day are higher than wage earners ever dreamed of enjoying and that the Government has gone to extremes in providing against contingencies like this, to the end that differences may be adjusted while not interfering with production, it becomes the duty of every public man to denounce, to condemn, and to deplore resort to strikes as a means of forcing the hand of the employer. It is profiteering in the worst sense, because, in addition to the demand for more money of the Government, the object is sought to be obtained through suspension of production at a time when production is so sorely needed. I have joined, Mr. President, with others on this floor in condemning the profiteer, as I shall continue to do, but I will not draw any distinction between the wage-earning profiteer who enforces his demands at a time and in a crisis like this by refusing to work and the typical profiteer who takes advantage of the Government's necessities through contracts and manipulations whereby his wealth is increased at the cost of the country's needs. They are tarred with the same stick; they belong to the same class; they deserve the same criticism; they differ, Mr. President, only in degree.

This morning's papers announced the presence of a submarine in dangerous proximity to the New England coast. On yesterday it sank three helpless barges, destroying them in sight of spectators on our shores. During the last two months the whole coast has been menaced by the presence of submarines, a danger we have not yet overcome. I am afraid it is growing hourly. We can only overcome it, Mr. President, by the increase of our naval force and of those appliances which thus far have been found most potential in U-boat warfare; that is to say, by hurrying work on our torpedo destroyers, on munitions, and especially depth bombs; in the increase of our fighting planes; of everything Mr. President, that may minimize or destroy this menace. Yet, at the very time when in sight of our shores American shipping is being destroyed by the submarines of the enemy, nearly 40,000, perhaps over 40,000, men and women are idle, quarreling over the question of wages and refusing to work until their demands are complied with.

This presents an emergency which we should meet. Congress should reconvene and legislate regarding this subject. A maximum wage should be fixed and enforced by the Government, and those who encourage strikes should be treated as we treat others who give aid and encouragement to the enemy. If an individual is overheard uttering remarks derogatory to the war loan or saying anything which may be justly and fairly interpreted to discourage enlistment or to interfere with the enforcement of the draft or offering an obstacle, absolute or potential, to the due prosecution of the war, we proceed against him; we incarcerate him; we try him; and, if found guilty, we convict and punish him. Mr. President, the injury caused by this idleness to-day in New England and in New Jersey is more actual and more terrible, in my judgment, than all which has been accomplished by the fugitive utterances of individuals and by the treasonable publications of newspapers supposed to be disloyal to the Government.

I trust, therefore, that this menace, which is constantly increasing, will find early response in some sort of legislation, if need be, to grapple with and destroy it, by strengthening the hands of the Government, to the end that labor difficulties may be settled as the industrial agreement requires that they should be settled, to the end that our highest efforts everywhere may be given to the production of munitions and of all other supplies needed in warfare. Treason should be made odious everywhere. We must recognize it whether it appears in strikes or in publications, in conspiracies or in openly declared hostility to the Government. We can not be indifferent to this subject for it is too insistent and too common for the public safety.

ORDER OF BUSINESS.

Mr. LEWIS. Mr. President, I rise to ask the Senate to indulge me for five or six minutes, but I do not wish to do that at the expense of any Senator who desires to present morning business.

The PRESIDING OFFICER. The Senator from Illinois asks unanimous consent to address the Senate.

Mr. LEWIS. Yes; I ask unanimous consent to address the Senate for five or six minutes upon a noncontroversial subject.

The PRESIDING OFFICER. Is there objection?

Mr. ASHURST. Mr. President, of course I would not think of objecting to the request of the distinguished and eloquent Senator from Illinois; it is a pleasure to listen to him; but I wish the Senate to understand that, as I construe the unanimous-consent agreement, the Senate can not give consent to anything; anything that requires consent on the part of the Senate is estopped from being done. I will not, however, make any objection, because I wish to hear the Senator.

Mr. LEWIS. I hardly think an objection would apply to the subject to which I desire to address myself.

Mr. ASHURST. I am glad to hear the Senator on any subject; but I believe we will fall, as the days go by, into some very grievous errors and make some serious mistakes if we continue to ask unanimous consent for this and for that. I am not going to object any more. I think a Senator has a right to address the Senate for no longer than five minutes upon any subject he pleases under the rules, and he is within the rule and within the spirit alike of the unanimous-consent agreement when he addresses the Senate during the morning hour upon any subject for not longer than five minutes.

I objected the other day to my good friend the Senator from Oklahoma [Mr. GORE] proceeding. I selected him because of the cordial friendship between us. Since my public statement here as to my views regarding the unanimous-consent agreement I have received a telegram from a Member of the Senate, not a Democratic Senator but from a Republican Senator, urging that the spirit of the unanimous-consent agreement should be observed and that under its spirit nothing that requires consent on the part of the Senate can be done. I do not object, of course, to the Senator from Illinois proceeding. I shall be glad to hear the Senator.

Mr. JONES of Washington. Mr. President, I merely wish to say a word.

Mr. LEWIS. I yield to the Senator.

Mr. JONES of Washington. The Senator from Arizona [Mr. ASHURST] referred to the fact that a Senator could speak five minutes under the order of morning business. I do not know of any rule that even permits that.

Mr. ASHURST. I believe I am in error about that. I was thinking of the time between the expiration of the routine morning business and the remainder of the morning hour until 2 o'clock.

Mr. JONES of Washington. I have assumed, Mr. President, that during the morning hour a Senator can speak on any matter he desires unless objection is made——

Mr. LEWIS. I think that is the rule.

Mr. JONES of Washington. And that no request for unanimous consent is necessary; that if no Senator objects the Senator having the floor can proceed with his remarks during the morning hour.

Mr. LEWIS. Mr. President, I only made the request because either the present distinguished occupant of the chair or the President pro tempore has intimated that unanimous consent was necessary. I did not so understand, but I conformed to the suggestion, knowing that no Senator would stand upon that form. If, however, it is not necessary and it is assumed that I may proceed for a few minutes merely within my rights, unless objection is made, I would rather do that than to establish the necessity of the Chair having to rule in each instance as to each Senator.

Mr. SMOOT. Mr. President, I wish to say that unanimous agreements of this kind have been entered into heretofore by the Senate. I suggest to Senators that morning business be first attended to, and then any Senator, under the unanimous-consent agreement, can proceed to speak unless or until there is objection raised, and then, when objection is raised, that must stop debate.

I should like to suggest that Senators allow the regular morning business to proceed, and then secure recognition before the Chair announces the conclusion of the morning business. Then, if Senators desire to leave the Chamber, they can leave knowing that the Senator occupying the floor can not continue beyond 2 o'clock. I think that would be the orderly way to proceed.

The PRESIDING OFFICER. The Chair thinks that under the unanimous-consent agreement the Senate must adjourn at the conclusion of the regular routine morning business. So far as consent is concerned, when the morning business is disposed of, it seems to the Chair that it is within the control of the Senate whether Senators shall be permitted to address the Senate. The Chair will say, however, that in no event can the proceedings extend beyond 2 o'clock.

Mr. LEWIS. In this connection I desire to concur with the Senator from Utah [Mr. SMOOT], and if any Senator here has a petition to present, or what is called morning business, I would prefer to yield to him at this time than to interfere with the regular procedure. I shall, therefore, wait until petitions and memorials have been presented for such little matters as I desire to bring to the attention of the Senate. I pause for a moment to say I yield to any Senator who wishes to present a petition or a memorial.

The PRESIDING OFFICER. Concurrent and other resolutions are in order.

Mr. LEWIS. Mr. President, I understand that order brings the morning business to a conclusion.

The PRESIDING OFFICER. The Chair has not declared morning business concluded. When he does there may not be an opportunity to speak.

THE AMERICAN ARMY IN FRANCE.

Mr. LEWIS. Mr. President, my purpose in rising is to address the Senate upon the report the public press brings through the cables to our countrymen as to the conduct of our soldiers abroad. In view of the patriotic discussion this morning of the senior Senator from Colorado [Mr. THOMAS], I take it that what views I shall express will not be unwelcome to this body.

We read in the cables that under the order of a superior commander in France the colors of America were directed to the rear, and the report has it that the American soldiers returned the reply stating that, while they respected the orders of their military masters, they could but view with humiliation the necessity which carried the colors of America to the rear, and that it was their purpose to make a "counter attack."

Mr. President, I am moved to recall to the mind of the Senate that in the ancient days the Greek meeting Greek called out, "What news?" The answer was, "Greece is still the Greeks'." If there shall be those who ask to-day the news of France, we reply, "France is still French."

The River Marne, long the Rubicon barring imperial despotism from European democracy, is still the stream at whose banks the fire chariots and bloody hosts of murderous captains are ever swallowed. The news is, "the Germans have retreated across the Marne." Sir, it was the American who drove him to his retreat—the American soldier, whose intelligent valor at first trial against German brute obedience shattered the German forces, captured their arms and cannon, and took as prisoners their commanders and armies. It was the American who rescued five cities from German siege and gave deliverance anew to imperiled France. These Americans, fresh from life's devotions to religious peace, met the German trained warriors of a life of martial discipline, perfected under four years of systematized process of raid and slaughter, and these Americans, with the spring of action, with the bold courage that is their inheritance, and with the unquenchable will to conquer, gave Germany the surprise shock of its existence as they showed how American soldiers of but one year's military training could excel in the arts of war and surpass in the dash and carry of attack over the Kaiser's blood-immured soldiers.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Colorado?

Mr. LEWIS. I yield.

Mr. THOMAS. I should like to ask the Senator if he does not think that the French are entitled to just a little bit of credit for that magnificent achievement?

Mr. LEWIS. The Senator will see in a few moments that he will have no occasion to think I have lost sight of that fact. I might reply more in detail, Senators, and say that up to this point I am alluding to the fact of the American charge and to the American threat that they would make a counter attack. It is as to that counter attack that these Americans made to which I particularly pay tribute at this time.

These Americans, fighting on a soil that was strange, advancing on fields unexplored, and moving to commands in a tongue confusing, opposed those who had seven times charted with their swords their course over these stretches and often echoed with cannon roar their marches over and across this blood-smutched morass.

Sir, we here pause feelingly to pay dues to the cooperation of the French, to the splendor of their design and the glory of their execution. These French, indomitable as is France, repeated all that which before was its sublime example; and yet, sir, we will not refrain from marking the fact that the glorious deed of holy achievement was by the Americans. It was the Americans who, seeing their flag marched to the rear under discipline of military maneuver, were bowed in humiliation and sent the challenge to their military masters proclaiming that America could not see her ennobled colors, long sanctified in patriot fathers' blood, driven to the rear and trailed in submission. America's soldiers shouted out their determination to "counter attack." Then all the world witnessed that the words were but spoken when, with cheers from the American heart and the daring of the American soul, the counter attack was hurled by Americans against Germany. Then American bayonets twisted and locked over German helmets, while their cracking rifles snapped by a thousand echoes in German faces. American cannon bulged and belched against German angles and crushed and scattered German lines and squares. There, hand to hand, life to life, was the "counter attack." It was America on trial; her sons in the test. The hour burned with the flames of the fiery onset. Then came the rush, the crush, and the victory!

It was now no more the American flag carried to the rear, but by American counter attack it was the German imperial black ensign that fell and floundered at the rear, while America's flag was planted on German ramparts, where it flies over German outposts and floats, in the evening sun, a pennant of advance and victory. The enemy it is who has surrendered. Five towns recovered, two river reaches won, miles of distance possessed as the enemy's army retreated before America's advance. America's flag in counter attack—now the colors of the Republic, full high in honor and glorious in triumph!

Sir, if the French drummer boy had never been taught to beat a retreat, so, too, the American soldier had never learned how his flag could stay to the rear. Senators, the American flag was born at the fore of civilization and shall live in the front of its defense. Let Germany know that, now that she has forced us into the conflict for the defense of all that we are, this America knows no retreat. Her course is ahead; her orders "advance"; and to every repulse her response is, "We will counter attack." And this America will do; will repeat and redouble the attack until every stronghold of German aggression upon the rights of man has been beaten back, civilization rescued from its peril, and enlightened liberty restored to the government of man.

Mr. President, to-day as we send sympathy to our patriotic citizen, once President, Theodore Roosevelt, for the loss that is his, as we breathe our sorrow to every home whose son has fallen in our cause, as we drop a tear for that mother whose noble boy fights and falls, and stretch our hand to the father whose heart bleeds but who exults in the glory of his boy, we praise all, but, above all, bless God that we are Americans. I thank the Senate.

The PRESIDING OFFICER. Morning business is closed, and, under the unanimous-consent agreement, the Senate stands adjourned until 12 o'clock on Thursday next.

Thereupon (at 12 o'clock and 40 minutes p. m.) the Senate adjourned until Thursday, July 25, 1918, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *July 22, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry M. Couden, D. D., offered the following prayer:

Humbly and reverently we bow in Thy sacred presence, Eternal God our Heavenly Father, and seek most earnestly Thy counsels to uphold, sustain, and guide us in the stupendous duty we have assumed as a Nation in the world-wide contest for righteousness, truth, liberty, and justice.

Enhance our faith, quicken our hopes, and strengthen us for the gigantic task, which calls for the greatest and holiest sacrifices of our people and soldiers, for the peoples and soldiers of our allies.

We thank Thee for the wealth at our hands; for the willingness of our people to sacrifice means and men in the righteous cause.

Make us strong to resist; firm in our convictions to advance the holy cause, in all that is purest and best.

In His Name. Amen.

The Journal of the proceedings of Thursday, July 18, 1918, was read and approved.

ENROLLED BILLS SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the following title, when the Speaker signed the same:

S. 4555. An act to validate certain public-land entries.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had presented to the President of the United States, for his approval, the following bills and joint resolution:

On July 15, 1918:

H. R. 12099. An act to confer on the President power to prescribe charter rates and freight rates and to requisition vessels, and for other purposes;

H. R. 10852. An act to provide for the appointment of a commission to standardize screw threads; and

H. J. Res. 309. Joint resolution to authorize the President, in time of war, to supervise or take possession and assume control of any telegraph, telephone, marine cable, or radio system or systems or any part thereof and to operate the same in such manner as may be needful or desirable for the duration of the war, and to provide just compensation therefor.

On July 18, 1918:

H. R. 8839. An act for the establishment of Oswego, in the State of New York, as a port of entry for immediate transportation without appraisement of dutiable merchandise; and

H. R. 12002. An act for the establishment of Bar Harbor, in the State of Maine, as a port of entry and delivery for the immediate transportation without appraisement of dutiable merchandise.

ADJOURNMENT UNTIL THURSDAY NEXT.

Mr. KITCHIN. Mr. Speaker, under the consent agreement heretofore made I move that the House do now adjourn to meet on Thursday next.

The motion was agreed to; accordingly (at 12 o'clock and 4 minutes p. m.) the House adjourned until Thursday, July 25, 1918, at 12 o'clock noon.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CARY: Petitions of G. E. Spahn, president Capital City Commercial School, Madison, and of E. W. Spencer, president Spencerian Business College, Milwaukee, Wis., protesting against the proposal to tax the tuition fees of private schools; to the Committee on Ways and Means.

By Mr. DENISON: Petition of Owen F. Thompson and numerous other citizens of the twenty-fifth congressional district of Illinois, members of the Reformed Presbyterian (Covenanter) Church of North America, indorsing H. R. 10266, a bill to provide for the substitution of the oath required of enlisted men for the oath required of officers, in order to relieve those who object on conscientious grounds to the oath prescribed by law for officers; to the Committee on Military Affairs.

SENATE.

THURSDAY, *July 25, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we desire to hold our place with honor and with high regard for the eternal principles of justice among the nations of the earth. We desire to administer truth and to lead in the path of a right conscience toward God and man. We pray that we may be given wisdom in proportion to our power and influence among the nations of the earth, and may the message and ministry of our people be that of the highest ideal of a Christian civilization. Hear us in our prayer and fit us for the responsibilities of this day. Let Thy blessing come upon the boys who are representing us upon the bloody battle field this day. Bring success to them. For Christ's sake. Amen.

NAMING A PRESIDING OFFICER.

The Secretary (James M. Baker) read the following communication:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
July 25, 1918.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JOHN H. BANKHEAD, a Senator from the State of Alabama, to perform the duties of the Chair during my absence.

WILLARD SAULSBURY,
President pro tempore.

Mr. BANKHEAD thereupon took the chair as Presiding Officer.

The Secretary proceeded to read the Journal of Monday, July 22, 1918, when, on request of Mr. SMOOT and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MAILS OF AMERICAN EXPEDITIONARY FORCE (S. DOC. NO. 269, PT. 2).

The PRESIDING OFFICER laid before the Senate a communication from the Secretary of War, transmitting, in further response to a resolution of the 5th instant, a more complete statement relative to the operations of the War Department in connection with the handling of mails to and from the American Expeditionary Force, which, with the accompanying paper, was referred to the Committee on Military Affairs and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the bill (S. 3529) to repeal the act entitled "An act to incorporate the National German-American Alliance."

MEMORIALS.

Mr. NELSON presented a memorial of sundry citizens of Murray County, Minn., remonstrating against the proposed increase of 10 cents per gallon on gasoline, which was referred to the Committee on Finance.

He also presented resolutions adopted by the Chamber of Commerce of Minneapolis, Minn., relative to the discrimination of freight rates on grain, which were referred to the Committee on Interstate Commerce.

TENNESSEE RIVER BRIDGE.

Mr. FLETCHER, from the Committee on Commerce, to which was referred the bill (H. R. 10818) to authorize the county of Loudon, in the State of Tennessee, to construct a bridge across the Tennessee River near Loudon, Tenn., reported it without amendment and submitted a report (No. 553) thereon.

BILL INTRODUCED.

Mr. NORRIS introduced a bill (S. 4848) granting an increase of pension to Robert R. Polk, which was read twice by its title and referred to the Committee on Pensions.

COMMISSIONED OFFICERS.

Mr. KING submitted the following resolution (S. Res. 287), which was read and referred to the Committee on Military Affairs:

Resolved, That the Secretary of War be, and he is hereby, directed to transmit to the Senate full information showing the names of all commissioned officers in the military service of the United States, who, since the 6th day of April, 1917, have received or are receiving any salary, compensation, gratuities, gifts, or emoluments of any kind, character, or description from any person, corporation, or voluntary association which has been, or is now, engaged in any business pursuit, enterprise, or undertaking; and also showing whether any of said persons, corporations, or voluntary associations has directly or indirectly had any dealings with the United States since said date, and the character, nature, and extent of the same.

NATION-WIDE PROHIBITION.

Mr. MYERS. Mr. President, I desire to submit a few remarks upon the question of nation-wide prohibition as a war measure.

Congress, having prohibited the selling of intoxicating drinks to soldiers and provided for moral zones about cantonments and stopped the making of foodstuff into whisky, should consistently and courageously go forward to complete prohibition for the period of the war—

(1) To protect the soldiers when on furlough by making "moral zones" nation wide. "If we expect the soldiers to die for us, we ought to be willing to go 'dry' for them." Saloons and their auxiliaries in Newport and Philadelphia and other "wet" cities have persistently debauched our fighting forces despite warnings, as is proved by restrictions put upon them by the Army and the Navy, which, however, can only palliate this peril to soldierly efficiency until prohibition comes in some way to their aid; and let us not forget it is the saloons that have made many of draft age incapable of military duty—left at home to breed the next generation.

(2) To protect the efficiency of industrial workers, since it is not the Army and Navy only but the whole Nation whose efforts must be enlisted to win the war. President Wilson, on June 11, in a telegram to industrial workers, said: "The war can be lost in America as well as on the fields of France." He was referring to interruption of war work by strikes, but far more time is lost by drink; not alone by drunkenness that keeps many from their work but also by moderate drinking that slows up the work. Instead of beer adding 25 per cent to the work done in industrial plants, which recently has been asserted without a word of proof, there is abundant evidence all the way from Pennsylvania to Russia that beer and other intoxicants cut down work in munition plants, mines, and shipyards, in quantity and quality, from 10 to 30 per cent.

(3) To save the 7,000,000,000 pounds of foodstuffs wasted annually in beer and wine, which is more than twice as much as whisky destroys.

(4) To save the sixty-six and a half millions of tons of coal, the $6,000,000,000 in money, the 200,000 freight cars, the billions of dollars' worth of man power, which whisky, wine, and beer divert yearly from war uses, for which they are urgently needed.

(5) To emancipate American politics from the attempted domination of the brewers, whose right arm, the German-American Alliance, has been cut off, suggesting that the head "higher up" that guided this treacherous arm should share the same fate, for disloyalty was involved, even if conservation of manhood and other resources were not. This surely is a substantial reason for closing the saloons, many of them owned by brewers, viz: That the hearings in Congress on the German-American Alliance have shown the brewers to be the Kaiser's friends, serving his cause by opposing our entrance into the war, as well as by weakening, through the sale of liquor, our industrial ranks, and to some extent our soldiers in spite of the law. The revelation of this disloyalty has made war prohibition less difficult.

I will make reply to some of the objections to immediate nation-wide prohibition as a war measure.

It is said: "Let the President do it." Through the Food Administration he put prohibition up to Congress on June 13, 1918, when Mr. Hoover said: "If the American people or Congress will stop the sale of distilled liquors, we will find no trouble in stopping brewing." This also answers objections to going beyond food conservation. It is a challenge to those objecting to the prohibition of beer while whisky remains on sale, though beer consumes twice as much of foodstuffs. That is a recognition that the evil effects of drink on man power are far more important than its waste of food. That, too, should remind us that the real hindrance to war activities is not the making but the selling of drink—the saloon that remains with all its injurious effects until we stop the sale of all intoxicating drinks, including wine, which, though it destroys less necessary food than beer, is stronger in alcohol and more injurious to soldiers and industrial workers. That we may fight with our full strength, the liquor traffic must go.

As to bankers carrying whisky securities: Since the ebb tide of liquor began in 1907, 25 States have been added to the 3 previously "dry," and it has been since then speculating in futures, therefore, to hold any considerable whisky securities. Two cities lost national reserve banks to smaller cities, I have heard, because Treasury officials found an undue amount of whisky securities. They should have taken warning. The indorsers on whisky securities are, no doubt, mostly the men who have made fortunes on the recent rise in whisky prices, and are doubtless able to redeem their notes. Banks having whisky stock can doubtless unload without shock, though perhaps not without some speculative loss, in three months.

As to the attitude of labor: The labor unions in dry States indorse prohibition, as shown by their declarations read in debates on constitutional prohibition in December, 1917, by Representative WEBB and the Senator from Washington [Mr. JONES]. Out of 22,000 labor unions only 447 sent in petitions against prohibition, one-fiftieth of all, and all of them were from "wet" States that knew nothing at first-hand of the subject. Mr. Charles Stelzle has shown that those petitions to Congress did not represent the more than two millions it was declared they represented, that figure having been reached by counting members of many unions twice or three times in local, State, and national unions. Mr. Gompers, as he said in a letter to Congress, December 6, 1917, speaks only for himself and the "wet" unions in the federation that asked him to speak for them.

In reply to Messrs. Hurley and Colby and others who claim that prohibition would lessen speed and efficiency in shipbuilding: Secretary Daniels says that shipbuilding plants in "dry" States have made a better record than those of the "wet" States. J. A. Duncan, labor leader of Seattle, says: "Seattle has the best shipbuilding record in the world because of organization and prohibition. Booze never helps but always retards legitimate industry." John R. Russell, president of the Great Lakes Engineering Works, says: "Prohibition has had such signal success in benefiting ship construction in Michigan that similar legislation is absolutely required, in our opinion, to enable the United States Shipping Board to carry out its war program." Dr. J. Havergal Sheppard, of the national service section of the Shipping Board, says: "I am convinced from actual contact with men in shipyards, from Newport to Los Angeles, by way of the Great Lakes, that efficiency will be increased 20 per cent by prohibition."

Mr. JONES of Washington. Mr. President, I desire to make a suggestion to the Senator.

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Washington?

Mr. MYERS. With pleasure.

Mr. JONES of Washington. I merely want to suggest to the Senator from Montana, in connection with his comment regarding the statement of Mr. Colby and Mr. Hurley, that the American Emergency Fleet News, a paper issued by the Emergency Fleet Corporation, also very emphatically repudiates their suggestion that prohibition would diminish the efficiency of labor by 25 per cent, and shows that, on the contrary, the shipping yards in prohibition States have maintained the record for efficiency while the Emergency Fleet Corporation has been in operation.

Mr. MYERS. I thank the Senator from Washington. I am glad to have that addition to the information on the subject. It is very valuable.

Workers repudiate the intimation that they will "make trouble" if saloons are closed. It is the opening of saloons that "makes trouble." There were no riots of workmen when saloons were banished from Atlanta, Washington, Denver, Seattle, and Detroit.

The "harmony" we want is not that of suppressed discussion, dissipation, and decrease of physical power, but that which will come by fighting this war with our full strength to an early and enduring peace.

The production of coal is one of the vital economic necessities in the prosecution of the war. Without an adequate supply of coal we can neither win the war nor keep our industrial life going. We know what a tremendous struggle it was last winter to obtain an adequate supply of coal for the country. We know a shortage is seriously threatened for next winter. We know how imperative it is for us to have coal. We know what suffering will ensue if sufficient coal should not be obtained. The committee on coal production of the National Coal Association recently issued and sent broadcast over the country a letter. I received one, and I read it:

NATIONAL COAL ASSOCIATION.
Washington, D. C., July 10, 1918.

Hon. HENRY L. MYERS,
United States Senate, Washington, D. C.

DEAR SIR: The committee on coal production of the National Coal Association, appointed to devise recommendations to the United States Fuel Administration on ways and means to increase the coal production of the United States, met in Washington on June 27, 1918. Among the fundamental measures deemed necessary to increase production sufficiently to meet the fuel emergency of the coming winter, the committee unanimously adopted and submitted to the United States Fuel Administration the following recommendation on national prohibition:

"Regardless of political affiliations of the members of the association, and leaving out of consideration the moral issues involved, and basing its opinion entirely on economic and patriotic grounds, the committee unanimously and unqualifiedly believes that national prohibition for the period of the war is absolutely necessary to make effective this or any other plan for increased coal production. A comparison of the records of production of mines in wet and dry territories furnishes ample proof of the need of prohibition. The various instances cited to you to-day need not be repeated here, but they typify the experience of operators throughout the entire country."

This recommendation has the hearty approval of J. B. Neale, director of coal production of the United States Fuel Administration. Strong testimony in support of it is available from representative coal operators throughout the country.

Very truly, yours, A. R. HAMILTON,
Chairman Committee on Coal Production,
National Coal Association.

GERMAN PEACE PROPOSALS—THE DELUSION OF THEM—WARNING TO AMERICA.

Mr. LEWIS. Mr. President, my purpose in rising is somewhat different from that disclosed by the able Senator from Montana [Mr. MYERS].

Mr. President, I have for three or four mornings and this morning the experience of receiving protests in rather flaming language and in accusatory form, all charging this Government with having for its object the obeying of the demand of the capitalist power—whatever that means—in going into Russia, in refusing to "recognize the Bolsheviki," and in "intruding ourselves in their affairs just at a time," as the petitions charge, "when the rights of those who claim to represent the will of the people are about to be enforced." These petitions charge that this Government has the object or desire of intercepting the men who represent what they call "real democracy"; that we are upon the eve of some intervention that they claim is in violation of all the policies which heretofore we have professed. They call attention to our friendship in the past shown to the democracy of Greece and the passage by Congress of resolutions in behalf of the different lands of South America when these were protesting against kingly oppression and fighting for their liberties. They invite attention to the fact that we raised a voice against foreign governments attempting to lay a strong hand upon the revolutionists of Cuba when Cuba sought freedom.

I deplore that one of these petitions referred to the "capitalist-owned" Republican Party, to the "capitalist-owned" Democratic Party, to the Senate as the slave of this wealth that merely bided its time to surrender, to the House of Representatives as the tool of tyranny, and everywhere asserts that this present administration watches for an opportunity to ally itself with "those interests that are destroying democracy and are marching on over liberty."

Mr. President, I never have refused to present petitions to this body whenever they came respectfully, and even when I was very much opposed to the subject matter of the petition; but I do not feel that I am under any obligation to any people who may call themselves my constituents to present resolutions to this body which are so couched in such unbecoming accusations—so unwarranted, in fact—as these in their reflections upon Senators who are loyal and faithful in their public service to their country, however much they may differ from each other on local subjects. I decline to present these petitions, and I do not want the cover of cowardice or the excuse that I did not receive them or that I forgot them or that I have been prohibited from presenting them by any particular rule of the Senate. I wish to say that I decline to present them. I decline to present them, not because I would not present to the Senate any protest from any American upon any subject touching government, but I do not feel that, in such language as they are framed, in such accusations as they are modeled, they should be presented here or that I could sponsor their presentation.

Mr. President, I may be indulged I trust by the Senate but for a suggestion on an important international phase suggested by these resolutions. I think we are being confronted at this time with a most attractive and consoling aspect, so far as the European war is concerned, particularly as to the East. If history is a guide to us, all preceding action anticipating surrender, concessions, compromises equivalent to the confession of defeat are now being duplicated by the course of the Imperial German Government.

A short while past the officials of that Government asserted to the world that it was their object to hold all of those lands which had become their conquest, and all of those people that had become subjugated by the power of the sword. This was before America landed her soldiers and gave evidence of what we may call proof earnest of what we could do, what we would do, and what we had entered this war to do.

Mr. President, it is interesting to note that we have from Von Kuehlmann, now foreign minister, the statement that Germany is now ready for peace, and the further statement that this peace can not be obtained by arms nor is it expected that it shall be by arms. The appeal is now made that there be some diplomatic arrangement entered into by which there be some diplomatic tribunal established before which the propositions of peace may be made. One would have imagined, sir, when this proposition was made by Von Kuehlmann, that it would have met the indignant repudiation on the part of the Kaiser, it was so at variance with all the past boastings that had occupied those eminent leaders in their defiance to any movement in behalf of justice and liberty, particularly as against us who were the envoy, as we felt, of just government administered by the will of the people.

Promptly after this Von Kuehlmann message we are moved to consider that Von Hertling, the chancellor, comes forth now to proclaim that it was never the intention of Germany to hold Belgium as a vassal nor to continue it as a prize; that the only object in holding Belgium is that it may be treated, to use his words, as a "pawn," something as a basis of trade. Where? Mr. President, evidently in that anticipated diplomatic convention that is about to be called or that is desired, referred to by Von Kuehlmann, and as one of the considerations for the peace terms to be asked by Germany.

Now, sir, that is followed with the statement of an intimation to surrender Serbia, Roumania, a part of the Bulgarian country, and to yield all of those concrete demands as to military-conquered countries of Europe—propositions for which we have contended as necessary to democracy and to liberty.

Mr. President, what does this mean? If there be those in this country who are now charging the United States with the object of intervening in the East in any form of intervention for the purpose of suppressing liberty, let them understand that any move this Government may make in harmony with the other Governments working to the common end of obtaining justice for the world is not addressed to suppressing anything in the East or intervening with a view of disturbing a free Government, whether it be Russia or any other Government that is at peace or on its way to liberty, but that our action, whatever it is to be, is to prevent the success of the design of Prussia, which is demonstrated to my mind, exhibited very clearly, sir, by those two professions on the part of Von Kuehlmann and Hertling.

What are they, sir? For a minute indulge me; and, Senators, I trust I am not imposing upon your patience. Some time past I took the liberty of making a statement on this floor, and, I think, it was the distinguished senior Senator from Minnesota [Mr. NELSON] who forecasted my views in an expression of his own. Mr. President, we then said that in the lapse of time Prussia took from her military drives; and while she indulged the suggestion of what she called her peace move or peace drive, the real object was to tender to us an apparent evidence of granting all that we had asked in the way of freedom of the seas and government by the consent of the governed. Then she would make the offer to do something with Belgium satisfactory to the world and yield up the smaller possessions—particularly northern France and Alsace-Loraine.

I made bold then, Mr. President, to offer the suggestion that all this when it came forth would be in consideration of our yielding to Germany the undisturbed privilege to possess all of that eastern country which she had overrun and taken by sword and cannon—that part of Poland, Lithuania, Esthonia, and a portion of Russia leading to an eastern outlet from sea to sea of which she is now in full control. This extends from Finland over across the Baltic and down to the Caspian. I said then that it was my opinion that her purpose was to make tender to the world that she was yielding everything we sought for in return for those things in the East, which, at the time we entered the war, she would say were not in our consideration and could not have been within our purpose, for when we entered the war she would say that those particular territories of Russia had no interest to us, and that, therefore, whatever has transpired concerning them was in defense of Germany against the advance she charges Russia had made upon her and not in opposition to any assault she had made against the Russians.

Mr. President, I am free to tell you there is information in this community that the suggestion has now been made by Prussia and Austria, filtered through Italy, and will find its way in a more official form and outwardly to all the people, that Germany's proposition for peace is now that she will before the world tender Belgium, Roumania, something of privileges to Serbia, an apparent concession to the world of freedom of the seas for which America went to war, and the consent of the governed to the different localities now subjugated, and for herself will ask in turn that as to all of this country of the East of which she has become possessed she be allowed to deal with it herself without our interference, the interference of Britain, or that of France, or of any other of the allies, her object being that she may obtain the East and hold it—the thing that has been long her object—an increased population of 250,000,000 of people and a property of hundreds of billions of dollars. I have held, Senators, within myself that the principal object of Prussia in this war was to capture the East, that she might hold the East, there to work her power in multiplied form for future destruction of her opponents. I think I see now, sir—and I say it with a proper deference, recognizing that I can not be a prophet and have no more information than probably the ordinary Senator about me has—that the proposition now that will be before us in the immediate day has for its design to awaken the American public to the idea that we are now fighting

uselessly. To give the impression that the men who are dying, crossing the Marne, moving forward in their valor and glory, are having their lives spent without a purpose; to impress mankind that Germany is tendering to the United States everything for which she went to war and yielding to the allies every land for which they went to war; and to charge that the continuance of this conflict and the pushing of the allied armies forward into German territory is in direct violation of the things for which we said we went to war. The purpose is to awaken revolt on the part of every mother of a boy and every father of a son. To spread the cry in this country, echoing, "Gentlemen, why not accept the terms of Germany; she gives everything for which you went to war; she tenders a yielding to every proposition that you have ever asked; she only asks to be let alone as to those matters which were not the concern of America when she went to war and which Germany has obtained by virtue of her power in her defense after she was wrongfully assailed by Russia." Senators, Germany will present to the United States that it was Russia that prepared to assail her and that when she mobilized she did so only with the single object of meeting this advance. She is now saying this through Von Hertling, although we recall that Litchnowski, the German ambassador for Britain, at London, but a short while ago gave out that when the war came on through the action of Serbia it was the result long calculated and ordered, notwithstanding the efforts of Britain and Russia to arbitrate; that the suddenness of action was in order that Prussia might take advantage of the opportunity thus afforded for quick assault. This ex-ambassador has not been called to account for this confession.

Mr. President, I think I see clearly the move to advance upon our people with this false doctrine with a view to awakening, if they can, dissent in our Nation, to create in Britain, sir, the feeling that all that Britain has gone to war for is now conceded, in the alleged granting of the rights of France and the rights of the sea. The object is to give to France the idea that all that for which France fought—Alsace-Lorraine and her northern border and fixed borderland—is now being conceded, and yet with all of that we still fight. The charge will be made that at last we are in the open, confessing that we are fighting for the possession of territory, to rob Germany of the field which is hers, and that in no wise, sir, were these zones which we entered to protect and concern a people in whose interests and for whose welfare we have heretofore never professed any purpose or protection.

Mr. President, therefore, what will it mean? It will mean that if Germany by way of Esthonia, by way of Roumania, or by way of Vladivostok can get into the East she will have all of the soldiers, the vast millions, of this newly conquered eastern country—Russia and her accessories—and she will promptly organize them into an army of stupendous force. Remembering the grievance that she feels of our aid to the allies, as she calls it, and our entering this war just at the moment she felt her triumph, she will, by way of Vladivostok, assail us from the Pacific or, sir, coming around and out of the Persian Gulf into the Mediterranean, assail us from the Atlantic; and it will be our country, the United States, which will be the very first to pay the penalty of yielding to these artful suggestions which are being made now with a view to arousing our countrymen to protest against further war. Therefore, if the United States shall find it necessary, in conjunction with those who are cooperating with us, to enter into Russia or into Siberia, let it be understood that it is not for the purpose, as charged by these petitioners or by other people, of intercepting any free government in those lands, nor of taking one inch of anybody's territory or preventing the establishment of any democracy under law, but of preventing conversion by Prussia of these peoples—some innocent, some corrupt—into her service, by which she would possess everything from Poland up to Vladivostok in the East, then to convert all of that force against us to the destruction of the things for which we did go into the war and be herself enabled to return to the conflict with a multiplied force and reopen all of the bloody conflict which she has precipitated on this earth in the present war.

For that reason we enter, sir, for our protection as well as for the salvation of the liberty to the hoping people of Russia, not as intruders, not as trespassers, but we do warn Prussia that we see through her designs; we understand this new profession of peace, this false propaganda; we inform her that we are not lured by its false glare; by it we are not deceived. And, sir, we announce that the course we will take is the course we should take for the preservation of those who rely upon us, and above all, sir, for that sure defense of America, whose soil and whose future is in danger unless we shall guard those interests in the East that could be converted against us by way of the Pacific.

I would protest against such peace terms and stand against them wherever I could make my voice heard, and I express to the people who send these petitions, as I do to my eminent colleagues here, that our duty here in the face of war and the real designs on the part of Germany is to take the course that is in the mind and intention of our Government respecting the protection of Russia, the preservation of the East, and the proper salvation of America on the Pacific.

Therefore, Mr. President, I have assumed to offer these suggestions, and I might also say to my people that I trust that the object of these publications, which may come to us in apparent innocence, may not be misunderstood; that it shall be made known that it is with the view of inducing our people to believe that peace can be had upon their own terms, with the object of tendering as the consideration of that peace that we yield those peoples and those countries which to surrender would mean very shortly afterwards their oppression and our destruction. We answer all these approaches of Germany beseeching that we halt and listen to deception by replying in the words of the parable, Our hand is to the plow; we will not look back; our order is advance!

Mr. SHERMAN. Mr. President, I do not wish to hear any peace talk or any intimation of peace while Germany occupies Belgium or flies her colors above a single foot of French soil. Neither do I wish to hear any intimations of peace, Mr. President, until Germany has disavowed her piratical warfare on the sea and given pledges to the civilized world that the submarine shall cease its mockery of humanity, not only now but under guaranties for Germany's future behavior. I do not wish, Mr. President, to take time at this inopportune moment and under the limitations under which we proceed during the recess. I only desire to add to what my colleague from Illinois [Mr. LEWIS] has forcefully intimated, that peace can not be considered so long as Germany has failed to disavow the reasons that impelled us to declare war against her. There can be no peace on our part while such a public enemy remains at war with this country and with our allies. The only time I myself care to consider whether peace shall be discussed in this Chamber is when the power of the United States and her allies has driven Germany from Belgium, from France, has taken her by force off the high seas, and when the colors of this Republic are triumphant over the helmet of the Prussian. When that is done, when military force on land and sea has demonstrated even to the apostles of brute force in this world that we can meet them on their own terms and conquer them, I am willing to talk about peace and to listen to some terms for the adjustment of this trouble. Never will there be peace without victory, but there must be peace with a conclusive and overwhelming victory over our public enemies. Until that shall be done, Mr. President, it is idle to talk or think peace; until that time has arrived, our duty in this Chamber is to talk of force without limit, without stint, and to the utmost—swift, unrelenting, and decisive war. To that end let our aeroplane development be thoroughly investigated by the authorities now in charge of it, and in addition to that let us vote not only additional appropriations and men for all proper purposes, but let us see that those appropriations are made effective and that the existing waste be stopped. Let our economical development proceed, but let the expenditure of millions upon millions without adequate result be checked. I understand that these things are incidental to hasty preparation, and I speak in no spirit of criticism but only in a spirit of making our action effective so that we may continue the means of waging unrelenting war until we have produced decisive victory, out of which shall come a permanent peace.

Mr. President, we have in our camps in this country some of the best of our generation; we have across the sea others of the best of our generation. The two years that will end with present appropriations made or to be made will show an expenditure of $50,000,000,000 that is to be raised by present and future taxation. When the best of our blood, when the countless billions that come from our resources, from our accumulations and our daily toil are to be spent in waging a war of this kind, there is but one way to talk peace, and that is through the agency of our Army and Navy and to continue pressing back the line that is now north of the Marne until the colors representing the enemy that began this war four years ago shall be thrust back beyond the Rhine, until not one acre of French territory remains under the guns of Germany. Let them then ask for peace. Shall I begin to talk peace to the burglar in my house at night? When I awaken from my slumbers and find a murderous ruffian rifling my household or destroying my family shall I, when I recover the power of speech, ask this cutpurse for peace, or rather shall I gird my armor about me, seize whatever weapons I have, and appeal to the God of battles and let the invader ask for peace after he shall have been subjugated? That is the time when and the source from which peace must come—not from us, who

are the outraged victims on land or sea; not from us, who took up arms justly a year ago last April to meet this invader of the world's peace. So, I repeat, Mr. President, let this great cutpurse of empires understand that the free Governments of the world are to-day meeting with their blood and treasure his efforts to dominate the earth.

Mr. President, most of this is futile. I realize, as a certain Senator said to me in private conversation, that we are talking about nothing to nobody most of the time here. That was a very apt summing up of the situation. I only make that as introductory to the further statement—and I shall only take two or three minutes—that when victory shall have been achieved, when it is properly time to talk peace, we shall not have anything to say about it.

A commission is now gathering data. That commission is headed by an unofficial representative of governmental power. Editors of newspapers, statisticians of renown, statesmen who have never held office, legislators who never legislated, judges who have never judged and who could not if they tried, gentlemen of various talents, many of them habitual dwellers in air castles, idealists, the dreamers of the generation, are found on that commission. When they, some of them practical men and some of them impractical men, have secured a wealth of information about the world and it comes time to gather about a peace table and to arrive at a tentative peace, the treaty will be written without our knowledge or consent.

It will be perfected, and then this gem and brooch of all human wisdom will be put before us for instant ratification. We will not even have the poor consolation of the comprehensive and peculiar knowledge that percolated through the brains of the men who prepared it. We will be poor children of blind impulse, wandering in the wilderness without even a voice to guide us. The babes in the wood would be comparatively well provided for when covered with leaves alongside of the senatorial members who will be asked to vote "sight unseen" for the peace treaty that will suddenly be thrown unheralded before us. I shall animadvert in proper terms and under proper conditions upon this mysterious commission now gathering information on some future occasion when I am not subject to such limitations as I now am, but when we are talking about peace I wish it to be remembered that this mysterious agency of unofficial government is lightening our labors and relieving us of any mental agitation.

Mr. JONES of New Mexico. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from New Mexico?

Mr. SHERMAN. Yes, sir.

Mr. JONES of New Mexico. The Senator is criticizing the present method of framing treaties. I should like to know if he has any practical suggestion to offer with reference to a change in the method of entering into treaties on behalf of this country, and, while he is considering that question, I should also like to inquire if he believes there can be any permanent peace in the world so long as the Kaiser has the right of declaring war at his own sweet will and of making peace upon such terms as to him alone shall seem justifiable?

Mr. SHERMAN. No, sir. Answering the last question first, there can be no permanent peace in the world so long as Germany is dominated by the Kaiser or the militaristic party, which sometimes excuses his actions because they are involuntary, his generals, it is alleged, forcing him into a certain line of conduct. Taking that for what it is worth, the coterie of Prussians that surround him or the Kaiser himself can never make a peace with free governments that will be permanent. There must be a complete overthrow of both Kaiser and his council; an overthrow not by diplomacy but an overthrow by the decisive and swiftly driven power of armies and navies. With such a government as that of Germany there can be no permanent peace. It will be an armed truce that converts the world into a military camp. There must be a complete transmutation of the power of the German people, a complete change until their government is responsive to the better thought and the humanities that still are found in the hearts of some, at least, of the German people.

They are public enemies now; they have roused the most brutal impulses that are latent in the American people. This brutalizing of all concerned is the regrettable feature of this war, but until we have reached the point where Germany can form a government that is responsible to German opinion in its better sense, the nation for which Heine wrote, the nation that felt its responsive heart thrill when Goethe was the literary genius of his generation, when Schiller had sympathetic readers, and when their humane instincts appealed to the better element and nature of the German people—until there is a new spirit born in Germany, until the arbitrary house that has sought to make the Prussian people the dominant race of the world is overthrown, there can be no permanent peace, and there will be none. Until that time is reached America must fight with all the resources she can command.

Mr. LEWIS. Mr. President——

Mr. SHERMAN. I will yield in a moment. The Senator from New Mexico asked if there were a better way of negotiating treaties. There are none, providing treaties are negotiated through official agents and responsible authorities. The tentative treaty must be made in that way. It will be approved by the Executive, and when it reaches the proper degree of preparation it will be placed before the Senate. With that procedure, Mr. President, I have no complaint; for it I have no criticism. What I criticize is the unofficial personal government which is beyond the channels known to the Constitution—extra-official, beyond all diplomatic authority, by men who hold the Congress in flagrant and notorious contempt, who speak of us as "leather-throated spellbinders," who say that we boil with rage because somebody who holds public office and is regarded as a statesman is not on this committee in connection with negotiations that will garner the fruits of the sword and lead us to the haven of permanent peace. That is the criticism I am making. I wish this Government to be official. I bow to constituted authority, whether I agree with it or not. I shall at all times, Mr. President, yield whatever my personal views may be to that authority, to the Secretary of State, to his advisers, to the reports and recommendations of the Diplomatic Service representing us around the world, but I decline to take my orders from men who are neither elected to office nor appointed by men who have been elected, and who could not be elected if they ran on either ticket in any State. Such men represent no constituency and bear no mandate from the governed.

I now yield to my colleague.

Mr. LEWIS. Mr. President, I should like to inform my distinguished colleague that I think there has been a misimpression, if I may use that expression, or misinformation conveyed through misunderstanding as to any office being performed by any set of gentlemen collating information as to peace. I have read, as has the Senator, the statement that gentlemen were named with that object in view, and that they were expected to prepare data for that purpose; but I beg to inform my colleague that I understand that that is nothing more than a request to these gentlemen to gather up here and there suggestions made from any source, to collate them, and put them in chronological form, to be given to the President merely for his information that he may upon such data from time to time, if he choose, investigate the subject further, and then present to the Senate, if the occasion should require, any views of his. I beg to assure my colleague that there is absolutely no foundation as I know for the charge which I have seen made that any set of gentlemen have been designated to do any office of the Government to supplant the Senate.

I advise my eminent colleague, historian as he is, that George Washington named a friend whom he trusted to secure information concerning peace. That action was oftentimes duplicated, notably, we remember, by Mr. Cleveland, and particularly under Andrew Jackson. Such things have happened from time to time, a trusted friend or a trusted emissary being used to obtain information to be given to the President from which he could gather further information and transmit it officially.

If I have a wrong view, I shall be surprised; but I think I can assure my colleague that there really is no foundation for the fear which he has expressed and for the accusations to which he naturally had a right to attach importance, having seen them so frequently published.

Mr. SHERMAN. Mr. President, the gratifying assurance from my colleague falls upon my sensibilities like a blessed benediction, and I am profoundly grateful to have that relieving information. I know the Senator is informed and is sincere. He many times speaks prudently and with authority. I have, however, read in quotation marks from a source that is accessible to the general public, and which has not yet been repudiated, disavowed, modified, or denied, that the conditions which I have just criticized do exist. If, however, this information is erroneous and the conditions are such as the Senator suggests, it only indicates a happier state of affairs which I shall hail with unbounded satisfaction. I shall never be dissatisfied, Mr. President, because fears of mine are not realized. I shall join with my fellow citizens in rejoicing if those fears shall upon further inquiry be found groundless.

I earnestly hope that this may be so. I only know that at the interallied conference of our allies, held in order to unify their activities and to produce better results, no official representative of this Republic met at the table. I only know that authenticated documents in at least two other instances show that diplomatic precedents were set aside and that no person

in the Diplomatic Service of this country represented us at the council board. I am not complaining about it. As my colleague says, out of the wealth of his information, which I have always found to be accurate upon those questions, other Presidents have employed personal envoys to gather information and report it to them. So let it be in this case. If it ends there it is well. If, however, it is sought to make the personal envoy the agency for ignoring the diplomatic representatives of this country abroad and the diplomatic representatives are to have no part save as messenger boys or as members of research committees around the world, then we had as well abolish that expensive service and depend upon the personal envoys of the Executive. It would be much more economical. But I remember that in this same interview it was stated that there are too many people running the Government, and that if effectiveness is desired we must reduce the number and get down finally to somebody who settles things—and he is the one. It is to this personal and unofficial method of communicating with foreign countries and of administering the powers of the American people and of communicating the results to the Senate and expecting us to act upon them the instant they are presented that I direct my criticism.

I can well understand, in view of some things that I know—and my colleague knows more of them, I am sure, than I do—and I can well understand, in view of my own information, why the Senator from Alabama [Mr. UNDERWOOD] urged his cloture rule upon the Senate some weeks ago. It would be a most convenient rule to have when these treaties are to be suddenly ratified, even upon the information of a research committee. Let it be so; grant that it is nothing more, still the brother-in-law of this personal envoy is the actual chairman of that committee.

He is the active energy that gives direction to their activities and advises them how and when and where to go to collect information. When that is done, it is said on the same authority, in quotation marks from the interview, that his mind always runs parallel to the President, or, to turn it around, that he and the President have never yet differed on any vital question.

I can well understand, then, after the investigating committee has collected data in regard to all of the numerous difficulties that may arise in connection with a Balkan province, the territory all the way from the Persian Gulf to the Baltic Sea, the difficulties of Japanese diplomacy, territorial controversies that may come up in Siberia and central and eastern Asia, questions affecting the right of ingress and egress to the Mediterranean and connected waters—all of the multitude of controversies that will arise in the provinces and the different racial and tangled controversies of the Russian Empire as it existed prior to the abdication of the Czar—I can understand all of those matters being handled by this committee on research, that their information will be regarded as final, and must in the nature of things, when presented to the Senate, be final.

I can understand, Mr. President, that when it comes to us in that form he would be a very hardy Senator, indeed, who would refuse to take that information. Haste will be urged; that it will be the means of forfeiting the result of many a hard-fought field if we do not promptly agree. The argument will be that we are hovering on the brink of further offensive operations; that the lives of thousands of our fellow men and of our own countrymen are hanging upon the vote in the Senate; that these wise men have collected the information; that it has been digested and put before us in the form of a treaty; that it is here and we must take it as the net result of the investigation made by the Executive and his personal envoy. If you do not, you, the Members of the Senate here, must take the responsibility for further bloodshed and a renewal of all the horrors that would be involved.

Mr. President, when that time comes, I repeat, he must be a hardy Senator who would refuse to vote for such a treaty. That is the difficulty; that is the reason why I am saying that I wish this Government to return to its official sources for negotiation and action and for communication with the legislative branch of the Government. When that is done, let us have knowledge of matters that are of record—and they can properly be given in executive session, because they can be kept confidential—in the executive department, in the State Department, or in the War Department as to the net results of this research committee.

What are we 96 Senators here for? I have no exaggerated sense of my importance, Mr. President, but on this question I am acting under the oath I took at the desk. I am a Senator of the United States, one of the 96, and I am entitled to as much original information in making up my mind as is this committee or the President's personal envoy, or as is the President himself. That I ask, and I shall be satisfied with nothing less.

Mr. JONES of New Mexico. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from New Mexico?

Mr. SHERMAN. I do.

Mr. JONES of New Mexico. I gather from the Senator's remarks that he does not object to the present system provided by our Constitution for the entering into treaties of peace, but his objection goes to the manner in which he seems to think the present Executive intends to execute the power. Am I correct in that?

Mr. SHERMAN. The Senator is partly correct. The objection is to the form and to the substance as well.

Mr. JONES of New Mexico. The objection to the manner of executing the power, if I have been able to understand the Senator, rests solely upon the ground that, instead of gaining all the information through diplomatic channels, the President should have indicated his desire that others should engage in the same service in regard to obtaining information. That, I understand, is the gist of the Senator's objection, is it not?

Mr. SHERMAN. That is a part of the substance. I can not go into it at length under the limitation here, but that is a part of it.

Mr. JONES of New Mexico. I should like to inquire of the Senator if he does not feel that when these treaties are to be entered into the President will avail himself of all information that can be obtained through diplomatic channels and have this other information in addition; and whether it is not advisable to get the information from all possible sources; and when the Senate comes to ratify the treaty, does the Senator feel that the President will withhold from the Senate that information, whether it comes from official channels or through any special channel?

Mr. SHERMAN. No; not if we can get it; if it is put before the Committee on Foreign Relations and under proper limitations as to its publicity, the Senate has it made accessible, whether gathered from official and diplomatic sources or from official and personal ones. I am not complaining about information being secured; I am complaining about the utter impracticability in most instances of all Senators having access to that information.

To that information we have a right to have access, and to analyze and think over it before we are called upon to vote. That is what I am complaining about. I am mindful of the fact that many times when the Senate has sought for information the stereotyped reply has been returned that it is "not compatible with the public interest" to give it to us.

Mr. JONES of New Mexico. Mr. President——

Mr. SHERMAN. I yield to the Senator.

Mr. JONES of New Mexico. I should like to ask the Senator if he believes that there should be any change in our constitutional provision with reference to the making of treaties or of the treaty-making power? I think I gather from history that the treaty-making power has been considered one of the prerogatives of sovereignty, and that our constitutional provision is only an innovation to a certain extent. I should like to inquire of the Senator if he would change our constitutional provision so as to popularize, if I may use the expression, the treaty-making power?

Mr. SHERMAN. Originally the treaty-making power was wholly executive; it was wholly in the hands of the monarch, guided by such information as he could get, either from official or unofficial sources. They went upon the idea—and I fear that there be some now in power who are recurring to that aboriginal principle of government—that every reform is an innovation; that every innovation is an error; and that every error, still to quote from the Koran, "leads to hell-fire." Those three steps are a necessary part of the Mohammedan religion, and it seems to me that we are tracing our course in the footsteps of the Orientals. Under their form of government it was the exclusive right of the king or of the executive, in whatever form he exerted power, to negotiate, approve, and ratify treaties; he declared war and, consequently, he made peace. Under our form of Government, to which the Senator from New Mexico [Mr. JONES] has referred, we have taken full power from the Executive in order to popularize somewhat the ancient feature, and vested in the Senate the concurrent power, without which no treaty becomes valid and binding as a part of the law of this Republic. Now, with matters in that condition, I am not complaining about the power, which I recognize as proper and which I think involves a wise division of responsibility; what I complain about, Mr. President, is the form under which that power is exercised at some times, and is perverted and abused at others. It is to that form of exercise of the power and not the criticism

of the power that I shall, in due time, and when I am not working under such limitations as I am now, direct my comments.

I agree cordially with my colleague [Mr. LEWIS] for all he has said as to the necessities of an effective peace; I will be found at all times, when the peace problem comes before us, ready and willing by the single vote I have to promote that peace; but, Mr. President, as a condition precedent to any peace negotiations, there is the necessity of unquestioned victory over the public enemy by the military and naval forces of this country and their allies.

Until that time comes we may talk about it, just as we talk about domestic problems, but it is mere talk; everything is futile, so far as final results are concerned.

I differ from the Executive on a good many domestic questions; so far as my limited understanding goes I can not vote with him or for his policies upon many of those internal matters; but when it comes to a question of a permanent peace or when it comes to the question of swift, decided, and victorious war, Mr. President, I will yield, as my colleague will—because we are one upon this question, as I think, fortunately, the Senate is—to no authority in our desire to strengthen the Executive hand and to conduct the struggle to a successful conclusion.

Mr. THOMAS. Mr. President, the matters which have been discussed this morning are largely problematical. The German peace propaganda is like the intermittent fever; it comes with every disaster to the German arms. I am sure the senior Senator from Illinois [Mr. LEWIS] reflected the sentiment of this body, as well as of the people, when he gave warning of its character and of its purpose.

But, Mr. President, I think that the Nation is just now and the allies are just now confronted with a more immediate and sinister danger. I refer to the slowing down of production caused by interferences in production through labor strikes and industrial disturbances. In the month of May there were 160 strikes in our munition plants of different kinds and in June there were 180. There are now a large number of men and women in idleness through labor disturbances, and the wires inform us this morning that 65,000 went out of similar plants in Great Britain on yesterday.

Mr. President, our men are brave and so are the men who constitute the allied armies, from whatever source they come; but bravery is impotent to accomplish results in the absence of military equipment. It is the duty, in my judgment, of the Congress of the United States and of the Executive to look at this immediate danger, and to do what we can to minimize if not to remove it entirely. It is, in my judgment, the one immediate danger to us all, because it is apt to enlarge and increase in its dimensions if matters are permitted to go as they have been permitted to go for many months past.

The junior Senator from Illinois [Mr. SHERMAN] very earnestly urged the necessity of properly expending the vast sums of money which we have voted for the prosecution of the war. It is a timely suggestion. We have up to this time expended, I think, within a billion dollars in our one and one-fourth years waging of war of what it has cost Germany since August, 1914, and our resources, great as they are, have their limitations. The matter to which I am directing attention is involved in the question of industrial economy, because efficiency and continued production mean economy; and I very much fear, Mr. President, that unless we pay due heed to the importance of these domestic conditions we may have victory snatched from us in the very hour that it seems inevitable, and that our arms instead of meeting with triumph may be crowned with disaster.

Mr. JOHNSON of California. Mr. President, before the Senator from Colorado takes his seat I desire to ask a question. The Senator from Colorado gave some comparison of war expenditures as between Germany and the United States, and stated that within a given time we had expended a certain proportionate sum.

Mr. THOMAS. I was told on yesterday that our expenditures were already within a billion dollars of the total of the expenditures of Germany since August, 1914.

Mr. JOHNSON of California. It was that to which I desired to call attention. I did not exactly catch the Senator's suggestion, and I desired to get it correctly.

Mr. THOMAS. I make the statement upon the authority of the gentleman who made it to me; and I think, knowing him as I do, it is reliable.

Mr. SHERMAN. Before the Senator from Colorado concludes may I make a further query?

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Illinois?

Mr. THOMAS. I yield.

Mr. SHERMAN. Does not the Senator from Colorado think—I will avow that I think so—that it is time that governmental authority deal justly but firmly with this tremendous waste of our resources?

Mr. THOMAS. I quite agree with the Senator, and, indeed, I have expressed myself to that effect perhaps with tiresome reiteration in this body for some months past.

The PRESIDING OFFICER. Concurrent and other resolutions are in order. [A pause.] If there be none, morning business is closed.

ADJOURNMENT.

Mr. THOMAS. I move that the Senate adjourn.

The motion was agreed to; and (at 1 o'clock and 17 minutes p. m.) the Senate adjourned, the adjournment being, under the order heretofore entered, until Monday, July 29, 1918, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, *July 25, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We lift up our hearts in gratitude to Thee, our Father in heaven, for the good tidings which have come across the sea from the great battle, which is still raging with no apparent abatement.

We thank Thee that our soldiers and their allies are not only holding their own, but are pressing back the enemy step by step, which warrants the belief that the fortunes of war have turned in our favor.

Continue, we beseech Thee, to support, strengthen, and guide them in their onward progress.

We thank Thee that the American soldiers are measuring up to our expectations and proving themselves worthy of the courage, valor, and patriotism handed down through a long line of patriots.

It is what we confidently expected, and while we may take pardonable pride in their courage, bravery, and skill, deliver us from vain boastings, alike distasteful to the true soldier and his friends. Their deeds speak more eloquently than words.

Continue to bless, guide, and strengthen our arms, that the devoutly prayed for consummation may be realized at no distant date and peace with its blessings may come to all the world; and Thine be the praise, through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Monday, July 22, 1918, was read and approved.

CORRECTION OF A PAIR.

Mr. FOCHT. Mr. Speaker, I wish to call the attention of the House to a record of pairs on pages 7491 and 7492 of the RECORD of June 7 last. Ordinarily the pair would be regarded as meaningless but from the fact that I have received a letter which gives an interpretation that is an absolute contradiction of the real circumstance. I am reported as having been paired with the gentleman from Ohio [Mr. GARD] on the Smoot amendment to the Sherwood pension bill.

The SPEAKER. Does the gentleman wish to correct the RECORD?

Mr. FOCHT. I want to correct the RECORD according to the fact, because it does a great injustice to the gentleman from Ohio and myself. The fact is I was here and voted for the amendment, and, furthermore, I have had no pair except one, which was a political pair.

The SPEAKER. How does the gentleman wish the RECORD corrected?

Mr. FOCHT. To show that there was no pair at all and that I voted for the amendment.

The SPEAKER. Without objection, the correction will be made.

Mr. GARD. Mr. Speaker, the letter in question has been shown to me by the gentleman from Pennsylvania, and I am glad to concur in what he has said regarding that pair. There was a very general acquiescence to the amendment when it was returned to the House and there was no partisan division on this merited addition. I have always voted in the House for deserved recognition and appreciation of those who have borne American arms in war, and in this instance I was present and voted for the so-called Smoot amendment, and in agreeing that the RECORD may be corrected in so far as it affects the gentleman from Pennsylvania, I likewise ask that the permanent RECORD be corrected to show that I was present and voted for this pension bill as amended and on final passage.

The SPEAKER. Without objection, the correction will be made. The Chair will state once more that neither the House nor the Speaker has anything on the face of the earth to do with these pairs. They ought to be abolished.

Mr. GARNER. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. GARNER. If the pair clerks were prohibited from making pairs, except those that were handed to them in writing, would not that obviate the difficulty?

The SPEAKER. The Chair thinks it would, and that is what the Chair thinks will be done.

Mr. GARNER. I congratulate the Chair on that decision.

PRIVATE BILLS.

Mr. DOOLITTLE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DOOLITTLE. Under the agreement for adjournment three days at a time, is it in order to introduce private bills?

The SPEAKER. They can be introduced, into the basket, but they will go into limbo until the 19th day of August, when the Chair will refer them.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn, to meet on Monday next.

The motion was agreed to; accordingly (at 12 o'clock and 7 minutes p. m.) the House adjourned until Monday, July 29, 1918, at 12 o'clock noon.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. DALE of New York: Resolution of the American Federation of Labor asking for the establishment of a national conservatory of music and art; to the Committee on Education.

Also, petition of many citizens of New York, asking reduction of fares to persons in the Military Establishment on furlough; also resolution of the National Leather and Shoe Finders' Association for the repeal of the Sherman and Clayton Acts; to the Committee on Interstate and Foreign Commerce.

Also, a letter from Scovell, Wellington & Co., of Boston, Mass., urging increased appropriations for the United States Employment Service; to the Committee on Appropriations.

Also, resolution of the Genesee Valley Grange, of Scio, N. Y., protesting against the postal-zone law; to the Committee on Ways and Means.

Also, petitions of the New York Stereotypers' Union, No. 1; Butchers' Union, No. 212, of Brooklyn; New York Photo-Engravers' Union, No. 1; the Pattern Makers' Association of New York and vicinity; the New York Joint Board of the Amalgamated Clothing Workers of America; and the Joint Council of the United Cloth Hat and Cap Makers of North America, concerning the Mooney case; to the Committee on the Judiciary.

By Mr. KETTNER: Resolutions of Common Council of the city of San Diego, Cal., and Chamber of Commerce, San Diego, Cal., Melville Klauber, president, in favor of national highways as a war-emergency measure; also resolution of Musicians' Protective Association, Local 325, San Diego, Cal., W. J. Meader, secretary, in favor of House bill 11980, for increasing efficiency of Army bands; to the Committee on Military Affairs.

SENATE.

MONDAY, *July 29, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we pray Thee to write Thy laws in our hearts and in our minds. Do Thou place them and give us the disposition of obedience that we may learn the will of God by constant attention to all the meanings of Thy providence and by the constant study of Thy revealed word. May we obey Thy word, not being forgetful hearers. Grant that in the obedience which we give to Thee we may find the way of progress and success, of freedom and of universal peace. We thank Thee, O God, that Thou hast given to us to-day tokens of Thy favor. We thank Thee for the victories that have been won. We pray Thee lead on Thy mighty hosts in this world against an organization of ill will against freedom and the people and speedily bring about the time when men shall learn war no more and when peace shall be universal on earth. For Christ's sake. Amen.

NAMING A PRESIDING OFFICER.

The Secretary (James M. Baker) read the following communication:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
July 29, 1918.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JOHN H. BANKHEAD, a Senator from the State of Alabama, to perform the duties of the Chair during my absence.

WILLARD SAULSBURY,
President pro tempore.

Mr. BANKHEAD thereupon took the chair as Presiding Officer.

The Secretary proceeded to read the Journal of the proceedings of Thursday, July 25, 1918, when, on request of Mr. SMOOT and by unanimous consent, the further reading was dispensed with and the Journal was approved.

APPROVAL OF HYDROELECTRIC BONDS.

The PRESIDING OFFICER. The Chair lays before the Senate a communication from the chairman of the Capital Issues Committee addressed to the Secretary of the Senate, which will be read:

The Secretary read as follows:

CAPITAL ISSUES COMMITTEE,
Washington, D. C., July 26, 1918.

DEAR SIR: I transmitted this morning to the Senate, on behalf of the Capital Issues Committee and in response to Senate resolution No. 285, a copy of the record of the district Committee on Capital Issues of San Francisco, relating to the application of the city of Seattle, Wash., for approval by our committee of certain hydroelectric bonds. This copy of the record is the only one in the possession of our committee, and I would ask that we be permitted to take this back and hold it—subject, of course, to the orders of the Senate—for use in the pending hearing upon this application before our committee. If this is not permissible a long delay will be necessitated, as we shall have to obtain from San Francisco another copy. Meantime, the parties are here, and they would have to wait at least a week or 10 days for a new copy.

It will be understood, of course, that all parties interested can use this copy while in our possession as if it were in the immediate possession of the Senate.

Very respectfully, yours,

C. S. HAMLIN, *Chairman.*

The honorable the SECRETARY OF THE SENATE,
Washington, D. C.

Mr. JONES of Washington. Mr. President, an arrangement such as is suggested in the communication just read would be entirely satisfactory to me. If it is proper to leave the copy of the documents with the Secretary of the Senate instead of referring the matter to a committee, it will be entirely satisfactory to me. Therefore it will not be necessary to have the communication printed. The purpose of the resolution in response to which the communication is sent is served in that we obtain access to the documents.

Mr. FLETCHER. But does not the communication contemplate having the documents returned to the possession of the committee? They state it is the only copy of the record in their possession.

Mr. JONES of Washington. Mr. President, it contemplates that the copy of the record is now in the possession of the Senate. The committee, however, wants access to it, and this letter, which, as I understand, is addressed to the Secretary of the Senate rather than in the usual form of a letter of transmittal, is simply a request for an arrangement that would be satisfactory to the committee as well as to the city of Seattle, which is interested in this application. It is entirely agreeable to us that the Secretary of the Senate may allow the Capital Issues Committee to have the use of this document, as they state is their desire, so as to save them having a copy brought from San Francisco.

Mr. FLETCHER. Of course I have no objection to that request and have no interest in it whatever, but I understood from the reading of the letter that the committee desire to have the document returned to them, as it is the only copy they have in their possession. They suggest that in their office it would be accessible to anyone interested.

Mr. JONES of Washington. They want it returned to them for their use, of course; but they do not want it to go outside of the custody of the Senate—that is, the technical custody of the Senate.

The PRESIDING OFFICER. The Chair thinks the Senator from Washington is mistaken, according to the terms of their letter.

Mr. SMOOT. This is a request, Mr. President, of the committee:

This copy of the record is the only one in the possession of our committee, and I would ask that we be permitted to take this back and hold it—subject, of course, to the orders of the Senate—for use in the pending hearing upon this application before our committee.

Mr. JONES of Washington. Yes. In other words, it is subject to the order of the Senate; it is entirely in control of the Senate, although they would like to have it back pending the hearings. There is no objection to that.

Mr. SMOOT. None whatever.

Mr. JONES of Washington. That is perfectly satisfactory, because the purpose of the resolution which passed the Senate has been served. All we wanted was to get access to this document.

Mr. SMOOT. If it goes back to the committee that will be satisfactory.

Mr. JONES of Washington. It would be entirely satisfactory that it should go back to the committee subject to the request of the Secretary of the Senate if we should want it brought here.

The PRESIDING OFFICER. The Secretary is directed to return to the Capital Issues Committee the records now in the custody of the Senate and subject to its further orders.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the Speaker of the House had signed the enrolled bill (S. 3529) to repeal the act entitled "An act to incorporate the National German-American Alliance," approved February 25, 1907, and it was thereupon signed by the Presiding Officer.

PETITIONS.

Mr. WARREN presented resolutions adopted at a meeting of sundry citizens of Wyoming, favoring the enactment of further prohibition legislation as a war measure, which were ordered to lie on the table.

He also presented resolutions adopted by the Sheridan County Medical Association, of Sheridan, Wyo., favoring the utilization by the Government of the services of women physicians during the present war, which were referred to the Committee on Military Affairs.

Mr. NELSON presented a resolution of the Chamber of Commerce of Minneapolis, Minn., relative to the discrimination of freight rates on grain and grain products, which was referred to the Committee on Interstate Commerce.

Mr. FLETCHER presented resolutions adopted by the South Florida Press Association at its semiannual session in Wauchula, Fla., pledging support to the Government in the prosecution of the war, which were referred to the Committee on Military Affairs.

Mr. KENYON presented a petition of sundry citizens of Morning Sun, Iowa, praying for the substitution of the oath required of enlisted men for the oath required of officers, which was referred to the Committee on Military Affairs.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KENYON:

A bill (S. 4849) granting an increase of pension to Salem Bruner (with accompanying papers); to the Committee on Pensions.

By Mr. WARREN:

A bill (S. 4850) to extend all provisions of act 197 of the Laws of the Territory of Hawaii for the regular session of 1917, approved May 1, 1917, to all voters of the Territory of Hawaii called into the active military or naval service of the United States; to the Committee on Pacific Islands and Porto Rico.

By Mr. WALSH:

A bill (S. 4851) granting an increase of pension to Joseph W. Culbertson; to the Committee on Pensions.

VOLUNTEER ENLISTMENTS UNDER DRAFT ACT.

Mr. STERLING. Mr. President, the New York Times of yesterday has an article entitled "Drafted men who tried to volunteer," by William H. Crawford. Mr. Crawford in this article goes on to state that he has received letters from all sections of the country commending the view that he had previously expressed, to the effect that a grave injustice is being done to those young men who are barred as volunteers, and yet who were caught by the draft. He states that some of these letters are commendatory of his previous article, and some refer to specific cases of injustice done to men who had sought to volunteer in the service, but who, because of the regulations in regard to physical fitness obtaining at the time they tried to volunteer, were rejected, and yet they were afterwards caught in the draft, the standard of physical fitness having meanwhile been changed. He gives some very strong illustrations showing the injustice of this procedure. He refers, for example, to a man who enlisted in the Marine Corps, although this is aside from the question of physical fitness; but this young man successfully passed his training course; he earned a medal as a sharpshooter; he was transferred from Paris Island, S. C., to Quantico, Va., and while there was called by his local board, who claimed as a reason for the call that they had never received any certificate showing he had been inducted into the Marine Corps service. He was drafted and is now stationed at the Third Battalion of the Fifth Company, One hundred and fifty-second Depot Brigade, Camp Upton, Yaphank, N. Y.

Another illustration more pertinent to actual conditions is given where a young man tried eight different times to volunteer in the service and was rejected each time because of some physical defect; I think in his case defective eyesight; but after a change in the regulations he is now drafted, though he was not permitted to volunteer.

Mr. Crawford, in the concluding part of his article——

Mr. WARREN. Will the Senator from South Dakota permit me to interrupt him?

Mr. STERLING. I yield to the Senator.

Mr. WARREN. What the Senator from South Dakota has already read refers to a man in the Marine Corps, which is a branch of the Navy. It seems, for reasons which I do not understand, that while men who are registrants and subject to draft are not taken in the Army as volunteers, the field is open to them all the time to enlist as volunteers in the Navy or in the Marine Corps; in other words, those two branches of the naval service act entirely independent of the Army draft situation. That would probably account for the case which the Senator from South Dakota has just described.

Mr. STERLING. This is a case where the Marine Corps had never sent a certificate stating that this young man had enlisted in that service. The author of the article states, in conclusion:

Surg. Gen. Gorgas, since the subject was first taken up with President Wilson, has issued a standardized physical examination for all branches of the service, and he personally told me that as far as was within his province these injustices would be prevented. Unfortunately, it is not within his jurisdiction to correct those already in effect. These can be corrected only through specific instructions from the War Department, coming through the Provost Marshal General's office. The instructions have not been issued; the wrongs have not been righted. They will be if sufficient interest in the matter is shown by the people. Your Congressman can take it up with the War Department. Many newspapers have published editorials on the subject. By concerted action justice and right may be meted to these lads who, early in the fight, offered their services to the Government.

I am not quite sure whether under the selective-service law there is authority on the part of the War Department——

Mr. WARREN. The authority is with the local board entirely as to the question of physical fitness. Each local board decides that for itself.

Mr. STERLING. Well, each local board will not do justice to those who have already been drafted into the service; and the proposition is to reach the class of men who having been rejected as volunteers because of physical unfitness, now, by reason of the change in the regulation as to physical examinations, are drafted into the service.

Mr. President, in pursuance of this article, I have prepared a resolution, which I offer, to be referred to the Committee on Military Affairs, and I ask unanimous consent that the resolution may be read.

Mr. JONES of Washington. Mr. President, before the resolution is read I desire to suggest to the Senator from South Dakota that this same thing takes place under the operation of the draft itself; that is, a man is rejected under the first call because of a physical disability; he is taken under the next call, and is passed by the board on physical examination. I know of one case of my own personal knowledge where a young man was called under the first draft. On examination the board rejected him on account of a physical defect; but he was taken under the next draft, the board which examined him passing him.

Mr. STERLING. But here is the case of a young man who believed himself to be qualified for a particular branch of the service, and he sought to volunteer in that service. As to whether that young man can be transferred to the volunteer service or to a volunteer regiment is the question; I think if such a thing can be done without great prejudice to the service it ought to be done.

Mr. JOHNSON of California. Mr. President——

Mr. STERLING. I yield.

Mr. JOHNSON of California. Merely as a matter of information, which may throw some little light upon the subject matter, I desire to say, as is suggested by the Senator from South Dakota [Mr. STERLING], that one of the problems now confronting the Provost Marshal General and, indeed, I think the War Department, is as to the adoption of a new draft law changing the age limit. In the preparation of that particular law unquestionably the matter of whether voluntary enlistments of any sort shall be permitted will be one of the subject matters of investigation. The Senator is quite right in suggesting certain inequalities with respect to the last draft; for instance, where the physical requirements at one time were of one sort and then overnight changed to another sort, so that men who under the original physical requirements were re-

jected and went on with their usual business and their usual vocations, and married, perhaps, were suddenly, without notice or warning, called by a particular local board and were sent into the draft. It will be recalled that when the draft law was before us one of the arguments made in its behalf was that it was equal and impartial in its operation; that volunteering, on the contrary, was unequal and partial, and that volunteering took the best without, indeed, making all alike amenable to service; but immediately after the draft law was adopted some governmental authority sent its posters all over the land, to which I called attention, and not long ago, in which invidiously it compared volunteering to service under the draft itself. These posters, for instance, unjustifiably and invidiously making a distinction that I observed in this city were couched in language such as this: "Be a went and not a sent," calling upon men thus to volunteer, and this immediately after the arguments that were made concerning the honor of the draft and its equal operation and impartiality.

Now, some of the authorities—and I say this simply for the purpose of enlightenment of the Senator—desire that all volunteering shall be prohibited when we next come—and we are going to come to it within 30 days—to change the draft ages. So I suggest that it is a matter that we all ought to be thinking about, as some of us are endeavoring now to arrive at a just conclusion, whether volunteering shall be permitted at all or whether it shall be permitted concurrently with the draft, or whether it shall be permitted in the Navy and Marine Corps alone. Those are questions that are now being endeavored to be solved, and which some of us are endeavoring to deal with, and we should like, of course, the judgment of the Senator from South Dakota when the time arrives to consider the subject in relation to any change of the draft act.

Mr. STERLING. Mr. President, I quite agree with the Senator from California in regard to the inducements held out to men to volunteer instead of waiting to be drafted, and I agree, too, with him that the matter will be a subject for grave consideration when the bill extending the limits of the draft ages is before the Senate.

I offer the resolution and ask that it be read and referred to the Committee on Military Affairs.

The resolution (S. Res. 288) was read and referred to the Committee on Military Affairs, as follows:

Whereas it appears that many young men who sought to enter the military service of the United States during the present war by volunteering for some particular branch of the service at a time before the present fixed standard for physical fitness had been established were rejected by medical boards on the ground of physical unfitness and many of those so rejected have since been drafted and under the now established standard of physical fitness for all branches of the service have been accepted and called into the service as drafted men; and

Whereas also there appear to be cases where there having been a failure to certify lawful volunteer enlistments to local draft boards, such local boards have assumed jurisdiction to require the discharge of such volunteers and have subjected them to call as drafted men; and

Whereas such course of procedure has apparently wrought injustice not only to the volunteer as such, but especially to the young man who desired volunteer enrollment in a particular branch of the service for which he deemed himself best fitted but which is now denied him: Therefore, be it

Resolved, That the Secretary of War be respectfully requested to inform the Senate whether in his opinion permission given to men subjected to draft under such or similar circumstances to now volunteer or permission for their assignment to volunteer regiments would materially affect or impair the service, whether or not the War Department contemplates any action looking to a transfer of such men to the volunteer service, and whether in the opinion of the Secretary such transfer is permissible under existing law.

Mr. NELSON. Mr. President, I think the complaints to which reference has been made arise not so much from the rules which have been established as from the administration of those rules. Each local board has a physician appointed, who passes upon the physical qualifications of the men drafted by that board. It is like grading wheat—it is a matter of judgment with the local draft-board physicians. Some of them take a very narrow view and are not disposed to exclude anybody if he is in fairly good physical condition, while others are very technical, and if they find the slightest defect they reject a man. Sometimes, also, there is favoritism. I am inclined to think, from the experience I have had and from some correspondence which has come to me, that a good deal of the trouble about the physical examination comes from the methods employed by the local boards. They are our representatives, and you can readily see, Mr. President, as can anyone who reflects upon the matter, that the decision is largely in their hands. While the department may lay down general rules, yet the medical men on the various local boards use their own judgment in the application of the rules, and hence there is diversity.

I have discovered another thing. A great many who want to volunteer instead of waiting for the draft—it is not so in the cases cited, but is so in most of the cases disclosed by my correspondence—are men who are looking for some "soft snap" in the service, some place where they will not get into the fighting line. They are very anxious to volunteer and to escape the draft for the purpose of enlisting in some particular service where they may run automobiles for officers or do some other work not requiring them to be on the fighting line. Many of the men with whom I have been in communication have been of that class. They are very anxious to get into the service—God knows they all announce that they are willing to serve their country—but they want to get into some branch of the service where they do not have to go into the trenches and meet the enemy face to face.

In this connection, Mr. President, I wish to read an article which I clipped from the Washington Post this morning. It is as follows:

MARINE HEROES MERE BOYS—MORE THAN 13,000, A THIRD OF THE CORPS, UNDER 21, AND GALLANT FIGHTERS.

More than 13,000 marines, about one-third the number that have joined the corps since the beginning of the war, are boys between 18 and 21 years. Can they fight? Let the following official statement from Secretary Daniels tell the story:

"The policy of the Marine Corps in admitting boys of 18 years into the ranks is more than justified, officers claim, by the heroic fighting by the marines at Chateau-Thierry and Belleau Wood, the showing they made in their sector of the Marne line since that time, and the youthfulness of many of the marines who have been decorated and cited in France.

"While it was known that many boys under 21 were serving with the sea soldiers, the statement that they aggregated nearly one-third of the enlistments was a surprise even to marine officers themselves."

I read this to show that boys from 18 to 21 make the very best soldiers; I read it for the purpose of quieting the nerves of those who think that it is a mistake to take into the service one under 21 years of age. We want good soldiers, fighting soldiers, and there are none better than the boys from 18 to 21. No part of our Army in France has made a better showing than those young marines who fought "over there" in the front of the line. The University of Minnesota contributed in one group more than 100 boys to the Marine Corps, all under 21. I can not understand the sentiment that seems to prevail in some quarters that it is a harmful thing to let boys volunteer, that all should be drafted, and that no volunteering should be allowed. I do not see why we should enact a law to calk up the patriotism of the American boys. If we have boys who are anxious to volunteer for the service, especially the fighting line, I certainly think there ought not to be any legislation to prohibit their doing so. Nor do I think that anything ought to be allowed to interfere with the draft, which is intended to reach everybody.

It is apparent now, from our experience, that without the draft law we never would have succeeded in the same period of time in raising as large an army as we now have. The spirit that imbued our people in 1861 did not seem to prevail amongst them at the beginning of this war, so it became necessary to have the draft law, and it has been one of the most equitable and fairest laws of the kind ever devised. It is infinitely preferable to the draft law we had in the last days of the Civil War. Under that villainous system men who were drafted could hire substitutes. Towns would vote bonds, cities would vote bonds, and men would raise money themselves, go to the large cities, and hire the odds and ends of humanity, all kinds of people, and pay them a big bounty to act as their substitutes. Growing out of that practice we had another class of men who came to be known as "bounty jumpers," many of whom were men who had been hired as substitutes. We have nothing of that kind under this law. Taken altogether, it seems to me that it has worked out as well as any law can work.

Of course in the administration of the law the work has been performed largely by the local boards without compensation and mistakes may have been made; but it seems to me it is to the great credit of our people that they have done such magnificent work on the local district boards without compensation and have done it so well. While there may have been instances where a board has erred or where the medical members of boards may have erred, taken on the whole and in the aggregate I think we must all agree that the administration of the draft law has been a wonderful success.

Mr. KIRBY. Mr. President, the Senator from Minnesota [Mr. NELSON] has read an excerpt from a morning paper in regard to the fighting ability displayed by our Marines across the sea. That they are brave and able fighting men has never been questioned by anyone so far as I know, but there seems now to be a tendency throughout the country, and it is noticeable also here, to reduce the draft age below 21 and down to as low as 18 years. The sole excuse for that seems to be that men of 18 years will also fight like heroes on any battle field. Those who advocate the reduction of the age limit to 18, however, do not seem to take into consideration whether there is any justice in

the proposal and whether or not there is any fairness to that class of men who are also citizens of the country. That is a question that must be determined when the draft age is changed, if changed it must be, and I think it will be. It will be changed, however, not because there is necessity for it from the standpoint that we have exhausted the man power already registered; not at all; but because there are certain men above the present draft age who are without burdensome obligations and without dependents as much so as are those of the first class who should be required to serve rather than some who have more obligations to society and more dependents.

So far as I am concerned, I think the draft law has resulted admirably in its application. I was one of those who favored the volunteer system. I believed that the military achievements of this country in the past and its glory rested upon the volunteer system; that the history of the fighting volunteer soldier, the history of the volunteer army, was the history of America's military prowess and glory. I do not think there is any question about that.

There was no call for volunteers in this war, and the reason for it was said to be that "we want the service to bear equally upon all; that the Government shall say to all men, Stand here in line and we will take such of you as we regard to be necessary for the protection of the country, and there will be no room for invidious distinction then between those who volunteer and those who are drafted.'" Immediately after the draft law was passed, as the Senator from California [Mr. JOHNSON] has suggested, from certain quarters—official, too—a proposal was widely announced making that very distinction. They said: "Volunteer now lest you be drafted, lest the odium of the draft attach to you." That ought never to have been done; it ought not to be done hereafter, and must not be done, so far as official approval, or anything like that, is concerned.

I do not believe that the draft law should be changed reducing the age limit. Why? Because there are men enough already registered to put 5,000,000 men into the Army across the sea; there are men enough already accepted to do that. If we shall reduce the draft age, what is going to be the result of it? Since we have already authorized those men to be classified and to be called into the service by classes there will never be many more men above 21 years of age put into the Army. That is my judgment. You will compose your Army hereafter of men from 18 to 21 years. You will have a good Army? Yes. A brave Army? Yes. An effective fighting Army? Yes. A great machine? Certainly. But will you be treating these men of 18 to 21 years fairly? Will you be treating these men fairly who have never had opportunity to develop themselves, to build homes and fortunes, and to pursue happiness in this country of ours? No; it is not right, and it ought not to be done; they must not be put into the firing line to the exclusion of other men who have lived longer under our civilization and laws; who have married their wives, who have made their fortunes, who have, forsooth, attained and enjoyed happiness, and who have a greater interest in protecting the country than the man who has not had his chance.

I say the men from 18 to 21 years of age will be needed for the development of this country 8 to 10 years from now as much as or more than the men between 25 and 35 who have already had their opportunity. Let us be fair to the man who has no voice in the Government and has never been allowed to say whether he shall do this or do that. We who are allowed to vote, we who are allowed to make the laws, owe that much to him, and it must be done, so far as I am concerned.

THE SOCIALIST PARTY AND THE WAR.

Mr. SHERMAN. Mr. President, if there are no further remarks to be made by Senators on the matter that has just been discussed, I wish to preserve, against the day when I anticipate it will be needed, certain communications, or the abstracts thereof, which have come to me from time to time.

The Socialist Party from its national office, Chicago, Ill., has issued the following statement of its purposes and beliefs on war questions:

We indorse unreservedly the peace program of the Russian Bolshevist Government.

We emphatically deny that it is necessary for the people of the United States to spill their blood and waste their treasure to rearrange the map of Europe. If rearrangement is necessary, it can be more speedily and more effectively accomplished by the peace conference.

The present situation demands more than the mere statement of war aims or peace terms. An agreement to enter into peace negotiations is now imperative.

We earnestly urge you to recognize officially the present Russian Government and to accept its invitation to take part in the peace conferance of the Russian and the central powers. We also urge you to make every effort to secure the participation of the allies in the conference. This is the road to peace.

The foregoing appeal is dated February 9, 1918, and addressed to the President and Congress of the United States.

Ten days after this appeal the Russian Bolsheviki Government capitulated and surrendered to Germany. We find Lenine February 23, 1918, announcing to his brother Bolshevists that—

we are compelled to submit to a distressing peace. Their knees are on our chest and our position is hopeless.

The Chicago appeal is signed by Morris Hillquit, Victor L. Berger, and others of the national executive committee.

June 30, 1918, the Socialist Party of New York State held its annual convention. Morris Hillquit, addressing that body, said:

The crisis in Russia marked the birth of a new proletarian republic—the first in the history of the world.

He referred to the I. W. W. defendants in Chicago trials, and said he was asked while there "if it were true that the Socialist Party was supporting the I. W. W." He pleaded guilty and promised that "the Socialists would stand behind the I. W. W. men with all their hearts and souls."

The proletarian Russian Republic, acting through the Soviets, accepted peace terms and sent delegates to Brest-Litovsk. Under this peace Germany has disintegrated Russia, destroyed its Government, occupied territory, and subjugated its people from the German frontier to the Arctic Circle.

The decree issued by the executive committee of the Russian Soviet recently declares:

All State loans concluded by the governments of the Russian landlords and Russian burgeoise enumerated in a special list are hereby repudiated as from December 14, 1917. The December coupons of these loans are not paid. All foreign loans, without exception, are absolutely repudiated; short-term liabilities and treasury bonds remain in force; poorer citizens who hold State bonds of internal loans to amount of not more than 10,000 rubles nominal will receive in exchange certificates made out in their name of a new loan of the Russian Socialist Federal Soviet Republic; the Soviets in agreement with the local economic councils appoint committees to determine what citizens are to be regarded as poor. These committees have the right to annul all savings not acquired by personal labor.

The PRESIDING OFFICER. The morning business is closed, and the Senate, under the unanimous-consent agreement, stands adjourned until Thursday at 12 o'clock noon.

Thereupon (at 12 o'clock and 40 minutes p. m.) the Senate adjourned until Thursday, August 1, 1918, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *July 29, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Eternal God, our Heavenly Father, in whom the issues of life are centered, hear and answer our prayer if it shall be in consonance with Thy will and good purposes.

Behold, we know not anything;
We can but trust that good shall fall
At last—far off—at last, to all.
And every winter change to spring.

The past and present are but the guaranties of our future.

We thank Thee for the encouraging words which come to us from the great battle field where right is pitted in deadly conflict with wrong.

We thank Thee that the American soldier is holding fast to the traditions which have been handed down from our fathers. He does not fight for the sake of fighting but for the hallowed principles vouchsafed to him by the decrees of high Heaven.

Strengthen his arm in the present crisis and bring to him a victory which shall establish a world-wide peace, and thus make the world a safer place for Thy children to dwell in; that the pursuits of peace may bring righteousness and joy to every heart, for which the Cross of Christ has been made the token; and all praise be Thine, our God and our Father. Amen.

The Journal of the proceedings of Thursday, July 25, 1918, was read and approved.

ENROLLED BILL SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the following title, when the Speaker signed the same:

S. 3529. An act to repeal the act entitled "An act to incorporate the National German-American Alliance," approved February 25, 1907.

ADJOURNMENT UNTIL THURSDAY NEXT.

Mr. HENRY T. RAINEY. Mr. Speaker, I move that the House do now adjourn to meet on Thursday next.

The motion was agreed to; accordingly (at 12 o'clock and 5 minutes p. m.) the House adjourned until Thursday, August 1, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting tentative draft of a bill to provide method of settlement for materials, stores, and supplies transferred between different bureaus, departments, or agencies of the Government (H. Doc. No. 1247); to the Committee on Military Affairs and ordered to be printed.

2. A letter from the Secretary of War, transmitting tentative draft of a bill authorizing an Army account of advances for Army appropriations (H. Doc. No. 1248); to the Committee on Military Affairs and ordered to be printed.

3. A letter from the Secretary of War, transmitting reports of the secretary and the treasurer of the American Red Cross for the period January 1 to June 30, 1917 (H. Doc. No. 1249); to the Committee on Military Affairs and ordered to be printed.

4. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Carrie E. Pierce and Alice Pierce, children and sole heirs of James H. Pierce, deceased, against The United States (H. Doc. No. 1250); to the Committee on War Claims and ordered to be printed.

5. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Frank A. Baker, son of John J. Baker, deceased, against The United States (H. Doc. No. 1251); to the Committee on War Claims and ordered to be printed.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BESHLIN: Petition of sundry citizens of Pennsylvania, urging the passage of immediate war-time prohibition; to the Committee on the Judiciary.

By Mr. COOPER of Wisconsin: Petition of sundry citizens of Waukesha, Wis., also of members of the Pentecostal Church, of Racine, Wis., favoring war-time prohibition; to the Committee on the Judiciary.

By Mr. PRATT: Petitions for war-time prohibition filed by the Woman's Christian Temperance Union of Horseheads, the Free Methodist Church of Corning, and sundry citizens of Horseheads, all in the State of New York; also resolutions in relation to polygamy adopted at public meetings in Elimira and Elmira Heights, N. Y.; to the Committee on the Judiciary.

By Mr. TOWNER: Petition of sundry citizens of Page County, Iowa, for a bill to provide for the substitution of the oath required of enlisted men for the oath required of officers; to the Committee on Military Affairs.

SENATE.

THURSDAY, *August 1, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we thank Thee for the high sense of moral obligation that Thou hast given to us as a Nation. Thou hast written Thy laws in our hearts. Thou hast given to us our freedom. Thou hast put into our hearts a love for freedom better than life. To-day, in the midst of the bitterest struggle of all the country's history, we come before Thee asking for Thy guidance and Thy blessing. We pray Thee to lead on our boys to victory. Bring them safely back to our native shores with the glory of having achieved not only honor for their country but the advancement of the cause of righteousness and peace among men. For Christ's sake. Amen.

NAMING A PRESIDING OFFICER.

The Secretary (James M. Baker) read the following communication:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
August 1, 1918.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JOHN H. BANKHEAD, a Senator from the State of Alabama, to perform the duties of the Chair during my absence.

WILLARD SAULSBURY,
President pro tempore.

Mr. BANKHEAD thereupon took the chair as Presiding Officer.

The Secretary proceeded to read the Journal of the proceedings of Monday last, when, on request of Mr. SMOOT and by unanimous consent, the further reading was dispensed with and the Journal was approved.

BIRTHDAY ANNIVERSARY OF LAFAYETTE.

The PRESIDING OFFICER. The Chair lays before the Senate the following communication, which will be read:

The communication was read by the Secretary, as follows:

To the President, the members of the Cabinet, the United States Senate and House of Representatives, and the nations of the allies, cordial greeting:

It is proposed to have an anniversary celebration of the birthday of the illustrious Lafayette on the 6th of September, 1918, at 8 p. m., at Memorial Continental Hall.

In view of the entrance of the United States, with France, Belgium, England, Italy, Greece, and the other allies, in the present war, it is considered most appropriate that we do special honor at this time to the memory of Lafayette and to France.

Therefore we most earnestly extend an invitation to all the nations of the allies to participate in the coming event. Please answer.

Very truly, yours.

J. G. B. BULLOCH, M. D., *Chairman,*
The Octavia, 1669 Columbia Road NW.

PHOSPHATE ROCK (S. DOC. NO. 270).

The PRESIDING OFFICER laid before the Senate a communication from the Secretary of Agriculture, transmitting, in response to a resolution of July 5, 1918, a memorandum from the Chief of the Bureau of Soils containing the information available in the Department of Agriculture concerning phosphate rock, which, with the accompanying paper, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

PETITION.

Mr. MYERS presented a petition of the Chamber of Commerce of Billings, Mont., praying for a Federal investigation of the present high prices of petroleum products, which was referred to the Committee on Agriculture and Forestry.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NEW:

A bill (S. 4852) to create an executive department in the Government to be known as the Department of Aeronautics, and for the appointment of a Secretary of Aeronautics and an Assistant Secretary, and providing for appropriations for said department; to the Committee on Military Affairs.

By Mr. WALSH (for Mr. HOLLIS):

A bill (S. 4853) granting an increase of pension to Andrew J. Moody (with accompanying papers); to the Committee on Pensions.

By Mr. KING:

A bill (S. 4854) to repeal a certain provision of the act of Congress approved March 3, 1905, relating to the sale of lands in the Uintah Indian Reservation in Utah; to the Committee on Public Lands.

ADDRESSES BEFORE THE IOWA BAR ASSOCIATION.

Mr. KENYON. I ask to have printed separately as a public document two addresses delivered before the Iowa State Bar Association, one by the president of that association, Judge Charles W. Mullan, on allegiance to the Constitution, and the other by Rome G. Brown, of Minneapolis, Minn., on the disloyalty of socialism. I presume that the request must be referred to the Committee on Printing, and I ask that that reference be made.

The PRESIDING OFFICER. The addresses will be referred to the Committee on Printing.

TRANSPORTATION SERVICE AND DIFFUSION OF FACTORIES.

Mr. PITTMAN. Mr. President, there has come to my notice a very ably written article—one which relates to a very vital question before the country to-day. The article that I refer to is by C. C. McChord, a member of the Interstate Commerce Commission, a member of the Railroad Wage Commission, and also recently appointed by the President as one of the umpires of the National War Labor Board. His vast experience in the great number of years he has served as a member of the Interstate Commerce Commission peculiarly qualifies him for a discussion of the subject he has taken up.

He charges directly that a congestion has been brought about in certain sections of this country and at the same time a depletion in other sections of the country relative to population and industry through artificial means, through preferences, through prejudicial action against other sections, and that practically all has been accomplished through the wrongful use of the privilege relation to transportation in this country.

If that charge were made by some ordinary economist or by a politician or by one who might be denominated a statesman other than a member of the great body that for years has been invested with the power of investigation in these matters I doubt not that the party making the charge would be denominated a demagogue.

It has been apparent to shippers and producers throughout the country away from the great centers of industry and commerce that this discrimination was practiced, and during all

those years they have protested, and never once has there been a remedy. I want to say that Mr. McChord, as a member of the Interstate Commerce Commission, has time and again pointed out the remedy, and time and again stood for the remedy, but apparently he was unable to force his opinion upon a majority of the commission.

The fact remains, as stated in this article, that these artificial conditions have compelled manufacturers to leave the natural field of their operations where the raw product and everything else was at hand and go to certain large centers of commerce, because those centers of commerce were favored to such an extent by the railroad companies that the manufacturing interests elsewhere could not compete.

He calls attention to this fact not primarily for the purpose of attacking conditions that existed in transportation service but for the purpose of warning our Government and those connected with it that it is now time to commence to prepare for after-war conditions. He calls attention to the fact that wages are constantly increasing, and that when the war is over, in the very necessity of the case, those wages will decrease by reason of the fact that hundreds of thousands of men who are now employed in special war work will have to seek other kinds of employment.

There will be a resistance to the decrease in wages by these employees naturally, unless the cost of living is proportionately or fairly proportionately decreased.

Mr. McChord takes the view that that can not be accomplished unless labor is scattered throughout the country and finds its occupation in the vicinity of the necessary foodstuff supplies, and unless the congestion in the great cities is relieved and men are permitted to find laborers in the great open where rents are sufficiently reasonable for a man to house his family.

Possibly at the present time, because of the urgent demands of the war, it is impracticable, if not impossible, to take the necessary steps to immediately remedy these conditions. It is obvious, of course, to any man who has studied business conditions that great production and efficiency in production are accomplished under the direct supervision of the managers of industry. We understand that one great factory in this country could possibly become more efficient than a thousand scattered throughout the country. We are told, for instance, that in the manufacture of aeroplanes it is essential that they be manufactured in the vicinity of the board having charge of such factories so that they may constantly inspect the work. That may be all true, yet I doubt whether the advantage obtained by such immediate inspection is equal to the advantage that would be derived from keeping your men scattered throughout the country where they would be locally supplied with the necessaries of life.

Be that as it may we are not dealing with that subject matter now. The problem is coming on us soon. The conditions that are causing the congestion now, and that have caused the congestion in the great cities of this country for years, is not decreasing but is steadily increasing. Great factories are being built in certain sections because they can not be built anywhere else and compete. As the factories grow men are drawn from all over the country to those factory towns, and as they are drawn there and labor becomes more plentiful at such points, again do the factories increase and the cumulative process ever continues.

The result is inevitable. It means that a great country that is not only fit to live in but is the most wholesome place in the world in which to live is absolutely abandoned.

Not only that, but the men who could be fed close to the farms must have their food transported clear across the country at the expense of the people and to the obstruction of the railroads that are the arteries of trade.

We all know what is meant by the long and short haul. We all know what is meant by the back haul. We know that the railroad companies would ship freight from Chicago to San Francisco cheaper than they would ship to intermediate points. We know they would ship freight cheaper from Chicago to San Francisco or Sacramento than to Reno, Nev.

Mr. KING. Or to Salt Lake City.

Mr. PITTMAN. Or to Salt Lake City, or to Ogden, and just as cheap as they ship it to Denver. We all know that they would charge more to deliver freight from the town of Ogden to a point 25 miles out than they would charge to deliver it from San Francisco to the same point; that they would charge more to deliver freight from Reno to a place 25 miles out of Reno along the railroad than they would from San Francisco to the same point, and yet San Francisco would be 300 miles away. Why? For the very purpose of giving San Francisco that field of trade and depriving the local States of the same trade. This means that Nevada wheat, wool, meats, hides, and other products must go to San Francisco for manufacture or reshipment. It means that no important manufacturing plant or wholesale establishment can exist in Nevada.

I do not know whether the railroads are to blame in the matter or not. I have often doubted it. Take a center like San Francisco, where five or six great railroads concentrate, and if one railroad company says, "We will do away with this discrimination," then the chamber of commerce, representing the business interests of San Francisco, says to the other railroad companies, "We will give you all our business."

I presume competition between the railroad companies in these great centers has compelled them to listen to the selfishness of business men of those communities. I am not condemning these men or bodies, but I am condemning the conditions that permitted such great wrong to be done a community and permanent injury to our whole country through the misuse of public utilities.

When there was a hearing with regard to the increased rate to Pacific port points, and when the Chamber of Commerce of San Francisco fought that raise, one of the attorneys for the railroad companies said, "Yes; we have built up San Francisco by discrimination against interior points, and if you are going to oppose fair rates to San Francisco we will build up our interior country, which is not in competition with water rates." They have always had the power to build up the interior country. The interior country needed no assistance. All that was needed was to throw down the artificial barriers to trade and it would seek its proper point of operation. Under private ownership it never could be accomplished, because the law of competition, the law of self-aggrandizement, the ambition for personal profit of the railroad companies, always stood in the way of carrying out the higher idea in building up the roads of this country.

When the great congestion took place along our railroads a few months ago the railroads were thrown under the management of a railroad board composed of railroad men, and yet such board was powerless to remedy the condition. Why? Because each of these great railroads was fighting for all the business it could get, no matter how the country might suffer. So they reached out and they took that business, and they tied up the great center of New York City, and the sidetracks were congested for hundreds of miles. It was a personal greed. It was the desire of personal profit that interfered with the matter.

The railroad companies went into the hands of the Government, which did not care whether the freight went over the Pennsylvania or the Michigan Central or the Southern or the Baltimore & Ohio. In other words, when these roads went into the hands of the Government instead of having 100 competing lines whose only object was personal power and profit we obtained one great system whose only object was transportation in the interest of the people of the country.

Under Government control there will be no more bonuses, no more favoritism, no more special rates, no back-haul charges, no preferential rates or discriminatory charges.

There will be no desire to drive water transportation out of business. It will be the object of the Government to encourage that form of transportation that can best serve the people.

Mr. SHERMAN. Will the Senator yield for an inquiry?

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Illinois?

Mr. PITTMAN. I do.

Mr. SHERMAN. Does the Senator think that the freight or passenger service is now better than it was before the Government took charge of the railroads?

Mr. PITTMAN. Mr. President, I had just stated that but a few months prior to the taking over of the railroads by the Government the congestion of our lines had reached such an extent that starvation faced communities in this country, and I tried to state my opinion as to why it occurred, and the opinion given in this article, which is far superior to any statement I could make, is to the effect that great lines like the New York Central and the Pennsylvania had reached out with their tentacles throughout the country and dragged the freight across those lines through their great power of business to the exclusion of other lines and congested the great port of New York while other ports had ample facilities.

Now, that has been remedied since the Government took charge of the roads. I consider it a great benefit to this country to relieve that congestion. I consider that the freight conditions in this country are 100 per cent better than they were before the Government took charge of the roads.

Mr. SHERMAN. Mr. President, I want to inquire of the Senator how he reconciles his statement with the fact that before the Government took charge of the railways I got freight from Chicago to Washington in 30 days. That was a delayed

service because of war conditions, and we expected some delays. I ordered a certain piece of freight, which was shipped from Chicago last February. I got it on the 19th of July, 1918. It was in transit five months.

Mr. PITTMAN. What was its character?

Mr. SHERMAN. The package of freight was made up in a car, and the car was lost between here and Chicago.

Mr. PITTMAN. May I ask what was the character of the freight?

Mr. SHERMAN. Dead freight; bookcases.

Mr. PITTMAN. There is not any question, Mr. President, in my opinion, that you may find isolated cases such as the Senator from Illinois has mentioned in which there has been great delay, and, in my opinion, there should have been even greater delay. Our Government at the present time is more interested in the transportation of food and ammunition and farm products and implements of war and our soldiers, a necessary part of the transportation, than it is in transporting bookcases for lawyers.

Mr. SHERMAN. If the Senator will yield——

Mr. PITTMAN. I yield.

Mr. SHERMAN. The transportation of food is worse than the transportation of dead freight or nonperishable articles. It is impossible to get a barrel of apples or potatoes from Chicago, Ill., into Washington, and has been since the Government took charge of the railroads, in a condition where they are edible. It takes all the way from two months to get them. Before that time, since the war was declared, I was able to get provisions from the Mississippi Valley or from Chicago or interior points near there in a condition where they were fit to eat. I am saying nothing about the military service, but making proper allowances I do not believe a barrel that is edible when it reaches here has come to any private consumer in Washington because of the great delays. The same conditions did not prevail since war was declared before the Government took over the railroads.

Mr. PITTMAN. Mr. President, I have not heard of any lack of apples from any part of the country. I have seen the market filled with apples here. Possibly there has been some choice brand that the Senator from Illinois raises in his garden that the railroads heretofore brought to him. I regret the misfortune of the Senator from Illinois, not only this misfortune but the other misfortune to which he is subject, but nevertheless the fact remains that the railroads are not congested at the present time, and there is no complaint in regard to the movement of the necessities of war to the people who need them. That is the situation.

Mr. WARREN. Mr. President——

Mr. PITTMAN. I yield to the Senator from Wyoming.

Mr. WARREN. The express companies are moving on this same line. I left on my desk when I came over here a postal card making inquiry if I had received a lot of sausage sent from a point in Rhode Island on the 14th of January. Of course, I had not received it. Yesterday I had to sign an affidavit before a notary about some shirts that I had ordered which were to be sent on the 1st of June and were shipped according to the statement on the 13th or 14th of June, and they have not arrived. I learned from the West that it is confusion worse confounded there. It was enough congested before the Government took hold of it, but in the particular case in which I am interested it is far worse now.

Mr. PITTMAN. Mr. McChord is dealing with one of those very questions. He is trying to arrange it so that persons may get supplies without having to send a thousand miles away. They are trying to fix it so that workingmen will get their supplies without having to send a thousand miles away for them.

Let me say this in all seriousness. It is certainly a trivial argument at this time in answer to the great article presented here by the member of the Interstate Commerce Commission for gentlemen to get up here and say they could not get a barrel of apples from Chicago or a case of sausage from Rhode Island. Now, there was a time when the railroad companies were run in the interest of such gentlemen. There was a time when possibly a man would not eat sausage unless it came from Rhode Island or apples unless they came from Illinois. At the present time there is not the congestion with regard to necessities that existed at the time the railroads were taken over. You have not 100 miles of cars jammed along the sidetracks of this country.

Mr. SMOOT. There were last winter, though.

Mr. PITTMAN. Next winter you may croak, but at the present time we are discussing last winter, which is a reality. They were digging coal at the sidetracks with picks, and there was not room to put another car there. There was not a member of this body but admitted that the unfortunate coal condition was due to transportation, and it was due to congestion of transportation more than anything else. Now, in fact, within 30 days after the Government took charge of these roads the congestion was removed and for good. Senators complain that they have personally suffered some inconvenience. Yes; we are all suffering inconvenience. It is a time when we should suffer inconvenience, some little inconvenience like the loss of a barrel of apples, without any extraordinary complaint. When we realize, if we do realize, the suffering of hundreds of thousands and millions of our boys in France to-day, it seems unhappy for a man to stand here and argue that the great consideration here is his personal feeling with regard to a barrel of apples or a case of sausage.

Mr. SMOOT. Mr. President——

Mr. PITTMAN. I yield to the Senator.

Mr. SMOOT. I have listened with a great deal of pleasure to what the Senator has stated, but the Senator must know that in the hot days of July and the hot days of August, so far as the transportation of coal is concerned, it is quite different from what it was in the cold days of December and January.

I wish to say to the Senator, with all due respect to what he has already said, that unless something takes place between now and the 1st day of December the sidetracks will be jammed with cars of coal again and the people of the United States will be freezing at least as much as they did last winter. After the Government took over the railroads there was no improvement in the transportation of freight until after warm weather came, when coal was not in such demand as it had been during the winter, thus greatly relieving transportation conditions. I wish to ask the Senator if he does not believe that if the railroads were under the same management as they were before the Government took them over—I mean as far as passenger travel is concerned—there would be a rebellion against such service as is now provided for the traveling public. The people of the United States would not stand for the service by the railroads as far as passenger traffic is concerned that they are receiving to-day under Government control from any corporation, person, or company that might operate a railroad.

The people of America are willing to put up with the service they are receiving to-day only because it is furnished by the Government. Trains have been taken off by the hundreds and the accommodations that are furnished the people by the railroads are nothing compared with what they were before the roads were taken over by the Government. It is true that wages have been advanced and no doubt will be again before the next election.

Mr. PITTMAN. Mr. President, I do not know whether the Senator asks the question in the nature of a complaint or a comment. It is true that the passenger service of the country is not as extensive as it was by any means. As a matter of fact, there have been a number of de luxe trains laid off entirely and instead of those trains there have been put on some very common cars to carry soldiers and plain people. That is a very annoying thing. The Senator from Utah and I both suffer. We found it not as luxurious traveling as we had. The service is not there and I am not complaining of it either. I would have all the service set aside if it would in any way enhance the transportation of commodities or materials required for war purposes.

And now I come to answer the question of the Senator from Utah. Even if the railroad companies before the Government took them over had taken off these de luxe trains and had given the service and charged the passenger rates we have now and had thereby increased the necessary freight traffic, I do not believe there would have been any riot or rebellion in this country as suggested by the Senator from Utah. I have too high a regard for the patriotism of the people of this country.

But the trouble was here: The railroad companies could not accomplish that purpose. They were in competition with each other, and none of them dared to cut down passenger traffic for fear of losing business and injuring their road. That is where the Government of the United States has the advantage. I want to say, in my opinion, no matter what the Senator from Utah may think of the result of the operation of these roads, 90 per cent of the people of this country favor now and will continue to favor the Government control of the railroads of this country as a permanent institution.

Mr. President, I do not desire to take up any more time of the Senate, but this article deals with the subject I have been discussing in a general way, and I discuss it in a general way so that the Senate may have full information in regard to it.

I ask that this article by Mr. McChord, a member of the Interstate Commerce Commission, dealing with not only the railroad situation but with the general congestion of the country and with the necessity of preparation for after-war conditions, be

published in full in the CONGRESSIONAL RECORD and be published as a Senate document.

The PRESIDING OFFICER. Is there objection?

Mr. SMOOT. Mr. President, there is objection. I will say to the Senator if he wants to make the article a part of his remarks at this time I shall not object, but to have it go into the RECORD and be printed as a public document I shall object.

Mr. PITTMAN. Of course I may give more importance to the article than it deserves, but I do not think so.

Mr. SMOOT. I will say to the Senator it has been the rule of the Committee on Printing, and I know of no case, unless it was a message to Congress from the President of the United States or an address by the President of the United States, where a request has been granted to print in the RECORD and as a public document. That has been the practice adopted—to print in one way or the other but not in the RECORD and as a public document. I say to the Senator that that has been the policy generally in the past in the House and in the Senate, and at this particular time if the Senator desires to have it made a part of his speech I shall not object.

Mr. PITTMAN. I ask that it be printed as a part of my remarks.

The PRESIDING OFFICER. The Senator from Nevada asks that the article referred to be printed as a part of his remarks in the RECORD. Is there any objection? The Chair hears none.

The article referred to is as follows:

[From the Washington Post, July 28, 1918.]

DIFFUSION OF FACTORIES TO COUNTRY POINTS WILL OPEN AFTER-WAR AVENUE TO SOLDIER; RAILROADS MUST AID EFFORT, SAYS MCCHORD—CENTRALIZATION OF MANUFACTURING PLANTS IN BIG CITIES DUE LARGELY TO REBATES AND UNFAIR PRACTICES OF CARRIERS, COMMISSIONER SHOWS—ABANDONMENT OF WATER TRANSPORTATION DUE TO FIERCE COMPETITION OF RAILS FOR BUSINESS—EFFECT HAS BEEN TO OVERCROWD CITIES AND RETARD DEVELOPMENT OF COUNTRY—MOVEMENT TO RURAL SECTIONS WOULD BENEFIT NATION IN RAISED STANDARDS OF CITIZENSHIP—4,000,000 RETURNING TO PEACE PURSUITS MUST BE PROVIDED FOR.

The following analysis of after-the-war problems, with constructive suggestions for their solution, has been prepared by C. C. McChord, of Kentucky, a member of the Interstate Commerce Commission, a member of the Railroad Wage Commission, and recently appointed by the President one of the umpires of the National War Labor Board:

"It was Macauley or some other essayist who wrote some 75 years ago that the new form of government in America was on trial. He was of opinion that no government so democratic in form could long endure. He declared that the supreme test would come when there were more mouths to eat breakfasts than breakfasts to supply them, and that in such a crisis the autocratic power of a sovereign would be found necessary. The test of this prophecy may be at hand, though in a somewhat modified form. In any event, just at this time the thought is sufficient to give us pause to take an account of stock.

"Thoughtful and prudent men are looking forward to a reorganization of industrial, social, and economic conditions in this country and throughout the world when a treaty of peace has been signed that shall bring the war to an end. Vast armies and navies are then to be demobilized and the soldiers and sailors of which they are comprised returned as quickly as possible to peaceful pursuits. The reabsorption into productive industries of 4,000,000 men or more drilled in the arts of war must in some way be accomplished. At the same time millions of employees in great munition plants and other industries, engaged chiefly in producing the necessities of war, will have to be diverted to the production of the things needed in times of peace. The problem is how this may be done in a way that shall be reasonably satisfactory to the workers of the country and at the same time shall not lead to an interim of stagnation of production and business. In other words, the change must, if possible, be brought about so as to secure for the future the greatest good to the greatest number.

"The transition from a war to a peace basis must not be left to chance. Comprehensive plans of reconstruction should be formulated at once, and the perfection thereof entered upon with as much earnestness and vigor as we entered upon the business of stamping out of autocratic military despotism as represented by the rulers of the German peoples.

"An institution in this country engaged in the manufacture of munitions of war employed a total of 6,000 persons previous to the year 1915. On January 1, 1918, this concern had more than 60,000 employees upon its pay rolls. This is representative of many similar industries, and comparable increases have been experienced in all manufacturing concerns engaged in producing the necessaries of war, and this embraces nearly all industries in the country. The iron and steel mills have been running night and day for the past two years with largely increased capacity. At the same time there has been increase after increase in wages until to-day the rate of pay for artisans of every kind is on a higher scale than ever known.

"Some idea of the amount of these increases may be gained from a showing of the aggregate payments by representative manufacturing establishments reporting to the Department of Labor of the United States. For a week in April, 1915, 533 institutions reported an aggregate payment of $6,396,574, and for a week in April, 1916, the same institutions reported $9,429,659. For a week in April, 1917, 670 institutions reported an aggregate payment of $16,228,190, and for a week in April, 1918, the same institutions reported $20,412,347.

"It is certain that workmen who have had opportunity to enjoy life as the result of adequate pay are not going to consent to, if they can avoid it, any reduction in their wage scale unless there are compensating benefits. It is equally certain that the era of extremely high prices for the necessities of life will not continue during times of peace. The great class of nonproducers represented by clerks in offices and stores, salaried men in every calling, employees of public utilities, and the like can not long continue to pay ever-increasing living costs, except they, too, receive further material increases in rates of pay.

"The readjustment that is to take place after the business in hand is disposed of is world-wide in extent. International relationships must be reestablished on new bases, foreign commerce must be fostered and encouraged, and national solidarity as the consistent policy of over 100 years of our national life is to be abandoned and an entry into the great family of nations accomplished. All this calls for the exercise of the wisest diplomacy and statesmanship.

"There are some conditions peculiar to our own country that call for immediate action if they are to be made consistent with that readjustment which shall permit of progress in a way of broader and better national life.

"What is needed in this country is a wider diffusion of manufacturing industries and the local supply of the necessaries of life. Products of our factories are distributed throughout the land, but under circumstances of such economic waste as to demand a radical change. In the development of manufacturing many elements have conspired to confine factories to limited territories or particular cities. There has always been a desire upon the part of our people to locate the factory near the region of supply. As our Middle Western and border Southern States began to be developed after the Civil War, the constant effort of the smaller cities and towns was to secure factories of various kinds. There is hardly a town of 1,000 population or more in the States of Ohio, Indiana, Illinois, Michigan, Wisconsin, Iowa, Missouri, Kentucky, Virginia, and West Virginia that from 1875 to 1895 did not endeavor to secure manufacturing industries. During that period, by the payment of large bonuses, or offers of free taxes, coal, and water, many of them secured the location of factories that gave promise of affording cheap material for home consumption, and a distribution of the surplus to neighboring towns. Many of these factories proved to be failures, and a ride over the country to-day discloses crumbling buildings and smokestacks in many towns and villages as grim monuments of the dead hopes of their projectors. Not all of these were properly located, many of them were the result of the dreams of some inventor of a short cut to wealth, but most of them should have survived, and would have done so except that influences were at work that made success impossible. Among the chief of these was the fact that the railroads favored certain manufacturing centers in the way of facilities and rates.

"The freight traffic manager's business was to secure tonnage for the particular railway by which he was employed. Long hauls in large lots afforded attractive business that added to the aggregate of the returns to the carrier from his efforts and led to his preferment by those higher up in the control and management of the road. Competition for business at points reached by several railroads was keen and incessant. The more railroads that served a particular point the keener the struggle between rival traffic officials for business. For many years previous to 1900, and by many roads until 1906, rebates were paid to secure business to such an extent that officials have frankly admitted in evidence in proceedings before the Interstate Commerce Commission that few carriers pretended to collect more than 80 per cent of the advertised rates on shipments from competitive points. Railroads were built from business centers to business centers. Some reached the objective points by short direct routes, and others by long indirect routes. The latter, in order to do business at the competitive point, met the rates named by the short line, meanwhile maintaining higher rates at shorter distance points on their own lines. In the same way competition by boats on our inland and coastwise waterways was met by all-rail carriers until transportation by water, so far as our inland rivers are concerned, has been nearly abandoned. Cities and towns along these rivers entitled to enjoy the cheaper water transportation were deprived of the advantage of their location.

"The inducement to give the large shipper and all shippers from manufacturing centers an adequate supply of cars, transit privileges, switching arrangements, etc., was ever present, and the force of competition operated in favor of such shippers.

"These considerations rendered it impossible for the factory at the small town to compete in the sale of its product with a factory producing the same product at the larger and more favored city. The result was that the factory in the small town ceased to operate, and its employees were compelled to seek employment in the centers of production.

"While the payment of rebates that found their way into carriers' accounts ceased on the passage of the amendment to the act to regulate commerce of 1906, and many carriers had ceased to make such payments previously, the matter of preferential rates and the furnishing of superior facilities to competitive centers continued with unabated vigor until the taking over of the railroads by the President on December 28, 1917. That event was intended to bring about a complete change. Railroad managers were at first reluctant and in fact some have not yet fully accepted the fact that each road is no longer a competitor of the other, but all are engaged under Federal control as a great unified system in the business of transporting the necessities of war and the commerce of the country. The change was as startling as sudden. Preconceived notions of the rights of each carrier as against the other, and their relation to the public, were changed overnight.

"It seems to be conceded by everyone that no matter what is done with respect to the great transportation systems of the country after the war is over, that certain condemned practices, and the unbridled competition of past years is at end, and that by some means the carriers of the future will be under such regulations as will insure the largest and most effective use of the facilities they have for the conduct of the transportation business of the land without favor to one shipper or prejudice to another.

"The most important matter just now, however, is the part that the railroads should play in the readjustment that must be made in our industrial and economic conditions. As before noted, it has come about that the large part of our manufacturing is done in our cities. The greatest manufacturing cities of the Nation, considering the variety and quantity of production, are Chicago, Ill., and Philadelphia, Pa. Southern New England has developed into a succession of manufacturing cities. Pittsburgh dominates the iron and steel industry and controls prices wherever sales may be made in this country, as Chicago dominates and controls the prices of meats and their products. New York City produces immense quantities of ready-made clothing, employing thousands in sweatshops of unsavory surroundings. The result is that workmen and women in largest numbers live under conditions that are not sanitary, wholesome, nor conducive to good morals. This has happened in a country that is less densely populated than any of the great nations of earth, and where there is room enough for every citizen and resident to enjoy his full share of pure air and sunlight, and to live under conditions conducive to health, morality, and happiness. It would also enable him to secure a home at moderate cost, or at reasonable rental, with an area of ground sufficient to permit him to cultivate a garden where fresh vegetables may be grown for his own use.

"Many good people have organized societies and have expended large sums of money in philanthropic efforts to induce immigrants and others to shun the haunts of their fellows in crowded cities and seek homes in the South and West where conditions are wholesome. In this they have met with a measure of success and thriving communities composed of different nationalities may be found scattered over the land. At the same time, however, our cities have continued to increase in population and living conditions there have not improved as a consequence.

"There are many considerations that dictate a relocation of our manufacturing industries. In the first place, it costs more to do business in a city than in the country. Land values and costs of construction of plants, taxes, etc., constitute charges that must be met from earnings. It costs more to live in a city than in the country. A lower wage payment in the country than in the city would enable the workman to secure more comforts of life, to clothe his family better, and educate them more adequately. If the factory is located near the raw product, there is saving in transportation costs which will be reflected in net earnings.

"An economic change has been taking place in this country, particularly during the last decade, the importance of which is not generally realized. Consumers seem to be making the effort, so far as possible, to eliminate the middle man. The notion seems to be growing that there is no necessity to pay the charges of middle men to handle goods on their way from the factory to the ultimate consumer. The desire upon the part of the consumer to secure his needed articles as cheaply as possible is responsible for the great mail-order houses of the country that are doing a large and increasing business. It was testified in a case before the Interstate Commerce Commission that one mail-order house shipped from its main plant an average of 167 carloads of less-than-carload freight every day during the year 1915. Here, again, the public is demonstrating its desire to secure manufactured products from first-hand sources.

"Low freight rates have been initiated and maintained for years from producing centers to important junction and jobbing cities and towns. To towns beyond higher rates, both actually and relatively, have been maintained. Through rates from factories or great producing territories to towns beyond the jobbing centers are made up of a combination of the rates to such centers and those beyond. The result is, in many instances, to deprive the country point of just rates. The following table gives comparisons of through rates on certain articles in carloads and less than carloads now in effect to Cincinnati, Ohio; Williamsburg, Ky.; Chicago, Ill.; Omaha, Nebr.; Kansas City, Mo.; Alliance, Nebr.; and Dodge City, Kans., from New York, N. Y., together with distances as illustrative and representative of thousands of similar rate situations throughout the country, and showing the handicap under which the country towns are compelled to do business:

COTTON PIECE GOODS.

[In cents per 100 pounds.]

From New York, N. Y., to—	Distance.	Carload.	Less than carload.
	Miles.		
Cincinnati, Ohio	758		72½
Williamsburg, Ky	961		125
Chicago, Ill	908		112½
Omaha, Nebr	1,400		138
Kansas City, Mo	1,509		138
Alliance, Nebr	1,820		255½
Dodge City, Kans	1,701		242
HATS AND CAPS.			
Cincinnati			98
Williamsburg			174½
Chicago			112½
Omaha			201
Kansas City			201
Alliance			318½
Dodge City			308½
BOOTS AND SHOES.			
Cincinnati			98
Williamsburg			174½
Chicago			112½
Omaha			201
Kansas City			201
Alliance			318½
Dodge City			308½
CLOTHING.			
Cincinnati			98
Williamsburg			174½
Chicago			112½
Omaha			201
Kansas City			201
Alliance			318½
Dodge City			308½
CROCKERY.			
Cincinnati		39½	52
Williamsburg		83½	104½
Chicago		45	60
Omaha		77½	110
Kansas City		77½	110
Alliance		131	193
Dodge City		129	192½
GLASSWARE.			
Cincinnati		45½	72½
Williamsburg		104½	139
Chicago		52½	84
Omaha		91½	149½
Kansas City		91½	149½
Alliance		163	267½
Dodge City		159	247
SUGAR.			
Cincinnati		39½	52
Williamsburg		86	98½
Chicago		45	60
Omaha		61	100
Kansas City		61	100
Alliance		117½	171½
Dodge City		95½	167½
COFFEE.			
Cincinnati		39½	52
Williamsburg		86	98½
Chicago		45	60
Omaha		61½	100
Kansas City		61½	100
Alliance		120	171½
Dodge City		106½	165
TEA.			
Cincinnati		85½	98
Williamsburg		162	174½
Chicago		99	112½
Omaha		167	201
Kansas City		167	201
Alliance		267½	318½
Dodge City		264½	308½

"It has been said, with a good deal of truth, that as a people we are profligate wasters. Our boundless resources, many of them still in a state of development, have led us to the belief that the springs from which flow our supplies are inexhaustible, and that the plentiful streams will flow on uninterruptedly forever. Is not this the time, has not the hour struck, that should arouse us to action that shall secure to us and our descendants the full measure of benefit that may come from nature's bounty spread round us on every hand?

"In very recent years there has been here and there a man whose vision has been broad enough to see what it is the consuming public demands and has attempted to meet it. One concern has in recent years, by cooperation with residents, induced the building by local capital of hundreds of flour mills at country points in the Middle West and South, which supply consumers in the region round about each mill with flour, meal, and feed. Another man owns in his own right many branch houses for distribution of groceries, merchandise, and general household necessities. He ships to the branch houses in carload lots and distributes to his customers in auto trucks. He is doing a large and thriving business. Both of these institutions are representative of a class that have recently come into existence.

"Does not the public demand which these institutions seek to meet point the way to a solution in part of the reconstruction problem that now confronts us? If wage scales are to be readjusted downward to meet conditions in times of peace, the wider diffusion of factories presents an alluring way out. What the workman desires, and what he has the right to demand, is opportunity to live in comfort. Reduction in the rate of his daily wage means, as he now sees it, lessened opportunity to secure to himself and his family those necessities which go to make comfort in daily life. In most any country town of 1,500 or more population that might be named in the Middle West or the South there is opportunity to live better and enjoy more of the real comforts of life, at materially lower wages, than even an approach to the same state of livelihood can be secured in any congested manufacturing center.

"The following table gives the number of towns, as shown by the census of 1910, under 5,000 population in the States named, where industries might be located and where every opportunity would be afforded employees to make the most of life under ideal conditions:

	Under 1,000.	1,000 to 2,000.	2,000 to 3,000.	3,000 to 5,000.
Illinois	3,800	179	79	43
Michigan	3,480	105	20	24
Wisconsin	2,480	70	21	25
Iowa	2,070	92	35	8
Nebraska	1,510	53	17	21
Kansas	2,190	67	25	25
Missouri	4,259	91	36	14
Kentucky	5,290	52	14	10
Virginia	5,160	41	13	12
West Virginia	3,803	44	18	9

"In the country there is pure air and sunlight. The surroundings are clean, sanitary, and moral. In such an atmosphere a workman can easily rear a family of sturdy boys and girls, and live a life of peace and happiness impossible for him to live in the crowded and un-

wholesome conditions of congested centers. In the country he is afforded opportunity to buy products of the soil first-hand for his table at reasonable prices, and the admirable schools and religious institutions now in existence everywhere insure to his children every chance to lay the foundation of good citizenship.

"Prior to about the year 1880 our inland waterways had an important part in transporting the commerce of the Nation. Within a decade from 1880 many boat lines disappeared from all rivers, and to-day only an insignificant percentage of freight tonnage is transported by water anywhere in the country. The best lines were either absorbed by railroads and their operations abandoned, or carriers made rates for freight so low to competitive boat-line points as to make the business unprofitable to the boat line. Spasmodic efforts to rehabilitate water transportation have been made from time to time in recent years by individuals or communities, but they have not met with success because of continued opposition of railroad interests. There never has been any good reason, and there is none now, why our rivers, on which the Federal Government has expended millions of dollars of the public money, should not be brought into transportation service.

"The National Shipping Board is rapidly building up our merchant marine on such a scale as to call for the admiration of all maritime nations. A portion of the energy of this admirable agency will doubtless be intensified, as it should be, in the building of steamboats and barges to move across the waters of our inland streams and lakes, as well as the bays and oceans of our coast line.

"Thoughtful study should now be given to the equalization of rates for freight transportation, and as to whether higher rates should for the future be permitted for shorter than for longer distances over the same line or route, the shorter being included within the longer distance, and whether combinations of rates and transit privileges that now unduly favor certain jobbing and junction points should be canceled and reasonable through rates established to all points. Transportation by boat on our rivers and coast lines should be encouraged to relieve rail carriers at congested cities and ports. Steps have already been taken under Federal control to divert traffic from congested North Atlantic ports to those of the South and on the Gulf of Mexico. Rates should be made and facilities provided so that each port of the United States, from Galveston, Tex., to Bangor, Me., shall receive its share of traffic under the most economical transportation conditions. Relatively the same facilities should be furnished the factory that ships 1 carload a day as the one that ships 10 or more carloads. The opportunity to do a manufacturing business at a profit should be afforded at any point in the country. The supply of raw material and the possible field of consumption will dictate the location.

"There are other matters which may be necessary to consider in connection with the possible reconstruction here indicated. One of them is the opportunity for financial support to industrial enterprises. In the past many factories have been located in already congested districts at the behest of those who furnished the financial backing. In this way high-priced land was disposed of and costly buildings erected, which enhanced the value of vacant adjacent lands. Interlocking directors of banks, railroads, and factories have doubtless influenced the formation and perpetuation of conditions that have prevailed and to some extent yet prevail. This matter is now largely behind us and should present no insuperable barrier in the future to the wider distribution of manufacturing establishments.

"A new era is at hand. The carriers of the country for the future are to serve the public interests. The dictates of selfishness and private greed that have for so long a time controlled the policy and management of our great transportation systems no longer constitute the guide for action. In a time like this, when readjustment of industrial and economic conditions is imperative, the railroads must do their part to the end that there may be decided progress on the highway that leads to equality of opportunity for all and to ultimate national greatness and individual contentment."

Mr. PITTMAN. I wish to say that nowhere in the article has Mr. McChord attempted to discuss the relative necessity of the Government's continuing the ownership and control of railroads, nor has he attempted to compare the results except to the extent of what might be accomplished one way and what might be accomplished the other way. It is an article dealing particularly with certain conditions that must be remedied after the war is over.

Mr. FLETCHER. Mr. President, there is no fixed rule as the Senator from Utah [Mr. SMOOT] suggests, but it has been the practice not to print both in the RECORD and as a public document. There is no rule of the Senate, nor rule adopted by either House.

Mr. SMOOT. I said it was the rule of the committee, not of the Senate or of the House. I know that to be the fact.

Mr. FLETCHER. The object, I think, is accomplished by having the article printed in the RECORD, but of course if it could be printed as a Senate document, that would give it wider circulation. I think it is an article which deserves circulation. I have seen a copy of it, and it is a very timely and a very able discussion of the whole subject. The commissioner deals with the centralization of manufacturing plants in big cities and reaches out largely to rebates in favor of through carriers which most of us have suspected to be the case, but we have not been able to point it out as strongly and as clearly and with such force as the Commissioner of the Interstate Commerce Commission does.

Of course, when the amendment of the interstate commerce act of 1906 was passed prohibiting rebates we rather expected this sort of favoritism would be discontinued, but the transportation companies claim to have gotten around it by an arrangement among themselves by making special rates for improving some little facilities, and that sort of thing. The point that it is desired to make is that this matter is of very great importance to the whole country, and whatever may come of the Government operation of the railroads, certainly it is in the power now of one man or of one agency to prevent what has been going on growing out of competition in transportation lines.

Another great thing that I think can be accomplished is the coordination of railway lines with waterway routes. One of the things which the commissioner points out in this article is that the abandonment of water transportation has been due to the fierce competition of railroads for business. There is an opportunity here to reopen many of the waterways which have not been actively used as they should have been, to utilize these facilities for transportation in connection with the railway lines, so as to develop both to the fullest capacity and for the benefit of the whole country. The fact is that the railway lines have in many instances, perhaps not altogether as a fixed policy, had effect to discourage and crush out water competition, so that a good many of the shippers of the country have not been even advised as to any particular way they should use the water routes.

Since some reference has been made to individual experience here, I can indicate an experience of my own, if you will allow me. Last summer I ordered an article from New York, a refrigerator, and I sent my check in payment of it. Week after week went by and I heard nothing of the refrigerator. Finally they told me it had been shipped, but had been lost. I waited a while longer and they could not find it. Then they informed me that they could not get it shipped; that they could not get the railroad companies to take it; and asked me if I would not take it up with the people here in Washington by some means to work out a plan whereby that refrigerator could come from New York to Washington. Then I wrote back and I said, "Why bother with the railroads? Why do you not ship it to Norfolk and from Norfolk to Washington by water, or ship it to Baltimore by water and let it come here from Baltimore by rail?" The reply was, "We had not thought of that at all, but we have arranged so that the refrigerator goes forward immediately to Baltimore by water and then by rail to Washington."

This merely illustrates that the shippers of the country have never fully realized the advantages which the water routes offer, and that has been due very largely, I think, to the fact that they have gotten into the habit of using the railroads, and because of some conveniences, and they have not been encouraged to use the waterways. This article points out the way by which the inland waterways and the other waterways of the country can be utilized in connection with the railroads so as to solve this great transportation problem. I think it is a most important document, a most timely one, and it will be of great value.

Mr. JOHNSON of California. Mr. President, I quite agree with the remarks of the Senator from Nevada [Mr. PITTMAN] and the Senator from Florida [Mr. FLETCHER] concerning the particular article and the wide publicity which should be given to it. Mr. McChord has presented, in my opinion, in an interesting and an illuminating fashion a subject matter that we who have been dealing with railroad questions in the past have often had to meet, and deals with it in such fashion, whether in accord with our views or not, that I am very glad, indeed, that the article adverted to by the Senator from Nevada has been placed in the RECORD.

I congratulate the Senator from Nevada as well upon his opening remarks in touching the subject which will be of transcendent importance to us in the days to come. It is obvious to all of us that we must now devote our best thought to what will be done when peace shall have been declared and when the millions in the military service of the Nation shall return to our land.

The Secretary of the Interior, Mr. Lane, recently has presented a remarkable and, in my opinion, a most intelligent and worthy and valuable treatise as to his views in this regard and in respect to the service under his jurisdiction, and what might be accomplished by that service. I agree with him wholly; but I go yet further. It seems to me it is essential when the war shall have been concluded and our boys shall have returned that not alone may they be placed upon the public lands of the United States, which will be insufficient for the success of a real agrarian policy, but that arrangements shall be made as well that they may engage in agricultural pursuits by the consummation of a land-colonization plan similar in character to that which has been successfully carried out in Australia and is now being successfully tried in California.

This is no new, no empirical scheme. In Victoria, in Australia, it has been successfully put in operation, and there a vast territory has been settled by men who are a credit to the colony.

In the State from which I come the experiment is now being tried of the same sort of land colonization under the guidance of the State itself and under the management of the same man who wrought such wonders in Victoria, Dr. Elwood Mead.

When these boys return it is our desire that they shall not go into the congested quarters of the great cities but that they shall go upon the great waste lands of the Nation, and the Nation can well afford to provide those lands and see that they come to those who desire them upon such terms that the Nation shall not lose and that those who go upon them may have the opportunity to work out their salvation and ultimately to pay for them.

This is exactly what we are doing in California, exactly what the Nation must do, and it is my purpose within a very brief period to present concretely a plan founded upon what is now in operation in the State of California, a land-colonization plan by which we may take care of these soldiers when suddenly millions are returned to civil life. When that plan is presented I trust that we may have the assistance and the very valuable aid of the Senator from Florida and the Senator from Nevada.

One other thing has been adverted to here, and that is the railroad situation. I voted for the railroad bill because I favor Government ownership of public utilities. I voted for the telegraph and the telephone bill, not upon any specious plea made here upon this floor, not upon any disingenuous utterance that the power should be conferred because it never would be exercised. I voted for it upon the fundamental idea that I would have the Government own every public utility that has a monopoly of that in which the public deals and must deal.

I decline, Mr. President, to measure the principle of Government ownership by the present management of railroads of the United States, and I will not have this governmental principle, dear, perhaps, to very few of us in this Chamber but to very many beyond these walls, determined by a few months of the present railroad management.

At the time control of the railroads was taken in December last, in a public statement I said that the success or the ill-success of those then taking over the railroads, the efficient management or lack of efficient management by them, might determine for a generation whether or not we would have Government ownership. That may be so now, Mr. President, but whether so or not, what has transpired in the past few months in regard to the Government control of railroads should not be taken as the measure of efficiency in Government ownership, or as a real test of Government ownership. If Government ownership can withstand the present management, its future is not in doubt.

Now, one other thing while I am on my feet. Recently a resolution was passed asking information as to our wretched mail facilities in France. To that resolution there was reply made by the Postmaster General, in which he says that when it is stated that the mail facilities in France with our boys are wretched the statement is without foundation in fact. In this statement the Postmaster General is absolutely in error. I speak from personal experience with at least one soldier in France, and I say to you that that soldier in one month did not receive a single letter from his people, although he was written to at least four times a week during that entire period. Finally he cabled, in distress, to know what had happened to his family. The letters which pass between us are numbered. He received one in six of mine. I received one in four of his. That has been the situation since March last in the transmission of our mail.

I call your attention, Mr. President, to the remarks of Mr. Otto Kahn, who has just returned from the front, and who says that one of the things which militates most against the morale of our boys in France is the fact that they can not get their mail; they can not hear from loved ones at home.

I recognize that there may be difficulties in transportation of mail at a time when the lads are out on the march, or are engaged in battle, and that often they may not be accessible, but yet there are district Government post offices in France regularly numbered now, and there can not be, so far as I can grasp, any legitimate reason why mail should not go to those particular and distinct governmental post offices. When a boy over there, 3,000 miles away under a different régime and a different government, under strange circumstances, daily facing danger and death, can receive no word from home, depression follows, of course, and morale is affected, and there is no reason thus far presented by officials or others why this should be so.

In conclusion, now, I wish to congratulate the Senator from Nevada [Mr. PITTMAN] upon introducing the very important subject of what ultimately we shall do after the war is over. The old Republic, Mr. President, will never be the same. The old Nation we have known, the day of care-free individualism, is past. God only knows what it has in store for the American people. But there is no higher duty, no greater statesmanship that can be displayed by this body, than providing for that day when the strain shall be upon us, when we can see the Republic only in a new and strange era, holding for us but the mysteries of the future.

Mr. BORAH. Mr. President, I am going to address myself to a subject for a short time, and an apology perhaps is due for my doing so, because it is a matter which has apparently passed from the consideration of this body, so far as legislation is concerned. But I hope to justify further discussion as I proceed with the facts.

Upon the 25th day of February, 1907, the Congress of the United States passed an act entitled "An act to incorporate the National German-American Alliance." Sections 2 and 3 of that act provided—

That this corporation shall be perpetual and have all the privileges accorded by existing laws or that may hereafter be enacted by the Congress of the United States.

SEC. 3. That this corporation, composed of the individuals aforesaid and their associates, under the name and style aforesaid, is formed for the purposes as follows: The conservation of the principles of representative government and the protection and maintenance of all civil and political rights, the protection of German immigrants against imposition and deception and to assist in their naturalization; the study of American institutions and the publication of American history; the cultivation of the German language, literature, and drama, and the perpetuation of the memory and deeds of those early German pioneers whose influence has been of incalculable benefit to the intellectual and economic development of this country and whose loyalty in times of stress and strife is a matter of history.

It will be observed that the object and purposes as set forth in this charter were most commendable, and had its purposes been carried out, those operating under the charter would have been entitled to the commendation of the American people. Suffice it to say that almost everything that it was agreed should be done under the charter were the things they did not do, and the reverse was what they undertook to do.

Upon the 16th day of January, 1918, the able Senator from Utah [Mr. KING] introduced a bill to repeal this charter. It provides:

That the act approved February 25, 1907, entitled "An act to incorporate the National German-American Alliance," be, and the same is hereby, repealed.

A hearing was had under the bill, and a very extensive hearing. The hearings are incorporated in a volume of some 600 or 700 pages. Since the report of the committee the bill has been passed by both Houses of Congress and, I am informed, it has been signed by the President. If not, I presume it will be signed shortly.

Thus, Mr. President, we have disposed of the simple, but important, proposition of canceling the charter. But the facts revealed by these hearings and the condition unmistakably disclosed warn us that something more than the mere canceling of the charter is desirable. The charter was deemed a convenience, perhaps something of a shield, to those who would carry forward the work of undermining the solidarity of our social and political life. But it was and is by no means indispensable to such work. The work can go forward just as well without as with the charter. In the end, perhaps, the work can go on better without it than with it, for the charter was bound to direct attention, and doubtless in due time it would have been voluntarily surrendered. To cancel the charter, therefore, and then to compose our minds relative to this matter is to film over the cancer while inwardly it eats its way to the seat of national life.

The problem is a far more difficult one and requires more earnest and thorough treatment than the unanimous disposal of the charter. In its broadest aspect it presents the whole question of the power we are to enjoy as a nation and the peace we are to enjoy as a people. It is nothing less than the entire question of the perpetuity of our institutions. It presents not the simple question of loyalty in time of war, and in protecting the country from enemies within in times of national stress, but, what is equally vital and fundamental, it presents the question of unity, of virility and efficiency in time of peace. If there is to be carried on in our midst a propaganda against our whole theory and system of government and we are to seek in no wise to counteract it and stamp it out, if those who come here are not to become thoroughly and conscientiously Americans, then it is only a question of time until we shall find our institutions giving way to those insidious changes and our Government yielding to those subtle forces which are often more destructive than the attack of an open foe. It is time to take stock, formulate a national policy, to announce a national program with reference to all those who seek happiness and prosperity in this country. It is time to show our own faith and our loyalty to our own institutions by thoroughly acquainting those who come here with our system of government. It should be known beyond peradventure that Americanism is to Americans a distinct and vital principle, an elemental force—a thing which we will neither carelessly forfeit nor knowingly surrender.

This country, Mr. President, is dedicated to a particular scheme of government and a particular brand of civilization.

Those who come here as well as those who are born here are under every obligation, both moral and legal, to acquaint themselves with the high purposes of that dedication and to uphold its aims and purposes. It would be unfair to those who have come under the sinister influence of the active spirits operating under this charter to permit them to suppose that having canceled the charter that is the end of this matter. They should be informed unmistakably that no one can be a true citizen of this Republic who simply refrains from doing wrong or refrains from taking active oppositon to the Government. The obligation is much greater than that. To refrain from wrongdoing or active opposition is not sufficient. There must be active, vigilant devotion such as characterizes men who love the country in which they live.

From reading this testimony I formed one very satisfactory conclusion, and that is that the vast majority of German people, if they are protected from scheming propagandists, would become thoroughly American and ally themselves conscientiously with the great cause of representative government. That is one of the pleasing features disclosed by this investigation. In fact, I think it quite apparent that the great object which the movers had in view was to check the manifest tendency or disposition of the German-Americans to become thoroughly American, and to identify themselves with American life, to disavow and disown all other obligations than that which they assumed toward our Government. My remarks to-day, therefore, in so far as they take the form of strictures or criticism might well be confined to a small per cent who were most active and who really dominated these organizations. They conjured up such vain issues as "nativistic encroachment," and in different ways sought to arouse the passions and prejudices and stir the racial feelings of the German citizen, and in this way carried on the work. But I repeat that they had much difficulty, as is apparent from the hearings, in staying the German people from accepting completely the principles of the American Government and identifying themselves entirely with American life.

I first call attention to some statements from the hearings. I shall not be able, of course, to go fully into the matter, but enough will be put in the RECORD to disclose the nature of the propaganda which was going on under the direction of the charter, which really obligated them to the very reverse of the action which they took.

This propaganda taught first that the German-American owed a higher allegiance than that which he owed to the Government of the United States. There is disseminated all through these hearings the doctrine not only of a double allegiance to which I shall refer later, but of a higher allegiance and obligation than that which the citizen coming to this country and taking the oath owes to this Government. With boldness and persistency they placed the first duty, in case of conflict, to the German Empire and with great ability and subtlety urged its superior worth.

In its official bulletin, volume 7, No. 9, page 4, put out in September, 1915, this statement is found:

> The National Alliance leads the battle against Anglo-Saxonism, against the fanatical slaves of political and personal liberty.

A man formerly a Member of the American Congress advised the Germans upon a public occasion in a public speech that they should forget all parties and vote only for those who would advance the cause of Germanism and German kultur in America.

Mr. President, a remarkable thing about that is that so indifferent have we been to the situation, so disregardful of what was going on in our very midst, that this man could stand under the protection of the American flag and claim the privileges and opportunities of the American Republic, and advise upon a public occasion, at a time when we were on the verge of a great war, that the highest duty which a vast number of people of this country owed to any one power was that which they owed to a foreign Government.

A people so thoughtless and regardless of the question of unity and solidarity in national life as we disclosed ourselves to be by tolerating conditions such as these will in due time pay the penalty. Fortunately for us, the awakening came before the influences at work were able to bring about such a condition as existed in Italy and Russia, where most gigantic forces antagonistic to the home government had been built up in the same way and through similar agencies. But we have our warning now, and if we are true and vigilant we shall greatly benefit by the knowledge.

Prof. Kuehnemann, in an address under the auspices of the alliance in December, 1915, said:

> German-America is a German cultural colony to which, however, the mother country has, up to the present time, not given sufficient attention, because the mother country has in the meantime been in the process of a development of its own; but these days are now past. Germany is no longer a continental world power. In place of her officials will come the German race, and a new German world is in process of creation. With their old customs the Germans came to this country and have lived in their old customs up until the present day; but the new German spirit will inspire them anew. It is necessary that the spirit of the new German state work be transplanted by the German-Americans to this their adopted country.

Mr. KING. Mr. President, I call the Senator's attention to the fact that Prof. Kuehnemann was brought here largely by the National German-American Alliance to carry on this propaganda. He made speeches in various parts of the United States under their auspices, and they indorsed his utterances and utilized him in every possible way to carry on the propaganda which they had inaugurated so many years before.

Mr. BORAH. I thank the Senator for his statement. In its official bulletin, volume 12, these words are found:

> The inevitable ultimate victory of Germany will find the Germans the world over a united race of brothers.

In the same official bulletin it is said:

> We are proud to call ourselves citizens of this Republic, but we are still prouder to be German-Americans. The hyphen is for us an honor, and we carry it as a distinction. And we at once make the confession that we preserve the ideals which we took from our old home as sacred and that we are actively engaged in realizing those ideals to the best of our strength for the welfare of our fatherland.

In a book written by Herman Oncken, a German historian, and indorsed by the alliance are found these words:

> We should clearly understand that yonder German-Americanism is a part of our national body. We should learn the great lesson that the German nation extends beyond and will extend beyond the German State in which we live.

In a book entitled "The Greater Germany," published in Germany in 1915 and circulated by the alliance, these words are found:

> The report often brought against the German-American that as soon as he goes to America he becomes a citizen is unjustified, for if the German who intends to remain there does not become a citizen he has no vote at the election, no influence of any kind on the conduct of the Nation's political affairs. He must become an American. He is permitted, however, and can and ought in heart, thought, nature, and act to remain a German.

The duplicity, the audacity, the boldness of the Hohenzollern dynasty is concentrated and crystallized in that infamous statement. You can take your oath of allegiance, enter into a solemn contract, and pass among your fellow citizens as a citizen of this Republic and still carry in your heart treachery to the institution which you have taken your oath to support. Such a position as is here stated and in which these propagandists would place the German-American citizen is an unnatural and immoral one, and the ordinary German-American would never assume it if permitted to choose his own course, hence the necessity of such activities as those of the alliance. It takes careful nurturing to implant in the human heart the devilish creed of an "Iago."

Now, Mr. President, there is another feature disclosed by the hearings. One of the great objects of this propaganda was to organize the German people into a distinct organization for political purposes, to make them effective as a political force, separate and apart from the general political affairs of the Government—in other words, to have them represent as a political organization not any distinct issue arising in American life, but whatever issue might arise which was of concern to the German people particularly or to the German Government. The design was to create a political "group" inspired by the principles of German kultur operating in American politics. And this explains why this movement has been permitted to go on; it had political power.

I shall read but a few excerpts out of a multitude which might be quoted.

From the bulletin about September, 1917:

> Only in vigorous unity does the welfare of American Germanism rest. Every division of our power is a betrayal of the cause of German kultur.

From a bulletin about September, 1917:

> For the first time gigantic strides which the National German-American Alliance has made in the few years of its existence, and the fact that it has united within itself no fewer than 2,000,000 votes, have given to German-Americanism in actuality a political significance in spite of the fact that the alliance as such has no politics.

In a bulletin put out in December, 1911, this statement is found:

> The National German-American Alliance aims to awaken and strengthen the sense of unity among the German people of America to check nativistic encroachments.

President Hexamer in his several speeches urges German unity, the patronizing alone of the German press, the ultimate establishment of German kultur throughout the United States, and encourages political activity as to units to bring about these results.

In the official bulletin, volume 7, No. 9, page 15, this statement is found:

In German circles in Pennsylvania not only are German ideals and customs faithfully maintained which have contributed so much to the ethical development of a nation, but through united cooperation under the aegis of the German-American Alliance our German-American citizens have become a political factor with which the ruling political powers must deal.

In the official bulletin of April, 1916, these words are found:

In these hours that are so dark for Germanism we must use our votes to the best of our ability; we must, without regard to previous intimations and desires, vote only for those who are the friends of Germanism.

In the official bulletin of April, 1916, are to be found instructions to be sent out to all the alliances throughout the entire country to oppose any candidate for President who was unfriendly to the Germans—not, if you please, that he was disqualified in any way from serving the American Government or incapacitated from leading the American Republic in time of peril, but because he was unfriendly to the Germans. Perhaps no more startling proposition was ever put forth in any country under such circumstances, and certainly no people were ever so leniently dealt with as those few representatives of the Hohenzollern dynasty in this country who are the authors of such a movement. What could be more menacing, more deserving of condemnation, than to undertake to elect a President of this country because of his known friendliness to a foreign power?

But, Mr. President, perhaps the most subtle and, if successful, the most dangerous feature of this propaganda was that in which they undertook to show that there was such a thing as a double allegiance and that one could be a citizen of this Republic and at the same time serve with entire consistency and to the fullest extent of his capacity the German Government. In order to make such a proposition acceptable to an honest or sane mind and in order to reach the mass of the German citizens it was necessary to inculcate the doctrine that there was nothing inconsistent in the two theories of government, that one could be true to both without being false to the principles of either—in other words, that the principles of the German Government and the principles of this Government were reconcilable and in fundamental principles in harmony. Let us, for the sake of those who have listened to such teachings and who may some time have entertained them, examine briefly this proposition.

Frederick William IV, in a speech from the throne in 1847, at a most critical period of the Government, said, "All written constitutions are only scraps of paper." No other or further statement than this need be had to convince all thinking men that the principles upon which the two governments rest are irreconcilable and forever antagonistic. A written constitution of stated, definite, and rigid terms, save only as modified or changed in the orderly method pointed out by the instrument itself, binding alike upon the private citizen and the public servant, is indispensable to our plan of government. Without the fundamental law established and originated by the people defining the powers of government and guaranteeing the rights and liberties of the people our system would fall and disappear utterly. The right of the people to their own charter of government and to have it observed and obeyed by all is something the Hohenzollern can not understand. The right of some individual by supposed divine authority to command and direct the destinies of a whole nation is something we can understand but will not tolerate. No man can serve both these masters, and no man can plead ignorance as a justification for his attempting to do so.

Unfortunately for us and greatly to the aid of those who support this pernicious doctrine, we ourselves are given to the use of loose and vicious statements regarding our Constitution. We exhibit sometimes a strong disposition to accept a leaf from the Prussian bible. Our words and our acts are not always in harmony with our creed. Every man who takes the law in his own hands or would deprive his fellow countrymen of their rights or liberties under the Constitution is an apostle of Prussianism. Every public officer who knowingly disregards the people's law which he has taken an oath to support is a eulogist of William IV and a defender of his faith. Though short-sighted and selfish and ignorant, and for those reasons entitled to pity, he is still the enemy of free institutions. Every man who defends the doctrine that the Constitution can be changed or any of its provisions disregarded or amended save through the method prescribed by the people, and by the people themselves, is consciously or unconsciously joined to the hosts who war with democracy. Law and obedience to law are virtues without which a democracy can not exist. So I do not care what their good intentions may be or what plausible purposes they have in view, those who teach by word or act, here or elsewhere, that constitutions are scraps of paper are servants of that dark creed which is now engulfing the world in war.

There will be many things which we as a people will need when the war is over. Among the most vital things will be an old-time revival of faith in constitutional government. We will need to examine anew some first principles, to get back to the teachings which made us great and made us strong and which alone will keep us great and strong. There is one thing, and only one, which will keep the virus of lawlessness and force of personal government out of the veins of our national life, and that is an aroused, determined, and vigilant public opinion, a people ever alert with a deep and abiding faith in the efficiency and strength and ultimate success of free institutions.

Let us follow these statements a little further. William II, in a speech October 18, 1894, declared: "The only pillar on which the realm rested was the army. So it is to-day." This follows logically and inevitably from the former statement that written constitutions are scraps of paper. With no charter for a guide, with all law reduced to personal discretion, with courts controlled or destroyed, the sole pillar of the State is force represented by the army. If a man is not for constitutional government, for courts openly administering the law and dispensing justice under the Constitution, then he is for military tribunals as the sole source of justice. Can any such conflicting theories ever be reconciled? Can a man be for one without being against the other? Certainly not; and no one should allow himself to be misled and misdirected by such a delusion. If you believe in the German system and can not get rid of that belief, you can never be a true citizen of the Republic and you will live the life of a perjurer every day you try it. Sooner or later you will realize it to your undoing. It is every man's duty, whether native or foreign born, his duty to himself, the happiness of his family, and to the well-being of all, to bring himself in complete understanding and harmony with the fundamental principles of our Government and to live up to them in candor and manly devotion. Those in the alliance who taught that the German-born citizen could be a good citizen of this Republic and remain true to the German Government were doing a great wrong to our country, but they were also dealing in deceit and dishonesty and treachery with those whom they sought to instruct.

I now quote from one who was long an instructor in an American institution of learning—a man of great learning, a student of this and the German Government. He was candid in his statement of the irreconcilable conflict between the two systems which are now in deadly conflict on the battle fields of Europe. I quote from Prof. Munsterberg:

They think an emperor is a kind of president, with large constitutional powers, chosen for a lifetime. He is not; and as long as the German nation believes in those ideals which have given to German culture its characteristic meaning in the world, there is no room for a president, whether he be selected for a year or for a lifetime.

The idea of a president is that he draws his power from the will of the millions of individuals. The democracy believes that the State exists for the individuals, and that the individuals, therefore, are above the State. The idea of an emperor is that he is the symbol of the State as a whole, independent from the will of the individuals, and therefore independent of any elections; the bearer of the historic tradition—above the struggle of single men.

For the German, the State is not for the individuals, but the individuals for the State. It is the same contrast which gives to every realm of German civilization its deepest meaning. The American view is that science and art and law, like the State, exist for the good of the individual persons; their value is to serve them (the people). The Germans believe that science and art and law and state are valuable in themselves, and that the highest glory of the individual is to serve those eternal values.

Yes; serve the same arbitrary will, the same caprice and ambition as when he served the anointed king, though now the master stands clothed in the name and form of the "State." The individual remains, however, a mere cog in a machine, as remorseless and more ambitious than a Cæsar or a Louis, for "the very scope of the German idea can afford no smaller sphere than the world itself." The people are deprived of will or discretion, robbed of all initiative, and doomed to remain as they have always been under such circumstances—beasts of burden.

A few days ago I read in a responsible publication this paragraph attributed to Ludendorf, now the masterful genius directing the forces of the enemy:

War is not any more a warring of armies, but a struggle of nation against nation. All the means used to weaken an enemy nation become legitimate. By killing women and children, for example, one destroys the future mothers and eventual defenders of the country.

I hesitate to attribute this statement to any living man. It seems incredible and yet it is written in letters of blood over the face of Belgium. It is verified in the tragedy of Serbia. It is in harmony with the whole frightful creed that might makes right. And who will undertake to reconcile these principles with the teachings of Washington or the faith of that tragic figure who covered with the mantle of charity and love all the passions and hate of internecine war? Who could hold allegiance for a single hour to a government which discredits

and denounces written constitution, which relies upon force and the army for its sole basis of power, and which initiates through its leading men such principles as those to which I have referred? There is no power that can reconcile the two political creeds. They can not live in the same human heart or find entertainment in one mind.

But, Mr. President, let us turn from this doctrine to the true doctrine and the true creed for the German-American coming to this country. Fortunately, we have many illustrious examples and the spoken words of one of the most distinguished of German-American citizens. Let us turn from this deceit and double-dealing and treachery which has been taught under the auspices of these alliances to the clear, open, manly maxims announced by one of the great figures among those who came from Germany to make their home in this country. I quote from a speech of this distinguished man delivered in Faneuil Hall, "the cradle of American liberty," April 18, 1859:

I, born in a foreign land, pay my tribute to Americanism? Yes; for to me the word "Americanism," true Americanism, comprehends the noblest ideas which ever swelled a human heart with noble pride.

Speaking of his boyhood days, he said:

I looked up from my schoolbooks into the stir and bustle of the world, and the trumpet tones of struggling humanity struck my ear and thrilled my heart, and I saw my nation shake her chains in order to burst them, and I heard a gigantic, universal shout for liberty rising up to the skies; and at last, after having struggled manfully and drenched the earth of Fatherland with the blood of thousands of noble beings, I saw that nation crushed down again, not only by overwhelming armies, but by the dead weight of customs and institutions and notions and prejudices which past centuries had heaped upon them, and which a moment of enthusiasm, however sublime, could not destroy; then I consoled an almost despondent heart with the idea of a youthful people and of original institutions clearing the way of an untrammeled development of the ideal nature of man. Then I turned my eyes instinctively across the Atlantic Ocean, and America and Americanism, as I fancied them, appeared to me as the last depositories of the hopes of all true friends of humanity.

Further on, in the same speech:

In the colony of free humanity, whose mother country is the world, they establish the republic of equal rights, where the title of manhood is the title to citizenship. My friends, if I had a thousand tongues and a voice strong as the thunder of heaven, they would not be sufficient to impress upon your minds forcibly enough the greatness of this idea, the overshadowing glory of this result. This was the dream of the truest friends of man from the beginning; for this the noblest blood of martyrs has been shed; for this has mankind waded through seas of blood and tears. There it is now; there it stands, the noble fabric in all the splendor of reality.

Yes, Mr. President, as this distinguished German-born citizen says, here it is, here it stands in all its nobility and grandeur, and the men or class of men who teach the German citizen coming to this country or the German immigrant that it is possible to be loyal to this noble structure reared by the blood and sacrifices of noble men and at the same time loyal to those principles with which our whole theory is at war are just as much the enemies of this country as those men who are shooting their bullets into our boys on the battle front in France.

It is time, Mr. President, that this be understood. Let there never again be any doubt in the minds of those who come here that we welcome those who come with a purpose to strive for the success of these institutions and shall treat as enemies those who do not. There can be no double allegiance here—it is the fabrication of traitors.

Sir, if you want to bestow a high praise upon a man, you are apt to say he is an old Roman. But I know a higher epithet of praise; it is, He is a true American!

Upon another occasion he made this statement, addressed particularly to those who had taken the oath of allegiance to this Government. It contains all that need be said upon the subject. It is the whole law in regard to it. Any man who follows it will have no cause to regret his course. Any man who fails to follow it will likely have much cause in the future to regret his action:

As American citizens, having sworn allegiance to the United States, not one of them should ever forget that this Republic has a right to expect of all its adopted citizens as to their attitude toward public affairs, especially questions of peace or war, the loyal and complete subordination of the interests of their native country to the rights of the United States.

Carl Schurz was born in a little village on the banks of the Rhine of peasant ancestry. He grew up amid the inspiring scenes and moving traditions of the old Rhine country. A child of revolution, he caught the spirit of '48 and was a distinguished and eloquent advocate of a German republic. He had no aristocratic taint in his blood, no respect for kings in his mind. At last, forced to flee from Prussian frightfulness, risking his life to rescue a fellow revolutionist, he finally landed in America. He reached America in the stirring days of the debate on the slavery question, in which he at once took part. He gained great honors in his adopted country, and I cite his example and his words to all American citizens of German descent. If his example and his advice are accepted, this country will have no cause to complain and the German citizen will have no fault to find with the country which is his by adoption. I commend the further reading of his speeches and writings to all who would know the true principles of American citizenship and its high and solemn obligations.

Mr. President, this fearful war, with all its cruel and brutal story, has its compensations—some yet hidden, we would fain believe, but some already revealed. It has advised us in unmistakable terms of the disintegrating forces at work in our own Nation and among our own people. It has admonished the husbandman, as it were, of both the folly and the danger which threaten his estate. We are now conscious of the effect of this indifference of ours to national unity. We realize how improvident we have been in fostering the national spirit. Hitherto we have apparently regarded ourselves as exempt from the law of retrogression and annointed against the insidious forces of national decay. We have looked upon our heritage as some heir rioting in the luxury of his vast unearned and unprized estate. Inviting here the people of all nations, bidding them partake of our public lands and gather of our incalculable wealth, we have taken little care to make them acquainted with our system of government or to bring them under the influence of our own theory and conception of civilization. We have seemed to suppose that a nation could be made out of territory and material things alone, out of railroads and factories and farms, out of masters and servants, overlooking the deep, underlying, indispensable social and moral forces, without which all else is temporary and fleeting. That moral surrender to the Nation's aims and purposes, that conformity with and service to the Nation's ideals, that faith in our institutions and love for our flag, constituting the real basis of national power, have had too small a part in our program or vision during the busy years in which we have been taking possession of the continent.

It is not a question with us as a people where a man was born or where his ancestors were born. The question is, Does he come here to become a part of us, to identify himself with our life, to accept without reservation our standards of civilization, and to live in obedience to, and if need be to make the final sacrifice for, our institutions? Does America mean something to him separate and apart from all the world; has it an individuality which commands his admiration and evokes his allegiance? If he is not a part of us in spirit and purpose, he should not seek to be a part of us physically. If he does not feel the thrill of a new life as he comes in touch with the virile forces of the Western Hemisphere, if he is not happy to be free of the environments from which he has fled and to be a part of the new life with which he comes in contact, then he is a menace to our nationality and a hindrance to our best and highest aims. We can submit to many things from without; we can defend ourselves successfully against all foreign foes. But we can not long endure if those who come among us do not become thoroughly assimilated to our national being. It would mean decay from within. It would mean a feeble, disorganized, factional people, more to be dreaded than the enmity of all the despots of the earth. No man either English or Irish or German, no wanderer from any clime, no refugee from any land nursing his loyalty to home institutions, feeding sweet memories of other lands, yearning for the displacement of our concept of national life by that of some other can be a loyal citizen of this Republic.

Mr. President, neither nations nor men can live by bread alone. We are justly proud of our material wealth and the genius which its development has revealed. But if we are not united, not in mere form, not merely through constitutions and statutes but in spirit and purpose, it were better that we were not so rich in material resources, for these things but feed dissension when once the seeds are sown. We want no groups, no nations within a nation, no war of races, no conflict of nationalities, but a united, a homogeneous people, inspired by the same great principles of government and bending every energy and consecrating all powers to the accomplishment of the same great achievement—the triumph of representative government. It was a daring scheme, the scheme which the fathers initiated. It had never before succeeded. Some of the wisest political philosophers and statesmen yet doubt its ultimate success. If it is to succeed, it will require nothing less than the untiring purpose, the vigilant devotion, the never-ending zeal of a whole people. There can be no cross purposes, no conflicts, no factions in the performance of this task. Certainly those who come here can afford to strip themselves of all prejudices, predilections, and preconceived opinions, and everything which renders them less effective or less a part of us, and join us in the most stupendous undertaking ever assumed by any people. Let us be for America and in harmony and at peace with all the world if possible; if not, let us be for America as

against the world. The prize for which we contend is a great one, but it is worth all the sacrifice, should we succeed, which its realization may cost in treasure and blood.

Sir, we should never again be indifferent to the subtle forces which mold and direct public opinion in this country. That power which under our form of government marks the rise and fall of parties and is, in the last analysis, the sole support of our laws, the supreme guaranty of every privilege and blessing we enjoy, should no longer be regarded with such short-sighted complacency as has characterized our attitude in the past. Upon it rests our whole vast fabric, and those who would undermine it or wrongfully direct it strike at the very life of our national being. If foreigners should come here and fraternize with our soldiers, infest with disloyal sentiments our sailors, urging that there was somewhere a wiser, more beneficent system of government, they would be dealt with, and properly so, as spies. What shall be said of those, especially the treatment of those who go back to the sources of all power, who pollute the very wellsprings of national being, who weaken and demoralize the faith and the courage of those who hold the reins of Government—the people—who seek, in other words, to control and direct public opinion against our institutions and our whole system of government? I repeat, we can no longer remain indifferent to this situation. And this applies not to one class but to all classes who come within the practice denounced.

A people whose public servants more and more show a marked tendency to yield all convictions and surrender all views to the popular demand, even to the passing, hastening moods of a day, and who at the same time more and more neglect the forces which mold public opinion are headed for irretrievable disaster. If public servants, as seems generally true of a Republic, are merely to register the decree of the people, then it behooves every true friend of the Republic to see that the people are vigilantly warned daily and hourly of the evil tendencies and antagonistic forces which sooner or later burrow about the pillars of free government. We must as a people go back to the wellsprings of national power and clean them out and keep them cleaned out. The sources of the stream of public opinion must be kept free from the polluting effect of disloyal teachings. Those who are not with us in this task are against us. It has been said of old that you can not serve God and Mammon. No less plainly is it written in our creed that you can not serve America and at the same time serve foreign governments or foreign policies antagonistic to the very principles upon which our whole system of government rests.

Mr. President, in a discouraging hour of the conflict between the States, at a time when our whole scheme of free government was wrapped in the flames of Civil War, Mr. Lincoln sadly asked, "Is there in all Republics this inherent and fatal weakness? Must a government of necessity be too strong for the liberties of its own people or too weak to maintain its own existence?" The inherent weakness, I venture to say, is not in the plan itself, it is rather in that inexplicable mystery of human history—the disposition of the citizen to go to sleep at his post. With a vigilant, frugal, sober, loyal people, ours is the most splendid conception in government yet devised by the wit of man. It gives to the citizen initiative and self-reliance; it breeds men, not slaves; it insures liberty and guarantees justice. Occupying that great temperate zone of man's intellectual explorations, resting securely between the extremes of absolutism, which oppresses and burdens its subjects, and the unlicensed liberty which intoxicates and devitalizes its devotees, free of the vices of either and the cruelty of both, geared through and through with order and law, expansive and spacious enough for the highest human progress, it is the most advanced and available contrivance for human freedom ever intrusted to the keeping of any people.

But it is a form of government which lives alone in the hearts and minds of the people. When they are wrong everything is wrong. It rests almost alone and depends almost exclusively upon the character, the vigilance, and the loyalty of the masses. When intellectual sloth and moral indifferences shall have destroyed these, armies and navies and leadership can not save it. We say, therefore, to those who come among us, join us in purpose and spirit; make yourself a part of our life; help us in this great task; and the fact that you or your ancestors were born in a foreign land shall never be laid up against you in thought or deed. Become Americans, standing for American ideals, and the places of honor stand open to receive you upon an equality with those in whose veins circulates the blood of the patriot fathers. But in the name of this Republic, in the name of the countless soldiers of liberty and saints of justice who have labored throughout the long years to make it a success, in the name of a patient people whose righteous wrath it may be dangerous to arouse, do not undertake to plant here the factional spirit or race prejudice or national antagonism. It may result in fearful sacrifice; it may mean suffering and sorrow for you and your children and your children's children even to the third and fourth generation. Be Americans through and through and the Republic will shield and protect and honor you and yours for all time. It will not discriminate against you; it will not embarrass or impede you in your struggle for individual success; it will give to you, on the other hand, as it gives to all who contribute to its glory, the shield of its protection, its liberty, and its justice, without money and without price.

Mr. SHERMAN. Mr. President, I wish to congratulate the Senator from Idaho [Mr. BORAH] on his splendid utterances. I desire only five minutes. I know the Senate is proceeding by unanimous consent.

The report made by Secretary of the Interior Lane referred to by the Senator from California [Mr. JOHNSON] and the Senator from Nevada [Mr. PITTMAN] is a most useful report. I had the good fortune to have had it sent to my desk with other Senators, and I wish to add my appreciation of the research shown and the value of that document. It will help solve the problem after the war of the disposition of many of the men who will return to civil life. It will reclaim land. It will, I hope, tend to restore the balance between the city population and the vastly drifting population from the country cityward.

It fell to my lot, let me say to the Senator from Idaho, in my earlier manhood to live among some of the identical people who left Germany with prices on their heads because they rebelled in 1848 and 1849 against the declaration of Frederick Wilhelm in 1847 read by the Senator. They were my seniors by many years. When I was a law student across the river from St. Louis, Mo., on the Illinois side, I sat at the feet of some of those great spirits of German civil liberty who left their country, their family, and their fortune and fled to Switzerland and Holland and took passage for the United States. They remained to the day of their death loyal citizens, all of them, in spirit and in action, as read by the Senator from Idaho to-day.

Let me add, in justice to those men, just a few words to the magnificent tribute paid them by the Senator from Idaho, as well as the inspiring lesson he has inculcated to-day in the duties of an American citizen, either native or alien born.

Carl Schurz was of that immortal generation of those who worshiped at the shrine of constitutional government for Germany. Sigel was of that generation and lived at St. Louis, Mo., at the breaking out of the Civil War. Lorenz Brentano was of this number. He fled from his native country with a penalty upon him, came to Michigan, lived there an humble life for a time, and his son Theodore Brentano, of Chicago, is one of the able circuit judges of that city to-day.

There came, too, on that same emigration, with the same penalties, the elder Brand, the father of Horace L. Brand, for some years the publisher of a German-printed newspaper in the city of Chicago. There came at the same time, with that same migration, caused by the arbitrary edict of their King, Frederick Hecker, for many years a lawyer and publicist in the city of Belleville, Ill. All of these men were loyal American citizens. They gave of their best thought and of their manhood to build up such patriotic sentiments as read from Carl Schurz to-day by the Senator from Idaho.

It is when I speak of Germans of that type, some of whom I knew, whose memories to-day I revere, I feel something is due them. They were Americans. They were in their own country friends of constitutional government, and they gave and risked in that great cause all they had there. When the cause was lost and they were driven out by German sabers, they fled from that country and took up a loyal, patriotic citizenship in our Republic and manifested by their deeds and acts to the day of their death the sincerity of their belief.

One other name I desire to add to this brilliant galaxy of German citizens who came to our country, Francis Lieber, one of the greatest publicists, I think, of his generation and of any country and of any age. If I were to speak of any single text writer who by the mere force of his text, by the lucidity of his reasoning, by the soundness of his principles of constitutional liberty laid down, I should say that Francis Lieber, a native German and adopted American citizen, has had a greater influence upon my life thought and my understanding of civil government than any other person who has committed his thoughts to writing in books or has left behind him his intellectual civic labors. He wrote General Order No. 100 at the request of Abraham Lincoln in the Civil War. A most unfortunate experience was Francis Lieber's, one of the great generation of constitutional Germans, who believed that it ought to limit the right of a king as we limit our Executive by such an

organic document. He lost a son in the Civil War, who went to Mississippi, who took up their cause of the States in that great struggle to decide that question. His son fought under the Stars and Bars of the Confederacy, and another son, who had settled in a Northern State, fought on the side of the Union, and this sorely beleaguered father in that time of his domestic affliction never wavered in his allegiance to the great cause of constitutional government, putting it upon the ground that this was the greatest constitutional Republic in the world, and, though one of his own sons had gone contrary to his father's belief, he still remained true to the settled convictions he carried with him in his exile from his native country.

Mr. President, I only add this because it is material, because it has grown up with me and become a part of my early life. With some of these men I have talked, and their sons and their grandsons since the war has broken out. They have been in this city. Francis Lieber's son, a retired Army officer, still lives in the city of Washington. He is of that sturdy blood. I have talked with the sons and grandsons of that generation here since war has been declared with Germany, and not one—I wish to add my corroborative testimony to that of the Senator from Idaho [Mr. BORAH]—not one of those men has ever expressed to me the slightest faltering in his allegiance to this Government. He believes in the crushing of the power of the present Kaiser, because he represents to them in incarnated form an obnoxious despotism. One of them said this summer a year ago with tears in his eyes, the son of one who fled from Frederick Wilhelm, "How could I be anything else and be faithful to the dust of my father, who sleeps in the land of his adoption after leaving his own country with a price on his head under the decree of an arbitrary government that refused to let him live at home?" That is the sentiment of all these men with whom I have an acquaintance, and from that early time I have kept this acquaintance with their sons and their grandsons.

I believe that notwithstanding my indisposition to take the time of the Senate that I owe this in justice to these men, and to the noble strain of freeman blood they represent in our Republic.

Mr. JONES of Washington. Mr. President, I can not add anything to the magnificent address of the Senator from Idaho [Mr. BORAH]. I indorse every statement he makes and every sentiment that he has expressed. I have a letter, however, from a German, a man of full German descent, and I think I will read an extract from it. I think it shows what I believe to be a fact, that the great mass of the Germans in this country are Americans, that they are intensely patriotic, and that those who have gotten control of the German-American Alliance do not represent them at all.

This letter comes from an ordinary citizen of the country. I think it expresses in language much more eloquent than I can use, because it gives real acts and deeds, the real patriotism of the great mass of the Americans of this country who are of German descent, and shows that they have become imbued with the spirit which the Senator so eloquently portrays as essential to real, genuine patriotism. He says:

> While naturally I am more or less worried I am the proud father of three boys in the Army, all three having enlisted and in the ranks without being registered for the draft.

Then he gives their ages and their services. One of them is aged 25 and in Second Company of the Machine Gun Brigade, First Brigade, First Division. Another boy, aged 21, is in the Aviation Corps, Lake Charles, La. Another boy, aged 19, is in Company E, One hundred and sixty-first Regiment, United States Infantry. That regiment is now on the battle front in France. He says:

> I also have a number of relatives who are in the Kaiser's army, but not through choice. A cousin living in New York State, whose brothers and nephews are in the German Army, urged her youngest son to enlist and fight for Uncle Sam, which the young man did. My youngest sister has two boys at the front, my youngest brother his only son, another sister an only son, and another brother has two sons over there with the boys. Thank God that's the kind of Germans the Salzmans are!

Mr. President, I thank God that in my judgment that expresses the real patriotic Americanism of the great mass of the Germans in this country and those of German descent.

Mr. President, I am glad to note the interest that many have taken with reference to the problems that will confront this country after the war. I am glad that the Senator from Nevada [Mr. PITTMAN] has had printed in the RECORD the article that has been referred to to-day. I am glad to hear the Senator from California [Mr. JOHNSON] and other Senators from time to time express an interest in the matters and problems that are going to confront us when this war is over. I am glad to see that the people generally are discussing it. I think it is a most pressing question and one that should have our most serious consideration. Not only should we talk about it, not only should we express our views with reference to it, but we ought to begin to take some concrete and definite action that will bring together these various ideas and various views and secure a definite, specific, and earnest consideration of the problems that are going to confront us, and concrete suggestions to meet those problems.

We ought to have some organization or body created for the distinct and sole purpose of studying the conditions and investigating them and making concrete suggestions to the legislative body to meet the various problems that must confront us, that we must solve, and that will be with us before very long, I hope. At any rate they are bound to come, because peace will come at some time.

On January 4, 1918, I introduced a joint resolution, No. 119, to provide for a commission to study the situation, conditions, and the various problems, and to submit a report, and I ask in connection with my remarks that the joint resolution may be printed in the RECORD, and I hope the committee to which it is referred will give it early and thoughtful consideration. It is merely suggestive. If the plan does not seem wise, let something in lieu of it be presented.

The PRESIDING OFFICER. Such will be the order, without objection.

The joint resolution referred to is as follows:

> Joint resolution (S. J. Res. 119) providing for a commission to report upon legislation to meet the problems that will confront this country upon the conclusion of the war.
>
> *Resolved, etc.*, That the President of the United States be, and he is hereby, authorized and directed to appoint a commission to consist of 27 members to serve for a period of six months from the date of appointment and, if deemed necessary by the President, to serve for a period not exceeding an additional six months. Three members of such commission shall be experienced representatives of the manufacturing industries of the country; three members thereof shall be experienced representatives of the commercial interests of the country; three members thereof shall be experienced representatives of the agricultural interests of the country; three members thereof shall be experienced representatives of the transportation interests of the country; three members thereof shall be experienced representatives of the shipping, fishing, and other marine interests of the country; three members thereof shall be experienced representatives of the mining industry of the country; three members thereof shall be experienced representatives of the export and import business of the country; three members thereof shall be experienced representatives of the banking and financial interests of the country; and three members thereof shall be experienced representatives of labor Each member of the commission shall receive compensation at the rate of $500 per month during his term of service, together with his necessary traveling expenses from his home to and from any place of meeting of such commission. It shall be the duty of this commission to study, investigate, and report upon the conditions and problems growing out of the war and to recommend to the President and to Congress such legislative measures as it shall deem necessary and essential for the stability, extension, promotion, and development of the foreign and domestic trade and commerce of this country after the war and to meet properly the conditions and problems that will confront us in our domestic affairs and foreign business relations upon the conclusion of the war. The President shall furnish the commission all information and data available in the executive departments of the Government which he may deem it wise and proper to submit, and he is authorized to detail, to act and advise with the commission, any governmental officials that he or the commission may deem necessary to assist in the work of the commission. Said commission shall be, and is hereby, authorized to employ experts to aid in its work, and also to employ clerks, stenographers, and such other assistants as may be necessary. All such experts and employees to be paid such compensation as the commission may deem just and reasonable upon a certificate to be issued by the chairman of the commission. For the purposes of its investigations said commission is authorized to pay the necessary traveling expenses of persons summoned before it for the giving of information upon matters pertaining to the subjects under consideration. The commission shall report from time to time to the President and to Congress, and it shall submit a final report to the President and to Congress within six months from the date of its appointment unless its term of service shall be extended by the President, as herein provided, and in such case its final report shall be submitted within 12 months from the date of its appointment.
>
> The sum of $300,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be immediately available to pay the necessary expenses of said commission, including the compensation of the commissioners.

LOANS FOR AGRICULTURAL PURPOSES.

Mr. JONES of New Mexico. Mr. President, I introduce a bill, and ask that it be read and referred to the Committee on Finance.

The bill (S. 4855) to amend an act approved April 5, 1918, entitled "An act to provide further for the national security and defense and, for the purpose of assisting in the prosecution of the war, to provide credits for industries and enterprises in the United States necessary or contributory to the prosecution of the war, and to supervise the issuance of securities, and for other purposes," was read the first time by its title, the second time at length, and referred to the Committee on Finance, as follows:

> *Be it enacted, etc.*, That the proviso to paragraph 2, section 7, of the act approved April 5, 1918, entitled "An act to provide further for the national security and defense, and, for the purpose of assisting in the prosecution of the war, to provide credits for industries and enterprises

in the United States necessary or contributory to the prosecution of the war, to supervise the issuance of securities, and for other purposes," be, and is hereby, amended to read as follows:

"*Provided*, That every such advance shall be secured in the manner described in the preceding part of this section, and (except in the case of an advance secured by a loan for agricultural purposes or a loan based on live stock, having, in either case, a maturity of not exceeding 12 months) in addition thereto by collateral security, to be furnished by the bank, banker, or trust company, of such character as shall be prescribed by the board of directors, of a value, at the time of such advance (as estimated and determined by the board of directors of the corporation), equal to at least 33 per cent of the amount advanced by the corporation. The corporation shall retain power to require additional security at any time."

Mr. JONES of New Mexico. Mr. President, I desire to make a statement. The bill just introduced is one framed for the purpose of meeting a very acute situation affecting the farming and the live-stock interests of the country, and, of course, affecting the food supply of this country and our allies during the war. I would like to have the Senators give some consideration to this proposed amendment of the act of April 5, 1918, as soon as they can reasonably do so, for it will be my endeavor to ask the consideration of the bill by the Senate at the earliest practicable date.

The bill proposes to amend the war finance corporation act by providing a more reasonable method for that corporation to make advances to banks which in turn have made advances to live-stock growers and to farmers. The bank facilities of the country under existing legislation do not meet the situation. We know that short-time loans to farmers and live-stock men are usually of very little avail, and at this particular time, when the farmers and live-stock growers everywhere have suffered two years of drought and are now passing through the third, some reasonable relief must be accorded to them. It is the purpose of this bill to afford that relief in a reasonable way.

This thought passed through my mind in direct connection with the discussion which has taken place on the floor of the Senate this morning. Attention has been graphically directed to the congestion of our population in large centers. I am inclined to believe that the people of this country do not realize the baneful effects of that condition, and that they will be magnified it seems to me there is but little doubt.

At the close of this war another epoch in our history will have been completed. The previous epoch was the Civil War. If we turn back to conditions as they existed at the beginning of the Civil War, we will realize to some extent the effect which the last epoch of our history has had upon our civilization. In 1860 only 10 per cent of the people of the United States resided in cities of more than 50,000 population. To-day 10 per cent of our population reside in three cities and 30 per cent of our population reside in cities of more than 50,000. The causes which brought about this condition are not well known, but they are fundamental and easily ascertained.

The condition presented to-day by the Senator from Nevada [Mr. PITTMAN], and very logically and somewhat in detail in a masterly way presented by Justice McChord, of the Interstate Commerce Commission, shows one cause of the trouble in the transportation system of the country, and to my mind it has been perhaps the greatest cause. But there have been other causes. In the financial system of this country before the passage of the Federal reserve act no provision was made for giving any aid or assistance by the Federal Government through a banking system to the farmers of this country. All the legislation in that respect had been enacted for the benefit of the commercial and the speculative interests of the country.

That has been changed to some extent. At that time we had one financial center controlling the very lifeblood of the commerce and activities of the country. To-day we have at least 12. We are moving in the right direction. We may have to move further.

The railroads of the country beyond any question contributed directly toward the building up of these large centers and against the interests diversified throughout the country. My own town is situated about halfway between Chicago and the Pacific coast and about halfway between El Paso on the south and Denver on the north. Carload after carload of commodities sent from Chicago to the Pacific coast has passed through the State of New Mexico. Time and again cars of sugar have passed through the town in which I live to the city of Denver, 400 miles beyond, at a less rate than the local freight rate to that town, and it could be shipped back to the town at a less rate. That process was indulged in frequently for the purpose of saving freight. They could ship, say, 400 miles farther and by local freight back and save money on the cost of the freight direct.

Those are some of the conditions. That they must be remedied there can be no doubt. All over this country you see monuments to the failure of industries which have sprung up in localities which ought to have fostered and nourished the industry. This result was due to the fact that the railroads of the country discriminated against the locality in the matter of freight. The State of New Mexico, which is the third largest State in the Union in the production of wool, ships every pound of it back to the Atlantic seaboard and there it is manufactured and returned to clothe the people of that State. Other communities have had like experience.

I agree with Senators who have made their suggestions here this morning that this is the time when these things must be considered. We can not begin too soon. The population by reason of the conditions existing now has gathered more than ever in the large centers. It had been necessary to do it under existing conditions, and the problem after the war will be much greater than that before the war.

Before I resume my seat, Mr. President, I desire to make some reference to the rather chilly and chilling prophecy of the senior Senator from Utah [Mr. SMOOT] in regard to coal. I, of course, do not assume the power of vision which perhaps others may be entitled to assume, but I do not believe that the prophecy of the Senator from Utah should go to the country at this time without some statement which may lend some hope to the people of the country that they are not going to freeze to death next winter. I think that hope is found in the reports which have been published from time to time in the newspapers of the country regarding the coal supply. Only a few days ago I observed in the report that the output of coal for the previous week was twelve and one-half million tons, and that if the output were kept up at that rate during the favorable season the total shortage would be only a little over 8,000,000 tons. Of course, it is hoped and it is anticipated that that 8,000,000 tons and more will be supplied, but if it were not that shortage which was indicated there is less than 1 per cent of the full requirements of the industries and of the homes of the country. The shortage the last coal year was at least 15 per cent, or about 75,000,000 tons. The requirement a year ago——

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Senator from New Mexico will please suspend.

Mr. JONES of New Mexico. I hope I have said enough to lead the people of the country to have some hope that they will not freeze to death next winter.

Mr. SMOOT. No one has said that they would freeze to death. There is no shortage of coal; it is a shortage of transportation.

The PRESIDING OFFICER. Under the order of the Senate, the Senate stands adjourned until Monday next.

Thereupon (at 2 o'clock p. m.) the Senate adjourned until Monday, August 5, 1918, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, *August 1, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, we approach Thee with mingled feelings of hope and disappointment, yet with profound faith that in the dispensation of Thy providence right shall prevail.

"Weeping may endure for a night, but joy cometh in the morning."

We mourn because our peace-loving Nation has been turned into a camp of warriors by no choice of ours, but through circumstances over which we have had no control.

Our hearts are filled with sorrow because the flower of our young manhood and that of our allied nations are being swept away like chaff before the wind.

Have mercy, O God, our Father, and comfort us by the precious hope that victory shall crown our arms and peace be established once more and bring joy to a weary, warring world. So let Thy kingdom come and Thy will be done in earth as in heaven. In His name. Amen.

The Journal of the proceedings of Monday, July 29, 1918, was read and approved.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House adjourn to meet on next Monday.

The motion was agreed to; accordingly (at 12 o'clock and 3 minutes p. m.) the House adjourned until Monday, August 5, 1918, at 12 o'clock noon.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of William J. Cragin, of Philadelphia, Pa., urging retirement for superannuated Government employees; to the Committee on Labor.

Also (by request), petition of the Chicago Law Enforcement League, urging Congress and the President not to do anything to advertise or encourage the tenets of or practices of any religious body; to the Committee on the Judiciary.

Also (by request), resolution of the International Brotherhood of Bookbinders, asserting their loyalty and support of the Government in the prosecution of the war; to the Committee on Military Affairs.

Also (by request), resolution of the Chicago Federation of Labor, protesting against the labor "rider" in the civil appropriation bill; to the Committee on Appropriations.

Also (by request), petition of Edwin T. Coman, president of the Exchange National Bank, of Spokane, Wash., urging $2.40 wheat; to the Committee on Agriculture.

Also (by request), petitions of citizens of Philadelphia, Pa., and of citizens of Randolph County, Ill., urging the passage of a bill to provide for the substitution of the oath required of enlisted men for the oath required of officers; to the Committee on Military Affairs.

Also (by request), petition of various marketing and farmers' associations of Kansas City, Mo., requesting suspension of our immigration laws so that farm labor may be secured; to the Committee on Immigration and Naturalization.

Also (by request), petition of church board of Bethel Class for the Pentecostal Church of the Nazarene, Yuma, Colo., urging national bone-dry prohibition; to the Committee on the Judiciary.

Also (by request), petition of St. Louis Surfacer & Paint Co., of St. Louis, Mo., favoring H. R. 12143; to the Committee on Interstate and Foreign Commerce.

Also (by request), resolution of the Corporation Commission of Oklahoma, concerning class and commodity freight rates in the State of Oklahoma; to the Committee on Interstate and Foreign Commerce.

Also (by request), resolution of the National Leather & Shoe Finders' Association, favoring the repeal of the Sherman and Clayton Acts; to the Committee on Interstate and Foreign Commerce.

SENATE.

MONDAY, *August 5, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we pray Thee to give us this day a profound sense of our divine obligation. We receive all our blessings from Thy hand. Thou art the author of every good and perfect gift. We are to stand in our work this day not only before the bar of human reason but before Thy searching eye, Thy divine judgment, and Thy eternal plan of life. We pray Thee to save us from error, from mistake, from sin. Guide us so that we may perform our duty as in Thy sight and may accomplish Thy will. For Christ's sake. Amen.

NAMING A PRESIDING OFFICER.

The Assistant Secretary (Henry M. Rose) read the following communication:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
August 5, 1918.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JOHN H. BANKHEAD, a Senator from the State of Alabama, to perform the duties of the Chair during my absence.

WILLARD SAULSBURY,
President pro tempore.

Mr. BANKHEAD thereupon took the chair as Presiding Officer.

The Secretary proceeded to read the Journal of the proceedings of Thursday last, when, on request of Mr. SMOOT and by unanimous consent, the further reading was dispensed with and the Journal was approved.

PETITIONS.

Mr. CURTIS presented a petition of the congregation of the Reformed Presbyterian Church of Topeka, Kans., praying for the enactment of legislation to provide for the substitution of the oath required of enlisted men for the oath required of officers, which was referred to the Committee on Military Affairs.

Mr. WADSWORTH presented a petition of 35 citizens of Onondaga County, N. Y., praying for the enactment of legislation to provide for the substitution of the oath required of enlisted men for the oath required of officers, which was referred to the Committee on Military Affairs.

He also presented a petition from the Board of Aldermen of New York City, N. Y., praying for the enactment of legislation to prevent rent profiteering, which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of New York City, N. Y., praying for the enactment of legislation granting reduced railway fares to soldiers and sailors, which was referred to the Committee on Interstate Commerce.

WOMAN SUFFRAGE.

Mr. BRANDEGEE. Mr. President, on June 27 I submitted some remarks on the question of the proposed Susan B. Anthony amendment to the Constitution of the United States. In the course of that statement I introduced two letters from the Constitutional League of America, one from its president, Mr. Charles S. Fairchild, and the other from the secretary of its executive committee, Mr. Everett P. Wheeler. It has been stated in a certain publication since then that that organization was defunct. I have here a letter from its field secretary which I should like to have the Secretary read, because I think it is due to the organization that its statement shall appear in the RECORD.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The Secretary read as follows:

AMERICAN CONSTITUTIONAL LEAGUE,
Washington, D. C., August 1, 1918.

Senator FRANK B. BRANDEGEE,
1521 K Street, Washington, D. C.

MY DEAR SENATOR BRANDEGEE: It will seem a rather small affair to you, but the "women managers" have resorted to some personalized and petty politics, reflecting upon you and this league, upon which I believe you may welcome a few facts.

In the Woman Citizen of July 27 it was stated that the letters you submitted from this league on June 27 were "from an organization that was defunct, with a president who has been for some time dead."

I do not know whether you met Mr. Fairchild, our president, while he was in Washington, but it is a fact that he was here on the 25th, 26th, and 27th, and sat near me in one of the visitors' galleries when you made your able speech.

I inclose a copy of a letter I am sending the Woman Citizen on the subject. That paper is notoriously inaccurate. In the July 6 issue they said you submitted a long-winded letter from "other Republicans." As a matter of fact, Mr. Fairchild was Secretary of the Treasury under Cleveland and is a Democrat, and Mr. Wheeler was former Democratic candidate for governor of New York—although, of course, the American Constitutional League is bipartisan.

It is the usual custom of our ladies who seek to "purify" politics to attack their opponents personally when it is impossible to answer arguments, and in such personal attacks they manifest a supreme contempt for mere facts.

Respectfully, yours,

J. S. EICHELBERGER,
Field Secretary.

Mr. BRANDEGEE. I should like to have the letter from the field secretary to the publication read also.

The Secretary read as follows:

AMERICAN CONSTITUTIONAL LEAGUE,
Washington, D. C., August 1, 1918.

To the EDITOR THE WOMAN CITIZEN,
New York City.

DEAR MADAM: In behalf of the American Constitutional League I desire to call your attention to a gross misstatement in one of your leading editorials of July 27.

You declare that letters read into the CONGRESSIONAL RECORD from this league by Senator BRANDEGEE, of Connecticut, were "from an organization that was defunct, with a president who has been for some time dead."

I beg to remind you that the Hon. Charles S. Fairchild, Secretary of the Treasury under Grover Cleveland, and president of the American Constitutional League, was present in the visitors' gallery with me during the entire debate on June 27. He met a number of Senators. Mr. Fairchild is no more dead than our organization is "defunct," and if your clipping service is efficient you will be able to discover that it was Mr. Fairchild who was selected to preside at the great "win-the-war" meeting recently held in New York City.

As for the American Constitutional League, it is concentrating the efforts of its members on war work and constructive patriotism, presenting briefs and arguments against the Fed-

eral woman-suffrage amendment only when the menace is most acute.

I am sending a copy of this letter to Senator BRANDEGEE and to the editor of the Woman Patriot.

Very truly, yours,

J. S. EICHELBERGER,
Field Secretary.

Mr. BRANDEGEE. Mr. President, I ask that along with those letters the articles of association and list of officers of the league which is attached thereto may be printed in the RECORD and the whole done in brevier type.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

"AMERICAN CONSTITUTIONAL LEAGUE—ARTICLES OF ASSOCIATION.

"First. The name of the association shall be the American Constitutional League.

"Second. The object of the league shall be to maintain the fundamental principle of the Constitution of the United States, which is to put the control of local affairs, especially of the suffrage, under the direction of the several States, each within its own boundaries. We welcome the cooperation of all who oppose the campaign for a Federal suffrage amendment during the present war, whether or not they are prepared to commit themselves finally to opposition to that amendment.

"Third. The officers of the association shall be a president, 11 vice presidents, secretary, treasurer, and an executive committee of 7, who may add to their number of vice presidents. Until the president is elected the chairman of the executive committee shall be president ex officio.

"Fourth. The officers shall be elected for the term of one year or until their successors have been chosen, and the executive committee shall have the general management of the association, the collection and distribution of funds, the election of members, and the calling of meetings.

"Fifth. There shall be an annual meeting of the association on the first Wednesday of December in each year.

"The officers shall be elected at this annual meeting. The executive committee shall have power to fill vacancies.

"Sixth. There shall be two classes of members, sustaining and active. Sustaining members shall pay annual dues of $5 or upward. Active members shall pay annual dues of $1. All dues shall be payable in December. Dues for 1918 are payable now.

"Seventh. The executive committee shall have power to make by-laws containing further provisions for the government of the association.

"Eighth. The constitution may be amended by the vote of a majority of those present at any annual meeting or at any special meeting where notice of the proposed amendment has been given in the call of the meeting.

"Officers: President, Charles S. Fairchild; treasurer, Walter C. Childs. Executive committee: Everett P. Wheeler, chairman; Walter C. Childs, Francis C. Landon, Waldo Morse, John C. Ten Eyck, Lucien Howe, Edmund R. Terry. Field secretary, J. S. Eichelberger."

Mr. BRANDEGEE. Mr. President, it is immaterial to me what these publications say about me or my views upon this question; in the words of the Apostle, "These things move me not," but I did think it was due to this organization to have its secretary state to the Senate over his own signature what the fact is as to its existence.

That is all I care to say upon the subject at this time.

Mr. SHEPPARD. Mr. President, while the subject of woman suffrage is before the Senate I desire to discuss the Federal amendment briefly and to submit certain observations regarding it more especially to those of my colleagues who are opposing it on the ground that it violates the so-called doctrine of State rights.

Mr. CHAMBERLAIN. I dislike to interrupt the Senator in this discussion, but unless the Senator will consent that I may introduce several bills I shall have to ask for the regular order. There are one or two bills that are important that I should like to introduce and have referred so that they may be printed.

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Oregon?

Mr. SHEPPARD. I do. I shall wait until the routine morning business is almost disposed of before I proceed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CHAMBERLAIN:

A bill (S. 4857) authorizing an Army account of advances for Army appropriations, and for other purposes;

A bill (S. 4858) to provide method of settlement for materials, stores, and supplies transferred between different bureaus, departments, or agencies of the Government, and for other purposes; and

A bill (S. 4859) to amend article 119 of section 1342 of the Revised Statutes of the United States as amended by "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1917, and for other purposes," approved August 29, 1916; to the Committee on Military Affairs.

CHANGES OF DRAFT AGE.

Mr. CHAMBERLAIN introduced a bill (S. 4856) to amend sections 2, 4, and 5 of an act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, and for other purposes, which was read twice by its title and referred to the Committee on Military Affairs.

Mr. CHAMBERLAIN. In this connection I ask that the proposed change in the draft-age bill may be printed in full in the RECORD, and immediately after the bill is printed in the RECORD I desire to have printed as a part of it or rather in connection with it the study of the whole subject as made by the Provost Marshal General and reported by him to the Chief of Staff and through him to the Secretary of War. It gives the reasons for the proposed change in the draft age and the number of men who will be raised under the proposed change.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and such will be the order.

The matter referred to is as follows:

[The matter in roman shows present law; the part in small capitals indicates amendments to the present law; and the part in brackets shows matter proposed to be omitted from present law.]

A bill (S. 4856) to amend sections 2, 4, and 5 of an act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, and for other purposes.

Be it enacted, etc., That the second sentence of section 2 of the act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, be, and hereby is, amended to read as follows:

Such draft as herein provided shall be based upon liability to military service of all male citizens and male persons residing in the United States, not alien enemies, who have declared their intention to become citizens, between the ages of [twenty-one and thirty] EIGHTEEN AND FORTY-FIVE, both inclusive, and shall take place and be maintained under such regulations as the President may prescribe, not inconsistent with the terms of this act: PROVIDED, THAT THE PRESIDENT MAY DRAFT SUCH PERSONS LIABLE TO MILITARY SERVICE IN SUCH SEQUENCE OF AGES AND AT SUCH TIME OR TIMES AS HE MAY PRESCRIBE: *And provided further*, That a citizen or subject of a country neutral in the present war who has declared his intention to become a citizen of the United States shall be relieved from liability to military service upon his making a declaration, in accordance with such regulations as the President may prescribe, withdrawing his intention to become a citizen of the United States, which shall operate and be held to cancel his declaration of intention to become an American citizen, and he shall forever be debarred from becoming a citizen of the United States.

2. That the provision of section four of said act, "persons engaged in industries, including agriculture, found to be necessary to the maintenance of the Military Establishment or the effective operation of the military forces or the maintenance of national interest during the emergency," be, and hereby is, amended to read as follows:

Persons engaged in OCCUPATIONS OR EMPLOYMENTS found to be necessary to the maintenance of the Military Establishment or the effective operation of the military forces or the maintenance of national interest during the emergency.

3. That section four of said act be amended by adding at the end thereof the following proviso:

PROVIDED, THAT NOTHING IN THIS SECTION CONTAINED SHALL PREVENT THE PRESIDENT, IF HE DEEMS IT ADVISABLE, FROM APPOINTING AS A MEMBER OF A LOCAL BOARD ANY PERSON RESIDING OUTSIDE THE SUBDIVISION OR AREA IN WHICH SUCH LOCAL BOARD HAS JURISDICTION, OR FROM TRANSFERRING A MEMBER OF ONE LOCAL BOARD TO ANOTHER LOCAL BOARD OUTSIDE THE SUBDIVISION OR AREA IN WHICH SUCH PERSON RESIDES.

4. That section five of said act be, and hereby is, amended to read as follows:

That all male persons between the ages of [twenty-one and thirty] EIGHTEEN AND FORTY-FIVE, both inclusive, shall be subject to registration in accordance with regulations to be prescribed by the President, and upon proclamation by the President or other public notice given by him or by his direction stating the time OR TIMES and place OR PLACES of ANY such registration, it shall be the duty of all persons of the designated ages, except officers and enlisted men of the Regular Army, the Navy, and the National Guard and Naval Militia while in the service of the United States, to present themselves for and submit to registration under the provisions of this act; and every such person shall be deemed to have notice of the requirements of this act upon the publication of [said] ANY SUCH proclamation or ANY SUCH other PUBLIC notice as aforesaid given by the President or by his direction; and any person who shall willfully fail or refuse to present himself for registration or to submit thereto as herein provided shall be guilty of a misdemeanor and shall, upon conviction in a district court of the United States having jurisdiction thereof, be punished by imprisonment for not more than one year and shall thereupon be duly registered: *Provided*, That in the call of the docket precedence shall be given, in courts trying the same, to the trial of criminal proceedings under this act:

Provided further, That persons shall be subject to registration as herein provided who shall have attained their [twenty-first] EIGHTEENTH birthday and who shall not have attained their [thirty-first] FORTY-SIXTH birthday on or before the day set for the registration IN ANY SUCH PROCLAMATION BY THE PRESIDENT OR ANY SUCH OTHER PUBLIC NOTICE GIVEN BY HIM OR BY HIS DIRECTION, and all persons so registered shall be and remain subject to draft into the forces hereby authorized unless exempted or excused therefrom as in this act provided: PROVIDED FURTHER, THAT THE PRESIDENT MAY AT SUCH INTERVALS AS HE MAY DESIRE FROM TIME TO TIME REQUIRE ALL MALE PERSONS WHO

HAVE ATTAINED THE AGE OF EIGHTEEN YEARS SINCE THE LAST PRECEDING DATE OF REGISTRATION AND ON OR BEFORE THE NEXT DATE SET FOR REGISTRATION BY PROCLAMATION BY THE PRESIDENT, EXCEPT SUCH PERSONS AS ARE EXEMPT FROM REGISTRATION HEREUNDER, TO REGISTER IN THE SAME MANNER AND SUBJECT TO THE SAME REQUIREMENTS AND LIABILITIES AS THOSE PREVIOUSLY REGISTERED UNDER THE TERMS HEREOF: *And provided further*, That in the case of temporary absence from actual place of legal residence of any person liable to registration as provided herein, such registration may be made by mail under regulations to be prescribed by the President.

WAR DEPARTMENT,
OFFICE OF THE PROVOST MARSHAL GENERAL,
Washington, July 27, 1918.

From: The Provost Marshal General.
To: Chief of Staff, War Department, Washington, D. C.
Subject: Changes of draft age.

(1) Pursuant to your memorandum of July 24, transmitting a copy (secret) of the approved military program for 1918–19, and calling for the draft of a proposed bill lowering the draft age to 19 and raising it to 40, I transmit herewith estimates of the effectives obtainable by the enlargement of the draft ages in the shape of three studies covering age groups 32–40 combined with 19–20, 32–45 combined with 19–20, and 32–45 combined with 18–20, and showing the estimated effectives for each combination.

2. These figures were made by a careful calculation in this office, checking the calculations at various points with experience in the several items represented; the basic figures, viz, the total males of the respective age groups, were ascertained by comparison of reliable insurance actuarial figures with census tables projected to date.

This explanation is made because the totals shown are considerably below what might have been supposed to be the ample size of the reservoir in the higher ages. The combination ages 32–40 and 19–20 (see study No. 1) designated in your memorandum would yield only a little over a million and a half men (or half a million less than the total amount called for by the program for the nine months, October, 1918–June, 1919). By including age 45 at the top, the second combination (see study No. 2) would yield only a million and three-quarters effectives. By taking the extreme step and adding age 18 at the bottom and including age 45 at the top (see study No. 3) something over two million and one-quarter effectives would be obtained.

3. This seems to indicate that the bill as drafted should at least provide authority to call into service the extreme age of 45 at the top and 18 at the bottom; and it is accordingly recommended that the draft of a bill be prepared with those ages as the limits.

4. Furthermore, the authority to draw upon this new reservoir must be obtained immediately. The estimated number of Class I men under the present ages (and including the class of 1918, age 21, that has been registered under the President's proclamation) will be only about 100,000 men (and may fall below that figure) on September 1, 1918, after filling the calls indicated for July and August, and making deductions for the unexpected heavy losses due to a rush in June and July to the Navy, Marine Corps, and Emergency Fleet.

5. September call: The first question which presents itself is the very urgent one, How to meet the September call for 200,000 men with considerably less than that number in Class I to be drawn upon? There is only one way I can see for accomplishing this, and that is to provide for weekly registration of men becoming 21 since last registration day, June 5, 1918. We could hold such registration, after proper proclamation by the President and upon a bulletin order to boards, designating Monday of each week as registration day, and requiring the necessary personnel to assemble at the headquarters of local boards on that day to effect the registration. The first registration day would be a heavy one requiring, perhaps, special personnel, but the subsequent weekly registration days should be handled with greater ease. In this way we could hope to get, under a rush procedure, approximately 80,000 men available for the September call, which, added to those remaining in Class I, would give a total barely sufficient to fill the September call.

6. We must exclude, of course, from consideration in filling the September quota, registrants who become liable to our draft under the British and Canadian treaty, as it is not practicable to have a registration of these men until August 29, 30 days after the ratification of the treaty; and it is not until 30 days thereafter that their right to elect to service with the British and Canadian contingents ceases.

7. Subsequent calls: The second and more difficult question is, How can we supply, on time, the 150,000 men required for each of the succeeding months of October, November, and December? The British-Canadian treaty would help out to the extent—it is estimated—of about 50,000 men, which is not even the conventional "drop in the bucket."

The House reconvenes on August 19 and the Senate on August 26. How long a period will be consumed in the discussion and enactment of legislation authorizing the extension of the draft ages and in what form such legislation will be enacted it is difficult to anticipate. And yet we must anticipate it if we are to establish as expeditious procedure under it which will produce on time the quotas for the months above stated. If we could assume that the law would be enacted in the remaining days of August, we would have a basis of calculating the results to be obtained under it. As I stated to the Senate Military Committee at its last hearing, a minimum period of 90 days is necessary to enroll and classify all the men registered in the additional classes suggested. We can not therefore wait for the completion of Class I but must take men irrespective of their order numbers as fast as they find their way into Class I.

8. I suggest for discussion with the Military Committees of the two Houses the tentative form of bill hereto attached, to the end that we may obtain assurances that the bill will pass in such a form as will permit me to proceed now with the printing of the large number of forms, including the questionnaire, necessary in connection with the additional registration. The Printing Office contemplates a period of 30 days for the printing of the forms, so it is necessary to move with great promptness. Of course, the distribution of the forms can go on during the period of printing, with the assurance that they will not be invalidated by changes in the legislation. Perhaps, also, we could receive assurances that the registration could be enacted by the House in the period following its reconvening, so that it could be taken up promptly by the Senate on August 26 and passed there. This would enable us to contemplate September 5 as a national registration day, and the machinery of the selective draft operating very soon thereafter in grinding out a Class I available for filling October, November, and December contingents.

E. H. CROWDER,
Provost Marshal General.

ESTIMATE OF EFFECTIVES OBTAINABLE BY ENLARGEMENTS OF DRAFT AGES.

SUMMARY OF STUDIES 1, 2, AND 3.

Estimated numbers of effectives for each age group.

I.	Ages 32–40	448,086
II.	Ages 32–45	601,236
III.	Ages 19–20	1,121,634
IV.	Ages 18–20	1,797,609

Numbers for combinations of age groups.

By combining ages 32–40 and 19–20:			
Ages 32–40	448,086		
Ages 19–20	1,121,634		Study No. 1.
Total		1,569,720	
By combining ages 32–45 and 19–20:			
Ages 32–45	601,236		
Ages 19–20	1,121,634		Study No. 2.
Total		1,722,870	
By combining ages 32–45 and 18–20:			
Ages 32–45	601,236		
Ages 18–20	1,797,609		Study No. 3.
Total		2,398,845	

STUDY NO. 1.

Ages 32–40 (inclusive)	448,086
Ages 19–20 (inclusive)	1,121,634
Combined ages	1,569,720

Ages 32 to 40.

				Source of figures.
1. Total males		6,960,532		1. Insurance tables.
2. Less married (deferred)	5,311,952			2. Insurance tables.
3. Less deferred solely for industry and agriculture.	278,421			3. 4 per cent of line 1.
4. Less other deferments	139,210			4. 2 per cent of line 1.
5. Less delinquents	208,815			5. 3 per cent of line 1.
		5,938,398		
6. Remainder (gross Class I)		1,022,131		
7. Less enlistments	150,000			7. Special estimate
8. Less aliens	91,992			8. 9 per cent of line 6.
9. Less Emergency Fleet	50,000			9. Special estimate.
		291,992		
10. Remainder			730,142	
11. Less physical rejects			292,056	
(*a*) Groups B, C	73,014			(*a*) 10 per cent of line 10.
(*b*) Group D	219,042			(*b*) 30 per cent of line 10.
12. Net effectives			448,086	

Explanation.

1. Line 1 is taken from Prudential insurance actuarial tables of July, 1918, compared with census tables projected in this office. The actuarial tables are brought down to date by the actuaries, and the census tables thus brought down at the bureau are not yet available.

2. Line 2 is taken from same source as line 1.

3. Line 3 is taken from industrial index ledger sheets for occupational registrants. The ratios there shown are: Class I equals 31 per cent; Classes II to IV, deferred for industry and agriculture only, equals 4 per cent. Other deferred classes equals 64 per cent.

The percentage here taken is the same as for ages 21–30 classification. This is too large, in that many more such men in ages 32–40 would get their exemption on dependency grounds, without invoking industrial or agricultural necessity. But it is too small, in that a larger proportion of men in ages 30–40 would be entitled to such deferment. Hence, these two differences may be estimated to set off each other.

4. Line 4 represents the corresponding figure for the 1917 draft. These are too low, if anything, as the numbers of State officials, etc., increase in the higher ages.

5. Line 5 is taken from reports in this office on delinquents, figuring 3.9 per cent of total registration. This would be too high because the total delinquents include at least some portion of the marrieds; hence 3 per cent is a safer figure.

7. Line 7 is thus figured: Total enlistments (Army and Navy) to date 1,400,000; of which, those above 30 are estimated at 10 per cent, or 140,000; of these, 120,000 may be estimated to be within ages 32–40; deduct 20,000 marrieds, leaving 100,000 now enlisted; add 50,000 more probable enlistments before liability accrues in the new draft, 150,000.

8. Line 8 is found thus: In the first registration, 13 per cent were aliens; and the census report shows that the percentage of aliens' ages 20–30 and 30–40 or 45 is not substantially different. But many aliens have left the country, and 12 per cent is a safer figure. Of these, one-quarter are subjects of Great Britain and Italy, who will presumably become liable and largely available; hence the deduction should be corrected to 9 per cent. This might seem too large, by a considerable factor, because in the 1917 draft only 50 per cent of called aliens obtained exemption on that ground, another 33 per cent obtaining it on other grounds, while 17 per cent of all aliens were certified for service; this would seem to show that in any given number of aliens the net number to be deducted on that ground is nearer to 50 per cent. But as the 33 per cent who were exempted on other grounds are already included under the deferments already deducted, and as the 17 per cent volunteers are likely not to reappear (partly because of the Slavic and Polish Legions, etc.), there should be no reduction of the 9 per cent, which is the figure here taken on line 7.

Declarants are not deducted; the neutrals being a negligible amount.

9. Line 9 is based on recent reports in this office.

11. Line 11 (a) is based on the returns of classification of 1918 showing 10 per cent.

Line 11 (b) is based on similar figures, which show not quite 20 per cent, including camp rejections. To this must be added 10 per cent for ages 32–40, according to advices from the Surgeon General's office. This gives 30 per cent in all.

Ages 19 and 20.

				Source of figures.
1. Total males		2,106,386		1. Insurance tables.
2. Less married (deferred)	163,812			2. Insurance tables.
3. Less deferred solely for industry or agriculture.	10,532			3. ½ of 1 per cent of line 1.
4. Less other deferments	2,106			4. 1/10 of 1 per cent of line 1.
5. Less delinquents	63,191	239,641		5. 3 per cent of line 1.
6. Remainder (=gross Class 1).		1,866,745		
7. Less enlistments	207,777			7. Special estimate.
8. Less aliens	56,634			8. 3 per cent of line 6.
9. Less Emergency Fleet	0	264,411		9. Not allowed.
10. Remainder			1,602,334	
11. Less physical rejects			480,700	
(a) Groups B, C	160,233			(a) 10 per cent of line 10.
(b) Group D	320,466			(b) 20 per cent of line 10.
12. Net effectives			1,121,634	

Explanation.

Lines 1 and 2 are taken from the same tables as for ages 32 to 40.

Line 3 obviously here can not use the same 4 per cent as for ages 21 to 30; the ratio one-half of 1 per cent is here taken.

Line 4 similarly is taken at a negligible figure of one-tenth of 1 per cent.

Line 5 is reckoned as for ages 32 to 40.

Line 7 is based upon reports of July 26, 1918, from The Adjutant General's Office, as set forth later, in study No. 3.

Line 8 is based upon census figures showing that the numbers of aliens of ages 15 to 19 are less than one-half the number for the next five-year period, while the native born are 10 per cent to 20 per cent more numerous than in the higher-age period. Thus the 9 per cent for ages 21 to 30 should here be reduced to 3 per cent.

Line 9. Emergency fleet withdrawals for these age years should not be allowed.

Line 11 is based on the per cent for ages 21–30. Three officers of the Surgeon General's office agree in believing that the ages 19–20 or 18–20 do not permit of any lower percentage than for ages 21–30.

STUDY NO. 2.

Ages 32–45 (inclusive)	601,236
Ages 19–20 (inclusive)	1,121,634
Combined ages	1,722,870

Ages 32 to 45.

				Source of figures.
1. Total males		10,023,973		1. Insurance tables.
2. Less married (deferred)	7,734,482			2. Insurance tables.
3. Less deferred solely for industry and agriculture.	401,159			3. 4 per cent of line 1.
4. Less other deferments	200,579			4. 2 per cent of line 1.
5. Less delinquents	300,869	8,637,089		5. 3 per cent of line 1.
6. Remainder (=gross Class I).		1,391,884		
7. Less enlistments	170,000			7. Special estimate.
8. Less aliens	125,270			8. 9 per cent of line 6.
9. Less emergency fleet	60,000	355,270		9. Special estimate.
10. Remainder			1,036,614	
11. Less physical rejects			435,378	
(a) Groups B, C	103,661			(a) 10 per cent of line 10.
(b) Group D	331,716			(b) 32 per cent of line 10.
12. Net effectives			601,236	

Explanation.

Lines 1 to 6 are reckoned as for ages 32 to 40 in study No. 1.

Line 7 is thus reckoned: Enlistments above age 30 equals 140,000; deduct 30,000 married, leaving 110,000; add 60,000 more probable anticipatory enlistments, making 170,000 in all.

Line 8 is reckoned as for ages 32 to 40 in study No. 1.

Line 9 is based on reports in this office.

Line 11 is reckoned as for ages 32 to 40, but adding 5 per cent more for ages 40 to 45 (as recommended by the Surgeon General's Office), making 15 per cent, or an average of 12 per cent added for 32 to 45; or 32 per cent in all.

Ages 19 and 20.

				Source of figures.
1. Total males		2,106,386		1. Insurance tables.
2. Less married (deferred)	163,812			2. Insurance tables.
3. Less deferred solely for industry or agriculture.	10,532			3. ½ of 1 per cent of line 1.
4. Less other deferments	2,106			4. 1/10 of 1 per cent of line 1.
5. Less delinquents	63,191	239,641		5. 3 per cent of line 1.
6. Remainder (=gross Class 1)		1,866,745		
7. Less enlistments	207,777			7. Special estimate.
8. Less aliens	56,634			8. 3 per cent of line 6.
9. Less Emergency Fleet	0	264,411		9. Not allowed.
10. Remainder			1,602,334	
11. Less physical rejects			480,700	
(a) Groups B, C	160,233			(a) 10 per cent of line 10.
(b) Group D	320,466			(b) 20 per cent of line 10.
12. Net effectives			1,121,634	

Explanation.

Lines 1 and 2 are taken from the same tables as for ages 32 to 40.

Line 3 obviously here can not use the same 4 per cent as for ages 21 to 30; the ratio one-half of 1 per cent is here taken.

Line 4 similarly is taken at a negligible figure of one-tenth of 1 per cent.

Line 5 is reckoned as for ages 32 to 40.

Line 7 is based upon reports of July 26, 1918, from The Adjutant General's office, as set forth later, in study No. 3.

Line 8 is based upon census figures showing that the numbers of aliens of ages 15 to 19 are less than one-half the number for the next five-year period, while the native born are 10 per cent to 20 per cent more numerous than in the higher-age period. Thus the 9 per cent for ages 21 to 30 should here be reduced to 3 per cent.

Line 9. Emergency fleet withdrawals for these age years should not be allowed.

Line 11 is based on the per cent for ages 21–30. Three officers of the Surgeon General's office agree in believing that the ages 19–20 do not permit of any lower percentage than for ages 21–30.

STUDY NO. 3.

Ages 32–45 (inclusive)	601,236
Ages 18–20 (inclusive)	1,797,609
Combined ages	2,398,845

Ages 32 to 45.

				Source of figures.
1. Total males		10,028,973		1. Insurance tables.
2. Less married (deferred)	7,734,482			2. Insurance tables.
3. Less deferred solely for industry and agriculture.	401,159			3. 4 per cent of line 1

Ages 32 to 45—continued.

4. Less other deferments	200,579			4. 2 per cent of line 1.
5. Less delinquents	300,869			5. 3 per cent of line 1.
		8,637,089		
6. Remainder (= gross Class I).		1,391,884		
7. Less enlistments	170,000			7. Special estimate.
8. Less aliens	125,270			8. 9 per cent of line 6.
9. Less emergency fleet	60,000			9. Special estimate.
		355,270		
10. Remainder			1,036,614	
11. Less physical rejects			435,378	
(a) Groups B, C	103,661			(a) 10 per cent of line 10.
(b) Group D	331,716			(b) 32 per cent of line 10.
12. Net effectives			601,236	

Explanation.

Lines 1 to 6 are reckoned as for ages 32 to 40 in study No. 1.

Line 7 is thus reckoned: Enlistments above age 30 equals 140,000; deduct 30,000 married, leaving 110,000; add 60,000 more probable anticipatory enlistments, making 170,000 in all.

Line 8 is reckoned as for ages 32 to 40 in study No. 1.

Line 9 is based on reports in this office.

Line 11 is reckoned as for ages 32 to 40, but adding 5 per cent more for ages 40 to 45 (as recommended by the Surgeon General's Office), making 15 per cent; or an average of 12 per cent added for 32 to 45, or 32 per cent in all.

Ages 18 to 22.

				Source of figures.
1. Total males		3,171,671		1. Insurance tables.
2. Less married (deferred)	158,185			2. Insurance tables.
3. Less deferred solely for industry and agriculture.	15,858			3. ½ of 1 per cent of line 1.
4. Less other deferments	3,171			4. 1/10 of 1 per cent of line 1.
5. Less delinquents	95,150	272,354		5. 3 per cent of line 1.
6. Remainder (= Gross Class I).		2,899,317		
7. Less enlistments	244,326			7. Special estimate.
8. Less aliens	86,979			8. 3 per cent of line 6.
9. Less Emergency Fleet	0	331,305		9. Not allowed.
10. Remainder			2,568,012	
11. Less physical rejects			770,403	
(a) Groups B, C	256,801			(a) 10 per cent of line 10.
(b) Group D	513,602			(b) 20 per cent of line 10.
12. Net effectives			1,797,609	

Explanation.

Lines 1 to 5, 8, and 11 are obtained as for ages 19 to 20 in study No. 1.

Line 9, Emergency Fleet withdrawals for these ages should not be allowed.

Line 11 is reckoned as for ages 19 to 20 in study No. 1.

Line 7 is based on The Adjutant General's Office estimates of July 26, 1918, as follows:

1. On account of the present arrangement of records in the several offices it would require the services of some hundred clerks for months to obtain an accurate count of the number of men in the military service of the United States between the ages of 18 and 20. An accurate count can only be had from a study of all enlistment papers in The Adjutant General's Office, the Navy Department, and the Marine Corps. An estimate may be made from the actual number of enlistments since January 1, 1917, and the number in this age group in service at the present time is 244,326, of which number 36,549 are estimated to be under 19 and 207,777 are estimated to be of ages 19 to 20.

2. This estimate has been arrived at in the following manner:

(a) Enlisted men in the Regular Army and National Guard between 18 and 20.

The chief clerk of the recruiting department of The Adjutant General's Office makes the statement that "due to the Selective Service Regulations practically all enlistments in the Regular Army and National Guard since January 1, 1918, represent men outside of the draft age, and of these about 70 per cent are under the age." This estimate was verified by his assistant, who thought that possibly the reenlistments of older men might place as many as 75 per cent below the draft age. Another assistant in the department at First and B Streets estimated between 60 and 70 per cent, so that the average estimate of 70 per cent had been used in this computation. An actual count of current enlistment papers selected at random revealed 80 out of 115 to be below the draft age. The total number of enlistments in the Regular Army during this period was 113,794, which figure it is estimated is about 90 per cent of the combined figures for the Regular Army and National Guard. Therefore the total enlistments in the above would be approximately 126,436. But this figure includes men registered on June 5, 1918, the percentage of which is estimated to be 45 per cent. The net figure, then, for the age group 18–20 is estimated at 69,540. Of these, 15 per cent, or 10,430, are under the age of 19. For the years 1916 and 1917 an average estimate by the same experts divides the enlistments into three age groups by percentages as follows:

	Per cent.
Under 21	27
21–30	57
Over 30	16

On this basis of the 235,000 enlistments for 1916–17, exclusive of the National Guard, 63,450 would be between 18 and 20. Assuming that as many of these attained the age of 21 by June 5, 1918, as were enlisted during 1916 under age, it is estimated that this figure 63,450 would be approximately the number of men now in the service enlisted prior to January 1, 1918. No figures for the National Guard are available. Hence the total strength of the Regular Army between 18 and 20 is approximated at 133,000 and under 19 at 19,950.

(b) Navy: The approximate strength of the Navy and Naval Reserve forces at this time is 400,000 enlisted men, or a little over about half in each. Of the 200,000 men in the Navy proper, very close to 50 per cent are between the ages 21–30. Of the 100,000 men outside of these ages it is estimated that 75 per cent are under and 25 per cent over. In the Navy, then, 75,000 are to-day under 21. Of the 200,000 in the Naval Reserves, between 80 and 88 per cent are within the ages 21–30. Assuming 170,000 to be a fair figure, 30,000 remain, which are equally divided into two age groups—those over 30 and those under 21. Hence the number of men in the naval forces under 21 is approximated at 97,500. Of these it is estimated that 15 per cent, or 14,625, are under the age of 19. The above estimates are furnished by the clerk of the enlisted personnel of the Navy.

(c) Marine Corps: Total minors enlisted since April 1, 1917, 13,826, or, applying 15 per cent, 1,974 are under 19.

3. Summarized estimate:

	18–20.	Under 19.	19 and 20.
Army	133,000	19,950	113,050
Navy	97,500	14,625	82,875
Marine Corps	13,826	1,974	11,852
Total	244,326	36,549	207,777

JULY 29, 1918.

MEMORANDUM FOR THE SECRETARY OF WAR.

Subject: Proposed amendments to selective-service act approved May 18, 1917.

1. The first amendment brings all male citizens and male persons residing in the United States, not alien enemies, who have declared their intention to become citizens, between the ages of 18 and 45, both inclusive, within the terms of the selective-service law.

It is only necessary to change the ages, inasmuch as males under 21 may, under the laws of the United States, declare their intention to become citizens of the United States.

2. The second amendment is as follows:

"*Provided*, That the President may draft such persons liable to military service in such sequence of ages and at such time or times as he may prescribe."

This amendment should be incorporated for the purpose of enabling the President to call, for instance, persons between the ages of 32 and 40 or of the age of 20 before calling persons between the ages of 18 and 19 or between the ages of 40 and 45.

The amendment makes it possible to call persons by classes as to ages.

3. The third amendment strikes out the words "in industries, including agriculture," and substitutes therefor the words "in occupations or employments."

This amendment is made to the section of the act which provides for the deferred classification or temporary discharge of persons engaged in industries, including agriculture, found to be necessary to the maintenance of the Military Establishment or the effective operation of the military forces or the maintenance of national interest during the emergency.

Experience has shown that some district boards are inclined to give a narrow construction to the word "industries," and it is thought that the words "occupations or employments" should be substituted for "industries, including agriculture," not only for the purpose of preventing the difficulties arising by reason of the narrow construction placed upon the word "industries" but also for the purpose of enabling a somewhat broader construction of the law in view of the fact that the military age is to be increased and a wider latitude should therefore be given to district boards to give deferred classification to persons whose occupations or employments may be found necessary to the maintenance of the national interest.

4. The fourth amendment is as follows:

"*Provided*, That nothing in this section contained shall prevent the President, if he deems it advisable, from appointing as a member of a local board any person residing outside the subdivision or area in which such local board has jurisdiction, or from transferring a member of one local board to another local board outside the subdivision or area in which such person resides."

This amendment is advisable for the reason that the selective-service act prevents the President from appointing as a member of a local board any person who resides outside the jurisdiction of that board. It has been almost impossible in some districts to find three qualified persons resident in the district to serve as members of the local board. This amendment will remove that difficulty and will also enable a member to be transferred from one local board to another local board in the interest of good administration of the draft law.

5. The next amendment that needs any explanation is as follows:

"*Provided further*, That the President may, at such intervals as he may desire, from time to time require all male persons who have attained the age of 18 years since the last preceding date of registration and on or before the next date set for registration by proclamation by the President, except such persons as are exempt from registration hereunder, to register in the same manner and subject to the same requirements and liabilities as those previously registered under the terms hereof."

This amendment is necessary in order to provide for the continued registration of boys as they reach 18 years of age. The selective-service act does not provide for the registration of persons as they reach 21 years of age, and therefore this amendment is necessary.

E. H. CROWDER,
Provost Marshal General.

Forecast of the status of the draft on August 1, 1918.

[From Provost Marshal General, July 1.]

Total men registered in first registration June 5, 1917	9,586,508
First deduction [1] (June 5 to Dec. 15, 1917)	863,195
Men required to file questionnaires Dec. 15, 1917	8,723,313
Second deduction [1] (deferred classification)	6,322,912
Men classified in Class I Dec. 15, 1917	2,400,401
Third deduction [1] (Dec. 15, 1917, to May 1, 1918)	1,055,903
Men of Class I available for full service on May 1, 1918	1,344,498
Fourth deduction [1] (May 1 to Aug. 1, 1918)	[2] 1,253,613
Balance of Class I full-service men of first registration who will be left on Aug. 1, 1918	[2] 90,885
Probable additions to Class I full-service men:	
Estimated additions from rectification of classification	[2] 125,000
Porto Rico (not included in above figures)	[2] 15,000
Estimated full service men of Class I to be obtained from second registration, June 5, 1918	[2] [3] 350,000
Total additions	[2] 490,000
Total Class I full-service men available on Aug. 1, 1918	[2] 580,885

Details of deductions from total men registered in the draft.

First deduction (June 5, 1917 to Dec. 15, 1917) draft calls	516,363
Cancellation of registrations on account of errors, deaths, desertions, and enlistments in the Army, Navy, and Marine Corps not officially reported to local boards	346,832
Total first deduction	863,195
Second deduction (deferred classifications)—	
Class II	[2] 509,666
Class III	[2] 427,870
Class IV	[2] 3,483,326
Class V	[2] 1,902,050
Total second deduction	6,322,912
Third deduction (Dec. 15, 1917, to May 1, 1918)—	
Draft calls	413,928
Delinquents	341,096
Emergency Fleet employees	37,509
Limited-service men	224,855
Remediable defectives	38,515
Total third deduction	1,055,903
Fourth deduction (May 1 to Aug. 1, 1918)—	
Draft calls	[4] 1,053,613
Individual inductions of full-service men	[2] 5,000
Replacements of men rejected at camps	[2] 60,000
Deaths	[2] 2,500
Emergency Fleet employees (additional)	[2] 7,500
Releases granted for enlistments in Navy and Marine Corps	[2] 125,000
Total fourth deduction	[2] 1,253,613
Total deductions	[2] 9,495,623

Mr. CURTIS. May I ask the Senator a question? I desire to know if the Senator expects to call the Committee on Military Affairs together immediately to consider the bill.

Mr. CHAMBERLAIN. The committee has been called for to-morrow at 10.30.

Mr. CURTIS. Can the chairman of the committee give me any idea when the bill will be likely to be reported to the Senate?

Mr. CHAMBERLAIN. I am in hopes that the committee will be able to report it out in a few days. I think the study which I have had printed in the RECORD will give all the information it is possible to obtain and as much information as could be obtained from hearing innumerable witnesses.

Mr. CURTIS. I asked the question with a view of making a suggestion, that if the bill is to be reported out within a week Senators should be called back that we may get a quorum and act upon it and similar bills as soon as possible. If the Senator will notify me when the bill is ready to be reported, I will gladly notify the Senators on this side and urge them to return so that a quorum may be here to consider it.

Mr. CHAMBERLAIN. I will state to the Senator that I entertain exactly the same view, and if we can get the bill reported out in a few days, under the unanimous-consent agreement under which the recess was had, I shall suggest the calling back of the Senate for its consideration.

Mr. CURTIS. I am very glad to have the Senator make that statement.

Mr. SMOOT. The information furnished by the Provost Marshal General will be printed in the RECORD. I take it this same information was furnished to the House, and in case the House asked that it be printed in the RECORD I hope the Clerk will see there is only one print in the RECORD made.

Mr. CHAMBERLAIN. That is a very reasonable request, and I think it will be complied with.

Mr. WADSWORTH. May I interrupt the Senator long enough to have him inform me whether there is a date upon the memorandum supplied by the Provost Marshal General?

Mr. SMOOT. I will say to the Senator the letter of information is dated July 27, 1918.

Mr. CHAMBERLAIN. And in that connection the letter of transmittal from the Secretary of War to me of these papers is dated August 2, 1918.

Mr. JONES of Washington. May I ask the Senator what is the age limit proposed?

Mr. CHAMBERLAIN. Eighteen and forty-five.

Mr. JONES of Washington. I hope the Senator will follow the suggestion made by the Senator from Kansas [Mr. CURTIS] and take whatever steps may be necessary to have a quorum of the Senate brought here so that we can take up this as well as other measures.

Mr. CHAMBERLAIN. I shall certainly follow that suggestion, and I am glad to know that I have the cooperation of Senators on the other side.

MAIL OF AMERICAN EXPEDITIONARY FORCES.

Mr. JOHNSON of California. Mr. President, on Thursday last I made a few desultory remarks about the wretched mail facilities to our boys in France and endeavored to restate very briefly what has been said by the Postmaster General, that that statement of wretched mail facilities was without foundation.

I find, Mr. President, since Thursday last I have been overwhelmed by letters from all over the United States from parents who are complaining, and complaining much more bitterly than I did in anything I had to say at that time.

I wish to read briefly—it will take but a moment—a few excerpts from letters from various parts of the country from parents on this subject, not only that we may understand the situation, but that we may correct that situation.

I do not know of any other way, Mr. President, in which I can be of service in this regard except thus publicly to call it to the attention of the country and to the attention of the Senate and to ask the cooperation of the Senate then in an endeavor to remedy these conditions; and I am going to continue calling attention to this subject until some remedy has been applied by the Government.

First, I quote from Shohola, Pa.:

> My son left Newport News with the —— division May 8. Since that date five letters per week have been mailed. The inclosed postal from him shows the date of his last letter to us, June 26, mailed May 8. His last letter to us says that he had received only six letters. I entered a vigorous protest and received in reply a circular letter having the nerve to state, "They are moved from billet to billet and from camp to camp, etc." Very good, but the kitchen and the food follow; why not the mail? As a matter of fact, this division were in a particular place.

Here is a letter from South Carolina, a parent writing of his son:

> He sailed from Newport News early in May, and as you see by the postal I inclose, dated July 12, he is still waiting for a letter, and we have written regularly. This is one of many communications received from friends and relatives on the other side, many of whom have never received a single one of the numerous letters written them.

Here is one from Defiance, Ohio, from a parent relating in a word his boy's feelings when letters come:

> Recently our dear boy wrote "We are crazy for letters from home. They are the bright points in our lives, and we'd die without them. We would rather receive a letter than anything else on earth."

Here is one from Mount Vernon, N. Y.:

> Judge Blank, who just returned from France, said he heard many, many complaints of the poor mail service. I know from my own experience and from that of many of my neighbors that the service is about as poor as it could possibly be. Either indifference or gross inefficiency is the only answer.

From East Providence, R. I.:

> Your statements are certainly conservative. In the case of my son, who is in a Massachusetts regiment, since March last 60 letters have been forwarded to him overseas, and at June 15—the date of his letter to me—but 2 of the 60 letters had been received. From him during this period 5 letters have reached us. You can well imagine the effect—both on the soldier and on the parents—of such delay during these anxious days, when news from the front or from home is of vital interest.
>
> Apart from the sentimental side of the case, the morale of the soldier is seriously affected by such delay. There is no complaint in the letters received—he is too good a soldier—but, reading between the lines, I can see that he is disheartened and discouraged at the poor return his country is rendering him in this respect for his sacrifice and service.

I have selected these letters at random from various States, so that it may be obvious to you that what we complain of is not confined to a particular locality or a particular State, an isolated set of men or women, but that it is general all over the Union.

[1] For details see following table.
[2] Estimated figures.
[3] Allowance is made for an estimated deduction of 50,000 men on account of enlistments in the Navy and Marine Corps.
[4] Does not include 10,500 limited-service men inducted during June and July.

From Lincoln, Ill.:

I have a son in France from whom we have not heard for over a month. We do not think so strangely of that, but he had not received a single word from home, though we have been writing him at least twice every week. The only son I have left will doubtless be going soon, and my son-in-law will be called in this month some time. I would be heartily ashamed of them if they were not serving the great cause at this time, but I know that nothing is more eagerly looked for by these brave lads than the letters from home. For the sake of our boys and the cause for which they are sacrificing, and for which we are all willing to sacrifice to the uttermost, do not let this matter drop. It is hurting all of us like a blow. Surely such conditions can be remedied.

From Chicago, Ill.:

There are thousands of fathers and mothers in this country whose sons are in France who have not heard from their boys for weeks owing to the poor mail service. We number our mail and find that my son gets very few of them, although correctly addressed.

From Massachusetts:

It is all true, sadly too true, that our boys do not get their mail promptly, if at all. It is the acme of cruelty to the boy and to the mother who has had to give him. Keep up the agitation with the hope of bettering conditions.

From Morgantown, W. Va.:

I have two sons in the Army. Members of my family have been writing letters to the boys, but have gotten no answers. What we can not understand is, Where does this undelivered mail go to? If not delivered, why does it not come back to the writer, as it is always sent in return envelopes?

From New York:

My son is very dutiful about writing me regularly, but my last letter from him is dated June 10, and in a letter written me in May he complained that he had not had a letter from me in six weeks, and I write him once a week regularly.

From New York City:

It seems about time something was done to make a change in this line. My sister has received no letter from her boy since June 2, and from May 1 up to this time he had received no letters whatsoever from home. She has written him three times a week regularly, and his young friend and I have written him twice a week.

From New York City again:

I have two sons over there. One of them received his training at Camp Lewis, where he went from California. He has been there three months, and I have received one letter from him though I am positive he has written regularly. Not one line in over two months, and I am nearly distracted, as no doubt he is, from a similar experience. With the other son it has been somewhat better, though it has been over a month now since I have heard from him, and I know he has written at least twice a week. I have given my sons freely to their country and do surely feel that this little satisfaction of communication is due me.

From Litchfield, Conn.:

I have two sons in France. It is nearly five weeks since letters have been received from them. I suppose it is the same with their letters from home. Everyone complains. They have a right to. Of course, we are willing to wait a reasonable time, but we feel that there is great inefficiency somewhere.

From Knoxville, Pa.:

The morale of the mothers of soldiers of our borough is being broken down on account of no communication being possible, and the War Department makes no effort to deliver or forward mail to the families of soldiers. Between May 15 and June 19 we had written about 20 letters to our son, but he had received none of them and stated that it had been more than a month since he had a letter from home, and it seemed like 10 years.

On Friday last, Mr. President, I had an experience of the time it takes to transmit mail from France. On that day I received letters from various correspondents there, and this is the time that those letters in my possession took in transit from their various points to the city of Washington, the Capital of this Nation:

1. Paris to Washington, June 28 to August 2.
2. G. H. Q. to Washington, June 30 to August 2.
3. Army post office 714 to Washington, June 29 to August 2.
4. Army post office 731 to Washington, June 28 to August 2.

In addition to this, I had with me Saturday a very distinguished citizen of California, Joseph Scott, who had returned from France the previous Wednesday, July 31. As we chatted on Saturday he told me that he had written me from Paris on the 8th day of July and again on the 10th of July. Neither letter had been received by me, and yet he had left Paris for New York on the 23d day of July and arrived in New York July 31, and was with me during all the day of August 3. Yesterday, August 4, after his departure, his two letters arrived.

There can not be any excuse in the world for that length of time in the transmission of letters from those specifically designated posts.

Now, in conclusion, let me read a portion of a letter from Otto Kahn, the banker of New York City, who has done such great patriotic work during this crisis of ours, and has recently returned from France. In an interview in the New York Times he adverted to this subject, and therefore I feel at liberty to read what he has written me. In a letter just received he says:

No one who has not been with our Army abroad can appreciate what it means to those splendid fellows, uncomplaining as they are under any and all unavoidable hardships and privations, to receive letters from home and to feel that their own letters reach their destination with reasonable promptness and regularity.

The ever-present feeling of the long distance separating them from home is perhaps the one which it is hardest for them to get accustomed to and to overcome. It has been made touchingly manifest to me in many instances. No remedy is more efficacious against what the Germans call "heimweh" (there is no equally descriptive word in the English language—the literal translation being "ache for home") than frequent and reasonably speedy intercourse by letter. Our boys are acting and behaving so magnificently that the very least we can do is to spare them avoidable hardships and heartburnings.

I ask the Members of the Senate to aid in sparing these boys in France additional hardships and heartburnings and to bring to them if we can, by united action, the letters that are written to them from those left at home, from their loved ones behind the line.

Mr. JONES of New Mexico. Mr. President, I merely wish to state that I very heartily share in the desire of the Senator from California that the mail to our soldiers in France should be promptly delivered. I wish to inquire whether or not the Senator has investigated this matter so as to know how universal the delays have been; in other words, are the instances cited by the Senator from California unusual or is that the usual delay of the mail?

Mr. JOHNSON of California. What I have cited is the usual thing, and I have taken these letters from various States to indicate and to demonstrate that fact. I may say, further, that I think probably every Senator with whom I have spoken on this subject is familiar with it and has met with exactly the same situation. I know, particularly, the junior Senator from New York [Mr. CALDER] showed me various complaints he had. I know that the Senator from Utah [Mr. SMOOT] had letters of that sort. I know that is the personal experience of all of us, and on Thursday last I was speaking from my own personal experience.

Mr. JONES of New Mexico. Mr. President, I was led to make this inquiry from the fact that on the 1st of August I received a letter dated July 18 in France. It was from a private in the Infantry. I know of no reason why it should have received any unusual attention, and that instance prompted me to make the inquiry. The letter which I received on the 1st of August was dated the 18th of July, and if the letter of a private in the Infantry should have met with that speed I did not know whether the instances cited by the Senator from California were unusual or not. I am inclined to believe that there can not be the wholesale delay which the letters read by the Senator would seem to indicate. At any rate, I should like to have some information from the department as to the handling of the mail, the great quantity of it, and the delays in censorship and otherwise which might affect individual cases.

Mr. NELSON. Mr. President, in connection with the remarks of the Senator from California I want to make a brief statement.

Until about a month or so ago—I can not give the exact date—the distribution and handling of the mail over in France was under the charge of the Post Office Department. I get my information from an employee of the department who has been over there representing the Post Office Department. The handling and distribution of the mails over there is now under the charge of the War Department under the military forces. In other words, when letters are mailed from there or letters are received over there they are now handled by officers under the War Department.

I wish to say another thing in connection with this matter. Before the war mail boats would go to Europe in 5 or 6 days or, at the utmost, in 10 days. I do not know, but I take it that our boats carrying the mail must now go with a convoy, and that instead of making the trip as they did in normal times, in five or six days, it probably takes them two weeks, if not more. The ships that carry the mail are convoyed over there like the soldiers and the supplies we send there. That necessarily makes some delay. Instead of having our mail carried across the ocean as before the war in five or six days it may take from two to three weeks now.

Then, in addition to that, I wish to call attention to another fact. I get it from a young man who was my clerk here for a number of years, but he enlisted as a field clerk and went over there, and they put him in charge of the mail. He is not connected with that branch of the service any more, but he told me their postal facilities are just swamped over there by parcel-post matter; that people over here keep sending over there provisions, socks, and a lot of other things of which the soldiers have plenty and which they do not need; that they overload the mail with that stuff to the exclusion and to the detriment and delay of the letter mail.

I know from my experience how glad a soldier is to get letters from home, and I think all the friends of the soldiers in order to help this matter along about sending our mail over there ought to avoid sending parcel-post truck matter. Awhile ago I had a letter from a woman grumbling because under the new rule they had to get permission from the Export Board. She wanted to send stockings to her soldier boy there. I communicated with the Quartermaster General, and he said the Army was well supplied with stockings. So people here want to send other knicknacks in the way of food supplies. If the soldiers get their Regular Army rations there, which are now most generous, they do not need any of those things. So our people here can help in sending the mail over there rapidly by refusing to dump into the mail service of the United States an endless amount of parcel-post matter and confining it to letter mail.

Then there is another thing I want to call attention to. You must remember that our soldiers are scattered along a battle line of 150 miles on the eastern front, below Thul on the Swiss frontier, up to Verdun. Most of that line is occupied, and they are off west 100 miles on the battle line. Then our men are distributed in different parts along the line, and they move from one end of this extensive line to the other.

I know from my own experience in the Army how difficult we found it oftentimes to get our mail because we were, you might say, a movable column, one day here and a week hence at another place a hundred miles away from there. I know how difficult it was sometimes to have our mail follow us and reach us. I remember very well how we got along in those days. When we got into real war we did not have as much use for chaplains as we had in camp and cantonment, and so in order to make our chaplains useful, we made them postmasters of the regiment and had them distribute the mail.

I mention all these facts in order that Senators may see that we are now not in the midst of normal times. First, I want to cooperate with the Post Office Department and the military authorities by not dumping the mail full of all this class of parcel-post matter and by confining it as much as possible to letter mail and newspaper mail and other reading matter. These soldiers want letters and newspapers and magazines—reading matter.

Then, in the next place, we want to bear in mind that under military conditions over there and under conditions across the water a mail boat carrying United States mail can not make a trip as it did in normal times. That is necessary. I take it that our boats carrying the mail have to be convoyed like the boats that are carrying soldiers, and those boats, I presume, take more than two weeks, perhaps nearer three weeks, to make the trip across the ocean.

Then, in the next place, when the mails get over there it is not like coming here to the city of Washington, where the post office hands it to an army of carriers, and they have the street number and the street address and can distribute the mail immediately. When it goes over there the question is where is this company located, where is this regiment, where is this battalion, where is this division, and they must ascertain that. They are not located permanently in any one place, but from day to day the troops are shifting, and it takes time to ascertain where the troops are for the time being and to send them the mail.

I am not here to defend either the delinquencies of the Post Office Department or the delinquencies of that part of the Army that is now taking care of the mail over there. I am simply here to call the attention of Senators to the fact that under war conditions these matters are necessarily handicapped; that it is unavoidable; and that as individuals outside of the Post Office Department the greatest help that we can render is to cease loading up our mails for Europe with all kinds of parcel-post matter.

Mr. JOHNSON of California. Mr. President, just one word in response. The Senator from Minnesota is quite right that we all ought to do what we can and not load up the mail that goes to our boys in France with useless or even useful parcels that take time and carrying space and delay the transmission of mail, but I wish to say in response that the order was made three months ago prohibiting that very thing, and since three months ago that very thing has not been permitted by the Government. Since then no parcels can be sent except with a specific permission, which generally, so far as I am aware, has been refused.

I have spoken to little purpose if I did not make plain that the letters which came on Friday last came from Paris, from the general headquarters of the American Army in France, and that all of these that came to me took from 30 to 36 days to come across.

Mr. NELSON. Will the Senator allow me to interrupt him just a minute? I want to state to him that I have received within the last six months occasionally letters from our consul general of Rotterdam, a neutral country, and none of those letters have reached me in less than a month and most of them have been five and six week reaching me.

Mr. JOHNSON of California. The Senator adds an additional complaint against the Post Office Department with which I am not concerned. I am concerned alone with our boys in France. When these letters reached me, on Friday last, after 30 days or more in transmission from Paris, one from the General Headquarters of the American Army, I was asked by a certain distinguished gentleman, How does this compare with previous records? I said it compares favorably, because I got the letters; and I do not care if it takes 30 days or 36 days if I can get the letters; but the difficulty in France with our boys and the difficulty with us here is that they neither get our letters nor do we get their letters, except occasionally.

The experience of the Senator from New Mexico [Mr. JONES] I think is the exception, which probably proves the rule. His letter undoubtedly came upon the same steamer which brought the letters to which I referred that came to me on Friday; and why it is that at the same time from an army in the field there should come to him a letter dated July 18, when from the General American Headquarters and from Paris there came to me letters dated in June is beyond my comprehension; and this probably presents one of the angles of the problem which we must all endeavor to solve.

WOMAN SUFFRAGE.

Mr. SHEPPARD. Mr. President, I now desire briefly to discuss the Federal suffrage amendment, and I especially submit my observations to those of my fellow Senators who feel that they can not support the amendment because they consider that it violates what are said to be the fundamental rights of the States.

The peoples of the States created the American Constitution. Through that Constitution they established the Federal Government and clothed it with certain powers. They reserved to themselves the supreme power to alter or to abolish the Federal Constitution, to alter, extend, or abolish the powers of the Federal Government. If they had yielded in any degree this supreme power, they would have surrendered their collective sovereignty and overturned the foundation of their common freedom. The foundation of liberty is the power of the people to control and fashion the governments they create.

The preservation of popular rule is the issue at the heart of the conflict that now divides the world. The United States has entered that struggle because the principle of peoples' control has been everywhere imperiled. The basis of German imperialism lies in the fact that the German people may make no change in the German constitution unless the German Emperor agees that it shall be made. Thus he stands between the German people and the German constitution. And yet there are men in the United States Senate who say that they will not permit the American people to consider a change in the American Constitution, in the manner solemnly prescribed by them in that Constitution, unless these men first agree and believe that it should be made. Thus they hold in spirit and effect the same attitude toward the American Constitution and the American people as that occupied by the German Kaiser under the German system toward the German constitution and the German people.

The peoples of the States defined in the Constitution the manner in which they were to exercise the power of amendment. They ordained that this power should rest in a three-fourths majority of the States, acting through legislatures or conventions. Thus they denied to a single State, or to any number of States not exceeding one-fourth of all the States, the power to nullify the will of the remainder. They merged themselves into a combination of Commonwealths, a democracy of States, in which the will of three-fourths was to be the will of all, except solely as to the matter of equal representation in the Senate. It will be seen, therefore, that the States, acting in a body and functioning through a three-fourths vote, possess no higher right, no power more fundamental, than the right and power of molding the Federal Constitution. And yet certain Senators, in the name of State rights, are about to vote to deprive the States of the most sacred and most distinctive right they possess. To the States, as coequal units of an inseparable whole, acting through a three-fourths majority, belongs alone the right to say whether the Federal suffrage amendment shall become a part of the Constitution. The Senator who denies them that prerogative is a usurper of their functions and a despoiler of their rights.

A Senator who refuses to allow the States to consider a constitutional amendment not only violates their basic privilege, but also repudiates another right of most sacred quality, the right of petition. One of the pillars of human freedom is the right to appeal for redress of grievances to the tribunal having the power to grant relief. This right was guaranteed in the Magna Charta. It was reaffirmed in the articles of the Commons, in the case of the seven bishops, and in the Bill of Rights of 1689. Millions of people are asking Congress for the opportunity of petitioning the States, the only tribunal having authority to grant the desired relief, to adopt the Federal suffrage amendment. The Senator who refuses this prayer of millions of the American people ignores and violates one of their fundamental rights, namely, the right of petition.

Let me refer here to the report of the Senate Committee on Education and Labor on the first nation-wide prohibition amendment nearly 40 years ago, introduced by Senator Blair, of New Hampshire. Senator George, of Mississippi, was a member of that committee, and no profounder student of the Constitution ever occupied a seat in the United States Senate. He was an unqualified antiprohibitionist. And yet, he and other antiprohibitionist members of the committee joined in a favorable report on the nation-wide prohibition amendment, a report which contains one of the clearest expositions of the amending clause in congressional annals. The report states that some of its signers would vote against the ratification of the amendment after its submission. The report states that the method provided by the Constitution for its own peaceful amendment would be destroyed by failure to submit.

The report states that refusal to submit would be a denial of the right of petition. It states that the changes in the Constitution made indispensable by the development of the Nation can only be peacefully accomplished by a judicious and liberal exercise of the power of Congress to propose amendments to the States upon the petition of those who desire to be heard in the great court of the people, exercising their sovereignty through the States as in the formation of the Constitution. The report adds that but for the belief in the conventions of the States that opportunity to amend the Constitution would be most liberally afforded by Congress in accordance with the forms provided in that instrument, the original ratification never would have been obtained.

Mr. President, if I were opposed to the Federal suffrage amendment on its merit I would nevertheless vote to submit it to the States in order that they might exercise their exclusive right to consider changes in the Constitution they created.

But Senators say that one State ought not to say what another State may do; that Texas, for instance, ought not to say what Maine may do. That is not the proposition involved in the Federal suffrage amendment. The proposal is that three-fourths or more of the States may say what all the States shall do in the matter of this amendment to the Federal Constitution.

John C. Calhoun, the chief apostle of State rights, said that the right of three-fourths of the States to bind all the States in amending the Constitution was in no way inconsistent with their sovereignty.

In his famous reply to Webster on February 26, 1833, he said:

> In connection with this point the Senator, to prove that the Constitution is not a compact, asserts that it is wholly independent of the State, and pointedly declares that the States have not a right to touch a hair of its head; and this with that provision in the Constitution that three-fourths of the States have a right to alter, change, amend, or even to abolish it staring him in the face.

Later, in the same address, he said:

> The plain state of the facts as regards our Government is that these States have agreed by compact to exercise their sovereign powers jointly, as already stated, and that for this purpose they have ratified the compact in their sovereign capacity, thereby making it the constitution of each State, in no wise distinguished from their own separate constitutions, but in the superadded obligation of compact—of faith mutually pledged to each other. In this compact they have stipulated, among other things, that it may be amended by three-fourths of the States—that is, they have conceded to each other by compact the right to add new powers or to subtract old by the consent of that proportion of the States without requiring, as otherwise would have been the case, the consent of all—a modification no more inconsistent with their sovereignty than any other contained in the compact. In fact, the provision to which I allude furnishes strong evidence that the sovereignty is, as I contend, in the States severally, as the amendments are effected not by any one three-fourths, but by any three-fourths of the States, indicating that the sovereignty is in each of the States.

Here let me say that the right on the part of three-fourths of the States to adopt amendments to the Federal Constitution was established by the votes of Southern States. While the convention of the States which framed the Constitution was in progress it was moved that three-fourths of the States be given the power to amend. A motion was made to strike out "three-fourths" in order that the consent of all the States might be necessary. The motion to strike out was rejected, every Southern State voting to reject. Then a motion was made that no State without its consent should be affected in its internal police, or in the matter of equal representation in the Senate. This motion was likewise rejected, every Southern State, except Delaware, voting to reject. Later a motion prevailed to the effect that no State without its consent should be deprived of equal representation in the Senate. It will be noted that without the votes of the Southern States the idea of three-fourths of the States controlling all in the matter of amendments to the Constitution would have been rejected and the United States would have been not an organic union but a loose alliance of independent countries, an alliance that would have broken under the first serious strain. Let nobody assert, therefore, that the adoption of the suffrage amendment would be contrary to the historic southern view of the Constitution.

Sir, there are numerous instances in the Constitution where the States in their collective creative capacity expressly prohibited a single State from doing certain things. The Constitution provides that no State shall have any other than a republican form of government; that no State shall make any treaty or alliance; that no State shall coin money or make anything except gold and silver coin a legal tender; that no State shall pass any bill of attainder or ex post facto law or law impairing the obligation of contracts; that no State shall grant any title of nobility; that no State shall maintain the slave traffic; that no State shall abridge the privilege of any citizen of the United States or deny him the right to vote on account of race, color, or previous condition of servitude; that no State shall deprive any person of life, liberty, or property without due process of law; that no State shall deny to any person the equal protection of the law. Is there anything revolutionary in saying that no State shall deny the right to vote on account of sex?

The issue embodied in the Federal suffrage amendment was not the constitutional issue of the American Civil War. At no time during the Civil War or during the controversies preceding that war was it ever seriously claimed by any appreciable number of people that slavery could not have been abolished by the orderly process of amending the Federal Constitution, if the votes of three-fourths of the States could have been secured for abolition. Nor will the laws of any State growing out of the race question be disturbed by the Federal suffrage amendment. These laws have no relation to the question of sex, and the decisions of the United States Supreme Court upholding their constitutionality would not be affected by the adoption of the suffrage amendment.

At this point let me submit two inquiries. With what consistency may we proclaim our devotion to the people's rule if we refuse to permit the American people to consider a change in their own organic law? With what consistency may we announce our love of freedom if we continue to deny political liberty to half our own population? Have not women earned the right to a place by the side of man in determining the policies of government? She is at his side on the battle fields of Europe. She is filling the places in industry left vacant by his departure for the front. In the vital task of conserving every resource of this Republic she is taking a vital part. Without her the war for democracy and humanity would long ago have been lost. Shall she have no voice in the Government she has saved? Her hand is skillful enough to wield the surgeon's knife. It is powerful enough to till the fields, to fashion guns and shells, to guide an ambulance or drive a truck. It is magical enough to soften agony, to soothe distress, to temper pain. Is it too feeble or too unworthy to hold the ballot?

> It doesn't unsex her to toil in a factory,
> Minding the looms from the dawn till the night;
> To deal with a school full of children refractory
> Doesn't unsex her in anyone's sight;
> Work in a store—where her back aches inhumanly—
> Doesn't unsex her at all, you will note;
> But think how exceedingly rough and unwomanly
> Woman would be if she happened to vote!
>
> To sweat in a laundry that's torrid and torrider
> Doesn't subtract from her womanly charm;
> And scrubbing the flags in an echoing corridor
> Doesn't unsex her—so where is the harm?
> It doesn't unsex her to nurse us with bravery,
> Loosing death's hand from its grip on the throat;
> But, ah, how the voices grow quivery, quavery,
> Wailing, "Alas, 'twill unsex her to vote!"
>
> She's feminine still when she juggles the crockery,
> Bringing you blithely the order you give;
> Toil in a sweatshop, where life is a mockery,
> Just for the pittance on which she can live—
> That doesn't seem to unsex her a particle.
> "Labor is noble"—so somebody wrote—
> But ballots are known as a dangerous article,
> Woman's unsexed if you give her the vote!

Nearly 30 years have passed since woman suffrage was first established in an American State. To-day she is voting in 19

States, which represent more than a third of the Electoral College, and in no jurisdiction where she has exercised suffrage any appreciable time has there been a serious suggestion of repeal. Woodrow Wilson, prophet and evangel of world democracy, has said that we should pass the Federal suffrage amendment as a duty to the women of America and of the world.

The United States Senate is on trial before the courts of all humanity. Will it refuse the American people, acting through the American States, acting through the channels they have themselves established, the right to mold their own Government? Will it prevent them, through a distorted and imperialistic conception of the mere function of submission, from considering the question of embodying in their own organic law a new charter of freedom, the extension of political liberty to millions of the human race? If so, then let it be said, in sorrow and humiliation, that in a land dedicated to democracy the American Senate has lifted, so far as this question is concerned, the black banner of a consummate despotism.

THE NATION'S DEBT TO LABOR.

Mr. McKELLAR. Mr. President, much has been said in both Houses of Congress lately and much has been written since this war began about the alleged unpatriotic attitude of labor toward the war. Whenever there is a strike we hear that all strikes ought to be prohibited by law regardless of the facts surrounding the strike; that all manual and skilled laborers ought to be banded into an industrial army by the Government and forced to work, and that anyone who strikes, whether in a just cause or not, should be placed up against a wall before a firing squad and shot; in other words, so far as labor is concerned, we ought to establish, contrary to our Constitution and laws, involuntary servitude in this country. I am opposed to these pernicious doctrines. We should not have strikes during this war. At the same time I am opposed to the conditions of labor and the scale of pay that produce strikes. When we do away with the evils of one we must in fairness do away with the injustice and oftentimes inhumanity of the other.

Of course there have been some strikes since the war began which perhaps ought not to have occurred. Perhaps there have been some statements from labor leaders which ought never to have been made; there are some organiaztions like the I. W. W. that ought to be effaced; but on behalf of American labor, both organized and unorganized, I want to say that, taken as a whole, no part of our citizenship has been more patriotic, more efficient in its efforts, or more effective in results in the prosecution of this war than has labor.

It is easy enough for those of us who do not labor with our hands to sit back and criticize. It is easy enough to abuse labor with our lips and besmirch it with our pens. But what are the fruits? The Saviour of mankind once said: "By their fruits ye shall know them." Let us measure the attitude of labor in this war by its fruits.

Take ships as an illustration. We are building to-day ships at the rate of perhaps 6,000,000 tons per year. Unless we did this we could not even take part in this war, for our atrocious enemy, by his savage use of his infamous and diabolical submarines, would soon have all our ships sunk. We are obliged to build ships faster than the enemy can sink them. We speakers, we Congressmen, we newspaper writers, we hired men in high places who spend the people's money as captains of industry exclaim at the top of our voices that we build those ships. What a travesty upon truth!

Labor builds those ships. It is labor that in sweat and grime and mud digs the raw materials from the bowels of the earth. It is labor that burns, toils, and sweats at the furnaces and at the forges to make these raw materials fit for service. It is labor that, with brawn and muscle and skill, fells the trees in the forest, turns them into logs and lumber, and finally manufactures them to fit them to become a part of the finished vessel. It is labor, skilled, patient, plodding, working day by day, that rivets and screws and nails and mortises the various parts and materials into a completed whole. Thus we see that the completed ship is the product of labor.

Ah, only those who know what it means to earn their bread by the sweat of their faces can know the hard and cruel grind on the lives and souls and bodies of those who actually do the toil. It is easy for a great captain of industry to say, when a ship is completed, "I have finished another ship." But such is not the fact. On the contrary, labor has finished that ship, and the smallest element of actual toil in it is that of the man who sometimes unthoughtedly says, "I built it." To labor is due 99 per cent of the completed result.

In mentioning captains of industry in this way I do not desire to minimize their services or reflect upon them. All honor to them for the good work they are doing. All honor to men of wealth and brains who are doing so much for our country in these days of her peril. But they ought not to claim all the credit. If they do their part well, then they are only doing the same thing that the laboring man is doing when he does his part well. The laborer is worthy of his hire. He is entitled to his share of praise for the splendid war work that is now being accomplished in our beloved country. It is not right to hold up labor as a body to scorn and contempt and criticism because some one or more of them do not do as we think is right any more than it would be to denounce all captains of industry and all men with money as thieves and robbers and for lack of patriotism because some of them are insolent and corrupt profiteers, robbing their Goverment right and left.

And as in the case of ships, so it is with practically all the rest of our war services and war activities. All our munitions of war—the bullets, the cannon, the shells, the guns, the machine guns, the rifles, the railroads, the rolling stock, the clothing, the uniforms, the cantonments, the war vessels, the food for our Armies and for our people—are manufactured or produced by the unremitting and patriotic toil of labor. The world can never know the weariness, the wear and tear on mind and soul and body, of the individuals composing labor who, hour by hour and day by day, in all kinds of weather, in heat and in cold, in rain and in snow, by their indefatigable efforts gather up all of these materials and make them ready for war service.

It is labor that fills our warehouses with food and raw materials of every description. It is labor that moves these materials over the railroads of the land. It is labor that unloads them from the railroad cars and reloads them on our ships. It is labor that takes care of them and handles them in their perilous journeys across the seas, that unloads them on the other side, and again reloads them in other cars made by labor. It is labor that transports them to the camps for our soldiers.

Ah, and more than that, when all this is done, it is labor's sons, in the largest degree, who actually use these materials on the field of battle. It is labor's sons who bear the brunt of the fight.

We constantly hear criticisms that we have to pay labor too much, that the demands of labor are extortionate, and that the Government ought to fix the price of labor. The war has raised the price of everything several fold. Why should any man begrudge the poor man, who labors with his hands, a corresponding increase in price of his daily toil? If he should not receive a great increase in his wages he could not, under present prices, even feed himself, much less feed his family and clothe and educate his children. The war has brought untold profits to the manufacturers, to those engaged in trade and commerce, and even to those engaged in production. Why should any man begrudge prosperity to the laboring man, who brings about prosperity for all others?

A gentleman came into my office the other day and said that Congress ought to take steps at once to regulate the price of labor. As an argument against the alleged awful present conditions as to labor, he said he was passing through North Carolina on his way up and had pointed out to him a 14 or 15 year old girl, with hair hanging down her back, who was actually making $25 a week in a cotton factory, where ordinarily a child of that kind could be employed at $3 or $4 a week. I asked if she was not a skilled laborer. He said, yes, he had been told that she had the nimblest fingers that were known in that factory; that she had tremendous powers of concentration; she had great physical endurance, and was possessed of a fine character. But during this time of our country's troubles that while she was using all to the uttermost yet she was making for herself $25 a week. She was profiteering! My friend did not seem to be struck with the fact that a young girl was at work in that factory when she ought to have been going to school. His astonishment came from her being permitted to earn so large a wage. What an awful catastrophe—a little girl making $25 a week in war times in the dust and dirt of a cotton factory! Indeed, it might be true that her employer was making $2 where the child made $1 out of her own labor, but the child ought to be forbidden by law to receive so large a wage. There is no limit fixed by law on the profits of her employer, but Congress should legislate a limit to her wage, and thereby her employer could receive more. I subscribe to no such doctrine. No doubt a child of such tender years should be prohibited from working in that factory at all. But if she is permitted to work there and can earn $25 a week at it I am proud of her, and proud of conditions which have brought about the payment of such a wage. All honor to that splendid American child, and may her wage increase.

I thank God that this war has—awful as it is—at least given some of those who toil an opportunity to better their condition. There may be individual instances of shortcomings and failures,

but as a whole labor is doing its full part by this war. I am proud that, under this Democratic administration, labor is not being crowned with thorns nor crucified on a cross of gold. I take pride in the fact that it is bravely in every avenue of trade and commerce, of industry and productiton, fighting the battles of our common country just as its sons, in tremendous numbers, are fighting our battles on the bloody fields of France. Instead of criticizing, instead of abusing it, we ought to reach out a helping hand to it and lift it upward and onward to higher, better, and nobler things, thanking God that in this time of America's troubles we have a system of labor that has accomplished so much. Let us be fair to the men who labor with their hands and commend them for the good they are doing. Before it is over there will be glory enough in this war for all patriotic Americans of high and low degree.

Mr. ASHURST. Mr. President, I appreciate the eloquent speech of the junior Senator from Tennessee [Mr. McKELLAR], in which he points to the fact that the laboring men of our country are honorably bearing a conspicuous part in sending men and material to the front.

The newspapers for the past week or two have brought us news of a most encouraging nature. The events of the past three days have brought immortal renown to our arms. Imperishable glory will rest upon American arms for victories that valorous American troops have won already. A new luster, if luster indeed could be added, has been placed upon American traditions of courage, and it must not be forgotten that a large proportion of these men are men who were taken from the ranks of labor, and they are fighting cheerfully and with a bravery beyond the range of eulogy in defense of civilization.

I wish to ask the indulgence of the Senate for a minute while I read an editorial from the Washington Post, of this city, entitled "America's unfolding power." I can not refrain at this time from recalling the jeremiads that were chanted so inveterately in this Chamber in the weary days of last winter when icicles were hanging on the walls, and many doleful and lugubrious voices here stated that the Secretary of War was not speeding the work, that there was inefficiency in the War Department.

The repulse of our enemy is a sufficient answer as to whether or not there is inefficiency.

Results alone are all that can speak or ought to speak.

This editorial was published on Sunday, August 4, 1918, in the Washington Post:

AMERICA'S UNFOLDING POWER.

Honest criticism necessarily becomes praise in view of the remarkable achievements of the War Department under Secretary Baker. No American who is whole-heartedly praying for the success of American arms, and who is therefore eager to cooperate with all other Americans imbued with the same spirit, can fail to give full credit to Secretary Baker for what he has accomplished. He was under the fire of criticism not many months ago. He met the attack good-naturedly, dealt with his critics fairly and patiently, and profited by many of the suggestions that were brought out. In the meantime he continued the development of the plans for the Army, the details of which he could not disclose to the public, because that would have meant disclosing them to the enemy.

These plans are now in process of execution. They are magnificent. That is, they are proportionate to the strength of this Nation, unhesitating in their recognition of unwelcome problems and adequate in their solution of them, and commensurate with the needs of the tremendous emergency that confronts the country. No incompetent Secretary of War could have shaped and perfected such plans as these. The responsibility involved in actually approving the plans and directing their execution would have appalled a timid or weak executive. Mr. Baker has given proof that he possesses the qualities most requisite in a Secretary of War, and only persistent ignorance or malice would deny him the credit that belongs to his achievements.

It now appears that Gen. Pershing has under his own command 1,000,000 men, apart from the American forces brigaded with the British Army. Eight American divisions, commanded by American officers, are operating in the present battle area. Little wonder that the Germans lost heart, after sending their choicest troops to punish the Americans, only to see them fall before the men from the New World. If the first million Americans can thus hearten the entire allied army and turn a German offensive into a defeat, what will additional millions do?

It is unnecessary to dwell upon the glorious deeds of the Americans at the front. Are not these deeds already a part of the immortal fame that illumines the names of all those allied soldiers, living and dead, who have marched to the music of liberty and fought for their fellow men? America is proud as the passing days unroll a record of the heroism of her lads, worthy to be placed on the same page with the marvelous devotion of the soldiers of France, the British Empire, and Italy.

It is to support and make most effective the devotion of the boys at the front that Americans must bend every muscle and turn every thought. The center of all responsibility and the fountain of all activity is the President of the United States. He has grown greater as his responsibilities have increased, until he towers among men as the chief figure in the alliance of civilized nations. Through his will and capacity the Nation has seen the United States Army expand from a Mexican border column into a steel-hard machine capable of cracking the shining armor of Germany. The work is still in progress. It needs the cooperation of every American in some capacity. The President and the Secretary of War have a right to ask the help and sympathy of every individual citizen, without regard to politics, business, or location.

The President and the Secretary of War are the home directors and managers of the strong and rapidly growing Army at the front. The most practical manner in which any citizen can express his enthusiasm over American achievements and his praise of American valor is to assist President Wilson and Secretary Baker by every means that comes to hand. Let the army at home be as sternly bent upon victory or death as the boys at the front. Let the country tune its heartbeats to the pulsations that surge through the hearts of our boys in France. Let the sympathy of the people be made palpable to the President and his advisers, so that they shall feel behind every act the irresistible and fatal power of this Nation.

THE COAL SITUATION.

Mr. JONES of New Mexico. Mr. President, on Thursday last I was making some remarks regarding the coal situation when the hour of 2 o'clock arrived, and the Senate necessarily adjourned. I have felt that it would not be out of place to make a further brief statement regarding the coal situation in the country. We all realize, of course, that carrying on the war successfully depends in a great measure upon the production of coal. As best indicating the increased necessities for the production of coal, we can refer to the production which existed in this country prior to the beginning of the war in Europe and the estimated necessities of the country at the present time.

The coal production of the country should be considered with reference to anthracite and bituminous separately. Anthracite coal is, of course, used principally in domestic consumption. Prior to the war the annual consumption of anthracite was about eighty-two or eight-three million tons per annum. That has been increased during the late period of the war to about 100,000,000 tons. That increase in the output of anthracite coal for domestic uses has been occasioned largely by the influx of population into the congested centers of the Northeast and of the Middle Atlantic States where the industries engaged in producing for the war are more numerous.

The increase of population of the New England and Middle Atlantic States by reason of the war, it has been estimated, is nearly five million people, and, of course, that additional population must be kept warm. The means of keeping warm is principally by the use of anthracite coal. So the output of anthracite coal for those purposes has necessarily increased, and the anthracite mines are working practically at their full capacity. The result is that this year it is planned for New England to get about 17 per cent more anthracite coal than she did last year or the year before, and the Middle Atlantic States about 13 per cent more. In order to make up this additional amount for these particular sections of the country, it has been necessary to curtail the use of anthracite in the Middle West and in sections where bituminous coal is readily available.

This amount of anthracite, which has been increased from about 82,000,000 tons to 100,000,000 tons, has been produced with a very much less number of laborers than in former years. In 1915 the number of laborers in the anthracite mines of the country was about 176,000. At the present time, with an output nearly 25 per cent greater, the number of laborers is only about 145,000, indicating, of course, the patriotism of the laboring men of this country in the anthracite mines. They do not have the number of holidays now that they had. They work more hours a day. The output per man is much greater. I think the country owes a feeling of gratitude to the laborers of the country who are working in the anthracite mines, and what I have said in regard to the anthracite mines is true, relatively speaking, with respect to bituminous mines.

So it seems to me that the anthracite situation is being reasonably cared for. It is true that some anthracite is used in production, but comparatively little more would be used if they had it. For that reason it is important that everybody should be concerned in saving anthracite wherever it is possible, because every ton saved means that many tons less necessary to be mined and that many tons less necessary to be shipped.

In conserving the use of coal you conserve the labor in the mine and you conserve the labor and expense of transportation, and enable that energy to go into the lines of activity necessary to carry on the war.

With respect to the bituminous coal situation, prior to the European war for some few years the consumption of bituminous coal was practically stabilized around about 450,000,000 tons a year. In 1916 the production of bituminous coal was about 502,000,000 tons. The next year, while the estimated demand was for about 600,000,000 tons, the actual output was 554,000,000 tons, showing an increase last year of bituminous coal of more than 50,000,000 tons.

As indicating the increasing necessities of the country, the estimated requirements of the country of bituminous coal for the current coal year, extending from April 1 of this year to April 1 of next year, are 635,000,000 tons, showing the enormous expanse of the industries of the country which are using bituminous coal. It is an index of the extent to which we are putting our energy into the war, the increased activities of the country.

Every ship that is constructed at the shipyards requires 5 tons of coal for 1 ton of ship, and when we are increasing our

merchant marine and our war vessels we must necessarily increase the quantity of coal. So the country is increasing its demand, and the output of coal, I may say, is increasing to meet those demands.

It is true that there is an appeal being made to the country to conserve the use of coal. Thousands and thousands of tons are wasted in the 250,000 boilers of the country because of the unskilled way in which it is fed into the furnaces and because of the poorly constructed furnaces themselves. Other thousands of tons are wasted in the way that the coal is consumed in the homes or in the heating appliances of the country. So it is necessary to conserve the use of coal wherever it can be done, and the Fuel Administration is appealing to the country to conserve the use of coal so that there may be beyond peradventure an ample supply for the industries which are making an output for the conduct of the war. As I have already said with reference to anthracite, whenever you save any coal in the home or any coal in the furnace you save the labor and the transportation for other necessary purposes.

Of course, as we all know from statements in the papers of the country, coal is being conserved by taking it away from what may be designated nonessential industries. The quantity of coal allotted to breweries has been decreased materially. The quantity of coal for other purposes of a similar nature, or even of a less essential character in the opinion of some, has extended throughout the country, and every effort is being made to conserve the use of bituminous coal. But assuming the necessities for bituminous coal during this coal year to be 635,000,000 tons, I want to give some ray of hope to the consumers of the country that they may reasonably expect to have a reasonable supply for use in a reasonable way.

In April, 1918, the bituminous coal mines produced about 43,023,000 tons as against 42,300,000 tons in April of last year. In May the production was 46,890,000 as against 47,551,000 in May, 1917. In June, 1918, the production was 60,117,000 as against 47,753,000 in June, 1917. The total production for the first 13 weeks of the coal year ended June 29, 1918, was 150,030,000. The same period in 1917 produced only 137,307,000. In June, 1918, bituminous coal production first reached the high weekly average of 12,500,000. But this record was promptly upset in the week of July 13, when the bituminous coal mines turned out 13,243,000 net tons.

This weekly production was approximately 1,031,000 net tons, or 8 per cent, above the average weekly requirements of 12,211,500, which the Fuel Administration has estimated as necessary to satisfy this year's war demand. However, the average weekly production for the coal year to July 13 is estimated at 11,568,000 net tons, or 5.3 per cent behind the weekly requirements. In order to make up the deficit it will be necessary to have approximately 10 more weeks of production equivalent to that of July 13, or a production of 12,472,000 net tons during each of the 37 remaining weeks in the coal year ending March 31, 1919. At the end of the week ended July 20 production for the year was 8,912,500 tons behind the requirements.

These figures, it seems to me, demonstrate that the production of coal is practically reaching the point where it can be said that the actual requirements of the country are being met. The question of domestic supply, in my opinion, is cared for, and the only difficulty which can possibly arise may come from the fact that some of the nonessential industries of the country will not be permitted to get all the coal which they would like to have. The domestic consumption of the country, it seems to me, is well in hand, and it also appears that the manufacturing interests of the country which are necessary at this time are likewise well in hand.

Judging from some remarks which have been made on the floor of the Senate it seems that the method of mining the coal and transporting it is not universally understood. It is almost the invariable custom in the business of coal mining to load the coal directly from the mine upon the railroad car. Places for the storage of mined coal are not provided, and, except in rare instances, can not be provided. It thus becomes evident that the output of coal depends upon the transportation provided, transportation being the measure of the output from the mine. All that I have previously said as to the increased output of coal indicates in a relative degree the increased transportation provided by the railroads of the country. This remarkable showing as to increased delivery of coal by the railroads indicates that the railroad situation with reference to coal is likewise well in hand.

The PRESIDING OFFICER. The morning business is closed and the Senate stands adjourned until 12 o'clock on Thursday next.

Thereupon the Senate (at 1 o'clock and 30 minutes p. m.) adjourned until Thursday, August 8, 1918, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *August 5, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We lift up our hearts unto Thee, O God, our Heavenly Father, source of all our strength, courage, wisdom, and purity. Impart unto us, we beseech Thee, of these gifts sufficient unto our daily needs, that with all diligence and perseverance we may do whatsoever our hand findeth to do, with unswerving fidelity to truth and justice.

We bless Thee for the victory of our arms in the great battle upon which the eyes of the world are centered. May it be followed up with greater victories, that the enemies of civilization may be driven back from the lands they have sought to destroy, that final victory may come and peace be restored to a sorrowing world; and all glory and honor be Thine, in the Name of the Prince of Peace. Amen.

The Journal of the proceedings of Thursday, August 1, 1918, was read and approved.

SPEAKER PRO TEMPORE ON THURSDAY NEXT.

The SPEAKER. The Chair designates the gentleman from North Carolina [Mr. KITCHIN] to act as Speaker pro tempore on Thursday next.

ADJOURNMENT UNTIL THURSDAY NEXT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn until Thursday.

The motion was agreed to; accordingly (at 12 o'clock and 4 minutes p. m.) the House adjourned until Thursday, August 8, 1918, at 12 o'clock noon.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. DENT: A bill (H. R. 12731) amending the act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. KELLEY of Michigan: Petition of R. E. Willson and 38 other residents of Oakland County, Mich., indorsing House bill 10266, a bill to provide for the substitution of the oath required of enlisted men for the oath required of officers in order to relieve those who object on conscientious grounds to the oath prescribed by law for officers; to the Committee on Military Affairs.

By Mr. RANDALL: Petition of citizens of Long Beach, Cal., asking repeal of magazine zone postal rates as enacted in the revenue law of 1917; to the Committee on Ways and Means.

SENATE.

THURSDAY, *August 8, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, Thou hast placed in large measure the responsibility for the happiness and freedom and peace of the world in our hands. The course of civilization for many generations may depend upon the fidelity with which we perform the tremendous task that now challenges us in the world field, and we turn to Thee at the beginning of this day for inspiration and knowledge and grace, that we may justify our place of leadership in the sight of God and of men, and may perform our task under the guidance and the blessing of God. To this end we pray Thee to guide us this day in the discharge of every duty, and may it all be done for Thy glory. For Christ's sake. Amen.

NAMING A PRESIDING OFFICER.

The Assistant Secretary (Henry M. Rose) read the following communication:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
August 8, 1918.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JOHN H. BANKHEAD, a Senator from the State of Alabama, to perform the duties of the Chair during my absence.

WILLARD SAULSBURY,
President pro tempore.

Mr. BANKHEAD thereupon took the chair as Presiding Officer.

The Secretary proceeded to read the Journal of the proceedings of Monday last, when, on request of Mr. SMOOT and by unanimous consent, the further reading was dispensed with and the Journal was approved.

PETITIONS AND MEMORIALS.

Mr. POINDEXTER. Mr. President, I present a memorial of citizens of the town of Chehalis, Wash., asking that some adequate means be devised by the Federal Government for dealing with those citizens who refuse to assist and so in a passive way oppose the conduct of the war as to subscriptions for liberty bonds and other necessary war measures. It is a very excellent memorial, and I ask that it be filed and preserved in the archives of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. POINDEXTER. I also present a petition from a large number of citizens of Spokane, Wash., praying the Government to establish certain military ranks for nurses who are serving in the Army of the United States or in hospitals maintained by the Army of the United States.

The PRESIDING OFFICER. The petition will be referred to the Committee on Military Affairs.

Mr. NELSON presented a telegram in the nature of a memorial from Mrs. Mittie C. Hubbard, of Mankato, Minn., remonstrating against a tax on musical instruments, which was referred to the Committee on Finance.

He also presented a memorial of sundry citizens of Minnesota, relative to tax exemption of farm-loan bonds, which was referred to the Committee on Finance.

BILL INTRODUCED.

Mr. SHAFROTH introduced a bill (S. 4860) granting an increase of pension to Francis S. Prouty; to the Committee on Pensions.

WOMAN SUFFRAGE.

Mr. McKELLAR. Mr. President, several days ago there occurred here in the city what seems to me was an unseemly protest on the part of the organization known as the National Woman's Party. In this protest, published on their banners and exhibited in one of our parks, it is said:

We protest against the continued disfranchisement of American women, for which the President of the United States is responsible.

We deplore the weakness of the President in permitting the Senate to line itself with the Prussian Reichstag by denying democracy to the people.

Mr. President, this criticism of the President is so unfair and unjust and untrue that I think it ought to be condemned by everyone. I am, as everyone knows, a strong advocate of woman suffrage. I voted for the national amendment while I was a Member of the House. I believe in it thoroughly. I am going to vote for it again when it comes up in the Senate. This kind of criticism coming from any body of our women seems to me to be very hurtful, indeed, to the cause of suffrage. It is an uncalled-for and wanton insult to the man who is doing more for the suffrage amendment than perhaps anyone else in this country.

It will be recalled that as early as June 7 last the President wrote a very strong letter to Mrs. Catt, of the woman suffrage party, in which he set out fully his views and his attitude on this question and his very favorable attitude on the question. Later on in a letter addressed to my colleague, Senator SHIELDS, which has been published in all the papers, he reiterated and reaffirmed his advocacy of the pending suffrage amendment. Even later than that he wrote a letter to the Senator from New Jersey [Mr. BAIRD] and put the question again strongly before that Senator and before the American people. That letter, as well as the others, perhaps was published about the time it was written.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Colorado?

Mr. McKELLAR. I yield.

Mr. THOMAS. I trust the Senator does not confuse the organization, of which Mrs. Catt is president, with the outfit which had one of its periodic outbreaks on the streets a few days ago.

Mr. McKELLAR. I do not at all, but I merely mentioned the fact that the President wrote to Mrs. Catt, a distinguished suffragist, and if my language bore the meaning to the Senator he suggests I want to change it.

Mr. THOMAS. No.

Mr. McKELLAR. I merely mentioned it because the letter of the President of June 7, 1918, was written to Mrs. Catt.

Mr. THOMAS. No; it did not convey that impression to me. My reason for interrupting the Senator was that I thought possibly those reading the Senator's remarks would confuse the regular organization, which has represented the cause of woman suffrage and represented it ably and sanely and well for a great many years, with this so-called National Woman's Party, the principal object of whose officials in my judgment is to seek the notoriety given to their actions by the press and sometimes by ourselves in outlining and discussing it.

Mr. McKELLAR. I thank the distinguished Senator for calling my attention to the difference, in which opinion and statement I agree heartily. I think we all understand that the organizations are entirely separate and that a very great difference exists between the purposes of the two organizations.

Mr. President, I wish to ask unanimous consent to publish in the RECORD the correspondence between the President and Senator SHIELDS, and between the President and Senator BAIRD, as published in the papers, and I also ask that the editorial in the Washington Post of to-day entitled "Suffrage militant" be printed in the RECORD. This Post editorial so aptly puts the case and so truthfully states the facts as I understand them to be that I trust Senators will not object to its going into the RECORD. I think it is nothing but fair to the President of the United States that these facts be put in the RECORD, so that they can not be misunderstood or misinterpreted or falsified.

These representatives of the National Woman's Party are simply allowing their zeal to overcome their judgment. They know perfectly well that the President is sincerely desirous of seeing the amendment adopted and is exerting the power of his great influence in every proper way to that end. If they do not know that these statements on their banners about the President are untrue, then those who are responsible for their being in Washington ought to discharge them for ignorance. Everybody else knows it.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Tennessee?

Mr. SMOOT. Mr. President, I wish to say to the Senator from Tennessee that I think the President's letter to Senator SHIELDS and also his letter to the Senator from New Jersey [Mr. BAIRD] have already been printed in the RECORD. Therefore I must object to their going in again.

Mr. McKELLAR. I hope the Senator will not object to the editorial in the Post.

Mr. SMOOT. If the Senator will permit me just a word——

Mr. McKELLAR. Of course.

Mr. SMOOT. Mr. President, I, like the Senator from Tennessee, am heartily in favor of woman suffrage and have so expressed myself many times on the floor of the Senate, but I really can not approve of many of the demonstrations made in the past or the one made day before yesterday by the members of the National Woman's Party. I think the Senator in making the request is magnifying this whole unfortunate occurrence. I do not believe Tuesday's demonstration would have taken place if the papers would ignore such actions. I believe, with the Senator from Colorado [Mr. THOMAS], that the principal object of these demonstrations is to get publicity. I want to say to those good women that they are not advancing the cause of woman suffrage one iota, but in my opinion such actions as have taken place in the past have proven positively harmful.

I have tried to harmonize their actions with their seeming desire for early action on the resolution, and from my point of view it seems to me that there can be but one of two conclusions: Either the securing of the object referred to by the Senator from Colorado or they are not prepared for the passage of the resolution for some unknown reason.

I hope, Mr. President, these un-American demonstrations will cease, for the American people are not convinced of the righteousness of any cause by any such actions. I am ready at any time to do all in my power to bring the suffrage resolution to a vote in the Senate, and I also say that I do not believe that such actions as have taken place in the past will gain one single, solitary vote, and, if I am to judge, they will affect adversely the final result. I mean any action which will bring an early vote and a successful vote for the resolution.

Therefore I ask the Senator from Tennessee to withdraw the request for printing in the RECORD.

Mr. McKELLAR. I will accept the Senator's suggestion so far as the publication of the correspondence with Senators if it has already been put in the RECORD, but I hope he will withdraw his objection so far as this editorial is concerned and let it go in, because it very aptly details just exactly what the Senator and I agree are the facts.

Mr. SMOOT. I will not object if the Senator puts in the editorial as a part of his remarks.

Mr. McKELLAR. I will be glad to do so.

The editorial referred to is as follows:

[From the Washington Post, Aug. 8, 1918.]

SUFFRAGE MILITANT.

If there is one man in public life who is sincerely in favor of universal suffrage, that man is the President of the United States. From the first he has been an advocate of woman suffrage, but he looked upon it as a State issue, and not one to be treated nationally. He showed his interest in the subject a few years ago by journeying to Princeton to vote for a suffrage amendment to the New Jersey constitution.

Recently, however, the President has taken a broader view of the subject and has come over to open advocacy of the national suffrage amendment. His active interest has taken form in letters written to Senators urging them to vote for the amendment and stating, as his opinion, that national woman suffrage should be adopted now as a war measure. With a full knowledge of the President's active support of their cause, the National Woman's Party inaugurated its campaign on Tuesday for the adoption of the suffrage amendment with a demonstration in Lafayette Square, in which there was borne a banner with this strange device:

"We protest against the continued disfranchisement of American women, for which the President of the United States is responsible.

"We deplore the weakness of the President in permitting the Senate to line itself with the Prussian Reichstag by denying democracy to the people."

Of course, the bearers of these banners were arrested and the meeting was dispersed, although the suffragists announce that the demonstrations are to be repeated. Perhaps it was the intense heat which served to warp the judgment of the enthusiastic suffragists who publicly denounced the President as the cause of the Senate's failure to pass the suffrage amendment. But whatever the motive, it will be difficult for them to convince the public that they have any ground for complaint against the President, when all who read the public prints are aware that he has been openly proselyting among Republican as well as Democratic Senators in favor of the legislation desired.

Last winter when the suffragists inaugurated their picketing campaign at the White House—a campaign which eventually involved arrests, prison sentences, hunger strikes, and other hysterical incidents—there were many neutrals on suffrage who contended that the women were doing the cause more harm than good. But suffrage gained strength in spite of these demonstrations. The President, who had more ground for personal complaint than anyone else, because his official home was made the storm center, declined to be prejudiced by the activities of the militants and came out openly for the Federal amendment. The impression was general among Senators and Representatives that the proposed legislation passed the House on its merits and that no vote for it was won by spectacular methods.

National woman suffrage is now on the verge of being submitted to the States for incorporation in the Federal Constitution. What the cause needs is support which will appeal to the minds of Senators who are wavering so that they may be influenced to change their views. Such arguments will not come out of unlawful assemblages or attacks upon the Chief Executive of the Nation.

Mr. McKELLAR subsequently said: Mr. President, since the colloquy between Senator SMOOT and me about the correspondence between the President and Senators SHIELDS and BAIRD, Mr. Halsey has made an investigation of the RECORD and finds that the correspondence has not been heretofore put in the RECORD. I have seen Senator SMOOT and told him of this fact, and he does not now object to that correspondence being printed also. I therefore insert it into the RECORD. It is as follows, as shown in the Evening Star of July 30:

PRESIDENT URGES WOMAN SUFFRAGE—BELIEVES ACTION ON PENDING AMENDMENT WILL HAVE BEARING ON WAR—WRITES SENATOR SHIELDS.

[By David Lawrence.]

President Wilson is a very busy man and has a great many problems to decide every day, and for a long time nothing except matters vitally related to the conduct of the war have occupied his mind, so it is significant to note the connection which President Wilson openly declares that he sees between the morale of the American people, their sincere adherence to democratic principles, and the passage by the United States Senate of the Federal amendment to enfranchise women of this country.

The President does not share the view that woman suffrage is irrelevant and extraneous at this critical period of our history, but takes the time to point out that America will make effective war only when she has been inspired by such reforms as he thinks are involved in the giving of the ballot to the women of the United States. Incidentally, the President shows how earnestly he desires victory in this war, for he says, "We can win if we have the will to win."

EXPRESSES VIEWS TO SENATOR.

The President wrote his views in a letter to Senator SHIELDS, of Tennessee, who replied, giving his sincere objections, but the President sent the Tennessee Senator a second letter, and the whole correspondence, which is given below, reflects the whole-hearted and persistent interest which Mr. Wilson is showing in the fight for woman suffrage. Whatever doubts even the prosuffrage advocates may have had before as to the extent of Mr. Wilson's enthusiasm for their cause are now dispelled by the forcefulness of the President's language. The correspondence, which is made public by Senator SHIELDS, with the permission of the White House, follows:

PRESIDENT'S FIRST LETTER.

The President's first letter to Senator SHIELDS:

"THE WHITE HOUSE,
"WASHINGTON.

"MY DEAR SENATOR: I feel so deeply the possibilities latent in the vote which is presently to be taken in the Senate that I am taking a step which in ordinary circumstances I would not feel justified in taking and ask you very frankly if it will not be possible for you to vote for the amendment. I feel that much of the morale of this country and of the world will repose in our sincere adherence to democratic principles—will depend upon the action which the Senate takes in this now critically important matter. If it were merely a domestic question, or if the times were normal, I would not feel that I could make a direct request of this sort, but the times are far from normal, the fortunes of nations are so linked together, the reactions upon the thought of the world are so sharp and involve such momentous issues, that I know that you will indulge my unusual course of action and permit me to beg very earnestly that you will lend your aid in clearing away the difficulties which undoubtedly beset us if the amendment is not adopted.

"With much respect, sincerely, yours, WOODROW WILSON."

SENATOR SHIELDS'S RESPONSE.

To this letter Senator SHIELDS replied:

"UNITED STATES SENATE,
"WASHINGTON.

"MY DEAR MR. PRESIDENT: Your valued letter concerning the joint resolution proposing an amendment to the Federal Constitution favoring equal suffrage, now pending in the United States Senate, has challenged my most thoughtful consideration, as do all your views upon public matters. The resolution involves fundamental questions affecting the sovereignty and powers of the Federal and State Governments, most important and vital to the people of the State which I have the honor in part to represent in the United States Senate, and those of States with which they are closely allied in all social, economical, and governmental interests, upon which I have most profound convictions unfavorable to it, known and, I believe, approved by the great majority of the people of Tennessee—arrived at after full consideration of conditions existing when I voted against a similar one some years ago and those now confronting our country. The reasons for my conclusions are those controlling the majority of my colleagues from the Southern States, well known to you, and which would not be interesting to here restate.

NOT REGARDED AS WAR ISSUE.

"If I could bring myself to believe that the adoption of the resolution would contribute to the successful prosecution of the war we are now waging with Germany, I would unhesitatingly vote for it, because my whole heart and soul is involved in bringing it to a victorious issue, and I am willing to sacrifice everything save the honor and freedom of our country in aiding you to accomplish that end. But I have been unable to do so. We can not reasonably expect the proposed amendment to be ratified within less than two years and the discussion of it would unquestionably divert the minds and energies of the people from the one great absorbing subject before us—the winning of the war—by involving those of many States in a most bitter controversy contrary to our earnest desire for that unity of thought and action of the American people now so imperatively required.

"These are my sincere convictions, but out of my very high respect for your views I will continue to give your suggestions my most thoughtful and earnest consideration.

"With the highest respect, I am, sincerely, yours.

"JOHN K. SHIELDS."

REITERATES HIS VIEWS.

On receipt of the above letter President Wilson wrote the following:

"THE WHITE HOUSE,
"WASHINGTON.

"MY DEAR SENATOR: Thank you very sincerely for your frank letter of yesterday about the suffrage amendment. I realize the weight of argument that has controlled your attitude in the matter, and I would not have written as I did if I had not thought that the passage of the amendment at this time was an essential psychological element in the conduct of the war for democracy. I am led by a single sentence in your letter, therefore, to write to say that I do earnestly believe that our action upon this amendment will have an important and immediate influence upon the whole atmosphere and morale of the nations engaged in the war, and every day I am coming to see how supremely important that side of the whole thing is. We can win if we have the will to win.

"Cordially and sincerely, yours,

"WOODROW WILSON."

WOMEN PLEAD WITH SENATOR.

Although the above correspondence took place in the early part of June of this year, the publication of the letters has not been possible until this time. The women leaders lack only one or two votes of the necessary two-thirds of the Senate and are making a hard fight to persuade Senator SHIELDS to follow the wishes of the President. The Tennessee Senator is up for reelection this fall, and some of his opponents have declared for suffrage. Mr. SHIELDS has given no indication as to what his vote finally will be. There are other Senators whose opinions are not known, and as soon as the Senate reconvenes there will be prompt pressure for a vote so that there may be a counting of noses. Every day, in the opinion of the woman-suffrage supporters, brings the Federal amendment nearer to adoption, as they see a universal reaction due to woman war service and other factors which will help create a public opinion to insure the needed votes for the amendment.

I can not find the letter to Senator BAIRD, though I have seen it in some newspaper. However, the following article from the Washington Times shows it was written:

PRESIDENT URGES SENATORS TO ACT ON SUFFRAGE PLAN.

Another determined effort is to be made to get the Senate to act favorably on the woman's suffrage amendment. It developed to-day that in addition to Senator SHIELDS, President Wilson has written letters to other Senators asking them to reverse their position and to vote to submit the Susan B. Anthony amendment to the people.

According to information at the Capitol, the President has written to Senator DAVID BAIRD, of his home State, New Jersey, asking that he support the amendment. It is understood to be the position of the administration that, inasmuch as Senator William Hughes, whose death caused the vacancy to which Senator BAIRD was named, was an enthusiastic advocate of suffrage, the incumbent Senator should support the amendment.

Other Southern Senators besides Senator SHIELDS were reported to have been urged by the President to support suffrage when the Senate returns and gets down to business.

Mr. THOMAS. Mr. President, I should perhaps say nothing further on the subject which the Senator from Tennessee has brought to the attention of the Senate. Indeed, I fully share the view of the Senator from Utah [Mr. SMOOT], that if the press of the country would ignore these sporadic outbreaks of misdirected enthusiasm there would be a complete abandonment of the so-called policy of direct action in a movement which is

of nation-wide importance. But as I am given to plainness of speech, let me say, Mr. President, personally I am growing weary of these outbreaks. I have been an advocate of woman suffrage for the last quarter of a century, and I took some active part in the campaign which led to its adoption 25 years ago by the State which I partly represent. Ever since that time I have consistently and constantly advocated the extension of suffrage to the women of the country. But if this picketing propaganda is to be revived, it may cause some of us—though, of course, I am only speaking for myself—to reconsider our declared attitude concerning this amendment, a result which I am sure these women do not desire. Those of us who feel as I do—and I do not think I am alone—owe it to ourselves and to the public to sound a warning that the success of the amendment may be imperiled by a revival of this practice by the aroused antagonism of men who now are and have been among its advocates and supporters.

Mr. REED. Mr. President, "here endeth the first lesson." What a singular thing it is to find two advocates of a cause praying that the newspapers will not mention the conduct of the leaders of the cause!

Mr. THOMAS. Will the Senator permit me?

Mr. REED. Certainly.

Mr. THOMAS. The people whom the Senator from Utah and I have criticized are not the leaders of the movement. They are its noisy advocates.

Mr. REED. Mr. President, if they are not the leaders it would be difficult to determine who are the leaders. To conclude the sentence I was uttering, it is a singular thing to find distinguished Senators who advocate the cause of woman's suffrage practically declaring that the only way to keep the advocates of the cause from disgusting the American people and alienating their support is by concealing from the people what in fact these leaders are doing.

The conduct referred to being that of some ladies who insisted upon holding a public meeting in one of the parks without permission of the authorities, this particular act was, in my opinion, the most innocuous and inoffensive of all their performances in the vicinity of the White House. Truth to tell, I think there was very little occasion for the arrest of these women. Of course no woman is to be expected to conform to the laws that mere men must obey. That is an understood thing. [Laughter.] As a corollary of that proposition we have heretofore said that she should not have imposed upon her certain obligations that men must assume. We have never undertaken to say that women should be drafted into the Army or compelled to serve in the Navy. The reason why we have not done so is because there is an essential difference between men and women. We have also held that it is not the business of any woman to support any man; on the other hand, we have declared that it is the business of each man to support some good woman. They do not all perform this function, but the percentage who do not look after some woman and support her, in whole or in part, is very small. The vast majority of the men of the world are taking care of some good women. Those failing to do so, with the exception of one or two distinguished Senators, do not represent the best of mankind. [Laughter.]

We demand that if a man and woman out walking together are assailed by a highwayman that the man will, if necessary, die in the protection of the woman. Sometimes the man proves a coward, but in that case the world regards him as a degenerate wretch. We expect if a burglar breaks into a house at night that the woman will do the screaming and the man will do the fighting. Just in proportion as each of them lives up to the rule, they conform to the laws of nature. [Laughter.]

There are some things we expect of the women that are not demanded of men, and, thank God, they have performed those duties through all the ages with a fidelity and devotion that is sublime beyond description. But they are the duties of the women. They have kept the home. There are some women today who think that that is an ignoble calling. Just in proportion as there are such women the demonstration is the more complete that those women at least never ought to be permitted to vote. The woman who thinks that the keeping of the home is beneath her and beneath her sex is not fit to vote and is not fit for anything else. It is the noblest attribute of humanity. The mothers who bore us are to-day the highest ideals of our souls.

There are some differences between men and women that were ordained by the Almighty and that all the cranks and agitators of earth can never remove. This is true whether the agitator appears in the form of a petticoat virago whose conduct is such that the friends of woman suffrage beg that the newspapers will no longer mention it, or whether the agitator belongs to that type of male or female who thinks that all the world must be revolutionized; everything turned upside down; that thinks all change means progress.

I did not intend to do more than call attention to the singular performance of this morning. Since I have the floor, let me make an appeal to men like the two Senators who express a feeling of nausea at the performance in the park. I repeat, I think it was not so fearful or bad a thing. They simply did not know there was any such thing, perhaps, as a statute against meeting in the park. I do not mean that they were ignorant people, but women's minds do not much run toward keeping track of statutes and ordinances and regulations.

Mr. WADSWORTH. Will the Senator yield?

Mr. REED. When I finish the sentence I will be glad to yield. That is the real reason why women should not be clamoring for the vote.

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from New York?

Mr. REED. I do.

Mr. WADSWORTH. Does not the Senator recall that the head of the organization which organized that demonstration, in a letter which was published in the press, announced their plan and that the women who came here to Washington to take part in that program had better be prepared to be arrested?

Mr. REED. I would not say that; but even if these ladies did know there was an ordinance, law, or regulation they did not know that they were expected to obey it, because, I repeat, women have always had some rights that are superior to any law. [Laughter.] We men have conceded it to them, and just as long as they remain gentle and womanly, like our mothers were and like most of them are going to be, in spite of all the agitators of the earth, we will continue to concede these rights to them. So the suffragist to-day has a perfect right to walk into any Senator's office, no matter if he is in consultation with a member of the Cabinet, and demand an "immediate audience for just three seconds until I can talk to you, sir," and then stay there three hours and tell you four or five times during the course of the conversation that you are only "a brute," "a back number," "a fossil," and "a relic of the Stone Age." During all this you are expected to smile and graciously thank her for the compliment. [Laughter.] Ladies are not held to any laws or regulations or rules.

Of course, if a man were to do the same thing under similar circumstances you would invite him over to the window and show him how many feet it is to the pavement. But you never think of doing that with the ladies, simply because they are ladies. Why should they be expected to obey the regulations for a city park? They only went down there to enjoy the right of free speech, and a woman has the right of free speech anywhere, any time, any place, under any circumstances. Nobody has a right to stop her. [Laughter.] As suggested to me by the Senator from Colorado [Mr. THOMAS], the eminent advocate of woman suffrage, a man learned in all phases of human knowledge and experience, you could not stop her if you tried. [Laughter.] Now, the Senator from Colorado repudiates this leadership. He says the ladies were not the real leaders. I inquire, Who are the real leaders? These same leaders are the vestal virgins who have kept the fire burning night and day upon the altars of woman suffrage. "These are they who have come out of great tribulation," and out of county jails and various other places, where "they have suffered for righteousness' sake." These are the ladies who have gone up and down the country holding aloft the banner of purple and gold, not merely calling but demanding that all Congressmen and other public officials join them, upon pain of political extermination. These are the same ladies who are going into the districts of Congressmen and into the States of Senators discovering their political friends and inducing them to write that if they do not yield "the one necessary vote at this time" they will be cast into outer darkness at the next election.

By the way, also "these are they" who are duly represented by candidates running in suffrage States against Senators who have been earnest advocates of their social cause. As I look around me I can see the chairs and even look in the faces of Senators who have been champions of the suffrage cause who now find the very lady lobbyists who besought their assistance are out in their States seeking to be elected to fill their seats in the Senate.

> Blow, blow, thou winter winds;
> Thou art not so unkind
> As man's ingratitude.

Surely this is a mixed-up old world. I remember one Senator who for a time had charge of the woman suffrage bill. He is the most genial and kindly perhaps of all the Members of this body. He will on ordinary occasions accede to any reasonable request by a Senator. But when he had charge of the suffrage bill in

his zeal he forgot all his wonted kindliness. His heart was stone and his face was adamant. He declined to yield a moment of time. He insisted that the suffrage bill was essential to the salvation of mankind and that therefore all matters must give way.

He stood and contended, and while he contended these same suffragists, who are not leaders, as my friend from Colorado declares, but still ones who have made all of the noise and stirred up all this sentiment, filled these galleries like so many blossoms of beauty, their eyes flashing approval and their hands, in violation of the rules of the Senate, applauding. As the ladies of the far West must have applauded and admired the Senator when in his youthful cowboy days he bestrode a bucking mustang and showed how he could conquer that particular form of wild beast, so did these suffragists now applaud his equally difficult verbal athletics. I doubt not his heart was correspondingly thrilled. Everybody knew the amendment was going to be beaten at that time except the Senator in charge and the lady lobbyists who occupied the gallery. At their demand he went gallantly to the assault. The vote was taken and the amendment was defeated, whereupon the champion of suffrage was summoned to the Marble Room. He went expecting to meet his cohorts and to hear them exclaim, as did another celebrated individual, "This is 'the first battle'; we will immediately organize for the second, in which you shall again gallantly lead us, and we will follow until on some glorious morning we shall behold the golden light of victory flashing upon our banner, which you shall proudly bear as the next President of the United States." That is perhaps what he expected to hear. This is what occurred: He was met by a lady of sour visage, backed by some dozen or more, whose smiles had frozen into lines of contempt, and he was plainly told that the spokesman "had been delegated to inform him that the ladies fully understood that he had betrayed their cause and deliberately forced a vote in order that they might be defeated."

I wonder who are the leaders of this movement! If you want me to name the real leaders of it, I will say this: For some five or six or seven or eight or nine years, perhaps even longer than that, there has been a general state of unrest throughout the world. It has manifested itself in this country and in other lands. Beyond all question, at one time even Great Britain was reeking with the poison of socialism. In our own country the I. W. W.'s had begun to disseminate their evil doctrine and to indulge in their evil practices. Other organizations had taken up similar views. Then great leaders were found to stand sponsor for many of these ideas. I have in mind a leader who declared in substance and effect that the courts of our country could not be trusted, and that an appeal from the decision of a court ought to be awarded to a public vote; that the judge who heard the case should not decide according to the precedents and the law, but ought to cast aside these precedents and decide according to what the judge believed was the right of that particular case.

The individual who announced this startling doctrine did not seem to know that his policy meant the substitution of the will of one man for the law of the land and made free citizens subject to the caprice and whim of a judicial tyrant with no rule except his own will of the moment.

But the undermining work went on. I have in mind muckraking magazine writers who denounced almost all legislative bodies as composed of criminals or crooks or unworthy men. I have in mind others who inveighed against the form of government in our cities and demanded that we should substitute commissions for councils and mayors. I remember one of the advocates of that particular variety of nonsense came to my city and was heralded as the great apostle of progress, but before he got out of town he was advocating the intermarriage of the colored and the white races. Recently one of these civic reformers who visited Kansas City to teach us how to govern ourselves has been called to account for disloyal utterances against the Government.

The demands of the agitators have varied in degree, but fundamentally their purpose was to undermine the confidence of the people in law, in courts, and in government. The vile fruitage of that sort of teaching has been manifested in many places.

I recently read a pronunciamento of the Socialist Party, and I intend to pay more particular attention to it in the near future. It is enough to say that their real doctrines, if they were carried into effect, would dismantle the United States Navy, dissolve the United States Army, and leave us with Germany at our throats, as the action of the Bolsheviki left Russia with Germany her master.

This bolshevism of Russia exists in our own country and in England—in every country under a different name. Fundamentally it is a warfare upon the precepts of civilization, on property rights, on government of law, upon the orderly course of justice. The propaganda basically denounces the existing order and demands a change in everything that is.

Because of that undertow, the woman-suffrage movement has gained its great force. People who have been taught to distrust all that is are willing to accept any change that is offered. So they say women should vote. If you ask them what wrongs women have suffered and you can get a concrete statement of the wrong, you can invariably demonstrate that the wrong does not exist or that it is not the result of a refusal of the right to vote.

If you ask them what reforms they propose to work, they are likely to point to the glorious laws of certain suffrage States. But you can invariably point to nonsuffrage States that have adopted the same reforms years before they were adopted in the suffrage States. If you ask them what particular thing they propose to do, the only answer you get, in the long run, is that "they propose to vote," and when you ask them what they propose to do with that vote they answer that "they propose to vote."

When you ask them, then, why they are not willing to go into the various States and ask the people of those States to amend their constitution or their laws giving them the right to vote in that particular State, what is their answer? They answer that they do not want to go to that much trouble. The cold truth of the matter is they very well understand that unless they can force suffrage upon the States the majority of whose people do not want suffrage they will not obtain the right to vote in certain States.

Mr. SHAFROTH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Colorado?

Mr. REED. I do.

Mr. SHAFROTH. Does not the Senator recognize that there are certain obstructions in the constitutions of the various States by which you do not have a fair opportunity of submitting the question, such as, for instance, in one State where you can not submit an amendment but once in 10 years, in another State where it has to be submitted by the votes of two successive legislatures, and if an intervening one does not agree there can be no submission? In a number of other States you can not amend the constitution except by a constitutional convention. By reason of all which it is impossible to submit these matters to the people of the States as the women would desire.

Mr. REED. Now, the Senator has named 2 States with extraordinary constitutions, 2 out of 48. So far as constitutional conventions are concerned they can be called in any State whenever a majority of the people want them called. It is utterly idle to stand and argue that if a strong majority of the people, an active, live majority of the people, of any State want to amend the constitution so as to provide for woman suffrage it can not be secured. There is no State in this Union with any such law or with any such constitutional limitation as will prohibit the people of that State from changing the constitution if they really want a change.

Mr. JONES of New Mexico. Mr. President——

Mr. REED. In just one moment. It is true there are two or three States where the constitution requires that there shall be certain forms gone through with, and one of those States, I believe, is the State of New Mexico, which has some provisions making it rather difficult to amend the constitution, a provision I contended against, but the people of New Mexico seemed to want it, for they wrote that kind of a constitution. I yield to the Senator from New Mexico.

Mr. JONES of New Mexico. I simply wanted to give the Senator some information in regard to that matter. The constitution prohibits the calling of a constitutional convention for the period of 25 years, and to amend the constitution with regard to suffrage requires three-fourths of the legislature. It requires that the amendment itself shall receive the favorable vote of two-thirds of the counties.

Mr. REED. Yes; that is true of two or three constitutions. It is true of the benighted constitution of the Senator's State. I do not believe the Senator is responsible for those provisions in that constitution; but when the constitution was submitted here to the Senate I was one of the men who tried to amend it and to have those provisions taken out. But Senators have succeeded in referring now to two States of that kind out of the 48.

The fact still remains that a majority of the people in every State of this Union, if we except the State of the Senator from New Mexico, which only recently adopted its constitution, can amend the constitution, and the ladies can obtain the right to

vote whenever they get a real majority in favor of their proposition.

Mr. SHAFROTH. Mr. President, does not the Senator recognize that in order to amend the constitution you have got to make a paramount issue in order to get the people aroused upon the subject and that it is a burden which does not exist in ordinary matters? Instead of being 2, I am satisfied that there are no less than 12 or 15 States that have obstructions of a very serious nature to the submission of constitutional amendments. There was one in my State for a long while and that was that no more than one constitutional provision should be submitted at an election.

Mr. REED. When was that in your constitution?

Mr. SHAFROTH. It was in our constitution, I think, about 1890.

Mr. REED. With that on your books you adopted woman suffrage?

Mr. SHAFROTH. No; we amended that constitutional provision. We did not adopt woman suffrage as a constitutional amendment in the first instance. The original constitution authorized a submission to the voters of the question by any legislature. It was afterwards adopted as a constitutional amendment in Colorado.

Mr. REED. You got it first by statute.

Mr. SHAFROTH. We got it first by statutory submission.

Mr. REED. Then why do you cite the constitution of Colorado? You cite the constitution of Colorado as having tied the hands of the people so that they could not grant woman suffrage, and then you tell us in the same breath that the legislature had a right to grant it by statute and did grant it by statute.

Mr. SHAFROTH. No; I am simply citing as illustration that in most States it is required to be adopted by constitutional amendment. Colorado is an exception in the matter. In fact, it was turned down on one occasion, and was not voted at the time the constitution was adopted; but there are obstructions in a number of States. There is one State in this Union where there were two successive legislatures that adopted the submission to the people, and yet, by reason of the fact that the secretary of state failed to publish the fact, it could not be submitted to the people.

Mr. REED. Exactly, and that has happened in regard to constitutional amendments or similar things time and again; some officer of the law has refused to properly carry out the law. But does the Senator argue seriously here in this Chamber that the Federal Government should step in and change the laws of the States because some State officer in some one State, in violation of his oath, failed to perform his duty in the matter of printing an amendment?

Mr. SHAFROTH. Mr. President, there are some other reasons besides those. The main reason is, and it seems to me the Senator ought to recognize it, that it violates the fundamental principle of our Government, which says that the just powers of government are derived from the consent of the governed. No answer can be made to that, whether it is applied to the Federal Government or the State government. Whenever you do not give that right you have not a true democracy.

Mr. REED. Mr. President, I have demonstrated my case. The Senator rose to state certain objections, and I have driven him from them absolutely and finally. He then has recourse to the old cry about the consent of the governed, a cry that is as ancient as Adam and that has absolutely nothing to do with this case. That is an argument which can be answered but it can not be answered to a suffragette, for nothing can render an answer to a real, Simon-pure, blown-in-the-bottle suffragette. The answer is that in every government of earth there has been a limitation upon the exercise of the right of suffrage.

Those limitations have been of numerous kinds. There have been governments of States, there are States yet, where a property qualification is required. There are many States where there are educational qualifications required. Shall the man who is ignorant say that the State that refuses to allow him to vote because of his ignorance has violated the principles of the Constitution or the Declaration of Independence? The courts have universally held otherwise. Likewise, the boy 18 years old might come forward and say that "all just governments derive their power from the consent of the governed, and I am outraged and wronged by virtue of the fact that the law draws the line and says I can not vote until I am 21 years of age." How much more he might say that to-day, when we are certain to pass a bill that will call to the colors and place upon the firing line every boy of 18 years and upward? When this boy is called upon to defend this Government, to bare his bosom to the blasts of war, to march through bloody trenches, and to look into the eyes of death he has not been permitted to vote, but he has a country and equality before the law, and he has the protection of the law, and he has the defense of the Army and the Navy of the United States, and the right of a citizen.

How is it about the ladies? They do not vote in most States, but is it true that they are not represented? I wonder if my old mother, 90 years of age, who taught me almost every principle I have that is good, is not represented by my vote. I wonder if there is enough influence in all this world to make me cast a vote that I thought would be unjust to that heroic old woman. Not all the powers of earth or perdition could make me do that willingly; and what is true of me is true of you, and what is true of you and me is true of nearly every man who walks this earth. Where is the man who would not defend his mother in her rights? Where is the man who would not die rather than do her injury? There may be here and there such a one, but if so he is a throwback to the age when men were animals which did not yet possess a soul. I wonder if the wives of these Senators, and these Congressmen, and these electors are not in any way represented by their husbands' votes. I wonder if it is true that the women of this country gave their hearts and hands to creatures who are so vile, so low, and so contemptible that they can not be trusted to vote for laws that will be just to them. What rot you are talking. I wonder if the men who donned the uniform of their country and who have gone forth to fight and perhaps die to keep this country and the great world free—I wonder if these men who can be trusted to save their country on the bloody battle field can not be trusted to preserve it in the ballot boxes. I wonder if the men who are willing to die in defense of their country will come home and pass unjust laws to oppress the women they fought for. Are the wives, sisters, and mothers of such men not represented?

Are they not as well represented by such men as they would be by some suffragette who is without regard for law, who holds meetings in defiance of public statutes, who pickets the home of the President, and whose chief ambition is to break into jail?

Not all suffragists are thus affected. I speak of a minority, but a very noisy and insistent minority, who occupy positions as leaders.

I believe it is fundamental that each State should have the right to settle the question of the qualification of its voters, and to settle that question for itself subject only to the constitutional limitation that each State must have a republican form of government. I believe that my distinguished friend the Senator from Connecticut [Mr. BRANDEGEE], who lives among a people and in an environment that is very different from the environment of the people of my State, knows better what will make for the good of the Commonwealth of Connecticut than I can possibly know. I know more about what the people of Missouri need than the distinguished Senator from New Mexico, just as he knows more about what the people of New Mexico need than I can possibly know.

This country is 3,000 miles from east to west and 1,500 miles from north to south. It embraces almost every variety of climate from the Arctic regions to the Torrid Zone and has as many varieties of life, of business, and of environment as can be found in a dozen or 20 different countries in Europe. Therefore the people of the different States ought to be allowed to determine the qualifications of their own voters.

Now, no amount of persuasion would ever get me to vote to amend the Constitution of the United States so that the State of Colorado could not allow the women to vote, nor to amend the Constitution so that the State of Nevada could not grant the privilege of woman suffrage if it desired, because I think each State knows enough to attend to its own business. I have a sort of a notion that in a blundering, old-fashioned kind of a way Missouri and Georgia know how to take care of their own affairs. We know our people; we know their wants. So I say that each State should be allowed to settle the question of suffrage for itself.

But I will make this proposition to Senators: I will vote for a constitutional amendment that will submit woman suffrage to the people of the respective States at a general election held for that purpose, to become effective when it is ratified by the popular vote of the people of three-fourths of the States at that election. Of course we shall have to add to that that the State legislatures must thereupon make the necessary ratification; but the provision can be legally worked out. I am willing to vote for an amendment of that nature.

Mr. JONES of New Mexico. Mr. President——

Mr. REED. But I do not propose to submit the amendment in such a way that the legislature of a State having a total voting population of 30,000 shall have as much to say in the matter of an amendment of this kind as a State that has a voting population of 4,000,000. I yield to the Senator from New Mexico.

Mr. JONES of New Mexico. I rose for the purpose of asking the Senator to distinguish between his proposition and the amendment which is now pending.

Mr. REED. In part I have done so, but I shall give another distinction.

Mr. JONES of New Mexico. I should like to have the distinction made clear, because it does seem to me that the proposed amendment would come about as near getting the sentiment of the country as any proposition suggested by the Senator. It would require now the affirmative assent to ratification of three-fourths of the States. I do not see much distinction between that and the suggestion of the Senator.

Mr. REED. There is the distinction I have named, and there is another very great distinction. You say this amendment to the Constitution can not be adopted until it is consented to by the people of three-fourths of the States. Nothing of the kind exists. The legislature of Arizona, the legislature of New Mexico, the legislature of Colorado, and the legislatures of various States meet, and those members of the legislature say whether the amendment shall be ratified or not. That is true of every amendment to the Constitution, but you are proposing now for the first time, with the exception of the amendments that were adopted immediately after the war, to interfere with a right that has always been conceded to the States. Therefore I say I am so confident of the result that I would be willing to submit it to a vote of the people. But let us see how the present method of submission results. The total number of members of the general assemblies of the United States, I think, runs in the neighborhood of four or five thousand.

Mr. KIRBY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Arkansas?

Mr. REED. I yield.

Mr. KIRBY. The Senator does not mean to insist that the legislatures of the States do not represent the people of the States in the adoption of an amendment to the Constitution?

Mr. REED. I see the Senator smiles. I think the Senator knows that I know how the Constitution is to be amended. I say this amendment is entirely different from an amendment which concerns an ordinary matter. This goes to the very right of the State to control the very source of its government. It has never been interfered with since the foundation of this Government except during the reconstruction period after the war.

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Connecticut?

Mr. REED. I do.

Mr. BRANDEGEE. I should like the Senator to answer the question asked by the Senator from Arkansas [Mr. KIRBY]. I do not think he quite understood it. The Senator from Arkansas, as I understood his question, asked the Senator from Missouri whether he did not think that the vote of the legislatures of the States was always representative of the opinion of the people of the States.

Mr. REED. I undoubtedly do not think so, and the suffragists do not think so. I have talked with their leaders; I have talked with some of those who have been arrested, and therefore possess the badge of authority, the certificate of nobility.

Mr. KIRBY. Mr. President——

Mr. REED. I yield.

Mr. KIRBY. I am unable to understand how the Senator can insist that he represents here the women of the Nation. Unquestionably he represents his State in the Senate and represents the Nation. How can he say that the legislature of a State, when it adopts an amendment proposed to the Constitution by this Congress duly submitted to it, does not represent the people of the State?

Mr. REED. I shall make it so plain that my friend can understand. Every State in this Union, including the Senator's own great State, has a constitution, and in that constitution there are turned over to the legislature of the State certain propositions which the people saw fit to consign to the men who go to the legislature to decide. But at the same time the Senator's own State in its constitution reserved to the people of that State certain questions that the people would vote upon but which the legislature could not. The people reserved those great fundamental rights to themselves and did not permit the legislature to touch them. They kept them for a direct vote.

Now, my claim is that when you propose a change of qualification of the voters of the States by an amendment to the Federal Constitution, you have entered into that very type and class of questions which the States have reserved by their constitutions to the people and have not generally granted to the legislature. Of course, it is true that under the Federal Constitution we have provided that the ratification can be made by the legislature, but I am saying that I am not willing to submit this kind of amendment to that sort of a ratification. However, I am willing to submit it to a ratification of the votes of the people of the State.

Now let me point out another thing for a moment, and I am taking over an hour on this matter when I intended to take only five minutes, and that in a jocular vein.

Mr. KIRBY. I should like to ask the Senator one more question.

The PRESIDING OFFICER. Does the Senator from Missouri yield further to the Senator from Arkansas?

Mr. REED. I do.

Mr. KIRBY. I assume from the Senator's last statement that he is willing to submit it to a vote of the people, because there is no law by which any such submission can be made.

Mr. REED. The Senator has no right to make any such assumption. My statement was very clear and explicit that the amendment would have to be so drawn as to give it vitality. Such an amendment can undoubtedly be prepared, and we have one submitted now, one with regard to prohibition, with a clause requiring ratification within a particular time.

Mr. KIRBY. Mr. President——

Mr. REED. But I do not care to pursue that.

Mr. KIRBY. I was only going to ask the Senator, who is a lawyer of well-known ability, if, in his opinion, any such provision in a proposed amendment would not be absolute surplusage and would not be so regarded by any court in passing upon the construction of it, upon the question of the adoption of the amendment.

Mr. REED. I have said three times, I believe, that, in my opinion, such an amendment can be prepared and that it will be binding if drawn in the right way.

Mr. JONES of New Mexico. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from New Mexico?

Mr. REED. I yield.

Mr. JONES of New Mexico. I understand, then, from the Senator's statement that he no longer makes serious objection to imposing upon one-fourth of the States woman suffrage, provided three-fourths of the States impose it by a popular vote.

Mr. REED. No; the Senator does not understand me that way. I have said very plainly that I adhere to the proposition that we have no right to enforce it, but that nevertheless I would willingly, as a matter of compromise, submit it to a popular vote. I will state frankly why I am willing to do so. Because it will never be adopted that way, because the people of this country are not for it, because in election after election that has been demonstrated, because the victories you have achieved have been victories in the legislatures, with one or two remarkable exceptions, the last one being New York, where it is admitted that the Socialist vote, the disloyal vote of the city of New York, was the determining factor.

Mr. JONES of New Mexico. I should like to state that I have looked into the facts bearing upon the statement just made by the Senator, and my analysis of the vote in New York does not bear out the statement the Senator has just made.

Mr. REED. I do not know what analysis the Senator has reached, but every prominent Socialist was advocating it in the city of New York. The whole Socialist organization was back of it in the city of New York. The amendment was beaten in the State at large, but succeeded in the city of New York with the whole Socialist organization back of it. They are not only for it in New York, but the Bolsheviki are for it in Russia. The Socialists are for it in every country on the earth. You can take a vote to-morrow of all those gentlemen who conspired to turn Russia over to Germany, and I do not believe you will find one of them who is not an earnest advocate of woman suffrage. You can find that class in favor of it that we fear in this war. The only thing we do fear is the undermining processes that may go on secretly; but you can not find a single "sapper and miner" who is not for woman suffrage.

Mr. President, I have digressed because of these questions from the statement I was about to make. There is this further distinction between a submission to the people of the States and a submission to the legislatures. When it is submitted to the people at least you get the popular opinion, and you must have a majority of the popular vote in the respective States. There is time for discussion, there is time for debate, there is time for consideration, and there is a ballot where people can vote their choice. But when you submit the matter to the legislature of the State you submit the fate of this great question, perhaps the fate of the Nation, to general assemblies with an aggregate

membership, I think, in the United States of approximately 4,000.

A mere majority of a legislature can commit the people of the State. It is easy to demonstrate that less than 2,000 men might change this fundamental law of our country. These men would be beset by agitators and lobbyists backed by money. Such a lobby has been maintained at enormous expense, and has proceeded in a way that would not be tolerated if persisted in by any other body than one composed of the privileged sex. All this money and all this lobby, all this bulldozing, all this threatening would be centered upon the State legislatures.

Mr. SHAFROTH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Colorado?

Mr. REED. Yes.

Mr. SHAFROTH. Mr. President, does not the Senator recognize that not one dollar of money has been spent but in extending the arguments in favor of woman suffrage, that the lobby, as the Senator calls it, has not been of a corrupt nature, and that not a single dollar has ever found its way into the pockets of a single Representative or a single Senator of the United States?

Mr. REED. Mr. President, I did not say anybody had sold his vote. I did not intimate that anybody had bought any votes. I leave that to the muckraking reformers, who are all woman suffragists. There are a good many ways to use money and to organize lobbies that become very effective without getting down to grossly buying somebody's vote. I will say this, that in point of impudence and in point of threatening I do not think the parallel has been furnished in the history of our Government for that which has been going on recently and is going on now.

Neither do I think that there has ever been anything that paralleled the really unlawful and almost seditious conduct of those women who posted themselves in front of the White House to daily insult the President of the United States. I qualify that expression of "seditious conduct," for I do not mean to say it rose to the point of the use of arms. When has that sort of thing happened before? How long would it be tolerated if undertaken by men? Suppose that the I. W. W.'s were to go down there to-morrow with a proceeding of that kind, the probability is that they would never get off the street alive. It is certain that they would not get off alive unless the police appeared before the people had time to gather.

Mr. President, I have talked to some of these leaders; I have asked them why they do not submit their demand to the States and have the battle out in the States. They have answered me that they do not want to submit this question to popular vote. They have said they want it in the legislature, where they can get at the members easily. Well, it is that class of questions that ought to be submitted to a popular vote. The very fact that many of the State constitutions require that there shall not be any change in the electorate without a vote of the people shows how fundamental this right and privilege has always been regarded.

Mr. President, I call attention to another thing. With this war upon us the most wonderful example has been furnished of the readiness of the people to lay aside all other matters and to devote themselves to the war. It is the most wonderful example furnished in all history. Matters of legislation of great moment have been laid aside by State and National legislative bodies, plans for the internal improvement of our country of almost vital importance have been pushed aside, great principles underlying the raising of revenue have been disregarded, the business of half the country has been placed under control with scarcely a murmur. The great business concerns of the country have accepted the decree which subjected them in their ordinary investments to war regulations. Every other question is forgotten except woman suffrage. The woman suffragist is not willing to help finish the war, and then in the cool, calm light that will come after the war is over to settle the suffrage question. But regardless of its possible effect upon the war, regardless of everything, the suffragists propose to have their way. They put that above winning the war. They thrust it in here when the human mind is on a tension, when everybody is working to the limit of his ability upon the great war problems, and at a time when we are seeking to inspire supreme confidence in our Government they parade the streets and flaunt their banners and insult the President of the United States.

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Connecticut?

Mr. REED. I do.

Mr. BRANDEGEE. Is not the Senator from Missouri aware that they have induced the President of the United States to state that the passage of this proposed Susan B. Anthony amendment to the Constitution of the United States is a war measure?

Mr. REED. Well, whatever the President may have said about that, whatever the motive may have been, I do not agree to any such proposition.

Mr. BRANDEGEE. Neither do I.

Mr. REED. A war measure? What will it do for the war? Will it put another soldier upon the battle front? If so, where are you going to get him? We have granted every soldier up to date asked for, and if I am not desperately misled we are going to grant the request now for every man from 18 to 45, and when they are gone I have no doubt we will, if necessary, reach into the very cradle with one hand and into the grave with the other, because we propose to win this war.

Will it add a ship? If so, how and when will it add it? Will it add an ounce of powder or a single shell? If so, in what way, and how, and when? Will it increase the activities in which the good women are now engaged, and God's great blessing fall upon them as they work at their sweet and humane task? Will it send a single needle flying swifter in the hands of a woman who makes garments under the sacred emblem of the Red Cross? Will it inspire any more industry? Will it encourage the women who are working to-day for the Red Cross? They will still work, and they will work whether they vote or do not vote. The only advantage I can imagine would be that possibly some of these suffragists might go to work for the Red Cross who are now out lobbying.

I can tell them where they can get work. Rolling bandages. I can tell them where they can get work. Knitting for men who will shiver the coming winter. I can tell them where they can get work that will aid the war. Every pair of socks and every sweater and every bandage will be of help.

But wherein is this a war measure? Are we to understand that these women are creating so much discontent or that they are themselves so discontented with their present condition that unless we give them the right to vote they will hold back the war? Is that the indictment brought against the women who are clamoring to vote? If that indictment be not wrapped up in the statement, what does the statement mean? Are they going to change the Government during the war? Surely not that, because the President is securely in his seat, and will remain in his seat until the end of his term. Are they going to change the Congress? There is no necessity for that, for Congress has obeyed the slightest nod of the President. Wherein is it a war measure?

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Connecticut?

Mr. REED. I do.

Mr. BRANDEGEE. If the Senator will pardon me, as he has asked that question, I will say I have seen it stated in the public prints that the President's view is that it is a war measure in this sense, that it is necessary to give the right to vote to women by amending the United States Constitution in order to satisfy certain European countries that we are really waging this war for democracy.

Mr. REED. Mr. President, I am not going to be drawn into any criticism of the President.

Mr. BRANDEGEE. Nor I, but I should like to have the Senator discuss the matter.

Mr. REED. I ask the Senator to say that again. I should like to get it into my head.

Mr. BRANDEGEE. I did not get it in my head; I had it in my ear, and it was something to this effect, that the time had come when, in order to satisfy certain European nations that we were really waging this war to make the world safe for democracy, we must have universal suffrage in this country.

Mr. REED. Let us stop and ask what nation. England? No. England has not granted it. England still has a king and a hereditary aristocracy. France? No; France has not granted it herself.

Mr. SHAFROTH. Does not the Senator recognize that on the 6th day of February of this year the right of suffrage was given to women in Ireland, in Scotland, in England, and in Wales?

Mr. REED. A limited right.

Mr. SHAFROTH. A limited right only as to age.

Mr. REED. What age?

Mr. SHAFROTH. Thirty years.

Mr. REED. That would be nine-tenths of them. I can prove by the statistics that that statement is true. [Laughter.]

I will not consent to change the laws of States to make ourselves more democratic in order to please any country that still has a King. France is the only Republic in this war ex-

cept ourselves, and France has manhood suffrage. Not a single Frenchman will charge with any greater keenness or die with any more courage because we give women the right to vote. What about Italy? It is a monarchy. Do we have to grant suffrage in order that we may advance to the high democratic ground that monarchy holds?

Where, then, is the ally that we must satisfy? Is it Russia? There is only one thing worse than an autocracy that I have ever known, and that is Bolshevikism. Are we to grant suffrage to women in the United States to please the Bolsheviki? I say the sooner we let the Bolsheviki know that they can not betray us to Germany, the sooner we give them to understand that they must keep their covenant of faith, the better, and that instead of catering to them by changing our laws to please that combination of insanity, of brutality, and of anarchy, the sooner we tell them there are international responsibilities that must be recognized by them, the better it will be.

A war measure? There is not a man in this Chamber who believes it is a war measure. So far as I am concerned, and let me say this with due deliberation, I will never change an important law of the United States written by the people of this country to please any nation on this earth. I will not do it to please the long-haired, wild-eyed, anarchistic Bolsheviki. I will not do it to please any king who sits upon a throne. I will not do it or permit it if I can help it, save only when the people of this country, considering their own affairs, believe the law ought to be changed.

Mr. President, I did not intend to stand here two minutes when I took the floor. I have said this much principally because a great Army bill is coming here, and I am wondering if it is going to be delayed while we discuss prohibition or while we discuss woman suffrage. I am wondering if the advocates of these measures can not lay them aside at least until we can pass laws so that we can put the necessary men to win this war upon the fighting front in France.

Mr. President, I want to discuss that question, and if the Senate will give me its attention on next Monday I shall very briefly speak upon the question of enlarging the draft age.

Mr. WADSWORTH. Mr. President, during the discussion of the woman suffrage amendment which has occurred this morning I have been exceedingly interested in hearing the apologies of the advocates of woman suffrage for the spectacle which the leaders of the Woman Suffrage Party exhibited to the public of Washington and to the Nation the other day.

Mr. SMOOT. I hope the Senator does not feel that I apologized. I criticized.

Mr. WADSWORTH. Then I am the more pleased.

Mr. THOMAS. Mr. President——

Mr. WADSWORTH. I yield.

Mr. THOMAS. I may have been an apologist for occurrences the other day, but it was unintentional. I did not apologize for it. I have in some degree denounced it, as I have heretofore had occasion to speak rather severely of similar practices in the past.

Mr. WADSWORTH. Again I am the more pleased. Instead of apologies I now understand that they are criticisms and denunciations, with which I heartily concur.

I can not concur, however, with the suggestion that the women who indulged in this spectacle opposite the White House day before yesterday are not leaders in this movement. My conviction is that they are leaders in it. They have been leaders in it for many years past. I know that there are some other leaders of this movement who in public contend that they have nothing to do with the so-called pickets or with the so-called Woman Suffrage Party. It is true that they endeavor not to be seen with them, as it were, and they endeavor to create the impression when these unfortunate occurrences take place here in Washington that they are not to their liking. In part that may be true, but for many, many months, Senators, we have seen these two groups, if we may call them two groups, of women working together in the lobbies of the Senate, conferring together in utmost friendship, comparing notes, importuning Senators, with no distinction as between the two groups, addressing each other by their Christian names, with no sign of enmity between them.

Indeed, the women who perpetrated the spectacle opposite the White House day before yesterday are leaders in this movement and cooperate with other women leaders; and it will not suffice for Senators merely to denounce them and them alone, because in most respects they all work together, even if they endeavor to create the impression that they do not.

Mr. President, I am not going to discuss the merits of this amendment. We have not the time nor has the Senate the patience. I want to call to the attention of Senators here present, however, something of the attitude of mind of these leaders and something of their methods, to call to the attention of the Senators some of their own utterances. I make no argument, but simply quote their official utterances. Senators have been experiencing the pressure that has been brought to bear here for two or three years, and many other men in public life have been experiencing it in other legislative bodies. It has not been a new experience for me. I think Senators will be interested if I read to them a description of the methods pursued by the headquarters of the Woman Suffrage Party here in Washington as portrayed in their own official journal. I read from the publication known as the Suffragist, under date of February 7, 1917. On page 8 of that publication I find the following paragraph descriptive of the work which that organization is doing in the Congress. I quote:

> The center from which all the legislative work is directed and where its results are all put down in black and white is in the legislative office at headquarters.

I assume that the headquarters are upon Lafayette Square.

> The big filing cases in this room sum up exactly the legislative work of the Congressional Union.

I may say that at the time this was published the organization was known as the Congressional Union; I understand it has been changed to the National Woman Suffrage Party.

> Here is set down—

I continue the quotation—

> the record of every Congressman. Every fact that has any bearing on his personality, opinions, and mental make-up is minutely detailed—where he was born, where he went to school, what his special studies were if he went to college, his family, his home, his church, his clubs, and his lodges—no detail is overlooked that might give a lobbyist insight into how best to approach him.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Colorado?

Mr. WADSWORTH. I yield.

Mr. THOMAS. Mr. President, does not the Senator know that there is a prohibition organization in the United States that carries on a similar practice, and also the American Federation of Labor, and also the National Association of Manufacturers? The practice may be reprehensible, but it is not exclusive to that particular organization.

Mr. WADSWORTH. I am not aware of what other organizations do this. I am merely reading from the official paper of this organization whose representatives we see here day after day visiting and talking with Senators.

Mr. REED. If the Senator will pardon me, the Senator from Colorado mentions two or three organizations, among them the National Manufacturers' Association. When we get down to dealing with mere men I observe that the National Manufacturers' Association was castigated here on the floor of Congress, was investigated, disgraced, and practically forced into dissolution, and there was serious thought about passing a law punishing lobbyists. But, of course, no one would think of applying that to the dear women.

Mr. WADSWORTH. Mr. President, I have made no comment whatsoever upon the paragraphs that I have read from this journal. I think, however, it is of sufficient interest to hold a place in the record of the Congress and for the information of Senators. The paragraph merely continues to recite how all this information about a man's education, his family, his home, or any detail that may give the lobbyist a chance to get him is recorded.

Something has been said in speeches made this morning about the motives back of this, about the motives impelling the advocates of suffrage to insist upon a Federal amendment rather than submit it to the people of the several States.

Again, Mr. President, I shall make no argument whatsoever. I shall simply lay before the Senate some of the statements of the leaders of the movement which in my humble judgment describe truthfully their purposes and their motives, and if I am mistaken in regarding some of these women as leaders, perhaps either of the Senators from Colorado will correct me.

I find that on December 6, 1916, Mrs. Ida Husted Harper, who is known as the suffrage historian, said at a convention of the National American Woman Suffrage Association at Atlantic City:

> Why were both Republican and Democratic conventions willing to favor woman suffrage through State action?

And be it remembered that the conventions of both great parties declared that this matter should be left to the people of the several States. I continue the quotation:

> Because they knew they were putting it off until doomsday.

That was Mrs. Harper's judgment of that action.

> We have had enough of appealing to the individual voter with his secret ballot.

That is the utterance of one leader. She also stated on this same occasion:

The suffragists have won only nine times in 40 State campaigns. It may take another 40 years by this method to win.

Again, on July 26, the same lady in an interview in the Herald-Republican, of Salt Lake City, Utah, said:

There is no hope for the Democratic Party in this matter, as it is the State-rights party. We are tired of fighting for suffrage State after State. We have reached the end of our resources, and the 12 States which now have suffrage seem to me to be the only ones we will ever get.

I may interject, Mr. President, that since then the State of New York voted for suffrage, making 13 States.

The defeat in Iowa was a setback to our cause. Our poll of the State showed we had three-quarters of the voters, but it was reversed on election day, evidence that we have no chance against the secret ballot.

The Woman Voter, another publication, which is an official organ of the suffragists, in its issue of November, 1916, said, and this, Senators, is eloquent:

Legislatures are more sensitive politically to party dictation, party political debts, and business interests than are the voters.

I quote again from another lady, who, I assume, Senators will agree is a leader in this movement. On December 5, 1913, Mrs. Carrie Chapman Catt, who is president of the National American Woman Suffrage Association, declared at a suffrage convention in Washington, D. C., as follows:

If our Constitution prevents our enfranchisement, I say "let us tear it into shreds and make a new one." Our cause can wait no longer. We must train our guns upon Congress, upon the South; we must train them even upon some members of our own organization, for we want freedom by Federal amendment, and we want it now.

Prof. Charles Beard, of Columbia University, who, if I remember correctly, has been separated from the faculty of that university recently, since our entrance into the war, at least, said this, as reported by the New York Tribune of November 12, 1915:

Give no Member of Congress any peace, night or day, until they pass the eighteenth amendment to the Constitution. * * * When they do that their responsibility ends and they can have peace.

Mrs. Carrie Chapman Catt, speaking before the Woman Suffrage Committee of the House of Representatives on January 3, 1918, said:

We have now come to the time when we no longer want a referendum, when we will no longer take a referendum, and when we therefore come to Congress and ask for a Federal amendment.

Mr. President, I have read these quotations because I believe they truthfully portray the reasons for the pressing of a Federal amendment. These leaders say themselves that they fear the voter with his secret ballot.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Senate stands adjourned until Monday next at 12 o'clock.

Thereupon the Senate (at 2 o'clock p. m.) adjourned until Monday, August 12, 1918, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, *August 8, 1918.*

The House met at 12 o'clock noon, and was called to order by Mr. KITCHIN, Speaker pro tempore.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Infinite Spirit, our Heavenly Father, in the onward sweep of time conditions are continually changing in the affairs of men, sometimes to their good, sometimes to their hurt; but Thou art ever the same, ministering continually to their needs, pouring out Thy love in behalf of Thy children. But man is selfish, egotistical, grasping, self-seeking, and strangely perverse; illustrated by the terrible war through which we are passing. Thus man's inhumanity to man makes countless thousands mourn.

Teach us the simple life, humility, kindness, generosity, and nobility of soul, that the world may be a little better that we have lived and wrought.

In the dispensation of Thy providence a strong, pure, noble, wise, and faithful man has been removed by death from this legislative body. We mourn his going, but rejoice in the fact that we have known him and felt the strength of his great soul. Comfort us, his colleagues, friends, and those to whom he was nearest and dearest, with the blessed hope that sometime, somewhere, we shall again be blessed by his presence and guided on our way by his life and character; after the similitude of the world's great Redeemer. Amen.

The Journal of the proceedings of Monday, August 5, 1918, was read and approved.

DEATH OF REPRESENTATIVE DAVIDSON.

Mr. MONDELL. Mr. Speaker, it is with profound regret that I announce the death of Hon. JAMES H. DAVIDSON, a Representative in Congress from the sixth district of the State of Wisconsin, who died in this city yesterday. At a later time the House will be asked to lay aside its other business for the purpose of holding a memorial service in honor of the life, character, and distinguished public services of Mr. DAVIDSON.

I offer the following resolution.

The SPEAKER pro tempore. The gentleman from Wyoming offers a resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 421.

Resolved, That the House has heard with profound sorrow of the death of Hon. JAMES H. DAVIDSON, a Representative from the State of Wisconsin.

Resolved, That a committee of 16 Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolution was agreed to; and the Speaker pro tempore appointed as the committee on the part of the House Mr. COOPER of Wisconsin, Mr. ESCH, Mr. STAFFORD, Mr. NELSON, Mr. CARY, Mr. FREAR, Mr. BROWNE, Mr. CLASSON, Mr. VOIGT, Mr. HAMILTON of Michigan, Mr. HUMPHREYS, Mr. WILSON of Illinois, Mr. MCLAUGHLIN of Michigan, Mr. KENNEDY of Iowa, Mr. GALLAGHER, and Mr. MCKENZIE.

Mr. MONDELL. Mr. Speaker, I offer the following further resolution.

The Clerk read as follows:

Resolved, That as a further mark of respect to the deceased the House do now adjourn.

The motion was agreed to.

The SPEAKER pro tempore. The adjournment will be until Monday next.

Accordingly (at 12 o'clock and 7 minutes p. m.) the House adjourned until Monday, August 12, 1918, at 12 o'clock noon.

SENATE.

MONDAY, *August 12, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, Thou hast bound us together in this great land of the free with ties that are stronger than life and that defy the powers of death. Thou hast linked us together by a common ideal, with a passion to preserve the right that Thou hast committed unto men. To-day as we make sacrifices of means and of men, supreme sacrifices in many cases, we look to Thee for Thy blessing and guidance. We pray Thee to hasten the day for victory, when we shall have accomplished the will of God and brought again peace with honor and with happiness to all mankind. Hear us in our prayer this morning. Fit us for the duties of this day. For Christ's sake. Amen.

NAMING A PRESIDING OFFICER.

The Secretary (James M. Baker) read the following communication:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
August 12, 1918.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JOHN H. BANKHEAD, a Senator from the State of Alabama, to perform the duties of the Chair during my absence.

WILLARD SAULSBURY,
President pro tempore.

Mr. BANKHEAD thereupon took the chair as Presiding Officer.

The Secretary proceeded to read the Journal of the proceedings of Thursday last, when, on request of Mr. NELSON and by unanimous consent, the further reading was dispensed with and the Journal was approved.

FRENCH NATIONAL FÊTE DAY (H. DOC. NO. 1256).

The PRESIDING OFFICER. The Chair lays before the Senate a communication from the Secretary of State, with the accompanying communication, which will be read:

The communications were read and ordered to lie on the table, as follows:

DEPARTMENT OF STATE,
Washington, August 8, 1918.

Hon. THOMAS R. MARSHALL,
Vice President of the United States, United States Senate.

SIR: I have the honor to inclose herewith a copy of a note from the French ambassador, wherein, by instruction of his Government, he asks that both Houses of the Congress of the United States be advised of the feelings of gratification with which the resolutions passed by them on the occasion of July 14, the French national fête day, were received by the Government and by the whole French nation.

A letter similar to this has been addressed to the Speaker of the House of Representatives.

I have the honor to be, sir, your obedient servant,

FRANK L. POLK,
Acting Secretary of State.

EMBASSY OF THE FRENCH REPUBLIC TO THE UNITED STATES,
Washington, July 31, 1918.

Hon. FRANK L. POLK,
Acting Secretary of State, Washington, D. C.

MY DEAR MR. SECRETARY: In accordance with instructions I have received from my Government, I take the liberty of asking that you be so good as to inform both Houses of Congress of the feelings of gratification with which the resolutions voted by them on the occasion of the 14th of July were received by the Government and by the whole French nation.

The text of those resolutions evidenced once more that moral kinship existing between two peoples, equally ready to fight absolutism, tyranny, injustice, brutality, and whose national fête days, both dating back from Revolutionary times, have the same meaning, which is emancipation.

We hope the end of the present conflict may be not far removed; we know that it will not occur before our common aims have been fully achieved, and before what the Fourth and Fourteenth of July stand for has been definitely secured—the end of tyranny.

Believe me, dear Mr. Secretary, very sincerely, yours,

JUSSERAND.

NATIONAL GUARD OFFICERS (S. DOC. NO. 271).

The PRESIDING OFFICER laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of July 13, 1918, a list of officers of the National Guard discharged and dismissed from the service since the beginning of the present war, by States, which, with the accompanying paper, was referred to the Committee on Military Affairs and ordered to be printed.

MEMORIALS.

Mr. NELSON presented a memorial of sundry citizens of Faribault, Minn., remonstrating against a tax being placed on pool rooms and billiard parlors, which was referred to the Committee on Finance.

He also presented the memorial from J. A. Luger, of Minneapolis, Minn., remonstrating against the proposed additional taxes on automobiles, which was referred to the Committee on Finance.

Mr. KIRBY. Mr. President, I present a resolution adopted by the Constitutional Convention of the State of Arkansas, now in session, urging upon Congress the passage of the amendments now pending prohibiting the manufacture and sale of intoxicating liquors during the war in the interest of food conservation and sobriety. I also desire to state in this connection that the Democratic State convention of Arkansas favored similar legislation by resolution, and the resolution was passed unanimously by each body.

Mr. RANSDELL. I present a resolution adopted by the Legislature of the State of Louisiana, which I ask to have printed in the RECORD and referred to the Committee on Military Affairs.

There being no objection, the resolution was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

Act No. 172. House concurrent resolution No. 16. (By Mr. Ashford.)

Be it resolved by the House of Representatives of Louisiana, the Senate concurring, That our Senators and Representatives in Congress are hereby requested to use their exertion to procure a speedy settlement of the swamp-land grants of March 2, 1849, and September 28, 1850, in the mode and manner that they may deem most proper, and secure for the State of Louisiana the abandoned military reservations situated in this State; be it further

Resolved, That the secretary of state be requested to forward to each of our Senators and Representatives in Congress copies of this resolution.

HEWITT BOUANCHAUD,
Speaker of the House of Representatives.
FERNAND MOUTON,
Lieutenant Governor and President of the Senate.

Approved July 9, 1918.

R. G. PLEASANT,
Governor of the State of Louisiana.

A true copy.
[SEAL.]

R. H. FLOWER,
Assistant Secretary of State.

Mr. RANSDELL. I present a resolution adopted by the Legislature of the State of Louisiana, which I ask to have printed in the RECORD and referred to the Committee on Commerce.

There being no objection, the resolution was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

Act No. 181. House concurrent resolution No. 28. (By Mr. Meyer.)

Whereas the metropolis of the South, the city of New Orleans, is the ideal American terminal of lines to all South American, Central American, and Mexican ports; and

Whereas because of its vast port facilities and because it is the natural distributional point for the great Mississippi Valley and because the distance between New Orleans and all Latin American ports is shorter than between Latin America and New York, thereby permitting a greater saving of bunker fuel and a greater utilization of tonnage: Be it

Resolved by the House of Representatives of the State of Louisiana (the Senate concurring), That application be made and hereby is made to the United States Shipping Board, that it will include New Orleans in its plan for the establishment of direct government steamship lines to all parts of the world, and that it will recognize New Orleans and give to New Orleans the trade that New Orleans is justly entitled to, not only because of New Orleans' geographical situation, which will save thousands of tons of bunker fuel and the utilization of hundreds of thousands of tonnage, but because New Orleans is the logical port for the trade between South American, Central American, and Mexican ports; and besides New Orleans has the port facilities which are second to none in the country to handle said trade.

Resolved further, That the secretary of state be, and he is hereby, directed to transmit copies of this application to the United States Shipping Board, and to the several members of the United States Congress representing this State therein.

HEWITT BOUANCHAUD,
Speaker of the House of Representatives.
FERNAND MOUTON,
Lieutenant Governor and President of the Senate.

Approved July 10, 1918.

R. G. PLEASANT,
Governor of the State of Louisiana.

A true copy.

R. H. FLOWER.
Assistant Secretary of State.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMITH of Maryland:

A bill (S. 4861) to license billiard and pool tables in the District of Columbia; and

A bill (S. 4862) to provide for admissions to St. Elizabeth's Hospital, and for other purposes; to the Committee on the District of Columbia.

WAR-RISK INSURANCE.

Mr. JONES of New Mexico. I have a copy of a report of a survey of the work of paying allowances and allotments and other benefits under the war-risk insurance act to the families and dependents of soldiers, which was made at the joint instance of the Secretary of War and the Secretary of the Treasury. The document contains information which will be valuable to the country, and I think it should be put in a form in which it will be available to Senators. I ask that it be referred to the Committee on Printing so that that committee may order it printed as a public document, if the committee should deem it advisable.

The PRESIDING OFFICER. The matter will be referred to the Committee on Printing.

CANCELLATION OF CHARTER OF GERMAN-AMERICAN ALLIANCE.

Mr. BORAH. Mr. President, on the 1st of August I submitted some remarks in the Senate on the subject of the cancellation of the charter of the German-American Alliance. Since making those remarks I have received the following telegram from Mr. Bartholdt, former Member of Congress. I desire to read the telegram:

Your statements do me a grave injustice. Never in my long public life did I utter sentiments such as you attribute to me. As the son of a father who had the courage of being a democrat in Germany I was imbued from childhood with democratic ideas. As a representative American of German origin I incessantly preached Americanism and loyalty to our flag and ideals in all my public speeches. The district I represented in Congress embraced much of the culture and wealth of St. Louis, and its constituency surely would not have returned me to Congress for 11 consecutive terms if not thoroughly convinced of my loyalty to American ideals. The alleged utterances to which you have reference were never made. In the Hughes campaign, while our country was still neutral, I merely pleaded for a square deal for the German people and for the election of candidates willing to accord it. I have advocated world peace as a means of breaking down German militarism and consistently opposed everything contrary to the spirit of our institutions. The utterances attributed to me by personal or political enemies, and unwittingly repeated by you, I have refuted long ago in a letter to Senator KING, of which I shall mail you a copy. After reading it I trust you will do me the justice to correct in the same public manner in which they were made the statements which so cruelly misrepresent my attitude.

Signed by Mr. Bartholdt.

Mr. President, in my remarks I did not make any mention of Mr. Bartholdt by name. I stated a certain state of facts and associated them with a former Member of Congress, but I did not mention Mr. Bartholdt's name. In discussing policies I see no necessity of accentuating personality.

But I have not done Mr. Bartholdt an injustice; if an injustice has been done it has been, it seems, by the official bulletin of

the German-American Alliance. The statement which I made purporting to come from him was a statement based upon the publication of the association with which he was closely associated, if not a member, and before which he was making an address. I will read the two excerpts upon which I based my remarks:

Just as Europe has fallen upon Germany, so America is now falling upon the German-Americans, or attacking them; but we have a weapon which we can use to good effect, namely, our ballots; and in these days, so dark for Germanism, we must use our ballots for our Germanism.

That was under date of March, 1916. On page 16 of the April number, 1916, this further statement is found coming from the ex-Member of Congress:

We must now forget our party and, without consideration for our previous inclinations and wishes, vote only for those who are the friends of Germanism. We must remind ourselves of our political rights, and exercise them. I give this warning to all who are assembled here to-day, with the hope that they will take this warning to heart.

My statement in the RECORD was as follows:

A man formerly a Member of the American Congress advised the Germans upon a public occasion in a public speech that they should forget all parties and vote only for those who would advance the cause of Germanism and German kultur in America.

I repeat, if an injustice has been done Mr. Bartholdt it is by and through the official bulletin of the association. If he did not make the statement therein contained, his quarrel is with the official bulletin, and I should be very glad if he denies having made that statement to make it a matter of record. If he did make that statement and the statement published is in accordance with his belief, then I not only did him no injustice but I did him a distinct favor in not saying more than I did.

CHANGES OF DRAFT AGE.

Mr. REED. Mr. President, I desire to ask the attention of the Senate to the pending military bill. I do so at this time because some arrangements which I have partially completed may make it impossible for me to be here when the bill will be formally reported to the Senate.

In what I have to say I necessarily am obliged to repeat in part certain observations and figures I gave the Senate some three weeks ago in a speech which has not yet been printed, because I have been too busy to even read the copy. I desire to lay before the Senate some facts which, I think, ought to be considered when we come to deliberate upon the military program which involves the drafting of the entire population or deferred classes from 18 to 45, with certain exemptions.

In order that we may know this necessity we must review in absolute cold blood the military situation as it exists to-day.

I desire again to call attention to the fact that many errors have been indulged in by nearly all the people and to some extent by Members of Congress. Constantly the statement is being reiterated, "Surely all the world can whip one country." The great world conflict has been too much regarded as one in which the civilized world is arrayed against the single nation of Germany.

Let us get at the real facts. First, a declaration of war amounts to nothing. The only thing that counts in war is the men and the metal that are actually put upon the fighting line. Declarations of war not transmuted into men and metal are mere scraps of paper, utterly useless. The number of nations that have declared war does not count. The nations actually engaged in the war alone are to be considered.

Second, I observe that there was never any greater mistake made than that we are fighting one country. The Empire of Germany itself comprises several kingdoms and altogether embraces some 26 different countries amalgamated under one central government. Austria embraces some 18 different nations or principalities, and is itself composed of two great kingdoms—Austria and Hungary.

In addition to this, we are confronted by Bulgaria and by Turkey, so that the population of our enemies is as follows:

Germany	68,000,000
Austria-Hungary	53,000,000
Turkey	21,200,000
Bulgaria	4,800,000
A total of	147,000,000

Bear in mind that every one of the men of these countries is a trained soldier. Remember that Germany more than 20 years ago began sending her military experts to educate and discipline the Turkish Army. She has transformed the Turkish Army from a frenzied mob, which broke upon the English squares or the bayonets of other civilized soldiery, into an army that seems to be quite as capable as European troops.

Bulgaria has also been similarly trained. Twenty years before this war broke upon us these nations had been disciplined and in preparation for the war and had been armed to the teeth by German military masters. Thus we find in one solid body an aggregate population of 147,000,000 people, occupying the richest portions of Europe and a part of Asia.

In addition to the advantage referred to remember that every railroad built in Germany for the past 50 years has been constructed with reference to this war. I do not mean to say that the German masters knew that this particular war would come at this time, but I do mean to say that their railroads were built with reference to the wars which Germany planned would come when the opportune moment arrived for her to attempt to forward her plan of world conquest.

Accordingly, our enemies are able to move not only their armies but their supplies from one part of their territory to another with the least possible loss of time. This enables them to utilize their force to the maximum. How much advantage that may be will be understood when attention is called to the fact that in the first and second of the great German drives this year the British and French lines were broken simply because they were unable to bring forward reserves quick enough, a thing which would have probably been accomplished if the railways of France had been built with reference to battle lines, as they were in Germany.

On top of this they had all the ordnance necessary. The difficulty of creating ordnance will be understood when I say to you that it takes over two years of time to produce the factories and to produce certain great guns necessary in modern warfare.

Such, Mr. President, is the enemy we confront. Let us consider the forces with which we can meet this great military power. Here I am compelled to draw a sharp line between the total population of the allied nations or the nations who declared war and the population of those nations which are immediately contiguous to the battle front.

I do this because it is admitted by military experts that it takes ten times the amount of money and expense and labor and energy to transport a million men from the United States to the battle line of France as it would to assemble upon the battle line the same number of men living in France.

I have given the population of the central powers. What have we to oppose to them? The only country that is immediately in touch with the great field of military operations is France, with a total population of 40,000,000 people. Forty million against 147,000,000! Close to them are England, Ireland, and Scotland. But the United Kingdom contains only 46,000,000. So we have a total of 82,000,000 people contiguous to the battle line or upon the battle line to confront 147,000,000.

I do not in these figures include Italy. That country has a population of 36,000,000. I do omit Italy because she has a front of her own to maintain, and because at this time, notwithstanding the great number of her soldiers, upon that front English and French and American regiments are necessarily there maintained.

I make no further comment upon that fact. I simply mention it, and it is only necessary to mention it to Senators that its importance may be understood.

In addition to these troops or these peoples that are close at hand, and therefore can be moved quickly, we have Australia and New Zealand and Canada and certain other British and French possessions, but they are thousands of miles away and men and supplies must be transported across seas infested by submarines. There remains the population of the United States, but we know the magnitude of our task is multiplied tenfold by our distance from the scene of action. Some of our troops must be carried over 6,000 miles before they reach the scene of the battle. I refer to the troops from our western coast. Others must be carried 3,000 miles. The average haul of men and materials is probably 4,500 miles. The ships had to be created, the shipyards had to be created, the factories and mills to create the materials for the ships and armament had to be created.

In the performance of these gigantic tasks a very large proportion of our male population is necessarily required. The proportion is necessarily very much larger than that would be necessary if we lay contiguous to the battle line or if we had, when we entered the war, been prepared with factories and mills and shipyards.

I have given this comparison of the population in order that it may be made to appear, as the fact is, that even with our present American Army in France it is a very serious question whether the central powers to-day are not able to put upon the battle line more men than the allies. We might as well face these facts.

I called attention to this situation some twelve weeks ago. In my own State an infamous scoundrel, running a newspaper,

stated that I had made the statement for the purpose of encouraging the pro-Germans of this country. The kind of encouragement I want to give the Germans is to confront them with an army big enough to compel their unconditional surrender or to destroy them. We will get that kind of an Army when we know how big is the force of our enemy. Only a blind fool and a contemptible coward refuses to look a situation in the face.

Mr. President, the unpleasant picture I have already presented grows darker when we consider the cold facts with regard to what has been accomplished in this war. A little over a year ago Russian armies were moving down into Austria and were threatening Germany. That immense force has been dissipated.

In my opinion, a man is very shortsighted who does not know that in Russia to-day there is a very great menace to us. I have never had any confidence in the Bolsheviki. I have no confidence in any body of men who resort to murder and who destroy the established rules of society. I regard with pity and also with horror the transformation of a nation into a mob. Russia to-day is a great world menace. She may rise from her present unfortunate condition. She may possibly resume her place by the side of our allies, but I look for nothing of the kind. Let us calmly examine what the Germans have done. Let us have courage enough to look the situation in the face. The figures I give you are not official, but they are the next thing to being official.

What has Germany accomplished thus far in the war? She has overrun and subjugated all of Belgium, with an area of 11,000 square miles and a normal population of 7,500,000. She had taken of northern France before the May drive 8,400 square miles, with a normal population of 2,700,000; of Italy, 4,890 square miles, with a normal population of 1,400,000; of Serbia, 34,000 square miles, with a normal population of 4,000,000; little Montenegro was overrun, and her area of 5,630 square miles occupied, and her population of 520,000 were brought into a condition of practical slavery. Roumania, with 54,000 square miles of territory and a population of 7,600,000, has been obliged substantially to accept the German yoke.

In Russia at the time these figures were handed to me by an official there had been then taken 311,000 square miles of territory, with a normal population of 46,000,000.

There are included in these areas over 19,000 miles of railway. In northern France Germany has control of the best coal lands. She, in fact, controls 58 per cent of the entire coal production of France; 78 per cent of its coke production is likewise in the hands of the enemy.

The great majority of French sugar refineries are also within the occupied district. The occupied territory also comprises important manufacturing areas.

In Italy the central powers have gained possession of many large mills and warehouses. In Serbia she gained important copper mines and a coal production which is estimated at from 30,000 to 40,000 tons annually. In Roumania Germany controls vast petroleum fields. These oil wells were partly destroyed prior to the German occupation, but are now being gradually restored to the prewar production of about 1,800,000 tons.

Mr. President, Germany has practically made all of this conquered territory either her own or has made it tributary. She has compelled it and will continue to compel it to contribute to the economic power of Germany. We shall be fortunate if she does not call upon these people, and call successfully, for man power to work her mines and work her fields. She may even force them to serve in her army and navy.

Besides this Germany has captured practically all of the Russian ordnance. It is the lamentable fact that to-day British and Americans and Frenchmen are being slaughtered with cannon that were made in Japan or in Great Britain or in France. These cannon had been furnished to Russia and were practically turned over to the German Army.

An enormous loss of guns also occurred in the Italian disaster, and those guns are now being served by German soldiers.

This is not a pleasant picture, but it is a true one. It is not overcolored. It is, in fact, underdrawn.

Under circumstances such as this we find ourselves in this war with the forces upon the western front almost equally divided, England and France gallantly fighting, but both these nations more or less are war weary. They will, I am sure, never grow so weary they will cease to fight with that high spirit and gallantry which has hitherto characterized them. But in the conflict at this stage the United States finds itself with practically a million and a half of our troops already upon French soil. There is therefore no withdrawal, if we had any spirit to withdraw. Remember, that if there is a disaster in Europe we have 1,500,000 of our men there without any means of getting them back. Not only is the die cast, not only is the Rubicon crossed, but the die is irrevocably cast. We must either win this war or we must suffer a national humiliation and disgrace that will arrest our progress for at least a century of time.

Under such conditions what is our duty? Shall we allow the million and a half of our troops—and there must be substantially that many there now—to be jeopardized and to be fed one by one or company by company and regiment by regiment to this Moloch of war? Shall we allow them to be gradually cut down, and by a force that is equal or superior, or shall we amass upon the European front an irresistible force—a force that can break the strength of the German legions and do it quickly and do it with a minimum loss of life and of limb and with as small expense as possible?

It seems to me we are very much in the situation of the people of a city being consumed in a great conflagration. By making a supreme sacrifice, by calling on all the forces that can be gotten together, by expending large sums of money at once they can stop the march of the flames; but if they go slowly, moderately, and conservatively, the fire will eat up the city, and they will lose all. Perhaps that is not a very fortunate illustration, yet it will convey my thought.

It is my judgment, and I think it is the judgment of you all, that if we can get an irresistible force upon the other shore then this war will be short and there will be a great saving of bloodshed and of life and of misery. That brings us, then, to the question of how that irresistible force is to be created.

Mr. CHAMBERLAIN. May I interrupt the Senator for a moment?

Mr. REED. Certainly.

Mr. CHAMBERLAIN. I wonder if the Senator has seen an article in the National Review of London for July, 1918, by Mr. André Chéradame, a great French writer, on subjects connected with the matter the Senator is now discussing. He gives even a more gloomy picture of the situation than the Senator has done. I think the writer's warning here is very timely indeed. He has given to the situation a most critical study both upon the ground and in other countries.

He estimates that Germany can mobilize in 1918 and 1919, 28,000,000 soldiers, as compared with 20,000,000 which the allies can confront them with. These are taken from German Provinces and from the vassal nations that Germany now controls. So he makes the estimate even greater than does the Senator.

Mr. REED. I shall be glad if the Senator sees fit to put that statement into the RECORD.

Mr. CHAMBERLAIN. Very well. I will ask not that the whole article be printed but merely the writer's conclusions.

The matter referred to is as follows:

"The figures given above make possible the following conclusions:

"(a) The mobilizable forces in Europe at the disposal of the allies (20,000,000) are numerically greatly inferior to the comprehensive forces of Pan-Germany (28,000,000) and practically equal to the forces of which the German staff can be reasonably sure (19,000,000).

"It is difficult to see how the allies can add to their mobilizable effectives in Europe to any considerable extent. On the other hand, in a few months the Germans will be, perhaps, in a position to make use of fresh troops supplied by Mussulman communities in Russia and Central Asia. Therefore, by carrying on the conflict by means of a purely military strategy, it is probable that the allies will find themselves numerically inferior to the Germans and their allies, as is already the case on the western front.

"(b) But the situation of the allies would be completely transformed if they should, in their turn, like the Germans, resort to the strategy of the political sciences; for it would enable them to exploit to their advantage the tremendous sources of weakness that exist in the very heart of Pan-Germany.

"Indeed, in that case the allies could systematically arm a part of the 14,000,000 anti-Pan-Germans, nonmobilized, in central Pan-Germany and thus bring about an insurrection in the regions traversed by the vital strategic communications of Pan-Germany. Secondly, they could, by means of such insurrections, bring about a state of affairs, both moral and material, which would enable the 8,000,000 troops embodied against their will in the German armies to revolt in their turn.

"Assuming this form of strategy to be adopted, the 19,000,000 Germans and pro-Germans would have to face the hostile action, active or passive, of 20,000,000 allied troops, 8,000,000 of their own troops, in revolt or on strike, and 14,000,000 possible insurgent civilians, or 42,000,000 in all.

"(c) The 23,000,000 anti-Pan-Germanist women in Pan-Germany are for the most part compelled to work on the land

or in the munition factories. As they represent a by no means negligible force, if the propaganda were effective they could be induced to strike. In fact, in certain districts which I know well the women are capable of playing a very useful part in a revolt.

"Thus, the 19,000,000 Germans and pro-Germans would have to face widely varying but combined hostile forces of 65,000,000 human beings (42,000,000 men and 23,000,000 women).

"To sum up: The purely military strategy leaves 20,000,000 allies face to face with 28,000,000 Germans, pro-Germans, and troops enslaved by them.

"The strategy of the political sciences would transform the situation, for it would subject 19,000,000 Germans and pro-Germans to the submergent action of the endlessly diverse enveloping powers of 65,000,000 persons, of whom 47,000,000 are already in Pan-Germany.

"If the Germans had been in our place, would they not long ago have made use of the anti-German elements in Pan-Germany, considering that in Russia they have derived the enormous profit that we all know from elements favorable to their cause, although they were much less numerous than those utilizable by the allies? Under these conditions can the latter refuse to adopt at last the strategy of the political sciences?

"Far from working to the prejudice of the western front, it would work altogether to its advantage; for nothing could afford greater relief to the allied troops from the terrible pressure that they are having to withstand on that front than an uprising, scientifically organized, for the liberation of central Europe."

Mr. BORAH. Is the Senator going to discuss before he closes the very important factor of time in this matter?

Mr. REED. Yes; I have already referred to it, but I shall be glad if the Senator desires to offer any observation on it to yield to him.

Mr. BORAH. The only thing that occurs to me is, of course, we should get our forces there and get them there as quickly as possible. We ought to get them there as speedily as possible, and I wondered if the Senator was going to discuss the element of time.

Mr. REED. I intend simply to make the statement, which it seems to me is perfectly self-evident, that if we are to be of service, then the sooner we get this force there from every consideration the better it will be.

Mr. BORAH. I will say to the Senator frankly what was in my mind. While this tremendous fighting is going on there and the tide is turning our way, the only body which can, so far as this country is concerned, enlarge the fighting force is in recess.

Mr. THOMAS. I should like to remind the Senator that the remarks of the Senator from Idaho suggest to me the danger of transporting troops more rapidly than our facilities will enable us to take care of them after they arrive. I quite agree that we must exercise all due haste in increasing our expeditionary forces to France, but we must take heed of our tonnage facilities and the supplies which are necessary to make those men fighters and keep them going after they arrive.

Mr. BORAH. Precisely so; but we have yet to call these men in and train them. They ought not to be sent against those veterans in Europe without as much training as it is possible to give them.

Mr. THOMAS. Absolutely. The only idea I wish to convey is this, that our expedition in training and getting soldiers into France should not outrun our capacity of taking care of them after they shall have been embarked.

Mr. CUMMINS. Mr. President——

Mr. REED. I yield to the Senator from Iowa.

Mr. CUMMINS. The remark of the Senator from Idaho [Mr. BORAH] suggests an inquiry that I should like to make of the Senator from Missouri. About a month ago the Senate, being fully awakened, I think, seeing the necessity of creating an additional army, wanted to put the entire man power of the United States in the hands of the President and give him unlimited authority to increase the Army. We did not do so. Does the Senator know what prevented the action proposed at that time?

Mr. REED. Yes, Mr. President, I think I can answer that. Several bills were introduced to increase the size of our Army. One I introduced myself. When those bills came before the Senate Committee on Military Affairs the Secretary of War, the Chief of Staff, and the Judge Advocate General appeared before the committee. I placed in the record a summary of what they said, and I placed that in the CONGRESSIONAL RECORD with some remarks I made on this floor, which, as I said, I have never yet allowed to be printed, because I have never had time enough to read them over; but in brief this was the position of the military authorities, the Chief of Staff, and the Secretary of War, namely, that a plan was being worked out to lay before Congress which would give us the kind of an army desired, that it would take some time to work that plan out, and that the desire or hope was that Congress would not act until the military authorities had presented their plan.

That plan they did present, and it is here in the form of a bill, which I think the Military Committee will be able to report out at the next meeting of the Senate. I think I can say that with all deference to the chairman, speaking, perhaps, for him. These eminent military authorities also held to the view that no hiatus would be occasioned by the delay; that is to say, we would have from the old draft a continuous line of recruits going into the concentration camps until the new draft would become effective, and there would be no loss of time. I think that now they are a little anxious to have that time shortened and this bill speeded up, because of certain occurrences that have happened since then. I am not at liberty to go into the reasons in public, although any Senator is perfectly welcome to such knowledge as I happen to possess and which is also known to the other members of the committee.

Mr. BORAH. Do I understand the Senator to say that the Military Committee will report the bill on Thursday?

Mr. REED. I think we will report it on that date. That is my judgment.

Br. BORAH. That is the bill which the War Department has approved?

Mr. REED. Yes.

Mr. BORAH. It will be ready then, if we have the membership here to go ahead with it?

Mr. REED. I see no reason why we should not be ready.

Mr. BORAH. There is every reason why we should be here then to go ahead with it?

Mr. REED. The Senator can answer the question. He knows as much about it as I do.

Mr. BORAH. Is there any reason why, if the Senate were in session, we would not proceed with its consideration?

Mr. REED. I think that we should proceed at once to the consideration of the bill unless some such important question as woman suffrage, prohibition, or something of that kind is to be taken up to the exclusion of the war program.

Mr. BORAH. If the Senate will come here and be on hand it can dispose of these things before these other matters come up. It is immaterial, it seems to me, whether a mistake of judgment was had here three or four weeks ago, or as to whether or not there would be any hiatus in this program. The question is whether we are ready now to take up the matter if the Senate were in session, and if so the Senate ought to be notified to be here.

Mr. REED. The chairman of the committee is here, and he can make any statement he desires at this time in answer to the inquiry. But I have stated what I believe. Does the Senator from Oregon agree with me? Perhaps I am guilty of temerity in making the statement.

Mr. CHAMBERLAIN. With the Senator's permission, I will say that I hope that the bill will be reported out on Thursday when the Senate convenes, and at that time I will request the Senate to rescind the unanimous-consent agreement, so that the bill may be taken up next Monday and disposed of.

The Senator understands that there must be a quorum here Thursday, and that the unanimous consent of a majority of that quorum must be had before we can go ahead with the measure next week.

Mr. BORAH. I think if the Senators who are absent knew that this bill was going to be reported and that we would be ready to proceed with it, they would be here—certainly a majority of them would be here. I think that the officers of the Senate ought to notify them that we expect them to be here on next Thursday.

Mr. SHERMAN. Mr. President——

Mr. REED. If I could be permitted to conclude my remarks, I think the question under discussion might well then be taken up and disposed of. The few remarks I have to make have been so cut into that I should like to go on. But, of course, I will yield to my friend from Illinois.

Mr. SHERMAN. I wish to state that last May or June the Senate was ready and anxious to act on an extension of the age limit below 21 and above 31, but we were told by the gentlemen who are now insisting on great expedition that we should cease our efforts, and we did accordingly, as obedient legislators ought to do.

Mr. REED. Mr. President, since we have gone this far, let me say a word so as to show matters in their true light: We have had troops up to this time as fast as we had transports, and we will continue under the draft to have troops as fast as we have transports up to about the 1st of October.

If we are to speed up, I think it will be because of additional facilities. That is as far as I want to go in a public statement. The other members of the Military Affairs Committee know why I do not want to be more specific. I am perfectly willing to tell any Senator in private all I happen to know about it. I do not think we have arrived at a point where we need to criticize the War Department because of the postponement of the new draft. Whether the Senate ought to be called together is another question.

Mr. JONES of New Mexico. Before the Senator proceeds, I should like to have him inform us whether or not in the new bill which is proposed there are some provisions essential to the proper working out of the scheme which were not suggested in the various bills and amendments previously submitted to the Senate and whether it has not been well worth while to permit the War Department to formulate this measure in a systematic way and give to it the consideration which it has received.

Mr. REED. I do not think the War Department has wasted time. The only change in the bill that I regard as of real importance is the change in the draft age. I do not think the present law outside of that has been very much changed. However, the War Department did bring to us certain figures which they were preparing in order that they might advise us and might advise themselves as to the number of troops we could maintain and where we would have to get them from. It took some time to get that information.

I will say now that I understand—I think I disclose nothing here that I have not the right to speak of in public—the War Department is going on and having the printing done and every step is being taken upon the assumption that Congress will probably pass the enlarged draft bill substantially as submitted.

Mr. President, I again ask the question, Where are we to get this force from? The chairman of the committee [Mr. CHAMBERLAIN] placed in the RECORD a few days ago figures which show that by enlarging the draft age from 31 to 45 we will get approximately 601,236 men.

That is an astonishingly low figure—astonishing to me. The explanation given is that so many of the men of the country above the age of 31 are engaged in essential employments; that they have reached positions of importance; they are the heads of institutions, or they have become master mechanics, or other skilled workmen, and therefore they can not be withdrawn from the industries. Besides that, a very large number of them come within the married-class exemptions, and, of course, that would help decrease the number.

Mr. CUMMINS. Mr. President——

Mr. REED. I will yield in just a second. So we are told that if we are to continue to allow exemptions on the grounds heretofore recognized, all we can obtain from those above the present draft age is 600,000 men, using round numbers. If these figures be accurate, and I somewhat doubt their accuracy, we can not begin to raise the necessary number of men which we must have if we are to create the force necessary to quickly crush the German armies. I yield to the Senator from Iowa.

Mr. CUMMINS. The question I want to ask is this: Are those figures based upon the assumption that the present rules of classification will be continued and that the 600,000 or more will be found in Class I?

Mr. REED. They are based upon the idea that these 600,000 will be Class I men. I do not want to be taken as speaking with absolute cocksureness, but I understand they are based upon the assumption that there will be no material change in the present classification.

Mr. CUMMINS. That I may be accurate——

Mr. REED. Will the Senator let me add? It is contended by some, I think, who heard the statement of the Secretary of War that it was meant to exclude all the married men. That, however, was not my understanding.

Mr. CUMMINS. I have given some study to that subject. While I do not challenge the accuracy of the figures at this time, if the census reports may be relied upon there are more than that number of men between 30 and 45 who have no occupation at all or are not engaged in any gainful pursuit. I can hardly think that it is intended to reclassify men so that the mere fact of marriage, if there be no dependency whatever, may exempt a man from military service. I hope that those figures are an underestimate of our man power accessible to us for the enlargement of the Army between 30 and 45.

Mr. REED. Mr. President, the question as to whether these figures are based upon an exemption for married men I have answered as well as I am able. It is a question I do not want to speak on positively. The thing that creates a doubt in my mind is the statement that the Secretary of War is alleged to have given out. It appeared in the public press. I doubted that the statement was accurate, but since that time it has appeared in the Official Bulletin, and I am no longer permitted to doubt its accuracy. Of the statement in the Bulletin, purporting to set forth what the Secretary of War states, I will read just the beginning of the last clause:

> The new regulations are not yet drawn. I am inclined to think that the marriage relation will in itself constitute deferred classification. What I want to get in the regulations, if possible, is to have them so that the Government does the selecting, rather than putting it up to the individual.

With the understanding that these figures are correct, it is perfectly manifest that we must get an enormous number of men from some other place. If we can not get them from the ages included in the present law and can not get them from the ages above the present law, then we must get them from the ages below the present law. If we can not get them by raising the draft age we must get them by lowering the draft age. That brings up the question of the boys of 18, 19, and 20. Shall we take them from their homes, from their schools, I had almost said from their mothers' arms? The mere suggestion wrings the heart of every humane and decent man. I do not open my mail a single morning but I read letter after letter from mothers and from fathers of the most touching character. They contain every kind of argument and appeal. A mother writes and tells the story of her struggle as a widow to rear her boy, of his meager educational advantages, and how he has worked and struggled to obtain the little schooling he possesses; how she has put into that one boy's raising all the effort of her life.

Now, it is proposed, just as he is beginning to get a little start in life, to take him from her and put him in the Army. So this mother, from her mother's standpoint, writes me a letter that I could not read with dry eyes. And other parents write. Every Senator's desk, I apprehend, is covered with epistles of the kind I am describing, and the good God, who rules this universe, knows that no man in this body will vote to take these boys except it be in response to the stern call of duty.

A few months ago I did not believe I could ever bring myself to cast such a vote; but, Mr. President, as I have already said, we now have approximately a million and a half of our men in France. Before another five months will have gone by we are certain to have more than a million additional sons of other American mothers over there.

These men are dear to their mothers and to their fathers and to their wives and to their sisters, and they are dear to their country. Their lives are precious beyond any possible language of description. Shall they be sacrificed by being constantly thrown against an equal or a greater force until little by little they are cut down and a vast percentage of them have gone to their death, or shall we now make one herculean effort and put in the field a resistless force that will break the German line at will? Shall we make war feebly, allowing the enemy to maintain his battle front, and if he retreats at all to go slowly, inch by inch, covering each foot of ground with our dead?

These are questions we must ask when we come to cast the votes which will say to the mother, "Give up your 18-year-old boy." "Take your 19-year-old son from his home or from his school and give him to his country." "Take your 20-year-old youth who is just now looking proudly toward the fields of full manhood and yield him to the Army." The reasons must be weighty which warrant us in saying to the mothers of the land, "You must yield these children of your heart before they have yet arrived at man's estate." We can only say it because we are at war, ghastly, horrible war. And in war we must inflict pain to escape a greater agony.

I gain but little satisfaction from the ability to say that I have not been mistaken about this. If Senators will give me the credit of looking back to the debates which preceded the declaration of war, I said then that before we were through with this conflict there would be blood upon the lintels of almost every American home; that our enemies would not break down and quit the conflict because we entered into it; that we would have empty chairs and aching hearts and empty arms all over the United States.

I did not entertain the delusion that some did that this would be a short and easy struggle. I did not believe when we provided for a draft of 500,000 men with the right to call out another 500,000 that that would answer to the demands of this war. And now we are called upon to raise an army of 5,000,000—I use round numbers—to put them upon the battle field and maintain them there and to place upon the sea from 500,000 to 700,000 more of our men and to maintain them there. Ah! I say to you, my America, that you are entering a wine press that is to be filled with a crimson vintage, a wine press that must be trodden with high courage and with dauntless souls. You must prepare for sacrifice and still greater sacrifice. Be not deceived! When by May day next this immense draft of our man power has been

withdrawn from our industries; when we shall have nearly 6,000,000 men fighting by land or sea, all of whom must be supported, the women and the boys must enter many vocations that they do not now fill. The tender hands of ladies unaccustomed to toil will go to some task. The pinch will come harder and harder in every part of our land.

Luxuries must be discarded; necessities alone may be hoped for. The arms of America, all her muscle, young and old, must be put to work. Idleness must become, if not a legal crime, a moral offense. Every wheel must be kept turning and youth and age must prepare to play a part. And we will play it well. The soul of America is aroused. Her high spirit is aflame with a holy patriotism. Here at home we will do our best, and yonder on the battle field in crimsoned trenches, on mountain's frozen heights, amidst the slime of swamp, wherever they may be, each American soldier, whether he be an 18-year-old youth with the down of manhood scarcely yet adorning his cheek or whether he be the father of a family, one and all will exhibit that invincible spirit, that high courage, which comes to the freeman. And before their valor the thrones of despots will crumble, the chains of slaves will break, and the battlements of tyranny will fall.

Mr. CUMMINS. Mr. President, it must not be inferred from my inquiry made of the Senator from Missouri [Mr. REED] that I am opposed to a very speedy disposition of the measure enlarging the draft age. I think it ought to be done at once. I believe it to be the duty of the leader upon the other side of the Chamber to notify his associates that they should be here next Thursday. I think it is the duty of the leader, whoever he may be, upon our side to notify the Republican Senators to be here next Thursday, in order that we may, without a moment's delay, take up for consideration the measure that will be reported by the Military Committee.

Notwithstanding this feeling upon my part, I think it is the rankest injustice for the newspapers of the country, which are getting their inspiration from a source that I will not attempt to describe, to lay the fault or the blame of delay in this matter upon Congress. It makes me indignant beyond expression to hear it intimated that Congress has been neglectful of its duty in this respect. More than three months ago, in the place I now occupy, I endeavored to awaken some interest in this matter not only in the Senate, but throughout the country. Every thoughtful person knew then that we must change the draft age in order to bring a greater number of our men within its operation.

More than a month ago there was submitted to the Committee on Military Affairs an amendment to the Army appropriation bill, which I had the honor to present, which did exactly what the present bill proposes. It gave to the President the widest authority with regard to the imposition of the draft upon men between 18 and 45. There was no limitation with regard to his authority in dealing with the subject.

It is no answer to say that the War Department was engaged in preparing plans for the induction of these men into the service. The amendments which were proposed gave to the War Department just that power, gave to the President just that power, and every plan, every suggestion, every arrangement which is possible under the measure that has been introduced by the Senator from Oregon could have been made, and I assume would have been made if some such amendment had been adopted by the Senate.

I do not criticize the War Department for opposing the amendment. I assume that the Secretary of War and the Chief of Staff and those around him felt that the man force then at the command of the Government was sufficient. I did not think so nor did the Members of the Senate, but in deference to the suggestion of the War Department the Senate declined to adopt the change that was proposed in the draft age, a change which now meets their favor.

I am content with that. I have not one word of disparagement for either the Secretary of War or the Chief of Staff, but I do rebel when a situation brought about in that way is made the basis of a condemnation of Congress, and especially of the Senate, for refusing to legislate in a way it wanted to legislate a month ago, and was prevented out of a very proper deference to those who were to be responsible for the conduct of the war.

Mr. CHAMBERLAIN. May I interrupt the Senator? I do not know where the inspiration came from that was published in the press, but I do know that in the Senate in the course of the debate it was stated that this survey and plan could not be placed before Congress until some time in September.

Mr. CUMMINS. I so remember, but the survey and plan, if the amendment had been adopted, would not have required the sanction of Congress. It would have been adopted as a part of the administration of the law enlarging the draft age. I realize the imperative necessity of moving in this direction. I am in entire sympathy, not with all the details of the proposed measure but with its purpose. I do hope that those Senators who are here, and especially those to whom have heretofore been delegated the implied authority of arranging matters of legislation, will insist in a proper way that next Thursday a majority of the Senate shall be here, and we can at least then determine whether we can secure the unanimous consent that is necessary to an immediate resumption of business.

Mr. THOMAS obtained the floor.

Mr. ASHURST. Will the Senator from Colorado yield to me for a moment?

Mr. THOMAS. Certainly.

Mr. ASHURST. Mr. President, I am, of course, with all Senators present, very much impressed with the necessity of reconvening the Senate for business. Yet permit me to call attention to the unanimous-consent agreement. Under no circumstances can the Senate do business before next Monday. A reading of the agreement will show the very great necessity of having a quorum here next Thursday. I will read only the last four lines of the unanimous-consent agreement.

The PRESIDING OFFICER. The Senator will read the entire proviso.

Mr. ASHURST. Very well; I will read the entire proviso:

Provided, however, That whenever before the 22d day of August, 1918, a quorum of the Senate is found to be present, the Senate may, by unanimous consent, vacate this agreement, such action to take effect three days thereafter.

Mr. President, it is obvious that we can not ascertain whether or not a quorum can be present until Thursday. Assuming that a quorum is present on Thursday, which I apprehend will be present, under this unanimous-consent agreement, and assuming that it be vacated, as I have a right to assume it will be vacated, I very much fear we could not do actual business until three days thereafter. So it seems to me there is a very great necessity for the Sergeant at Arms to notify all absent Senators to return, so that on Thursday a quorum may be ascertained to be present. We have that right. Secondly, the proposition will then come before us, Shall the unanimous-consent agreement be vacated? It would require unanimous consent to vacate it. If it were vacated, the Senate could not do business until the following Monday, which would be the 19th day of August.

Therefore, Mr. President, it seems to me that it would be a very wise thing for the Sergeant at Arms to notify absent Senators; in other words, if we can have a quorum here on Thursday, I am sure we would gain a week, and it would be time well gained.

With the consent of the Senator from Colorado, I should like to make an inquiry: Under the present unanimous-consent agreement when we do convene on the 26th unless the unanimous-consent agreement is suspended we will be required to take up the prohibition measure. If we can get a quorum here on Thursday, that would give us a whole week before the unanimous-consent agreement as it relates to prohibition would become effective. That is all the more reason, therefore, in my judgment, why a quorum ought to be here next Thursday.

I thank the Senator from Colorado.

Mr. THOMAS. Mr. President, I dislike to detain the Senate any longer and would not do so but for the remarks submitted a few moments ago by the Senator from Iowa [Mr. CUMMINS].

I fully sympathize with the Senator's protest against the charge that Congress is responsible for delay in the mobilization of an adequate army; but, Mr. President, I want to go further and insist that there has been no delay, and consequently the charge should not be made in any direction. We speak very lightly of a force of three or three and a half or four or five million men upon foreign soil, 3,000 miles away, and we are apt to betray impatience if the magnitude of the task does not at once square with the magnitude of effort. Hence, those who are impatient of the slow movements, or what appear to them to be slow movements, are too prone in these days, first, to insist that there has been an unnecessary delay in preparation, and, second, that Congress or some other responsible function of the Government is to blame for it.

Mr. President, when we come down to the cold facts involved in the transportation of a large expeditionary force 3,000 miles across the sea, infested with submarines and subjected to the ordinary perils of ocean travel, it is necessary for the considerate man and for the considerate administration to examine into the magnitude of the task and to prepare for it. When we entered this war every French port of any consequence with the exception of that of Marseille had been turned over to Great Britain, and that country needed every one of them, with all their facilities multiplied several times, for the purpose of enabling it properly to cooperate with the allies and to move

troops and supplies across the channel into the territory where the battles were actually raging.

As a result our entrance into the war necessitated the use of other than these ports already so badly congested, and a number, I am not at liberty to say how many, but a large number of ports, very unimportant, some of them, prior to our entrance into the war, together with the port of Marseille, were turned over to our use.

Mr. President, that, of course, was the first step and the first step only. Many of these ports were too shallow and their accommodations too poor to permit the entrance of large transports bearing either cargo or men, and they had to be improved, not only by excavations, but by the building of piers, warehouses, railroads, and other structures. As fast as these have been constructed the movement of our troops and of our supplies has been carried on. Had they been carried on faster, you would have met with serious difficulties, and possibly some of them would have proved disastrous. Had we been less expeditious, then, of course, we should be to blame.

Mr. President, since we entered this war we have constructed railways in France which are the equivalent in mileage of the Erie system. They are equipped with rolling stock partly French, but mostly American, and very efficient. If all the warehouses and other structures which have been erected for the benefit and the use of the Expeditionary Force which we have erected in France were placed end to end they would reach from Washington to Pittsburgh. Even these, Mr. President, have scarcely been more than adequate for the force that we at present have. Our accommodations are increasing. We must support the men across the sea; we must furnish them with food, with clothing, with tents, with medical supplies, with ammunition, with everything that is necessary to make that force effective and to accomplish the purpose for which they have been sent abroad.

Now, I do not propose to go into mathematics very extensively; I do not know that I ought to do so; but I will suggest to the imagination of some of our impatient constituencies if it requires 30 pounds per day as a minimum for the individual soldier which we must transport from America to France, which means 5.3 tons, and we multiply that sum by 3,500,000, and divide the result by the number of days, showing the amount of tonnage that must not only be discharged but evacuated, some idea of the immensity of Uncle Sam's task and of the splendid manner in which he has up to this time performed it will be conveyed to the mind.

We have been expeditious, we have been prompt, so far as our Expeditionary Force is concerned. We have manned it well, we have kept it supplied, and we are willing to do so. The present program comes in logical sequence with the development of our shipping program and all those other necessarily accompanying conditions which must attend every great expeditionary force, which must attend, in fact, armies wherever they are to be utilized, but more so in this instance on account of the distance than any other.

Therefore I protest against the complaint of delay when, in my judgment, there has been none, when we have handled all the troops that our facilities would permit, when these are constantly increasing, so that every month's showing is better than the preceding one, and when we will move in the future as we have moved in the past, and square the performance of our task with the facilities which we now have and which are constantly multiplying for its accomplishment.

Mr. BORAH. Mr. President, the question which I asked this morning seems to have been in some respects misunderstood. I assume for the purpose of the question that the program has been a complete one and that we are now logically carrying out the program. It is wholly immaterial to me so far as our present duty is concerned whether there was a mistake in judgment on the part of the War Department or whether the War Department has at all times acted intelligently and has before it a continuous intelligent program. The fact to which I called attention and which I desired to accentuate was this, that the time has arrived in the program when the Senate ought to be here for the purpose of performing its part of the program.

Mr. THOMAS. I agree to that.

Mr. BORAH. It is immaterial why we delay, whether it was wise or unwise. The question now is, Are we prepared to go forward and discharge our part of the task? I want to say that unless others who are in a better position to do so, and upon whom it devolves more properly to do, urge the immediate consideration of this measure as soon as it reaches the Senate next Thursday I shall undertake to do so. If that is any notice to those who are absent, if they desire to be present on that occasion, they can take it as a notice and come. There is no necessity for a jam in legislation or for a conflict with the unanimous-consent agreement.

Mr. REED. Mr. President, a parliamentary inquiry. I ask whether, in the opinion of the Chair, under the unanimous-consent agreement the Chair could entertain a motion instructing the Sergeant at Arms to notify absent Members that on next Thursday an effort will be made to secure a quorum for the purpose of taking action to cancel the unanimous-consent agreement, and bring the Senate together at an earlier day than fixed in the unanimous-consent agreement?

The PRESIDING OFFICER. It is the opinion of the Chair that under the unanimous-consent agreement a resolution such as the Senator from Missouri suggests would be the transaction of business, and therefore the Chair is of opinion that it would not be in order. The Chair suggests, however, that in order to meet the situation a resolution might be introduced, which would have to lie on the table, of course, and then it would be notice to absent Senators that they were expected to return.

The Chair will go a little further. The Chair realizes the importance of immediate action on this measure, and if there is no objection on the part of Senators present the Chair will direct the Sergeant at Arms to notify the absent Senators that their presence is desired on next Thursday.

Mr. CURTIS. Mr. President, I think I can assure the Senator from Missouri that the absent Senators on this side will be notified, and I am advised that immediately steps will be taken on the other side to notify all the absentees to be here next Thursday.

Mr. THOMAS. One of our absentees, our whip, has gone to France.

WOMAN SUFFRAGE.

Mr. THOMAS. Mr. President, in view of the fact that the morning press announces another attempted meeting of an organiaztion called the National Woman's Party this afternoon, I beg to offer and ask to have introduced into the RECORD a few lines bearing upon that subject prepared by a lady not belonging to that organization but who has been a champion of the cause of woman suffrage all her life.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

THE DAUGHTERS OF THE HUN.

There are just two kinds of women in this dear land of the free
Who fail to give its President their utmost loyalty.
The women of the Nation march beneath Old Glory's fold,
But the Woman's Party bears a flag that makes the heart run cold;
For when before have women flung a banner to the skies
And made their flag a flaunting rag—a thing of shameless lies?
There are just two kinds of women by whom this might be done—
There's the limelight Woman's Party and—the Daughters of the Hun.

We intern the foreign woman as a danger to our land,
But leave at large to do their worst our own disloyal band.
There's no time to halt and parley while the war clouds darkly lower—
The arch betrayer, Judas, was only false an hour.
The days are very evil and the nights are full of dread,
And every hour adds to the lists of dying and of dead;
And the women of our country are loyal, every one,
Save the Woman's Party women—and the Daughters of the Hun.

In the country's hour of peril, in the time of stress and grief,
We can not serve the Nation and deride the Nation's Chief;
There is but one flag to follow—it's the old Red, White, and Blue—
And under its far-flying folds our cause will still win through;
We do not seek to win that cause by falsehood and deceit,
And when its trait'rous friends pursue the way that means defeat,
We can not help but wonder, when things like this are done,
If the Woman's Party women are—the Daughters of the Hun.

Mr. SHAFROTH. Mr. President, in a colloquy which occurred between the Senator from Missouri [Mr. REED] and myself at the last session of the Senate a question was raised as to why the women were asking to put through an amendment to the Federal Constitution granting woman suffrage instead of attempting to amend the constitutions of the States. I referred to the fact that there were several States that had obstructions to the adoption of amendments of their constitutions which made it very burdensome and almost impossible to accomplish that end. The Senator referred to the fact that I had mentioned obstructions in two or three States only, and therefore it was not difficult. I stated at the time that I thought there were some 12 or 15 States with such obstructive provisions. I have now a compilation of the matter by the National Woman Suffrage Association, and I desire to call attention to what these difficulties are.

In the passage of a joint resolution for the adoption by Congress of a constitutional amendment it is necessary that there should be a concurrence upon the part of the Senate and the House by a two-thirds vote in each body, but when such Federal amendment is referred to the legislatures of the States, all that is necessary there is that a majority vote of the house and the senate of such State should concur in the adoption of the amendment. How different it is when a State constitution is to be adopted.

The following States of the Union require a two-thirds or a three-fifths vote in each of the bodies of the legislature in order

to adopt a joint resolution to submit to the people a constitutional amendment of that State. They are Alabama, Connecticut, Florida, Georgia, Illinois, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Nebraska, North Carolina, Ohio, South Carolina, Tennessee, Texas, Vermont, and West Virginia. The difficulty of obtaining a two-thirds vote of a legislative body is often insurmountable, even when a majority is favorable.

There are a number of States which require that a joint resolution to submit an amendment to the constitution of the State shall be adopted by the legislature of that State in two consecutive sessions. If the resolution to adopt a constitutional amendment is passed at one session, and at the next session by delay or for any other reason it is not adopted again all the work of the previous session is held for naught. You have got to take the consecutive-sessions adoption only as a rule by which you can submit the matter to the people. Even when adopted by two consecutive legislatures, if the secretary of state fails—as was done in one State—to publish notice of such adoption, the amendment can not be submitted to the people.

There are 11 States which require the adoption by successive legislatures. They are Connecticut, Indiana, Iowa, Maine, Massachusetts, New Jersey, North Dakota, Tennessee, Vermont, Virginia, and Wisconsin.

Mr. President, it can readily be seen how difficult it is to pass a constitutional amendment in a State where the requirement is not only that the legislature shall adopt by a two-thirds vote the resolution submitting it to the people, but that at the next session of the legislature a similar resolution shall be adopted. The chance of delay in calling up or obtaining consideration of a measure of that kind makes it very easy to defeat a second adoption of the resolution.

In all of these States except Massachusetts and New Jersey the legislature meets biennially, and when we consider that two years have got to elapse before another resolution can be passed it is apparent how disheartening it is to even undertake the difficult task. A few skilled parliamentarians determined to defeat the measure can easily do so.

But that is not the worst feature of it, Mr. President. We find that some legislatures do not meet every two years. The Legislature of Alabama meets only once in four years, and with the requirement of the readoption of the resolution submitting the amendment to the people, you can see that an interval of five, six, or even eight years may elapse before a resolution of that kind could be gotten before the voters.

In some of the States you can not resubmit the question for years. For instance, the amendment can not be resubmitted in Illinois for four years. The amendment can not be resubmitted in Pennsylvania, New Jersey, and Kentucky for five years, and in Tennessee it can not be resubmitted to the people for six years. So instead of these obstructions to the passage of amendments to the constitutions of the various States being limited only to two or three States, as suggested by the Senator from Missouri, and as being of very little consequence, they are of the utmost importance and they show an almost absolute impossibility of obtaining the passage of those measures through State action.

Now, take the case of Rhode Island. Rhode Island requires a three-fifths majority of the voters. The requirement is that the constitutional amendment when submitted to the people shall be passed by a three-fifths majority instead of a majority which is required in most instances when the vote is by the people.

There are a number of States that fall in the following class that make it very difficult, indeed, to pass a constitutional amendment in those States. They count every vote that is not cast upon the amendment as a vote against the amendment. That is wrong, Mr. President. We know the people do not vote on constitutional amendments in large numbers. They seldom ever cast half as many votes as are cast for the governor of a State in the same election. In fact, I have known of instances where the votes upon a constitutional amendment did not constitute more than one-third of those that had been cast for governor, and yet according to the rule under this class every vote for governor in the State not marked as favorable to the amendment is counted as a negative vote against the adoption of the amendment.

Mr. President, that is a very serious obstacle. In fact, I can not see how one can get through a constitutional amendment where the law requires that a majority of all the votes cast in an election shall be cast in favor of the constitutional amendment.

Arkansas, Illinois, Minnesota, Mississippi, Nebraska, and Oklahoma make that requirement. The usual rule is that the majority of those voting upon the amendment shall determine the question as to whether the amendment has passed or not passed.

It seems to me under those circumstances the obstructions are insurmountable.

Now, in South Carolina and Tennessee they require a majority of the highest number of votes cast for representatives in the legislature. They add up the total votes cast for the legislators, and then if there is not a majority of those votes for it the amendment fails.

Mr. President, in order to win under such circumstances you have to make a paramount issue of the question, and hence it is almost impossible under those circumstances to pass an amendment to the State constitution.

All of these limitations and restrictions were placed there for the purpose of preventing amendments to the constitution.

They were placed in those constitutions deliberately for the purpose of not having the constitution amended, but times are changing and amendments are necessary. The obstructions ought not to be so great as to hamper and prevent the adoption of good and valid amendments.

In New Hampshire the legislature can not submit an amendment to the voters, but this can be done only by a constitutional convention which meets once in seven years.

You can see the difficulties these ladies have been under in attempting to have a constitutional amendment adopted in each of the States of the Union.

In Vermont there can be a constitutional convention but once in 10 years. In many States the calling of such a convention is very difficult. Woman suffrage never has been granted anywhere through the submission of an amendment by a constitutional convention.

New Mexico has the most restrictive provisions of all the constitutions. There you can not even have an amendment to the constitution submitted during the first 25 years of statehood, and then it requires a majority of three-fourths of all who voted on any question or for any candidates at the election, and there must be a favorable vote of two-thirds of these in each county—a provision which is absolutely prohibitive. If opponents concentrate their force against it in one county, that is all that would be necessary to defeat an amendment.

The constitution of Indiana says:

> If a majority of the electors of the State shall vote to ratify an amendment, it shall become a part of the constitution.

How are they to ascertain who are the electors except by a census? The constitution adopted in 1851 has never been amended. Only one amendment at a time can be submitted in Illinois, and to be adopted it must receive a majority of the highest number of votes cast at the election.

In South Carolina after an amendment has been submitted by a two-thirds vote of two legislatures and has received a majority of as many votes as were cast for representatives in the legislature, this body at its next session may nullify the election. What chance is there of getting through a constitutional amendment if there is any protest against it?

This is also the case in Mississippi after an amendment has received a majority of the highest number of votes cast at the election. Woman suffrage by State action in South Carolina and Mississippi would be absolutely impossible.

Mr. President, I see the hour has arrived for adjournment, but I want to call attention to the fact that these are insurmountable objections to our attempt to get equal-suffrage resolutions passed by each house in each State of the Union under the limitations and obstructions prescribed. They are so great that it makes woman suffrage by State action impossible in a large number of the States of the Union.

PROPOSAL TO VACATE UNANIMOUS-CONSENT AGREEMENT.

Mr. REED. I ask permission to offer a resolution, which I think, under the ruling of the Chair, must lie on the table.

The PRESIDING OFFICER. The resolution will be read.

The Secretary read the resolution (S. Res. 289), as follows:

> *Resolved*, That the Sergeant at Arms be instructed to notify all absent Members that on Thursday, August 15, unanimous consent will be asked to vacate the unanimous-consent agreement entered into on the calendar day July 13, 1918.

The PRESIDING OFFICER. The resolution will lie on the table, and the Chair expresses the hope that the Associated Press and all other press representatives will take notice of this resolution and give it the widest possible circulation.

DEATH OF REPRESENTATIVE DAVIDSON, OF WISCONSIN.

A message from the House of Representatives, by G. F. Turner, one of its clerks, communicated to the Senate the intelligence of the death of Hon. JAMES H. DAVIDSON, late a Representative from the State of Wisconsin, and transmitted resolutions of the House thereon.

Mr. CURTIS. I ask that the resolutions of the House of Representatives be laid before the Senate.

The PRESIDING OFFICER. The Chair lays before the Senate resolutions of the House of Representatives, which will be read.

The Secretary read the resolutions, as follows:

IN THE HOUSE OF REPRESENTATIVES,
August 8, 1918.

Resolved, That the House has heard with profound sorrow of the death of Hon. JAMES H. DAVIDSON, a Representative from the State of Wisconsin.

Resolved, That a committee of 16 Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Mr. CURTIS. Mr. President, I offer the following resolutions and ask for their adoption.

The resolutions (S. Res. 290) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. JAMES H. DAVIDSON, late a Representative from the State of Wisconsin.

Resolved, That a committee of nine Senators be appointed by the Presiding Officer, to join the committee appointed on the part of the House of Representatives, to attend the funeral of the deceased.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives and to the family of the deceased.

Mr. CURTIS. Mr. President, as a further mark of respect to the memory of the deceased Representative I move that the Senate adjourn.

The motion was unanimously agreed to; and (at 2 o'clock p. m.) the Senate adjourned until Thursday, August 15, 1918, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *August 12, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Come, Thou Almighty, with all Thy holy influence and inspire us with a clearer vision, a broader view, a more comprehensive conception of Thee and Thy purposes, that we may meet the crucial test through which we are passing with intelligence, courage, fortitude, and patriotic fervor.

We bless Thee for the signal victory of our Army and their allies, in not only checking but driving back the foes of civilization. Continue thus to guide our generals and encourage their men to deeds of heroism and glory, that the enemy may be finally overcome and brought to a full sense of their cruel undertakings; that truth may vindicate itself, right triumph over wrong, and peace once more reign over the earth; through the principles revealed to us in the Jesus of Nazareth. Amen.

The Journal of the proceedings of Thursday, August 8, 1918, was read and approved.

ORDER OF BUSINESS.

Mr. TAYLOR of Colorado. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TAYLOR of Colorado. I have had a number of inquiries respecting the water-power bill, and being a member of that special committee I want to inquire what will be the status of that, if it is appropriate to announce it at this time, when Congress convenes next Monday?

The SPEAKER. Of course, the answer depends in each case upon the way the request was made and granted. The order as it appears on the calendar, respecting the water-power bill, is as follows:

On motion of Mr. SIMS, by unanimous consent—

Ordered, That on Tuesday, July 9, 1918, immediately after the reading and approval of the Journal and disposition of business on the Speaker's table, it shall be in order to consider the bill S. 1419, the water-power bill; that the same shall be a continuing order until the bill is disposed of: *Provided*, That same shall not interfere with conference reports, Calendar Wednesday, the business in order on unanimous-consent day, or other privileged business; further, that the House bill reported as a substitute for said Senate bill shall be considered as an original House bill. (Order agreed to July 8, 1918.)

The status of it is this: On Monday next it will have no right of way unless the House voluntarily does away with the Unanimous Consent Calendar and suspension of the rules. On Tuesday it would have the right of way, provided there is no revenue bill or conference report or other privileged matter to be considered. Of course, the revenue bill is a privileged matter, just as an appropriation bill is. Barring those things, it has right of way; but it will not have right of way on Wednesday unless the House does away with Calendar Wednesday.

Mr. TAYLOR of Colorado. Very well.

LEAVE OF ABSENCE.

The SPEAKER. The Speaker received a telegram from Mr. ZIHLMAN, in which he states that he will not be here to-day. The Chair will construe that into a request to be excused to-day, and, without objection, it will be ordered.

There was no objection.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn until Thursday next.

The motion was agreed to; accordingly (at 12 o'clock and 6 minutes p. m.) the House adjourned until Thursday, August 15, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Northwest Channel, Key West, Fla., with a view to securing a channel 30 feet in depth and of sufficient width from the harbor to deep water in the Gulf of Mexico (H. Doc. No. 1253); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

2. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Trent River, N. C., with a view to deepening the channel along that portion of the river known as Foys Flats, and creating a turning basin at the confluence of Mill Creek and Trent River (H. Doc. No. 1254); to the Committee on Rivers and Harbors and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. RAKER: A bill (H. R. 12732) authorizing, empowering, and requiring postmasters of the United States to administer any and all oaths required under section 2 of an act entitled "An act making appropriations for the service of the Post Office Department, for the fiscal year ending June 30, 1913, and for other purposes," approved August 24, 1912; to the Committee on the Post Office and Post Roads.

By Mr. HAWLEY (by request): A bill (H. R. 12733) to authorize the addition of certain lands to the Crater and Siskiyou National Forests; to he Committee on the Public Lands.

By Mr. JOHNSON of Washington (by request): A bill (H. R. 12734) to extend all provisions of act 197 of the laws of the Territory of Hawaii for the regular session of 1917, approved May 1, 1917, to all voters of the Territory of Hawaii called into the active military or naval service of the United States; to the Committee on the Territories.

By Mr. KETTNER: A bill (H. R. 12735) for the protection of lands and property in the Palo Verde Valley, Cal., and for other purposes; to the Committee on Flood Control.

By Mr. RAKER: A bill (H. R. 12736) to amend section 2237 of the Revised Statutes fixing the salaries of registers and receivers of United States land offices; to the Committee on the Public Lands.

By Mr. COX: A bill (H. R. 12737) to amend an act approved August 10, 1917, fixing the prices of food, feeds, fuels, etc.; to the Committee on Agriculture.

By Mr. WATKINS: A bill (H. R. 12738) to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the acts of Congress approved, respectively, July 1, 1862, March 7, 1864, July 13, 1866, and March 2, 1867; to the Committee on War Claims.

By Mr. FRENCH: A bill (H. R. 12739) to pension the survivors of certain wars from January 1, 1858, to January 1, 1865, inclusive, and for other purposes; to the Committee on Pensions.

By Mr. BANKHEAD: A bill (H. R. 12740) to provide for the promotion of the vocational rehabilitation of persons disabled in industry or otherwise, and their return to civil employment; to the Committee on Education.

By Mr. THOMAS F. SMITH: A bill (H. R. 12741) to provide for the creation of a Federal election commissioner to supervise the casting, receipt, and transmission of soldiers' and sailors' votes, etc., to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. ANTHONY: Resolution (H. Res. 422) requesting the Secretary of the Navy to furnish the House with facts concerning recent attack of German submarine on American shipping off Cape Cod coast of Massachusetts; to the Committee on Naval Affairs.

By Mr. WATKINS (by request): Joint resolution (H. J. Res. 317) to make The Star Spangled Banner the national anthem of the United States of America; to the Committee on the Library.

By Mr. CARY: Concurrent resolution (H. Con. Res. 50) providing for the appointment of a joint committee to investigate conditions in lunch rooms and hotels in the District of Columbia; to the Committee on the District of Columbia.

By Mr. DUPRÉ: Memorial of the Legislature of the State of Louisiana, urging early settlement of the swamp-land grant controversy; to the Committee on the Public Lands.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANTHONY: A bill (H. R. 12742) granting an increase of pension to William Peterson; to the Committee on Invalid Pensions.

By Mr. BARNHART: A bill (H. R. 12743) granting an increase of pension to John H. Smith; to the Committee on Invalid Pensions.

By Mr. BESHLIN: A bill (H. R. 12744) granting an increase of pension to Isaac N. White; to the Committee on Invalid Pensions.

By Mr. BRUMBAUGH: A bill (H. R. 12745) granting a pension to John Maloy; to the Committee on Pensions.

Also, a bill (H. R. 12746) granting a pension to James Phelps; to the Committee on Pensions.

By Mr. FRENCH: A bill (H. R. 12747) for the relief of Aaron Kibler; to the Committee on Military Affairs.

Also, a bill (H. R. 12748) granting an increase of pension to Eliza Spalding Warren; to the Committee on Pensions.

By Mr. GREEN of Iowa: A bill (H. R. 12749) granting an increase of pension to William F. Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12750) granting an increase of pension to Robert S. McDonald; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12751) granting a pension to Ada Van Gilder; to the Committee on Pensions.

By Mr. HADLEY: A bill (H. R. 12752) granting a pension to Belle Holland; to the Committee on Pensions.

By Mr. HAYDEN: A bill (H. R. 12753) for the relief of Eugene F. Sanguinetti; to the Committee on Claims.

By Mr. HOLLINGSWORTH: A bill (H. R. 12754) granting a pension to George Harshman; to the Committee on Invalid Pensions.

By Mr. KELLEY of Michigan: A bill (H. R. 12755) granting a pension to Sarah Walton; to the Committee on Invalid Pensions.

By Mr. KETTNER: A bill (H. R. 12756) granting a pension to Samuel W. Van Riper; to the Committee on Pensions.

By Mr. KRAUS: A bill (H. R. 12757) for the relief of Charles C. Schilling; to the Committee on Military Affairs.

By Mr. LITTLE: A bill (H. R. 12758) granting an increase of pension to William J. Barlow; to the Committee on Invalid Pensions.

By Mr. RAKER: A bill (H. R. 12759) granting an increase of pension to Anne Woodrum; to the Committee on Invalid Pensions.

By Mr. SHOUSE: A bill (H. R. 12760) granting a pension to Marjie Combs; to the Committee on Invalid Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 12761) granting a pension to Thomas B. Thompson; to the Committee on Pensions.

By Mr. SNELL: A bill (H. R. 12762) granting an increase of pension to Henry Conger, alias Henry Stevens; to the Committee on Invalid Pensions.

By Mr. VOIGT: A bill (H. R. 12763) granting an increase of pension to Wilhelm Yaeger; to the Committee on Invalid Pensions.

By Mr. WILSON of Illinois: A bill (H. R. 12764) granting a pension to Ada M. Allen; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Resolution of the machinists of Bridgeport, Conn., protesting against a maximum-wage law; to the Committee on Labor.

Also (by request), memorial of the Cigar Makers' International Union, asserting their support of the Government in the prosecution of the war; to the Committee on Military Affairs.

Also (by request), resolution of the Association of Agents of the Northwestern Mutual Life Insurance Co., protesting against the tax on life insurance by corporations on the lives of members or employees; to the Committee on Ways and Means.

Also (by request), resolution of the Washington State Federation of Women's Clubs, in favor of woman suffrage; to the Committee on Woman Suffrage.

Also (by request), petition of G. W. Stearn, secretary, and other members of the American Agricultural Association, urging that an investigation be made by Congress with a view to fixing maximum prices on all commodities; to the Committee on Agriculture.

Also (by request), memorial of the National Lumber Manufacturers' Association asking that the immigration laws may be suspended during the war so that sufficient labor may be provided; to the Committee on Immigration and Naturalization.

Also (by request), memorial of the Overall, Shirt, and White Goods Workers, Local No. 238, St. Louis, Mo., protesting against prohibition of light wines and beer; also resolution of the Finnish Evangelical Lutheran Church of America, urging war-time prohibition; to the Committee on the Judiciary.

Also (by request), petition (with documents inclosed) of the Chicago Law and Order League in favor of prohibition; to the Committee on the Judiciary.

Also (by request), petition of the members of the Men's Bible Class of the United Evangelical Church, of Ashton, Ill., asking for war prohibition; to the Committee on the Judiciary.

Also (by request), resolution of the Collinsville (Ill.) Trades Council, protesting against the unfair methods used in the Mooney trial; to the Committee on the Judiciary.

Also (by request), resolution of the Local York County (Pa.) Socialist Party relative to the Mooney trial; to the Committee on the Judiciary.

Also (by request), resolution of the Local Unions Nos. 269 and 29, of Trenton, N. J., demanding a new trial for Mooney and his associates; to the Committee on the Judiciary.

By Mr. DOOLITTLE: Petition of the Methodist Episcopal Church of Alma, Kans., for the enactment of war prohibition; to the Committee on the Judiciary.

By Mr. DRUKKER: Petition of chiropractors of Paterson, N. J., relative to House bill 5118; to the Committee on Military Affairs.

By Mr. HAMILTON of New York: Petition of the Calvary Baptist Church of Jamestown, N. Y., favoring the prohibition of the beverage-liquor traffic during the period of the war as a war measure; to the Committee on the Judiciary.

SENATE.

THURSDAY, *August 15, 1918.*

Rev. J. L. Kibler, of the city of Washington, offered the following prayer:

Our Heavenly Father, we feel that we join the great multitude of our fellows to-day who are at this moment lifting their hearts to Thee for Thy blessing upon our country and the triumph of our arms. At this time of the world conflict, when we are sending many hundreds of thousands of our brave soldiers across the perilous seas to meet the awful issues involved, we feel that we need Thy guiding hand and the protection of Thy kind providence. O Thou God of battles, Thou God of mercy and of justice, give our leaders wisdom to perform their duties and to guide safely their forces, and give speedy victory to our righteous cause. We ask it in the name of Jesus Christ, our Lord. Amen.

The Secretary proceeded to read the Journal of the proceedings of Monday last, when, on request of Mr. SMOOT and by unanimous consent, the further reading was dispensed with and the Journal was approved.

CHANGES OF DRAFT AGE.

Mr. CHAMBERLAIN. Mr. President, out of order, I desire to report back from the Committee on Military Affairs with amendments the bill (S. 4856) to amend sections 2, 4, and 5 of an act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, and for other purposes, and I submit a report (No. 554) thereon. In presenting the report I desire to state to Senators that they will find the bill as amended in its entirety in the report which is laid on the desk of each Senator, and I ask that the report be printed in the RECORD. The bill

itself will be printed and presented in the usual form to-morrow.

The report this day submitted by Mr. CHAMBERLAIN is as follows:

"The Committee on Military Affairs, to whom was referred the bill (S. 4856) to amend sections 2, 4, and 5 of an act entitled 'An act to authorize the President to increase temporarily the Military Establishment of the United States,' approved May 18, 1917, and for other purposes, report the same back to the Senate with certain amendments with the recommendation that as amended the bill do pass.

"The bill, as amended by the committee, is as follows:

"*Be it enacted, etc.*, That the second sentence of section 2 of the act entitled 'An act to authorize the President to increase temporarily the Military Establishment of the United States,' approved May 18, 1917, be, and hereby is, amended to read as follows:

"Such draft as herein provided shall be based upon liability to military service of all male citizens and male persons residing in the United States, not alien enemies, who have declared their intention to become citizens, between the ages of 18 and 45, both inclusive, and shall take place and be maintained under such regulations as the President may prescribe, not inconsistent with the terms of this act: *Provided*, That the President may draft such persons liable to military service in such sequence of ages and at such time or times as he may prescribe: *And provided further*, That a citizen or subject of a country neutral in the present war who has declared his intention to become a citizen of the United States shall be relieved from liability to military service upon his making a declaration, in accordance with such regulations as the President may prescribe, withdrawing his intention to become a citizen of the United States, which shall operate and be held to cancel his declaration of intention to become an American citizen, and he shall forever be debarred from becoming a citizen of the United States.

"2. That the provision of section 4 of said act, 'persons engaged in industries, including agriculture, found to be necessary to the maintenance of the Military Establishment or the effective operation of the military forces or the maintenance of national interest during the emergency,' be, and hereby is, amended to read as follows:

"Persons engaged in industries, occupations, or employments, including agriculture, found to be necessary to the maintenance of the Military Establishment or the effective operation of the military forces or the maintenance of national interest during the emergency: *Provided*, That when any person shall have been placed in a deferred or exempted class for any of the reasons in this paragraph set forth, he shall not be entitled to remain therein unless he shall in good faith continue, while physically able so to do, to work at and follow such occupation, employment, or business, and if he fails so to do he shall again become subject to the draft.

"The President shall make regulations for enforcing this provision.

"3. That section 4 of said act be amended by adding at the end thereof the following proviso:

"*Provided*, That nothing in this section contained shall prevent the President, if he deems it advisable, from appointing as a member of the local board any person residing outside the subdivision or area, but within the same State, in which such local board has jurisdiction, or from transferring a member of one local board to another local board outside the subdivision or area, but within the same State, in which such person resides.

"4. That section 5 of said act be, and hereby is, amended to read as follows:

"That all male persons between the ages of 18 and 45, both inclusive, shall be subject to registration in accordance with regulations to be prescribed by the President, and upon proclamation by the President or other public notice given by him or by his direction stating the time or times and place or places of any such registration, it shall be the duty of all persons of the designated ages, except officers and enlisted men of the Regular Army, the Navy, and the National Guard and Naval Militia while in the service of the United States, to present themselves for and submit to registration under the provisions of this act; and every such person shall be deemed to have notice of the requirements of this act upon the publication of any such proclamation or any such other public notice as aforesaid given by the President or by his direction; and any person who shall willfully fail or refuse to present himself for registration or to submit thereto as herein provided shall be guilty of a misdemeanor and shall, upon conviction in a district court of the United States having jurisdiction thereof, be punished by imprisonment for not more than one year and shall thereupon be duly registered: *Provided*, That in the call of the docket precedence shall be given, in courts trying the same, to the trial of criminal proceedings under this act: *Provided further*, That persons shall be subject to registration as herein provided who shall have attained their eighteenth birthday and who shall not have attained their forty-sixth birthday on or before the day set for the registration in any such proclamation by the President or any such other public notice given by him or by his direction, and all persons so registered shall be and remain subject to draft into the forces hereby authorized unless exempted or excused therefrom as in this act provided: *Provided further*, That the President may at such intervals as he may desire from time to time require all male persons who have attained the age of 18 years since the last preceding date of registration and on or before the next date set for registration by proclamation by the President, except such persons as are exempt from registration hereunder, to register in the same manner and subject to the same requirements and liabilities as those previously registered under the terms hereof: *And provided further*, That in the case of temporary absence from actual place of legal residence of any person liable to registration as provided herein, such registration may be made by mail under regulations prescribed by the President.

"5. The wife of a soldier or sailor serving in the present war shall not be disqualified for any position under the Government because she is a married woman.

"6. Soldiers and sailors, regardless of age, shall, when they are accepted as volunteers or when they shall have been drafted, be eligible to receive commissions in either the Army or Navy. They shall likewise be eligible to admission to officers' schools under such rules and regulations as may be adopted for entrance to such schools, but shall not be barred from or discriminated against on account of age.

"7. Any person under the age of 21 who shall have been accepted as a volunteer or who shall have been drafted and served in the Army or Navy shall be entitled, at the conclusion of the present war, to receive an education at the expense of the United States Government at approved educational institutions. The period of such education shall be equivalent in point of time to the period by him served in the Army and Navy, but shall not exceed two years. Application for such educational privilege shall be made within six months after discharge, and the applicant shall promptly begin his studies after his application shall have been approved.

"Rules and regulations for carrying out this provision shall be promulgated by the President.

"The main purpose of the foregoing bill is to change the present draft ages now established at 21 to 31 years, both inclusive, to 18 and 45, both inclusive. This is the purpose of section 1 of the bill.

"The other changes in the present law are not so fundamental and are really intended to make the present law somewhat more flexible and easier of administration than at present.

"As to the necessity of changing the draft ages, attention is called to brief excerpts from the testimony of Hon. Newton D. Baker, Secretary of War, Gen. Peyton C. March, Chief of Staff, and to a memorandum addressed to the Chief of Staff by the Provost Marshal General, E. H. Crowder, under date of July 27, 1918, with exhibits thereto attached. These taken together, in the opinion of the committee, warrant the speedy enactment of the bill as it is reported to the Senate.

"The Secretary of War appeared in person before the committee and testified, amongst other things, as follows:

"Secretary of War BAKER. The need for the increase in the age limits is directly the outcome of the determination on the part of the War Department to speed up and also to increase in size the military program.

"After the recess of Congress, the study of the situation went on, and a few days ago it became clear to us that the 80-division program was perhaps the maximum which we could possibly hope to accomplish, and that to accomplish that it would be necessary to change the age limits from the present limits to 18 to 45.

"I asked the Surgeon General for a formal opinion as to the changes he would recommend. In the light of the experience of other countries and our own experience, the Surgeon General independently came out with the suggestion of 18 to 45, so that the Surgeon General's opinion sustains that arrived at by the General Staff.

"The bill as it is written meets with my entire approval.

"Question (by Senator JOHNSON). I find in talking to Members of Congress a decided reluctance to decrease the draft age to 18. I confess to a similar reluctance. I think, however, that those with whom I have talked—and I know this is my personal attitude—are all willing to do it if the military necessities and the exigencies demand and require it. As I understand it, that is the situation?

"Secretary BAKER. That is my belief about it.

"Senator JOHNSON. So, in order to carry out the purposes for which we have entered this war, successfully to prosecute it, this particular measure you deem essential?

"Secretary BAKER. I believe that to be the fact. My own judgment about it originally was that 19 should be the minimum, and I came to the 18 minimum only after very thorough study of the situation, and with some reluctance, but finally believing it to be necessary to secure the appropriate number of men.

"The President's policy is that the United States will concentrate its military efforts on the western front in France, including the Italian frontier as a part of the western front. The theory of the fighting in the future is that we must force the issue and win it on the western front.

"The Chief of Staff likewise appeared in person before the committee and testified with reference to the change in the draft ages as follows:

"Gen. PEYTON C. MARCH. The United States Government has been asked by her allies to embark upon a program so large that it was necessary very carefully to ascertain whether we could go through with it or not, and one of the features of this enlarged program was providing men. The desire of the administration is to establish limits, both maximum and minimum, which will accomplish this program and at the same time disorganize the industries of the country as little as possible. The policy of the War Department is to put the maximum number of men in France with the idea of shortening the war. We found from the figures furnished by the Provost Marshal General that we could embark on a program of 80 divisions in France by June 30, 1919, with 18 divisions at home. These divisions consist of, roughly, 40,000 men to a division. After prolonged study of the available man power of the United States, the Provost Marshal General showed that it was necessary to drop to 18 years of age and go to 45 in order to get the men to carry it through. All of the men obtained under the proposed change in the draft law—approximately 2,300,000—we expect to have in France by June 30, 1919.

"Question (by Senator REED). As a matter of fact, is it not your opinion that it is better for the country, better for the Army, better for the service, to call out these younger classes—that is, the men 18, 19, and 20 years of age—than it is to call out the men 32 and up? Is not that your personal opinion?

"Gen. MARCH. My opinion is unqualifiedly in favor of the young man.

"The young men between 18 and 20 are usually not married; they have not settled down in life; they have not any encumbrances; and they are better off physically.

"The President has finally announced that the American military policy from this time on is centered on the western front and we have declined to be diverted from that one thing. The War Department has now adopted this as a policy, and it is the policy of the United States that the military program is to be centered in France.

"If the ages are changed to 18 to 45, the system of volunteer enlistments in the United States Army disappears.

"The purpose of America is to furnish enough man power to whip the Germans from now on. The only way that Germany can be whipped is by America going into this thing with her whole strength.

"Question (by Senator KIRBY). Then America has got to put enough men over there to whip Germany?

"Gen. MARCH. That is it in a nutshell.

"The authority which was granted the President in this bill gives him the power to call out classes, but does not make it mandatory.

"It is up to us to win the war, and we can win it. How long it will take will depend exactly upon what we do. If we drag along with this thing and put a small force over there, we will be playing Germany's game. It is my belief that with an American army of 4,000,000 men in France under one commander in chief we can go through the German line wherever we please.

"Question (by the Chairman). In order to carry out this program you must have this law?

"Gen. MARCH. Yes. This law will let us lean on class 1 until June 30 of next year.

"We reached the conclusion that the enlarged program was necessary on the 30th day of July.

"The memorandum of the Provost Marshal General, forwarded by him to the Chief of Staff, with an intimate and careful study of the man power of the United States between the ages of 18 and 45, is as follows:

"WAR DEPARTMENT,
"OFFICE OF THE PROVOST MARSHAL GENERAL,
"*Washington, July 27, 1918.*

"From: The Provost Marshal General.
"To: Chief of Staff, War Department, Washington, D. C.
"Subject: Changes of draft age.

"1. Pursuant to your memorandum of July 24, transmitting a copy (secret) of the approved military program for 1918–19, and calling for the draft of a proposed bill lowering the draft age to 19 and raising it to 40, I transmit herewith estimates of the effectives obtainable by the enlargement of the draft ages in the shape of three studies covering age groups 32–40 combined with 19–20, 32–45 combined with 19–20, and 32–45 combined with 18–20, and showing the estimated effectives for each combination.

"2. These figures were made by a careful calculation in this office, checking the calculations at various points with experience in the several items represented; the basic figures, viz, the total males of the respective age groups, were ascertained by comparison of reliable insurance actuarial figures with census tables projected to date.

"This explanation is made because the totals shown are considerably below what might have been supposed to be the ample size of the reservoir in the higher ages. The combination ages 32–40 and 19–20 (see study No. 1) designated in your memorandum would yield only a little over a million and a half men (or half a million less than the total amount called for by the program for the nine months, October, 1918–June, 1919). By including age 45 at the top, the second combination (see study No. 2) would yield only a million and three-quarters effectives. By taking the extreme step and adding age 18 at the bottom and including age 45 at the top (see study No. 3) something over two million and one-quarter effectives would be obtained.

"3. This seems to indicate that the bill as drafted should at least provide authority to call into service the extreme age of 45 at the top and 18 at the bottom; and it is accordingly recommended that the draft of a bill be prepared with those ages as the limits.

"4. Furthermore, the authority to draw upon this new reservoir must be obtained immediately. The estimated number of Class I men under the present ages (and including the class of 1918, age 21, that has been registered under the President's proclamation) will be only about 100,000 men (and may fall below that figure) on September 1, 1918, after filling the calls indicated for July and August, and making deductions for the unexpected heavy losses due to a rush in June and July to the Navy, Marine Corps, and Emergency Fleet.

"5. September call: The first question which presents itself is the very urgent one, How to meet the September call for 200,000 men with considerably less than that number in Class I to be drawn upon? There is only one way I can see for accomplishing this, and that is to provide for weekly registration of men becoming 21 since last registration day, June 5, 1918. We could hold such registration, after proper proclamation by the President and upon a bulletin order to boards, designating Monday of each week as registration day, and requiring the necessary personnel to assemble at the headquarters of local boards on that day to effect the registration. The first registration day would be a heavy one, requiring, perhaps, special personnel, but the subsequent weekly registration days should be handled with greater ease. In this way we could hope to get, under a rush procedure, approximately 80,000 men available for the September call, which, added to those remaining in Class I, would give a total barely sufficient to fill the September call.

"6. We must exclude, of course, from consideration in filling the September quota, registrants who become liable to our draft under the British and Canadian treaty, as it is not practicable to have a registration of these men until August 29, 30 days after the ratification of the treaty; and it is not until 30 days thereafter that their right to elect to service with the British and Canadian contingents ceases.

"7. Subsequent calls: The second and more difficult question is, How can we supply, on time, the 150,000 men required for each of the succeeding months of October, November, and December? The British-Canadian treaty would help out to the extent—it is estimated—of about 50,000 men, which is not even the conventional 'drop in the bucket.'

"The House reconvenes on August 19 and the Senate on August 26. How long a period will be consumed in the discussion and enactment of legislation authorizing the extension of the draft ages and in what form such legislation will be enacted it is difficult to anticipate. And yet we must anticipate it if we are to establish as expeditious procedure under it which will produce on time the quotas for the months above stated. If we could assume that the law would be enacted in the remaining days of August, we would have a basis of calculating the results to be obtained under it. As I stated to the Senate Military Committee at its last hearing, a minimum period of 90 days is necessary to enroll and classify all the men registered in the additional classes suggested. We can not therefore wait for the completion of Class I, but must take men irrespective of their order numbers as fast as they find their way into Class I.

"8. I suggest for discussion with the Military Committees of the two Houses the tentative form of bill hereto attached, to the end that we may obtain assurances that the bill will pass in such a form as will permit me to proceed now with the printing of the large number of forms, including the questionnaire, necessary in connection with the additional registration. The Printing Office contemplates a period of 30 days for the printing of the forms, so it is necessary to move with great promptness. Of course, the distribution of the forms can go on during the period of printing, with the assurance that they will not be invalidated by changes in the legislation. Perhaps, also, we could receive assurances that the registration could be enacted by the House in the period following its reconvening, so that it could be taken up promptly by the Senate on August 26 and passed there. This would enable us to contemplate September 5 as a national registration day, and the machinery of the selective draft operating very soon thereafter in grinding out a Class I available for filling October, November, and December contingents.

"E. H. CROWDER,
"*Provost Marshal General.*

"ESTIMATE OF EFFECTIVES OBTAINABLE BY ENLARGEMENTS OF DRAFT AGES.

"SUMMARY OF STUDIES 1, 2, AND 3.

"*Estimated numbers of effectives for each age group.*

I.	Ages 32–40	448,086
II.	Ages 32–45	601,236
III.	Ages 19–20	1,121,634
IV.	Ages 18–20	1,797,609

"*Numbers for combinations of age groups.*

By combining ages 32–40 and 19–20:		
Ages 32–40	448,086	Study No. 1.
Ages 19–20	1,121,634	
Total	1,569,720	
By combining ages 32–45 and 19–20:		
Ages 32–45	601,236	Study No. 2.
Ages 19–20	1,121,634	
Total	1,722,870	
By combining ages 32–45 and 18–20:		
Ages 32–45	601,236	Study No. 3.
Ages 18–20	1,797,609	
Total	2,398,845	

"STUDY NO. 1.

Ages 32–40 (inclusive)	448,086
Ages 19–20 (inclusive)	1,121,634
Combined ages	1,569,720

"*Ages 32 to 40.*

				Sources of figures.
1. Total males		6,960,532		1. Insurance tables.
2. Less married (deferred)	5,311,952			2. Insurance tables.
3. Less deferred solely for industry and agriculture.	278,421			3. 4 per cent of line 1.
4. Less other deferments	139,210			4. 2 per cent of line 1.
5. Less delinquents	208,815			5. 3 per cent of line 1.
		5,938,398		
6. Remainder (=gross Class I)		1,022,134		
7. Less enlistments	150,000			7. Special estimate.
8. Less aliens	91,992			8. 9 per cent of line 6.
9. Less Emergency Fleet	50,000			9. Special estimate.
		291,992		
10. Remainder			730,142	
11. Less physical rejects			292,056	
(a) Groups B, C	73,014			(a) 10 per cent of line 10.
(b) Group D	219,042			(b) 30 per cent of line 10.
12. Net effectives			448,086	

"*Explanation.*

"1. Line 1 is taken from Prudential insurance-actuarial tables of July, 1918, compared with census tables projected in this office. The actuarial tables are brought down to date by the actuaries, and the census tables thus brought down at the bureau are not yet available.

"2. Line 2 is taken from same source as line 1.

"3. Line 3 is taken from industrial index ledger sheets for occupational registrants. The ratios there shown are: Class I equals 31 per cent; Classes II to IV, deferred for industry and agriculture only equal 4 per cent. Other deferred classes equal 64 per cent.

"The percentage here taken is the same as for ages 21–30 classification. This is too large, in that many more such men in ages 32–40 would get their exemption on dependency grounds, without invoking industrial or agricultural necessity. But it is too small, in that a larger proportion of men in ages 30–40 would be entitled to such deferment. Hence, these two differences may be estimated to set off each other.

"4. Line 4 represents the corresponding figure for the 1917 draft. These are too low, if anything, as the numbers of State officials, etc., increase in the higher ages.

"5. Line 5 is taken from reports in this office on delinquents, figuring 3.9 per cent of total registration. This would be too high, because the total delinquents include at least some portion of the marrieds; hence 3 per cent is a safer figure.

"7. Line 7 is thus figured: Total enlistments (Army and Navy) to date, 1,400,000; of which those above 30 are estimated at 10 per cent, or 140,000; of these, 120,000 may be estimated to be within ages 32–40; deduct 20,000 marrieds, leaving 100,000 now enlisted; add 50,000 more probable enlistments before liability accrues in the new draft, 150,000.

"8. Line 8 is found thus: In the first registration 13 per cent were aliens; and the census report shows that the percentage of aliens' ages 20–30 and 30–40 or 45 is not substantially different. But many aliens have left the country and 12 per cent is a safer figure. Of these, one-quarter are subjects of Great Britain and Italy, who will presumably become liable and largely available; hence the deduction should be corrected to 9 per cent. This might seem too large, by a considerable factor, because in the 1917 draft only 50 per cent of called aliens obtained exemption on that ground, another 33 per cent obtaining it on other grounds, while 17 per cent of all aliens were certified for service; this would seem to show that in any given number of aliens

the net number to be deducted on that ground is nearer to 50 per cent. But as the 33 per cent who were exempted on other grounds are already included under the deferments already deducted, and as the 17 per cent volunteers are likely not to reappear (partly because of the Slavic and Polish Legions, etc.), there should be no reduction of the 9 per cent, which is the figure here taken on line 7.

"Declarants are not deducted; the neutrals being a negligible amount.

"9. Line 9 is based on recent reports in this office.

"11. Line 11 (a) is based on the returns of classification of 1918 showing 10 per cent.

"Line 11 (b) is based on similar figures, which show not quite 20 per cent, including camp rejections. To this must be added 10 per cent for ages 32–40, according to advices from the Surgeon General's office. This gives 30 per cent in all.

"Ages 19 and 20.

				Sources of figures.
1. Total males		2,106,386		1. Insurance tables.
2. Less married (deferred)	163,812			2. Insurance tables.
3. Less deferred solely for industry or agriculture.	10,532			3. ½ of 1 per cent of line 1.
4. Less other deferments	2,106			4. 1/10 of 1 per cent of line 1.
5. Less delinquents	63,191	239,641		5. 3 per cent of line 1.
6. Remainder (=gross Class I)		1,866,745		
7. Less enlistments	207,777			7. Special estimate.
8. Less aliens	56,634			8. 3 per cent of line 6.
9. Less Emergency Fleet	0	264,411		9. Not allowed.
10. Remainder			1,602,334	
11. Less physical rejects			480,700	
(a) Groups B, C	160,233			(a) 10 per cent of line 10.
(b) Group D	320,466			(b) 20 per cent of line 10.
12. Net effectives			1,121,634	

"Explanation.

"Lines 1 and 2 are taken from the same tables as for ages 32 to 40.

"Line 3 obviously here can not use the same 4 per cent as for ages 21 to 30; the ratio one-half of 1 per cent is here taken.

"Line 4 similarly is taken at a negligible figure of one-tenth of 1 per cent.

"Line 5 is reckoned as for ages 32 to 40.

"Line 7 is based upon reports of July 26, 1918, from The Adjutant General's office, as set forth later in study No. 3.

"Line 8 is based upon census figures showing that the numbers of aliens of ages 15 to 19 are less than one-half the number for the next five-year period, while the native born are 10 per cent to 20 per cent more numerous than in the higher-age period. Thus the 9 per cent for ages 21 to 30 should here be reduced to 3 per cent.

"Line 9. Emergency fleet withdrawals for these age years should not be allowed.

"Line 11 is based on the per cent for ages 21–30. Three officers of the Surgeon General's office agree in believing that the ages 19–20 or 18–20 do not permit of any lower percentage than for ages 21–30.

"STUDY NO. 2.

Ages 32–45 (inclusive)	601,236
Ages 19–20 (inclusive)	1,121,634
Combined ages	1,722,870

"Ages 32 to 45.

				Sources of figures.
1. Total males		10,028,973		1. Insurance tables.
2. Less married (deferred)	7,734,482			2. Insurance tables.
3. Less deferred solely for industry and agriculture.	401,159			3. 4 per cent of line 1.
4. Less other deferments	200,579			4. 2 per cent of line 1.
5. Less delinquents	300,869	8,637,089		5. 3 per cent of line 1.
6. Remainder (=gross Class I)		1,391,884		
7. Less enlistments	170,000			7. Special estimate.
8. Less aliens	125,270			8. 9 per cent of line 6.
9. Less Emergency Fleet	60,000	355,270		9. Special estimate.
10. Remainder			1,036,614	
11. Less physical rejects			435,378	
(a) Groups B, C	103,661			(a) 10 per cent of line 10.
(b) Group D	331,716			(b) 32 per cent of line 10.
12. Net effectives			601,236	

"Explanation.

"Lines 1 to 6 are reckoned as for ages 32 to 40 in study No. 1.

"Line 7 is thus reckoned: Enlistments above age 30 equals 140,000; deduct 30,000 married, leaving 110,000; add 60,000 more probable anticipatory enlistments, making 170,000 in all.

"Line 8 is reckoned as for ages 32 to 40 in study No. 1.

"Line 9 is based on reports in this office.

"Line 11 is reckoned as for ages 32 to 40, but adding 5 per cent more for ages 40 to 45 (as recommended by the Surgeon General's office), making 15 per cent, or an average of 12 per cent added for 32 to 45; or 32 per cent in all.

"Ages 19 and 20.

				Sources of figures.
1. Total males		2,106,386		1. Insurance tables.
2. Less married (deferred)	163,812			2. Insurance tables.
3. Less deferred solely for industry or agriculture.	10,532			3. ½ of 1 per cent of line 1.
4. Less other deferments	2,106			4. 1/10 of 1 per cent of line 1.
5. Less delinquents	63,191	239,641		5. 3 per cent of line 1.
6. Remainder (=gross Class I)		1,866,745		
7. Less enlistments	207,777			7. Special estimate.
8. Less aliens	56,634			8. 3 per cent of line 6.
9. Less Emergency Fleet	0	264,411		9. Not allowed.
10. Remainder			1,602,334	
11. Less physical rejects			480,700	
(a) Groups B, C	160,233			(a) 10 per cent of line 10.
(b) Group D	320,466			(b) 20 per cent of line 10.
12. Net effectives			1,121,634	

"Explanation.

"Lines 1 and 2 are taken from the same tables as for ages 32 to 40.

"Line 3 obviously here can not use the same 4 per cent as for ages 21 to 30; the ratio one-half of 1 per cent is here taken.

"Line 4 similarly is taken at a negligible figure of one-tenth of 1 per cent.

"Line 5 is reckoned as for ages 32 to 40.

"Line 7 is based upon reports of July 26, 1918, from The Adjutant General's office, as set forth later, in study No. 3.

"Line 8 is based upon census figures showing that the numbers of aliens of ages 15 to 19 are less than one-half the number for the next five-year period, while the native born are 10 per cent to 20 per cent more numerous than in the higher-age period. Thus the 9 per cent for ages 21 to 30 should here be reduced to 3 per cent.

"Line 9. Emergency Fleet withdrawals for these age years should not be allowed.

"Line 11 is based on the per cent for ages 21–30. Three officers of the Surgeon General's office agree in believing that the ages 19–20 do not permit of any lower percentage than for ages 21–30.

"STUDY NO. 3.

Ages 32–45 (inclusive)	601,236
Ages 18–20 (inclusive)	1,797,609
Combined ages	2,398,845

"Ages 32 to 45.

				Sources of figures.
1. Total males		10,028,973		1. Insurance tables.
2. Less married (deferred)	7,734,482			2. Insurance tables.
3. Less deferred solely for industry and agriculture.	401,159			3. 4 per cent of line 1.
4. Less other deferments	200,579			4. 2 per cent of line 1.
5. Less delinquents	300,869	8,637,089		5. 3 per cent of line 1.
6. Remainder (=gross Class I)		1,391,884		
7. Less enlistments	170,000			7. Special estimate.
8. Less aliens	125,270			8. 9 per cent of line 6.
9. Less Emergency Fleet	60,000	355,270		9. Special estimate.
10. Remainder			1,036,614	
11. Less physical rejects			435,378	
(a) Groups B, C	103,661			(a) 10 per cent of line 10.
(b) Group D	331,716			(b) 32 per cent of line 10.
12. Net effectives			601,236	

"Explanation.

"Lines 1 to 6 are reckoned as for ages 32 to 40 in study No. 1.

"Line 7 is thus reckoned: Enlistments above age 30 equals 140,000; deduct 30,000 married, leaving 110,000; add 60,000 more probable anticipatory enlistments, making 170,000 in all.

"Line 8 is reckoned as for ages 32 to 40 in study No. 1.

"Line 9 is based on reports in this office.

"Line 11 is reckoned as for ages 32 to 40, but adding 5 per cent more for ages 40 to 45 (as recommended by the Surgeon General's office), making 15 per cent; or an average of 12 per cent added for 32 to 45, or 32 per cent in all.

"Ages 18 to 22.

				Sources of figures.
1. Total males		3,171,671		1. Insurance tables.
2. Less married (deferred)	158,185			2. Insurance tables.
3. Less deferred solely for industry and agriculture.	15,858			3. ½ of 1 per cent of line 1.
4. Less other deferments	3,171			4. 1/10 of 1 per cent of line 1.
5. Less delinquents	95,150	272,354		5. 3 per cent of line 1.
6. Remainder (=gross Class I)		2,899,317		
7. Less enlistments	244,324			7. Special estimate.
8. Less aliens	86,979			8. 3 per cent of line 6.
9. Less Emergency Fleet	0	331,305		9. Not allowed.
10. Remainder			2,568,012	
11. Less physical rejects			770,403	
(a) Groups B, C	256,801			(a) 10 per cent of line 10.
(b) Group D	513,602			(b) 20 per cent of line 10.
12. Net effectives			1,797,609	

"Explanation.

"Lines 1 to 5, 8, and 11 are obtained as for ages 19 to 20 in study No. 1.

"Line 9, Emergency Fleet withdrawals for these ages should not be allowed.

"Line 11 is reckoned as for ages 19 to 20 in study No. 1.

"Line 7 is based on The Adjutant General's office estimates of July 26, 1918, as follows:

"1. On account of the present arrangement of records in the several offices it would require the services of some hundred clerks for months to obtain an accurate count of the number of men in the military service of the United States between the ages of 18 and 20. An accurate count can only be had from a study of all enlistment papers in The Adjutant General's office, the Navy Department, and the Marine Corps. An estimate may be made from the actual number of enlistments since January 1, 1917, and the number in this age group in service at the present time is 244,326, of which number 36,549 are estimated to be under 19 and 207,777 are estimated to be of ages 19 to 20.

"2. This estimate has been arrived at in the following manner:

"(a) Enlisted men in the Regular Army and National Guard between 18 and 20.

"The chief clerk of the recruiting department of The Adjutant General's office makes the statement that 'due to the Selective Service Regulations practically all enlistments in the Regular Army and National Guard since January 1, 1918, represent men outside of the draft age, and of these about 70 per cent are under the age.' This estimate was verified by his assistant, who thought that possibly the reenlistments of older men might place as many as 75 per cent below the draft age. Another assistant in the department at First and B Streets estimated between 60 and 70 per cent, so that the average estimate of 70 per cent had been used in this computation. An actual count of current enlistment papers selected at random revealed 80 out of 115 to be below the draft age. The total number of enlistments in the Regular Army during this period was 113,794, which figure it is estimated at about 90 per cent of the combined figures for the Regular Army and National Guard. Therefore the total enlistments in the above would be approximately 126,436. But this figure includes men registered on June 5, 1918, the percentage of which is estimated to be 45 per cent. The net figure, then, for the age group 18–20 is estimated at 69,540. Of these, 15 per cent, or 10,430, are under the age of 19. For the years 1916 and 1917 an average estimate by the same experts divides the enlistments into three age groups by percentages as follows:

	Per cent.
Under 21	27
21–30	57
Over 30	16

"On this basis of the 235,000 enlistments for 1916–17, exclusive of the National Guard, 63,450 would be between 18 and 20. Assuming that as many of these attained the age of 21 by June 5, 1918, as were enlisted during 1916 under age, it is estimated that this figure, 63,450, would be approximately the number of men now in the service enlisted prior to January 1, 1918. No figures for the National Guard are available. Hence the total strength of the Regular Army between 18 and 20 is approximated at 133,000 and under 19 at 19,950.

"(b) Navy: The approximate strength of the Navy and Naval Reserve forces at this time is 400,000 enlisted men, or a little over about half in each. Of the 200,000 men in the Navy proper, very close to 50 per cent are between the ages 21–30. Of the 100,000 men outside of these ages it is estimated that 75 per cent are under and 25 per cent over. In the Navy, then, 75,000 are to-day under 21. Of the 200,000 in the Naval Reserves, between 80 and 88 per cent are within the ages 21–30. Assuming 170,000 to be a fair figure, 30,000 remain, which are equally divided into two age groups—those over 30 and those under 21. Hence the number of men in the naval forces under 21 is approximated at 97,500. Of these it is estimated that 15 per cent, or 14,625, are under the age of 19. The above estimates are furnished by the clerk of the enlisted personnel of the Navy.

"(c) Marine Corps: Total minors enlisted since April 1, 1917, 13,826, or, applying 15 per cent, 1,974 are under 19.

"3. Summarized estimate:

	18-20.	Under 19.	19 and 20.
Army	133,000	19,950	113,050
Navy	97,500	14,625	82,875
Marine Corps	13,826	1,974	11,852
Total	244,326	36,549	207,777

"MEMORANDUM FOR THE SECRETARY OF WAR.

"JULY 29, 1918.

"Subject: Proposed amendments to selective-service act approved May 18, 1917.

"1. The first amendment brings all male citizens and male persons residing in the United States, not alien enemies, who have declared their intention to become citizens, between the ages of 18 and 45, both inclusive, within the terms of the selective-service law.

"It is only necessary to change the ages, inasmuch as males under 21 may, under the laws of the United States, declare their intention to become citizens of the United States.

"2. The second amendment is as follows:

"'*Provided*, That the President may draft such persons liable to military service in such sequence of ages and at such time or times as he may prescribe.'

"This amendment should be incorporated for the purpose of enabling the President to call, for instance, persons between the ages of 32 and 40 or of the age of 20 before calling persons between the ages of 18 and 19 or between the ages of 40 and 45.

"The amendment makes it possible to call persons by classes as to ages.

"3. The third amendment strikes out the words 'in industries, including agriculture,' and substitutes therefor the words 'in occupations or employments.'

"This amendment is made to the section of the act which provides for the deferred classification or temporary discharge of persons engaged in industries, including agriculture, found to be necessary to the maintenance of the Military Establishment or the effective operation of the military forces or the maintenance of national interest during the emergency.

"Experience has shown that some district boards are inclined to give a narrow construction to the word 'industries,' and it is thought that the words 'occupations or employments' should be substituted for 'industries, including agriculture,' not only for the purpose of preventing the difficulties arising by reason of the narrow construction placed upon the word 'industries' but also for the purpose of enabling a somewhat broader construction of the law in view of the fact that the military age is to be increased and a wider latitude should therefore be given to district boards to give deferred classification to persons whose occupations or employments may be found necessary to the maintenance of the national interest.

"4. The fourth amendment is as follows:

"'*Provided*, That nothing in this section contained shall prevent the President, if he deems it advisable, from appointing as a member of a local board any person residing outside the subdivision or area in which such local board has jurisdiction, or from transferring a member of one local board to another local board outside the subdivision or area in which such person resides.'

"This amendment is advisable for the reason that the selective-service act prevents the President from appointing as a member of a local board any person who resides outside the jurisdiction of that board. It has been almost impossible in some districts to find three qualified persons resident in the district to serve as members of the local board. This amendment will remove that difficulty and will also enable a member to be transferred from one local board to another local board in the interest of good administration of the draft law.

"5. The next amendment that needs any explanation is as follows:

"'*Provided further*, That the President may, at such intervals as he may desire, from time to time require all male persons who have attained the age of 18 years since the last preceding date of registration and on or before the next date set for registration by proclamation by the President, except such persons as are exempt from registration hereunder, to register in the same manner and subject to the same requirements and liabilities as those previously registered under the terms hereof.'

"This amendment is necessary in order to provide for the continued registration of boys as they reach 18 years of age. The selective-service act does not provide for the registration of persons as they reach 21 years of age, and therefore this amendment is necessary.

"E. H. CROWDER,
"*Provost Marshal General.*

"Forecast of the status of the draft on Aug. 1, 1918.

"[From Provost Marshal General, July 1.]

Total men registered in first registration June 5, 1917	9,586,508
First deduction [1] (June 5 to Dec. 15, 1917)	863,195
Men required to file questionnaires Dec. 15, 1917	8,723,313
Second deduction [1] (deferred classification)	6,322,912
Men classified in Class I Dec. 15, 1917	2,400,401
Third deduction [1] (Dec. 15, 1917, to May 1, 1918)	1,055,903
Men of Class I available for full service on May 1, 1918	1,344,498
Fourth deduction [1] May 1 to Aug. 1, 1918)	[2] 1,253,613
Balance of Class I full-service men of first registration who will be left on Aug. 1, 1918	[2] 90,885
Probable additions to Class I full-service men:	
Estimated additions from rectification of classification	[2] 125,000
Porto Rico (not included in above figures)	[2] 15,000
Estimated full-service men of Class I to be obtained from second registration, June 5, 1918	[2] [3] 350,000
Total additions	[2] 490,000
Total Class I full-service men available on Aug. 1, 1918	[2] 580,885
"Details of deductions from total men registered in the draft.	
First deduction (June 5, 1917, to Dec. 15, 1917) draft calls	516,363
Cancellation of registrations on account of errors, deaths, desertions, and enlistments in the Army, Navy, and Marine Corps not officially reported to local boards	346,832
Total first deduction	863,195
Second deduction (deferred classifications):	
Class II	[1] 509,666
Class III	[1] 427,870
Class IV	[2] 3,483,326
Class V	[2] 1,902,050
Total second deduction	6,322,912
Third deduction (Dec. 15, 1917, to May 1, 1918):	
Draft calls	413,928
Delinquents	341,096
Emergency Fleet employees	37,509
Limited-service men	224,855
Remediable defectives	38,515
Total third deduction	1,055,903
Fourth deduction (May 1 to Aug. 1, 1918):	
Draft calls	[1] 1,053,613
Individual inductions of full-service men	[2] 5,000
Replacements of men rejected at camps	[2] 60,000
Deaths	[2] 2,500
Emergency Fleet employees (additional)	[2] 7,500
Releases granted for enlistments in Navy and Marine Corps	[2] 125,000
Total fourth deduction	[2] 1,253,613
Total deductions	[2] 9,495,623

[1] For details see following table.
[2] Estimated figures.
[3] Allowance is made for an estimated deduction of 50,000 men on account of enlistments in the Navy and Marine Corps.

"The action of the committee in reporting the bill herewith is based upon the necessities of the Government in this crisis, and its enactment seems essential to the carrying out of the enlarged military program proposed by this Government in order to enable the United States to play its proper part in the pending struggle and to hasten the end of the pending struggle.

"Objection has been made by some, though that objection is not by any means unanimously concurred in, that young men below the age of 21 ought not to be called into active service. Under ordinary conditions there would be force in the objection, but it must be remembered that in this war, where it may with propriety be said that civilization itself is at stake, sacrifices in blood and treasure are necessary to be made if the allies are to win the war, and the serious question with the committee has been whether the life, social and industrial, of America will be disturbed less by calling out the younger men than by calling out those who are within the deferred classes because of dependency and other reasons which it is unnecessary to state, but which are well understood throughout the country.

"The opinion of the Secretary of War, the Chief of Staff, and the Provost Marshal General, together with the necessities of the country, have led the committee to believe that it is better for the successful prosecution of the war to call out those between 18 and 21 and those above 31 and up to and inclusive of those of 45 who are eligible for service than to invade those classes which have been deferred by law and by regulations of the War Department.

"One of the amendments proposed by the committee to section 2 of the bill provides that when any person shall have been placed in a deferred or exempted class for any of the reasons therein set forth, he shall not be entitled to remain therein unless he shall in good faith continue, while physically able so to do, to work at and follow such employment, and if he fails so to do he shall again become subject to the draft. The President is vested with authority to enforce this provision.

"It seems to the committee that in view of the fact we are about to authorize the drafting of the boys between the ages of 18 and 21 years, as well as those above 21 up to and inclusive of 45 years of age, and are providing for the exemption of men between 18 and 45 who are engaged in useful and necessary occupations from actual service in the ranks that when any are exempted solely because their services are more valuable to the Nation in the production of things essential to the prosecution of the war, that when they cease in good faith to follow the essential occupation they ought to be subject to the draft as in other cases. The young man not engaged in these occupations must wear the uniform, enter the ranks, and bare his breast to the weapons of the German Army. He can not refuse to work even for an hour, and he is compelled to fight whether he feels disposed to do so or not. In view of this, when a young man is exempted from the draft solely in order that he may engage in essential industry he ought to continue in that employment in good faith while any grievance he may have is being adjusted by the Industrial Board, and if he fails to do so he ought to be placed in the same category and be subject to draft just as the young man is compelled to do who was not exempted to work in such industry and who has been compelled to go to the battle front to fight for his country. The provision does not pretend to interfere with the right of any man to cease labor whenever it pleases him to do so, but simply says to him that if he does cease he shall, under such regulations as the President may prescribe, subject himself to the draft as though he had not been exempted in the first instance.

"The justice of this provision, the committee believes, will appeal to the good sense and patriotism of the whole country.

"The committee have suggested one or two other amendments to the bill, one of which provides that the wife of a soldier or sailor serving in the present war shall not be disqualified for any position under the Government because she is a married woman. Another is that soldiers and sailors, regardless of age, shall be eligible to receive commissions, either in the Army or Navy, and to admission to officers' schools under proper rules and regulations, removing any disqualification on account of age, and another amendment providing in certain contingencies for the education of young men at the expense of the Government after the conclusion of the present war.

"The reasons for these amendments are suggested by the mere statement of them.

"As amended, the committee recommend that the bill be enacted as speedily as is consistent with its proper consideration."

Mr. CHAMBERLAIN. That we may proceed in the order which has heretofore been outlined I will suggest the absence of a quorum, to the end that we may undertake to revoke the unanimous-consent agreement in accordance with its provisions.

Mr. FLETCHER. Will the Senator be willing to withhold that suggestion until routine morning business has been transacted?

Mr. SMOOT. That will be all right, with the understanding that nothing but morning business is transacted.

Mr. FLETCHER. Of course, nothing else can be transacted.

Mr. CHAMBERLAIN. I have no objection to proceeding with strictly morning business, but within the morning hour I desire to suggest the absence of a quorum, so that we may proceed to the consideration of this bill not later than Monday.

The PRESIDENT pro tempore. Is there objection to the Senator from Oregon withdrawing the suggestion of the absence of a quorum? The Chair hears none.

Mr. THOMAS. Mr. President, the chairman of the Committee on Military Affairs has just informed me that he has reported the new draft bill. That bill contains an amendment which in its original form I had the honor of introducing. It is an amendment which, in my judgment, is essential to the efficient service of the Nation.

Shortly after I offered it in committee its purport was given to the country by the press, and the result was that Mr. Samuel Gompers on the 10th of August addressed a letter to me bearing upon the subject. Inasmuch as the letter has appeared in the papers, and I imagine somewhat extensively, and inasmuch as the subject is one of great present importance, I have determined to read into the RECORD Mr. Gompers's letter and my reply to that letter, written on the 12th day of August. I ask unanimous consent for permission to have the letters read by the Secretary.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Secretary will read.

The Secretary read as follows:

AMERICAN FEDERATION OF LABOR,
Washington, D. C., August 10, 1918.

Hon. CHARLES S. THOMAS,
United States Senate, Washington, D. C.

MY DEAR SENATOR: The newspapers have repeatedly published a statement attributed to you that it is your purpose to amend existing law or introduce a new bill to penalize workmen who absent themselves from their employment in war plants. I sincerely trust that no such action will be taken by you or any other Member of Congress.

In my judgment no measure could be enacted with more injurious consequences to continuous production than the enactment of such a measure as indicated. The workmen in the United States are doing their full share of service and duty. They are whole-heartedly supporting the war program; they are giving themselves, their sons, their brothers, and other blood relations on the firing line. They are producing more per man and more in the aggregate than any man or group of men in any other country on the face of the globe. Here and there may be one or a few who may have failed to perform their whole duty, but I submit, sir, to your serious consideration whether, if a bill were enacted into law which all the workers of our country would be justified in interpreting as a reflection upon their services and their loyalty, whether it would not create a reaction most unfavorable to our common purpose in service and in winning the war?

In England, where the most strenuous law now obtains, having provisions which it is said it is your purpose to offer for adoption by our Congress, strikes, cessations of work, have occurred in many instances, more instances than exist in the United States at the present time.

The men of labor of our country are carrying on their work with but the slightest interruption anywhere. They are voluntarily surrendering rights they have enjoyed under the Constitution and the laws and the spirit of our country.

I appeal to you not to attempt to take by the force of law what the men are so generously and patriotically volunteering.

Very respectfully, yours,

SAMUEL GOMPERS,
President American Federation of Labor.

—

AUGUST 12, 1918.

Hon. SAMUEL GOMPERS,
American Federation of Labor, Washington, D. C.

MY DEAR MR. GOMPERS: I am just in receipt of your letter of the 10th instant, which I have read with the attention which the importance of the subject and your high position deserve.

As to the subject, it is one which I have earnestly and seriously considered for some time past. I felt, in common with all citizens, that the mutual agreement between the board and employers, formulated in Washington two or three months ago, in consequence of which the board appointed ex-President Taft at its head, and clothed with ample power would be accepted as a mediator of all differences thereafter to arise and thus obviate resorting to strikes and lockouts during the crisis now confronting us. Indeed I feel that in a large degree the expectations of the country in that respect have been verified.

I fully agree that our production has been large—perhaps larger than ever—and yet I am sure you will agree that it is not as large in some crucial matters of production as it should be, and it is precisely those directions which concern me at the present time.

I read with much interest the President's proclamation to the coal miners in this morning's Washington Post, and with great pleasure your own announcement regarding coal mining differences in my State. Nothing could be finer or more appropriate. But the fact that these announcements are necessary sustains my view that so far as the draft laws affect the individual there should be some legislative expression upon the subject.

Unless my information is all wrong, labor conditions in New Jersey and in New England, vitally affecting the production of indispensable war material, have been very serious, notwithstanding the prevailing scale of wages is far higher than ever before in our history.

It is necessary that we double our forces in France with the utmost expedition. Hence, we are about to authorize the President to take the boys of America over 18 years of age and the men of America over 31 years of age for military service through an extension upward and downward of the draft age limitations, and by common consent we are providing for the exemption of those engaged in useful and necessary occupations from actual service in the ranks. It is because the latter are more serviceable to the Nation in producing the things which the national forces must have that they are permitted to remain at home and enjoy the benefits of extraordinary wages and produce absolutely indispensable material for the Army and Navy.

The boy and the man not engaged in these occupations must wear the uniform, enter the ranks, and bare their breasts to the weapons of the German Army. They can not refuse to work even for an hour, however greatly the urge or the provocation. They must fight and die, if need be.

Now, I think, that man to man, you will agree that if your son is drafted and sent to the front, and my son is to remain in a factory because engaged in a useful occupation, my son owes to your son and to the country the duty of working to the highest degree commensurate with health and the general laws of employment. If he has a grievance it should be cared for by the Industrial Board, pending which his work should continue. If my son refuses, under these circumstances, to work for a consecutive number of days, thus slowing down production and perhaps increasing your son's peril and prolonging the war, he should be held to have waived his exemption and required to go to the front.

Favor and privilege should be unknown as far as possible in this war. We are not by exempting certain classes extending favors to them. We are merely utilizing their peculiar abilities in essentially necessary directions. As long as they are used their exemption should continue. When they are not used, I think it should cease.

In taking this position I do not intentionally reflect upon any body of men, whether organized or not. Taken by and large, your influence and that of your organization, since our entry into this war has been patriotic and commendable, and that fact of itself would seem to justify the legislation which I contemplate in order to round out and perfect a splendid record of patriotism and achievement.

I have the honor to be,

Very respectfully, yours, CHARLES S. THOMAS.

Mr. THOMAS. Mr. President, when the bill comes up for consideration I shall have something further to say upon the subject.

IRRIGATION PROJECTS IN ARIZONA.

Mr. ASHURST. Mr. President, I have received a letter from Mr. Charles A. Vander Veer, secretary of the Salt River Valley Water Users' Association, of Phoenix, Ariz., in which he states in part:

A rumor in Phoenix has come to the notice of the board of governors that you have written to the Paradise-Verde irrigation district officials expressing an opinion which in some way they have interpreted to mean that you are giving them your support in the disputed question concerning the building of the Horseshoe Dam on the Verde River.

This subject is one of much importance to several thousand persons in Arizona, and I ask unanimous consent to include in the RECORD copies of letters written to me upon this subject, together with my replies thereto.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

SALT RIVER VALLEY WATER USERS' ASSOCIATION,
Phoenix, Ariz., August 7, 1918.

Hon. HENRY F. ASHURST,
United States Senate, Washington, D. C.

DEAR SIR: A rumor in Phoenix has come to the notice of the board of governors that you have written to the Paradise-Verde irrigation district officials expressing an opinion which in some way they have interpreted to mean that you are giving them your support in the disputed question concerning the building of the Horseshoe Dam on the Verde River. We feel sure there must be some mistake or misrepresentation in the matter, and if it is possible the board would like to have a copy of your letter or a repetition of the substance of it, if there has been any such communication.

As you are aware, the question of granting the right of way for the building of the Horseshoe Dam is before the Secretary of the Interior for his decision. We believe that the claims of the association should have the preference over those of the irrigation district, and all of our work has been to that end. Trusting to have an early reply, I remain,

Very truly, yours,

CHAS. A. VANDER VEER, *Secretary.*

—

AUGUST 14, 1918.

Mr. CHAS. A. VANDER VEER,
Secretary Salt River Valley Water Users' Association, Phoenix, Ariz.

DEAR SIR: This in reply to yours of the 7th, in which you advise that "A rumor in Phoenix has come to the notice of the board of governors that you have written to the Paradise-Verde irrigation district officials expressing an opinion which in some way they have interpreted to mean that you are giving them your support in the disputed question concerning the building of the Horseshoe Dam on the Verde River."

This is the first time since I have been in public life that I have paused to pay attention to a "rumor," but the courteous tone of your letter induces me to send you all the correspondence I have upon this subject, to the end that you will be able to see what, if any, foundation there may be for the "rumor." I have therefore caused my secretary to examine all my files on this subject, and I am sending to you the following letters:

1. Copy of letter dated August 31, 1917, from Senator J. E. WATSON, of Indiana, to H. F. A.
2. Copy of my letter transmitting Senator WATSON'S to Director A. P. Davis.
3. Letter of W. R. King, chief counsel Reclamation Service, replying to Senator WATSON'S letter.
4. Letter of Director A. P. Davis, also replying to Senator WATSON'S letter.
5. Letter from Mr. W. I. Lively, president Paradise-Verde project, inclosing copy of a letter from Mr. Sturtevant to Secretary Lane.
6. Copy of letter from Mr. Sturtevant to Secretary Lane.
7. Copy of letter written by H. F. A. to Mr. W. I. Lively.

This constitutes (so my secretary advises me, and he is an accurate gentleman) all the correspondence I have had upon this subject.

Some months ago a delegation of citizens representing the Paradise-Verde Water Users' Association met with the Arizona delegation here and a conference was had, but according to my remembrance of the discussions that took place at the conference, it was understood, by the Arizona delegation at least, that the Paradise-Verde Water Users' Association contemplated taking no action that would in any way injure the legal rights of the Salt River Valley Association.

Permit me to suggest that the board of governors read all the inclosed correspondence, and if it should be ascertained to be practicable, I wish you would have the entire correspondence published in one of your local papers.

Please be so kind as to return the correspondence after you have finished with same.

Respectfully, yours, HENRY F. ASHURST.

—

UNITED STATES SENATE,
COMMITTEE ON INTERSTATE COMMERCE,
August 31, 1917.

Hon. HENRY F. ASHURST,
United States Senate, Washington, D. C.

DEAR SENATOR: Mr. George W. Sturtevant, an engineer "from all parts of the country," and who has done a very great deal of engineering and supervising work in Indiana, is interested in the Paradise-Verde irrigation project north of Phoenix, Ariz.

Sturvetant is the engineer that surveyed the water line from Prescott to the Del Reo Springs, and you may remember him by that.

The only source of supply for the 75,000-acre project in which he is interested north of Phoenix is the Verde River. He says that the total run-off of the Salt and Verde Rivers amounts to 1,441,500 acre-feet; that there is at present required for the Salt River project 748,000 acre-feet; that it will require to thoroughly irrigate the Paradise-Verde project 300,000 acre-feet, or a total of 1,048,000 acre-feet for both projects.

He says that the Salt River Valley is thoroughly irrigated at this time and requires no further watering, and that therefore there is a loss each year over all that would be required to irrigate both the Salt River project and the Paradise-Verde project of 395,000 acre-feet.

He further says that the Salt River project has available more water than is required for its complete irrigation without the use of any of the Verde waters.

It appears as if the Government opened the Paradise Valley for settlement some time since, and over 400 families are in the valley asking the right to store and use Verde River waters as the only source of supply to their valley.

It seems as if the Salt River Valley people refuse to yield the rights to the Verde waters, and if Sturvetant is right this is an unreasonable position, because they already have far more than enough water to accommodate them for all time to come unless Providence withholds rainfall in the future.

These gentlemen are to have a hearing shortly, and I hope that unless there is some peculiar reason why you are interested otherwise you will be able to assist these people.

I never heard of this project until Mr. Sturtevant came to see me to-day. Having known him for many years, I am interested in anything he has in hand.

With kind regards, I am,

Very truly, yours, JAMES E. WATSON.

—

UNITED STATES SENATE,
Washington, D. C., September 1, 1917.

Hon. A. P. DAVIS,
Director Reclamation Service, Washington, D. C.

DEAR MR. DAVIS: I invite your attention to the letter of Senator JAMES E. WATSON, of Indiana, hereto attached, and would ask that you give it your careful attention and write me as to your views thereon.

Yours, truly,

HENRY F. ASHURST.

—

DEPARTMENT OF THE INTERIOR,
UNITED STATES RECLAMATION SERVICE,
Washington, D. C., September 8, 1917.

Hon. HENRY F. ASHURST,
United States Senate, Washington, D. C.

MY DEAR SENATOR: In the absence of Director Davis, I have received your letter of September 1, inclosing one from Senator WATSON, of Indiana, in regard to the Paradise-Verde irrigation project in Arizona.

Replying temporarily in the director's absence, will say that I attended the hearing before the Commissioner of the General Land Office, referred to in Senator WATSON'S letter. Will further add that during the past three years I have been strongly impressed by the claims made by the people in Paradise Valley. It occurs to me that the people in the Salt River Valley should not oppose the people in Paradise Valley using the surplus water and thereby enabling the several hundred people in that section permanently to build up homes and thus add to the happiness and prosperity of your State.

Director Davis will be home in a day or two, and I am accordingly referring your letter to him.

Sincerely, yours, WM. R. KING.
Acting Director and Chief Counsel.

—

DEPARTMENT OF THE INTERIOR,
UNITED STATES RECLAMATION SERVICE,
Washington, D. C., September 12, 1917.

Hon. HENRY F. ASHURST,
United States Senate.

MY DEAR SENATOR: I am in receipt in your favor of September 1, inclosing letter from Hon JAMES E. WATSON, dated August 31, to which Judge King made preliminary reply.

The Reclamation Service is, of course, anxious to have the fullest possible development of irrigation opportunities in Arizona, and will lend all proper cooperation to that end.

The Water Users' Association of Salt River Valley appropriated all the flow of the Verde River up to the capacity of their canal system, which is far beyond the ordinary flow of the river, leaving only extraordinary floods still available. With a view to also utilizing these, they have made surveys and taken some other steps, I believe, toward providing storage in the reservoir on the Verde River.

The interest of this association is paramount in this matter, and that of the Government is only incidental, and it is my opinion that the Secretary of the Interior would be favorable to any proper develop-

ment by whatever interest promised the best use of the water supply. A careful consideration of this question, however, is greatly hampered by the absurd claims that are continually being made by those promoting the so-called Paradise-Verde irrigation project. Among other claims, they claim to own the reservoir site, whereas the records show the title to be in the United States; and though they show no evidence, they continually reiterate this claim. They claim, also, in the letter you have forwarded that "the Salt River Valley is thoroughly irrigated at this time and requires no further watering." On the contrary, there are over 20,000 acres of land to which we have refused to sell water rights that are actually covered by the canals in the Salt River Valley.

Besides this, there are considerable areas that might be covered if there were a water supply and which can be covered very much more cheaply and economically than can the Paradise Valley.

Of course, I am not attempting to dictate where the waters of Arizona shall be used, but merely mention this fact to show the character of the claims that are being made. The matter is primarily for the consideration of the Salt River Water Users' Association, and if the Paradise Valley people desire to store the water, the method of accomplishing this is defined by the laws of the United States and of Arizona.

Very truly, yours,

A. P. DAVIS,
Director and Chief Engineer.

—

PARADISE-VERDE WATER USERS' ASSOCIATION, (INC.),
Phoenix, Ariz., January 16, 1918.

Hon. HENRY F. ASHURST,
United States Senate, Washington, D. C.

DEAR SIR: Herewith find copy of letter recently sent to the Secretary of the Interior by Mr. George W. Sturtevant, consulting engineer of the Paradise-Verde project, which explains the attitude and position of the settlers of the Paradise-Verde Valley.

We are organizing an irrigation district, and if the Secretary of the Interior turns over the Verde Dam site to us, as we have requested, we are prepared to build the dams and complete the irrigation project through the irrigation district now being organized and to reclaim 75,000 acres of land additional to the Salt River project.

There are about 500 settlers and owners of land affected, more than 250 families of which are residents at this time, all but one or two of whom have signed the petition for organization of the irrigation district.

We have retained Mr. George W. Sturtevant as our consulting engineer, and Mr. George D. Christy as our legal adviser, and we wish to bespeak your kind offices in rendering us your aid and cooperation in our work and in helping us to secure favorable action from the Secretary of the Interior upon our dam sites and canal rights of way.

We think the inclosed letter will show to you that we do not wish to impair or in any way abridge any of the rights of the Salt River project, as the records of rainfall and run-off for the past 28 years from the Salt and Verde River watersheds show there is ample water available when properly conserved and applied for the full irrigation of both projects.

Thanking you for your kindly and earnest efforts in behalf of the Paradise-Verde project, we remain,

Yours, very truly,

W. I. LIVELY,
President Paradise-Verde Project.

—

PARADISE-VERDE WATER USERS' ASSOCIATION, (INC.),
Phoenix, Ariz., January 14, 1918.

Hon. FRANKLIN K. LANE,
Secretary of the Interior, Washington, D. C.:

We have recently had occasion to communicate with a number of Senators and Representatives, asking their favorable consideration of the Chamberlain bill—S. 758.

The many reasons for urging the passage of the bill will be obvious to you upon careful comparison of the provisions of the present Reclamation Service Act with those of the Chamberlain bill.

Records of the Reclamation Service show the following:

(1) Over 9,000,000 acres of unreclaimed land in the semiarid West capable of practical irrigation at costs far below their value when irrigated and ready for crop.

(2) Over 51,000,000 acres of swamp or lowlands in the various States capable of practical drainage at moderate cost per acre.

Proper drainage of some of these lands, such as the entire delta area of the lower Mississippi Valley, will afford effective and permanent solution of the danger from floods by the breaking of levees, especially along the lower Mississippi and for more than 200 miles above New Orleans, and at the same time make safe and available all these millions of acres of unsurpassed fertility for permanent settlement.

Where such dual benefits will result from drainage of lands along navigable streams the costs should be apportioned or prorated between the Government and the lands improved in proportion to respective benefits.

If the provisions of the Chamberlain bill will not permit of financing some of the larger drainage projects where improvement to navigation will result, then this bill should be amended or a separate act be passed to cover such dual-benefit improvements.

The writer was with the committee representing the Paradise-Verde project in the preliminary hearing before the Interior Department in August, 1917, but was unable to remain for the conference with you after the hearing in Mr. Tallman's office at which Judge King and a representative of the Indian Service and engineers of the Land Department were present.

We understand the Salt River project has been declared closed by the Interior Department.

We are also advised that land speculators who own over half of a proposed extended area of 30,000 acres to the Salt River project, acting through officials of that project, are asking the right to build a storage dam at the Horseshoe Dam site on the Verde River, to store a portion of the flood waters of that river for the irrigation of this 30,000 acres of extended area to the Salt River project. They ask this in face of the fact that the use of any considerable portion of the flood waters of the Verde River for the irrigation of any additional acreage to the Salt River project will forever prevent development of the 75,000 acres or more of the Paradise-Verde project, which acreage is now held or actually settled by over 500 families, and who are only awaiting the right to the use of the flood waters and unused portion of the constant flow of the Verde River to put the entire 75,000 acres of the Paradise-Verde project under cultivation.

We wish to call your attention to the fact that the Salt River project has now available ample water, not only for its fixed acreage but for the irrigation of the proposed 30,000 acres of extended area.

Such additional water supply may be made available as follows:

(1) By adding 6 to 10 feet to the height of the Roosevelt Dam.

(2) By the pumpage of underflow waters in the valley immediately adjacent to this 30,000 acres of extended area to the Salt River project.

(3) By draining of water from over 35,000 acres of overirrigated and water-logged lands within the Salt River project.

(4) By lining 6 to 8 miles of main and lateral canals of the Salt River project along stretches where seepage losses are excessive.

(5) By closer regulation of water supply, both to the canal system and to the lands of the Salt River project, thereby preventing the loss and waste of many thousand acre-feet of water annually.

The combined economies and conservation of all water now available to the Salt River project resulting from these five sources will show an aggregate saving to the project of approximately 155,000 acre-feet, which is ample for the irrigation of more than 40,000 acres of additional area to that project.

The construction cost to the Salt River project of the five economies above enumerated will be less than the construction cost of Horseshoe Dam and reservoir; and when installed or completed they will not only meet all the requirements of the Salt River project for a water supply for its proposed extended area, but will at the same time leave available the entire volume of flood waters of the Verde River for the irrigation of 75,000 acres or more of the Paradise-Verde project, thus increasing the productive area of the valley by more than 75,000 acres, and the agricultural wealth of the valley and the State by more than $18,000,000.

It will not be in keeping with the true spirit of conservation of the natural resources of this valley to grant the request of the Salt River project to use a portion of the flood waters of the Verde River for the irrigation of any portion of the Salt River project when this project already has ample water available, in the manner above described, for the full irrigation of its present acreage together with the additional 30,000 acres or more of extended area.

The following is from records of rainfall and run-off of the Salt and Verde Rivers for the 28-year period—1889 to 1916, both inclusive:

	Acre-feet.
Average annual run-off from Salt River	862,383
Average annual run-off from Verde River	577,179
Average combined run-off from both rivers	1,439,179
Water available from Salt River annually for irrigation of the Salt River project	862,383
Water available from normal flow of Verde River for irrigation of Salt River project	81,460
Total water available to Salt River project, exclusive of water pumped from subsurface supplies	943,843
Required for proper irrigation of Salt River project, exclusive of pumped water	748,000
Surplus water which will be wasted if not used for extended area to the project	195,843
Water available from the Verde River for irrigation of Paradise-Verde project in excess of the portion of its normal flow taken by the Salt River project	495,719
Water required for irrigation of Paradise-Verde project	300,000
Surplus water from Paradise-Verde project which will go to waste if not used on extended area of this project	195,719
Reservoir capacity now available to Salt River project	1,367,305
Storage reservoir capacity per acre of this project	7.3
Reservoir capacity available to Paradise-Verde project:	
From Horseshoe Reservoir	275,000
From Camp Verde Reservoir	523,655
Total reservoir capacity	798,655
Storage reservoir capacity per acre of this project	10.6

Surveys of the Camp Verde Reservoir and dam site were completed early in January, and the maps, estimates, and report supplementary to those submitted for the preliminary hearing in August, 1917, will be ready to submit for final hearing before the department as soon as the Paradise-Verde irrigation district is formed, which will be on or before February 20.

There is ample water supply from the Salt and Verde River watersheds, exclusive of the underflow waters in portions of the Salt River Valley, to irrigate over 275,000 acres.

The two reservoir sites above referred to on the Verde River (Horseshoe and Camp Verde sites) will have a combined capacity of nearly 800,000 acre-feet.

This reservoir capacity on the Verde River will make available practically the entire run-off of this watershed for the Paradise-Verde project.

We feel it is the purpose and policy of the Interior Department to so direct all irrigation projects as to secure the largest benefits possible from each and every available source of water supply.

In view of the ample water supply available from the combined watersheds of the Salt and Verde Rivers, we regret that provision was not made under the Reclamation Service act for the joint and concurrent development of the Salt River and Paradise-Verde projects.

This vast acreage of the Salt and Paradise-Verde projects is contiguous territory and should be organized, developed, and administered to the mutual benefit of the two projects.

Should the department desire a water supply for the irrigation of any portion or all of the lands of the Indian reservation lying north of the Arizona Canal and under the Paradise-Verde Canal system, the construction of the Horseshoe and Camp Verde Reservoir dams will afford ample water supply for any of these reservation lands in addition to the proposed acreage of the Paradise-Verde project.

Organization of the Paradise-Verde irrigation district will be completed on or before February 1, and officers will be elected before February 20, when the district organization will succeed to all the rights of the Paradise-Verde Water Users' Association.

Members of the Paradise-Verde Water Users' Association are much interested in the passage of the Chamberlain bill (S. 758), and as soon as the right is secured to them to construct the Horseshoe and Camp Verde Reservoir dams for the real conservation of the Verde waters

the Paradise-Verde irrigation district, as successor to the Paradise-Verde Water Users' Association, will gladly avail itself of the privilege of financing under the terms of that act.

In the event the Chamberlain bill is not passed, or that the bill passes and we are not able to secure funds thereunder, the project can and will be financed with private capital, and the association has already taken the matter up and has been assured by responsible persons that the bonds will be taken up and funds furnished therefor sufficient to complete the project.

Financing under the Chamberlain bill would be much more satisfactory and economical, as it would save possible discount on securities and insure greater freedom in contracting construction.

Respectfully submitted.

GEO. W. STURTEVANT,
Consulting Engineer.

JANUARY 21, 1918.

Mr. WILLIAM J. LIVELY,
President Paradise-Verde Water Users' Association,
Phoenix, Ariz.

DEAR MR. LIVELY: This in reply to yours of the 16th, in which you hand me copy of letter forwarded to the Secretary of the Interior by Mr. George W. Sturtevant, chief engineer of the Paradise-Verde project. I note you have retained Mr. Sturtevant as your consulting engineer and Mr. Christy as your legal adviser.

I have a high opinion of the capabilities and general good character of both Mr. Sturtevant and Mr. Christy, and you are assured that if there be any way in which I can properly serve your interests I shall be glad to do so. I note from the last paragraph of your letter that you believe your letter to the Secretary of the Interior fully demonstrates that your water-users' association does not seek or wish to impair or diminish in any way the rights of the Salt River project.

Respectfully, yours,

HENRY F. ASHURST.

REPORT ON MEAT-PACKING INDUSTRY.

Mr. BORAH. I offer for the consideration of the Committee on Printing a summary of the report of the Federal Trade Commission on the meat-packing industry, and I ask that it may be made a Senate document, in case the committee finds it proper to make it such.

The PRESIDENT pro tempore. The report will be referred to the Committee on Printing.

PETITIONS.

Mr. POINDEXTER presented resolutions adopted by the City Council of Seattle, Wash., favoring the enactment of legislation standardizing and regulating the prices of wheat substitutes, which were referred to the Committee on Agriculture and Forestry.

He also presented a petition of sundry citizens of Greenacres, Wash., praying for national prohibition as a war measure, which was ordered to lie on the table.

Mr. FLETCHER presented a telegram in the nature of a petition from the congregation of the First Christian Church of Jacksonville, Fla., praying for national prohibition as a war measure, which was ordered to lie on the table.

Mr. KNOX presented a petition of sundry citizens of Zelienople, Pa., and a petition of the Woman's Foreign Missionary Society of Nanticoke, Pa., praying for the adoption of an amendment to the Constitution to prohibit polygamy, which were referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Fayette County, Pa., praying for the substitution of the oath required of enlisted men for the oath required of officers, which was referred to the Committee on Military Affairs.

He also presented petitions of sundry citizens of Pennsylsota, praying for national prohibition as awar measure, which were ordered to lie on the table.

Mr. NELSON presented petitions of sundry citizens of Minnesota, praying for national prohibition as a war measure, which were ordered to lie on the table.

Mr. WADSWORTH presented petitions of sundry citizens of New York, praying for national prohibition as a war measure, which were ordered to lie on the table.

Mr. ASHURST presented resolutions adopted by the Warren District Commercial Club of Bisbee, Ariz., favoring the establishment of a centralized Federal authority to determine and administer the highway policy of the Nation, which were referred to the Committee on Agriculture and Forestry.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. FLETCHER:

A bill (S. 4863) granting an increase of pension to Elvina Adams (with accompanying papers); to the Committee on Pensions.

By Mr. WADSWORTH:

A bill (S. 4864) to carry into effect the finding of the Court of Claims in the claim of Elizabeth B. Eddy; to the Committee on Claims.

By Mr. PITTMAN:

A bill (S. 4865) granting a pension to Benedikt Fisher; to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 4866) to grant assignable rights to soldiers, sailors, and marines of their homestead and preemption rights; to the Committee on Public Lands.

A bill (S. 4867) granting a pension to Ellen Jones (with accompanying papers); to the Committee on Pensions.

By Mr. PENROSE:

A bill (S. 4868) granting an increase of pension to Henry Lichtley; and

A bill (S. 4869) granting an increase of pension to William F. Blanchard (with accompanying papers); to the Committee on Pensions.

By Mr. TRAMMELL:

A bill (S. 4870) granting an increase of pension to Mary Brown; to the Committee on Pensions.

THANKS TO THE ARMY AND NAVY.

Mr. JONES of New Mexico. I introduce a joint resolution, which I ask that the Secretary may read. I desire to state that as the Senate may be ready for business on Monday I shall call up the joint resolution as soon as a quorum is present for the transaction of business.

The joint resolution (S. J. Res. 168) tendering public acknowledgment of gratitude to the Army and Navy of the United States, was read the first time by its title, and the second time at length, as follows:

Resolved, etc., That the thanks of Congress and of the people of the United States are due, and are hereby tendered, to the officers, soldiers, and sailors of the United States Army and Navy for their gallant and arduous service and splendid accomplishments in the present struggle. By their skill, energy, and enthusiasm they have sustained the best traditions of American valor and achievement, and have inspired the world with confidence in the ultimate triumph of those principles of right and justice for the vindication of which we entered the war;

Resolved further, That the Secretary of War and Secretary of the Navy communicate this resolution in appropriate form to the officers, soldiers, and sailors of the Army and Navy.

The PRESIDENT pro tempore. The joint resolution will lie on the table.

Concurrent and other resolutions are in order. [After a pause.] If there be no further morning business, the Chair recognizes the Senator from Oregon [Mr. CHAMBERLAIN].

CALLING OF THE ROLL.

Mr. CHAMBERLAIN. Mr. President, I now suggest the absence of a quorum, in order that we may, if a quorum is present, endeavor to revoke the unanimous-consent agreement, so that we may proceed with the consideration of the Army draft bill promptly next Monday.

The PRESIDENT pro tempore. The Senator from Oregon suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	Knox	Ransdell
Baird	France	McCumber	Reed
Bankhead	Gore	McKellar	Saulsbury
Borah	Guion	McNary	Shafroth
Brandegee	Hale	Nelson	Sheppard
Calder	Henderson	New	Smoot
Chamberlain	Johnson, Cal.	Nugent	Thomas
Culberson	Jones, N. Mex.	Penrose	Trammell
Cummins	Jones, Wash.	Pittman	Wadsworth
Curtis	Kellogg	Poindexter	Weeks
Fernald	Kirby	Pomerene	

The PRESIDENT pro tempore. Forty-three Senators have answered to their names. The Secretary will call the names of the absentees, a quorum not being developed.

The Secretary called the names of the absent Senators.

The PRESIDENT pro tempore. Forty-three Senators only have answered to their names. A quorum not being present, the Chair holds that the unanimous-consent agreement prevails, and, the morning business having been closed, the Senate stands adjourned until Monday next at 12 o'clock noon.

Thereupon (at 12 o'clock and 25 minutes p. m.) the Senate adjourned until Monday, August 19, 1918, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, *August 15, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Almighty Father, author of liberty, truth, justice, mercy, faith, hope, love, we praise Thy holy name for these qualities of soul which in their development lead on to individual perfection, the goal of life, and which unite kindred souls into homes, nations, and in times of distress make the whole world akin.

Never was there a time in the history of the world when greater value was placed upon these precious qualities.

We thank Thee for the men and women who have and are placing their names high on the roll of honor by deeds of heroism and sacrifice. The Red Cross, the Young Men's Christian Association, and similar organizations for the alleviation of suffering prove the ascendency of good over evil and promise its final victory.

Help us to fight on, pray on, the battle ne'er give o'er, until the final goal shall have been reached; and Thine be the praise forever. Amen.

The Journal of the proceedings of Monday last was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, one of its clerks, announced that the Senate had passed the following resolution:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. JAMES H. DAVIDSON, late a Representative from the State of Wisconsin.

Resolved, That a committee of nine Senators be appointed by the Presiding Officer to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives and to the family of the deceased.

Resolved, That as a further mark of respect to the deceased the Senate do now adjourn.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn until Monday next.

The motion was agreed to; accordingly (at 12 o'clock and 4 minutes p. m.) the House adjourned until Monday, August 19, 1918, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. GARD, from the Committee on the Judiciary, to which was referred the bill (S. 4471) to declare unlawful associations purposing by physical force, violence, or injury to bring about any governmental, social, industrial, or economic change in the United States, and prescribing punishment for persons engaged in the activities of such associations, and for other purposes, reported the same with amendment, accompanied by a report (No. 758), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. GOULD: A bill (H. R. 12765) to amend the act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917; to the Committee on Military Affairs.

Also, a bill (H. R. 12766) to provide surgical or medical treatment for the men of the Army, Navy, Marine Corps, and the Coast Guard who have been honorably discharged from the service; to the Committee on Military Affairs.

By Mr. KEATING: A bill (H. R. 12767) to provide for the national security and defense by prohibiting child labor during the period of the war, and for other purposes; to the Committee on Labor.

By Mr. McLEMORE: A bill (H. R. 12768) requiring the filing of copies of all contracts for services rendered or materials furnished to the United States or certain contractors and agencies of the United States; to the Committee on the Judiciary.

By Mr. TREADWAY: A bill (H. R. 12769) relative to fees for claim agents; to the Committee on Military Affairs.

By Mr. HAWLEY: A bill (H. R. 12770) to reserve as a part of the Oregon and Siuslaw National Forests in Oregon certain lands that were revested in the United States pursuant to the decision of the Supreme Court of the United States in the case of the Oregon & California Railroad Co. against the United States; to the Committee on the Public Lands.

By Mr. RAKER: Joint resolution (H. J. Res. 318) to suspend the requirements of annual assessment work on mining claims during the continuation of the war in which the United States is now engaged, and until midnight of December 31 of the year following that in which such war is concluded; to the Committee on the Public Lands.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GARD: A bill (H. R. 12771) granting an increase of pension to George A. Coyer; to the Committee on Pensions.

By Mr. KELLEY of Michigan: A bill (H. R. 12772) granting a pension to Josephine J. Teeter; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of John R. Palmer, of Normal, Ill., urging the passage of the volunteer officers' retirement bill; to the Committee on Invalid Pensions.

By Mr. HOLLINGSWORTH: Papers in support of House bill 12754, granting a special pension to George Harshman, crippled and helpless son of Ezekiel Harshman, late of Company G, One hundred and first Indiana Volunteer Infantry; to the Committee on Invalid Pensions.

By Mr. RAKER: Petition of H. J. Ralston, president Ralston Iron Works, San Francisco, Cal., protesting against 20 per cent tax on truck attachments and trailers; to the Committee on Ways and Means.

By Mr. SMITH of Idaho: Papers to accompany House bill 12761, to pension Thomas B. Thompson; to the Committee on Pensions.

By Mr. TAGUE: Petition of several firms in the United States against prohibition; to the Committee on the Judiciary.

SENATE.

MONDAY, *August 19, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, as we come before Thee at the beginning of this session our hearts are saddened because of the going away of one of the lofty men of our national life—a man who has lived among us with unsullied character; who has borne himself with the dignity of a Senator, with the honor of a man, with the grace of a Christian; whose counsel was wise; whose chaste spirit has refined the spirit of the Nation. We bless Thee for his life and character and ministry among us.

We pray that we may feel an added sense of responsibility as these men who have been tried through the years are taken from us, and that we may, by the grace of God, measure up to the ever-increasing responsibilities of this high office.

Hear us in our prayer; direct us to-day in the affairs that may confront us; help us to solve our national problems in the fear of God; and bring us to ultimate victory and success. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of the proceedings of Thursday last, when, on request of Mr. CHAMBERLAIN, and by unanimous consent, the further reading was dispensed with and the Journal was approved.

CALLING OF THE ROLL.

Mr. CHAMBERLAIN. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Senator from Oregon suggests the absence of a quorum, and the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Frelinghuysen	McNary	Shafroth
Baird	Gore	Nelson	Sheppard
Bankhead	Guion	New	Sherman
Borah	Hale	Norris	Shields
Brandegee	Henderson	Nugent	Simmons
Calder	Johnson, Cal.	Overman	Smith, Md.
Chamberlain	Jones, N. Mex.	Owen	Smoot
Colt	Jones, Wash.	Penrose	Sterling
Culberson	Kellogg	Pittman	Thomas
Cummins	Kendrick	Poindexter	Trammell
Curtis	Kenyon	Pomerene	Wadsworth
Fall	Kirby	Ransdell	Weeks
Fernald	Knox	Reed	Willfley
Fletcher	McCumber	Robinson	
France	McKellar	Saulsbury	

The PRESIDENT pro tempore. Fifty-eight Senators have answered to their names. There is a quorum present.

CHANGES OF DRAFT AGE.

Mr. CHAMBERLAIN. Mr. President, in order that the so-called man-power bill, the draft bill that was submitted to the Senate a few days ago, may be taken up on Thursday, I ask unanimous consent that the unanimous-consent agreement which was adopted some time ago may be vacated, so that the bill in question, Senate bill 4856, may be proceeded with at that time.

The PRESIDENT pro tempore. Is there objection? The Chair hears none; and the unanimous-consent agreement, under the terms of the last proviso contained therein, is vacated.

Mr. CHAMBERLAIN. I shall ask that the bill be taken up for consideration on Thursday next.

DEATH OF SENATOR GALLINGER.

Mr. NELSON. Mr. President, it is my painful duty this morning to announce the death of our late colleague, JACOB H. GALLINGER, the senior Senator from the State of New Hampshire. He passed away from life on the 17th of this month in a sanitarium at Franklin, N. H., in the eighty-second year of his age, after a service of 27 years in this body.

Mr. GALLINGER's death is especially sad and painful to me from the fact that I have been associated with him so long in the public service. We were associates in the House of Representatives in the Forty-ninth and Fiftieth Congresses, and I have been associated with him in this body since the 4th of March, 1895. During a large share of that time we were both members of one of the most important committees of the Senate, and I learned to know the Senator intimately and well. He was one of the most industrious and energetic Members of this body, always vigilant and active in the public interest; and he set an example to all of us who served with him, and to those who are coming after us, as one of the most efficient public servants that this country has ever had.

Mr. President, while the late Senator passed away in the fullness of his years, his death is a great loss not only to his State but to our common country and to this body. We shall miss him. He was always active, always vigilant, always attentive to his public duties.

On some future occasion this body no doubt will take proceedings to commemorate in a more full and complete manner his life and his services. On this occasion I shall not take up the time of the Senate further than to offer the resolutions which I send to the desk and ask to have read.

The PRESIDENT pro tempore. The Secretary will read the resolutions.

The resolutions (S. Res. 291) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow of the death of the Hon. JACOB HAROLD GALLINGER, for 27 years a Senator from the State of New Hampshire.

Resolved, That a committee of 18 Senators be appointed by the President pro tempore to take order for superintending the funeral of Mr. GALLINGER, to be held in the city of Concord, N. H.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives.

Under the second resolution the President pro tempore appointed Mr. LODGE, Mr. MARTIN, Mr. NELSON, Mr. PENROSE, Mr. DILLINGHAM, Mr. SIMMONS, Mr. OVERMAN, Mr. SMOOT, Mr. BORAH, Mr. BANKHEAD, Mr. SMITH of Maryland, Mr. CUMMINS, Mr. POINDEXTER, Mr. THOMAS, Mr. WEEKS, Mr. HOLLIS, Mr. CURTIS, and Mr. NEW as the committee on the part of the Senate.

Mr. NELSON. Mr. President, as a further mark of respect to the memory of the deceased Senator, I move that the Senate adjourn.

The motion was unanimously agreed to; and (at 12 o'clock and 10 minutes p. m.) the Senate adjourned until Thursday, August 22, 1918, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *August 19, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Father in Heaven, our life, our light, our strength, our courage, our fortitude, our hope, our inspiration, freely Thou hast given; may we freely receive of these precious gifts and use them to the furtherance of civilization, and thus to the honor and glory of Thy holy name.

After a brief respite from labors the Congress of the United States has again assembled to take up the arduous duties which rest upon it. Let Thy blessing descend upon all the Members of this House, its Speaker, and all who are connected with it, that with patriotic zeal and renewed fervor they may go forward with the tasks before them and prepare the way for a successful prosecution of the war in which we are engaged.

The flags which float upon this Capitol are again at half-mast, marking the passing away of another of the congressional family.

He will be mourned as a great loss to his country. Wise in his conceptions, strong in his convictions, pure in his motives, a man of great parts; peace to his ashes and rest to his soul. Be with his many friends, colleagues, and kinsfolk to comfort and sustain them in this hour of grief.

May we emulate his virtues and hold sacred his memory and think of him as faring on in the realms of the Great Beyond, in the name of Him who died that we might live. Amen.

The Journal of the proceedings of Thursday, August 15, 1918, was read and approved.

DESIGNATION OF SPEAKER PRO TEMPORE.

The SPEAKER pro tempore (Mr. KITCHIN). The Chair lays before the House the following communication from the Speaker.

The communication was read, as follows:

THE SPEAKER'S ROOMS,
HOUSE OF REPRESENTATIVES,
Washington, D. C., August 16, 1918.

Hon. SOUTH TRIMBLE,
Clerk of the House of Representatives:

I hereby designate Hon. CLAUDE KITCHIN to preside as Speaker Monday, August 19.

Yours, respectfully, CHAMP CLARK, *Speaker.*

ORDER OF BUSINESS.

Mr. HENRY T. RAINEY and Mr. DOOLITTLE rose.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. HENRY T. RAINEY] is recognized.

Mr. HENRY T. RAINEY. Mr. Speaker, there are many important matters on the Unanimous Consent Calendar that ought to be disposed of, and many Members are interested in that calendar. Therefore I want to ask unanimous consent to take up to-morrow the Calendar for Unanimous Consent.

Mr. FERRIS. Oh, Mr. Speaker, has the chairman of the Water Power Committee agreed to that?

Mr. SIMS. I have not.

Mr. FERRIS. Mr. Speaker, reserving the right to object, unless it is agreed to all around I hope that will not be done. I feel that not only Calendar Wednesday ought to be vacated, but that this bill ought to be considered until the draft bill and the revenue bill come in. The water-power bill has been hanging here so long, and it has been pressed from every source inside and out of Congress, that to let it be pushed aside for other than the two measures referred to ought not to be done.

Mr. MONDELL. Will the gentleman from Illinois [Mr. HENRY T. RAINEY] yield for just a second?

Mr. HENRY T. RAINEY. Yes.

Mr. MONDELL. There are a number of important bills in which Members are interested on the Unanimous Consent Calendar, and they ought to get on their way.

Mr. MADDEN. Mr. Speaker, I ask for the regular order.

Mr. MONDELL. We might dispose of Calendar Wednesday and give up to-morrow for the Unanimous Consent Calendar.

Mr. MADDEN. Mr. Speaker, I ask for the regular order.

Mr. SIMS. Why, Mr. Speaker, I wanted to——

Mr. MADDEN. Mr. Speaker, I ask for the regular order.

The SPEAKER pro tempore. The regular order is that the gentleman from Illinois [Mr. HENRY T. RAINEY] asks unanimous consent that to-morrow be set aside to consider matters on the Unanimous Consent Calendar.

Mr. FERRIS. I feel the necessity of objecting unless the chairman of the committee wants to do it himself.

Mr. MADDEN. I ask for the regular order, Mr. Speaker.

Mr. FERRIS. I object.

Mr. SIMS. Now, Mr. Speaker, I wish to submit a request for unanimous consent to dispense with the business in order on Calendar Wednesday so that the water-power bill may be completed this week.

The SPEAKER pro tempore. The gentleman from Tennessee asks unanimous consent to dispense with business in order on Calendar Wednesday in order to take up the water-power bill.

Mr. MADDEN. I object.

Mr. STAFFORD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. STAFFORD. This being the day when suspension of the rules is in order, would it not be in order for the gentleman from Illinois [Mr. HENRY T. RAINEY] to move to suspend the rules and make an order for business to-morrow that is on the Unanimous Consent Calendar to-day?

Mr. HENRY T. RAINEY. I will say that we are waiting now for a resolution from the Senate.

The SPEAKER pro tempore. The Chair thinks it would not be in order.

Mr. STAFFORD. Mr. Speaker, this being the day set aside for suspension of the rules, of course it is in order for any person, if he gains recognition, to move to suspend the rules and make a special rule for to-morrow, provided two-thirds of the House approve it.

The SPEAKER pro tempore. When suspension time comes the Chair will recognize anyone to suspend the rules, after some of the business on the Unanimous Consent Calendar has been disposed of, late in the afternoon.

Mr. DYER. Mr. Speaker, I wish to make a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. DYER. I would like to know what the status of the water-power bill is with reference to consideration at this time.

The SPEAKER pro tempore. There is a continuing order for the water-power bill to be considered if it does not interfere with conference reports, Unanimous Consent Mondays, Calendar Wednesdays, or other privileged matters.

EXTENSION OF REMARKS.

Mr. DOOLITTLE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the report of the Federal Trade Commission.

The SPEAKER pro tempore. The gentleman from Kansas asks unanimous consent to extend his remarks in the RECORD on the report of the Federal Trade Commission. Is there objection?

Mr. MADDEN. Reserving the right to object, Mr. Speaker, I would like——

Mr. WALSH. I object.

The SPEAKER pro tempore. Objection is made.

RECESS.

Mr. HENRY T. RAINEY. Mr. Speaker, we are waiting for a resolution from the Senate. I ask unanimous consent that the House stand in recess for 30 minutes.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent that the House stand in recess for 30 minutes. Is there objection?

There was no objection; accordingly (at 12 o'clock and 10 minutes p. m.) the House stood in recess until 12.40 p. m.

AFTER RECESS.

The recess having expired, the House was called to order by Mr. KITCHIN as Speaker pro tempore.

LEAVE OF ABSENCE.

The SPEAKER pro tempore. The Chair lays before the House the following communication, which the Clerk will report.

The Clerk read as follows:

HOUSE OF REPRESENTATIVES,
Washington, August 17, 1918.

I request leave of absence for one week on account of illness.

B. H. SNELL.

The SPEAKER pro tempore. Is there objection to this request?

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed the following resolutions:

Resolved, That the Senate has heard with profound sorrow of the death of the Hon. JACOB HAROLD GALLINGER, for 27 years a Senator from the State of New Hampshire.

Resolved, That a committee of 18 Senators be appointed by the President pro tempore to take order for superintending the funeral of Mr. GALLINGER, to be held in the city of Concord, N. H.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives.

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now adjourn.

And that in compliance with the foregoing resolutions the President pro tempore had appointed as said committee Mr. LODGE, Mr. MARTIN, Mr. NELSON, Mr. PENROSE, Mr. DILLINGHAM, Mr. SIMMONS, Mr. OVERMAN, Mr. SMOOT, Mr. BORAH, Mr. BANKHEAD, Mr. SMITH of Maryland, Mr. CUMMINS, Mr. POINDEXTER, Mr. THOMAS, Mr. WEEKS, Mr. HOLLIS, Mr. CURTIS, and Mr. NEW.

DEATH OF SENATOR GALLINGER, OF NEW HAMPSHIRE.

Mr. CANNON. Mr. Speaker, in the absence of the Representatives from the State of New Hampshire, I offer the following resolutions.

The SPEAKER pro tempore. The Clerk will report the resolutions.

The Clerk read as follows:

House resolution 424.

Resolved, That the House has heard with profound sorrow of the death of the Hon. JACOB HAROLD GALLINGER, a Senator of the United States from the State of New Hampshire.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased Senator.

Resolved, That a committee of 14 Members be appointed on the part of the House to join the committee appointed on the part of the Senate to attend the funeral.

Mr. CANNON. Mr. Speaker, no doubt the Members from New Hampshire will at a later date ask the House to set aside a day for further testimonial in memory of the distinguished Senator, who was formerly a Member of the House of Representatives, who has just died.

The SPEAKER pro tempore. The question is on agreeing to the resolutions.

The resolutions were agreed to.

The SPEAKER pro tempore. The Clerk will announce the names of the members of the committee on the part of the House.

The Clerk read as follows:

Mr. WASON, Mr. BURROUGHS, Mr. GILLETT, Mr. GREENE of Massachusetts, Mr. TREADWAY, Mr. PHELAN, Mr. OLNEY, Mr. GREENE of Vermont, Mr. DALE of Vermont, Mr. GALLAGHER, Mr. POU, Mr. GARRETT of Tennessee, Mr. CAMPBELL of Kansas, Mr. TIMBERLAKE, and Mr. IGOE.

ADJOURNMENT.

The SPEAKER pro tempore. The Clerk will report the additional resolution.

The Clerk read as follows:

Resolved, That as a further mark of respect the House now adjourn.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The resolution was unanimously agreed to; accordingly (at 12 o'clock and 44 minutes p. m.) the House adjourned until to-morrow, Tuesday, August 20, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication of the Secretary of War submitting supplemental estimate of appropriations for the Coast Artillery School at Fort Monroe, Va., for the fiscal year ending June 30, 1919 (H. Doc. No. 1255); to the Committee on Appropriations and ordered to be printed.

2. A letter from the secretary of Hawaii, transmitting a copy of each of the laws and journals of the senate and house of representatives of the ninth legislature, special session of 1918, of the Territory of Hawaii; to the Committee on Territories.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. WILSON of Illinois: A bill (H. R. 12773) to authorize the construction of a bridge across the Little Calumet River, in Cook County, State of Illinois, at or near the village of Riverdale in said county; to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of Idaho: A bill (H. R. 12774) to provide revenue to defray war expenses, and for other purposes; to the Committee on Ways and Means.

By Mr. FULLER of Illinois: A bill (H. R. 12775) to change the place of holding the United States District Court for the Western Division, Northern District of Illinois, and for maintaining the clerk's office therein; to the Committee on the Judiciary.

By Mr. SIMS: A bill (H. R. 12776) to provide further for the national security and defense and for the more effective prosecution of the war by furnishing means for the better utilization of the existing sources of electrical and mechanical power and for the development of new sources of such power, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MOORE of Pennsylvania: Joint resolution (H. J. Res. 319) repealing the joint resolution approved February 8, 1918, entitled "Joint resolution for the purpose of promoting efficiency, for the utilization of the resources and industries of the United States, for lessening the expenses of the war, and restoring the loss caused by the war by providing for the employment of a discovery or invention called the 'Garabed,' claiming to make possible the utilization of free energy"; to the Committee on Patents.

By Mr. McLEMORE: Joint resolution (H. J. Res. 320) authorizing Calvin Willard Gilfillan to take the examination for the Naval Academy in February, 1919; to the Committee on Naval Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DAVIS: A bill (H. R. 12777) granting a pension to Philip Jochem; to the Committee on Invalid Pensions.

By Mr. DICKINSON: A bill (H. R. 12778) granting an increase of pension to William Davis; to the Committee on Invalid Pensions.

By Mr. FULLER of Illinois: A bill (H. R. 12779) granting a pension to Leonora Andrews; to the Committee on Invalid Pensions.

By Mr. HADLEY: A bill (H. R. 12780) granting a pension to Delphina P. Leslie; to the Committee on Invalid Pensions.

By Mr. HELVERING: A bill (H. R. 12781) granting an increase of pension to Robert T. Jellison; to the Committee on Invalid Pensions.

By Mr. KRAUS: A bill (H. R. 12782) granting a pension to Mardora C. Parker; to the Committee on Pensions.

By Mr. McARTHUR: A bill (H. R. 12783) granting an increase of pension to Jacob Imhoff; to the Committee on Pensions.

Also, a bill (H. R. 12784) granting an increase of pension to Mary A. Laughlin; to the Committee on Pensions.

By Mr. STRONG: A bill (H. R. 12785) granting a pension to George W. McDowell; to the Committee on Invalid Pensions.

By Mr. STAFFORD: Resolution (H. Res. 423) to pay Jessie T. Lovell, clerk to the late James H. Davidson, a Representative in Congress, one month's salary; to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Resolution of the Board of Aldermen of the City of New York, urging the passage of legislation effectually to prohibit profiteering in rent throughout the United States; to the Committee on Ways and Means.

Also (by request), petition of John Duval Gluck complaining of the conduct of office of James E. West, officer of Boy Scouts of America (Inc.); to the Committee on the Judiciary.

By Mr. DALE of New York: Petition of W. E. Golden, Chicago, Ill., asking for 1 cent per mile fare for all persons in the military service; to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Tenants' League of Greater New York, favoring House bill 12533; also, resolution of the Lowville (N. Y.) Grange, asking for the repeal of the second-class postage provisions of the war-revenue act; to the Committee on Ways and Means.

Also, petitions of sundry business firms throughout the United States against prohibition; also, resolutions of the Vest Makers' Unions, A. C. W. of A., and of the Micrometer Lodge, 460, I. A. of M., relative to the Mooney-Billings trial; to the Committee on the Judiciary.

By Mr. ESCH: Resolution of the agents of the Northwestern Mutual Life Insurance Co., protesting against the proposed tax on insurance by companies or partnerships of the lives of officers or employees; to the Committee on Ways and Means.

By Mr. JOHNSON of Washington: Petition of various citizens of Vancouver, Wash., favoring bone-dry war-time prohibition; also resolutions of Maritime Builders' Union, No. 1670, Aberdeen, Wash., favoring prohibition; to the Committee on the Judiciary.

By Mr. PRATT: Resolution in relation to polygamy, adopted at a public meeting at Owego, N. Y.; petition for the prohibition of the trade in alcoholic beverages for the period of the war by citizens of Trumansburg, N. Y., and by Mr. John E. Smith, representing a committee from Kanona, N. Y.; and petition of sundry residents of Canisteo, N. Y., for war-emergency prohibition; to the Committee on the Judiciary.

By Mr. TAGUE: Petition of the Manufacturers and Dealers' League of the City and State of New York, against prohibition; to the Committee on the Judiciary.

By Mr. RAKER: Resolution adopted by the Commercial Board, of Los Angeles, Cal., urging enactment of legislation defining and punishing sympathetic disloyalty; to the Committee on the Judiciary.

HOUSE OF REPRESENTATIVES.

TUESDAY, *August 20, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou who hast ever been our refuge and our strength, let Thy holy influence be with us, that Thy counsels may prevail in all the legislative acts of these Thy servants, that they may be in consonance with the eternal fitness of things.

Uphold and guide our President and his advisers in this hour of need; grant that our Army and Navy, with their associates, may continue to drive back the enemies of right, truth, and justice; that peace and harmony may fill the hearts of all the world with joy and gladness in Thine own good time; for Thine is the kingdom, and the power, and the glory, forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

DEPARTMENT EMPLOYEES SUBJECT TO MILITARY DUTY.

The SPEAKER laid before the House the following communication, which was read, ordered to be printed in the CONGRESSIONAL RECORD, and to lie on the Speaker's table, as follows:

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., July 26, 1918.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

SIR: In compliance with House resolution 375, dated June 3, 1918, I transmit herewith a list of employees in the Post Office Department proper at Washington, D. C., who were on June 5, 1917, between the ages of 21 and 31 years for whom requests for exemption from military duty or deferred classification have been asked by the department and allowed, the name and home address of each such person, the character of work he is performing, and the length of time he has been in such service.

Respectfully,

A. S. BURLESON,
Postmaster General.

List of employees in the Post Office Department proper at Washington, D. C., whose exemption from military duty or deferred classification has been asked by the Department and allowed.

Name.	Home address.	Length of time in service.	Character of work.
Boles, Charles E...	1000 Park Road, Washington, D. C.	11 months.....	Attorney handling legal questions of mailability of matter under espionage and trading with enemy acts.
Byrne, W. Fred....	1505 Twelfth Street NW., Washington, D. C.	9 years 7 months.	Private secretary to purchasing agent.
Carpenter, Henry T.	941 H Street NW., Washington, D. C.	10 months.....	Electrician.
Doherty, Michael T.	1306 O Street NW., Washington, D. C.	3 years 11 months.	Stenographer in office of First Assistant.
Dorsey, Earle F....	1751 Columbia Road, Washington, D. C.	10 months.....	In charge of section handling permits to foreign language newspapers (under section 19, trading with enemy act) to publish matter relating to war activities without filing translations thereof.
Dunbar, Charles E.	1305 Tenth Street NW., Washington, D. C.	7 years 3 months.	Assistant to the Chief Clerk, First Assistant.
Gregory, John J....	1105 C Street SW., Washington, D. C.	10 months.....	Stenographer on correspondence involving enforcement of espionage and trading with enemy acts.
Hassel, Calvin W. (also in class 4).	Hyattsville, Md...	7 years 9 months.	Attorney in charge of matters involving use of mails in promotion of lotteries, gift concerts, and similar enterprises; legal obligation of the department to pay rewards for apprehension and conviction of post-office burglars, etc.; questions of mailability of matter relating to intoxicating liquor under act of Mar. 3, 1917; questions of pardons of offenders against the postal laws; legal sufficiency of contracts, leases, bonds, etc., and miscellaneous legal questions requiring postal experience.
Howell, Thomas J..	Wardman Courts, apartment 115, Washington, D. C.	10 years 3 months.	Private secretary to chief clerk.
McBride, John B...	922 I Street NW., Washington, D. C.	6 years 7 months.	Supervisor of a section of the Division of Railway Adjustment involving the recording and consideration of all orders affecting the inspection of railway mail transportation service and preparation of all correspondence connected therewith.
Rasmussen, Harry E.	121 Fifth Street NW., Washington, D. C.	7 months.....	Correspondent and private secretary to chairman of Censorship Board.
Smith, J. Bond.....	121 Chestnut Street, Takoma Park, Md.	4 years 5 months.	Attorney in immediate charge of section of solicitor's office engaged in enforcement of espionage and trading with enemy acts, so far as they affect the Postal Service, requiring postal experience.

List of employees in the Post Office Department proper at Washington, D. C., whose exemption from military duty, etc., has been asked—Continued.

Name.	Home address.	Length of time in service.	Character of work.
Whalen, Robert E. J.	1215 L Street NW., Washington, D. C.	4 years 11 months.	Attorney handling legal questions of mailability of matter under espionage and trading with the enemy acts.
Whitman, Roy L. (also in class 4).	307 Eastern Avenue, Takoma Park, Md.	5 years 6 months.	Expert shorthand reporter of hearings in espionage, trading with enemy, fraud, and other cases.

Also the following communication from the Secretary of the Navy, which was read and ordered to be printed in the CONGRESSIONAL RECORD:

NAVY DEPARTMENT,
Washington, August 14, 1918.

The honorable the SPEAKER OF THE
HOUSE OF REPRESENTATIVES OF THE UNITED STATES.

SIR: In response to House resolution No. 390, adopted June 10, 1918, I have the honor to transmit herewith the report requested for the naval service.

I beg leave to call your attention to the fact that the report includes the names of approximately 7,700 men, this figure being 1.8 per cent of the total enlisted strength of the Navy.

It is interesting to note that a large number of the men reported are engaged in inspection work, both cost and material inspection. These duties are required in the interests of the extensive building program going forward and in the manufacture of arms and armament for vessels, for clothing, and for all the munitions of war.

Many of these men were required in the early days of the war, before it was decided, in order to meet pressing needs, to enroll yeowomen to aid in the emergency created by unprecedented preparations in advent of war. On April 9, 1918, I issued directions to replace as many men as could possibly be spared by women, and such replacement has already gone forward to some extent. It is estimated that all men performing the duties which can be performed by women, excepting those, of course, who are employed in places and under circumstances such that women may not be employed to best advantage, will be relieved in the very near future.

This report has been compiled from reports received from over 1,000 individual offices and stations throughout the United States. It has been necessarily delayed by reason of the fact that so many stations had to be heard from, and in the interests of accuracy. The date of the report may be taken as July 1, 1918, and although some changes have undoubtedly occurred since that date, it is not believed that the report is materially affected thereby.

Sincerely,

JOSEPHUS DANIELS,
Secretary of the Navy.

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IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES,
June 10, 1918.

Resolved, That the Secretary of War and the Secretary of the Navy be requested to report to the House of Representatives the number of men (with the name and home address of each) who, on June 5, 1917, were between the ages of 21 and 31 years, and who, since that date, have been commissioned or enlisted either in the active or in any of the Reserve Forces of the Military or Naval Establishments and assigned to clerical work in their respective departments, or in offices elsewhere, where such service is not directly rendered to and as a part of units of the Army and Navy employed in active or field operations, and who have received deferred classification by reason of being already in the military or naval service of the United States.

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REPORT OF NAMES AND ADDRESSES OF OFFICERS AND MEN OF THE NAVAL SERVICE ENLISTED OR COMMISSIONED SINCE JUNE 5, 1917, BETWEEN THE AGES OF 21 AND 31 AND ASSIGNED TO CLERICAL DUTIES IN THE NAVAL ESTABLISHMENT ON SHORE IN OFFICES NOT DIRECTLY CONNECTED WITH UNITS ENGAGED IN FIELD OPERATIONS.

First naval district.

DISTRICT HEADQUARTERS.

Office of the commandant:
Benton, Guy E., 94 Pleasant Street, Brookline, Mass.
Donahue, Bernard C., 31 West Street, Malden, Mass.
Johnson, Albert M., 18 Dalrymple Street, Jamaica Plain, Mass.
McCabe, John F., 303 Broadway, Somerville, Mass.
Padden, Martin J., 1 Manila Avenue, Readville, Mass.
Murdock, George F., 44 Palmer Street, Arlington, Mass.

Office of military chief:
Lieut. (j. g.) L. M. Little, Radnor Hall, Cambridge, Mass.

Office of communication superintendent:
Grindal, Leroy H., 5 Winter Street, Salem, Mass.
Keefe, Joseph L., 136 Devon Street, Dorchester, Mass.
Kennedy, John J., 23 Roseclair Street, Dorchester, Mass.
Montgomery, George W., 107 Draper Street, Dorchester, Mass.
McHugh, Edward F., 85 Park Avenue, Cambridge, Mass.
Porter, Alfred W., 6 Holmes Avenue, Dorchester, Mass.
Porter, Joseph, 30 Lorne Street, Dorchester, Mass.
Slattery, M. F., 8 Hansboro Street, Dorchester, Mass.

Disbursing office:
Barr, Harry D., Box 42a, West Medway, Mass.
Beasley, John, 92 Division Street, Hyde Park, Mass.
Birch, Ronald D., 16 Austin Street, Newtonville, Mass.
Blair, Pierpont, 62 Dwight Street, Brookline, Mass.
Boyce, Harold P., 382 Newbury Street, Boston, Mass.
Burnett, D. T., 151 South Main Street, Attleboro, Mass.
Byrne, Edward T., 62 Tremont Street, Brighton, Mass.
Byrne, Joseph P., 43 Beech Glen Street, Roxbury, Mass.
Carson, John J., 27 Gaylord Street, Roxbury, Mass.
Conte, Charles D., 32 Ellington Road, West Somerville, Mass.
Corliss, Herbert C., 165 Union Street, Everett, Mass.

Disbursing office—Continued.
Craig, Edgar A., North Easton, Mass.
Crandon, W. E., 362 Newbury Street, Boston, Mass.
Cressy, Charles L., 24 Abbott Street, Beverly, Mass.
Cunningham, D. T., 17 Tremont Street, Charlestown, Mass.
Davis, Russell W., 60 Prescott Street, Reading, Mass.
Davis, Samuel H., 11 Pearl Street, Reading, Mass.
Dooley, Thomas E., 15 Washington Street, Brookline, Mass.
Eames, Hubert B., Woburn Street, Wilmington, Mass.
Edgarton, Charles G., 1 Waterhouse Street, Cambridge, Mass.
Erickson, Elmer E., 29 Linden Street, Allston, Mass.
Feeney, John F. A., 302 Columbus Avenue, Boston, Mass.
Fisher, Irving S., 2 Forest Road, Brockton, Mass.
Foley, Henry P., 40 Washington Street, Peabody, Mass.
Goodspeed, Warren, Duxbury, Mass.
Grant, Albert M., 85 Sargent Street, Winthrop, Mass.
Griffin, Fergus, 83 Walnut Street, Lynn, Mass.
Hickey, Herbert J., 11 Parkton Road, Jamaica Plain, Mass.
Hoppen, Charles R., 15 Everdean Street, Dorchester, Mass.
Hoyle, John R., 50 Hancock Street, Malden, Mass.
Jones, Harry P., 42 Newton Street, Brighton, Mass.
Keezer, Louis, 8 Freeman Street, Arlington, Mass.
Keil, Norman J., 1010 Massachusetts Avenue, Cambridge, Mass.
Kelley, Edward H., 36 Florence Street, Roslindale, Mass.
Kenney, Malachi P., 22 Melvin Street, Wakefield, Mass.
Keyes, John, 62 Pine Street, Lowell, Mass.
Lewis, Thomas H., 73 Bainbridge Street, Roxbury, Mass.
Marno, John W., 37 Princeton Street, East Boston, Mass.
McDonald, Vincent R., 46 Neptune Road, East Boston, Mass.
McCluskey, M. J., 2053 Ashland Avenue, Evanston, Ill.
Nelson, Camillus H., West Pawlet, Vt.
Pearlman, Chester A., 66 Highland Road, West Somerville, Mass.
Pierce, F. Swain, 19 Chester Street, Allston, Mass.
Pollock, Leland W., Outlook Road, Wakefield, Mass.
Regan, James R., 1 Mount Vernon Avenue, Charlestown, Mass.
Rich, J. F., 184 Savin Hill Avenue, Dorchester, Mass.
Rogers, Walter W., 1231 Commonwealth Avenue, Allston, Mass.
Rutherford, Allen W., 73 Kittredge Street, Roslindale, Mass.
Scollin, L. A., 137 Cottage Street, Everett, Mass.
Seymour, R. S., 11 Tetlow Street, Roxbury, Mass.
Smith, C. R., 93 Washington Street, North Easton, Mass.
Somerville, Rae A., 14 Irwin Street, Winthrop, Mass.
Spooner, I. B., Swanton, Vt.
Sullivan, D. H., 83 Sumner Street, Dorchester, Mass.
Twitchell, Errol H., 30 Frances Street, Melrose, Mass.
Waite, John F., 15a Medford Street, Medford, Mass.
Welsh, Maurice R., 25 Linwood Street, Malden, Mass.
Williams, John E., Winthrop, Mass.

Office of the matériel officer:
Howe, Lester A., 7 Ash Street, Salem, Mass.

District enrolling office:
Arthur, Joseph L., 60 Butler Avenue, East Boston, Mass.
Carroll, Edward M., 124 Neponset Avenue, Dorchester, Mass.
McCarthy, William H., 94 Robinson Street, Lynn, Mass.
McCarthy, Jeremiah H., 246 School Street, Somerville, Mass.
O'Neill, Arthur H., 409 Columbia Road, Dorchester, Mass.
Drew, Herbert A., 437 East Sixth Street, South Boston, Mass.
Sullivan, Arthur T., 91 Center Street, Dorchester, Mass.
Sears, Walter H., 276 Church Street, Newton, Mass.
Clarke, Clifton A., 112 Emerson Street, Haverhill Mass.
Gibbons, James E., 14 Brinton Street, Roxbury, Mass.
Boutelle, Carl B., 7 Stanmore Place, Roxbury, Mass.
Moore, John B., 10 Hutchinson Street, Dorchester, Mass.
Babb, J. J., El Dorado, Ark.
O'Neill, John T., 1120 Saratoga Street, East Boston, Mass.
Killian, William W., 38 Clive Street, Jamaica Plain, Mass.
Shaughnessy, Joseph M., Ocean Avenue, Revere, Mass.
O'Brien, William J., 18 Calur Street, Somerville, Mass.
Mulhern, John P., 131 Antrim Street, Cambridge, Mass.
Harris, Cecil G., 45 Rockwell Street, Dorchester, Mass.
Ziegler, Joseph, 225 L Street, South Boston, Mass.
Devine, James S., 48 N Street, South Boston, Mass.
Moore, Fred H., 10 Sanford Street, Melrose, Mass.
McKenna, Mathew E., 59 Elm Street, Charlestown, Mass.
Sullivan, Frank P., 455 Broadway, South Boston, Mass.
Ewing, Hugh A., 11 Appleton Terrace, Watertown, Mass.
Mitchell, Peter P., 63 Malden Street, Malden, Mass.
Leader, John, 41 Pleasant Street, Needham, Mass.
Canavan, Edward, 501 Revere Street, Revere, Mass.
Coady, D. L., 1653 Massachusetts Avenue, Cambridge, Mass.
Glennon, W. H., 167 Brookline Street, Cambridge, Mass.
Landrigan, S. A., 70 Broad Street, Lynn, Mass.
Martin, J. F., 122 Florida Street, Dorchester, Mass.
McDougall, George, 213 Harvard Street, Cambridge, Mass.
Murphy, J. J., 8 Laurel Avenue, Somerville, Mass.
Rice, James, 115 Walnut Avenue, Revere, Mass.
Schuver, Reml B., 26 North Munroe Terrace, Neponset, Mass.
Perry, Freeman C., 303 Harvard Street, Cambridge, Mass.
Hurvitz, Louis I., 10 Millmont Street, Roxbury, Mass.
O'Shea, George G., 120 Sutherland Road, Brighton, Mass.

BOSTON NAVY YARD.

Office of the commandant:
Murphy, C. J., 45 East Newton Street, Boston, Mass.
Doyle, W. D., 4 Park Terrace, Arlington, Mass.
Burt, J. H., 181 Brook Road, Mattapan, Mass.
Downey, J. J., 19 Mount Vernon Street, Charlestown, Mass.
Mulqueen, M. F., 28 Lexington Street, Brockton, Mass.
Dahl, E., 31 Franklin Street, Everett, Mass
Hitchins, George E., 18 Thurston Street, East Boston, Mass.
Chapman, P. A., 25 Taft Street, Dorchester, Mass.
Costello, F. J., 56a Mattapan Street, Mattapan, Mass.
Fox, D. G., 25 Browning Avenue, Dorchester, Mass.
Kronenberg, J. F., 54 Pine Street, Belmont, Mass.
Palais, M., 139 Harold Street, Roxbury, Mass.

Office of senior aid to commandant:
Shuman, J., 20 Normandy Street, Roxbury, Mass.

Office of medical officer:
Dugan, John L., 12 Ridge Street, Andover, Mass.
Paige, Sam Kimball, 1284 Commonwealth Avenue, Allston, Mass.

Accounting office:
Buckley, Joseph, 670 Eighth Street, South Boston, Mass.
Cahill, William M., 31 Lexington Street, West Newton, Mass.
Cormack, Francis L., 197 Bunker Hill Street, Charlestown, Mass.

Accounting office—Continued.
Crawford, W. G., 1132 Washington Street, Dorchester, Mass.
Doherty, A. W., 325 Newton Street, Waltham, Mass.
Donlan, Martin E., 75 Cedar Stret, Roxbury, Mass.
Evans, Arthur W., 89 St. James Avenue, Boston, Mass.
Flaherty, Michael A., 14 Allston Street, Charlestown, Mass.
Foley, James C., 64 Whitney Street, Roxbury, Mass.
Hagerman, William J., 4 Rockledge Street, Roxbury, Mass.
Hannon, E. H., 122 Mount Vernon Street, Dedham, Mass.
Herlihy, W. F., 54 Burnside Avenue, Somerville, Mass.
Horan, Thomas F., 52 Mount Vernon Street, Charlestown, Mass.
Horgan, Arthur J., 47 Vassal Lane, Cambridge, Mass.
Howard, Charles E., 20 Leland Street, Dorchester, Mass.
Jones, Harold M., 56 Pearson Avenue, West Somerville, Mass.
King, Frank D., 114 Winthrop Street, Winthrop, Mass.
McCauley, John J., 137 Smith Street, Roxbury, Mass.
Moran, Frank J., 37 Bowdoin Street, Boston, Mass.
Mulkeen, John L., 22 Whitney Street, Roxbury, Mass.
O'Connell, Joseph E., 5 Euston Street, Brookline, Mass.
Pyne, Edward G., 879 Roxbury Street, Roxbury, Mass.
Sandlin, Guy M., 491 Huntington Avenue, Boston, Mass.
Scullin, Matthew N., 1221 Beacon Street, Brookline, Mass.
Sheehan, C. C., 285 Bunker Hill Street, Charlestown, Mass.
Sullivan, John A., 183 Madison Street, Malden, Mass.
Tracy, Thomas T., 163 Cabot Street, Roxbury, Mass.

Office of engineer officer:
Keenan, George F., 8 Marshfield Street, Roxbury, Mass.
Maloney, Joseph M., 18 Endicott Street, Peabody, Mass.
Mattimore, Leonard M., 9 Inwood Street, Dorchester, Mass.
O'Brien, William F., 32 Union Street, Charlestown, Mass.
Riley, C. J. A., 76 Westland Avenue, Boston, Mass.
Sheedy, Michael J., 211 Eighth Street, South Boston, Mass.
Sullivan, C. C., 200 Hyde Park Avenue, Forest Hills, Mass.
Woodman, H. L., A and Central Avenue, Nantasket, Mass.

Office of the captain of the yard:
J. J. Krafsur, 22 North Russell Street, Boston, Mass.
O'Brien, J. C., 175 Commercial Street, East Braintree, Mass.
Durgin, C. A., 2 Gore Street, Roxbury, Mass.
O'Flaherty, T. G., 815 East Broadway, South Boston, Mass.
Leonard, C. W., 23 Walnut Street, Everett, Mass.

Office of commissary officer:
Adams, J. Q. S., 2 Ocean Street, Marblehead, Mass.
Perkins, R. S., 45 Upland Road, Quincy, Mass.
Ryan, J. J., 28 Cedar Street, Charlestown, Mass.
Cunningham, A. J., 7 Tip Top Street, Brighton, Mass.

Office of public works officer:
Cummings, Clyde H., Summer Street, Lynnfield Center, Mass.
English, Charles St. C., 1 Ridgewood Road, Malden, Mass.
Powers, Thomas J., 94 St. Andrews Road, East Boston, Mass.
Silva, Fred W., 7 Bertram Street, Dorchester, Mass.
Robb, Alvin S., 419 Andover Street, Lawrence, Mass.

Station brig:
Tremble, John H., 16 Magnolia Square, Dorchester, Mass.

Disbursing office:
Asst. Paymaster Harold W. Sprague, 7 Karl Place, Brockton, Mass.
Chief Pay Clerk F. T. O'Connor, 39 Central Street, Peabody, Mass.
Lally, Albert J., 42 Auckland Street, Dorchester, Mass.
Casey, D. W., 737 Third Street, South Boston, Mass.
Dickenscheid, A. P., 10 Tichnor Street, South Boston, Mass.
Faherty, J. J., 17 Bellflower Street, Dorchester, Mass.
Thorne, C. H., 235 Whitwell Street, Quincy, Mass.
Dowd, Harold, 59 Wilson Avenue, Torrington, Conn.
Drea, J. J., 1007 Hyde Park Avenue, Hazelwood, Mass.
Silverman, Morris, 282 Columbia Road, Dorchester, Mass.
Wilder, M. W., 15 Usher Road, West Medford, Mass.
Dumesnil, J. P., 301 Peterson Avenue, Louisville, Ky.
Seelbach, W. O., Seelbach Hotel, Louisville, Ky.
Harrington, A. G., 17 Burney Road, Roxbury, Mass.
Murphy, P. F., 12 Munroe Street, Somerville, Mass.

Board of medical examiners:
Asst. Surg. J. F. Lynch, Y. M. C. A., Boston, Mass.
Buttner, Fred C., 371a Dorchester Street, South Boston, Mass.
Houghton Alger W., 10 Marble Street, Stoneham, Mass.
Hughes, George J., 53 Stoughton Street, Dorchester, Mass.
Miller, Charles F., 322 Bunker Hill Street, Charlestown, Mass.
Nelson, Ernest E., 143 Nahant Street, Lynn, Mass.
Orenberg, Louis, 112 Callender Street, Dorchester, Mass.
Reddy, John C., 9 Broad Street, Newburyport, Mass.
Stout, Leslie J., 82 St. Andrew Road, East Boston, Mass.
Sturgis, Harry G., rear 37 Darrow Street, Quincy, Mass.
Thomas, Prentiss E., 8 Ash Street, Cliftondale, Mass.
Erlandson, Henry A., 11 Richards Avenue, Roslindale, Mass.
Lane, James M., 29 Sargent Street, Dorchester, Mass.
O'Malley, J. A., 8 Codman Park, Roxbury, Mass.
Carney, W. L., 60 Pebble Street, Winthrop, Mass.
Lane, Arthur, 804 Ocean Avenue, Revere, Mass.

General court-martial room:
Dunn, Leo J., 24 Crandall Street, Roslindale, Mass.
Mulkern, Michael J., 31 Bellflower Street, Dorchester, Mass.
Davis, Thomas J., 248 Cherry Street, West Newton, Mass.
McKenna, Harold A., 1304 Hyde Park Avenue, Hyde Park, Mass.
Boling, Clem M., 11 Wellington Road, Boston, Mass.
Brogan, William H., 320 Bowdoin Street, Winthrop, Mass.
Cooch, Thomas P., 115 Waverly Street, Everett, Mass.

Office of construction officer:
Buffey, B. C., 1259 Salem Street, Malden, Mass.
Cahill, Paul, 43 Mystic Valley Park, Winchester, Mass.
Carlin, H. J., 43 Albion Street, Medford, Mass.
Cauley, E. T., 21 Athelwold Street, Dorchester, Mass.
Cloke, Richard, 1760 Sheepshead Bay Road, Brooklyn, N. Y.
Driscoll, T. H., 24 Dawes Street, Dorchester, Mass.
Flaherty, Richard, 45 Everett Avenue, Somerville, Mass.
Gomes, A. J., 1102 Saratoga Street, East Boston, Mass.
Hockridge, C. M., 1 Shore Drive, Winthrop, Mass.
Kearns, T. H., 43 Armandine Street, Dorchester, Mass.
Kelley, M. J., 962 Walnut Street, Newton Highlands, Mass.
Reed, Harris, 32 Whitman Avenue, Whitman, Mass.
Sullivan, M. B., 25 Dustin Street, Peabody, Mass.
Thornton, F., 429 Chelsea Street, East Boston, Mass.
Wall, J. J., 11 Rockland Place, Malden, Mass.

Supply department:
Passed Asst. Paymaster E. H. Barber, Claflin Road, Brookline, Mass.
Passed Asst. Paymaster M. C. Merriman, 66 Summit Avenue, Brookline, Mass.

Supply department—Continued.
Asst. Paymaster H. P. Edwards, 1664 Beacon Street, Brookline, Mass.
Asst. Paymaster R. H. Kissel, 61 Pleasant Street, Brookline, Mass.
Asst. Paymaster H. R. Pierce, 66 Summit Avenue, Brookline, Mass.
Asst. Paymaster C. D. Orth, 66 Summit Avenue, Brookline, Mass.
Asst. Paymaster W. A. Bellows, 10 Kenmore Street, Boston, Mass.
Asst. Paymaster A. A. Shea, 27 Thetford Street, Dorchester, Mass.
Asst. Paymaster J. W. Pearson, 11 Radford Lane, Ashmont, Mass.
Asst. Paymaster L. A. Norman, 14 Wedgemere Avenue, Winchester, Mass.
Asst. Paymaster F. W. MacDonald, 10 Woodside Park, Winthrop, Mass.
Ensign R. M. Roberts, 124 Franklin Street, Melrose Highlands, Mass.
Ensign C. E. Goodhue, 25 Green Street, Ipswich, Mass.
Ensign C. R. Earle, 464 Huntington Avenue, Boston, Mass.
Ensign C. Halverson, 9 Monument Square, Charlestown, Mass.
Chief Pay Clerk W. A. Manderson, 66 Summit Avenue, Brookline, Mass.
Pay Clerk Gironard, 404 Fletcher Street, Lowell, Mass.
Greenquist, J. J., 23 Willard Street, East Milton, Mass.
Sorensen, C. C., 6 Harvest Street, Dorchester, Mass.
Bryson, C. L., 61 Lincoln Road, Newton, Mass.
Curley, J. W., 2978 Washington Street, Roxbury, Mass.
Eagen, J. S., 16 Trowbridge Street, Cambridge, Mass.
Pirie, R. H., 28 Bradstreet Street, Revere, Mass.
Thompson, C. M., 7 Chapman Street, Wollaston, Mass.
Blanchard, G. S., 1307 Commonwealth Avenue, Allston, Mass.
Neilson, G. T., Wilmington, Mass.
Connors, T. J., 24 Laurel Street, Somerville, Mass.
Donnelly, G. J., 58 Chadwick Street, Roxbury, Mass.
Greaney, R. J., 385 Broadway, Everett, Mass.
Haberlin, W. F., 68 Prince Street, Jamaica Plain, Mass.
Maylia, M. E., 55 King Street, Dorchester, Mass.
Moynihan, J. A., 47 Chestnut Street, Charlestown, Mass.
Perry, A. W., 31 Rockwell Street, Dorchester, Mass.
Rees, L. T., 58 Pinckney Street, Boston, Mass.
Riley, J. J., 58 Readville Street, Hyde Park, Mass.
Visali, J. E., 62 Lowden Avenue, West Somerville, Mass.
Winston, L. J., 199 Marion Street, East Boston, Mass.
Coleman, J. C., 58 Decatur Street, Charlestown, Mass.
Hopkins, C. L., 11 Story Street, Cambridge, Mass.
Paulson, J. S., 22 Savin Hill Avenue, Dorchester, Mass.
Craven, W. H., 385 Broadway, Everett, Mass.
Flint, G. H., 131 St. Botolph Street, Boston, Mass.
Graves, F. L., 84 St. Botolph Street, Boston, Mass.
Miller, T. L. W., 839 Fellsway, Medford, Mass.
Norton, H. R., 22 Warner Street, Somerville, Mass.
Rivamonte, C. B., 234 Calumet Street, Roxbury, Mass.
Campbell, J. R., 2 Holyoke Street, Cambridge, Mass.
Carmichael, J. D., 22 Rolfe Street, Lowell, Mass.
Carr, D. F., 15 Locust Street, Dorchester, Mass.
Casey, M. J., 40 Marlborough Street, Chelsea, Mass.
Chafe, R., 125 Cedar Street, Roxbury, Mass.
Cobb, H. H., 45 Rutland Square, Boston, Mass.
Ferguson, W. G., 43 Hutchins Street, Roxbury, Mass.
Freeman, W. E., Howard Street, Reading, Mass.
Germain, L., 29 Richardson Avenue, Wakefield, Mass.
Goldstein, M., 54 Alpha Road, Dorchester, Mass.
Groman, B., 166 Paris Street, East Boston, Mass.
Havens, G. M., Manchester Road, Brookline, Mass.
Johndrow, G. W., 25 Park Road, Belmont, Mass.
Kenny, E. E., 100 Meridian Street, East Boston, Mass.
Langley, W. D., Technology Chambers, Boston, Mass.
McCann, F. J., 14 Kendall Street, Framingham, Mass.
Murphy, W. D., 2 Alvah Kittredge Park, Roxbury, Mass.
Rutherford, W. H., 73 Kittredge Street, Roslindale, Mass.
Woodward, R. H., 99 Orchard Street, Jamaica Plain, Mass.
Kaplan, A., 28 Greenock Street, Dorchester, Mass.
Bronski, A. J., 58 Cushing Avenue, Dorchester, Mass.
Bronski, J., 58 Cushing Avenue, Dorchester, Mass.
Burke, J. F., 199 Massachusetts Avenue, Boston, Mass.
Casey, W. J., 27 Belvoir Road, Milton, Mass.
Doherty, J. J., 49 Monument Square, Charlestown, Mass.
Fox, C. J., 47 Harvard Street, Chelsea, Mass.
Horgan, F. J., 85 P Street, South Boston, Mass.
McGann, J. M., 22 Nelson Street, Dorchester, Mass.
McGrath, C. D., 50 Amory Street, Brookline, Mass.
Smith, G. A., 284 Highland Avenue, Malden, Mass.
Smith, J. J., 11 Idlewild Street, Allston, Mass.
Dillon, P. L., 17 Thornley Street, Dorchester, Mass.
Duggan, H. F., 9 Elm Street, Peabody, Mass.
MacDonald, H., 9 Warren Street, Peabody, Mass.
McKeigue, R. E., 88 Lawton Avenue, Lynn, Mass.
McWeeney, J. J., 2451 Center Street, West Roxbury, Mass.
Rolfe, A. W., 54 Irving Street, Arlington, Mass.
Rosenberg, B. J., 135 Walnut Street, Chelsea, Mass.
Rubenstein, W., 1 Holworth Hall, Cambridge, Mass.
Tracey, W. E., 212 Aspinwall Avenue, Brookline, Mass.
Barrett, J. J., 259 Everett Street, East Boston, Mass.
Bartley, H. N., 16 Lee Street, Cambridge, Mass.
Dwyer, A. L., 53 Seaver Street, Stoughton, Mass.
Gaffey, T. F., 11 Violet Street, Lynn, Mass.
Hartnett, F. J. A., 135 Blue Hill Parkway, Milton, Mass.
Kenny, T. C., 100 Meridian Street, East Boston, Mass.
Lowney, J. J., 15 Sprague Street, Charlestown, Mass.
Powers, J. J., 51 Derby Street, Somerville, Mass.
Sears, H. J. H., 29 Braman Street, Danvers, Mass.
Simonds, M., 2 Perkins Place, Roxbury, Mass.
Sugden, F., 88 Hemman Street, Roslindale, Mass.
Sullivan, W. D., 116 Belmont Street, Somerville, Mass.
Holland, R. D., 46 Thorndike Street, Brookline, Mass.
Leary, W. P., 28 Marion Street, Charlestown, Mass.
McMorrow, J. L., 2300 Washington Street, Canton, Mass.
Mitchell, Rogers, 25 Enstis Street, Brookline, Mass.
Dolan, W. V., Greenville Street, Somerville, Mass.
Ziegler, A. H., Buzzey Street, Dedham, Mass.
Anderson, J. H., 12 Bullard Street, Dorchester, Mass.
Barron, J. F., 118 Tonawanda Street, Dorchester, Mass.
Blinn, Willis J., 28 Hancock Street, Stoneham, Mass.
Brodie, E. M., 87 Hairshoff Street, Roxbury, Mass.
Bursley, F. F., 378 Medford Street, Somerville, Mass.
Cayo, E. J., 10 Meni Court, Providence, R. I.

Supply department—Continued.
Cayo, G. A., 27 Murtle Street, Boston, Mass.
Conway, C. J., 21 Gardner Street, Waltham, Mass.
Curtin, J. F., 39 Cottage Street, East Boston, Mass.
Dolan, F. T., 60 Torrey Street, Dorchester, Mass.
Downey, C. R., 124 Ashmont Street, Dorchester, Mass.
Durgin, H. N., 108 Hancock Street, Everett, Mass.
Earle, Chauncy, 14 Herbert Street, Somerville, Mass.
Finkelstein, S. W., 178 Harold Street, Roxbury, Mass,
Gairing, W. L., 33 Fayette Street, Cambridge, Mass.
Greene, E. G., 23 Belvista Road, Brookline, Mass.
Haberlin, John, 68 Prince Street, Jamaica Plain, Mass.
Hamilton, P. S., 90 Hamilton Street, Dorchester, Mass.
Healy, T. J., 365 Broadway, Somerville, Mass.
Higgins, John P., 297 Crescent Avenue, Beachmont, Mass.
Hinsdale, M. W., 162 Huntington Avenue, Boston, Mass.
Horberg, A. L., 107 Gainsborough Street, Boston, Mass.
Hudson, G. H., 309 Meridian Street, East Boston, Mass.
Linahan, George, 80 Stanley Avenue, Medford, Mass.
Marcel, Alfred, 39 Park Street, Wollaston, Mass.
May, John F., 24 Westland Avenue, Boston, Mass.
McGaffee, A. H., 58 Selkirk Road, Brookline, Mass.
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Cline, Harry J., 2031 Frazier Street, Philadelphia, Pa.
Cohen, Lewis, 623 South Seventeenth Street, Philadelphia, Pa.
Colbert, Charles G., 2032 McKean Street, Philadelphia, Pa.
Collingwood, Allan K., 1421 Arch Street, Philadelphia, Pa.
Collins, William J., 416 Moore Street, Philadelphia, Pa.
Collins, Morton, 202 Arizona Avenue, Atlantic City, N. J.
Collins, William, 2538 South Chadwick Street, Philadelphia, Pa.
Conley, John D., Narberth, Pa.
Connell, John J., 717 Preston Street, Philadelphia, Pa.
Connelly, William, 2106 Summer Street, Philadelphia, Pa.
Connolly, John T., 510 North Clinton Street, Trenton, N. J.
Connor, John A., 3334 North Broad Street, Philadelphia, Pa.
Connor, William A., 1500 Fairmount Avenue, Philadelphia, Pa.
Cook, Charles E., jr., 322 North Forty-second Street, Philadelphia, Pa.
Cooke, Wilmer W., 1532 South Fifteenth Street, Philadelphia, Pa.
Cornell, Allen D., 725 Vernor Road, Philadelphia, Pa.
Courtright, James W., 211 Arthur Avenue, Scranton, Pa.
Crane, Frank B., 2210 Master Street, Philadelphia, Pa.
Cravis, Israel, 1817 North Thirty-second Street, Philadelphia, Pa.
Crawford, Edgar C., 1901 Twelfth Avenue, Birmingham, Ala.
Crawford, Thomas L., R. F. D. No. 1, Topeka, Kans.
Cummings, Harold H., 4012 Green Street, Philadelphia, Pa.
Cunningham, John F., 1548 South Fifteenth Street, Philadelphia, Pa.
Curley, Edward T. P., 1324 Claybourn Street, Milwaukee, Wis.
Curry, John J., 2119 Somerset Street, Philadelphia, Pa.
Dahl, Gunnar H., 1048 Seventh Avenue, Oakland, Cal.
Dailey, Daniel D., 5512 Larchwood Avenue, Philadelphia, Pa.
Daley, Hugh G., 1634 Ritner Street, Philadelphia, Pa.
Danzenbaker, John E., 4920 Locust Street, Philadelphia, Pa.
Davis, Samuel H., 516 Barbadoes Street, Norristown, Pa.
Dean, W. Scott, 850 North Twenty-ninth Street, Philadelphia, Pa.
De Less, Anthony E., jr., 2522 South Nineteenth Street, Philadelphia, Pa.
De Luca, Harry, 525 Catherine Street, Philadelphia, Pa.
Denney, William F., 4637 Chestnut Street, Philadelphia, Pa.
Derham, James P., 239 South Twelfth Street, Philadelphia, Pa.
Dietrick, George J., 1034 Jackson Street, Philadelphia, Pa.
Donahue, Paul A., 4512 Elm Avenue, Camden, N. J.
Dondero, Augustine B., 1435 Ellsworth Street, Philadelphia, Pa.
Donnelly, Joseph P., 1445 North Howard Street, Philadelphia, Pa.
Dorff, Milford K., jr., 2016 South Opal Street, Philadelphia, Pa.
Douglass, Downs D., 215 North Creighton Street, Philadelphia, Pa.
Duffy, Charles, jr., Royal Apartments, Philadelphia, Pa.
Dunbar, Jacob M., 242 Christian Street, Philadelphia, Pa.
Dunleavy, Thomas J., 2430 West Huntington Street, Philadelphia, Pa.
Dyer, William F., 1105 Montgomery Avenue, Philadelphia, Pa.
Dysart, Samuel A., 101 East Wyoming Avenue, Philadelphia, Pa.
Easterly, R. E., 812 South St. Bernard Street, Philadelphia, Pa.
Everly, R. N., 417 West Horter Street, Philadelphia, Pa.
Everling, Harry A., 1208 North Hancock Street, Philadelphia, Pa.
Falk, Arnold L., 3641 North Twenty-first Street, Philadelphia, Pa.
Farrow, Joseph E., 1333 North Fifty-ninth Street, Philadelphia, Pa.
Fenton, John L., 614 South Fifty-first Street, Philadelphia, Pa.
Fitzsimmons, James V., 1237 Butler Street, Philadelphia, Pa.
Flowers, George W. Y., 1848 Tulip Street, Philadelphia, Pa.
Flynn, Lawrence A., 2316 Colorado Street, Philadelphia, Pa.
Ford, Joseph F., 7226 Grays Avenue, Philadelphia, Pa.
Forrest, Wilbur J., 30 Ritner Street, Philadelphia, Pa.
Fox, Benjamin J., 2633 North Second Street, Philadelphia, Pa.
Freedman, Herman, 951 New Market Street, Philadelphia, Pa.
Furnival, Frederick, jr., 1701 Yewdell Street, Philadelphia, Pa.
Gallagher, Charles A., 2228 Jefferson Street, Philadelphia, Pa.
Gallagher, Stephen A., 935 Belmont Avenue, Philadelphia, Pa.
Gallen, Leo P., 2516 South Thirteenth Street, Philadelphia, Pa.
Garretson, David P., 1520 North Seventeenth Street, Philadelphia, Pa.
Gartner, Fred C., 508 Vine Street, Philadelphia, Pa.
Gawthrop, Harold J., Kennett Square, Pa.
Gemmell, Robert T., 9 Leonard Avenue, Camden, N. J.
Geraghty, Thomas L., 5815 Thomas Avenue, Philadelphia, Pa.
Gessner, Herman F., 1506 North Twentieth Street, Philadelphia, Pa.
Gibbons, Walter B., 524 North Sixty-third Street, Philadelphia, Pa.
Gillespie, Charles, 2527 North Water Street, Philadelphia, Pa.
Glazier, Joseph M., 1444 North Hope Street, Philadelphia, Pa.
Gleckner, Harry J., 1532 North Leithgow Street, Philadelphia, Pa.
Goebel, George A., 213 Mifflin Street, Philadelphia, Pa.
Goodman, Edwin C., 908 Broad Street, Philadelphia, Pa.
Gough, Irving G., 4524 North Carlisle Street, Philadelphia, Pa.
Gordy, Charles B., Salisbury, Md
Gramigna, Paul, 1164 Morton Street, Camden, N. J.
Grant, William J., 3828 Folsom Street, Philadelphia, Pa.
Greenberger, Benjamin, 101 Broadway, Scranton, Pa.
Greenfield, Philip, 2349 North Twenty-ninth Street, Philadelphia, Pa.
Gunner, Samuel, 1809 South Fourth Street, Philadelphia, Pa.
Hackett, Walter J., 1413 Susquehanna Avenue, Philadelphia, Pa.
Hagenbach, George G., 1449 North Fifth Street, Philadelphia, Pa.
Hallaham, Thomas A., 509 Spring Avenue, Noble, Pa.
Haly, Theodore E., 229 South Eleventh Street, Philadelphia, Pa.
Hamill, Joseph R., 1916 East Madison Street, Philadelphia, Pa.
Hamilton, Frank S., 2015 North Twenty-second Street, Philadelphia, Pa.
Hamilton, James S., Glen Olden, Pa.

Hannon, Frank J., jr., 954 North Fiftieth Street, Philadelphia, Pa.
Harlow, Joseph P., 1315 Fourteenth Avenue, Altoona, Pa.
Harris, Abraham R., 1602 South Fourth Street, Philadelphia, Pa.
Harvey, Paul J., 3842 North Eighth Street, Philadelphia, Pa.
Hassler, Gilbert H., 5303 Chester Avenue, Philadelphia, Pa.
Hauck, Sylvester A., jr., Germantown, Pa.
Heines, Otto G., 217 Washington Street, Stroudsburg, Pa.
Helzer, Henry C., R. F. D. No. 4, Mount Clemens, Mich.
Heppard, William J., 1422 Porter Street, Philadelphia, Pa.
Herbott, Harry A., 1217 North Eighth Street, Philadelphia, Pa.
Herbst, Leon P., 1605 West Susquehanna Avenue, Philadelphia, Pa.
Hershowitz, Harry, 937 Tiffany Street, Bronx, N. Y.
Hickman, Paul B., Uniontown, Pa.
Higgins, Daniel J., 2501 Allegheny Avenue, Philadelphia, Pa.
Higgins, Harry S., 1346 Kaighns Avenue, Camden, N. J.
Johnson, Maurice S., box 75, Hillards, Mich.
Johnson, Leonard, 2243 South Rosewood Street, Philadelphia, Pa.
Johnson, Russell C., Parkerford, Pa.
Jones, Harry Blyer, 1420 Hurst Street, Philadelphia, Pa.
Judge, Michael J., 22 South Thirty-second Street, Philadelphia, Pa.
Julian, George A., 5245 Baltimore Avenue, Philadelphia, Pa.
Kalenbacher, Joseph A., Ardmore, Pa.
Kampmann, Robert S., 731 Land Title Building, Philadelphia, Pa.
Karr, Thomas J., 4040 Parkside Avenue, Philadelphia, Pa.
Keating, James, 533 Coplin Avenue, Detroit, Mich.
Keenan, John H., jr., 1905 South Broad Street, Philadelphia, Pa.
Kelly, Aloysius A., 2551 North Harold Street, Philadelphia, Pa.
Kelly, Harry A., 640 North Twenty-third Street, Philadelphia, Pa.
Kelly, Joseph A., 1923 South Eighteenth Street, Philadelphia, Pa.
Kelly, John A., 139 North Third Avenue, Conshohocken, Pa.
Kelly, John F., 71 Mitchell Place, East Orange, N. J.
Kelly, John H., 18 North Twenty-fifth Street, Camden, N. J.
Kelly, Thomas J., 874 North Forty-ninth Street, Philadelphia, Pa.
Kelly, Walter, 207 North Thirty-fifth Street, Philadelphia, Pa.
Keul, Sylvester E., 2857 North Eighth Street, Philadelphia, Pa.
Kennedy, Frank B., 5734 Walton Avenue, Philadelphia, Pa.
Kenworth, William H., jr., 1202 Delaware Avenue, Wilmington, Del.
Keohane, Lawrence F., Devon, Pa.
Keohane, Edward A., 1743 West Thompson Street, Philadelphia, Pa.
Keough, Leo P., 1308 Federal Street, Philadelphia, Pa.
Kerrigan, Hugh, 2137 Oakford Street, Philadelphia, Pa.
Kiefer, Henry P., 1524 East Palmer Street, Philadelphia, Pa.
Kilday, John A., 2510 East Indiana Avenue, Philadelphia, Pa.
Kilroy, James C., 1939 West Lehigh Avenue, Philadelphia, Pa.
Kinsley, Charles W., 5100 Arch Street, Philadelphia, Pa.
Kinslow, Leo E., 809 Bambrey Street, Philadelphia, Pa.
Kirby, Aloysius E., 5457 Spruce Street, Philadelphia, Pa.
Kirby, Allan P., 202 South River Street, Wilkes-Barre, Pa.
Kistler, Thomas L., 21 Prospect Street, East Stroudsburg, Pa.
Klein, Gustav, 2232 North Broad Street, Philadelphia, Pa.
Koch, William W., jr., 2056 East Dauphin Street, Philadelphia, Pa.
Kochel, Earl E., 1520 North Twelfth Street, Philadelphia, Pa.
Krug, Russell Emmet, 1313 South Fifty-second Street, Philadelphia, Pa.
Kuhn, George J., 1026 North Randolph Street, Philadelphia, Pa.
Labowitz, Morris, 213 North Tenth Street, Philadelphia, Pa.
Lamb, Lester R., 2748 North Twelfth Street, Philadelphia, Pa.
Lang, Lawrence K., 324 Shadeland Avenue, Drexel Hill, Pa.
Larkins, James J., 2552 North Eighteenth Street, Philadelphia, Pa.
Larkin, Edward V., 1625 North Eighteenth Street, Philadelphia, Pa.
Lavin, Thomas F., 802 South Valley Avenue, Olyphant, Pa.
Levy, Joseph, 1201 Markley Street, Norristown, Pa.
Lewis, Frank C., R. F. D. No. 6, Norfolk, Pa.
Lewis, Isaac, 1320 Park Building, Camden, N. J.
Lind, Frank R., 318 Snyder Avenue, Philadelphia, Pa.
Logan, Charles R., 401 Main Street, Stroudsburg, Pa.
Loney, Frank R., 1330 Ritner Street, Philadelphia, Pa.
Lordan, John M., 6602 Greenway Avenue, Philadelphia, Pa.
Lowery, Walter E., 1506 Ritner Street, Philadelphia, Pa.
Lowry, Francis J., 805 South Forty-ninth Street, Philadelphia, Pa.
Ludes, Leo A., 3961 Lancaster Avenue, Philadelphia, Pa.
Ludwig, Henry, 800 West Moyamensing Avenue, Philadelphia, Pa.
Lynch, Francis L., 2409 East Sargent Street, Philadelphia, Pa.
MacBride, George E., 2237 South Twenty-second Street, Philadelphia, Pa.
Macht, Walter G., 2318 East Cumberland Street, Philadelphia, Pa.
Mackin, Harold J., 1882 Broadway, Brooklyn, N. Y.
Mackin, Edward C., 358 Scott Street, Wilkes-Barre, Pa.
MacLardy, Elmer W., 511 West Tabor Road, Philadelphia, Pa.
MacReynolds, Wesley W., 132 Simpson Road, Ardmore, Pa.
Maginnis, Walter B., 5337 Chester Avenue, Philadelphia, Pa.
Maguire, Daniel James, 2355 Pierce Street, Philadelphia, Pa.
Mahan, Frank J., 35 Tasker Street, Philadelphia, Pa.
Maher, Ignatius F., 3724 Baring Street, Philadelphia, Pa.
Makrausky, Harry, 3208 Girard Avenue, Philadelphia, Pa.
Manley, Thomas C., 1100 Wyoming Avenue, Philadelphia, Pa.
Mann, Jacob, 2458 North Twenty-ninth Street, Philadelphia, Pa.
Margerum, Russell C., 745 East Allegheny Avenue, Philadelphia, Pa.
Martin, John N., 116 Plymouth Street, Pittsburgh, Pa.
Martin, Herbert, 2236 South Sixteenth Street, Philadelphia, Pa.
Masterson, William E., 1703 Fourth Avenue, Altoona, Pa.
Masterson, William P., 1726 South Eighteenth Street, Philadelphia, Pa.
McCallin, James H., 5446 Haverford Avenue, Philadelphia, Pa.
McCann, Joseph F., 2531 South Mole Street, Philadelphia, Pa.
McCarnez, James P., 2343 South Sixteenth Street, Philadelphia, Pa.
McCarthy, John J., 622 North Thirty-fifth Street, Philadelphia, Pa.
McCloskey, John F., 1515 North Howard Street, Philadelphia, Pa.
McCloskey, Leo A., 634 North Sixty-fourth Street, Wheeling, W. Va.
McCloskey, Leo P., 830 North Twenty-seventh Street, Philadelphia, Pa.
McCourt, Frank P., 1535 Hancock Street, Philadelphia, Pa.
McCurdy, John B., 1912 East Wensley Street, Philadelphia, Pa.
McDermott, Daniel L., 547 East Chelton Avenue, Germantown, Pa.
McDevitt, Harry J., 2052 Morris Street, Philadelphia, Pa.
McDevitt, Harry, 1734 North Twentieth Street, Philadelphia, Pa.
McEldowney, Philip R., 18 Jones Street, Ingram, Pa.
McGahren, John M., 118 Carey Avenue, Wilkes-Barre, Pa.
McGill, Connell J., 4720 North Broad Street, Philadelphia, Pa.
McGinn, Charles J., 1806 North Mascher Street, Philadelphia, Pa.
McGrath, John J., 728 Shirley Street, Philadelphia, Pa.
McGronan, John, 5640 Christian Street, Philadelphia, Pa.
McGuire, Emmet J., 206 Prospect Avenue, Scranton, Pa.
McInnis, Albert F., 5107 North Fifty-first Street, Philadelphia, Pa.
McIntire, Joseph J., 11 South Thirty-second Street, Philadelphia, Pa.
McKillip, Rufus S., East Landis Avenue, Vineland, N. J.
McKee, Ruel S., 861 North Twentieth Street, Philadelphia, Pa.
McKnight, Harry J., 1511 North Street, Philadelphia, Pa.
McLaughlin, James I., 2240 South Seventeenth Street, Philadelphia, Pa.
McNamara, Cornelius, 1239 North Fifty-seventh Street, Philadelphia, Pa.
McSorley, James A., 1724 Moore Street, Philadelphia, Pa.
McTight, John A., 1425 Pittston Avenue, Scranton, Pa.
McVeety, Harry, 2222 South Beechwood Street, Philadelphia, Pa.
Mecough, James H., 3133 Roger Street, Philadelphia, Pa.
Melloy, Edward V., 1351 Jerome Street, Philadelphia, Pa.
Mill, Louis E., 1634 South Fifteenth Street, Philadelphia, Pa.
Miller, George H., 2963 Memphis Street, Philadelphia, Pa.
Miller, Walter A., 5712 Hoffman Avenue, Philadelphia, Pa.
Miller, Bert C., 413 South Forty-fourth Street, Philadelphia, Pa.
Miller, Paul A., 706 Harrison Street, Scranton, Pa.
Mitchell, Frederick, Rosemont, Pa.
Molloy, John A., 2016 Morris Street, Philadelphia, Pa.
Montgomery, William H., Bellefonte, Pa.
Moore, Edward, 1014 Cross Street, Philadelphia, Pa.
Moore, Robert S., 1419 Morris Street, Philadelphia, Pa.
Metz, Charles H., 2708 East Indiana Avenue, Philadelphia, Pa.
Mongan, James J., 518 North Thirty-ninth Street Philadelphia, Pa.
Moon, William J., 412 South Elmer Avenue, Sayre, Pa.
Moore, Alan, 2509 South Eighteenth Street, Philadelphia, Pa.
Moore, John H., 2033 North Gratz Street, Philadelphia, Pa.
Muchnick, Myer, 1226 North Marshall Street, Philadelphia, Pa.
Mulligan, Frank H., 207 Sanderson Street, Olyphant, Pa.
Munchen, Clement H., Majestic Hotel, Philadelphia, Pa.
Murphy, George D., 152 North Yawdell Street, Philadelphia, Pa.
Murphy, Albert J., 743 North Sixty-fourth Street, Philadelphia, Pa.
Murphy, Joseph A., 318 Franklin Avenue, Susquehanna, Pa.
Murphy, John R., 6807 York Road, Philadelphia, Pa.
Murray, George J., 2719 Wharton Street, Philadelphia, Pa.
Muschke, Walter L., 157 North Second Street, Philadelphia, Pa.
Myers, Raymond C., 110 Central Avenue, Cheltenham, Pa.
Noonan, Thomas J., 20 West Mahanoy Avenue, Mahanoy City, Pa.
Noone, James A., 911 North Front Street, Camden, N. J.
Northrop, Paul R., Melrose Park, Pa.
O'Brien, Charles J., 152 North Twentieth Street, Philadelphia, Pa.
O'Brien, Edward A., 1834 South Seventeenth Street, Philadelphia, Pa.
O'Brien, John T., 1730 North Twenty-sixth Street, Philadelphia, Pa.
O'Brien, Michael J., 1304 North Eighteenth Street, Philadelphia, Pa.
O'Brien, William A., 1834 South Seventeenth Street, Philadelphia, Pa.
O'Connor, Frank A., 2210 North Thirteenth Street, Philadelphia, Pa.
O'Keefe, Charles J., 2514 West Lehigh Avenue, Philadelphia, Pa.
O'Malley, John J., League Island Road, Philadelphia, Pa.
O'Malley, William A., 1840 McKean Street, Philadelphia, Pa.
O'Neill, Lawrence H., 1934 Shamokin Street, Philadelphia, Pa.
O'Neill, Joseph F., 308 South Mickle Street, Camden, N. J.
Orth, Howard F., 1631 North Seventeenth Street, Philadelphia, Pa.
Otto, William Henry, Red Lion, Pa.
Parnes, Abraham M., 6040 Christian Street, Philadelphia, Pa.
Parsons, Edward D., 520 West State Street, Trenton, N. J.
Patterson, Caleb M., 1149 South Twentieth Street, Philadelphia, Pa.
Perret, Philomen M., 2236 South Sixty-ninth Street, Philadelphia, Pa.
Peters, Louis B., 49 South Fifth Street, Easton, Pa.
Pleibel, August H., 1044 South Manmouth Street, Philadelphia, Pa.
Praissman, Maurice L., 253 Kaighn Avenue, Camden, N. J.
Pursell, Harry T., 1625 South Fifty-fourth Street, Philadelphia, Pa.
Quigley, Joseph A., 1840 North Twenty-third Street, Philadelphia, Pa.
O'Donnell, James H., 1104 Sloan Street, Philadelphia, Pa.
Ohl, Joseph C., 3532 North Twenty-third Street, Philadelphia, Pa.
Quirk, Joseph A., 1044 Jackson Street, Philadelphia, Pa.
Rady, John J., 411 Cherry Street, Scranton, Pa.
Rafferty, James E., 135 New Street, Glenside, Pa.
Ralston, William, 1741 West Vanango Street, Philadelphia, Pa.
Rattigan, Harry T., 1904 Monument Avenue, Philadelphia, Pa.
Reardon, William P., 1516 South Fifty-third Street, Philadelphia, Pa.
Regan, Joseph M., 2325 Ellsworth Street, Philadelphia, Pa.
Reiff, Isaac R., 157 North Twentieth Street, Philadelphia, Pa.
Reilly, John James, jr., 1614 East Haines Street, Philadelphia, Pa.
Reilly, Thomas F., 2400 Byrn Mawr Avenue, Philadelphia, Pa.
Reuss, Charles T., 4411 Lockwood Avenue, Philadelphia, Pa.
Reutemann, Julius O., 2236 South Nineteenth Street, Philadelphia, Pa.
Reuteman, Marion L., 2236 South Nineteenth Street, Philadelphia, Pa.
Reyer, Hugo, Route No. 1, Box 84, Colby, Wis.
Reynolds, Verner M., 46 South Kistler Street East Stroudsburg, Pa.
Rhoads, Gordon B. P., 4524 Sansom Street, Philadelphia, Pa.
Rhoads, Samuel Martin, jr., 6211 Carpenter Street, Philadelphia, Pa.
Rhoads, Silas, Somerton, Philadelphia, Pa.
Ridley, John L., Hotel Walton, Philadelphia, Pa.
Riley, Charles E., 2442 West Allegheny Avenue, Philadelphia, Pa.
Riley, Earl A., 3748 North Marshall Street, Philadelphia, Pa.
Ritter, John Wilson, 1235 South Twenty-eighth Street, Philadelphia, Pa.
Rettig, Richard W., Y. M. C. A., Arch Street, Philadelphia, Pa.
Roberts, Joseph C., 1426 Porter Street, Philadelphia, Pa.
Roche, Thomas J., jr., 212 Gowen Avenue, Philadelphia, Pa.
Rohrheimer, Calman G., Lorraine Hotel, Philadelphia, Pa.
Root, Rose K., 3058 North Ninth Street, Philadelphia, Pa.
Rosenblatt, Ester, 218 West Second Street, Chester, Pa.
Rosenfield, Benjamin, 3840 Cambridge Street, Philadelphia, Pa.
Rudolph, Ralph O., 6106 Spruce Street, Philadelphia, Pa.
Pontefract, Westby B., 225 Wendover Street, Philadelphia, Pa.
Potter, Robert E., Kimball Hotel, Springfield, Mass.
Pound, William T., 816 South Bernard Street, Philadelphia, Pa.
Povey, William J., 2455 Frankford Avenue, Philadelphia, Pa.
Powell, Arthur A., 405 Mount Airy Avenue, Philadelphia, Pa.
Schell, Albert W., 1739 Landtitle Building, Philadelphia, Pa.
Scott, Wesley E., 2343 South Carlisle Street, Philadelphia, Pa.
Search, Edmond W., 216 Harverhard Avenue, Collingswood, N. J.
Seidenberg, Herman, 347 Snyder Avenue, Philadelphia, Pa.
Sheridan, Thomas A., 5719 Malcolm Street, Philadelphia, Pa.
Sherman, William B., 127 North Parkside Avenue, Chicago, Ill.
Shields, James F., 2115 Christian Street, Philadelphia, Pa.
Silverman, Soloman, 75 Brown Street, East Stroudsburg, Pa.
Smiler, Herbert, 154 North Eighth Street, Philadelphia, Pa.
Smith, John J., jr., 6201 Westminster Avenue, Philadelphia, Pa.
Smith, Raymond W., 1415 Arch Street, Philadelphia, Pa.
Smith, Thomas P., 3177 East Thompson Street, Philadelphia, Pa.
Solan, Leon F., 46 South Olden Avenue, Trenton, N. J.
Solomon, George, 1121 West Tioga Street, Philadelphia, Pa.
Stapleford, Edward T., 755 South Twenty-second Street, Philadelphia, Pa.
Spitzer, Hugo V., 2350 North Twenty-ninth Street, Philadelphia, Pa.
Stannert, Lawrence A., 460 Franklin Street, Elmira, N. Y.
Steinmetz, Charles R., Bangor, Pa.

Stern, Arthur, 5015 North Eleventh Street, Philadelphia, Pa.
Stern, Edward N., 479 Fourteenth Avenue, San Francisco, Cal.
Stern, Morris, 1102 North Fortieth Street, Philadelphia, Pa.
Stokes, Earle, 1818 South Taylor Street, Philadelphia, Pa.
Stouch, Calvin P., 1404 Third Street, Altoona, Pa.
Streck, William L., 2338 North Fairhill Street, Philadelphia, Pa.
Stickey, John A., 428 Linden Avenue, Riverton, N. J.
Sturat, Walter, Red Butte, Mont.
Sullivan, John J., 530 Elm Street, Scranton, Pa.
Sutter, Edgar E., 8 South Forty-sixth Street, Philadelphia, Pa.
Talley, Ralph W., 1330 Market Street, Wilmington, Del.
Taylor, John W., 324 Howard Avenue, Altoona, Pa.
Temple, Francis J., jr., 2109 Christian Street, Philadelphia, Pa.
Thomas, George J., 2403 South Broad Street, Philadelphia, Pa.
Thomson, Thomas L., 5227 Pine Street, Philadelphia, Pa.
Thompson, David J., 5417 Vine Street, Philadelphia, Pa.
Thornton, Elmer W., 1955 North Front Street, Philadelphia, Pa.
Tierney, Thomas A., 301 Stone Avenue, Scranton, Pa.
Tobelman, Herman D., 2009 South Twentieth Street, Philadelphia, Pa.
Tock, Charles M., 4923 Chancellor Street, Philadelphia, Pa.
Tomlinson, William W., Central Y. M. C. A., Philadelphia, Pa.
Topkis, Emile V., 2302 Boulevard, Wilmington, Del.
Trainor, Edmund A., 1504 North Eighteenth Street, Philadelphia, Pa.
Travis, Eli R., East Stroudsburg, Pa.
Tress, Edward L., 1325 South Fifth Street, Philadelphia, Pa.
Turner, James J., 2228 North Fifteenth Street, Philadelphia, Pa.
Untermahr, Charles F., 4933 Fairmount Avenue, Philadelphia, Pa.
Vierling, Albert H., 714 West Venago Street, Philadelphia, Pa.
Walker, Milen P., 31 East Linn Street, Bellefonte, Pa.
Walker, Robert S., Bellefonte, Pa.
Walsh, Vincent A., 11 East Lehigh Avenue, Philadelphia, Pa.
Walton, Russell S., 27 Fourth Street, Stroudsburg, Pa.
Wals, Elmer F., 1841 McKeen Street, Philadelphia, Pa.
Warrick, David, Main Street, Stroudsburg, Pa.
Watson, Thomas H., jr., Watsontown, N. J.
Weber, Rudolph F., 1921 Lehigh Avenue, Philadelphia, Pa.
Wendt, Francis J., 3131 Richmond Street, Philadelphia, Pa.
Widenor, Fred S., jr., Belvidere, N. J.
Wieland, Harry G., 219 North Ninth Street, Allentown, Pa.
Williams, John A., jr., 5126 Spruce Street, Philadelphia, Pa.
Winkel, George R., 919 North Nineteenth Street, Philadelphia, Pa.
Winter, Stanley A., Byson Hotel, Philadelphia, Pa.
Wogan, Lewis A., 1909 West Thompson Street, Philadelphia, Pa.
Wolf, Clarence N., Sun Prairie, Wis.
Wolf, Frank, jr., 5213 Locust Street, Philadelphia, Pa.
Woltz, William, 1227 Russell Street, Philadelphia, Pa.
Woods, Arthur J., 1722 Morris Street, Philadelphia, Pa.
Woodward, William N., 15 Washington Avenue, Collingswood, N. J.
Yeabsley, Robert W., 6070 Ridge Avenue, Philadelphia, Pa.
Young, Fred G., 1503 Pacific Avenue, Atlantic City, N. J.
Zeller, George A., 1714 Mifflin Street, Philadelphia, Pa.
Zieffert, Adolph A., 1708 Point Breeze Avenue, Philadelphia, Pa.
Zeigler, John E., 2509 Jefferson Street, Philadelphia, Pa.
Ziegler, Paul L., R. F. D. 12, York, Pa.

OFFICE OF PUBLIC WORKS OFFICER.

Anderer, Albert A., 2419 Germantown Avenue, Philadelphia, Pa.
Heilig, Jane T., 3622 North Camac Street, Philadelphia, Pa.
Ryan, John W., 5837 Pine Street, Philadelphia, Pa.
Stevenson, Walter R., 2120 South Sixteenth Street, Philadelphia, Pa.

DISBURSING OFFICE (YARD).

Barker, Erle P., 1845 North Raymond Avenue, Pasadena, Cal.
Costen, Mark L., Princess, Md.
Doorley, William J., 1818 South Twenty-fourth Street, Philadelphia, Pa.
Grubb, Oliver H., 1122 Main Street, Darby, Pa.
Hammell, Ward, 117 North Cornwell Avenue, Atlantic City, N. J.
Hazzard, David E., 2338 South Rosewood Street, Philadelphia, Pa.
Kiely, Jerry J., jr., 232 East Clearfield Street, Philadelphia, Pa.
Lauer, William J., 2228 Fitzwater Street, Philadelphia, Pa.
McInerney, Dennis J., 1802 Mister Street, Philadelphia, Pa.
Taylor, Raymond E., 2252 Wunton Street, Philadelphia, Pa.

MACHINERY DIVISION.

Arany, Fred I., 2168 Tarragat Terrace, Philadelphia, Pa.
Beckman, David N., 3212 Diamond Street, Philadelphia, Pa.
Block, Myron H., 622 Haws Avenue, Norristown, Pa.
Block, Alexander, 1633 North Thirty-third Street, Philadelphia, Pa.
Cohen, John N., 2116 Green Street, Philadelphia, Pa.
Cohen, Stanley I., 2116 Green Street, Philadelphia, Pa.
Costello, Paul V., 4141 Ridge Avenue, Philadelphia, Pa.
Doyle, Raymond M., 3538 West Broad Street, Philadelphia, Pa.
Frier, Thomas H., jr., 5031 Chestnut Street, Philadelphia, Pa.
Gauger, Martin J., jr., Conshohocken, Pa.
Greenspan, Milton J., Peoples Trust Building, Philadelphia, Pa.
Harrison, Sidney, 2326 North Broad Street, Philadelphia, Pa.
Heron, John, 2120 Arch Street, Philadelphia, Pa.
Johnston, William E., 2307 Christian Street, Philadelphia, Pa.
Lazarus, Jeffrey L., 2347 North Park, Philadelphia, Pa.
Marshall, Kendall C., 5042 Spruce Street, Philadelphia, Pa.
O'Reilly, Henry F., 951 North Forty-eighth Street, Philadelphia, Pa.
Perper, Frank M., 3034 Clifford Street, Philadelphia, Pa.
Rosenberg, Alexis, 2347 Park Avenue, Philadelphia, Pa.
Rosenberg, Jules H., 877 North Forty-first Street, Philadelphia, Pa.
Rounick, Max, 3036 West Berks Street, Philadelphia, Pa.
Tarter, Perry A., 420 Morrow Avenue, Carnegie, Pa.
Van Ballen, Richard, 1417 Euclid Avenue, Philadelphia, Pa.
Lewis, Samuel, 819 Green Street, Reading, Pa.
Romano, Francis J., 1702 Wolfe Street, Philadelphia, Pa.

ACCOUNTING DEPARTMENT.

Armstrong, Frederick A., Berwin, Pa.
Clay, William H., 246 North Lawrence Street, Philadelphia, Pa.
Krimmel, John J., 608 Chew Street, Philadelphia, Pa.
Osterberg, Clarence A., 19 East Ninth Avenue, Conshohocken, Pa.
Swalm, Russell E., 4901 North Thirteenth Street, Philadelphia, Pa.
Rosskam, Lester G., 2300 North Broad Street, Philadelphia, Pa.
Miller, Frank R., 2805 North Ninth Street, Philadelphia, Pa.

HULL DIVISION.

Becker, Otto Edward, 216 North Wanamaker Street, Philadelphia, Pa.
Clark, James G., 2029 East Dauphin Street, Philadelphia, Pa.
Cook, John S., 1207 West Susquehanna Avenue, Philadelphia, Pa.
Covvey, Oscar C., 2304 South Third Street, Philadelphia, Pa.
Durham, Walter Kremmer, 1050 South Paxon Street, Philadelphia, Pa.
Flato, Harold, 170 East Ninety-fifth Street, New York, N. Y.
Balderstron, James P., Young Men's Christian Association, Trenton, N. J.
Gruber, Philip, 2301 South Fifth Street, Philadelphia, Pa.
McGinn, James C., 4942 Larchwood Avenue, Philadelphia, Pa.
Miles, Wilbur R., 4513 North Seventeenth Street, Philadelphia, Pa.
Munnie, William G., 231 South Connecticut Avenue, Atlantic City, N. J.
Noonan, Robert W., 10 Wilson Street, Lambertville, N. J.
Penniman, John F., 613 Lenox Street, Baltimore, Md.
Shapiro, Albert M., 1631 North Thirty-third Street, Philadelphia, Pa.
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Llewellyn, C. E., 2450 North Twentieth Street, Philadelphia, Pa.
Lorigan, W. E., 502 North Fourth Street, Camden, N. J.
Mahany, W. W., 909 Jefferson Street, Savannah, Ga.
Mell, B., 1922 North Sixth Street, Philadelphia, Pa.
Maser, F. W., 4515 North Twentieth Street, Philadelphia, Pa.
Maguire, H. J., 3424 North Thirty-third Street, Philadelphia, Pa.
Matlack, J. S., 209 South Thirty-fifth Street, Camden, N. J.
McClements, S., 328 Wyncbiddle Avenue, Pittsburgh, Pa.
Merscher, J. L., 4635 North Thirteenth Street, Philadelphia, Pa.
Nolan, Thomas, 2425 South Fifteenth Street, Philadelphia, Pa.
Ohner, R. M., 354 West First Street, Dayton, Ohio.
Potterton, W. H., 5527 Germantown Avenue, Philadelphia, Pa.
Peck, W. D., Chambersburg, Pa.
Preston, O. L., 40 Doubleday Street, Binghampton, N. Y.
Quinn, H. S., Crum Lynne, Pa.
Sapp, E. W., Tuckerton, N. J.
Scheele, H. G., 100 North Fifth Street, Martins Ferry, Ohio.
Sistare, W. M., Springfield, Mass.
Smith, R. H., 1949 South Twenty-third Street, Philadelphia, Pa.
Townsend, A. W., Wawa, Pa.
Townsend, W., 729 North Forty-first Street, Philadelphia, Pa.
Vensel, H. A., 5519 Forbes Street, Pittsburgh, Pa.

RECRUITING STATIONS.

Kuenzel, William P., 1915 North Lawrence Street, Philadelphia, Pa.
Gensel, Howard N., 216 West Southern Avenue, South Williamsport, Pa.
Clements, Edwin J., 2046 South Cleveland Avenue, Philadelphia, Pa.
Emley, Leon W., jr., Allentown, N. J.
Hobbs, Harrison H., 603 College Avenue, Fresno, Cal.
Hepburn, Barry H., 1728 Pine Street, Philadelphia, Pa.
Gallagher, George F., jr., 1235 Park Boulevard, Camden, N. J.
Johnson, William E., 2614 Girard Avenue, Philadelphia, Pa.
Redican, Charles F., 1337 North Hollywood Street, Philadelphia, Pa.
Will, Paul, 721 North Forty-first Street, Philadelphia, Pa.
Roberson, Horace A., 85 Delaware Street, Woodbury, N. J.
Wallach, Morris, 518 South Fifty-seventh Street, Philadelphia, Pa.
Lefferts, Lewis H., 413 Market Street, Wilmington, Del.
Seppy, Louis, 1512 South Fifteenth Street, Philadelphia, Pa.
Beavers, Louis T., 1138 South Third Street, Camden, N. J.
McGonigle, Samuel J., 5850 Larchwood Avenue, Philadelphia, Pa.
Trump, Roland P., 529 Cherry Street, Norristown, Pa.
Reckefus, Howard J., 2603 Christian Street, Philadelphia, Pa.
Campbell, Bernard J., 1528 McKean Street, Philadelphia, Pa.
Cropper, Samuel H., 1036 South Frazier Street, Philadelphia, Pa.

DISTRICT HEADQUARTERS.

Asst. Paymaster M. Goldsmith, Fortieth and Girard Avenue, Philadelphia, Pa.
Asst. Paymaster M. C. Hirshorn, 2512 South Garnet Street, Philadelphia, Pa.
Asst. Paymaster W. R. Littleton, 1819 North Thirty-third Street, Philadelphia, Pa.
Asst. Paymaster A. H. Cooper, 2115 Ritner Street, Philadelphia, Pa.
Asst. Paymaster R. F. De Frain, 4427 Richmond Street, Philadelphia, Pa.
Asst. Paymaster W. A. Foote, 3329 Powelton Avenue, Philadelphia, Pa.
Asst. Paymaster W. W. Harmar, 133 Willow Grove Avenue, Philadelphia, Pa.
Asst. Paymaster F. M. Powers, 5826 Ellsworth Street, Philadelphia, Pa.
Ensign G. R. Buffum, 2603 South Broad Street, Philadelphia, Pa.
Ensign G. L. R. Horner, 1336 Pine Street, Philadelphia, Pa.
Ensign J. E. MacDonald, 1429 Mount Vernon Street, Philadelphia, Pa.
Ensign H. F. Richter, Merchantville, N. J.
Ensign C. G. Supplee, 5405 North Sixth Street, Philadelphia, Pa.
Ensign W. K. Beecher, 208 Montgomery Avenue, Narberth, Pa.
Ensign W. K. Lyon, 207 South Twenty-seventh Street, Philadelphia, Pa.
Ensign C. A. Kelly, 3918 Girard Avenue, Philadelphia, Pa.
Chief Pay Clerk R. C. Rogers, 6416 North Eighteenth Street, Philadelphia, Pa.
Pay Clerk A. Morton, 1816 Arch Street, Philadelphia, Pa.
Pay Clerk J. F. Ccoper, 243 South Fortieth Street, Philadelphia, Pa.
Pay Clerk A. P. Daly, 4434 Chestnut Street, Philadelphia, Pa.
Pay Clerk W. S. Freed, 750 North Nineteenth Street, Philadelphia, Pa.
Pay Clerk C. W. Fried, 3916 Manayunk Avenue, Philadelphia, Pa.
Pay Clerk C. W. Miltenberger, 4327 Lauriston Avenue, Philadelphia, Pa.
Pay Clerk C. A. Sieck, Lawnton and Chelten Avenues, Philadelphia, Pa.

Pay Clerk M. P. Fisher, 3329 Powelton Avenue, Philadelphia, Pa.
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Hart, Everett, Visalia, Cal.
Lusby, John R., jr., 957 Delmar Street, Pasadena, Cal.
Bemman, Walter J., 839 North Twenty-sixth Street, Philadelphia, Pa.
Kline, Herbert W., 100 North Second Street, Darby, Pa.
Smith, Harold V., 664 North Thirty-ninth Street, Philadelphia, Pa.
Cope, Arthur A., Hamburg, Pa.
Keeley, Philip J., 105 East Horter Street, Philadelphia, Pa.
Casey, John F., 82 Snell Street, Fall River, Mass.
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Thompson, Albert J., 625 Green Street, Chester, Pa.
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Schaefer, Charles L., 1126 Glenwood Avenue, Philadelphia, Pa.
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Keown, Robert W., 5018 North Smedley Street, Philadelphia, Pa.
Quinn, Robert W., 754 Pine Street, Philadelphia, Pa.
Flood, William G., 4046 Green Street, Philadelphia, Pa.
Lawson, Alexander R., Thorofare, N. J.
Malcomson, John L., 705 Corinthian Avenue, Philadelphia, Pa.
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Gerrow, William F., 158 North Fifty-third Street, Philadelphia, Pa.
Newman, William R., La Mott, Pa.
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Northstrom, O., Princeton, Mo.
Hart, Chan Le B., 1010 South Forty-seventh Street, Philadelphia, Pa.
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Norris, Alfred D., Twenty-second and Chestnut Streets, Philadelphia, Pa.
Rice, Joseph, 2d, 22 Carroll Street, Trenton, N. J.
Hirshorn, Harry R., 1572 Mount Sphraim Avenue, Camden, N. J.
Urken, Matthew, 1207 South Clinton Avenue, Trenton, N. J.
Smedley, Philip N., 7301 Germantown Avenue, Philadelphia, Pa.
Wilson, Coffin C., jr., 2318 South Twenty-first Street, Philadelphia, Pa.
McFall, Creed F., Clintwood, Pa.
Krapf, Bernard W., 1606 West Fourth Street, Wilmington, Del.
Talbot, Ernest H., 6 South Massachusetts Avenue, Atlantic City, N. J.
Baldt, Raymond S., 4835 North Camac Street, Philadelphia, Pa.
Stanton, William J., 1318 North Nineteenth Street, Philadelphia, Pa.
Summerville, J. B., 1827 Fitzwater Street, Philadelphia, Pa.
Jarden, Carroll R., 242 Wyncotte Road, Jenkintown, Pa.
Young, James L., Palmyra, N. J.
Ellis, Frank B., 57 Ashmead Street, Philadelphia, Pa.
Henderson, Arthur, 1518 South Bouvier Street, Philadelphia, Pa.
Hoffman, Oscar J., Majestic Hotel, Philadelphia, Pa.
Welch, James H., 3632 Filbert Street, Philadelphia, Pa.
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Dwyer, John S., 1145 North Sixty-third Street, Philadelphia, Pa.
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Vannatta, John R. H., Clarksboro, N. J.
Maurer, George H., 625 North Orianna Street, Philadelphia, Pa.
Dershuck, John R., Hazleton, Pa.
Keenan, John M., jr., 436 Fairview Street, Pottsville, Pa.
Nowlin, Albert L., jr., 712 South Sixteenth Street, Philadelphia, Pa.
Horner, H. S., Tuckerton, N. J.
Clugston, Carl L., East Waterford, Pa.
McDevitt, John C., 2604 Titan Street, Philadelphia, Pa.
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Keown, Robert A., 5634 Chester Avenue, Philadelphia, Pa.
Peffall, George S., 196 Lavcer Street, Philadelphia, Pa.
Sherman, R. L., New Albany, Ind.
Kee, Wilson E., 1745 North Twenty-ninth Street, Philadelphia, Pa.
Cale, William W., 29 Florida Avenue, Atlantic City, N. J.
Devlin, Joseph A., 6249 Reedland Street, Philadelphia, Pa.
Martin, John P., 2126 West Dauphin Street, Philadelphia, Pa.
McCullough, J. P., 1620 North Sixty-first Street, Philadelphia, Pa.
Rupertus, Isidore, 1935 North Judson Street, Philadelphia, Pa.
Still, Charles H., R. F. D. No. 2, York, Pa.
McCoy, Robert, Ogontz, Pa.
Cleaves, John E., 718 South Sixtieth Street, Philadelphia, Pa.
Krusen, George E., Delanco, N. J.
Carroll, Leon L., Bellclaire, Philadelphia, Pa.
Drakely, A. M., 1825 Stiles Street, Philadelphia, Pa.
Weissman, Leon H., 2929 Weikel Street, Philadelphia, Pa.
Noonan, Joseph C., 81 High Street, Germantown, Philadelphia, Pa.
Johnson, W. A., 5207 Irving Street, Philadelphia, Pa.
Bender, Reese E., 4229 Haverford Avenue, Philadelphia, Pa.
Lash, Edward M., 1226 Spruce Street, Philadelphia, Pa.
Markley, Charles F., 203 North Tenth Street, Reading Pa.
Shinn, A. B., Telford, Pa.
Felton, James B., Eleventh and Cheltenham Avenue, Philadelphia, Pa.
Shoup, Chauncey H., Anaherm, Cal.
Stock, John J., Box 6, South Langhorne, Pa.
Fava, Lawrence J., 1917 Glenwood Avenue, Philadelphia, Pa.
Lanigan, John F., 325 House Office Building, Washington, D. C.
Trautwein, Lewis E., 713 North Thirteenth Street, Philadelphia, Pa.
Claypool, Lewis E., 439 Park Avenue, Collingswood, N. J.
Coock, Earle, 2518 North Twelfth Street, Philadelphia, Pa.
Cullen, Thomas S., Glassboro, N. J.
Huntley, Kendrick, 1937 North Marshall Street, Philadelphia, Pa.
Rubright, Herman, 157 North Twentieth Street, Philadelphia, Pa.
McCall, Rodger L., 624 Locust Avenue, Philadelphia, Pa.
Stevenson, Walter, 2533 South Carlisle Street, Philadelphia, Pa.
Bowden, Witt, 12 Gratatude House, U. of P., Philadelphia, Pa.
Lynch, John P., 1221 N Street, Washington, D. C.
Sheridan, John J., 2605 Brown Street, Philadelphia, Pa.
Ayars, David K., 2717 North Hollywood Street, Philadelphia, Pa.
Yeager, David K., 511 North Wanamaker Street, Philadelphia, Pa.
Early, Bernard C., 2513 South Twelfth Street, Philadelphia, Pa.
Diener, Herbert F., 1222 West Tioga Street, Philadelphia, Pa.
Baer, Paul F., Hamburg, Pa.
Arber, William, 3113 Kensington Avenue, Philadelphia, Pa.
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Birney, Thomas J., 4038 Ridge Avenue, Philadelphia, Pa.
Goodman, A. S., 908 North Broad Street, Philadelphia, Pa.
McHugh, Thomas S., 724 Washington Avenue, Tyrone, Pa.
Butterfield, John J., 1730 North Twentieth Street, Philadelphia, Pa.
Gerding, Edward T., 5438 Sampson Street, Philadelphia, Pa.
Wright, Lorman A., 2239 South Sixty-seventh Street, Philadelphia, Pa.
Eaton, Ralph E., 25 West One hundred and fourth Street, New York, N. Y.
O'Brien, John F., 1111 Cooper Street, Camden, N. J.

Fifth naval district.

COMMANDANT'S OFFICE.

Bell, Marvin C., 1102 Colonial Avenue, Norfolk, Va.
Chappell, Claude L., Homesville, Va.

AID TO COMMANDANT.

De Welles, Theodore A., 27 Manhattan Street, Rochester, N. Y.
Eubank, Wray W., 2 Swimming Point, Portsmouth, Va.
Friedman, Harry N., 137 South Bond Street, Baltimore, Md.
Martin, Howard L., 2009 East Thirtieth Street, Baltimore, Md.
Miller, David W., 1926 Madison Street, Baltimore, Md.
Curling, Arthur I., 128 Granby Street, Norfolk, Va.
Culins, Thomas C., 703 Upshur Street NW., Washington, D. C.
Johnson, Frank A., 230 South Fourth Street, Easton, Pa.
De Spirit, Giles, 41 Edison Avenue, Buffalo, N. Y.
Dotson, Ralph Booten, Philadelphia, Pa.

MAIL OFFICE.

Byrnes, John E., Franklin Hotel, Saginaw, Mich.
Kirby, Le Roy Y., 619 Murray Place, Norfolk, Va.
Ashby, Thomas M., Box 274, Cape Charles, Va.
Baskin, Thomas E., Cannolton, Ga.
Cecil, William P., Valley Lee, Md.
Satterwhite, Vernon W., Hewlett, Va.

GENERAL.

Cawthon, Leo L., Andalusia, Ala.
Winn, Charles E., Y. M. C. A., Norfolk, Va.

SPECIAL DUTY (COURTS AND BOARDS).

Proctor, Richard B., 222D Fifteenth Street, Norfolk, Va.
Rabey, Cleaton E., Y. M. C. A., Norfolk, Va.

ENROLLING OFFICE.

Kroenert, John G., 512 Colonial Avenue, Norfolk, Va.
Nelson, Walter D., Sherod Apartments, Richmond, Va.
Richardson, Edgar R., 1903 Hanover Avenue, Richmond, Va.
Biggs, Furman K., Lumberton, N. C.
Margolius, Alvin, 813 Colonial Avenue, Norfolk, Va.

PHYSICAL INSTRUCTORS.

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McCutcheon, Clarence H., 46 North Washington Street, Tarrytown, N. Y.
Hudgins, Louis E., 348 Ward Avenue, Norfolk, Va.
Richter, David H., 801 Holt Street, Norfolk, Va.

CAPTAIN OF PORT—HAMPTON ROADS.

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Orr, George A., jr., 1026 Redgate Avenue, Norfolk, Va.
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Andrews, Charles W., jr., 1806 Walbrook Avenue, Baltimore, Md.
Hobson, James D., 2806 Walbrook Avenue, Baltimore, Md.
De Murquiondio, Victor, jr., Portsmouth, Va.
Blank, August L., 1132 West Hamburg Street, Baltimore, Md.
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Ruff, Robert A., River Road, Ellicott City, Md.
Skinner, Francis X., Greenville, N. C.
Winter, Arthur F., jr., 814 North Sixth Street, Sheboygan, Wis.
Henebry, Leo F., 510 Church Street, Roanoke, Va.
Spence, Nevitt B., 3216 Abell Avenue, Baltimore, Md.

AID MATERIAL.

Walker, James H., Golconda, Ill.
Weede, Orlin A., Atchison, Kans.
Frechie, Lester B., 436 West Cambridge Street, Philadelphia, Pa.
Hulmann, Harold B., 601 West One hundred and forty-first Street, New York, N. Y.

NEWPORT NEWS SHIPBUILDING & DRYDOCK CO.

Smith, James G., Craigsville, Va.
Hill, Samuel R., jr., 415 D Avenue SW., Roanoke, Va.
Reilly, Charles F., 821 Market Street, Wheeling, W. Va.
Worley, Frederick P., 845 Graydon Park, Norfolk, Va.
Boyd, Richard B., jr., Warrenton, N. C.
East, William W., 3512 Granby Street, Norfolk, Va.
Llewellyn, Martin H., 2108 Boone Street, Baltimore, Md.
Sacks, Henry R., 233 Thirty-second Street, Newport News, Va.
Schoof, Alfred A., 524 North Twenty-seventh Street, Richmond, Va.
Barbour, Orvid C., 305 Holt Street, Hampton, Va.
Block, Milton, 1353 Park Road NW., Washington, D. C.
Boehmer, Frank J., 1526 East Preston Street, Baltimore, Md.
Bruton, Earl P., 224 South Third Street, Richmond, Va.
Carter, Alexander O., Catonsville, Md.
Conner, John B., jr., 716 Twenty-eighth Street, Newport News, Va.
Englar, Holly Nelson, 2108 West North Avenue, Baltimore, Md.
Everhart, Robert S., 3210 Omohondro Avenue, Norfolk, Va.
Gray, Arthur, 126 Marshall Street, Petersburg, Va.
Latham, Harry W., Plymouth, N. C.
Ortel, William L., 3223 Eastern Avenue, Baltimore, Md.
Shallenberger, Frank A. J., 611 West Franklin Street, Baltimore, Md.
Smith, Henry, Sanford, N. C.
Tiemann, Frederick W., 2700 West Baltimore Street, Baltimore, Md.
Yaffey, Abe, 741 Chapel Street, Norfolk, Va.

MEDICAL AIDES.

Nelson, Henning R., Morrison, Ill.
Hupman, Hallah B., Route No. 4, Staunton, Va.
Cline, Charles E., Meyer, Ill.
Spates, Joseph H., 76 Broadway, Frostburg, Md.
Pool, Lester R., Holton, Kans.

AID COMMUNICATION—NORFOLK.

Sugar, Louis L., 1308 Liberty Street, Norfolk, Va.
Jones, Robert L., 3405 Elgin Avenue, Baltimore, Md.
McLaughlin, Joseph V., jr., 217 Centre Street, Baltimore, Md.
Bejack, Leo B., 247 Buena Vista Place, Memphis, Tenn.
Fischer, Eugene B., 5001 Catalpha Avenue, Baltimore, Md.

TELEPHONE EXCHANGE.

Mayers, David, 2546 McCulloch Street, Baltimore, Md.

DISTRICT DISBURSING OFFICE.

Bell, Alexander H., 210 West Freemason Street, Norfolk, Va.
Dunn, Robert E., 418 County Street, Portsmouth, Va.
Elliott, Thomas E., 742 Graydon Park, Norfolk, Va.
Ellis, William S., York Apartments, Norfolk, Va.
Ewell, Clarence, 923 Dinwiddie Street, Portsmouth, Va.
Fitchette, Lorian D., 508 London Street, Portsmouth, Va.
French, John F., jr., 201 North Street, Portsmouth, Va.
Holloman, Darius H., jr., Thirtieth Street, Willoughby Beach, Va.
Hope, William M., 1015 Court Street, Portsmouth, Va.
Hubard, Edmund W., 811 Granby Street, Norfolk, Va.
Hudgins, Jefferson A., 505 Webster Avenue, Portsmouth, Va.
Parker, Thomas A., 21 Rochambeau Apartments, Norfolk, Va.
Pruden, Henry S., 160 Maryland Avenue, Point Norfolk, Va.
Robertson, Augustus M., 8 Chilsea Apartments, Portsmouth, Va.
Wemple, Guy L., 18 Middle Street, Portsmouth, Va.
Measell, Clarence J., 211 Sixteenth Street, Norfolk, Va.
Shipp, Henry H., 414 Park Avenue, Norfolk, Va.
Dowding, Phillips B., 125 Hatton Street, Portsmouth, Va.
Tonkin, John F. 106 London Street, Portsmouth Va.
Long, Frederick, 2123 West Fayette Street, Baltimore, Md.
Griffin, William C., Hickory, Va.
Graves, William F., 205 D Street NE., Washington, D. C.
Willis, Edward L., Belle Haven, Va.

AID SUPPLIES.

McLaughlin, Joe, 657 East Chestnut Street, Canton, Ill.

AID FOR INFORMATION.

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Gentry, Conrad B., 217 West Freemason Street, Norfolk, Va.
Hillier, John A., 3511 Kellam Avenue, Norfolk, Va.
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Smith, John L., 1319 Twenty-seventh Street, Norfolk, Va.
Dozier, Claude T., 835 Windsor Avenue, Norfolk, Va.
Harris, Hermal L., Flatswood, Va.
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Rosenthal, Samuel, 2922 East Baltimore Street, Baltimore, Md.
White, Wallace B., 820 Shirley Avenue, Norfolk, Va.
Arthur, James F., Greenville, N. C.

OVERSEAS SUPPLY OFFICE.

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DISTRICT SUPPLY OFFICE.

Beale, William S., 101 Middle Street, Portsmouth, Va.
Nee, James R., 376 Hamilton Avenue, Norfolk, Va.
Stillman, James E., 362 Hamilton Avenue, Norfolk, Va.
Felton, Raleigh M., South Boston, Va.
Lassiter, Jesse P., George, N. C.
Wales, Lawrence B., 412 Pembroke Avenue, Norfolk, Va.
Cantwell, Owen F., 412 Pembroke Avenue, Norfolk, Va.
Cheatham, Joel T., Henderson, N. C.
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Clifton, Willard M., R. F. D. No. 2, Neuse, N. C.
Cox, Douglas J., Garrison, Md.
Miller, Ashley R., Garrison, Md.
Pobst, George A., Tagwell, Va.
Pembroke, Walter H., St. Marys City, Md.

DISTRICT STOREHOUSE.

Jarvis, Henry C., St. Regis Apartments, Norfolk, Va.
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AID FOR INSPECTION.

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COST INSPECTION.

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Dempsey, Warren R., 2732 East Baltimore Street, Baltimore, Md.
Green, Thomas M., 1607 Balton Street, Baltimore, Md.
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Berryman, Arthur C., Reistertown, Md.
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Schaefer, William L., 820 North Fremont Street, Baltimore, Md.

BALTIMORE SHIPBUILDING & DRY DOCK CO.

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McGahan, Thomas B., 1218 North Bond Street, Baltimore, Md.
Peters, Arthur H., Linthicum Heights, Md.
Bowen, Levi H., 706 Winston Avenue, Baltimore, Md.
Mooney, Lawrence R., 516 North Linwood Avenue, Baltimore, Md.
Zopf, Edward P., 1536 Harlem Avenue, Baltimore, Md.
Flater, Charles R., Reistertown, Md.
House, Robert L., Relay, Md.
Mullen, George M., Govans, Md.
Riggan, James H., 2612 Shirley Avenue, Baltimore, Md.
Mattes, Raymond J., Indian Head, Md.

MISCELLANEOUS.

Ward, James E., 139 King Street, Hagerstown, Md.
Crawford, William C., Baltimore, Md.
Gibbs, Henry S., Morehead City, N. C.
Stickel, William A., 63 Hudson Street, Newark, N. J.
Nelson, Theodore, jr., 507 North Lombard Street, Richmond, Va.

NAVY RECRUITING STATION—RALEIGH.

Brown, Frank B., West Raleigh, N. C.
Lehman, H. W., Durham, N. C.
Shipley, John R., Winston-Salem, N. C.
White, Clarence E., Waynesville, N. C.

AID—SUPPLIES (COALING).

Bailey, Paul W., 49 North Court Street, Portsmouth, Va.
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Logan, Clarence J., Hamburg, Mo.
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Lacy, Grayson H., 260 West York Street, Norfolk, Va.
Stephens, Edgar B., Prestonsburg, N. Y.
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Harris, Henry H., Apple Grove, Va.
Farrell, Francis M., 98 West Walnut Street, East Orange, N. J.
Reams, Melville W., 1102 Bainbridge Street, Richmond, Va.
Ryall, Edward C., Fruitland, W. Va.
Baker, Bennie, Box 534, Bluefield, W. Va.
Cooper, Edwin F. C., 45 Thirty-second Street, Newport News, Va.

NAVY YARD—COST INSPECTION.

Brinson, William G., Graatsboro, N. C.
Marable, Edwin L., 138 Broad Street, Norfolk, Va.
Flynn, Francis J., 1822 Ashburton Street, Baltimore, Md.
Glazer, Philip, Haverstraw, N. Y.
Kramer, Adolph E., 217 Thirty-seventh Street, Norfolk, Va.
Stewart, Robert R., 301 Dinwiddie Street, Portsmouth, Va.
Widgeon, William W., R. F. D. No. 1, Norfolk, Va.
Yewall, Jewell H., 309 Mulberry Street, Berkeley, Va.

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Mooney, Leo E., 516 Linwood Avenue, Baltimore, Md.
Kalben, William, 342 East Twenty-second Street, Baltimore, Md.
Miller, Shepard L., Eighth Street, Willoughby Beach, Va.
Rukert, George, jr., Norfolk, Va.
Stevens, Albert P. J., 915 North Monroe Street, Baltimore, Md.
Howell, Claude T., Franklin, Va.
Wilkerson, Howey, Winthrop, N. Y.

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Downey, R. A. R., 226 West Bute Street, Norfolk, Va.
Moore, E. J., 1311 Ann Street, Portsmouth, Va.
Trevvett, C. S., 1815 Willoughby Avenue, Norfolk, Va.
Pendleton, Y. D., Churchland, Va.
Smith, R., 246 West Freemason Street, Norfolk, Va.
Travers, H. A., 337 Ward Avenue, Norfolk, Va.
Flowers, J. D., Graydon Apartments, Norfolk, Va.
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INDUSTRIAL DEPARTMENT (YARD).

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Hadaway, J. L., Vaudelt, Ga.
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Seventh naval district.

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Dixon, W. M., 2718 Cadiz Street, New Orleans, La.
Simon, M. E., 301 Chartres Street, New Orleans, La.

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Brashear, W. I., Nashville, Tenn.

Ninth, tenth, and eleventh naval districts.

DISTRICT HEADQUARTERS.

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Cronin, Edward P., Marengo, Iowa.
Darch, Frederick J., Harriston, Ontario, Canada.
Hafner, Walter, Chicago, Ill.
Hanson, Julius, O., Otranto, Iowa.
Larson, John C., 215 North Vernon Street, Princeton, Ill.
Millett, A. R., 120 West Mifflin Street, Madison, Wis.
Niemczewski, Stanley C., 2210 Powell Avenue, Chicago, Ill.
Peterson, Walter, 3728 Rokeby Street, Chicago, Ill.
Rumely, E. A., 5254 Pensacola Avenue, Chicago, Ill.
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Disbursing office:
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Pay Clerk Charles Summers, Winnetka, Ill.
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Croake, J. L., 519 South Lawndale Avenue, Chicago, Ill.
Curry, John, 1117 Columbia Avenue, Chicago, Ill.
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Dowle, A. H., Downers Grove, Ill.
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Fisher, J. R., Frederick, Md.
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Gerstenberg, C. W., 6742 Newgard Avenue, Chicago, Ill.
Hansen, G. H., 935 North Lockwood Street, Chicago, Ill.
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Keller, L. E., Lawrence, Kans.
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MacKay, A., Detroit, Mich.
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O'Brien, P. H., Cascade, Iowa.
O'Neill, J. H., Mattoon, Ill.
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Sharkey, T. E., Chicago, Ill.
Sheridan, J. G., Chicago, Ill.
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Streff, V. M., Chicago, Ill.
Sweeney, L. A., Chicago, Ill.
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Reserve office:
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Butler, William J., 213 West Superior Street, Ottawa, Ill.
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Houser, Ed A., Lowell, Mich.
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O'Brien, O. L., 502 Thirty-third Street, Milwaukee, Wis.
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Funk, Chester R., Wing, Ill.
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Grantham, C. P., Witt, Ill.
Kennedy, W. E., 541 Fifth Street, Parkersburg, W. Va.
Schuengel, G. W., 233 Fourteenth Street, Milwaukee, Wis.
Buggie, J. W., 729 South Fourth Street, La Fayette, Ind.
Johnson, Arthur G., 5229 South Morgan Street, Chicago, Ill.
Anderson, Henry A., 216 Seward Street, Waukegan, Ill.
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Zabel, Charles William, 4016 West Twentieth Street, Chicago, Ill.
Bell, Samuel J., 711 Park Avenue, Hot Springs, Ark.
Rubenstein, I. R., 1254 North Hoyne Avenue, Chicago, Ill.
Burton, Alfred H., 214 North Mayfield Avenue, Chicago, Ill.

Reserve office—Continued.
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Weimer, Albert E., 2309 West Adams Street, Chicago, Ill.
Stanley, William R., 440 South Street, Springfield, Mo.
Rosmacinski, A. A., Route No. 4, Green Bay, Wis.
Gorman, John P., 2616 A Street, Omaha, Nebr.
Bishop, James S., 2123 West Madison Street, Louisville, Ky.
Hahne, Leslie C., Elks Club, Denver, Ill.
Michelson, Julius M., 2927 Allen Avenue, Chicago, Ill.
Enefel, Clarence J., 5419 South Bishop Street, Chicago, Ill.
Cameron, Donald D., 1919 Fourth Avenue, Bay City, Mich.
Handley, George, 2237 Cleveland Avenue, Chicago, Ill.
Rosansky, Louis N., 72 West One hundred and fourteenth Street, New York City.
Brink, Richard B., 1703 Wabash Street, Kansas City, Mo.
Kriho, Martin, jr., 4953 Ainslee Street, Chicago, Ill.
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Callan, James Jay, R. F. D. No. 1, Grandville, Mich.
Soper, William J., 217 South Oak Street, Escanaba, Mich.
Manning, Harry, 118 North Jefferson Street, Waukegan, Ill.
Trausch, Nick J., 4253 West Crystal Street, Chicago, Ill.
Price, Irvin I., 2548 Potomac Avenue, Chicago, Ill.
Cronson, B. A., 3659 Michigan Avenue, Chicago, Ill.
Johnson, C. H., 3512 Pillsbury Avenue, Minneapolis, Minn.
Inama, Ollie L., 455 Clover Street, Akron, Ohio.
Kean, Edward T., Navarre P. P., Oakwood, Mich.
McKenna, R. O., 429 East High Street, Jefferson City, Mo.
Zoernig, Herbert L., 236 South Prospect, Sedalia, Mo.
Fraser, Thomas I., 2171 Giddings Street, Chicago, Ill.
Hoge, Arthur A., 1706 Chestnut Street, Milwaukee, Wis.
Brautigam, Percy F., 5021 Indiana Avenue, Chicago, Ill.
Swanstrom, Edward G., 415 North Twenty-first Avenue, East Duluth, Minn.
Torke, Norton A., 789 Forty-first Street, Milwaukee, Wis.
Sullivan, Peter J., 1646 Byron Street, Chicago, Ill.
Reinecker, Harry T., 2618 Argyle Street, Chicago, Ill.
La Rue, Robert L., Box No. 36, Cable, Ohio.
Unseld, George H., 433 Van Vonst Street, Schenectady, N. Y.
Hallin, Emil A., 1432 Catalpa Avenue, Chicago, Ill.
Fogel, Louis John, 4143 Sheridan Road, Chicago, Ill.
Felsenthal, Norman, 5312 Michigan Avenue, Chicago, Ill.
Conlin, William S., Detroit, Mich.
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COST INSPECTION.

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Kells, Edward M., 1271 National Avenue, Milwaukee, Wis.

U. S. S. *City of South Haven*, South Chicago, Ill:
Gonter, Edwin, Howe, Ind.
Kennedy, James J., 3418 West Adams Street, Chicago, Ill.

U. S. S. *Puritan*, South Chicago, Ill.:
Ludders, Lloyd H., 7729 South Union Avenue, Chicago, Ill.
Kadlec, William J., 1753 Washburne Avenue, Chicago, Ill.

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Asst. Paymaster Frank J. Sullivan, Lansdowne, Pa.
McIntosh, W. B., Akron, Ohio.
Chilton, Floyd, Akron, Ohio.
Knapp, S. M., Akron, Ohio.
Alexander, V. R., St. Louis, Mo.
Ruedy, H. E., St. Joseph, Mo.

Western Electric Co., Chicago, Ill.:
Asst. Paymaster C. T. Roos, 100 Mott Avenue, Waukegan, Ill.
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Hollhan, J. J., 23 West Genesee Street, Baldwinsville, N. Y.
Murtaugh, J. F., 4101 Adams Street, Chicago, Ill.
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Foley, J. C., 314 Montgomery Street, Jersey City, N. J.

Wellman-Seaver-Morgan Co., Akron, Ohio:
Asst. Paymaster Frank S. Harman, 508 Van Buren Street, Brooklyn, N. Y.
Comen, L. M., 163 Oak Street, Bridgeport, Conn.
Hare, H. T., 5603 Angora Terrace, Philadelphia, Pa.
Holms, A. H., 286 Eleventh Street, Brooklyn, N. Y.
Le Fevre, C. P., 22 South West End Avenue, Lancaster, Pa.
Loman, H. J., 534 Columbia Avenue, Lansdale, Pa.
Mullarkey, J. A., 136 Hermit Street, Philadelphia, Pa.
McHugh, C. R., 149 Lombard Avenue, Oak Park, Ill.
O'Brien, F. J., 177 Rogers Avenue, Brooklyn, N. Y.
Shade, I. D., 77 Nebraska Street, Akron, Ohio.

Curtiss Aeroplane & Motor Corporation, Buffalo, N. Y.:
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Asst. Paymaster Merle C. Reed, Philyssburg, Va.
Asst. Paymaster T. G. Mitchell, Philadelphia, Pa.
Asst. Paymaster Julian L. Barnett, New York, N. Y.
Pay Clerk B. E. Vosteen, Buffalo, N. Y.
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Bell, H. L., Ontario, N. Y.
Bethel, M. S., Athens, Ohio.
Boose, Everett, Decatur, Ill.
De Garmo, K. W., Chicago, Ill.
Fabel, E. R., Chicago, Ill.
Giddes, L. E., Plainfield, N. J.
Groff, G. B., Buffalo, N. Y.
Hammond, F. L., Chicago, Ill.
O'Connell, M. F., jr., New York, N. Y.
Reeves, W. M., Philadelphia, Pa.
Weber, O. F., Sheboygan, Wis.
Wheeler, R. K., Toledo, Ohio.
Abrams, L. C., Detroit, Mich.
Carlyle, H. K., Detroit, Mich.
Cockerham, J. L., Selma, N. C.
Cogdell, Fabrique, Kansas City, Mo.
Delaney, E. J., Buffalo, N. Y.
De Long, F. J., Copley, Ohio.
Drumm, Fred, Buffalo, N. Y.
Dysart, S. C., Cincinnati, Ohio.
Ehrne, E. J., Buffalo, N. Y.
Essman, W. C., Wellston, Ohio.
Hollopeter, H. A., Rockton, Pa.
Kean, W. J., Buffalo, N. Y.

Curtiss Aeroplane & Motor Corporation, Buffalo, N. Y.—Continued.
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Lang, J. J., St. Louis, Mo.
Lawrence, G. E., Cincinnati, Ohio.
Levy, Benjamin, New York, N. Y.
Lovelace, O. N., Lattimore, N. C.
McDonnell, T. J., Buffalo, N. Y.
Mead, E. C., Slater, Mo.
Packard, Stanley, St. Louis, Mo.
Pitt, Paul, Spring Creek, Pa.
Randall, T. M., Cincinnati, Ohio.
Reader, R. F., East St. Louis, Ill.
Thom, K. C., Detroit, Mich.
Watts, R. F., Atlanta, Ga.
Beatty, J. F., Saco, Me.
Berner, C. J., Buffalo, N. Y.
Brewster, J. N., Washingtonville, N. Y.
Bruttell, R. J., Detroit, Mich.
Cohen, Louis, Buffalo, N. Y.
Corey, Leonard, Fond du Lac, Wis.
Durkin, J. E., Corning, N. Y.
Ginther, F. W., Buffalo, N. Y.
Hepp, E. A., Buffalo, N. Y.
Hill, J. L., Olympia, Wash.
Jacobson, A. E., Muskegon, Mich.
Kahn, Robert, Milwaukee, Wis.
Kreiner, H. G., Buffalo, N. Y.
Leistikow, E. L., Milwaukee, Wis.
March, R. W., Worcester, Mass.
Miller, Albert, Sloan, N. Y.
Munger, G. A., Buffalo, N. Y.
Oelheim, Herbert, Buffalo, N. Y.
Rachow, L. C., Buffalo, N. Y.
Rieloff, A., Milwaukee, Wis.
Rugee, S., Milwaukee, Wis.
Schleider, H. J., Buffalo, N. Y.
Smith, O. R., Ellenville, N. Y.
Stoltzenburg, L. H., Cleveland, Wis.
Witt, W. I., St. Louis, Mo.

Recording & Computing Machines Co., Dayton, Ohio:
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Anstaett, E. C., Batavia, Ohio.
Christensen, H. R., 4652 Malden Street, Chicago, Ill.
Darin, D. A., Hurley, Wis.
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Moore, E. W., 4307 St. John Avenue, Kansas City, Mo.
Prass, E. J., R. F. D. No. 2, Dayton, Ohio.
Theis, R. F., 1541 Richard Street, Dayton, Ohio.

B. F. Goodrich Co., Akron, Ohio:
Asst. Paymaster W. C. Preston, South Greenfield, Mo.
Filley, E. A., 49 North Balch Street, Akron, Ohio.
Davies, E. T., 3560 Larkspur Avenue, Cincinnati, Ohio.
Wheaton, G. A., 64 Lexington Avenue, Mansfield, Ohio.
Summey, R. T., 142 North Valley Street, Akron, Ohio.
Thornberry, R. M., 4210 Turrill Avenue, Cincinnati, Ohio.

Four Lakes Ordnance Co., Madison, Wis.:
Asst. Paymaster F. D. McCulloch, Upland, Cal.
Colquitt, W. A., 3843 North Kildare Avenue, Chicago, Ill.
Carlstedt, B. F., 2307 Eleventh Avenue, Moline, Ill.
Kessler, A. H., 307 North Carroll Street, Madison, Wis.

The Falk Co., Milwaukee, Wis.:
Asst. Paymaster Harold S. Bennett, 58 Spring Street, Malden, Mass.
Ensign F. S. Kingsbury, Needham, Mass.
Cannon, Raymond B., 570 Ferrington Avenue, St. Paul, Minn.
Schoenecker, Robert C., 414 Keefe Avenue, Milwaukee, Wis.
Kroger, William A., 1106 Banklick Street, Covington, Ky.
Wilcox, C. C., Mohawk, Mich.
Meyer, William H., Cecil, Wis.
Faroll, Joseph, 5227 Drexel Avenue, Chicago, Ill.
Schwartz, Emanuel, 836 North Sheridan Road, Waukegan, Ill.

Erie Forge & Steel Co., Erie, Pa.:
Asst. Paymaster J. J. Maitland, 535 West Hortter Street, Philadelphia, Pa.
Asst. Paymaster J. B. Jones, 13 Walnut Street, Batavia, N. Y.
Gibson, G. A., 918 West Sixth Street, Erie, Pa.
Sisson, S. A., 134 West Ninth Street, Erie, Pa.
McCaw, Henry, 255 West Sixtieth Street, Chicago, Ill.
Clark, L. J., 514 West Market Street, Jeffersonville, Ind.
Denmark, C. J., 429 West Eleventh Street, Erie, Pa.
Hunter, Oliver H., 27 North Park Row, Erie, Pa.
Christensen, P., 1125 West Twenty-first Street, Erie, Pa.
Block, N. V., 309 Sassafras Street, Erie, Pa.
Link, O. C., 825 West Johnson Street, Madison, Wis.
Freebourn, G. W., 1114 Walnut Street, Erie, Pa.
Buggington, U. R., Salisbury, Mo.
Stanley, W. H., jr., 288 Ludlow Avenue, Cincinnati, Ohio.
Deters, A. A., 2448 Keokuk Street, St. Louis, Mo.
Scmitz, J. G., 2861 McNair Avenue, St. Louis, Mo.

Edward Valve & Manufacturing Co., East Chicago, Ind.:
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Thompson, Paul B., 1376 Montclair Avenue, St. Louis, Mo.
Rehrer, Hal Y., 530 West Berry Street, Fort Wayne, Ind.

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Stover, C. N., 266 College Street, Wadsworth, Ohio.
Tomko, W. E., 2084 West Tenth Street, Cleveland, Ohio.
Muench, H. W., 6530 Green Street, Chicago, Ill.

Ford Motor Co., Detroit, Mich.:
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Fahey, T. E., 505 Gurdon Street, Bridgeport, Conn.
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Cartmill, J. R., Charleston Avenue, Mattoon, Ill.
Thompson, E. C., 155 Bethune Street, West Detroit, Mich.

Ford Motor Co., Detroit, Mich.—Continued.
Arntz, G. H., 200 West Forest Street, Detroit, Mich.
Halloran, T. W., 198 East Forest Street, Detroit, Mich.
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Volk, H. L., 220 Baldwin Avenue, Detroit, Mich.
Bailey, J. McK., 472 Lincoln Avenue, Detroit, Mich.
Eales, F. W., Addison Hotel, Detroit, Mich.
Fergnson, S. L., 168 Ivanhoe Street, Detroit, Mich.
Fleischer, W. F., 216 First Street, Detroit, Mich.
Striefling, J. B., 151 McLean Avenue, Detroit, Mich.
Hanson, H. W., 420 Boardman Avenue, Traverse City, Mich.
Smallidge, R. E., Tekonsha, Mich.
Strohmer, G. A., 706 Lansing Avenue, Detroit, Mich.
Kane, F. J., 5232 West Twenty-fourth Street, Cicero, Ill.
Woodward, H. R., 426 Moss Avenue, Peoria, Ill.
Jeffrey, D. J., 42 Winder Street, Detroit, Mich.
Scherr, W. G., 916 Donsman Street, Milwaukee, Wis.
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Valentine, N., 517 North Main Street, Royal Oak, Mich.
Walsh, A. D., 37 Trowbridge Avenue, Detroit, Mich.
Coutu, G. E., 320 North Fourth Street, Brainerd, Minn.
Soderlund, D., 1023 Rosewood Street, Brainerd, Minn.
Sullivan, J. R., 1052 Hamilton Boulevard, Detroit, Mich.
Galvin, J. T., Anthon, Iowa.
Cotter, C. A., 7052 St. Lawrence Avenue, Chicago, Ill.
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Kohl, Philip T., Wayne, Nebr.
Billingsley, Charles B., 308 First Street, Defiance, Ohio.
Robertson, James F., 1526 Mississippi Avenue, St. Louis, Mo.
Myers, Gerald E., 521 Park Avenue, Defiance, Ohio.

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Hasty, John J., 2008 South State Street, Chicago, Ill.
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Arado, Frank J., 5348 Washington Boulevard, Chicago, Ill.
Tucker, H. J., Manitowoc, Wis.
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Crawford, Wm. J., 934 Montana Street, Chicago, Ill.
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Cafferata, W. B., 5252 Wayne Avenue, Chicago, Ill.

Office of inspector of ordnance, Erie Forge Co., Erie, Pa.:
Mallory, Roy E., 151 East Tenth Street, Erie, Pa.

Office of inspector of ordnance, Studebaker Corporation Plant, Detroit, Mich.:
Ingley, James, 19 Oregon Avenue, Pittsburgh, Pa.
Covington, Earnest L., 641 North Eighth Street, Richmond, Va.
Carty, James, 380 Bewick Street, Detroit, Mich.
Von Roden, Carl, 1931 Third Street, Detroit, Mich.
Wright, Leslie G., 2030 Calumet Avenue, Calumet, Mich.
De Graw, Elmer D., Lamb, Mich.
Maher, John J., 248 Jackson Street, Bay City, Mich.
Smith, George S., West Branch, Mich.

Office of inspector of engineering material, Buffalo, N. Y.:
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Ensign E. G. G. Laurence, University Club, Buffalo, N. Y.
Birk, R. H., 1066 Ellicott Street, Buffalo, N. Y.
Gruss, W. E., 340 West Delavan Avenue, Buffalo, N. Y.
Schottke, A. C., 22 Regent Street, Buffalo, N. Y.
Bradley, E. F., 223 Summit Avenue, Buffalo, N. Y.
Brock, W. J., 786 Fillmore Avenue, Buffalo, N. Y.
Lay, H. G., 685 Lafayette Avenue, Buffalo, N. Y.
Holzman, E. G., 27 Highgate Avenue, Buffalo, N. Y.
Kennedy, J. L., 529 Fargo Avenue, Buffalo, N. Y.
Flanders, D. M., 14 Gates Circle, Buffalo, N. Y.
Schwartz, G. G., 20 Emerson Place, Buffalo, N. Y.
Flanigan, E. L., 183 Potomac Avenue, Buffalo, N. Y.

Office of inspector of machinery, Ford Motor Co., Detroit, Mich.:
Doherty, Thomas R., 708 Fremont Avenue, Morris, Ill.

Office of inspector of machinery, General Electric Co., Erie, Pa.:
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Longworth, Thomas T., 604 Lincoln Street, Appleton, Wis.
Trapp, Walter Edgar, 307 Evans Street, Peoria, Ill.
Sadler, John Edwin, 6820 North Chestnut Street, Lansing, Mich.
Hoppe, Fred, 300 Wayne Street, Mansfield, Ohio.
Schmidt, Carl A., 1356 Doty Street, Green Bay, Wis.
Feathers, Harold E., 21 Haigh Street, Schenectady, N. Y.

NAVAL COMMUNICATION SERVICE.

Gleason, W. G., 1821 Maple Street, Omaha, Nebr.
Pohn, Maurice, 1817 Patterson Avenue, Chicago, Ill.
De Weese, Theodore C., 625 North Elizabeth Street, Lima, Ohio.
Kearney, John P., 4845 Forestville Avenue, Chicago, Ill.
Smith, Edgar R., Ijamsville Md.
Kudzas, Rudolph, 1236 Ridgeland Avenue, Oak Park, Ill.

INTELLIGENCE.

Lieut. (J. G.) William B. Edwards, Lake Forest, Ill.
Sullivan, John J., 6530 Kimbark Avenue, Chicago, Ill.
Fenton, Leroy L., 2945 Congress Street, Chicago, Ill.
Britz, Peter J., 7022 South Morgan Street, Chicago, Ill.
Walsh, Philip F., 4026 Van Buren Street, Chicago, Ill.
Carder, Harry, 9518 Indiana Avenue, Chicago, Ill.
McCahill, Frank W., 2262 West Thirty-seventh Street, Chicago, Ill.
Winegardner, Paul R., 6530 Kimbark Avenue, Chicago, Ill.
Fraizer, Cecil C., 4602 Kenmore Avenue, Chicago, Ill.
Martin, Arthur E., 4152 West Adams Street, Chicago, Ill.
Willis, John, 3941 West Van Buren Street, Chicago, Ill.
Whelan, Frank J., 4021 Sheridan Road, Chicago, Ill.

Johnston, Vincent S., 206 North Lamon Avenue, Chicago, Ill.
Bruce, Ray F., 6847 East End Avenue, Chicago, Ill.
Pederson, Hazel N., 4631 North Racine Avenue, Chicago, Ill.
Powers, William G., 841 Edison Building, Chicago, Ill.
Ladd, Herbert H., Sears-Roebuck Y. M. C. A., Chicago, Ill.
Guthrie, Charles F., 1209 Pratt Boulevard, Chicago, Ill.
Moench, John C., Evanston Hotel, Evanston, Ill.
Rextrew, Frank H., 333 Calumet Avenue, Hammond, Ind.
Sibley, W. B., 5423 Greenwood Avenue, Chicago, Ill.
Vine, George T., Y. M. C. A. Hotel, Chicago, Ill.
Fay, Herbert S., Elmhurst, Ill.
McCoy, Arthur B., 2140 Potwyne Place, Chicago, Ill.
Wagstaff, Gaston C., Chicago, Ill.

RECRUITING STATIONS.

Louisville, Ky.:
Lorenz, John, Chicago, Ill.
Roberts, Edwin D., Berea, Ky.
Schlueter, Joseph C., Milwaukee, Wis.
Greene, Roger A., Louisville, Ky.
Allen, Stuart W., Louisville, Ky.
Sommer, Fred G., Louisville, Ky.
Schiff, Max M., Louisville, Ky.
Elbert, Oscar H., Louisville, Ky.
Hagan, Richard W., Elizabethtown, N. J.
Hill, James, M., Bowling Green, Ky.

Milwaukee, Wis.:
Colby, James J., Ishpeming, Mich.
Weaver, C. H., 2704 Lisbon Street, Milwaukee, Wis.
Martell, C. F., 913 Clybourn Street, Milwaukee, Wis.
Wyrick, W. S., Wauwatosa, Wis.
Van Langendon, Joseph, Oshkosh, Wis.
Koon, Charles D., Madison, Wis.

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Obre, Arthur L., 1810 Calvert Street, Washington, D. C.
O'Neil, John C., 152 Magnolia Avenue, Jersey City, N. J.
Pilgrim, Thomas A., 936 New York Avenue NW., Washington, D. C.
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Roane, Spencer, 1628 K Street NW., Washington, D. C.
Ross, Israel Andrew, 1816 Twelfth Street NW., Washington, D. C.
Rossiter, George I., 2136 G Street NW., Washington, D. C.
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Sauter, Elmer F., 1002 Euclid Street NW., Washington, D. C.
Schmelzer, Gustave R., 35 Cennington Avenue, Woodhaven, Long Island, N. Y.
Sewell, Joseph A., 1839 Fifth Street NW., Washington, D. C.
Shedd, Charles F., Norwood, Mass.
Sheldon, Alton D., 1420 Rhode Island Avenue, Washington, D. C.
Kohn, Abraham R., 1142 North Ashland Avenue, Chicago, Ill.
Mencher, Harry D., 1425 Madison Avenue, New York, N. Y.
Washington, Samuel E., 1419 Swann Street, Washington, D. C.
Waugh, Robert J., 16 Geranium Street, Pittsburgh, Pa.

NAVY YARD.

Anderson, Edward, 1404 M Street NW., Washington, D. C.
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Bernstein, Alexander L., 108 North Willett Street, Memphis, Tenn.
Bligh, Andrew John, 1031 Fifth Street NE., Washington, D. C.
Bocks, Fred William, 51 Coe Avenue, San Jose, Cal.
Borst, Henry Francis, 24 Walnut Street, Waterbury, Conn.
Buker, Carson Wilbur, 1219 K Street NW., Washington, D. C.
Burleigh, Donald Quimby, Washington, D. C.
Catts, Edwin Weber, 725 Seventh Street SE., Washington, D. C.
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Delavigne, Leo Thomas, 1354 Spring Road, Washington, D. C.
Donahue, Cornelius A., 606 F Street NE., Washington, D. C.
Feeser, LeRoy Thomas, 324 East Twenty-second Street, Baltimore, Md.
Fischer, Sahagain Carl, 100 Midgeon Avenue, Torrington, Conn.
Fernald, Fred Brigham, 12 Maple Street, Medford, Mass.
Frantz, William Brydon, 110 Fourth Street, Clarksburg, W. Va.
Friedman, Philip, 1508 R Street NW., Washington, D. C.
Fry, Edward Linton, 904 Eighth Street SE., Washington, D. C.
Gage, Harry Lynn, 1014 F Street NE., Washington, D. C.
Gambrell, Barmora, Belton, S. C.
Girardi, Stephen V., 124 F Street NW., Washington, D. C.
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Gravell, Louis A., 2107 Second Street NE., Washington, D. C.
Haas, Raymond Hart, 1438½ Pennsylvania Avenue SE., Washington, D. C.
Hardesty, William E., 511 Fourth Street SE., Washington, D. C.
Harvard, David, 711 Walnut Street, Lebanon, Pa.
Kelly, Edward F., 30 Cleveland Street, Arlington, Mass.
Kiefer, George C., 1323 Thirtieth Street NW., Washington, D. C.
Kingsbury, Stanley M., 33 Norwood Avenue, Newton Center, Mass.
Lavetan, William, 154 South Water Street, York, Pa.
Liming, Foster B., 861 Harvard Street NW., Washington, D. C.
Lusthaus, Louis J., 654 Fifteenth Street, Milwaukee, Wis.
Lutton, Jesse N., 1723 Jackson Street NE., Washington, D. C.
Marshall, William E., 607 Maryland Avenue SW., Washington, D. C.
Mawhinney, Joseph D., 945 K Street NE., Washington, D. C.
Mead, Victor, 227 Ninth Street NE., Washington, D. C.
Morgan, Wilfred A., 1211 Third Avenue, Altoona, Pa.
Mullaney, James E., 139 Summer Street, Somerville, Mass.
Myers, Harold C., 1014 F Street NE., Washington, D. C.
Newman, Harry, 60 Glenway Street, Dorchester, Mass.
Newman, Lewis, 2728 Thirteenth Street NW., Washington, D. C.
Nichols, Wellington C., Y. M. C. A., Washington, D. C.
Offutt, Irvin R., 220 Third Street SE., Washington, D. C.
Orme, Philip A., 1623 Twenty-eighth Street NW., Washington, D. C.
Reiner, Abraham H., 95 Lawrence Avenue, Dorchester, Mass.
Rinnig, Charles, 27 Ridgeway Lane, Boston, Mass.
Ruback, Meyer E., 800 Broad Street, Newark, N. J.
Sawyer, Charles A., 220 Highlands, Worcester, Mass.
Seals, Edwin N., 210 North Atlantic Avenue, Haddonfield, N. J.
Severence, Roy A., 8 Main Street, Merrimac, Mass.
Six, Caswell Rankin, McKenney, Va.
Smith, Augustus G., jr., 233 Fourteenth Street NE., Washington, D. C.
Stewart, William Angelus, 1624 Sixth Street NW., Washington, D. C.
Stohlman, John W., jr., 2 Observatory Apartment, Washington, D. C.
Taylor, Ralph Warren, 23 Greendale Street, Dorchester, Mass.
Thrift, Clifton, 1218 Thirty-third Street NW., Washington, D. C.
Throckmorton, Horace U., 1238 Maryland Avenue NE., Washington, D. C.
Townsend, Lee L., 2701 Woodley Road, Washington, D. C.
Tyson, Thrift W., 118 Osborne Avenue, Atlantic City, N. J.
Waite, Enoch E., jr., 38 Summer Street, Franklin, Mass.
Wallnau, Edgar W., 1419 Girard Street NW., Washington, D. C.
Whalley, Arthur G., Riverdale, Md.
Wharton, Bayard V., Milford, Del.
Whiteford, Jesse S., 2107 Mount Holly Street, Baltimore, Md.
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Worden, John A., 402 New Jersey Avenue SE., Washington, D. C.
Yowell, Alexander W., 4308 Wisconsin Avenue, Washington, D. C.
Blackstone, George F., Isabel, S. Dak.
Brostrom, Linder E., Sioux City, Iowa.
Butrum, Roy, Kensett, Ark.
Callahan, Arthur H., 6117 South Campbell Avenue, Chicago, Ill.
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Keller, Herman H., Cedar Bluff, Nebr.
Lewis, Dan, Evansville Ark.
Mulcahy, James E., 5640 Michigan Avenue, Chicago, Ill.
Notley, Harry, Elyria, Ohio
Schweers, Malcolm L., Shawan, Wis.
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Sinclair, Gaylord L., 4360 Delmar Street, St. Louis, Mo.
Slaughter, Hal B., Prescott, Ark.
Taylor, Frank B., 2601 Fourth Street, Port Arthur, Tex.
Truesdell, Harry D., Marysville, Kans.
Umfleet, Willis, Champaign, Ill.
Verner, Everett B., 1330 West Eldorado Street, Decatur, Ill.
Wheeler, Leslie W., Route No. 3, Mayville, Wis.
Anadale, Charles E., 3922 New Hampshire Avenue NW., Washington, D. C.
Barnard, Charles E., 153 North Carolina Avenue, Washington, D. C.
Blair, Charles E., 1191 Twenty-third Street, Detroit, Mich.
Bowen, George L., Osborne, Kans.
Ball, John W., Broad Mountain, Pa.
Brookmire, Raymond K., 145 Thirteenth Street NE., Washington, D. C.
Carnachan, Robert S., Cedar Rapids, Iowa.
Dingman, Walter J., 4127 St. John Street, Kansas City, Mo.
Dooley, John V., 588 Farewell Avenue, Milwaukee, Wis.
Draper, Howard A., 1717 T Street NW., Washington, D. C.
Driscoll, William D., 23 Thayer Street, Brookline, Mass.
Dunbar, Clarence W., Y. M. C. A., Washington, D. C.
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Emrick, William, jr., 19 West Huron Street, Chicago, Ill.
Erdman, Frank, 1227 North Crawford Avenue, Chicago, Ill.
Gaughan, Michael J., Fontana, Wis.,
Goff, David A., 825 South Ridgeland Avenue, Chicago, Ill.
Hanna, Stephen R., 6714 Perry Avenue, Chicago, Ill.
Harnsberger, Reynolds T., Cherrydale, Va.
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Johnson, Alfred V., Ballston, Va.
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Kidwell, Charles E., Cherrydale, Va.
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Kollmeyer, Herman A., 1102 Irving Street NW., Washington, D. C.
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Lees, Douglas H., R. F. D. No. 2, Warrington, Va.
Leppin, William F., 1335 Marks Avenue, Brooklyn, N. Y.
Lewis, David W., R. F. D. No. 1, Ballston Va.
Lupton, Thomas, 1628 K Street NW., Washington, D. C.
McGee, R. N., 81 Saranac Avenue, Youngstown, Ohio.
McVey, John H., 2316 West Fifty-first Street, Chicago, Ill.
Mandel, Walter E., La Grange, Ill.
Meehan Edward J., 344 First Avenue, New York, N. Y.
Michael, Myron M., 200 East Capitol Street, Washington, D. C.
Miller, Paul D., 831 Eighth Street NE., Washington, D. C.
Morris, Robert G., 1020 Maryland Avenue NE., Washington, D. C.
Nord, Philip E., 3230 Lockridgeway, Kansas City, Mo.
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Schamberg, Martin A., 716 East Fifty-first Street, Chicago, Ill.
Shropshire, Charles T., 1719 Q Street NW., Washington, D. C.
Smith, Thomas G., 3636a Natural Bridge Avenue St. Louis, Mo.
Stearn, Norvell H., 4908 Georgia Avenue NW., Washington, D. C.
Stinson, Lyman A., 3617 Colorado Avenue, Chicago, Ill.
Stirling, George C., 221 East Capitol Street, Washington, D. C.
Stout, Morris Van Z., 55 Cedar Street, Takoma Park, D. C.
Torrence, Louis J., 3506 Magnolia Street, St. Louis, Mo.
Wood, Roy F., 1764 K Street NW., Washington, D. C.
White, Robert E., 20 South Terry Street, Dayton, Ohio.
White, Victor E., 1437 Belmont Street NW., Washington, D. C.
Workman, Calvin L., 329 East Muntz Street, Hillsboro, Ohio.

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Anderson, Clifford H., Orlando, Fla.
Arminger, Joseph L., jr., 732 East Twentieth Street, Baltimore, Md.
Benoit, George N., 98 Prospect Street, Rockland, Mass.
Bradshaw, John A., 2034 F Street NW., Washington, D. C.
Braun, Charles E., 568 Kenmore Avenue, Oakland, Cal.
Brown, Austin B., 2813 Dumbarton Avenue, Washington, D. C.
Burger, Charles M., 154 Central Avenue, Newark, N. J.
Carter, Nathaniel L., 1817 T Street NW., Washington, D. C.
Clark, Roy J., 2309 Boulevard, Jersey City, N. J.
Copeland, Roger J., 1206 R Street NW. Washington, D. C.
Corbett, James F., 1157 Ellis Street, San Francisco, Cal.
Cupp, Winfield, 5139 Chestnut Street, Philadelphia, Pa.
Daly, Carroll A., 1306 Thirty-sixth Street NW., Washington, D. C.
Dempsey, Eugene H., 544 Belden Avenue, Chicago, Ill.
Donnelly, William F., 1112 Eleventh Street NW., Washington, D. C.
Ellis, George L., 315 North Forty-first Street, Philadelphia, Pa.
Field, Ivan W., 401 Righter Street, Philadelphia, Pa.
Fitzpatrick, Basil P., 67 Horace Street, East Boston, Mass.
Floyd, Walter H., Cherrydale, Va.
Fountain, George W., 1529 Columbia Street, Washington, D. C.
Glass, Francis E., 2203 East Main Street, Richmond, Va.
Goldstein, Bernard S., 1125 Thomas Street NW., Washington, D. C.
Groark, Edward J., 1021 First Street, Rennselear, N. Y.
Herndl, George, 166 Williams Avenue, Brooklyn N. Y.

Holems, Lawrence P., 1204 T Street NW., Washington, D. C.
Jennings, J. C., 5110 Hartford Road, Hamilton, Md.
Johnson, Frederick L., 1015 M Street NW., Washington, D. C.
Latinville, Charles S., 102 Packard Way, Brockton, Mass.
Lewis, Alfred E., jr., 2226 Connecticut Avenue, Washington, D. C.
Ley, Henry Louis, 619 Fourth Street NW., Canton, Ohio.
Love, George E., 1810 Fifth Street NW., Washington, D. C.
Lynch, Russell, F., 39 Girard Street NE., Washington, D. C.
McIlvaine, Reuben W., 1635 South Twenty-second Street, Philadelphia, Pa.
McKenney, Walter, 811 Ninth Street NW. Washington, D. C.
Madore, John B., 11 Cherry Street, Salem, Mass.
Marsh, Harry C., 3533 Fourteenth Street NW., Washington, D. C.
Marshall, Ernest, 3021 E Street NW., Washington, D. C.
Moran, Daniel E., 105 Locust Street, Fall River, Mass.
Morgan, Benjamin 2260 Cathedral Avenue, Washington, D. C.
Morrown, Samuel P., 1332 Riggs Street, Washington, D. C.
Mutchler, Maurice E., 221 East Utica Street, Buffalo, N. Y.
Norris, Karl, 415 Warner Street NW., Washington, D. C.
O'Brien, John C., 21 Abbott Street, Dorchester, Mass.
Patterson, Charles H., 2816 Dumbarton Avenue Washington, D. C.
Platt, Louis J., 617 Hudson Street, Hoboken, N. J.
Riley, John W., 1015 Q Street NW., Washington, D. C.
Roberts, Daniel Q., 1725 Fifteenth Street NW., Washington, D. C.
Rosenberg, Myer, 16 East Ninety-seventh Street, New York, N. Y.
Stein, Anders C. 648 G Street SE., Washington, D. C.
Strickler, Owen M., Shenandoah, Va.
Sweeney, James J., 467 Tremont Street, Boston, Mass.
Wiele, Walter S., 344 West Seventy-second Street, New York, N. Y.
Walsh, Thomas R., 1 Carson Street, Dorchester, Mass.
Yunker, Frank E., 1325 R Street NW., Washington, D. C.

DISBURSING OFFICE.

Bell, Walter E., 2808 East Grace Street, Richmond, Va.
Brooks, Clarence A., Midlothian, Tex.
Going, Lewis B., 2009 Sixth Street, Port Arthur, Tex.
Greenwald, Edwin L., 430 Kane Place, Milwaukee, Wis.
Kyger, Paul S. 4505 Washington Avenue, St. Louis, Mo.
La Ttourette, Guy S., Farmersburg, Ind.
Thompson, George Y., 5061 Plymouth Avenue, St. Louis, Mo.

NAVAL PROVING GROUND, INDIAN HEAD, MD.

Office of civil engineer:
Bolton, William E., 1006 Moran Avenue, Norfolk, Va.
Dodge, William E., 2140 N Street NW., Washington, D. C.
Emanuel, Meyer, 2510 M Street NW., Washington, D. C.
Foltz, Harry W., Dunbar, Pa.
Hetzer, Walter V., 420 Fourth Street, Brooklyn, N. Y.
Smith, Clarence H., Dunbar, Pa.
Witte, Simpson, 1422 N Street NW., Washington, D. C.
Pay office:
Franklin, John L., Harrington, Del.
Sherry, John E., 5404 West Twenty-third Place, Cicero, Ill.
Time office:
Thweatt, Henry W., 1107 Mosher Street, Baltimore, Md.
Bombproof:
Conlon, James, 519 L Street NW., Washington, D. C.
Siskind, Abram H., 4 West Hill Street, Baltimore, Md.
Powder factory—Acid plant:
Bresher, Frank A., 315 East Ninetieth Street, New York, N. Y.
Main storehouse:
Miller, Shepard L., Seventh Street, Willoughby Beach, Va.
Chemical laboratory:
Swartz, Jacob C., 545 Munsey Building, Washington, D. C.
Cost inspector's office:
Abell, James F., Leonardtown, Md.
Boutin, Alonzo T., 1902 H Street NW., Washington, D. C.
Burr, Eugene E., 10 Rose Avenue, Jersey City, N. J.
Golob, Jacob, Y. M. C. A., Washington, D. C.
Goltra, Sidney E., 1810 Calvert Street NW., Washington, D. C.
Reed, Hallie E., 720 Nineteenth Street NW., Washington, D. C.
Wilson, Weston S., 145 West Forty-fifth Street, New York, N. Y.
Somerville, Richard T., jr., Covington, Tenn.
Bureau of medicine and surgery:
Bleich, Theodore C., 237 Rhode Island Avenue, Washington, D. C.
Carpenter, Allie T., 2155 F Street NW., Washington, D. C.
Dean, Horace C., 1621 O Street NW., Washington, D. C.
Dunham, Caryden B., Lanesville, N. Y.
Giesler, Arthur W., 2155 L Street NW., Washington, D. C.
Hemrich, Leslie A., Washington, D. C.
Imirie, Austin S., 1478 Meridian Place, Washington, D. C.
Lenzen, Aloysius F., 2155 L Street NW., Washington, D. C.
Marks, Jacob, 513 M Street NW., Washington, D. C.
Marsh, Edward H., 326 Clermont Avenue, Brooklyn, N. Y.
Mayo, Edward D., 507 Kalamazoo Street, South Haven, Mich.
Moore, Walter, Pottersville, N. J.
Ordway, Def M., Brooklyn, N. Y.
Purdy, Elias G., 62 V Street NW., Washington, D. C.
Renaker, Thomas E., 1748 Q Street NW., Washington, D. C.
Selig, Sydney, 2217 Washington Circle, Washington, D. C.
Zohner, Harry, 1863 Holland Avenue, New York, N. Y.

Mr. STAFFORD. Mr. Speaker, I suggest that an order was made that the report (H. Doc. No. 1257) in response to the Madden resolution (H. Res. 372) in so far as the Navy Department is concerned should be referred to the Committee on Naval Affairs.

The SPEAKER. The gentleman is correct. The communication will be printed in the CONGRESSIONAL RECORD and referred to the Committee on Naval Affairs.

BASTILLE DAY (H. DOC. NO. 1256).

The SPEAKER laid before the House the following communication from the Secretary of State, which was read and referred to the Committee on Foreign Affairs:

DEPARTMENT OF STATE,
Washington, August 8, 1918.

HON. CHAMP CLARK,
Speaker of the House of Representatives.

SIR: I have the honor to inclose herewith a copy of a note from the French ambassador, wherein, by instruction of his Government, he asks that both Houses of the Congress of the United States be advised of the feelings of gratification with which the resolutions passed by them on the occasion of July 14, the French national fête day, were received by the Government and by the whole French nation.

A letter similar to this has been addressed to the President of the Senate.

I have the honor to be, sir,
Your obedient servant,
FRANK L. POLK,
Acting Secretary of State.

(1 inclosure: From French ambasador, July 31, 1918.)

EMBASSY OF THE FRENCH REPUBLIC TO THE UNITED STATES,
Washington, July 31, 1918.

HON. FRANK L. POLK,
Acting Secretary of State, Washington, D. C.

MY DEAR MR. SECRETARY: In accordance with instructions I have received from my Government I take the liberty of asking that you be so good as to inform both Houses of Congress of the feelings of gratification with which the resolutions voted by them on the occasion of the 14th of July were received by the Government and by the whole French nation.

The text of those resolutions evidenced once more that moral kinship existing between two peoples equally ready to fight absolutism, tyranny, injustice, brutality, and whose national fête days, both dating back from Revolutionary times, have the same meaning, which is emancipation.

We hope the end of the present conflict may be not far removed; we know that it will not occur before our common aims have been fully achieved and before what the 4th and 14th of July stand for has been definitely secured—the end of tyranny.

Believe me, dear Mr. Secretary,
Very sincerely, yours,
JUSSERAND.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. VINSON indefinitely, on account of important business.

WATER-POWER LEGISLATION.

Mr. SIMS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill S. 1419, the water-power bill. Pending that motion I desire to ascertain if we can not come to some agreement in respect to closing general debate. I will ask the gentleman from Wisconsin how much time he has ahead of me. In other words, how much more time have I consumed than has been consumed by the gentleman from Wisconsin?

Mr. ESCH. Mr. Speaker, at the time the House recessed the gentleman from Tennessee had used 4 hours and 33 minutes and I had used 2 hours and 35 minutes.

Mr. SIMS. That accords with my recollection. I ask unanimous consent that general debate close with the adjournment of the House to-day, so that we may begin the consideration of the bill under the five-minute rule to-morrow.

The SPEAKER. The gentleman from Tennessee moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the water-power bill, and pending that he asks unanimous consent that all general debate close with the adjournment of the House to-day. Is there objection?

Mr. ANDERSON. Mr. Speaker, reserving the right to object, we ought to include some arrangement whereby the time shall be equalized on both sides.

Mr. SIMS. Oh, yes; it is understood that the gentleman from Wisconsin is to have two hours more than I.

Mr. ANDERSON. I understand; but if we make an arrangement that debate shall close when the House adjourns no one will have any assurance when that time comes that there will have been an equal division of time.

Mr. FERRIS. Mr. Speaker, why not modify the request and ask unanimous consent that general debate close at the expiration of two hours, and let the gentleman from Wisconsin consume those two hours, and then have an agreement that upon the mooted question in respect to the recapture clause some time will be granted under the five-minute rule? I do not intend to use any time at all in general debate. Everyone knows that in general debate the Members all leave and no one is here. If the other side requires the two hours, let them use that and close debate and use some time under the five-minute rule to-day.

The SPEAKER. Does the chairman make that request?

Mr. SIMS. I would like to inquire what the gentleman from Wisconsin has to say.

Mr. ESCH. Mr. Speaker, I have requests from members of the committee that would consume more than two hours, which would take, possibly, three hours or three hours and a half.

Mr. SIMS. Then I shall submit this request: That general debate close in three hours and a half and that the gentleman from Wisconsin be entitled to all of that time.

Mr. FERRIS. Debate to be confined to the bill.

Mr. SIMS. Oh, we have tried that two or three times.

Mr. JOHNSON of Washington. Mr. Speaker, I would like to reserve the right to object for the purpose of asking the chairman of the committee if he will not adhere to his original sug-

gestion that debate close with adjournment to-day. A great number of Members are just returning and will not stay in their seats, and to have the bill taken up under the five-minute rule at 4 o'clock would cause a great deal of confusion.

Mr. ESCH. I think that we can agree upon the original proposition of devoting the day to general debate.

Mr. SIMS. Then I submit the request that all general debate upon the bill close with the adjournment of the House to-day, and I hope that that adjournment will not take place before the gentleman from Wisconsin has had opportunity to use all the time that he wishes.

Mr. FERRIS. Reserving the right to object, Mr. Speaker, I would like to ask the gentleman if this debate is to be confined to the water-power bill or is to be general debate.

Mr. SIMS. It is general debate on the water-power bill. Perhaps the gentleman was not present, but there was an attempt at the beginning to confine it to the bill, but that was refused.

Mr. ESCH. Let me say that I have no requests for speeches to be made upon any other subject than the bill.

Mr. FERRIS. Then why not let that go into the agreement.

Mr. CAMPBELL of Kansas. I hope that the nature of the general debate will not be limited now. Many of the speeches made on the other side were political speeches.

Mr. SIMS. No more on this side than on that.

Mr. CAMPBELL of Kansas. Yes; there were more speeches made on that side.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that general debate close with the adjournment to-day. Is there objection? [After a pause.] The Chair hears none.

The motion of Mr. SIMS to go into Committee of the Whole was then agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. WEBB in the chair.

Mr. ESCH. Mr. Chairman, I yield 30 minutes to the gentleman from Minnesota [Mr. ANDERSON].

Mr. ANDERSON. Mr. Chairman, it is often stated as an indication of the necessity of legislation which will permit of water-power development that there are more than 60,000,000 potential horsepowers in this country going to waste. This statement is true only in the same sense as the statement that there are millions of tons of coal in the ground unutilized.

The utilization of potential water power is not presently limited by the supply but by other factors which likewise affect the utilization of any other similar resource. These factors, broadly, are (1) the available and prospective markets and (2) the investment and operation cost per horsepower in comparison with other power means.

In the case of water power there is still another limiting factor. About three-fourths of the potential undeveloped water powers are located on the public domain and in navigable streams. They are therefore subject to Federal control and can be developed only with the consent of Congress.

In this bill we are concerned with the terms under which this development shall be allowed to proceed. These terms are of the utmost importance and observe the most careful and painstaking consideration, for once fixed they are, as to those powers for which licenses are given, unchangeable.

It is claimed that the quickest and the largest development can be secured by turning over these powers to unrestricted private ownership. However much truth there may be in this claim, it is unthinkable that this last governmentally owned natural resource should now be turned over to unrestricted private exploitation.

At the other extreme are those who would have all the water-power sites of the country developed, owned, and operated by the Federal Government. Aside from the advantages or the disadvantages which might be urged against Government operation of water powers, as well as with reference to other public utilities, it is altogether unlikely that the Government will find itself in position either now or in the period immediately following the war to undertake as a governmental activity the development and operation of water-power plants.

The present bill represents a scheme of development between these two extremes, and contemplates development by private capital under leases of 50 years, which will reserve to the Government the right to supervision of operation and rates and provide for the recapture of the property on the expiration of the license period.

Development by private capital under these conditions is possible only if the terms of the license offer reasonable certainty that the developer will be permitted to earn a reasonable rate upon investment and the assurance that if the Government takes over the property at the end of the period under the right of recapture that the actual original and new capital invested will be returned to the investor.

The committee has endeavored in this bill to meet both of these requirements and at the same time preserve to the Government and to the people every right of regulation, control, and recapture.

Again, it is claimed by those who insist upon the policy of unrestricted private development that the regulation of rates by State and Federal commissions insures to the public every right to which it is entitled, and which is at the same time consistent with the idea of private development. With this claim I do not agree.

In fixing the rates to be charged by hydroelectric concerns the same difficulties are encountered as have been met in the attempts during the war to fix the price of commodities. The hydroelectric resources of a region are seldom sufficient to supply the power requirements of the community situated within the radius of efficient transmission. In other words, hydroelectric power is ordinarily sold in competition with steam power. High-cost power concerns are competing in the same community with low-cost power concerns. To illustrate, a rate which would permit a high-cost concern to live would return a very large profit to a low-cost concern, while a rate which would reduce the profits of a low-cost concern to a reasonable return would put a high-cost concern or a steam concern out of business.

These facts make it impossible to lay down a uniform rule as a matter of legislation fixing a basis of either rates or profits and illustrate the inefficiency and ineffectiveness of rate regulation as a means of curtailing profit.

In order to meet this situation the committee has provided in this bill that the license may contain provisions requiring the use of the surplus earnings in excess of the amount set aside for depreciation, renewals and replacements, and a reasonable net return in amortization or in rebating charges to consumers. The bill in these respects is sufficiently flexible to meet any situation which may arise.

I come now to the discussion of that feature of the bill around which most of the controversy centers. This is the basis of recapture, which determines the amount which must be paid by the Government or a new licensee in case the property is taken over or leased to a new licensee at the end of the license period.

The basis heretofore adopted has always been unsatisfactory because of its indefiniteness both at the time of issuing the license and at its expiration. The committee has adopted a basis of recapture which we think is scientific and so susceptible of definite interpretation as to be in the interest of both the investor and the Government. This is the so-called "net-investment" plan.

This plan contemplates the return to the investor, in case of recapture, of the actual original cost of the project less credit balances accrued in depreciation account, unappropriated surplus, and the amount set aside for amortization.

In order to properly safeguard the interests of the Government in determining the elements entering into the various cost factors the bill provides that the commission may require the licensee to keep a system of accounts in accordance with the direction of the commission; that the commission shall have the right to examine books of the licensee at all times; to require reports and statements of assets, liabilities, capitalization, cost of project, cost of operation, and the production, transmission, use, and sale of power. The commission is also authorized to hold hearings and take testimony.

In addition, the licensee is required by the terms of the license to maintain the project works in a condition of repair adequate for the efficient operation of the same, to make all necessary renewals and replacements, to maintain adequate depreciation reserves, and to amortize the cost of the project in the event he earns a return in excess of a specified return stated in the license. The licensee is further required to operate and maintain the plant at the full capacity of the available market for the full term of the lease.

The advantages of this plan lie principally in the facility which it gives for governmental control and for the scientific ascertainment of the actual cost of the plant as a basis of recapture.

The gentleman from Oklahoma [Mr. FERRIS] opposes this plan in a minority report so misleading in its statement and so full of vicious innuendo that it is difficult to believe that the report could have been conceived in the mind of the gentleman from Oklahoma, who should know and does know a great deal about the questions and facts involved.

As a substitute for the plan proposed by the committee, he proposes a plan the only virtue of which is that it has been four

times adopted by the House because no better or more scientific plan was proposed. If his plan has any virtue he has utterly failed to make it apparent in the minority report.

He proposes to make the basis of recapture the fair value of the property at the time it is taken over. This basis is at best entirely vague and indefinite both as to the Government and the owner of the plant. Its very vagueness is as charming as its simplicity is complex and uncertain. Taken alone, it affords no assurance whatever that the owner will not be required to take less than his plant is worth or that the Government will not be required to pay more than the plant is worth, and this can only be justified on the ground that no more scientific or definite plan can be offered.

It should be stated that the amount represented by fair value under his proposal is limited by the qualification that the fair value as ascertained shall not exceed original cost. This limitation, however, is valueless at the end of the license period unless the accounts of the lincesee have been kept upon the net-investment plan, which would permit of the determination of the original cost.

Singularly enough, original cost in the mind of the gentleman from Oklahoma has virtues when applied as a limitation at the end of 50 years, but is utterly vicious when scientifically applied concurrently with the acquirement of the items comprising the cost.

His plan, if adopted, would require not only the payment to the investor of the full market value of his property, including every item which might be considered in a condemnation proceeding, except the unearned increment in lands and rights of way and the value of good will, prospective revenues, and the license granted by the Government, and in addition thereto the return of the amounts in the depreciation funds, unappropriated surplus, and the amount set apart for amortization.

If the project had been completely amortized at the end of 50 years the investor would receive under the plan proposed by the gentleman from Oklahoma the entire amount which he would receive under the net investment plan and in addition thereto the full market value of the property.

I wish now to direct the attention of the committee to the minority report of the gentleman from Oklahoma. The gentleman from Oklahoma says:

In this latter contention—

That the method of recapture should be made so onerous, ponderous, and difficult that neither the Government, State, county, nor municipality would be justified in actually retaking it—

by the net-investment amendment, which was not in the administration bill, they have succeeded and have secured precisely what they wanted. It has been accomplished by an amendment added to the administration bill in the Water Power Committee, and known and referred to as the so-called "net-investment amendment." It was not in the original administration bill.

The inference of this statement is that the net-investment amendment was surreptitiously inserted in the bill and did not and does not have the approval of the administration. It is true that this amendment was not in the bill as originally presented, but it was considered at least more than once by the committee, drawn and presented by the same gentlemen who drew and presented the original bill, and has been approved by all three of the Secretaries who will be charged with the administration of the law.

I quote again from the minority report:

In a word, this so-called net-investment amendment provides that the Government shall become an absolute insurer of all the money invested in the water-power plant. It requires, as a condition precedent to any retaking of the property whatever, that the full net investment shall be returned to the water-power developer; and this is true even though the water-power developer has used the property and received profits and dividends from it for the full life of the lease, covering a period of 50 years. This is also true even though the property has become dilapidated, obsolete, and worthless. It is also true even though the property has never been a going concern and would not have any value whatever to the city, county, State, or Government. * * *

This paragraph contains no single, accurate, or well-founded statement. The Government is in no sense the insurer of the money invested in the plant. It assumes no obligation whatever to take over the plant upon any basis. The obligations are all on the side of the water-power developer. He must construct the plant within the time fixed by the commission and maintain it to the full capacity of the market; he must operate it continuously; he must keep it in an adequate condition of repair; he must provide for its depreciation; he must make necessary additions and extensions; he must meet every requirement of the market by continuing operation at full market capacity during the entire period of the lease as a going concern. If he fails in any of these particulars he may be compelled to meet them or his license may be revoked.

In order to get a single dollar from the Government at the end of the license period the licensee must meet every requirement I have suggested; and this statement is a complete refutation by the terms of the bill itself of every statement made in the paragraph to which I have referred in the minority report.

It would, indeed, be surprising if the gentleman from Oklahoma should succeed in securing the adoption of his plan of recapture upon representations so wholly misleading and without foundation.

Now, I want to say one word in conclusion. Water-power development is necessary and essential now and in the future, both as a matter of conserving the man power of the country as well as conserving the natural resources which ordinarily are used for power purposes. We have by no means reached the end of the coal reserve, but it is not impossible that our coal resources and our ability to utilize them will be in themselves and by virtue of the man-power situation very much depreciated in the course of the next generation.

The development of water power is essential and necessary to meet this situation both now and after the war. The committee has given very earnest and careful consideration to this bill. We have argued out every phase of it upon which there has been a controversy, and I sincerely trust that the bill will pass substantially in the form in which it has been reported by the committee. [Applause.]

I yield back the balance of my time.

The CHAIRMAN. The gentleman yields back 10 minutes.

Mr. ESCH. Mr. Chairman, I yield 30 minutes to the gentleman from New Jersey [Mr. PARKER].

Mr. PARKER of New Jersey. Mr. Chairman, it is Shakespeare who says: It droppeth as the gentle rain from heaven upon the earth beneath." We know how gentle the dews and the rains are.

The gnarled mountains and deep ravines tell something of their power. Mathematics are not pleasant, and I have therefore sometimes tried to make an approximate arithmetic, and will only put the exact figures of what I say in the RECORD. One foot of rain upon a single square mile is over 1,000,000 (1,032,541) cubic yards. During the year our average rainfall is somewhere about 30 inches—more in the Eastern and extreme Western States—and that fall with every square mile averages therefore over two million and one-half (2,565,082) cubic yards in a year, over 2,000,000 (2,174,125) tons of 2,000 pounds each. We do not wonder at the work done by the rain when we think of such figures as these.

Now, if that rainfall over 1 square mile could be used with only 5 feet of fall it would give us over 1 horsepower. We have 3,000,000 square miles in the United States, with an average fall, or an elevation above the sea, which, if it could be used, is certainly much over 100 feet and probably nearer 500 feet. So that from the rainfall in the United States alone, if we had 500 feet average fall and could use it, there would be over 300,000,000 horsepower.

A horsepower is that which will lift 33,000 pounds, say, 16½ tons, 1 foot in a minute. There are, say, half a million (525,600) minutes in a year. The 2,000,000 tons of rainfall would furnish nearly 4 tons a minutes, or one-fourth a horsepower, at 1 foot fall, or a full horsepower with 5 feet fall.

Water power is usually reckoned at 15 second-feet, or 15 cubic feet falling 1 foot a second. This is 60 times that, or 900 cubic feet a minute, or at 62½ pounds as the weight of a cubic foot, 56,250 pounds instead of 33,000, allowing liberally for loss of power; 10 second-feet is a better figure with modern water-power machinery.

The fall on a single square mile, measured in gallons, is enough to supply over 13,000 people with 100 gallons a day.

These figures are not what can be done. The rain evaporates when it falls. It soaks into the ground. It gets away in floods; often there is none in certain parts of the year. The slope is too slow to be fully utilized between the sources of our rivers and the seas. The rainfall could be used if it could be stored, but it is too large a quantity to be stored. We find that out in the Mississippi floods. To store water that would give a thousand horsepower for a year with 5 feet of fall would need a pond a hundred square miles in size 10 feet deep. The powers of man are inadequate to create horsepower except in a very limited degree in special localities where large dams can be constructed.

The real stores of power for the world lie, as was well pointed out recently by the gentleman from Washington [Mr. LA FOLLETTE], in the great snow mountains, where at 10,000 feet above the sea the snows of winter are held up, melting and giving water power in summer with such a head that even a small quantity of water gives enormous power. Such mountains have always been the foundation of the irrigation of the world. Large tracts of irrigable land are not to be found except where there is a summer flow from snow mountains, whether it be on the Nile or in India or Italy or in our Western States under the mountains of the north or the Nevadas of the South. That great reservoir of power is in the far West and distant. In the East-

ern and Middle States with all the study I could give I have been unable to find out that we have any great reservoir of power except where nature has provided such a reservoir in the Great Lakes, to which the snow-clad mountains of Canada send down rivers from the north and where 180,000 second-feet flow over the Falls of Niagara with a fall from Lake Erie to Lake Ontario of 300 feet which will give, if fully utilized, over 5,000,000 horsepower at that one spot alone. A plan has been developed and set forth in a recent issue of the Scientific American in June last by which half that magnificent flow can be utilized without damage to the scenic beauty of the Falls. The plan was to put a dam across the river near Buffalo, where there is a slow flow and a broad river, which with flashboards and sluice gates will allow the whole flow to go by day without taking a bit away for the mills and dam it back by night, so that the mills would have half of this great power of 5,000,000 horsepower. It will be done some day. Below on the St. Lawrence, fed by the same Lakes, are rapids within our boundary line, and half the flow there amounts to 500,000 horsepower.

There is something to be done even in the East. The question is how to save our coal, how to relieve our people from the gases and injury that come from the use of coal, and how to get our share of what in time will be the great engine of civilization, and perhaps more largely in other countries, but we must make the most of what God has given us in our own.

Mr. Chairman, I have said a word to make people realize the greatness of this subject. There is about 30,000,000 to 60,000,000 horsepower in the country which is supposed to be available with the reservoirs we have, the snow mountains, and the Great Lakes.

Mr. RAKER. Will the distinguished gentleman submit to a question?

Mr. PARKER of New Jersey. With pleasure.

Mr. RAKER. The gentleman does not intend to convey to the House and the country that it is only upon those streams that have a summer flow that we will be able by building dams and reservoirs to hold back a sufficient amount of water to establish enormous hydroelectric plants for hydroelectric purposes and at the same time utilize it for irrigation as well as to prevent floods in the springtime?

Mr. PARKER of New Jersey. I do not mean to say that we can not do that in certain localities, but I do mean to say that on the whole in this country very little comparatively can be done with streams that have not a summer flow. Our experience in Pennsylvania, in New Jersey, and New York proves this. We have not room for the dams or for the ponds and they would have to be so large, if you calculate that, it is perfectly astounding. You have great dams in the West that are 300 feet deep.

Mr. RAKER. The only misfortune is that in most of this development you will find that some one individual that has a little ranch or a farm puts that above the enormous benefits which would come from the utilization of this by the entire territory.

Mr. PARKER of New Jersey. That is a question, sir, I do not care to go into. I can not do the arithmetic on my feet. I have done some. I have made up my mind that our real resources are in nature's ponds, in the snow mountains, and in the Great Lakes, and that you can not make by art anything that will be comparable with them. That is what I state. You can get something.

I see that I have used two or three minutes in this colloquy, and I hope I will obtain that much additional time if I need it. Let me now for a moment refer to the details of this bill. It is unnecessary to go over most of them. They are almost all in the bills that have come here before. Several matters are new.

One is the establishment of a water-power commission composed of the chiefs of the various departments that formerly had water power under their control. Part of it, which related to navigable streams, was under the War Department. Part of it, which related to the forests, was under the Department of Agriculture. Part of it, where Government lands were used, was under the Secretary of the Interior. With different heads, different rulings, and different laws we were not likely to do so well as by the establishment of this commission of the three Secretaries, which is a practical, sensible way of obtaining a consistent administration which will last through the years and decades. I commend it to the House as a good thing, one which is new in this bill.

I commend also to the House the new provisions to which, to my astonishment, objection has been made. There are two. One is a provision for keeping strict accounts of the real net investment made in the project, so that all will know from time to time what is being done. The second one is a provision which says that every contract shall contain an arrangement by which, if there be surplus earnings above a fair return on that investment, those surplus earnings shall be applied either in the paying off of and amortization of this investment or in the reduction of rates either by dividends back to the rate payers or otherwise.

These provisions will be found—and I will take the liberty to insert them in what I have to say—on page 27, section 3, in the definition of net investments, and in the provision under section 10, clause (d), on pages 36 and 37 of the bill, with reference to amortization. I will just give a single word to these.

Net investment means the actual legitimate original cost as defined and interpreted in the classification of the investment in road and equipment of steam roads, plus cost of additions and betterments thereof, minus certain items of unappropriated surplus, and so forth, which I will not read:

"Net investment" in a project means the actual legitimate original cost thereof as defined and interpreted in the "Classification of investment in road and equipment of steam roads, issue of 1914, Interstate Commerce Commission," plus similar costs of additions thereto and betterments thereof, minus the sum of the following items properly allocated thereto, if and to the extent that such items have been accumulated during the period of the license from earnings in excess of a fair return on such investment: (a) Unappropriated surplus, (b) aggregate credit balances of current depreciation accounts, and (c) aggregate appropriations of surplus or income held in amortization, sinking fund, or similar reserves, or expended for additions or betterments. The term "cost" shall include, in so far as applicable, the elements thereof prescribed in said classification, but shall not include expenditures from funds obtained through donations by States, municipalities, individuals, or others.

We are going here to do something that has been tried. The accounting system of the railroads is contained not merely in the little book referred to, but other books to which that one refers, in which it is provided that if a railroad build a new station the whole cost of the original station is deducted from the new cost of the other. This is only an example; these books contain hundreds of pages of rulings showing how the accounts shall be managed. It is therefore impossible under those circumstances for a man to take a license and then to charge everything from year to year, whether it be the repair of a dam, or whatever it may be, to his capital account, so as to increase apparent profits, and then say, "I have made tremendous profits and those tremendous profits fix the value of my plant and you have got to pay them to me." The bill establishes a system of accounting by which the United States will find out what the real profits were after charging what ought to go to repairs and maintenance to current account, and not charge them to the capital account. It makes for honesty and straightforwardness; and how anyone can object to it is hard to see. It prevents the mere kiting of a project, as has been done so often with railroads, which have paid dividends because they charge to capital account expenses which ought to have gone to their income. This system is devised in order to prevent that.

Now, it is fortified by the other provision. There is danger, even when you have a good system and good rules, that they may not be enforced from time to time unless you are looking after it from year to year.

Now, by the second clause, to which I have referred, it is the duty of the commission and will be the duty of everyone else to look after it from year to year, because every year there is an investigation to find out what the earnings have been. If they are less than a fair return upon the cost of the investment, they will go to the licensee. If they are more than a fair return—and what will be a fair return will be expressed in the lease—then they may be applied and shall be applied under the contract, either to the reduction of the original cost and of the amount that the Government shall pay on recapture, or else they will be applied to a reduction of rates, so that the public will get the benefit, because this provides:

That out of surplus earnings, if any, accumulated in excess of a specified rate of return upon the net investment of a licensee in any project or projects under license the licensee shall establish and maintain amortization reserves, which reserves shall, in the discretion of the commission, be held until the termination of the license or be applied from time to time in reduction of the net investment. Such specified rate of return and the proportion of such surplus earnings to be paid into and held in such reserves shall be set forth in the license.

But it does not stop there. There are cases that we have known where projects instead of making a fair return, we will say, whether it be 10, 15, or 25 per cent, have given 200 per cent. It has not been so with water power, but it has been so in some cases. It may have been so at Niagara, although I do not know anything about it, and I am not charging it. But if there be surplus earnings, such as we have known, at any rate, in public-service companies in old days, when they have been recapitalized and recapitalized until they got to a thousand per cent, because they had made it, we want to know what to do with the surplus. It ought to go back to the public. And in this case, the bill continues:

The license may provide, as to any balance of said surplus earnings, that the same, in whole or part, shall be used in reduction of rates and annually divided and repaid to and among the persons who have paid such rate, according to the amount paid by each such person during the year.

I believe these provisions to be new. I believe them to be just. I believe they can be worked out in such a way as to make liberal contracts which will be liberal to the person who takes the license, and at the same time so carried that he shall not make exorbitant, monopolistic profits, but that the whole enterprise shall be for the good of the public.

I commend the bill to the House for that. I commend it also on the very grounds objected to as to recapture. If there are no such provisions and no such accounts, and licensees may keep their accounts as they please, you come to the end of the term, and the owner says, "I have spent so much in the investment account," and nobody can properly revise it after 50 years. This clause provides that the investment account shall be carefully scanned every year for the purpose of this amortization process and reduction of rates, and that investment accounts shall be looked after yearly so that no such claim shall be made as to the value of the property at the end of the term. It provides for careful scrutiny of the property from time to time and from year to year, so that at the end of the term the Government can fairly pay to the party the fair value and cost of his property, not on the verdict of a jury, on the mere allegation that "we have made so much money and put in so much money," and with accounts that nobody can scan, unless gone over by experts in the past 50 years, but with adjusted, settled accounts, settled from year to year, so as to show always what is fair between the people and the persons who have taken licenses.

Mr. Chairman, I believe that this bill is so fairly drawn that it not only protects the people but it will protect investors because of the certainty that will come from these accounts and from the management of this commission. I believe, therefore, that the bill ought to be passed in its present form, and that no uncertainty as to future values should be injected into it. It should stand. The action of the license, if fair, should be recognized, and scanned from year to year; the moneys expended and received should be apportioned properly as between profits and investment, and a basis ascertained by which we can deal with them fairly in the future, as we intend to deal with them fairly now.

I believe, Mr. Chairman, that that is all I have to say in the general debate. It seemed to me that we were getting confused on too many matters. These three features are right: The commission is proper, the provisions as to investment accounts are proper, and so are those as to the accounts as to income and its appropriation, including the appropriation of any surplus income above a fair earning. These are the things which are new in this bill, and which I commend to the House as new and just methods of solving the problems in the management of great undertakings of this sort. [Applause.]

The CHAIRMAN. The gentleman has occupied 25 minutes of his time. He yields back 5 minutes to the gentleman from Wisconsin [Mr. ESCH].

Mr. ESCH. Mr. Chairman, I yield 10 minutes to the gentleman from Washington [Mr. JOHNSON].

The CHAIRMAN. The gentleman from Washington is recognized for 10 minutes.

Mr. JOHNSON of Washington. Mr. Chairman and gentlemen, I had expected to take some little time in the discussion of this bill, but I am inclined to think that interest in the arguments is running out; that is to say, the recess checked the interest that had been created during several hours of keen debate, and now other matters of supreme importance concerning the war program are awaiting consideration.

I would like, however, to take a minute at this time to congratulate the members of the entire committee on the work that they have performed in the preparation of the bill. Here is a bill certain parts of which have been in keen dispute for many years. Requests have come in for a compromise bill, and this committee, under the leadership of the chairman, Mr. SIMS, on the Democratic side, and our Republican on this side, Mr. ESCH, has produced a bill that I hope will go through.

And yet the bill in its present form is not satisfactory, although it is the best we can get. For myself, I shall never become fully reconciled to any measure that fixes the western public-land States so that they shall be, for all time to come, part commonwealths and part provinces. I think that is extremely unfair to the West. The time should come when these Western States should come into full and free title to all the land in their confines. Under a leasing system that can never happen. However, little can be gained now by the discussion of disputed features.

I inserted in the hearings of the committee, in part 1, at page 165, statements from three of the larger municipalities in the State of Washington with reference to section 19. These are resolutions of the city governments there, all of whom utilize water power, all of whom have municipal plants, and they have resolved to the same effect. I read the Tacoma municipal resolutions, as follows:

Whereas the city of Tacoma has a municipally owned light and power plant of the value of approximately $5,000,000, and said plant now has more than 20,000 customers, and the city is now contemplating the acquisition and development of a power site on the South Fork of the Skokomish River in the Olympic National Forest, or the Cowlitz River in Rainier National Forest; and

Whereas the President of the United States has recommended, and Congress is considering, the passage of additional legislation relating to the use of the lands of the United States for the development of water power, and a bill has been introduced in the House of Representatives during the month of January, 1918, known as the "Administration bill," and an examination of said bill discloses that no authority is expressly conferred upon the States or legal subdivisions thereof to condemn the rights of the licensees under the provisions of said bill: Now, therefore, be it

Resolved by the council of the city of Tacoma, That the city of Tacoma respectfully urges that Congress, in passing any water-power legislation, specifically authorize the several States and legal subdivisions thereof to condemn the rights of the licensees upon Government lands, upon making just compensation therefor under the provisions of the eminent-domain statutes of the various States; be it further

Resolved, That section 19 of said so-called "Administration" water-power bill be, and the same is hereby, approved by the city of Tacoma for the reason that the wording of said section relating to the regulation of the rates and management of the corporation developing the site upon the public domain is not prejudicial to the interests of the city. Congress, however, is expressly urged to refrain from amending said section to embody the provisions of the so-called "Shields" Senate bill, for the reason that under the said provisions of the "Shields" bill the city of Tacoma would be prevented from acquiring or developing the water-power site upon the public domain, since the provisions of said "Shields" bill make it obligatory that the licensee thereunder, whether a municipal or private corporation, shall be under the regulation of the State public service commission, whereas the municipalities of the State of Washington are permitted to, and do, regulate and govern their own publicly owned utilities.

I present that now for what it is worth. The committee has acted, and I am told that that part of the bill is satisfactory, although it is not the best that could have been given to us. As a matter of fact, a great deal of time has been wasted in theoretical discussion of the grand water-power proposition and how the thing shall be done. What do the theories amount to? Action is the thing—any kind of action is better than none. The district that I have the honor to represent is simply running wild with water power, and it is all put down in these lists as potential water power. From the Columbia River to the highest peaks of the Olympics and the Cascades is water power everywhere, and three-fourths of it will never be used in the next 100 years. In some parts of the district a population sufficient to use in full the potential water power could not be crowded into the mountainous acres, and mighty little of it can be used without the investment of great capital—millions. And capital in such quantities is not quick to come into grand, new projects in the far West. Under any kind of water-power legislation I can guarantee there must be great allurement and great possibilities—and some certainty. However, in certain parts of the State of Washington, which are now sagebrush wastes, cities of from ten to fifteen and even fifty thousand people can readily be developed.

I know now of one locality that, with legislation permitting action, will result in investing $30,000,000, if that amount can be had in war time, where an entire city is likely to be laid out, with parks, cheap municipal power, good offerings to manufacturers—in fact, a city full born the minute the water comes through the turbines as power. The profits of all who settle there will not come from the profits of the water power or all from the water that is raised and spread on the surrounding land, but from the making of a city out of the sagebrush. That is the way things are done in the West. I have here the appeal of the President for water-power legislation which I would like to read, because some of us may have forgotten it. It was his message read to Congress December 8, 1914. At that time, nearly four years ago, he said:

We have year after year debated, without end or conclusion, the best policy to pursue with regard to the use of the ores and forests and water powers of our national domain in the rich States of the West, when we should have acted; and they are still locked up. The key is still turned upon them, the door shut fast at which thousands of vigorous men, full of initiative, knock clamorously for admittance. The water power of our navigable streams outside the national domain also, even in the Eastern States, where we have worked and planned for generations, is still not used as it might be, because we will and we won't; because the laws we have made do not intelligently balance encouragement against restraint. We withhold by regulation.

I have come to ask you to remedy and correct these mistakes and omissions, even at this short session of a Congress which would certainly seem to have done all the work that could reasonably be expected of it. The time and the circumstances are extraordinary, and so must our efforts be also.

And, by the way, the whole objection to the grand conservation program, all very pretty in theory but fatal to the present generation, and in the case of some Western States fatal to the generation after the next in forcing those now out there to pay excess taxes for development, for road building, and all that, while they see the resources of the State withheld from them for posterity, and the leasing returns given largely to the Government and not to the State.

The President goes on to say:

Fortunately, two great measures, finely conceived, the one to unlock, with proper safeguards, the resources of the national domain, the other to encourage the use of the navigable waters outside that domain for the generation of power, have already passed the House of Representatives and are ready for immediate consideration and action by the Senate. With the deepest earnestness I urge their prompt passage. In them both we turn our backs upon hesitation and makeshift and formulate a genuine policy of use and conservation, in the best sense of those words. We owe the one measure not only to the people of that great western country for whose free and systematic development, as it seems to me, our legislation has done so little, but also to the people of the Nation as a whole; and we as clearly owe the other in fulfillment of our repeated promises that the water power of the country should in fact as well as in name be put at the disposal of great industries which can make economical and profitable use of it, the rights of the public being adequately guarded the while, and monopoly in the use prevented. To have begun such measures and not completed them would indeed mar the record of this great Congress very seriously. I hope and confidently believe that they will be completed.

That is the appeal of the President. It was made nearly four years ago, and we are still debating water power. But we are moving. This bill is the work of the special committee the President caused to be named, and represents their efforts at a compromise which he urged.

Gentlemen, we have had lots of time for discussion of water power. Let us hope that within the next few days enough time will be given for a free discussion of man power. Water-power legislation has waited a dozen years or more, but the man-power bill—the new draft bill—can not wait; but still it need not be railroaded through this House. With its clause for 18-year-olds, the bill is due to be reported this very afternoon. The hearings have been hurried. But let us know all about the absolute necessity for the bill as it stands before we vote on it. Let us have time for consideration of amendments that will be offered. If we find we must take the 18-year-olds, let us have an amendment that more than one son shall not be taken from a family until we have exhausted all other available man power. The wheel of fate makes queer turns. Two and three sons in single families were drafted last year, while other families went scot-free. Shall we take the 18-year-old from a family that has freely given up its 21-year-old and its 23-year-old? As reported in the newspapers the discussion of the development of the plan for drafting the males of the United States between the ages of 18 and 45 has taken such queer turns that I feel, as many Members feel, that if it is necessary we will take our boys of 18, but that if it is not shown to us to be immediately and absolutely necessary we will make a draft minimum age of 20 years.

At one time it was thought to be quite wrong to take a boy 18 years old, and yet now an appeal is specially made for 18-year-old boys, and with that same appeal comes the statement that a certain percentage of them—those who are in college—should be left in college, so that we would have some educated youths at the end of the war or for officers if the war continues. How unfair that would be. That would be an up-to-date exemplification of "to him that hath shall be given" with a reverse English.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. ESCH. I yield to the gentleman five minutes more.

Mr. JOHNSON of Washington. I was remarking that it has been stated—unofficially, of course—that we should exempt a few 18-year-old boys, so that they might finish their education in college. That would be the limit of unfairness. As a matter of fact, the age at which boys graduate from the high school is just about 18 years. I believe that the statistics show that 52 per cent of the boys who graduate from the high schools are 18 years of age.

Mr. Chairman, I was not able to go home during the recess—I live too far away—but I know the feeling of that district. It is for winning the war and for throwing in all the weight that we have. The people of that district will give the lads, the striplings, but they do not want to do it while available fighting men of maturer years remain. [Applause.] I could not visit my district, but I had an opportunity to go around in some of the neighboring States, making little war speeches, talking to patriotic citizens, and in several communities within the last two weeks I asked the committee in charge of the meetings to bring all of the 18-year-old boys they could, so that I might look at them. At one place when the meeting was called I asked those boys to stand up and they stood up. I tell you that in most cases they were mere striplings, all anxious and willing to go to war and fight, but, to my mind, not ready for the battle line. They had boyish minds in boyish bodies. I hope Congress will freely and fearlessly discuss this question. I hope the Committee on Rules will bring in a rule giving us plenty of time to talk over this matter of sending boys 18 years old over the seas. I would be willing to see the minimum age put at 20 years for the present, and I think that with the present population we might take them at 19 years at the outside, holding some of the youth of the land in our own hands as reserves. Further, I would like to see Congress keep in its hands the plan of letting 18-year-old boys be drafted now and put into a deferred class to be used at the will of the War Department. Congress is here and will be in session nearly all of this fall. The Congress will expire by limitation on the 4th of March, but if the war continues it seems certain an extra session will be called. Therefore, if later it becomes necessary to add 18-year-old boys to our fighting man power that we may have enough men to crush this foreign enemy of ours across the seas with numbers, let us make the call when we need it, instead of having the call placed on file in the War Department. If we have to have the young boys, Congress can call for them in five days. I think that is only a fair statement. I do not want to take too much time away from the discussion of the water-power bill. I think it is unfortunate that the water-power bill was not closed up four weeks ago, when the debate upon it was at white heat. Much that is being said on it now is merely perfunctory, and I presume many of the Members will do as I propose to do—swallow my objections, pay little attention to the minority report, and vote with the committee for a bill that will get us some kind of water-power legislation that will let some water go through the wheels to make industry go around. [Applause.]

Mr. ESCH. Mr. Chairman, I yield 15 minutes to the gentleman from Massachusetts [Mr. TREADWAY].

Mr. TREADWAY. Mr. Chairman, after the very plain and interesting description of the differences in the committee, as shown to us by the gentleman from Minnesota [Mr. ANDERSON] at the opening of the debate to-day, it seems to me that very little more need be said about the difference between the majority members of the committee and the gentleman from Oklahoma [Mr. FERRIS], who filed the minority report. We all realize that the day is here when this continuous postponement of proper legislation for the development of the water power of the country must come to an end. The lack of legislation to overcome the waste of water power is a source of just criticism at the present time.

I believe the last amendment to the general dam bill was passed in 1910, and that was made so stringent that since that time there has been practically no water-power development anywhere in the country. In reading the minority report of the gentleman from Oklahoma [Mr. FERRIS] it appears to me that for some reason or other people with money to invest are relegated to a sort of criminal class by him; that they are not people with whom we should have business dealings; and that, therefore, it is his object to secure an amendment to the report of the committee which practically will tie up water-power development in this country in the coming years exactly as it has been tied up during the past decade. In reading the clause to which he makes objection, I think any fair-minded man will agree with the committee report and with the remarks of the gentleman from Minnesota [Mr. ANDERSON] this morning. Here is the clause to which the minority report takes exception:

"Net investment" in a project means the actual legitimate original cost thereof as defined and interpreted in the "Classification of investment in road and equipment of steam roads, issue of 1914, Interstate Commerce Commission," plus similar costs of additions thereto and betterments thereof, minus the sum of the following items properly allocated thereto, if and to the extent that such items have been accumulated during the period of the license from earnings in excess of a fair return on such investment: (a) Unappropriated surplus, (b) aggregate credit balances of current depreciation accounts, and (c) aggregate appropriations of surplus or income held in amortization, sinking fund, or similar reserves, or expended for extensions or betterments. The term "cost" shall include, in so far as applicable, the elements thereof prescribed in said classification, but shall not include expenditures from funds obtained through donations by States, municipalities, individuals, or others.

Mr. Chairman, unless some such definition as that is finally enacted into law, it is absolutely impossible to secure any investment whatever of capital in water-power development. Either the United States Government itself must reach out into that branch of work and actually develop our waste water power with Federal capital, or we must meet the wishes to a

certain extent of people willing to invest capital. A period of 50 years may seem to our minds a long time, but in respect to investment it is not a long time. It is a short period, and unless there is a fair recapture clause, such as the committee report, the conditions as we now have them will continue indefinitely.

I am particularly interested in this situation as there is no more typical illustration of the waste of power than that which flows through a portion of my own district. An effort was made in the Sixty-second Congress to secure a special act in behalf of the Connecticut River, but for various reasons it failed. There is going to waste there daily a possible development of 40,000 horsepower, in a very thickly settled valley where that cheaper power would be of great advantage to manufacturing and industrial plants. Further than that, the Connecticut River proposition carries with it the possibility of navigation which means a great deal to that section of our country. The Connecticut River situation has been discussed on this floor so many times that I need not take up any considerable length of time in a repetition, but it is sufficiently typical of the exact situation that we desire to overcome by this bill that I beg the indulgence of the House for a brief reference thereto. Just above Hartford there is what is known as the Enfield Rapids, and in order to get around the falls there must be constructed locks and dams. For years private capital has stood ready to build the locks and dams for the purposes of navigation in exchange for the right to manufacture power under the act as submitted in previous Congresses. Numerous surveys have been made.

The last one by the War Department was reported in the Sixty-fourth Congress, first session, in which there is a very complete statement of the relation between private capital and the Federal Government. It is desired to secure a channel from Hartford to Holyoke, Mass., which is in the district I represent, of 12 feet in depth and 100 feet wide. The then Chief of Engineers, Gen. Kingman, in his report to the Secretary of War under date of November 12, 1915, recommended an appropriation of $1,870,000 for that purpose, with $65,000 annual appropriation for maintenance in the future. That was contingent upon an agreement being entered into with private capital which would build the locks and dams at an estimated cost of nearly $4,000,000. In other words, if an appropriation of $1,370.000 was made, private capital was to meet it with an appropriation of about $4,000,000. That arrangement can not be entered into as the result of the very stringent law now on the statute books; and if the amendment of the gentleman from Oklahoma [Mr. FERRIS] should be adopted to the present bill, it is my opinion, based on information that I have received from authoritative sources, that the same situation will be continued indefinitely. The result of securing a channel 12 feet deep extending from Hartford to Holyoke would be a very great diminution in the cost of freight transportation, as well as a reduction in the congestion of freight in all that section of New England at the present time. The congestion there has been something terrible during the past year. Last winter it was a question not whether fuel could be secured to carry on the business enterprises of the section but whether fuel could be secured to keep away the cold from the citizens and avoid suffering that would necessarily result.

There will be a saving on the transportation of over a million tons of coal of from 40 to 50 cents per ton. There will be a corresponding saving in transportation of manufactured products as well as on the raw material going into the section. All these features are very thoroughly covered in the report to which I have referred. There is a population in the places bordering on the river in Massachusetts to-day of over 200,000 people, aside from the adjoining territory, that would be naturally benefited very materially. So it seems to me that in view of such a typical illustration as that which I am citing there can be no question in the mind of the membership of this House as to the proper method of procedure. Here we have a bill originating in the departments having to do with the carrying on of work itself looking directly to securing the development of the desired power throughout the country combined with the opportunity for navigation. So that when suggestions are offered looking to a change of the phraseology of that bill it seems to me rather than conserving the natural resources of the country such change would be absolutely a continuation of the waste of the natural resources of the country which is the result of the legislation now on the statute books. I therefore sincerely trust that the illustration I have given the House will be the means of showing the need of this body abiding by the decision of the committee and supporting the majority report. There are, of course, opportunities to find defects in the bill, but it is the first constructive piece of legislation looking to the conserving of our natural resources and at the same time using those resources in the development of navigable streams that has been brought before the Congress since I have been a Member of it. I therefore shall give my most hearty support to the majority report.

Mr. Chairman, I yield back the remainder of my time, and I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. JOHNSON of Washington. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. ESCH. Mr. Chairman, I trust the gentleman from Tennessee will now yield some time.

Mr. SIMS. How much time did the gentleman from Massachusetts yield back?

Mr. ESCH. How much time did the gentleman from Massachusetts yield back?

The CHAIRMAN. Four minutes.

Mr. SIMS. Mr. Chairman, I yield 20 minutes to the gentleman from Porto Rico [Mr. DAVILA].

Mr. DAVILA. Mr. Chairman, the patriotic attitude taken by the people of Porto Rico on account of the war has caused the publication of many articles in American newspapers.

The tenor of those articles is to show that our patriotism was the outgrowth of a single war activity, and the error has been made by the writers of not dealing with the Porto Rican movement in all its phases and magnitude.

In connection with the conservation of food in Porto Rico very interesting articles have been published, but as these articles seem to limit our patriotism to that particular war activity I have considered it advisable to publish in the CONGRESSIONAL RECORD, if I can obtain unanimous consent, an article recently published by the New York Herald, which nevertheless fails to show in all its magnitude the extraordinary work of the people of Porto Rico in this war; yet the article contains a valuable exposition of the activities on the island with which it deals.

In fact, the loyalty of the people of Porto Rico has caused such great admiration that it has prompted many persons to seize the opportunity to appear before the American people as the leaders of this great patriotic movement.

I wish to say here, before the American Congress, that all the glory that may be derived from our loyalty to the allies' cause should belong solely and exclusively to the people of Porto Rico as a whole and not to any determined individuals.

It should be understood that an extraordinary movement of sympathy has taken place in the island toward the American Nation since President Wilson initiated his work in our behalf and since this Congress has granted us an organic law more democratic than the one we had. Therefore, President Wilson, who has labored so earnestly in our behalf, and the present Congress, which shaped his wishes into law, are the only personal influences that may have been responsible for the patriotic stand of the Porto Rican people about which so much is now being published.

There are certain broad reasons which justify the admiration and affection of the people of the island of Porto Rico for the President and people of the United States. This country is fighting for the freedom of the world, and Porto Rico, which is a part of the world, has been sighing for freedom for many centuries. Thanks to the efforts of the great American who presides over the destiny of this Nation, and at present over the destiny of the world, the great powers are advocating the liberty and self-determination of small countries, and Porto Rico is a small country. America is fighting for the sake of justice, and that is what Porto Rico needs—justice. So your principles are our principles, your cause is our cause, and our duty as American citizens imposes upon us the obligation of fighting against all the enemies of the United States, no matter what the cause of fighting is. Are not these powerful reasons to unite the island of Porto Rico, small as it is, in a perpetual brotherhood with this great part of the American Continent? What ought to be our attitude when not only Porto Rico but humanity is indebted to the United States for having converted the most terrible war which the world has faced into a fountain of justice, freedom, and democracy, with assurance of a permanent peace? Some months ago I wrote in Spanish a poem dedicated to Wood-

row Wilson, of which a free translation into English reads as follows:

EVANGELIC DEBT.

While Europe roars like a hunted beast at bay
In a horrible struggle, titanic and ferocious,
A man here in America waves a flag
And the tyrants tremble at the echo of his voice.

'Tis Wilson who in the high capitoline summits
Speaks an august language that was never heard before,
And causes the Andine Mountains to tremble
In a sublime tremor of redemption and peace.

Centuries ago, an intrepid mariner
Crossed the immense expanse of ocean
And, as in a divine dream, discovered a New World.
Europe educated and Christ welcomed it to His mercy.
And to-day America, in return, recrosses the same route
To offer liberty to the Old World.

[Applause.]

The debt has been paid. While Europe discovered a world for Christianity, America is discovering now the new world of liberty.

President Wilson has enunciated the broad policy of the United States in the following remarks delivered on May 27, 1917, which he has sought to emphasize by repeating on several occasions:

We believe these fundamental things:

First. That every people has a right to choose the sovereignty under which they shall live. Like other nations, we have ourselves no doubt once and again offended against that principle when for a little while controlled by selfish passion, as our franker historians have been honorable enough to admit; but it has become more and more our rule of life and action.

Second. That the small States of the world have a right to enjoy the same respect for their sovereignty and for their territorial integrity that great and powerful nations expect and insist upon; and

Third. That the world has a right to be free from every disturbance of its peace that has its origin in aggression and disregard of the rights of peoples and nations.

So sincerely do we believe in these things that I am sure that I speak the mind and wish of the people of America when I say that the United States is willing to become a partner in any feasible association of nations formed in order to realize these objects and make them secure against violation.

There is nothing that the United States wants for itself that any other nation has. We are willing, on the contrary, to limit ourselves along with them to a prescribed course of duty and respect for the rights of others which will check any selfish passion of our own, as it will check any aggressive impulse of theirs.

Along the same lines the President has also stated in his address to the Senate on January 19, 1917:

No peace can last or ought to last which does not recognize and accept the principle that governments derive all their just powers from the consent of the governed, and that no right anywhere exists to hand peoples about from sovereignty to sovereignty as if they were property. The world can be at peace only if its life is stable, and there can be no stability where the will is in rebellion, where there is not tranquillity of spirit and a sense of justice, of freedom, and of right.

I would fain believe that I am speaking for the silent mass of mankind everywhere who have as yet had no place or opportunity to speak their real hearts out concerning the death and ruin they see to have come already upon the persons and the homes they hold most dear.

No nation should seek to extend its polity over any other nation or people, but that every people should be left free to determine its own polity, its own way of development, unhindered, unthreatened, unafraid, the little along with the great and powerful. There is no entangling alliance in a concert of power. When all unite to act in the same sense and with the same purpose all act in the common interest and are free to live their own lives under a common protection.

I am proposing government by the consent of the governed; that freedom of the seas which in international conference after conference representatives of the United States have urged with the eloquence of those who are the convinced disciples of liberty; and that moderation of armaments which makes of armies and navies a power for order merely, not an instrument of aggression or of selfish violence. These are American principles, American policies.

In his address at Mount Vernon on July 4, 1918, declaring the principles and hopes of America in war, the President said:

What we seek is the reign of law, based upon the consent of the governed and sustained by the organized opinion of mankind.

The President of the United States has placed this Nation in a most advantageous position by his concise presentation of the most noble principles of humanity and democracy and incomparable interpretation of the rights of the people, great and small, weak and powerful, to freedom, security, and self-government. For these statements the great and powerful will respect and render to this country the tribute of their admiration, while the weak, bearing to the President and the Nation eternal gratitude, will feel confident that when the hour arrives such a champion of democracy will not lend a deaf ear to their cries for freedom and liberty.

The Democratic platform of 1916 voiced these principles, and the Republican platform enunciated the same doctrine:

We hold that it is the duty of the United States to use all its resources not only to make itself safe at home but also to make secure its just interests throughout the world, and both for this end and in the interest of humanity to assist the world in securing settled peace and justice.

We believe that every people has the right to choose the sovereignty under which it shall live—government with the consent of the governed—that the small States of the world have the right to enjoy from other nations the same respect for their sovereignty and for their territorial integrity that great and powerful nations expect and insist upon; that the world has a right to be free from every disturbance of its peace that has its origin in aggression or disregard of the rights of peoples and nations; and we believe that the time has come when it is the duty of the United States to join with the other nations of the world in any feasible association that will effectively serve these principles and maintain inviolate the complete security of the highways of the seas for the common, unhindered use of all nations.

The confidence that the people of Porto Rico have in the United States is strengthened more and more every day by these illuminating remarks of the leaders of the Nation.

Full justice is yet to be granted to the people of Porto Rico, for we have not been given any voice in the appointment of our governors nor in the appointment of the attorney general, commissioner of education, or justices of the supreme court, yet the executive has the power of absolute veto granted him by this Congress.

But the people of Porto Rico feel that they have in President Wilson and the American Congress sympathetic friends, and they hope soon to obtain full recognition of their rights. The gratitude of the people of Porto Rico is great and intense for the concessions already made them, and their love for the American people will attain extraordinary proportions when this Congress does complete justice to our people, granting us all the power to which we are entitled in the management of our own affairs.

Fortunately for Porto Rico her destiny has been in the hands of a just and sympathetic administrator in the person of Gov. Yager, who made great efforts for the approval of our present organic law. To govern the people of Porto Rico in accordance with the spirit of American institutions a scheme of government should be devised under which the governor will be susceptible to public opinion, interpreting and administering our laws as was intended by Congress. Any governor who adheres to this policy is assured the affection and undivided support of the people of Porto Rico. Gov. Yager has our esteem and confidence, and the only objection that could possibly be urged against him is that he has not been selected by the people of Porto Rico, who have never been consulted in the appointment of their governors. Should he have been elected by our people or appointed with our consultation he would be the most beloved executive our country has ever known.

I do not hesitate to express before Congress these ideas with regard to the election of our governor, although I recognize that only the States of the Union have enjoyed this right since the birth of the American Nation. But we are not to be governed any more by precedents when precedents do not conform to the natural rules of justice. In these extraordinary times we are facing every day new events and unexpected problems and we have to prepare ourselves for the inauguration of the new policy which is going to renovate the world.

Full self-government should be granted.

The American Constitution recognizes only a republican form of government as the permanent status of any part of this country, and it is not a republican government at all under which the governor is not elected directly or indirectly by the people. A country can not be half republic and half empire. The policy of the United States must be consistent with the principles which made the Republic so great.

I know the argument which may be advanced in opposition to our political aspirations: "You are not yet prepared for the enjoyment of complete self-government." Porto Rico is able enough to control its own affairs. If any contrary opinion prevails among the people in this country we are sure that it is due to lack of knowledge of our social and political life and not to any selfish feeling. This argument of nonpreparation, which is as old as the world, is the excuse that strong nationalities often offer to justify their intervention in the internal affairs of small countries. The United States will not do that. This excuse may sound well in the lips of the old monarchies of Europe, but not in the lips of the young American Republic. This Nation is too great to make use of such a poor argument. Grant the people of Porto Rico the full enjoyment of their rights, and while Congress prepares a law to that effect let the President test the ability and capacity of the people of Porto Rico by the appointment of a governor, at the proper time, previously indorsed by the people of the island.

Porto Rico has been extremely patriotic in all phases of war activity in these days of peril for the American Nation. The success of the food commission constitutes only a part of the great contribution of Porto Rico to the national cause. The food commission is entitled to our recognition for the work done, and I should like to congratulate them in all their work, but the imposition of fines upon some people without due process of law, such as occurred in the case of Jose D. Padilla, has merited some criticism. The Federal food administrator must respect

the law if he wants it to be obeyed by our citizens. To impose fines as a court of justice without giving to the accused a day in court is to abuse the power granted by Congress to the Food Administration. The fact that these fines are collected for the Red Cross is not an excuse. There is no excuse for the transgression of law, above all when these transgressions are committed by the authorities who are bound to respect the law.

In a communication addressed on May 9, 1918, to Jose D. Padilla by the Federal food administrator in Porto Rico, the latter made the following statements:

From the investigation made according to the charges presented against you in relation with your bakery business in that city and the manufacture of crackers in contravention of the regulations of the national administration, I have arrived at the conclusion, after considering the proofs obtained and the declaration made by you when you appeared at this office the 29th of April ult., that you proceeded deliberately and maliciously in this case, and submitted the same to the United States Food Administrator, Washington, D. C. I have received by cable yesterday from this officer the following order:

That you, Jose D. Padilla, license No. B23776, in the bakery business, close your establishment for a period of six months, to take effect May 16, 1918, and further, that you subscribe the sum of $500 in behalf of the American Red Cross.

Send me the check in behalf of the mentioned institution for the stated sum of money and proceed to the closing of your establishment on the date indicated.

Respectfully,

ALBERT E. LEE,
Federal Food Administrator.

The illegality of this proceeding was consummated by the payment of the fine. Jose D. Padilla, fearing more drastic measures by the Federal Food Administration, and in obedience to the order issued against him, sent immediately a check of $500 to the Federal Food Administrator.

As I have already affirmed, most of the articles appearing in the American newspapers state that Porto Rico has shown its patriotism by the conservation of food. This information gratifies us very much because it shows the wonderful results achieved by one of our local organizations. In fact, all branches of the insular administration have worked with practically the same results. In the matter of food conservation our record is complete and perfectly clear. Long before the creation of a Food Administration in the United States was even talked about such a body was created by the Porto Rican Legislature, the food commission of that island having been created by the joint resolution introduced by Hon. Antonio R. Barcelo, leader of the majority party in the Porto Rican General Assembly on April 12, 1917, immediately upon the declaration of war. The United States Food Administration was not created by act of Congress until August 10, 1917, four months later. Therefore, it will be seen that the Porto Rican commission antedates those of either the Federal administration or any of the States.

Mr. Chairman, before leaving this subject I wish to call attention to the splendid service of Col. Orval P. Townshend, who has commanded the United States forces on the island and superintended the organization of the military forces in the manner which has elicited all this praise of which the American public has recently been reading. Col. Townsend has proven an able officer and an untiring worker and organizer, and he has the full confidence of the Porto Rican people.

I think that possibly the best exposition which has yet appeared of the activities of Porto Rico in this war was published in the New York Herald last Sunday, and I ask that I be allowed to insert it in the RECORD. In connection with it, however, I wish to say, in regard to what the author has to say about the sufferings of Porto Ricans under the Spanish Government, that it is only fair to point out that home rule had been granted by Spain to Porto Rico when the American Army took possession of the island. It is also an error to state that Porto Ricans had grown submissive to abuse. Porto Rico has never yielded to any kind of despotism. Under the Spanish Government, as well as under the American flag, we have always protested energetically against all abuses and arbitrariness committed in our country. It is true that entire freedom has never been granted to Porto Rico in spite of our efforts and sacrifices, but there is no man in the world who has a higher concept of liberty than the Porto Rican.

The matter referred to is as follows:

[From the New York Herald, Aug. 11, 1918.]

PORTO RICANS DEMAND THE RIGHT TO FIGHT FOR THE FLAG THAT AT LAST IS THEIR OWN—HENRY A. WISE WOOD, AN ENTHUSIASTIC AMERICAN, WRITES OF HIS EXPERIENCES ON THE FAMOUS ISLAND POSSESSION AND DESCRIBES THE ENTHUSIASM WITH WHICH ITS INHABITANTS INSISTED THAT THE PRIVILEGES OF THE MOTHERLAND AS WELL AS THE RESPONSIBILITIES BE APPLIED TO THEM IN EQUAL SHARE—COL. ORVAL P. TOWNSHEND, COMMANDING THE PORTO RICAN TROOPS, A DISTINGUISHED FIGURE OF THE MILITARY LIFE AND PREPARATION OF THE ISLAND.

(By Henry A. Wise Wood.)

As I approached the harbor of San Juan, P. R., the last shafts of the sun were touching with gold the battered and rusty walls of its ancient defenses. El Morro, "the nose," to the west, San Cristobal to the east—superb monuments of four centuries of Spanish occupation—were still watchfully holding within their grim charge that which Spain in the days of her glory thought a jewel of great price.

Scars of French shot and of Dutch, of shot of Drake and Hawkins, no soil of time has been able to efface from the Morro; these are fast in the pages of the history of the Spanish Main, than which none is more gloriously decked with beloved romance. The tales of the finding of the New World and its flailing for wealth by the old—sagas these of the first masters of the waters new found by the "Admiral of the Indian Seas"—are among the most treasured of all records of strong men at work upon rough deeds.

As the ship swung slowly beneath El Morro there came into view, perched high beyond the shoulder of this perhaps the oldest fortress of the Western Hemisphere, Casa Blanca—the White House—glistening against the evening's violet sky. Built, it is said, by one of Columbus's ship's company, San Juan's first governor, the searcher for youth and discoverer of the "Isla la Florida," the home of Juan Ponce de Leon, is still the seat of military power. But over it flies the American flag.

Sight of the flag brought me to the present, from which I had been endeavoring to escape. All that had occurred since first our flag flew above these historic piles crowded into mind, and bitterly I thought of the penalty we Anglo-Saxons are to pay for 20 years of blindness, of fatuous dream worship, of heedlessly following after history's ignis fatuus, a peace wrought of paper-clad security. Then I fell to wondering how these new people of ours are reacting to the emergency in which they have so little direct concern—what they are doing for the war. And I determined to find out.

How should be ascertained the mental attitude toward the war of these million and a quarter newly acquired people speaking the language of a neutral nation having enemy sympathies? First, it seemed to me by observing the reaction of their legislature. Had this been hostile or passive or actively favorable to Porto Rico's actual participation? Let us see.

MAKING AMERICANS.

On March 2, 1917, American citizenship was conferred upon the Porto Rican. For nearly two decades he had had a land but no country. For 19 years he had been knocking at our door, unable to enter or go elsewhere. The flag over his head was not his flag nor could he raise one of his own. So, only two months before our declaration of war the Porto Rican was not an American citizen. Would he, therefore, be willing to fight for our cause?

It was this query, possibly, that caused the War Department to hesitate when announcing the draft to apply it to Porto Rico. But this hesitation, whatever its cause, had a galvanic effect upon the people of the island. Instantly there arose an indignant protest and a demand that Porto Rico be permitted to supply its full quota to the Army whose flag at last was its flag. Not only would it fight, but the opportunity to do so it demanded as its right. The children of Columbus's conquistadors were willing and ready to support the liberties of the New World, the world that he and their ancestors had carved out with their swords.

Already had the Unionist Party sent a cable to the President of the United States announcing its support of the war, with the demand that "Porto Rico be assigned its full quota of sacrifice and suffering to obtain victory."

But how did the individual Porto Rican react? A month after the declaration of war the Porto Rico regiment of the United States Army was ordered to recruit its full strength and prepare for active duty. In three days it had enlisted 654 men, and so had filled its ranks; in two weeks, drilled and fully uniformed, the regiment was on its way. Again, when Col. Roosevelt's volunteers were being recruited, it is said, 1,700 selected men signed up in seven days.

On August 27 an officers' training camp was opened at Cayay, amid the tobacco fields in the center of the island, with 250 Porto Ricans, 95 per cent of whom were graduates of colleges or universities in the United States. So thoroughly was the work done in this camp that on November 26, 88 per cent of these men were commissioned.

The results of this experiment caused great popular enthusiasm, and another camp, within the Morro Fortress, was opened with 400 men on February 1, 1918, and was hard at work when I visited it. One of its companies is wholly composed of negroes, so that officers of the lower ranks shall be provided for the negro regiments which are to be drawn from the island. Here also is being trained the home guard of San Juan, of 1,500 men, among them the foremost judges and professional and business men of the place, as well as 500 Boy Scouts.

Porto Rico has caught the war fever, and is glad of it—which is the more remarkable, because its people are so little warlike that, although in the revolution belt, it has never known a revolt.

I had not pushed my inquiries far before it became plain that behind this enthusiasm for the war and ardent wish to serve in it was the stimulating influence of one man, an American Army officer. To such an astonishing extent does this soldier seem to have won the affections and confidence of these people that they have not only unquestionably put themselves into his hands in matters relating to the war but have requested the President to make him a brigadier general, so that the Porto Rican troops when they go to the front shall be commanded by him.

EAGER TO HONOR HIM.

A sheaf of these requests has fallen into my hands, from free translations of some of which I select the following excerpts:

The resolution of the House of Representatives of Porto Rico recites that "for some years there has lived among us a noble and generous son of America, directing with great foresight and commendable zeal the honorable and high duty of chief of the American troops in Porto Rico, whose name is well known by all—Orval P. Townshend"; that "Col. Townshend has gained the love and gratitude of this island of Porto Rico by his open and decided efforts for the welfare and prestige of our land, honoring it by an efficient propaganda useful to the good name of Porto Ricans"; that "Orval P. Townshend, as colonel of the Porto Rican troops, has recently successfully carried through an intensive and arduous task to satisfy the wishes of the mothers of the future soldiers who are to give up their lives for the liberty of the world and for the triumph of justice and the rights of humanity, to satisfy those unselfish women who asked that the cantonment for the military instruction of their sons be established in Porto Rico, for the instruction of the sons whose lives they themselves offered with noble patriotism for the defense of the cause upheld by the noble American people"; that "the people of Porto Rico realize the efforts of Col. Townshend to do full justice to Porto Ricans, and consider him one of their valuable champions"; and that, therefore, it is "resolved by this House of Representatives, first, to make a matter of record a vote of thanks and gratitude to Col. Orval P. Townshend for his well-guided purpose in the performance of his

official duties; second, that the Government be requested by cable, as a special favor, that Lieut. Col Orval P. Townshend be promoted to the rank of brigadier general."

The work of this man can not be summed up better than by the statement that he has put these new citizens of ours in the mind to make war and to make it with a will. Therefore, when the beautiful palm-shaded, seagirt cantonment, Las Casas, is finished, and Porto Rico's first contingent is called to the colors, its men may be expected to come with a rush, for to be an American soldier is the fashion in Porto Rico.

It is evident that the people are deeply contented with the island's lot. During the 405 years of Spanish occupation Boriquen, as it was called, suffered every conceivable cruelty at the hands of the mother country and its representatives, as well as at those of the enemies of Spain. It was repeatedly plucked from within and plundered from without until it had lost hope and all powers of resistance.

But 20 years of American civil helpfulness and kindly military control have made a new people of these harried islanders, who had grown submissive to abuse—a people who can be made a valuable factor in American life. Not without great reward, I am certain, shall we have "put the conscience of the American people into the islands of the sea," as McKinley once said, and founded human liberty in Porto Rico. The first fruits of this action we are already reaping in the alacrity with which the island's new generation is rushing to our, now its, colors, in defense of the freeman's institutions which it has at last been permitted to embrace.

The food-conservation movement also is having extraordinary and wholly unexpected results. Here is a luxuriantly fertile island set in the tropical seas, peopled with nearly a million and a quarter of agriculturists, and still its inhabitants are physically undeveloped, because underfed. Care is taken to raise well what these people sell—sugar cane, some fruits, and coffee—but no thought at all is given to the cultivation of their own foodstuffs. These, besides the local fruits, consist for the most part of corn meal, rice, beans, and codfish, which are purchased in the "States," notwithstanding that the three vegetable staples can be made to flourish upon their own soil and Porto Rican waters abound in edible fish. Even the table sugar consumed by the more prosperous on this sugar-growing island we ship them.

FOOD SITUATION IN HAND.

In 1917, for instance, Porto Rico imported 7,834 tons of corn meal, 7,480 tons of beans, and, more curious still, 4,666 tons of white sugar—all at higher prices a pound than it received for its principal export—raw sugar. A losing business this.

Into this situation stepped the Food Administration with absolute power. As a consequence of its work, I am informed by John M. Turner, its local chief, none of the vegetable staples, aside from rice, need be imported this year. Sufficient acreage has been planted, he says, to supply the island's normal needs as well as those of Camp Las Casas. Thus, the drain upon our own resources should be lessened and the food cost of the island reduced, while Porto Rico should become not only a self-feeding community but one capable of exporting foodstuffs to its neighbor islands and the mainland.

A remarkable and permanent change in the island's life, I am convinced, may be expected to follow the military training its young men are about to undergo and the revolution which Mr. Turner and his associates are so intelligently making in its food supply.

Here we have reversed our figure of thought and find ourselves dwelling not upon what Porto Rico is doing for the war but upon what the war is doing for Porto Rico. What better example could be found of the unexpected returns that follow upon the exercise of an unselfish patriotism?

No examination of Porto Rico's reaction to the war would be accurate that failed to give weight to the effect produced by the superb insular police force that is conducted by Col. George R. Shanton. New York's "finest" is not so attractively clad nor does it look so much the military body. Of these well trained and disciplined officers which comprise the only police force on the island there are, roughly, only 800 to look after a populace of a million and a quarter, spread throughout a more or less mountainous island 35 miles wide by 90 long.

Truly, aside from a small but needed-to-be-watched element, composed of German and Spanish residents, the sunny and cheerful island of Porto Rico may confidently be classed among the war assets of the United States.

The CHAIRMAN. The gentleman from Porto Rico asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. ESCH. Mr. Chairman, I yield one hour to the gentleman from Oregon [Mr. SINNOTT].

Mr. SINNOTT. Mr. Chairman, on account of the sharply divergent views persisted in with great tenacity by the respective advocates of Federal and State ownership and control of our water-power resources Congress has no more perplexing legislation to vex it than that embodied in the bill now before the House.

It is useless to indulge in mutual recriminations. Suffice to say that these two heretofore seemingly irreconcilable views are in a great measure, together with the present revocable permit, to blame for the failure to develop one of the greatest resources of the country. The American people will no longer tolerate or condone the failure of Congress to enact needed legislation to develop our water-power resources variously estimated at 60,000,000 and with storage at 200,000,000 horsepower, with each horsepower equivalent to the consumption of about 10 tons of coal annually or 30 barrels of oil.

The public is demanding that Congress "play ball" and quit quarreling over the selection of the umpire.

There should be enough statesmanship in Congress, representing both the State and national viewpoint, to enact wise and considerate legislation, to use the language of Chief Justice Marshall in Gibbons *v.* Odgen, in—

> that spirit of harmony and conciliation which ought always to characterize the conduct of governments standing in the relation which that of the Union and those of the State bear to each other.

I believe the bill we are now considering was drafted in that "spirit of harmony and conciliation" which Chief Justice Marshall said should characterize our counsels. It does not fully represent my views of the purpose and scope of the correlative rights and powers of the State and National Government. It may not represent your views. Nevertheless, as most legislation is a compromise, this bill is as fair a compromise as can be expected to issue from ingenious and positive minds wedded to pet theories of government, unwilling to stultify long preconceived convictions, but regardful that the needs of the country demand that the deadlock which has for years tied up one of our most valuable resources should be broken.

RECIPROCAL RIGHTS OF STATES AND NATION.

Unquestionably, both the State and the Federal Governments have rights to be considered and protected in water-power legislation. This House surely has the probity and wisdom "to render to Cæsar the things that belong to Cæsar," to render to the State, to render to the National Government the things that belong to each, respectively. This, I believe, will be done when the many misconceptions which prevail concerning the reciprocal rights of the State and General Governments are cleared away.

In considering this legislation four principles should be kept clearly in mind:

First, the people of each separate State own in common the water resources therein, subject, however, to the right of the General Government to control navigation.

Second, the General Government, under the commerce clause of the Constitution, is supreme in its power to regulate and control interstate navigation.

Third, under the decision in the Utah Power Co. case, in Two hundred and forty-third United States, 389, the power of Congress is exclusive respecting the lands of the United States which may be needed for power sites or rights of way.

Fourth, that while the State has the supreme dominion over its streams it is subject to the control of navigation, and, further, "a State can not by its legislation destroy the right of the United States, as the owner of lands bordering on a stream, to the continued flow of its waters; so far, at least, as may be necessary for the beneficial uses of the Government property." (United States *v.* Rio Grande Co., 174 U. S., 690.)

In theory at least the bill before the House was drafted in fair recognition of the above correlative rights. It may be argued that the regulative and antimonopolistic provisions of the bill impinge upon State rights concerning such matters. Perhaps they do. If so, it may be said in justification that these regulatory provisions are such as are found in all wise State legislation where there has been an honest attempt to protect the rights of the public in any State.

While such matters may technically belong to the jurisdiction of a State, I feel warranted, in the interest of power development, in acquiescing in these provisions. They will at least permit the inauguration of great water-power development. If they are illegal excrescences the Supreme Court will soon cut them out and leave the State to its proper jurisdiction over any power plants that may be developed under this bill. This House has gone on record so often on these regulatory provisions that we know as a practical proposition that it is impossible to pass through the House any bill which does not embody these principles.

FEDERAL REVENUE NOT CONTEMPLATED.

I was glad to read in the testimony of Secretary Lane and the Chief Engineer of the Forest Service, voicing the views of the three Secretaries, that there is no intention to exact rentals any further than to meet the expenses of administration. This, to my mind, is the proper theory of this legislation, for subject to the rights of the General Government, which I have enumerated, the people of each State have a property right in the water-power resources situated in that State. It was vigorously argued in the committee that the water-power resources of the country should be made to render substantial returns to the Federal Treasury on the ground that these resources belong to the Federal Government. It was also suggested in debate that these water-power resources should be exploited for the benefit of the Federal Treasury. It has been suggested that a dollar a horsepower should be charged. To this I most strenuously object. Unless the water-power development has some legitimate relation to the improvement of navigation or to the use of the public lands, I am firmly convinced that the exaction of any substantial revenue would be an encroachment upon the property rights of the people of the State where such development is had. Any such revenue will only be shifted by the power companies to the consumer. If it is wise to make substantial rental charges these rentals should belong to the people of the States owning the water resources.

I think, from a legal standpoint, that section 10 of the bill should be amended so as to limit rental charges to meeting legitimate administrative expenses, except where the use of public lands is concerned or the development has some legitimate relation to the improvement of navigation; and, as a matter of policy, it is wise in most cases to so limit the rentals, otherwise they will only be shifted to the consumer. While it is the announced policy of the present administration, under the provisions of section 10, to charge rentals sufficient only to meet administrative expenses, yet there is no protection in the bill against the imposition of substantial charges should a change of policy or administration take place. The matter of these charges should not be left to the varying policies of changing administrations. The people of the several States have substantial property rights in their water-power resources that should be protected and not surrendered by their Representatives to the Federal Government. My convictions on this question are grounded on the genesis of our Government and the decisions of the Supreme Court of the United States.

THE PEOPLE OF EACH SEPARATE STATE HAVE A PROPERTY RIGHT IN THE WATER-POWER RESOURCES OF THEIR STATE.

The genesis of our Government shows that prior to the formation of our Federal Constitution the thirteen original States were sovereign independent States; that each sovereign independent State separately held in trust for its people the ownership, dominion, and control of its waters. All the advantage, usufruct, profit, and emolument that such waters held belonged to the people of each State where such waters were located, subject to the legislative control of the State, for the benefit of the people therein. The control of navigation, the right to the fish in the streams, and all other benefits, rights, and privileges in their waters, including the development of power, belonged to the citizens of these sovereign, independent, original thirteen States.

Our Government, according to the repeated decisions of the Supreme Court, is one of delegated and enumerated powers, and for this reason all powers not surrendered in the Constitution of the United States to the General Government were reserved to the original thirteen States. These older States now retain all rights and powers in and to their waters not surrendered to the General Government. Likewise, the people of the new States, having been admitted into the Union on a footing of equality with the thirteen original States, have the same rights in their waters as were possessed by the people of the thirteen original States on the adoption of the Constitution of the United States.

These principles are frequently lost sight of by those who look upon the water-power resources of the country as resources belonging to the General Government. These principles are particularly ignored by those who advocate the imposition of substantial revenues to be paid into the Federal Treasury for permits to develop water power on our streams and rivers.

WATER RIGHTS RESERVED TO THE STATES.

What rights were surrendered to the Federal Government affecting the waters of the thirteen original States?

For the purposes of this bill we are concerned only with section 8, article 1, of the Constitution of the United States, for in that section only are found whatever rights were surrendered to the General Government over our water powers that need concern us in the consideration of this bill.

In section 8, article 1, there was surrendered to the General Government the power—

to regulate commerce with foreign nations, and among the several States, and with the Indian tribes.

Chief Justice John Marshall, in the famous case of Gibbons *v.* Ogden (9 Wheat., 1), decided that the word "commerce," in section 8 of the Constitution, included "navigation"; that, therefore, the power to regulate commerce included the power to regulate and control navigation. Accordingly, subject to the control of navigation by the General Government, all other rights, privileges, and advantages in the waters of the several separate States were reserved to the people therein as their common property, to be used for their exclusive benefit and advantage. For this reason I contend that if revenues are to be exacted for the development of water power, such revenues belong to the people owning the water powers developed, to be expended for the betterment of their schools, their highways, for irrigation, or such other internal improvement as the people or their legislatures deem most wise.

I believe that the people of my State are quite as competent as any Federal agency to expend therein any proceeds that may accrue at a dollar a horsepower, or any other sum, on the many millions of potential horsepower development located in the State of Oregon. I only wish my State had the same jurisdiction over the expenditure of the $12,000,000 of the reclamation fund derived from the sale of lands in the State of Oregon. And doubtless the gentleman from Oklahoma [Mr. FERRIS] wishes the same, as his State has been similarly treated.

If the General Government has a right to exploit the water-power resources of the several States as a money-making proposition, then the rights reserved and not surrendered in the Constitution were mere shadows and not the substance of substantial rights.

The General Government, as well as an individual, should be amenable to the legal maxim "sic utere tuo ut alienum non laedas"—so use your own right as not to injure the right of another.

Many decisions have been rendered by our Supreme Court showing that the rights reserved to the people of the several States in the Constitution of the United States were substantial property rights in their water resources, that these rights so reserved were not mere shadows, and when these decisions are read and understood they should appeal to the legislative probity and intellectual honesty of the House against the exploitation and confiscation of such rights for the benefit of the Treasury of the United States. For this reason I feel that the attention of the House should be directed to a few of the more important and controlling decisions where the line of demarcation between the rights of the General Government and the several States in their waters are clearly and forcibly stated.

These reserved rights can not be confiscated by tagging or labeling legislation "navigation." The Supreme Court will certainly, in view of its repeated holdings, ignore the sham and pretense of a legislative lie and protect these reserved rights where the legitimate objects of navigation are not concerned.

The first case to which I wish to call your attention is Martin *v.* Waddell (41 U. S., 410), wherein it is stated:

For, when the Revolution took place, the people of each State became themselves sovereign; and in that character hold the absolute right to all their navigable waters, and the soils under them, for their own common use, subject only to the rights since surrendered by the Constitution to the General Government.

The doctrine in this case has been restated in every decision of the Supreme Court where the subject matter has been considered.

Another leading case is Pollard *v.* Hagan (3 How., 229), showing the ownership in the navigable waters and soil by Alabama, and that such ownership was not granted to the United States, but was reserved to the States, subject to the control of navigation, and to that alone.

In the case of Pollard against Hagan, Third Howard, 229, the Supreme Court of the United States said:

Then to Alabama belong the navigable waters, and soils under them, in controversy in this case, subject to the rights surrendered by the Constitution to the United States, and no compact that might be made between her and the United States could diminish or enlarge these rights. * * * By the preceding course of reasoning we have arrived at these general conclusions: First, the shores of navigable waters, and the soils under them, were not granted by the Constitution to the United States, but were reserved to the States respectively. Secondly, the new States have the same rights, sovereignty, and jurisdiction over this subject as the original States. Thirdly, the right of the United States to the public lands and the power of Congress to make all needful rules and regulations for the sale and disposition thereof conferred no power to grant to the plaintiffs the land in controversy in this case.

Hardin against Jordan holds, lands under water subject to State regulation and control, State may dispose of the usufruct, may lease oyster beds, grant fisheries, laws of each State govern use of waters and lands under them, tidewaters in this country synonymous with navigable rivers.

In Hardin against Jordan, One hundred and fortieth United States, 381, it is said:

Such title being in the State, the lands are subjected to State regulation and control, under the conditions, however, of not interfering with the regulation which may be made by Congress with regard to public navigation and commerce. The State may even dispose of the usufruct of such lands, as is frequently done by leasing oyster beds in them and granting fisheries in particular localities; also by the reclamation of submerged flats and the erection of wharves and piers and other adventitious aids of commerce. * * *

This right of the States to regulate and control the shores of the tidewaters and the land under them is the same as that which is exercised by the Crown of England. In this country the same rule has been extended to our great navigable lakes, which are treated as inland seas; and also, in some of the States, to navigable rivers, as the Mississippi, the Missouri, the Ohio, and in Pennsylvania, to all the permanent rivers of the State; but it depends on the law of each State to what waters and to what extent this prerogative of the State over the lands under water shall be exercised. In the case of Barney *v.* Keokuk (94 U. S., 324) we held that it is for the several States themselves to determine this question, and that if they choose to resign to the riparian proprietor rights which properly belong to them, in their sovereign capacity, it is not for others to raise objections.

Upon American Revolution title and dominion in tidewaters vested in several States. New States have same rights as

original States, use of shores and uplands subject to sovereign control, of each State.

Grants by Congress of portions of the public lands within a territory to settlers thereon, though bordering on or bounded by navigable waters, convey, of their own force, no title or right below high-water mark, and do not impair the title and dominion of the future State when created; but leave the question of the use of the shores by the owners of uplands to the sovereign control of each State, subject only to the rights vested by the Constitution in the United States. (Shively *v.* Bowlby, 152 U. S., 1.)

In this case the court further decides:

Upon the American Revolution the title and the dominion of the tidewaters and of the lands under them vested in the several States of the Union within their respective borders, subject to the rights surrendered by the Constitution to the United States. In the original States, by various laws and usages, owners of lands bordering on tidewaters were allowed greater rights and privileges in the shore below high-water mark than they had in England. The new States admitted into the Union since the adoption of the Constitution have the same rights as the original States in the tidewaters and in the lands under them within their respective jurisdictions. Upon the question how far the title extends of the owner of land bounding on a river actually navigable, but above the ebb and flow of the tide, there is a diversity in the laws of the different States; but the revealing doctrine now is that he does not, as in England, own to the thread of the stream. The title and rights of riparian or littoral proprietors in the soil below high-water mark are governed by the laws of the various States, subject to the rights granted to the United States by the Constitution.

Ownership and sovereignty over lands covered by tidewaters belong to the respective States; held by the people of the State in trust for the common use.

In the case of Illinois Central Railroad Co. *v.* People of Illinois (146 U. S., 387) it is said:

It is the settled law of this country that the ownership of and dominion and sovereignty over lands covered by tide waters within the limits of the several States belong to the respective States within which they are found, with the consequent right to use or dispose of any portion thereof, when that can be done without substantial impairment of the interest of the public in the waters, and subject always to the paramount right of Congress to control their navigation so far as may be necessary for the regulation of commerce with foreign nations and among the States. This doctrine has been often announced by this court and is not questioned by counsel of any of the parties.

* * * * * * *

The soil under navigable waters being held by the people of the State in trust for the common use and as a portion of their inherent sovereignty, any act of legislation concerning their use affects the public welfare. It is therefore appropriately within the exercise of the police power of the State.

State may change common-law rule of riparian rights and permit appropriations of flowing waters for such purposes as it deems wise, subject to right of General Government, to secure navigability of navigable streams, and subject to Government's riparian right for beneficial uses of Government's property. State of New York may appropriate its waters and the United States may not question the appropriation, unless the navigability of the Hudson River is disturbed.

In the case of United States *v.* Rio Grande Dam & Irrigation Co. (174 U. S., 690, 702–706), the Supreme Court, in an opinion by Mr. Justice Brewer, said:

The unquestioned rule of the common law was that every riparian owner was entitled to the continued natural flow of the stream. (Quoting 3 Kent Com. sec., 439.)

While this is undoubted, and the rule obtains in those States in the Union which have simply adopted the common law, it is also true that as to every stream within its dominion a State may change this common-law rule and permit the appropriation of the flowing waters for such purposes as it deems wise. Whether this power to change the common-law rule and permit any specific and separate appropriation of the waters of a stream belongs also to the legislature of a Territory, we do not deem it necessary for the purpose of this case to inquire. We concede arguendo that it does.

Although this power of changing the common-law rules as to streams within its dominion belongs to each State, yet two limitations must be recognized:

First, that in the absence of specific authority from Congress a State can not by its legislation destroy the right of the United States, as the owner of lands bordering on a stream, to the continued flow of its waters, so far, at least, as may be necessary for the beneficial uses of the Government property. Second, that it is limited by the superior power of the General Government to secure the uninterrupted navigability of all navigable streams within the limits of the United States. In other words, the jurisdiction of the General Government over interstate commerce and its natural highways vests in that Government the right to take all needed measures to preserve the country even against any State action.

Notwithstanding the unquestioned rule of the common law in reference to the right of a lower riparian proprietor to insist upon the continuous flow of the stream as it was, and although there has been in all the Western States an adoption or recognition of the common law, it was early developed in their history that the mining industry in certain States, the reclamation of arid lands in others, compelled a departure from the common-law rule and justified an appropriation of flowing waters both for mining purposes and for the reclamation of arid lands, and there has come to be recognized in those States, by custom and by State legislation, a different rule—a rule which permits, under certain circumstances, the appropriation of the waters of a flowing stream for other than domestic purposes.

In the United States *v.* Rio Grande (174 U. S.) Mr. Justice Brewer further says:

The Hudson River runs within the limits of the State of New York. It is a navigable stream and a part of the navigable waters of the United States so far, at least, as from Albany southward. One of the streams which flow into it and contributes to the volume of its waters is the Croton River, a nonnavigable stream. Its waters are taken by the State of New York for domestic uses in the city of New York. Unquestionably the State of New York has a right to appropriate its waters, and the United States may not question such appropriation unless thereby the navigability of the Hudson be disturbed.

Government of the United States is one of enumerated powers with no inherent powers of sovereignty; its powers found in the Constitution and in that alone; all powers not granted reserved to the people; no power in the United States to control flow of stream, except to preserve or improve navigability.

In Kansas *v.* Colorado (206 U. S., 46) it was said:

The Government of the United States is one of enumerated powers; that it has no inherent powers of sovereignty; that the enumeration of the powers granted is to be found in the Constitution of the United States, and in that alone; that the manifest purpose of the tenth amendment to the Constitution is to put beyond dispute the proposition that all powers not granted are reserved to the people, and that if in the changes of the years further powers ought to be possessed by Congress they must be obtained by a new grant from the people. While Congress has general legislative jurisdiction over the Territories and may control the flow of waters in their streams, it has no power to control a like flow within the limits of a State, except to preserve or improve the navigability of the stream; that the full control over those waters is, subject to the exception named, vested in the State.

Lands underlying navigable waters belong to respective States; each new State admitted has same rights and powers regarding its waters as the older States.

In the case of Scott *v.* Lattig (227 U. S., 229, 242), Justice Van Devanter, in rendering the opinion of the court, said:

It was settled long ago by this court, upon a consideration of the relative rights and powers of the Federal and State Governments under the Constitution, that lands underlying navigable waters within the several States belong to the respective States in virtue of their sovereignty and may be used and disposed of as they may direct, subject always to the rights of the public in such waters and to the paramount power of Congress to control their navigation so far as may be necessary for the regulation of commerce among the States and with foreign nations, and that each new State, upon its admission to the Union, becomes endowed with the same rights and powers in this regard as the older ones. (County of St. Clair *v.* Lovingston, 23 Wall., 46, 68; Barney *v.* Keokuk, 94 U. S., 324, 338; Illinois Central Railroad Co. *v.* Illinois, 146 U. S., 387, 434–437; Shively *v.* Bowlby, 152 U. S., 1, 48, 50, 58; McGilvra *v.* Ross, 215 U. S., 70.)

States may establish rules of property for both navigable and nonnavigable streams, also ownership of land forming their beds and banks.

In United States *v.* Cress (243 U. S., 316), decided March 12, 1917, Mr. Justice Pitney said:

The States have authority to establish for themselves such rules of property as they may deem expedient with respect to the streams of water within their borders, both navigable and nonnavigable, and the ownership of the lands forming their beds and banks (Barney *v.* Keokuk, 94 U. S., 324, 338; Packer *v.* Bird, 137 U. S., 661, 671; Hardin *v.* Jordan, 140 U. S., 371, 382; Shively *v.* Bowlby, 152 U. S., 1, 40, 58; St. Anthony Falls Water Power Co. *v.* Water Comrs., 168 U. S. 349, 358), subject, however, in the case of navigable streams, to the paramount authority of Congress to control the navigation so far as may be necessary for the regulation of commerce among the States and with foreign nations. (Shively *v.* Bowlby, 152 U. S., 1, 40; Gibson *v.* United States, 166 U. S., 269, 272; Scott *v.* Lattig, 227 U. S., 229, 243.)

CASES INVOLVING FISHERIES ANALOGOUS TO PROPERTY RIGHTS OF STATES IN WATER POWERS.

Many cases have been decided by the Supreme Court of the United States holding that the separate States have an exclusive property right in the fish, oysters, and sponges in their navigable and nonnavigable waters, and that in the grant to Congress by virtue of the commerce clause of the Constitution, of the right to control navigation, there was no cession of the fisheries, the oysters, or sponge beds; that these remain the common property of the citizens of the State where such fisheries and beds were located.

It was further held that while these rights of fisheries were subject to the control of navigation by virtue of the commerce clause of the Constitution, yet even under that clause it was held that the United States had no right or authority to grant a license to anyone to take fish or oysters from the waters of a State. Defendants arrested under State laws frequently plead in justification a license from the United States, frequently plead the control of navigable waters by the United States under the commerce clause of the Constitution, but the Supreme Court of the United States invariably held the license of the General Government no justification for taking the property of a State, and invariably refused to hold that the fisheries were embraced within the commerce clause of the Constitution, saying that the States made no cession of their fisheries by virtue of the United States Constitution to the General Government. It has always seemed to me that there is a clear analogy between the rights of the States in and to their fisheries and their rights to their water-power resources; there is no distinction in principle between their rights to their fisheries and their rights to their water-power resources; and as the Supreme Court holds that there was no cession of the fisheries to the General Govern-

ment, by parity of reasoning it may be said that there was no cession of the water powers to the General Government. Both the fisheries and the water powers are held subordinate to the right to control navigation, and to that alone, all other rights in these vast and valuable resources belong to the citizens of the several States in which they are situated. If these resources are to be made a source of revenue, that revenue belongs not to the General Government, but to the people of the separate States.

The first of these decisions, involving the property rights of the States in their fisheries, is the case of Corfield *v.* Coryell, volume 4, page 378, Washington's Circuit Court Report; the decision was rendered by Judge Bushrod Washington, a nephew of George Washington, and while the decision was rendered by Judge Washington, sitting as a judge in the circuit court for the third district, he was, when the decision was rendered, one of the associate justices of the Supreme Court of the United States, and was one of the justices who sat in the case of Gibbons *v.* Ogden (9 Wheat., 1), when Chief Justice John Marshall rendered the famous decision in the Gibbons *v.* Ogden case, holding that commerce included navigation, which decision laid the foundation for all such subsequent decisions giving Congress authority to control navigation. Judge Washington considered the case of Gibbons *v.* Ogden as full authority for the principal he states.

He held that in the grant to Congress to regulate commerce on the navigable waters of the several States there was no cession of territory or of public or private property; that the fisheries remained the common property of the citizens of the State to which they belonged, to be regulated by the laws of the State. That these fisheries did not become the common property of the citizens of all the other States; that the right to regulate the navigable waters granted to the General Government did not impair the right of the State government to legislate upon the subject of fisheries, provided they did not interfere with the regulations of Congress concerning navigation.

Judge Washington decided:

> Commerce with foreign nations and among the several States can mean nothing more than intercourse with those nations, and among those States for purposes of trade, be the object of that trade what it may, and this intercourse must include all the means by which it can be carried on, whether by the free navigation of the waters of the several States or by a passage over land through the States, where such passage becomes necessary to the commercial intercourse between the States.
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> It is this intercourse which Congress is invested with the power of regulating, and with which no State has a right to interfere. But this power which comprehends the use of and passage over the navigable waters of the several States does by no means impair the right of the State governments to legislate upon all subjects of internal police within their territorial limits, which is not forbidden by the Constitution of the United States, even though such legislation may indirectly and remotely affect commerce, provided it does not interfere with the regulations of Congress upon the same subject.

Further, Judge Washington decided:

> The grant to Congress to regulate commerce on the navigable waters belonging to the several States, renders those waters the public property of the United States for all the purposes of navigation and commercial intercourse, subject only to congressional regulations. But this grant contains no cession, either express or implied, of territory or of public or private property. The jus privatum which a State has in the soil covered by its waters is totally distinct from the jus publicum, with which it is clothed. The former, such as fisheries of all descriptions, remains common to all the citizens of the State to which it belongs, to be used by them according to their necessities or according to the laws which regulate their use. * * * If then the fisheries and oyster beds within the territorial limits of a State are the common property of the citizens of that State, and were not ceded to the United States by the power granted to Congress to regulate commerce, it is difficult to perceive how a law of the State regulating the use of this common property, under such penalties and forfeitures as the State legislature may think proper to prescribe, can be said to interfere with the power so granted.
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> That this exclusive right of taking oysters in the waters of New Jersey has never been ceded by that State, in express terms, to the United States is admitted by the counsel for the plaintiff; and having shown, as we think we have, that this right is a right of property, vested either in certain individuals, or in the State, for the use of the citizens thereof it would, in our opinion, be going quite too far to construe the grant of privileges and immunities of citizens as amounting to a grant of cotenancy in the common property of the State to the citizens of all the other States.

In McCready *v.* Virginia (94 U. S., 396) it was held that the States own the waters and the fish therein; that there was no cession or grant of power over the fisheries to the General Government; that the fish are the common property of the people of each State; that they have a property right in them; that the State could grant to its own citizens the exclusive right to take these fish; that "commerce has nothing to do with land while producing." This last sentence is significant, for what indeed has the commerce clause of the Constitution to do with land or water, while producing water power, other than protecting navigation?

I quote:

> The principle has long been settled in this court that each State owns the beds of all the tidewaters within its jurisdiction, unless they have been granted away. (Pollard's Lessee *v.* Hagan, 3 How., 212; Smith *v.* Maryland, 18 How., 74; Mumford *v.* Wardwell, 6 Wall., 436; Weber *v.* Harbor Commissioners, 18 id., 66.) In like manner the States own the tidewaters themselves, and the fish in them, so far as they are capable of ownership while running. For this purpose the State represents the people, and the ownership is that of the people in their united sovereignty. (Martin *v.* Waddell, 16 Pet., 410.) The title thus held is subject to the paramount right of navigation, the regulation of which, in respect to foreign and interstate commerce, has been granted to the United States. There has been, however, no such grant of power over the fisheries. These remain under the exclusive control of the State, which has consequently the right, in its discretion, to appropriate its tidewaters and their beds to be used by its people as a common for taking and cultivating fish, so far as it may be done without obstructing navigation. Such an appropriation is in effect nothing more than a regulation of the use by the people of their common property. The right which the people of the State thus acquire comes not from their citizenship alone, but from their citizenship and property combined. It is, in fact, a property right, and not a mere privilege or immunity of citizenship. (McCready *v.* Virginia, 94 U. S., pp. 394–395.)
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> * * * * * * *
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> The planting of oysters in the soil covered by water owned in common by the people of the State is not different in principle from that of planting corn upon dry land held in the same way. Both are for the purposes of cultivation and profit, and if the State in the regulation of its public domain can grant to its own citizens the exclusive use of dry lands we see no reason why it may not do the same thing in respect to such as are covered by water. And as all concede that a State may grant to one of its citizens the exclusive use of a part of the common property, the conclusion would seem to follow that it might by appropriate legislation confine the use of the whole to its own people alone.
>
> Neither do we think this case is at all affected by the clause of the Constitution which confers power on Congress to regulate commerce. (Art. I, sec. 8.) There is here no question of transportation or exchange of commodities, but only of cultivation and production. Commerce has nothing to do with land while producing, but only with the product after it has become the subject of trade. (McCready *v.* Virginia, U. S. 94, p. 396.)

In Manchester *v.* Massachusetts (139 U. S., 240) the defendant, holding a license to fish under the laws of the United States, was convicted of a violation of the laws of Massachusetts. The Supreme Court of the United States held that there was no grant of power over the fisheries to the General Government; that the regulation of fisheries within the territorial limits of a State was not a regulation of commerce; that the power to regulate fisheries was left by the Constitution with the State.

In Mancheser *v.* Massachusetts (139 U. S., 258–9) it is said:

> In Dunham *v.* Lamphere (3 Gray, 268) it was held, Chief Justice Shaw delivering the opinion of the court, that in the distribution of powers between the General and State Governments the right to the fisheries and the power to regulate the fisheries on the coasts and in the tidewaters of the State was left by the Constitution of the United States with the States, subject only to such powers as Congress may justly exercise in the regulation of commerce, foreign and domestic. In the present case the court below was asked to reconsider that decision, mainly on the ground that the admiralty and maritime jurisdiction of the courts of the United States was not considered in the opinion and that the recent decisions of the Supreme Court of the United States on the power of Congress to regulate commerce required that the decision be reconsidered; but the court stated that no recent decisions of this court had been cited which related to the regulation of fisheries within the territorial tidewaters of a State, and that the decisions of this court which related to that subject did not appear to be in conflict with the decision in Dunham *v.* Lamphere, and that it never had been decided anywhere that the regulation of the fisheries within the territorial limits of a State was a regulation of commerce.
>
> It is further contended that by the Constitution of the United States the judicial power of the United States extends to all cases of admiralty and maritime jurisdiction and is exclusive; that this case is within such jurisdiction; and that, therefore, the courts of Massachusetts have no jurisdiction over it. In McCready *v.* Virginia (94 U. S., 391) the question involved was whether the State of Virginia could prohibit the citizens of other States from planting oysters in Ware River, a stream in Virginia where the tide ebbed and flowed, when her own citizens had that privilege. In that case it was said that the principle had long been settled in this court that each State owns the beds of all tidewaters within its jurisdiction unless they have been granted away; and that, in like manner, the States own the tidewaters themselves and the fish in them, so far as they are capable of ownership while running; and this court added in its opinion: "The title thus held is subject to the paramount right of navigation, the regulation of which, in respect to foreign and interstate commerce, has been granted to the United States. There has been, however, no such grant of power over the fisheries. These remain under the exclusive control of the State, which has consequently the right, in its discretion, to appropriate its tidewaters and their beds to be used by its people as a common for taking and cultivating fish, so far as may be done without obstructing navigation. Such an appropriation is in effect nothing more than a regulation of the use by the people of their common property. The right which the people of the State thus acquire comes not from their citizenship alone, but from their citizenship and property combined. It is, in fact, a property right and not a mere privilege or immunity of citizenship."

Concerning the case of Manchester against Massachusetts, which I have just referred to, I quote from Judson on Interstate Commerce, edition of 1916, page 24, where it is stated:

> In the case cited from Massachusetts the courts held valid an act of that State prohibiting fisheries in the waters of Buzzards Bay, except under regulations prescribed by the act, and held that it applied to a vessel which had a license to fish under the laws of the United States. There has been no grant to Congress of power over fisheries, and these remain under the exclusive control of the States. The extent of the territorial jurisdiction of the State of Massachusetts over the sea adjacent to its coast was held to be that of an independent nation, and except so far as the right of control over this territory had been granted to the United States, the control remained with the State, subject, of course, to the admiralty and maritime jurisdiction of the United States.

In the case of the *Abby Dodge*, Two hundred and twenty-third United States, page 167, the case of a libel against the steamer *Abby Dodge* for bringing sponges into Florida in violation of an act of Congress prohibiting the importation of sponges taken from the Gulf of Mexico or Straits of Florida, it was contended that the act was invalid in that it prohibited the landing of sponges even if taken in the waters of the State. The Supreme Court of the United States held that if the act could be construed to apply to sponges taken in the waters of a State, the act would be invalid as encroaching on the proper right of the State. The court held the statute applicable only to sponges taken outside of the local waters of the State, but held the libel defective for not negativing the fact that the sponges may have been taken from the waters of the State, a subject not within the constitutional authority of the United States.

Advocates of Federal revenues from water powers are no doubt surprised that the Supreme Court in this case did not take the position that under the authority to control navigation the act of Congress in question should apply legally to the navigable waters of Florida. A supple logic would have found that in the right to control navigation there was embraced the right to control the fisheries.

I quote from this decision:

Broadly, the act, it is insisted, is repugnant to the Constitution because in one aspect it deals with a matter exclusively within the authority of the States, and in another because, irrespective of the question of the State authority, the statute regulates a subject not within the national grasp and hence not embraced within the legislative power of Congress. The first proceeds upon the assumption that the act regulates the taking or gathering of sponges attached to the land under water within the territorial limits of the State of Florida, and it may be of other States bordering on the Gulf of Mexico, prohibits internal commerce in sponges so taken or gathered, and is therefore plainly an unauthorized exercise of power by Congress. The second is based on the theory that even if the act be construed as concerned only with sponges taken or gathered from land under water outside of the jurisdiction of any State, then its provisions are in excess of the power of Congress, because, under such hypothesis, the act can only apply to sponges taken from the bed of the ocean, which the National Government has no power to deal with.

We briefly consider the two propositions. If the premise upon which the first rests be correct—that is to say, the assumption that the act when rightly construed applies to sponges taken or gathered from land under water within the territorial limits of the State of Florida or other States—the repugnancy of the act to the Constitution would plainly be established by the decisions of this court. In McCready *v.* Virginia (94 U. S., 391), the question for decision was whether the State of Virginia had such exclusive authority over the planting and gathering of oysters upon the soil in tidewaters within the territorial limits of the State as not only to give the State the power to control that subject, but to confer the right to exclude the citizens of other States from participating. In upholding the statute exerting such powers the doctrine was declared (p. 394) to be as follows: "The principle has long been settled in this court that each State owns the beds of all tidewaters within its jurisdiction unless they have been granted away. (Pollard's Lessee *v.* Hagan, 3 How., 212; Smith *v.* Maryland, 18 How., 74; Munford *v.* Wardwell, 6 Wall. 486; Weber *v.* Harbor Commissioners, 18 id., 66.) In like manner the States own the tidewaters themselves, and the fish in them, so far as they are capable of ownership while running. For this purpose the State represents its people, and the ownership is that of the people in their united sovereignty. (Martin *v.* Waddell, 16 Pet., 410.) * * * The right which the people of the State thus acquire comes not from their citizenship alone but from their citizenship and property combined. It is, in fact, a property right, and not a mere privilege or immunity of citizenship." True it is that the rights which were thus held to exist in the States were declared to be "subject to the paramount right of navigation, the regulation of which, in respect to foreign or interstate commerce, has been granted to the United States," but with that dominant right we are not here concerned.

Again, in Manchester *v.* Massachusetts (139 U. S., 240), in upholding a statute of the State of Massachusetts regulating the taking of menhaden in Buzzards Bay, the doctrine of the case just cited was expressly reiterated. True, further in the case, probably having in mind the declaration made in the opinion in the McCready case—that fish running within the tidewaters of the several States were subject to State ownership "so far as they are capable of ownership while so running"—the question was reserved as to whether or not Congress would have the right to control the menhaden fisheries. But here also for the reason that the question arising relates only to the sponges growing on the soil covered by water, we are not concerned with the subject of running fish and the extent of State and national power over the subject. (223 U. S., pp. 174–5.)

* * * * * * *

While it is true that it would be possible to interpret the statute as applying to sponges taken in local waters, it is equally certain that it is susceptible of being confined to sponges taken outside of such waters. In view of the clear distinction between State and National power on the subject, long settled at the time the act was passed and the rule of construction just stated, we are of opinion that its provisions must be construed as alone applicable to the subject within the authority of Congress to regulate and, therefore, be held not to embrace that which was not within such power. (223 U. S., p. 175.)

* * * * * * *

As by the interpretation which we have given the statute its operation is confined to the landing of sponges taken outside the territorial limits of a State, and the libel does not so charge—that is, its averments do not negative the fact that the sponges may have been taken from waters within the territorial limits of a State—it follows that the libel failed to charge an element essential to be alleged and proved in order to establish a violation of the statute. (United States *v.* Britton, 107 U. S., 655, 661–662, and cases cited.)

As we deem that it has no relevancy to the power of Congress to deal with a subject not within its constitutional authority—that is, the taking of sponges within the exclusive jurisdiction of a State. (223 U. S., p. 177.)

In Lee against State of New Jersey, Two hundred and seventh United States, 67, plaintiffs in error were convicted for dredging upon certain oyster beds contrary to the statute of New Jersey.

The court, by Justice Day, in rendering the decision, said:

It is the contention of the plaintiffs in error that this statute violates the right of free navigation and undertakes to regulate interstate commerce in violation of section 8, Article I, of the Federal Constitution, and deprives the plaintiff in error of the rights secured by the fourteenth amendment.

The power of the State to regulate the oyster industry, although the same is carried on under tidal waters in the State, is not contested and could not successfully be. (Smith *v.* Maryland, 18 How., 71; McCready *v.* Virginia, 94 U. S., 391; Manchester *v.* Massachusetts, 139 U. S., 240.)

Why has not the State the same right to regulate its water powers?

Water power as well as fisheries are public rights under State control.

In Holyoke Water Power Co. *v.* Lyman (82 U. S., 153), in rendering the opinion Mr. Justice Clifford said:

Rivers, though not navigable even for boats and rafts, and even smaller streams of water, may and often are regarded as public rights, subject to legislative control, as the means for creating power for operating mills and machinery, or as the source for furnishing a valuable supply of fish, suitable for food and sustenance. Such water power is everywhere regarded as a public right, and fisheries of the kind, even in waters not navigable, are also so far public rights that the legislature of the State may ordain and establish regulation to prevent obstructions to the passage of the fish and to promote the usual and uninterrupted enjoyment of the right by the riparian owners. * * * Water rights of the kind, whether the streams are used for mill purposes or merely as fisheries, are justly entitled to public protection, as they are in many cases of great value to the community where they exist.

CONCLUSION TO BE DRAWN FROM FISHERY DECISIONS.

The conclusion to be drawn from these decisions is that the people of the separate States actually reserved, subject to the commerce clause of the Constitution of the United States, substantial property rights in their waters, that can not be disparaged except by the paramount right to control navigation, and unless power development has some substantial relation to the improvement of navigation as a legitimate object, such development is a property right, the gains belonging to the people of the several States. Any other interpretation would make the reservation, referred to by the Supreme Court, of the beds and waters by the States a vain, empty, and worthless reservation, leaving to the States, perhaps, the scenery of our mountain streams and navigable rivers. Is it reasonable that the framers of the Constitution, jealous of the rights of the people of their respective sovereignties, contemplated such a bootless reservation when they declared in Article IX of the Constitution:

The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.

That our navigable rivers are the highways of commerce, subject to the paramount control of Congress as to navigation, no one will deny. Congress may prevent the obstruction of the rivers in the interest of navigation. In many of our best rivers for fish it is necessary to place therein to catch the fish all kinds of obstructions, such as piling for fish traps and other kinds of stationary gear. In the Columbia River there are many miles of such piling driven into the bed of the river. The Secretary of War, under authority of Congress given him to control navigation, requires that such piling be so located as not to interfere with navigation. No one has ever suggested that this control of navigation gives the Government the right to exact rentals for the privilege of catching the fish, which, according to the decisions of the Supreme Court, are the property of the people of the State. Many million dollars' worth of fish are yearly caught in our navigable rivers, necessitating the placing therein of more obstructions than ever will be necessary for power development.

The seeker for Federal revenues has overlooked this ample source of revenue. Yet, if water-power resources are legally subject to a Federal rental, then our fisheries are subject to such revenue. If we are searching for revenues under the pretext of controlling navigation, do not overlook the wharves and docks encroaching on the waters of our navigable rivers, lakes, and harbors. Considering these wharves and docks, what a plenteous, copious, and affluent source of Federal revenue would not a trip on the Great Lakes disclose. Then down the Mississippi, on the Ohio and Missouri Rivers, a trip to the Gulf of Mexico, up the Atlantic coast line, then in New York Harbor. These are all waters subject to the commerce clause of the Constitution and to control by the Government in the interests of navigation.

If our water highways of commerce are subject to this Federal rental, why not exact a charge for any garage, hotel, or other structures or public convenience abutting any of our interstate highways, canals, or railroads?

All such highways of commerce are subject to the control given Congress in the commerce clause of the Constitution, for,

as one writer states, the commerce clause was written in the days of the stagecoach. Judge Washington, in the case of Corfield against Coryell, which I have referred to, says "commerce includes all the means by which it can be carried on, whether by the free navigation of the waters of the several States or by a passage over land through the States, where such passage becomes necessary to the commercial intercourse between the States."

Judson, on Interstate Commerce, writing on the instrumentalities of commerce, quotes the language of the Supreme Court:

> They extend from the horse with its rider to the stagecoach, from the sailing vessel to the steamboat, from the coach and steamboat to the railroad, and from the railroad to the telegraph, as these new agencies are successively brought into use to meet the demands of increasing population and wealth. They were intended for the government of the business to which they relate at all times and under all circumstances.

Justice Brewer on the power of the General Government over natural and artificial highways:

> It may be suggested that the cases are not parallel, in that in the present there is a natural highway, while in that suggested it is wholly artificial. But the power of Congress is not determined by the character of the highway. * * * The power * * * springs from the grant of power to regulate commerce.
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> We are so much accustomed to see artificial highways, such as common roads, turnpike roads, and railroads, constructed under the authority of the States and the improvement of natural highways carried on by the General Government that at first it might seem that there was some inherent difference in power of the National Government over them. But the grant of power is the same. There are not two clauses of the Constitution each separately applicable to a different kind of highway. The fee of the soil in neither case is in the General Government but in the State or private individuals. The differences between the two are in their origin—nature provides the one, man establishes the other. (Monongahela Navigation Co. *v.* United States, 148 U. S., 342.)

Mr. WALSH. Will the gentleman yield for a question?

Mr. SINNOTT. Certainly.

Mr. WALSH. Is it the gentleman's contention that Congress would have the power to control the navigable streams in other respects, but if it seeks to control them with respect to water power that any revenues derived therefrom should go to the State?

Mr. SINNOTT. It is my contention, over and above the administration expenses. My contention is that water powers on navigable streams belong alone to the State, subject to the dominant control of Congress concerning navigation.

Mr. WALSH. But, if the gentleman will permit there, if that be so, of course Congress would have the power so to frame the administrative regulations or statutes as to preclude there being any revenue for the States, would it not?

Mr. SINNOTT. Then the States would step in and exact the revenue themselves. Congress could not preclude the State from collecting rentals.

Mr. WALSH. Well, are they inhibited from doing that under this bill?

Mr. SINNOTT. Are the States inhibited?

Mr. WALSH. From stepping in if this bill becomes a law?

Mr. SINNOTT. They are not legislatively, but as a practical proposition they may be. If rentals are exacted too high above the necessary administration expenses it may make the water powers too expensive. It will increase the price to the consumer, and in that way it will make them, in a great many cases, practically prohibitory. That is what I am objecting to. The charge should be limited in the bill.

It is argued that the decision of the Supreme Court in the case of United States against Chandler-Dunbar Co. is authority for a Federal rental of water power. In that case the United States had secured by condemnation the riparian lands, had itself constructed the dam to improve navigation, and also created the power. Under these circumstances it was that the court declared:

> If the primary purpose is legitimate, we can see no sound objection to leasing any excess of power over the needs of the Government.

This case is certainly not authority for the general leasing by the Federal Government of our water-power resources.

In connection with the Chandler-Dunbar case, it is well to keep in mind the statement of Justice Marshall in Cohens against Virginia, Sixth Wheaton, and since reiterated in numerous decisions:

> It is a maxim, not to be disregarded, that general expressions, in every opinion, are to be taken in connection with the case in which those expressions are used.

It is further argued that inasmuch as Congress has the right to control commerce and for that purpose has the control of navigation in our navigable streams, its will is supreme, even though under the pretext and guise of controlling navigation it exacts rentals that amount to a practical confiscation of the reserved rights of the State in its water resources.

Were that the law it would be inequitable to enforce it.

> O, it is excellent
> To have a giant's strength, but it is tyrannous
> To use it like a giant.

But it is not the law; the power to regulate commerce did not divest the States of the control of their local affairs.

A similar contention of the supremacy of the control of commerce was made in the recent child-labor case, decided last June. The decision of the Supreme Court is an answer to the argument that the commerce clause of the Constitution has no limits.

In the child-labor-law case Mr. Justice Day, delivering the opinion of the court, said:

> The grant of power to Congress over the subject of interstate commerce was to enable it to regulate such commerce, and not to give it authority to control the States in their exercise of the police power over local trade and manufacture. * * *
>
> The control by Congress over interstate commerce can not authorize the exercise of authority not intrusted to it by the Constitution. (Pipeline case, 234 U. S., 548, 560.) The maintenance of the authority of the States over matters purely local is as essential to the preservation of our institutions as is the conservation of the supremacy of the Federal power in all matters intrusted to the Nation by the Federal Constitution.
>
> In interpreting the Constitution it must never be forgotten that the Nation is made up of States to which are intrusted the powers of local government. And to them and to the people the powers not expressly delegated to the National Government are reserved. (Lane County *v.* Oregon, 7 Wall. 71, 76.) The power of the States to regulate their purely internal affairs by such laws as seem wise to the local authority is inherent and has never been surrendered to the General Government. (New York *v.* Miln, 11 Pet., 102, 139; Slaughterhouse cases, 16 Wall., 36, 63; Kidd *v.* Pearson, supra.) To sustain this statute would not be, in our judgment, a recognition of the lawful exertion of congressional authority over interstate commerce, but would sanction an invasion by the Federal power of the control of a matter purely local in its character and over which no authority has been delegated to Congress in conferring the power to regulate commerce among States.
>
> We have neither authority nor disposition to question the motives of Congress in enacting this legislation. The purposes intended must be attained consistently with constitutional limitations and not by an invasion of the power of the States. This court has no more important function than that which devolves upon it the obligation to preserve inviolate the constitutional limitations upon the exercise of authority, Federal and State, to the end that each may continue to discharge, harmoniously with the other, the duties intrusted to it by the Constitution.

NO NEED OF CONFLICT.

There need be no conflict between the right of the General Government with regard to navigation and the right of the State to its water resources; each can be exercised with due regard to the other; and it is our duty as legislators, representing State and Nation, to see that this equitable principle is enforced.

But rather than see these vast and valuable resources going to waste, I am willing to make concessions. I want development, whether that development is by State or Nation or half State and half Nation. I feel in the frame of mind Lincoln was in when he wrote to Greeley and said:

> What I do about slavery and the colored race, I do because I believe it helps to save the Union; and what I forbear, I forbear because I do not believe it would help to save the Union.

So what I do in this matter I do because I believe it helps to save this waste; it helps to bring about development of one of our greatest resources. What I forbear I forbear because I do not believe it would help to bring about development.

OREGON'S INTEREST.

No section of the country has a greater interest in legislation that will promote water-power development than the States in the Columbia River basin. Here is one-third of the potential 60,000,000 horsepower estimated to be in the United States. "Millions of horsepower in 'white coal' are here going to waste" is the language of the State engineer of Oregon, John H. Lewis, who has done much to awaken interest in the water powers of Oregon and the Columbia River drainage basin. His Bulletin No. 5 is a valuable collection of facts concerning the water powers of that region. It may be obtained by addressing him at the State capitol, Salem, Oreg.

DESCHUTES RIVER.

Water-Supply Paper 344 of the United States, prepared by the Geological Survey in cooperation with the State of Oregon, is another valuable compilation of facts concerning one of the most unique rivers in the United States.

From Benham Falls to the mouth of the Deschutes, at its junction with the Columbia River, a distance of 180 miles, the Deschutes River has a fall of 4,000 feet; at Benham Falls the minimum flow is approximately 1,500 second-feet; in 12 miles from Benham Falls it drops 600 feet. In the last 111 miles the Deschutes River, rushing in a gorge 1,000 feet deep, drops 1,400 feet and has a minimum flow of 5,000 second-feet; 5,000 second-feet would require a conduit about 70 feet wide and 70 feet deep flowing a foot a second. This drop of 1,400 feet is in a distance of 21 miles less than the distance from Washington to Philadelphia by the Pennsylvania Railroad.

The flow of this river is constant and dependable and in the last 111 miles is 2,000 second-feet more than the dependable flow of the Potomac River at Chain Bridge in the District of Columbia. In this distance of 111 miles on the Deschutes River 504,000 horsepower can be developed, almost equaling the present development at Niagara, which is 540,000 horsepower.

The development of this power on the last 111 miles of this river would permit the irrigation of from 300,000 to 500,000 acres in the upper stretches, with the aid of storage reservoirs, with little impairment of the power possibilities on the lower river, for the slope of the country and the substrata is such that the water will return by seepage to the lower river.

Water-Supply Bulletin No. 344 of the United States Geological Survey pronounces this river as the most remarkably uniform in flow of any other river in the United States comparable with its size " and its economic value almost incalculable."

Fancy a river almost double the dependable volume of the Potomac, with a fall of 1,400 feet between the cities of Washington and Philadelphia, capable of developing 504,000 horsepower, idle on account of our failure to enact legislation to encourage development.

State Engineer Lewis, to whose reports I am indebted for many of my figures, says that " something like 3,300,000 horsepower is now running to waste in Oregon. To produce this power, steam engines would consume 36,000,000 tons of coal annually, which, at $4 a ton, would be worth $144,000,000."

But with this difference, the coal would be consumed, but the water power or " white coal " is never consumed but will serve mankind forever.

From the Deschutes Valley may be seen lofty snow peaks of perpetual snow from 7,000 to 12,000 feet, rearing to the heavens their mantle of white to give assurance of perpetual waters, the gift of Providence. Are we wise enough to enact legislation to take advantage of such a bounty?

THE DALLES POWER.

At The Dalles, on the Columbia, is one of the most colossal power possibilities in the world. I have brought to the House to show the membership a picture of this site. This small picture, 6 inches by 8½ inches, was enlarged by Glenn M. Hauté, the photographer of the Reclamation Service, to 20 inches by 3½ feet. This narrow channel you see here is about 150 feet wide; directly above it the river is, at low water, as you see it now, 1,600 feet wide. Through this narrow channel the river flows with great velocity. The river, as you see it in this picture, flows about 50,000 cubic feet a second. For the benefit of those not familiar with the term cubic feet, used in water measurements, I should explain that a cubic foot a second is commonly called a second-foot; it is a body of water a foot wide, a foot deep, flowing at a velocity of 1 foot a second. A second-foot falling 8.80 feet creates 1 horsepower.

Mr. STAFFORD. Will the gentleman yield?

The CHAIRMAN. Will the gentleman from Oregon yield to the gentleman from Wisconsin?

Mr. SINNOTT. Certainly.

Mr. STAFFORD. Will the gentleman advise the committee as to the industrial establishments that can utilize this tremendous undeveloped horsepower?

Mr. SINNOTT. Well, it can be used by many industries; also in the fixation of nitrogen and various chemical processes. We have driven such industries to Canada.

The minimum flow of water for the past 20 years through this narrow channel has been over 50,000 second-feet; that is, a body of water approximately 225 feet wide and 225 feet deep continuously flowing at the rate of 1 foot a second. This Hall of the House of Representatives is 36 feet deep from the ceiling overhead to the pit in front of the Speaker's stand and it is 93 feet wide.

It would take a conduit approximately 1,300 feet wider, or fourteen times wider, than this Hall, and of the same depth from the ceiling to the floor, to carry the low-water flow, running a foot a second, at this point on this picture.

The drainage area of the water flowing through this narrow gorge is 237,000 square miles, five times the area of the State of New York. At high water the flow has reached 1,170,000 second-feet.

With a dam 25 feet high on top of these bluffs I am pointing to, a drop of 105 feet would be secured one and a half miles below, at the Big Eddy. This would develop 800,000 horsepower for 8 months of the year and 480,000 horsepower for the entire 12 months.

The report shows that 600,000 acres of arid lands could be irrigated by aid of this project.

The State of Oregon and the United States have made very extensive investigations of this power site, each spending $15,000 for that purpose. The results of that investigation are set forth elaborately in this large printed report which I hold in my hand. It contains 118 pages.

This report shows available for 12 months 480,000 horsepower; for 11 months, additional power, 120,000 horsepower; for 10 months, additional power, 100,000 horsepower; for 8 months, additional power, 100,000 horsepower. Primary and secondary total horsepower of 800,000 for 8 months.

The primary power here could be sold for $9.02 per horsepower if financed at 3 per cent, for $10.35 if financed at 4 per cent, and $15.15 if financed at 6 per cent.

If the surplus power over the primary 480,000 horsepower could be sold at rates equivalent to 80 per cent of the value of the primary power for 11 months' service, 60 per cent for 10 months', and 30 per cent for 8 months' service, the selling price of primary power would be reduced to $6.63 horsepower financed at 3 per cent, $7.85 at 4 per cent, and $11.02 at 6 per cent.

The first cost for water-power development at the great hydroelectric plant at Rjuken, Norway, according to H. J. Pierce, a well-known expert, is $9.37 per horsepower. He says the cheapest price in Europe is $12 per horsepower.

Forty miles below The Dalles on the Columbia River, at the Cascade Falls, is another power site where 200,000 continuous horsepower can be created. This latter project is highly recommended by State Engineer Lewis as the most logical for early construction. His Bulletin No. 5 contains tentative plans and estimates of more than a score of projects capable of developing 2,000,000 horsepower.

IN A FUTURE AGE.

I do not suppose any engineer would be rash enough to indulge in the speculation I am going to indulge in, but no one can safely forecast the future or what the demands of a future age may be when a greatly multiplied population will occupy the Columbia River basin.

I call your attention in this picture to the hills on the Washington shore; we call them hills in the West. Those hills are about 2,000 feet high; these bluffs I am pointing to are solid basaltic rock bluffs several hundred feet high. On the Oregon side of the river are similar hills to those you see on the Washington shore. Between those bluffs a dam could be constructed, at least 500 feet high, that would develop over 3,000,000 horsepower, almost one-half the Nation's present hydroelectric development.

Mr. JOHNSON of Washington. How far is it from this possible water power to the point where the city of Portland secures its water power?

Mr. SINNOTT. It is less than 100 miles from there to Portland. You can supply Spokane, Seattle, Portland, and Takoma and all those sections from this one power—all Oregon, Washington, and parts of Idaho.

Mr. JOHNSON of Washington. Except those cities will be supplied from other sources, too. The city of Portland has its supply from the White Salmon River.

Mr. SINNOTT. Some of it.

Mr. GILLETT. Will the gentleman yield?

Mr. SINNOTT. I will.

Mr. GILLETT. How high would this dam be? The dam contemplated in the report was 25 feet. This would give a fall of 105 feet in 1½ miles.

Mr. SINNOTT. You can have a dam here of 400 feet. That would back the water up to Hermiston. Of course, that is not going to be contemplated for generations; but the possibility is there, and when they estimate our water-power resources a project like that is never figured on.

Mr. WALSH. Will the gentleman yield?

Mr. SINNOTT. Yes.

Mr. WALSH. With what project was this Government investigation made?

Mr. SINNOTT. It was made by the Reclamation Service and the State of Oregon.

Mr. WALSH. How many years ago?

Mr. SINNOTT. About four years ago.

Whether this larger dam, 400 or 500 feet, will ever be essayed, time only will tell; the possibility is there. Balboa's vision, slighted by his emperor, of a canal connecting the two oceans, took 400 years to become a reality. Others had the same vision, who—

> * * * like stout Cortez, when with eagle eyes
> He stared at the Pacific, and all his men
> Looked at each other with a wild surmise,
> Silent upon a peak in Darien.

If some future age, " where rolls the Oregon," finds itself coalless, it may venture on this gigantic undertaking and develop the possible 3,000,000 horsepower latent in the stream at this point. Such a project with its dam would make a lake from one to sev-

eral miles wide and some 80 miles in length, to some point below Hermiston, where the elevation is 458 feet. Such an immense storage lake perhaps would vitally and beneficially affect the climate and rainfall of the arid sections of eastern Oregon and Washington. Apart from the railroads on the two banks of the river, the lands that would be submerged, in comparison to the direct and indirect advantage of this colossal project, may in a future age be considered of relatively little value.

However, the economics of this great water power must be left to "the never ending flight of future days."

It is at least a possibility that affords interesting speculation.

Mr. SIMS. May I interrupt the gentleman there?

Mr. SINNOTT. Yes.

Mr. SIMS. Is this location on public land or on State land?

Mr. SINNOTT. There is not any public land there. This is a navigable stream. There may be a little bit of public land, but I think there is practically none.

Mr. SIMS. Is it navigable above this narrow space?

Mr. SINNOTT. There are several miles of locks along here, and this dam would remove a number of those obstructions and dispense with a part of the canal.

COAL AND OIL SHORTAGE.

Mr. Chairman, the Fuel Administration estimates our coal consumption for 1918 at 710,000,000 tons. One annual hydroelectric horsepower would save 10 tons of this coal; our 60,000,000 estimated water power would, if only partially utilized, relieve the coal situation. The President, conscious of our coal shortage, has extended special consideration to the coal miners in the draft classification to encourage production. Our coal consumption for this year will exceed last by 14.4 per cent if this increase continues, or even the normal increase of 7 per cent per annum. A noted expert tells us, basing his figures upon the coal estimates of the United States Geological Survey, that the time is in sight when we must cut down our rate of increase of coal consumption. The oil consumption for 1916 was 312,000,000 barrels, production 296,000,000, a deficiency of 16,000,000 barrels. For 1917 it was estimated there would be an oil shortage of 70,000,000 barrels.

With our water power developed we need have no concern for our fuel supply, either of oil or coal.

This Aladdin's genii of exhaustless electric energy, dormant and locked up in our mountain streams and rivers, should be released to dispense light, heat, and energy for mankind.

Let us release the legal shackles from our water powers and put on the harness of industry. We are mobilizing our man power, let us mobilize our water power and reduce the drain on our oil and coal. Wise and considerate legislation will accomplish this object.

Make it easier for the manufacturers to obtain cheap power, and cities and villages will grow up along our streams. Make it easier for the irrigationist to obtain power, and millions of acres of arid lands now producing nothing but sagebrush and cactus will spring up in farms of grain, alfalfa, and other food products.

This bill, if enacted into law, will help accomplish these blessings.

It offers opportunity to municipality, State, Nation, or private capital to minister to our comforts.

I wish to discuss two important features of the bill: First, the definition of navigable waters; second, net investment and fair value.

DEFINITION OF NAVIGABLE WATERS UNSOUND.

I wish to call the attention of the House to a paragraph that I think should be eliminated; that is, the definition of navigable waters in section 3, which defines navigable waters:

"Navigable waters" means all streams or parts of streams and other bodies of waters or parts thereof over which Congress has jurisdiction under its authority to regulate commerce with foreign nations and among the several States.

This definition of navigable waters is neither true in fact nor in law. The consequences of such a definition, if we could so define navigable waters, no one can forecast.

This definition, if valid, might change many titles and rules of property.

Only last March an important decision was rendered in the District Court of the United States for the Western District of Oklahoma in the case of the United States, as trustee for the Osage Indians, against an oil company. The case was decided by Judge Cotteral. It involved the ownership by the Osage Indians of valuable oil lands in the bed of the Arkansas River. The oil company leased the oil lands from the State. The State claimed ownership of the leased land on the ground that the river was a navigable river. The court held the river to be nonnavigable and decided the title in favor of the Indians.

Yet this Arkansas River, at the point in question, is under the jurisdiction of Congress, under its authority to regulate commerce, to preserve the navigability of the navigable parts of the river below the point in controversy. Under the definition of navigable waters in this bill the Indians would have lost their oil lands.

All the nonnavigable tributaries of navigable streams are under the jurisdiction of Congress, to preserve the navigability of the main stream. Congress in the act of March 3, 1899, assumed jurisdiction over such nonnavigable tributaries when it prohibited in section 13 of that act the depositing or throwing into the tributaries of any navigable river of any refuse matter which could float or be washed from the tributary to the navigable water. The act of March 3, 1899, also provides that before any bridge may be constructed across navigable water consent of Congress must be obtained, or else consent of the Secretary of War, at a penalty of from $500 to $2,500, with or without imprisonment. Now, if all these tributaries of navigable streams are to be classed as navigable waters, as they will be under this definition in section 3, before the local county officials can bridge their mountain streams they will be compelled to seek the consent of Congress or the Secretary of War.

If this definition of navigable waters in section 3 obtains no irrigation dam can be put in any of our mountain streams tributary to navigable waters until the approval of the Secretary of War and the Chief of Engineers is obtained.

Surely all this embarrassment should not be put upon the local community desiring to bridge the tributary streams or to place therein irrigation dams. As a matter of law Congress has no right, in my opinion, to so define navigable waters if the ordinary incidents of navigable waters are to follow. The Supreme Court has repeatedly decided that waters are navigable in law which are navigable in fact. It is beyond the power of Congress to change this well-settled rule of law and property. Many rights of property have been built up under the definition laid down by the Supreme Court. It certainly would be very unwise for us to try to change the well-accepted definition of navigable waters.

On this question I quote from the United States against Cress, Two hundred and forty-third United States:

Many State courts, including the court of appeals of Kentucky, have held, also, that the legislature can not by simple declaration that a stream shall be a public highway, if in fact, it be not navigable in its natural state, appropriate to public use the private rights therein without compensation. * * * This court has followed the same line of distinction. That the test of navigability in fact should be applied to streams in their natural condition was in effect held in the Daniel Ball (10 Wall., 557), a case which turned upon the question whether Grand River, in the State of Michigan, was one of the "navigable waters of the United States" within the meaning of acts of Congress that regulated vessels carrying merchandise and passengers upon such waters. Mr. Justice Field, speaking for the court, after showing that the tidal test was not applicable in this country, said (p. 563): "A different test must, therefore, be applied to determine the navigability of our rivers, and that is found in their navigable capacity. Those rivers must be regarded as public navigable rivers in law which are navigable in fact. And they are navigable in fact, when they are used, or are susceptible of being used, in their ordinary condition, as highways for commerce, over which trade and travel are or may be conducted in the customary modes of trade and travel on water."

NET INVESTMENT AND FAIR VALUE.

One of the most controverted features of the bill involves the question as to whether or not, on the recapture of the power project under section 14, there shall be paid therefor the net investment of the licensee in the property or the fair value of the property. The committee voted in favor of the net investment idea. The gentleman from Oklahoma [Mr. FERRIS] has filed a minority report favoring "fair value" as a measure of payment on recapture.

MINORITY REPORT.

In justice to the committee it must be said the minority report is hardly fair to the committee. It would not be too captious or critical to say that the minority report is actually disingenuous. At least, it is not frank. The minority report sets forth the recapure clause of the original bill as the one agreed upon by Secretaries Lane, Baker, and Houston.

This contains the fair-value plan which the author of the minority report [Mr. FERRIS] supports in opposition to the net-investment plan. He sets forth in the report "recapture proposal known as the 'net-investment amendment,' as provided by the majority members of the committee"; if the inference is sought to be conveyed that the net-investment plan orignated with the committee, in opposition to the plan of fair value first proposed by the three Secretaries, then the inference is not warranted by the facts. The proof of the matter is that the "net-investment" plan was communicated to the committee by the three Secretaries. They appeared before the committee in support thereof. Their letter communicating the net-investment amendment is on page 29 of the report. Secretaries Baker and Houston both appeared before the committee in support of this amendment, the net-investment plan.

As the gentleman from Minnesota [Mr. ANDERSON] intimated, I sometimes have misgivings as to whether the gentleman from Oklahoma [Mr. FERRIS], with his usual courtesy to members of the committee, is entirely responsible for that report. It is not frank——

Mr. FERRIS. I will relieve the gentleman's embarrassment about that by saying that I drew the report. Wherein does the gentleman——

Mr. SINNOTT. If the gentleman will let me go ahead I shall give attention to it.

On page 466 of the hearing is Secretary Lane's letter in support of "net investment."

On page 44 of the minority report the inference is left that land, good will, and intangible values are to be paid for under the net-investment plan.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SINNOTT. Will the gentleman from Wisconsin yield me 15 minutes more?

Mr. ESCH. Yes; I yield to the gentleman 15 minutes.

The CHAIRMAN. The gentleman from Oregon is recognized for 15 minutes longer.

Mr. SINNOTT. If this is not the inference designed to be left, I am at loss to understand why the following insinuating language is found on page 44 of the minority report:

> Thus it will be observed that on each occasion the House of Representatives provided that at the expiration of the term the developer should be paid the fair value for his property and no more. Thus it will be observed that on each occasion they provided that in no instance should lands, good will, etc., be paid for in the event of retaking. By consulting the CONGRESSIONAL RECORD it will be observed that each of the four times when water-power bills have passed the House of Representatives an attempt to tamper with or override this well-defined principle as to a correct recapture clause has been voted down overwhelmingly, emphatically, and to such an extent that it would seem that the matter should have been put at rest. By a consultation of the CONGRESSIONAL RECORD it will be observed that when these bills were finally passed on each of the four occasions above mentioned they passed by practically unanimous vote and without any discussion or objection from any source.

This language is very misleading if it is to be understood therefrom that the elements of value heretofore excluded in former legislation are to be included in the net-investment plan. On the contrary, the net-investment plan specifically provides for the exclusion in the payment on recapture of all intangible values, the exclusion of the value of any lands, rights of way, or other property of the United States, the exclusion of good will, going value, or prospective revenue. Without the explicit exclusion in the bill the very definition of "net investment" contained in the "classification" of the Interstate Commerce Commission would exclude them. The exclusion in the bill is mere surplusage. None of these elements of value are taken into consideration in the recapture provision of section 14. I can not think that the author of the minority report intended the obvious inference in the language which I have quoted from page 44, for every property value, every intangible element, excluded under the "fair value" plan is likewise excluded under the net investment plan, except under the net investment plan a different treatment is accorded depreciation.

In view of this I am at loss to know why this language I have quoted was inserted on page 44. I am at loss to know why a constant reference is made in the minority report to the fact that the "net investment" idea was not in the administration bill, that it has been accomplished by an amendment added to the administration bill. Four times reference is made to the administration bill, leaving the inference or implication that the net investment idea is in conflict with the administration plan. The fair value recapture clause "agreed upon by Secretaries Lane, Baker, and Houston" is referred to. The "recapture proposal, known as the net investment amendment, as provided for by the majority members of the committee," is referred to. Why these repeated insinuations? Are they calculated to prejudice the House or are they mere inadvertencies? I know of no better way of getting the views of the Secretaries on the "net investment" plan than by listening to their testimony and reading their letters in favor of this plan. This I have done. I know of no better way—at least for a Republican—to learn whether or not a bill or an amendment is an administration measure than to find that it has the approval of three members of the President's official family and Cabinet—the Secretaries of War, of the Interior, and of Agriculture. I hope that no one in the House will be misled by the devious language in the minority report.

The minority report refers, with evident approval, to the principles heretofore adopted by the House to govern payment on recapture. I doubt if the author himself, in the light of the further study we have all given to this matter, would now approve, unqualifiedly, the very provisions he seemingly approves. For instance, the recapture clause of the Ferris water-power bill which passed the House August 24, 1914, set out on page 42 of the minority report, would allow, in payment on recapture, for the appreciation in value of structure and fixtures erected, machinery and transmission lines, and for appreciation in value of all other property taken over, save rights of way, water rights, lands, and interests therein; franchise, good will, or profits to be earned on pending contracts, or any other intangible element was not to be considered, but appreciation in value of all other property, with the exceptions mentioned, was to be paid for.

The recapture clause of the Ferris bill which passed the House on January 8, 1916, is set forth on page 42 of the minority report.

This clause would allow for the appreciation of lands other than public lands and rights of way, also for appreciation of structures and fixtures, machinery, and transmission lines, also for the value of "going concern," often an important element of value.

In the case of the city of Denver against Denver Water Co., decided by the Supreme Court of the United States last March, "going value" on the company's plant was allowed at $800,000.

The Adamson bills of August 4, 1914, and July 14, 1916, are set out on page 43 of the minority report. Both of these would allow payment for increases or appreciation in value of machinery, fixtures, transmission lines, and structures. In the latter bill appreciation could not carry the value beyond actual cost. All of these matters are excluded in the net investment plan; some of them, as I shall hereafter show, are still retained in the "fair-value" plan favored by the minority report. I say this not captiously, for these are all matters that require the most careful study and scrutiny and were generally inadvertently overlooked by the House when they were considered before. But these former bills should not, in the light of the information we now have, be held up as models of legislative integrity, and another and better plan, originating with and supported by Secretaries Lane, Baker, and Houston, stigmatized as "an attempt to tamper with or override this well-defined principle as to a correct recapture clause."

The attempt "to tamper with and override" has served a good purpose; it is to be commended, not censured.

"VALUE" UNSCIENTIFIC AND UNCERTAIN.

Secretary Baker, on page 673 of the hearings, stated that "net investment" was "a clearer definition of exactly the same intention as had been expressed in the original phrases." Secretary Houston, on page 651, said that the use of the phrase "net investment" instead of "fair value" would make it more certain what the Government would pay and more certain what the licensee would receive. On page 659 he said the difference is one of "definiteness and clearness"; that under the amendment "both parties would know more clearly how to proceed." On page 694 Secretary Houston said "net investment would furnish a certain basis for the commission in establishing rates, which fair value does not. You would have to debate each time what was meant by 'fair value' and haggle over it."

On page 854 is set out Secretary Houston's letter of March 29, 1918, concerning the relative merits of "fair value" and "net investment." He wrote:

> The term "fair value not to exceed actual cost" is, at the best, indefinite. It was believed advisable, therefore, from the standpoint of the public interest as well as that of the private investor, to make this most important provision of the bill as definite as possible. The term "net investment" has accordingly been used. The maximum price that can be received in event of recapture under this definition is "the actual legitimate original cost" of the property taken. This amount may be considerably reduced by the subtraction to the extent they have been accumulated from earnings in excess of a "fair return" of the items specified in the definition, namely, unappropriated surplus, depreciation balances, amortization reserves, and amounts expended in extensions and betterments. Since this definition by its very language completely excludes from the purchase price every item named in lines 17 to 24 on page 21, those lines are mere repetition of language and were canceled. If there is any possible doubt on this point, the lines could be retained after changing "fair value," in line 17, to "net investment." The use of the term "net investment" made necessary the changes in lines 9 and 10 of page 21. I consider that the amended draft affords the most satisfactory basis for purchase from the public standpoint that has yet been proposed.

Secretary Houston was exactly correct in his analysis of these respective phrases.

No term in economics or jurisprudence has been more debated than the word "value." Its meaning and proper application have been the subject of endless disputation and litigation.

Courts and economic writers in vain have sought to free it from its ambiguity and unscientific character. I do not pose as an expert, but have had some little experience in eminent domain and other cases which taught me the wide and varied interpretation and application of the term "value," whether qualified as "fair value" or "market value," "intrinsic value" or "speculative," and so forth.

"Fair value" without any further limitations would permit the consideration of many tangible and intangible elements of property value. It permits appreciation to be considered, as well as depreciation, and one may offset, increase, or diminish the other. "Fair value," unqualified or unrestricted in meaning or application, varies with the case in which it is employed. It is a "jack-in-the-box" springing up at new and ingenious angles and with a different aspect each time. Its capers elude the most circumspect. Doubtless it was supposed to have been defined and shackled and circumscribed in the form appearing in the original bill, in the form now approved in the minority report. But there, defined and strait-jacketed as it is, it has a vigor and versatility Houdini-like.

We knew, as circumscribed in the original bill, we could lower "fair value" by depreciation, but we did not realize that we left him the vaulting pole of appreciation to raise himself as high, at least, as the bar of actual cost.

To be more explicit, section 14 of the original bill, as printed in the minority report, provided for the United States taking over the project—

upon the condition that before taking possession it shall pay the fair value, not to exceed actual cost of property taken. * * * *Provided*, That such fair value shall not include or be affected by the value of any lands, rights of way, or other property of the United States, licensed by the commission under this act, by license or by good will, going value, or prospective revenues: *Provided further*, That the values allowed for water rights, rights of way, land, or interest in lands shall not be in excess of the actual reasonable cost thereof at the time of acquisition by the lessee.

In every decision involving "fair value" appreciation is allowed, as well as depreciation, the only limitation in paragraph 14, which I have read, on appreciation on structures, fixtures, transmission lines, and machinery, and perhaps on other property, is that appreciation shall not make the property valued exceed actual cost. You may have a plant costing $1,000,000 depreciated since construction $250,000, but on account of the increased cost of labor and materials so appreciated that it would cost $1,250,000 to reproduce. The increased cost of reproduction would offset the depreciation, and accordingly the Government would have to pay the $1,000,000 for the plant, the original cost, despite the $250,000 depreciation.

Nothing is said in the attempted limitation about not considering present profits, nothing about the State franchise, which may have appreciated in value. Is the limitation "not to exceed actual cost" applicable to the plant as a whole as an integer or to its component parts? All the factors of "fair value" inhere, unless stricken out, by the limitations of section 14.

The CHAIRMAN. The time of the gentleman from Oregon has again expired.

Mr. SINNOTT. How much time can I have?

Mr. ESCH. Ten minutes.

The CHAIRMAN. The gentleman from Oregon is recognized for 10 minutes more.

Mr. SIMS. How much time was yielded first?

Mr. ESCH. Fifteen minutes first and 10 minutes now.

Mr. SINNOTT. Who is wise enough to know that fair value is "cabined, cribbed, coffined, and confined," as we should like to have it? It is risky to try to place a new definition or interpretation on a well-known legal phrase.

In the Denver City Water case the city ordinance in its preamble recited that the water company was without a franchise. Judge Holmes held this to be true, and that for rate-making purposes the property might be considered junk, but the majority opinion held that the franchise could be considered.

Secretary Houston was right when he said "fair value not to exceed actual cost is at best indefinite"; that "the difference is one of definiteness and clearness."

Are you going to estimate fair value by original cost to date, less depreciation, or by reproduction cost now, less depreciation? It has been done both ways. Also market value as a going concern has been considered.

If by the reproduction method, will you allow $140,000, as was allowed by one master, for the estimated cost of taking up a city pavement to relay gas mains?

Fair value also furnishes the measure for rate regulations. Do you want to rehearse these questions every time there is a contest about rate regulation? Secretary Houston well said, "You will have to debate each time what was meant by fair value and haggle over it."

In the case of the City of Denver *v.* Denver Water Co., decided last March by the United States Supreme Court, in determining the value for rate purposes—

lands and water rights were appraised at their present market values; estimates of the cost of reproducing the structures were made, and from this cost allowance for accrued depreciation was deducted, so as to determine the reasonable value of the structures in their present condition; and in estimating the cost of reproduction, it was assumed that the work would be done under contract after fair competitive bidding and with reasonable costs for engineering and superintendence, in addition to the contract cost.

All this increased cost and appreciation of labor, materials, engineering, and superintendence above what it was when the plant was constructed went to offset the depreciation. The city of Denver and the water company haggled for four years, and after eight years the Supreme Court of the United States made the decision I have quoted.

Do we want such complications when we take over these plants? I certainly prefer the "net investment" plan, affording daily data and information for rate regulation, and immediate information of the net investment at the expiration of the license period.

The courts have always treated value for rate-making purposes differently from what they do for acquisition purposes. The minority report would have the same peg for a square and round hole.

In the Texas Midland valuation case, before the Interstate Commerce Commission, nearly 3,000 pages of briefs are on file, largely devoted to the argument as to the meaning of the term value as used in the act of Congress March 1, 1913; 8,224 pages of testimony were taken to determine the value of the Texas Midland road. All of this would be obviated under the net-investment plan.

Mr. Chairman, as I said, I do not claim to be an expert on valuation, but I have made some study of the subject.

One of the most noted experts in the United States is the present commissioner of interstate commerce, Clyde B. Aitchison. He was formerly one of the railway commissioners for the State of Oregon. While acting in that capacity he was selected by the valuation committee of the National Association of Railway Commissioners to act as its solicitor, to reside in this city of Washington. He was subsequently appointed by President Wilson interstate commerce commissioner, which position he now holds.

While solicitor for the valuation committee of the National Association of Railway Commissioners, Mr. A tchison prepared a brief on valuation, which I have had the pleasure of reading. He shows by numerous quotations from authors and court decisions the ambiguities and embarrassment inherent in the use of the term "value."

The first consideration in water-power legislation should be safeguarding of the public interest. After this, if development is had by private capital, with the right of recapture reserved to the public, fairness and definiteness as to the price on retaking should be provided. I am going to quote from Mr. Aitchison's brief certain observations of authors and courts on the term "value." The author states:

Value is a relative term, and when used for one purpose with respect to a public-utility property, identifies a different concept than when used for another purpose as to the same utility.

He adds:

That the term "value" was currently used by valuation experts and writers as representing different concepts, which varied with the purposes of the appraisal, abundantly appears.

He quotes from the 1911 report of the National Association of Railway Commissioners on "Railroad taxation and plans for ascertaining the fair value of railroad property":

We have shown, too, that the term "value" is meaningless unless made with reference to some particular purpose, and that any attempt to find a common single basis of valuation is futile. Progress toward a correct solution of any valuation problem can only be made by directing our thoughts solely toward the specific purpose involved.

He shows that valuation varies with the purpose, whether for taxation, accounting and capitalization, public purchase, or rate making.

Whitten on valuation is quoted:

As the valuation problem develops it becomes increasingly clear that the term "value" may be used in several different senses, and that what is value for one purpose is not necessarily value for another.

Another text writer is quoted in Hammond against Hayes:

It is therefore important in any comprehensive study of the question of values of property to determine how far the methods of valuation employed must be modified to produce the true present value for any one of these four purposes, i. e., rates, taxation, capitalization, public acquisition.

Many writers on this subject have contended that the fair present value of a property must be the same for whatever purpose such value may have been determined, and that in consequence there can be but one method by which the true present value can be obtained. That such is not the case will be apparent when the entire subject of valuation has been fully discussed.

Other experts are quoted:

It is evident to a student of railroad values that it may be quite reasonable to suppose that there may be different methods of arriving at value, depending upon the purpose of arriving at value, depending upon the purpose of determining the value. (Report on revaluation of railroads and canals, New Jersey, Charles Hansel, p. 44.)

The decisions of the Supreme Court and other tribunals on questions of valuation in the rate cases, where the question at issue is as to the reasonable return a corporation is entitled to receive under a public regulation of rates, must be distinguished from eminent domain and analogous cases, where a right of purchase of the property of public utility companies is exercised by municipalities under reserved contract rights, and also from cases of valuation for taxation where the ascertainment of relative value under construction of statutory standards is involved. (Interstate Commerce, F. N. Judson (2d ed.), sec. 124, p. 195.)

Mr. Aitchison writes:

There is not space for a present discussion of the senses in which the term "values" is used by economists as a technical term in their science. Since the days of Aristotle it has been recognized that it has been used in the world of industry in widely different meanings.

The author quotes Jevons:

I must, in the first place, point out the thoroughly ambiguous and unscientific character of the term "value." Adam Smith noticed the extreme difference of meaning between value in use and value in exchange; and it is usual for writers on economics to caution their readers against the confusion of thought to which they are liable. But I do not believe that either writers or readers can avoid confusion so long as they use the word. In spite of the utmost feeling of danger, I often detect myself using the word improperly, nor do I think that the best authors escape the danger.

He quotes from the Missouri Rate case, decided by the United States Supreme Court:

It may be that we may at some future date reach a condition where a single valuation of public-service property could be made to answer all governmental purposes. We have not yet reached that condition. In no case, so far as we are informed, has tax appraisement been accepted by the public utilities commission.

Is it credible that all the doubt and uncertainty expressed in these citations has been solved by the restrictive phraseology accompanying the term "fair value" in the original bill?

Have we any assurance that, guarded as it is, there do not still lurk in ambush elements of value to surprise and plague us?

The CHAIRMAN. The time of the gentleman from Oregon has again expired.

Mr. SINNOTT. Could I have 20 minutes more?

Mr. ESCH. Mr. Chairman, I yield to the gentleman 20 minutes more.

The CHAIRMAN. The gentleman from Oregon is recognized for 20 minutes more.

Mr. SINNOTT. It is apparent that a plan adopted and followed by the experts of the Interstate Commerce Commission rather should be followed than the empirical formula contained in the original bill.

I do not know how this term of wide and varied meaning is going to be interpreted by the courts, even hedged in as you think you have it hedged.

We thought we had the Ferris and Adamson water-power bills of 1914 and 1916 safeguarded, but we bungled.

In the Monongahela Navigation Co. case (148 U. S., 341) a case where the United States resumed the control of a river, the defendant company had a franchise to operate steamboats granted by the State. The United States contended that when it resumed control of navigation the State franchise was destroyed. The court held that compensation must be paid, saying "but it can no more take the franchise which the State has given than it can take any private property belonging to an individual."

In the face of the ingenuity of the courts to protect private property, are you satisfied that you have properly restricted this term in derogation of property?

A superficial acceptance of the meaning of the term "net investment" may lead some to think that every dollar invested in the property is to be returned at the end of the license period, and that obsolescence and depreciation are to be ignored in the recapture price. This is not the case. Especial consideration is given to these subjects in section 10, paragraph C, where the licensee is required to make necessary renewals and replacements for the obsolescence he is required to maintain depreciation reserves for that purpose. All of this is under the direct control and authority of the commission.

At the end of the term any sum in the depreciation reserve in excess of a fair return will be deducted from the net investment. There also will be deducted from the net investment unappropriated surplus, amortization reserves, expenditures for additions or betterments, in so far as they are accumulated from earnings in excess of a fair return. All this will be a matter of continuous current record under the direction and supervision of the commission provided for in this bill.

"Fair value" takes no account of these deductions, but at the end of the period deducts depreciation, to be ascertained, doubtless at the end of a long controversy or litigation, involving the vexatious questions of cost to date, less depreciation, and the further question of the legal interpretation of "fair value" as defined and limited. Also there will enter into the "fair-value" determination a dispute as to the proper assignment of various expenditures, whether to operating expenses or capital account, all matters of current record and adjustment under net investment, properly assigned and explained in the classification account of Interstate Commerce Commission. If the adequate depreciation reserves are maintained, as they are required to be under "net investment" for each unit of property, they will represent the difference between the first cost of that unit and the value of its remaining useful life, to be available by the Government on recapture, added to its other advantages.

Surely the certainty and definiteness accompanying "net investment" will result in cheaper interest in financing any project to be reflected in cheaper rates to consumer. While with "fair value," for the contrary reason, higher interest rates, and consequently higher rates to the consumer, will ensue.

For these reasons I believe the recapture price should be governed by the rules adopted by the Interstate Commerce Commission.

WHERE ROLLS THE OREGON.

Mr. Chairman, I want to see the development of the 40,000,000 horsepower accredited to the West, the 20,000,000 horsepower accredited to the Columbia River basin. It was there I was born, at The Dalles, at the end of the "old Oregon Trail," near the edge of what was once known as the Great American Desert. Here the beautiful panorama of the Columbia River spread before the pioneer. Here it was that the weary immigrant homeseeker, after months of toilsome trekking across the plains, "shook the depths of the desert gloom with his hymn of lofty cheer" as the Columbia came into view.

Here he embarked in the bateau of the Hudson Bay voyageur for the evergreen of the Willamette Valley.

THE INLAND SEA.

A great inland sea once covered eastern Oregon, Washington, and parts of Idaho, so geologists tell us, and immediately west of The Dalles it broke through the barrier of the Cascade Range in some titanic convulsion of nature.

The Indian legend is that Mount Hood and Mount Adams, once espoused, engaged in a mighty marital combat, whose struggles broke the mountain barrier, and the inland sea disappeared through the gorge of the Columbia.

The Indian's awe even now bears witness to the tribe's tradition. From his canoe, as he glides through the Columbia's gorge, he sees the two mythical mates of a Miocene age, Hood and Adams, now hiding behind the towering hills, ever and anon, through favorable gaps in the gorge, stealing furtive peeps each at the other.

It may be so. Perhaps the Indian "who sees God in the wind" witnessed some colossal cataclysm of nature. The surroundings bear evidence of the epochal. A broad river suddenly turns on edge at train speed, rushes through a gash in the lava flow. Palisades, a sheer thousand feet, dwarfing the Hudson's, rise from the water's edge. Giant causeways abound, dwarfing Erin's.

CRATER LAKE.

Southward, Crater Lake, "the sea of silence," cauldronlike and circular, 7,000 feet high, is perched amid the peaks. Perpendicular sides of slaggy lava rise over 1,000 feet from waters of indigo blue 6 miles across and 2,000 feet deep. To the scientist, a mighty volcano collapsed within itself, Mount Mazama, 15,000 feet high, telescoped.

To me a shell hole of a war of worlds. Who knows?

Could the great blind poet have seen this marvel ere his pen had Lucifer and his host of rebel angels—

Hurled headlong flaming from the etheral sky
With hideous ruin and combustion, down—

in Miltonic imagery here he'd have found the impact.

OUR RESERVOIRS.

Amphitheaterlike the hills rise and radiate from the Columbia to the cardinal points, hill piling on hill, rising in the blue-purple haze of twilight like billows, suddenly stilled on the crest, till the rim of the amphitheater and horizon from central Oregon is pillared with a dozen lofty, eternal, snow-capped peaks, once blazing beacons, now only reflecting above the dusk of the valleys, from lofty eminences of snow and ice, the soft pink glow of the setting sun as the day drops into the westward waters of the Pacific.

These snow caps eternal are our reservoirs.

THE HAND OF THE GREAT ARCHITECT.

Whether you look at the sublime landscape with the eye of the scientist or through the Indian's legendary lore you see how the hand of the Great Architect hewed for the future.

The waters, once slowly seeking the inland sea, now toss and tumble in cataracts from "the Cascade's frozen gorges," exhaustless in energy and power, awaiting man's will.

I have seen much of the development of this part of the West—the final retreat of the Indians to their reservations, the departure of the cattle baron, the advent of the sheepman, the coming of the homesteader, each contesting proprietorship.

Though we had many favored localities, we were wont to question the wisdom of the Master Hand that heaped the mountains when some sojourner told us of the easily tilled prairies of the corn belt. When he spoke of the copious rains and abundant crops of his home we envied that clime and questioned the wasteful hand of the Great Architect that scattered the immense arid and semiarid belts and plateaus of the great inland empire. We could see no Divine foresight or plan in the great depth of prolific and fertile volcanic ash, covering immense areas, devoid of all save a scanty rainfall, with snow-clad mountains pouring their inaccessible waters into deep gorges and canyons.

From a scenic standpoint all seemed majestic and sublime, but we felt we were surfeited with scenery. From the point of utility we would have improved on the designs of the Great Architect.

Our finite minds could not fathom the infinite purpose. We did not appreciate the "precious jewel" in all that seemed ugly and forbidding when pioneer-day material wants alone were considered.

The possibilities of "white coal" were way beyond the ken of the pioneer; they are almost beyond the scope even of our own imagination. But we have at last come to a realization of the rich resources the prodigal and bounteous hand of nature has placed at our disposal.

We are skeptics no longer.

The development, through the slow processes of the past, the requirement of countless acres for the bleating, lowing herds, the slow upbuilding of a frontier by the weary and intermittent toil of the homesteader with meager means to improve, the idle year of the summer fallow, the drought, the parch and shrivel of the eastern wind, will no longer be witnessed if we are wise enough to pass laws to put the turbine in our mountain torrents, the life-giving waters on our arid, thirsty soils.

Thus, and only thus, will His design be consummated "where rolls the Oregon." [Applause.]

Mr. Chairman, I am going to set out in the RECORD two or three examples, and in some of these cases you will find that on recapture the price paid under net investment is much below the price paid under the fair-value plan upheld and defended by the minority report. But I shall not further trespass upon the time of the House in going into those matters. This is such a big, broad subject, and it has so many ramifications to it, that it is almost impossible to discuss it in an entire day, and I appreciate the patience of the committee. [Applause.]

I append to my remarks the following:

Here are sets of tables showing comparison between the prices which will be paid for a property under the recapture provisions of the water-power bill, according to whether the price is based upon "fair value not to exceed actual cost," or upon "net investment."

The price to be paid on the "fair-value" basis will vary in proportion to the relative prices of labor and materials at the date of construction and at the date of recapture. The price to be paid on the "net-investment" basis will vary according to the prosperity of the business—that is, according to whether the licensee receives earnings which will permit of establishing depreciation and amortization reserves.

In all cases it is assumed that the original cost of the property is $5,000,000; that the accrued physical depreciation at the end of the license period is 20 per cent; that the "aggregate credit balance" of depreciation reserves is $1,000.000; and that the total of the amortization reserve when set up is also $1,000,000.

The figures for the "fair-value" basis assume three conditions: First, a 20 per cent increase in prices of labor and materials; second, no change in prices of labor and materials; and, third, a 20 per cent decrease in prices of labor and materials.

The figures on the "net-investment" basis assume three conditions: First, that depreciation reserves set up by the licensee are at the expense of a "fair return," and that no amortization reserves at all are established; second, that the licensee is able to earn a fair return in addition to maintaining the depreciation reserve, but does not earn enough to set up an amortization reserve; and, third, that the licensee is able to earn a fair return and to maintain both amortization and depreciation reserves.

Each of the three examples on the "net-investment" basis should be compared with each example under the "fair-value" basis; for example, when, under the assumption of constant prices, the licensee would receive $4,000,000 for his property on the "fair-value" basis, he might receive on the "net-investment" basis $5,000,000, $4,000,000, or $3,000,000, according to whether he had or had not been able to maintain depreciation and amortization reserves in addition to a fair return. Similarly, with the condition of rising prices, on a "fair-value" basis, the example given would require the payment of $4,800,000, while the price on the "net-investment" basis might be $5,000,000, $4,000,000, or $3,000,000. It by no means follows, therefore, that the "fair-value" basis of settlement is more favorable from the public standpoint. On the "fair-value" basis the licensee assumes all risk of loss and is not required to share any profits with the public; that is, it is on a wholly speculative basis. Under the "net-investment" basis, on the other hand, the element of risk is largely eliminated; and the public, which fixes, through its governmental agencies, the rate of return which a licensee may receive, will share in the profits of the enterprise if they exceed in any degree a fair return upon the investment.

The chief value of the "net-investment" basis, from the standpoint both of the licensee and the public, is the elimination of uncertainties and the reduction of the speculative element to the minimum. This means a less cost of capital, and, consequently, a less cost for the service.

In figuring these examples I have not taken into consideration the possibility of the court construing "fair value" more liberally than the construction its proponents place on it, but have accepted their construction.

I.

On basis of "fair value."

	A. Prices of labor and material increasing during license period.	B. Prices of labor and material unchanged through license period.	C. Prices of labor and material decreasing during license period.
Original cost of property	$5,000,000	$5,000,000	$5,000,000
Replacement cost of property	6,000,000	5,000,000	4,000,000
Accrued physical depreciation	1,200,000	1,000,000	800,000
Licensee will receive for property	4,800,000	4,000,000	3,200,000

II.

On basis of "net investment."

	A. Licensee unable to maintain depreciation reserves, except at the expense of "Fair return." No amortization reserves maintained.	B. Licensee able to earn "Fair return" and to maintain depreciation reserves in addition, but not to maintain amortization reserves.	C. Licensee able to earn "Fair return" and to maintain in addition both depreciation and amortization reserves.
Original cost of property	$5,000,000	$5,000,000	$5,000,000
Reserves in excess of "fair return" depreciation		1,000,000	1,000,000
Amortization			1,000,000
Licensee will receive for property	5,000,000	4,000,000	3,000,000

Mr. SIMS. Mr. Chairman, I yield to the gentleman from Oklahoma [Mr. FERRIS] such time as he desires to use.

The CHAIRMAN. The gentleman from Oklahoma is recognized.

Mr. FERRIS. Mr. Chairman, four times within the last six years the House of Representatives have passed water-power bills, two coming from the Public Lands Committee, of which I have the honor to be chairman; two coming from the Interstate and Foreign Commerce Committee, and each time they have contained, either as originally reported or pursuant to amendments made on the floor, the salient features of correct water-power policy. Whenever any of the salient features of the water-power policy were wanting in the bills as they came from the committee, the House of Representatives have promptly amended them, whipped the several bills into shape, and sent them to the Senate in proper form.

The salient features of a correct and adequate water-power policy are so well understood, so well marked out, that it is scarcely necessary to again recite them, but in the interest of clarity and in the interest of the fact that this bill by a committee amendment materially departs from a correct water-

power policy, it is well to again enumerate them. They are as follows:

First. No legislation, Executive order, or departmental ruling should permit the patenting or the title in fee to pass out of the Federal Government under any conditions. The fee title should be reserved in perpetuity to the United States.

Second. The dam sites should be leased for a period of time not longer than 50 years, without any entangling alliances or phrases difficult to understand on which the courts might quibble or debate as to the relative rights of the Federal Government and the lessee after the term has expired.

Third. The recapture provision should provide that all nonperishable property, such as land, water rights, dam sites, good will, and so forth, should go back to the Federal Government at actual cost, and that all perishable property in connection with the plant should come back to the Federal Government at the end of the lease at its fair value. In both cases the interest of the public is conserved and made certain.

Fourth. Strong, clear, well-understood provisions should be inserted in the lease contract for the revocation of the permit for a violation of the conditions thereof.

Fifth. Provisions should be inserted in the lease requiring diligence and prompt construction of the plant, so that the property may not be held for speculative purposes.

Sixth. A royalty or rental for the use of the dam sites and the property of the Federal Government should be required in all cases, except for municipalities which furnish current to consumers without profit.

Seventh. The Federal Government should at all times maintain its paramountcy and full control.

Eighth. Annual reports should be exacted from the power companies, so that the public might at all times know of their acts and doings.

Ninth. The Federal Government should reserve to itself full power to fix rates for service, capitalization, bond issues, and so forth, in interstate projects and, where there is no public utilities commission for this purpose, in intrastate projects.

Tenth. Each lease, permit, or consent of Congress should contain a provision that upon proof that any such permittees, lessees, or grantees have conspired to prevent the development of water power or to limit the output of already constructed plants the lease should be revocable in a court of competent jurisdiction.

Of the salient features just enumerated by me the one most important of all is what is commonly known as the "recapture clause." The recapture clause, of course, is that provision in the bill which lays down the measurement of the damages or the price the Government must pay to regain their property which has been licensed or leased away for a term of years. The only thing that distinguishes a license or lease for a term of years from a grant in perpetuity is our ability to regain or recapture it, get it away from the grantee, and return it to the original grantor. If the recapture clause be carefully written and is in the public interest, it will be easy to recover it to the Government or the rightful owner thereof; but, on the contrary, if the recapture clause is poorly written, complexly written, and with phrases of doubtful meaning, it will be difficult for the licensing power to recapture, regain it, retake, and again possess it, and again have it for the benefit of the people to whom it belongs.

[Extract from the recapture clause of the water-power bill from the Public Lands Committee, which passed the House Aug. 24, 1914.]

That bill contained the following proposal:

* * * upon condition that it shall pay, before taking possession, first, the actual costs of rights of way, water rights, lands, and interests therein purchased and used by the lessee in the generation and distribution of electrical energy under the lease, and, second, the reasonable value of all other property taken over, including structures and fixtures acquired, erected, or placed upon the lands and included in the generation or distribution plant, and which are dependent as hereinabove set forth, such reasonable * * *.

Thus it will be observed that the correct principle is here preserved. Thus it will be observed that at the time of retaking neither the Government, State, county, or municipality who seeks to retake it and make it their own is compelled to pay for anything they do not get. The increase in the growth of the nonperishable property is preserved for the grantor instead of allowing it to accumulate for the benefit of the grantee, to the detriment of and the expense of the people who must ultimately pay the price of its retaking. This is thought to be clearly in the public's interest. It is thought that this provision contains the correct principle. This is thought to give the investor all he is entitled to and at the same time preserve in the public interest the rights of the Government.

[Extracts from the recapture clause of the water-power bill as it passed the House on Jan. 8, 1916, from the Public Lands Committee.]

* * * before taking possession the fair value of such property, such value to be determined by mutual agreement between the Secretary of the Interior and the lessee, and, in case they can not agree, by proceedings instituted in the United States district court for that purpose: *Provided*, That such fair value shall not include or be affected by the value of any public lands, rights of way, franchises, or other property leased or granted under this act by the United States or by the good will or prospective revenues.

Again it will be observed that after most careful scrutiny by members of the committee, by Members of the House, by Secretary Lane, and by all of the water-power experts who had given attention to the subject, the bill passed, carrying an adequate recapture clause and all the other salient features of a correct and adequate water-power policy.

Thus it will be observed that the bill as it then passed and was agreed to carried no assurance on the part of the Federal Government that they would pay back to the water-power developer all of this investment, as is provided for in the committee amendment to the pending bill.

[Extracts from recapture clause of the water-power bill from the Interstate and Foreign Commerce Committee, which passed the House Aug. 4, 1914.]

* * * Before taking possession, the United States or the person authorized by Congress shall pay therefor (1) the actual cost of the grantee of lands or any interests therein purchased and used by the grantee in the generation and distribution of power, and (2) the fair value of other properties taken over, together with the cost to the grantee of the lock or locks or other aids to navigation and all other capital expenditures required by the United States in assuming all contracts for electrical energy extending beyond the granting period which have had or may have the approval of the Secretary of War and which were entered in good faith and at a reasonable rate.

Thus it will be observed that the Committee on Interstate and Foreign Commerce and the House of Representatives on that occasion again passed a bill carrying a correct recapture clause, so that the people might pay the fair value of the property without becoming an insurer of the investment, without relieving the water-power developer of any risk in connection with the transaction, and without in any sense departing from the combined judgment of all of the departments, both of the committees who had had jurisdiction of the water-power legislation and the House of Representatives, who had gone into this matter in great detail and reached a careful conclusion about it.

[Extracts from the recapture clause of the Adamson substitute of the Shields bill which passed the House July 14, 1916.]

The following provision is to be found in section 10 of the Adamson bill, which provides the method of retaking, recapturing, and the measurement of damages to be paid upon its retaking. It is as follows:

* * * upon condition that it shall pay before taking possession, first, the reasonable value, not exceeding the actual costs of the dam or diversion structure and locks, and all other aids to navigation constructed under the approval of plans and specifications, rights of way, water rights, lands, and interest therein purchased or taken over by it. * * *

It will be observed that it contains no assurance that the Government will return every dollar of the capital invested and thereby become an insurer of all the money invested in a given project, and I submit that that is as it should be.

It will be remembered that this bill was unanimously reported from the Public Lands Committee, was unanimously passed through the House of Representatives, had the unanimous indorsement of all the departments, and was carefully scrutinized during long tedious hearings wherein departmental officers attended, participated in, and helped to make certain that the correct principles were incorporated.

Again, it will be observed that in this instance the public, in order to regain the property, is only compelled to pay as a condition precedent the reasonable value, which in no instance shall exceed the actual cost.

Again, it will be observed that the public interest is thus conserved by only being required to pay the actual value of the thing retaken as distinguished from paying the actual amount invested.

[Extracts from the recapture clause of the administration water-power bill as it was originally prepared without the committee amendment.]

Section 14 of the administration water-power bill, as it was prepared and agreed upon, contained the following language:

* * * upon the condition that before taking possession it shall pay the fair value not to exceed actual cost of property taken, plus such reasonable severance damages, if any, as may be caused by the separation of said property from property valuable, serviceable, and dependent as above set forth, but not taken, and shall assume all contracts entered into by the licensee with the approval of the commission.

Thus it will be observed that the administration water-power bill as originally framed and as originally presented provided that in the event of retaking, the Government or the licensing

authority shall only be required to pay the fair value, which shall not in any case exceed the actual cost of the property thus taken.

I submit this is the correct rule, and is as it should be. I submit there can be no justification for Congress providing that the licensing authority shall pay a greater sum at the time of recapture than the property is actually worth at its fair value, and they should not in any event pay more than the actual cost.

It should at all times be remembered that this bill in its original form was drafted through the joint efforts of Secretaries Lane, Baker, and Houston. It should at all times be remembered that this bill in its original form was delivered to President Wilson as a net result of their combined efforts. It should at all times be remembered that the bill in this form was by President Wilson presented at a White House conference to a subcommittee of the House Public Lands Committee, Interstate and Foreign Commerce Committee, the Agricultural Committee, and the Rules Committee, and that at the time it came up to the Capitol for consideration it had no net investment provision. It had no provision making the Government an insurer as to every dollar invested by the promoter, but adhered strictly to the provisions contained in the four previous water-power bills that had passed the House of Representatives after the greatest deliberation and consideration.

[Extracts from the recapture clause as proposed in the net-investment provision in the committee amendment in sec. 14.]

* * * upon the condition that before taking possession it shall pay the net investment of the licensee in the project or projects taken, plus such reasonable damages, if any, to property of the licensee valuable, serviceable, and dependent as above set forth, but not taken, as may be caused by the severance therefrom of property taken, and shall assume all contracts entered into by the licensee with the approval of the commission.

It will be observed that this provision differs from all the others in that this provision is entirely new, that this provision does not only require the Government at the time of retaking to pay the actual fair value of the property, but instead provides as a condition precedent to any retaking of the property that they must pay the net invesment of the project or projects of the licensee, plus any reasonable damages, if any, to the property of the licensee, either valuable, serviceable, or dependent thereon.

This would require the Government, the State, the county, or the municipality at the time of retaking not to pay what the property was actually worth in order to recover it, but they must pay the actual net investment, which, stripped of all the mysticism, means they must pay back to the investor every dollar he put into it.

I submit that no such principle can be defended here or elsewhere. I submit this shifts all the risk, hazard, and dangers incident to development from the shoulders of the speculator and the developer over on to the shoulders of the Government of the United States.

I submit this requires the Government, who now owns the property, to part with it and at the same time insure the licensee who uses it that in no event can he lose a cent he puts into it, and which to me is a one-sided bargain, an inequitable trade, an unconscionable performance that neither this Congress or any that succeeds it should ever countenance or assent to.

FOUR LEADING CONTENTIONS OF WATER-POWER DEVELOPERS.

The water-power interests of the United States may be classified into three groups:

First. The water-power developers and promoters.

Second. Bond brokers who lend the money at high rates of interest on promotion schemes.

Third. Hydroelectric engineers who are either associated with the water-power developers or expect to secure employment from them.

These three classes of citizens have for the last number of years been vigilant in their efforts to secure the passage of water-power legislation which should be fashioned along the lines of their desires. The principal and salient provisions they have voted for are as follows:

First. It has been their determined effort to secure from the Government the Nation's valuable water-power resources in perpetuity as distinguished from a term of years.

Four times in previous Congresses this contention has been denied them, and it has been denied them in this bill. They made a vigilant effort to secure it, as the hearings will disclose. But the committee, in their wisdom, would have none of it, and preserved in the bill the provision which provides that the license or lease shall not extend for a greater period than 50 years.

Their second contention was that the grant should be made free from any rental or royalty to the Government of the United States. In other words, they wanted the Government to part from its property without rental and without price. Four times this contention has been passed upon by the House of Representatives and four times the House of Representatives have refused it to them. They were unsuccessful in getting it incorporated in this bill. They were unsuccessful in getting a maximum rate beyond which the Government could not go.

Your Committee on Water Power has succeeded in holding the bill intact and making it possible for the Federal Government to get some revenue from these valuable properties that they are thus asked to part with.

Their third contention has always been to avoid as far as possible Federal control or regulation of any sort. Four times in preceding Congresses this contention has been passed upon, and each time the House of Representatives has refused them their wishes. It has been refused them in this bill. I hope it will be refused them in all succeeding bills. The Government should at all times maintain full power over the water-power interests of the country. It deals with such a vital necessity that the Government should never part company with it but should always retain control over it.

Their fourth contention has always been if it were impossible to secure a grant in perpetuity, then to secure the adoption of recapture clause, which would be drafted in such a way that neither court, Government, Cabinet, or constituency could ever get it away from them.

Four times in preceding Congresses this effort has aborted and the Congress has refused them what they asked. On this occasion, tacked on as a committee amendment to the administration water-power bill that had been previously carefully drawn and carefully agreed upon, they have inserted the so-called net investment proposal heretofore referred to, which requires the Government to become an absolute insurer of the investment of the promoter and as a condition precedent to any retaking of the property every dollar of his investment must be refunded to him, repaid to him, before the Government can reassert its rights, and get hold of its property, which it is by this bill asked to part company with.

I have no more responsibility for this legislation than any other Member of the House. I have little water power in my entire State. I am not prompted by an active constituency on this proposition. They know little of it. They have been little educated on the subject. They are not for the moment actively or vitally interested in it. What I have said has been prompted by a conscience that the 60,000,000 potential horsepower of hydroelectrical energy in the United States should not be allowed to slip away from us, get into the hands of monopoly where extortion either could or would be practiced.

I may be oversensitive, I may be overwrought about the dangers incident to the parting with this most extraordinary of all our natural resources, but to me the fact that it is unlike all other resources, and the further fact that nothing is consumed in the using, and the further fact that we can trace this most material agent, the water, every step of the way, as it finds its way from ocean to cloud, from cloud to rain, from rain to stream, from stream to river, from highlands to lowlands, and back again to the mother ocean from whence it came. And we can again follow it step by step on its way, ceaseless and never ending in its limitless and continuous orbs. By preserving these water-power sites where the water falls from the highlands to the lowlands and by attaching to it modern machinery, turbine wheels, and other electrical paraphernalia, we halter it, bridle it, harness it, and it brings heat, light, and power to every living thing.

The water as it passes on over the turbine wheel may be used for domestic purposes, irrigation, or even again and again for electric purposes without diminution, without deterioration, without any resource being consumed in the using.

I confess this most interesting subject to-day is used by every citizen, from the humblest to the greatest; it lights our streets, our homes; it lifts our elevators; it runs our traction lines; it cooks our food—in short, it heats, it lights, it moves the world. It is the greatest agency of all agencies. It is ours. They ask it of us. It is ours to give. It is theirs to receive. Do we do wrong in using caution in incorporating conditions for its use that will retain this blessing for all the people as distinguished from a few of the people?

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma? [After a pause.] The Chair hears none.

Mr. FERRIS. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD, as I have spoken without preparation.

The CHAIRMAN. The gentleman also asks to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. SIMS. Mr. Chairman, how much time did the gentleman use?

The CHAIRMAN. Twenty minutes.

Mr. SIMS. Mr. Chairman, I yield 20 minutes, or so much of that time as he may need, to the gentleman from New Mexico [Mr. WALTON].

Mr. WALTON. Mr. Chairman, I am going to ask the indulgence of the Members of this House and not speak to the bill under discussion. I want to take the time allotted to me to reply to a vicious and slanderous attack upon the loyalty and the patriotism of over 50 per cent of the people of the State of New Mexico which appeared in a recent issue of a well-known publication. I can not allow such an attack to go unchallenged. I believe, Mr. Chairman, that after I have proceeded for a very few moments you will agree that I am justified in making this digression; that I could not do otherwise.

Mr. Chairman, at a time when the United States is engaged in a war for the most sacred rights of humanity—a war in which all patriots are burying their personal differences in the great common cause for liberty; a war in which it is of the utmost importance that all of us should work together with all our physical, mental, and moral strength—at such a time it seems inconceivable that there should be in all this land a man with a mind so dark and a soul so small as to utter a monstrous libel against a large body of patriotic Americans who are doing all and giving all for their country.

It seems even more inconceivable, Mr. Chairman, that where such a man exists there should be found in the United States a magazine recognized as a reputable publication which would give utterance to his libel; would send forth through the mails, with utter disregard for truth or without stopping to ascertain the truth, a glaring, flagrant attack on the people of the State which I have the honor to represent—a people who are as true and loyal as live within the borders of any State in this Union.

And yet, Mr. Chairman, my attention has been called to a contribution on pages 312, 313, and 314 of the August number of the North American Review, entitled "America's Unguarded Gateway," bearing the signature of Henry Wray, Kansas City, Mo., which for absolute and overwhelming mendacity puts to shame anything ever written by the most accomplished liar in the pay of the German Kaiser, and which, for the effect that it is calculated to produce in this time of war, might well have been written by one of the Kaiser's agents.

The lies are so innumerable in this contribution that they can not all be quoted. Suffice it to say, it is alleged that New Mexico is governed by Penitentes; her courts and juries are owned by Penitentes; "Americans who learn too much are found on the highways, their hearts decorated with neat perforations. It is whispered that no one can talk against the conditions of New Mexico and live."

The Federal and State courts—

It is alleged—

obey the mandates of the Penitentes, and no Penitente is ever convicted in court, whatever the evidence. If any juror votes for a verdict contrary to the instructions of this organization, he moves quickly or forever after ceases to move.

In the lower courts the accused is presumed to be guilty until he proves his innocence.

Americans tried by a Penitente jury for an offense against the Penitentes are likely to be held indefinitely in a filthy jail kept by a Penitente sheriff; some have been so held, without trial or attention, until they died.

After Villa made his raid on Columbus the Mexican population of the State openly boasted of what they intended to do. On the Denver & Rio Grande Railway between Alamosa, Colo., and Santa Fe the natives made the male passengers hurrah for Villa and inflicted unprintable outrages upon the women passengers. * * * At Lamy the Mexicans boasted of what they were going to do to the Americans, and the Americans moved.

The Interior Department has allowed homestead sites where the land can not be cultivated. These sites are used chiefly to obstruct roads and annoy the Forest Department and real settlers. Congress has legalized the stealing of millions of feet of lumber from Government lands. * * * Mining districts are idle. * * * Elections in New Mexico are farces, and bribery is rampant. * * * As far north as Colorado newspapers speak of Americans as "foreigners." A state of treason exists in this part of our country. * * * New Mexico confidently expects to rise and again join the mother country. * * * The native population awaits the hour to strike. When some German emissary furnishes the money to some pirate in Mexico that hour will be at hand.

It is declared that, tracing the route from El Paso to Santa Fe and Alamosa, you have outlined the way—

along which an invading (Mexican) army could pass unhindered, unresisted, and not unwelcomed. Over nearly the entire route the enemy would be acclaimed, fed, quartered, equipped, and recruited.

Were it not that some of the people of the United States have seemed to be in absolute ignorance of conditions in the West, and especially the Southwest, I would not expend the breath necessary to make an answer to this classic in libel and epic in vicious slander. Were it not that the North American Review is a magazine of standing in contemporary periodical journalism and its editor a man who for many years has played a conspicuous rôle in the political history of his time, I would be content to let the infamous libel expend itself on the empty air of an unheeding circulation. I hope, Mr. Chairman, that facts may develop to show that the editor of the magazine has been imposed upon in the publication of this article, for I believe him to be a man big enough, of sufficient broad mind, to realize the wrong that he has done, and that he will endeavor to make suitable and proper reparation. But the times and the circumstances demand that the lies should not go unchallenged, and I shall ask the indulgence of this House while I briefly refute a wretched slander upon a large portion of my constituency and tell the truth about a brave, a loyal, a patriotic, and a progressive people.

The gist of the argument of "America's unguarded gateway" is that the Spanish-American population of New Mexico is not loyal to the United States; that a Mexican army, raised by German influence and paid by German gold, would have no difficulty in invading this country through New Mexico; but, on the other hand, it would be encouraged, recruited, and rationed by the Spanish-Americans of that State.

This lie is so grotesque Mr. Chairman, that it would be cause for laughter did it not attack the honor and patriotism of a proud and sensitive people. The record of New Mexico during the Civil War speaks for itself. The showing of the State in the War with Spain proves conclusively that not only is the native population of New Mexico loyal to America, but it is loyal even against Spain itself.

When trouble with Mexico became acute in 1916 and the National Guard was called out to guard the Mexican border it was the New Mexico National Guard, Mr. Chairman, composed of about one-half Spanish-American boys, that was first to respond and that was first on duty on the border. They were stationed at Columbus, one of the danger points of the entire boundary line. They spent 11 months of the hardest sort of camp drudgery and were the last of all the National Guard units to be relieved from service. And these Spanish-American boys, called upon to protect their State from Mexican invasion, made as fine a showing as any guardsmen on the border. These are the people, Mr. Chairman, that are denounced in the North American Review as disloyal—as being willing to support and ration a Mexican army under German influence for the invasion of the United States.

Thousands of Spanish-American youths are now proudly wearing the khaki of the American Army, some of them having already made the supreme sacrifice for the cause of liberty. Millions of dollars invested by Spanish-American citizens of New Mexico in liberty bonds and war saving stamps attest their devotion to the country which has protected them and for which they are willing to give their lives.

Buttressing this lie, which is the mainspring of his argument, the Kansas City correspondent tells so many smaller lies that it is impossible for me to reply to them in detail in the time allotted me. The one that "New Mexico has remained Mexican in every sense of the word" is plainly intended to convey an inference that the Spanish-American population of New Mexico is one in sympathy and interest with the peon of Mexico.

The Spanish-Americans of New Mexico are descendants of the Conquistadores, who wrested the Southwest from the savage tribes of Indians. The blood of nobility flows in their veins. They are courageous, truthful, upright, and honorable. For 75 years they and their ancestors have been living under progressive American institutions. They are law-abiding, peaceful, and industrious.

In this article, Mr. Chairman, the charge is made that Spanish is largely spoken in New Mexico. This is true to an extent, just as it is true that French is spoken in Louisiana, Scandinavian in the Northwest, Finnish in Michigan, and "57 different varieties" in New York, Chicago, Boston, and other large centers. The State constitution provides that the public schools shall always be conducted in English, and the only exceptions are where Spanish is taught as a separate subject or where Spanish may be used in explaining the meaning of English words to Spanish-speaking pupils who do not understand English. And, Mr. Chairman, there is no more beautiful language in the world than Spanish, and especially at the present time is a knowledge of the Spanish language becoming more and more important in our commercial and our business life. To possess a knowledge of Spanish is a qualification of which anyone may be proud.

And, speaking of New Mexico schools, Mr. Chairman and gentlemen of this committee, I wish that each of you could go, as I have gone, through some of the rural schools of New Mexico and see these little Spanish-American children who, with their parents, are the subject of this libel. All over the State new schoolhouses—clean, well-ventilated, well-lighted—dot the land-

scape. Over each schoolhouse is an American flag. In every schoolroom the little ones are taught what that flag means; that it means freedom within the law, equal opportunity, justice, and right. They are taught to sing the patriotic American songs. They are taught what it means to be an American. And I say to you here that they are growing up to be far better Americans in every essential sense of the word than the man who uses his half-baked knowledge of the English language and of American history to traduce them and their people.

In that part of the attack on New Mexico which refers to the so-called "Penitentes" the correspondent of the North American Review has merely in his article repeated a lot of old women's tales which have in times past been told of this organization and which have been stoutly denied and repudiated. The statement that "the deserts are dotted with their Calvary crosses, at which human crucifixions are annually carried out," and that "the Federal and State courts obey the mandates of the Penitentes and no Penitente is ever convicted in court, no matter what the evidence," are simply bald lies, which no one with ordinary reasoning powers and ordinary opportunities for observation could conceivably be brought to believe.

I believe, Mr. Chairman, that I have touched upon all of the principal points in this publication affecting the Spanish-American people of New Mexico which can be considered of the least importance, but in order that nothing may be overlooked, I desire to emphatically brand as unqualifiedly false the statements that the use of the Spanish language, when necessary for the proceedings of court, the legislature, or other assemblies constitute any just reflection upon the loyalty of the people; that there is any secret or other organization that improperly influences the court, the legislature, election machinery, local administration, or any element of public or private life; that the United States Government or any of its departments has wrongfully deprived any of our citizens of their rights or improperly extended any of their privileges.

I have lived in New Mexico for more than 27 years, and I believe that if anybody knows the Spanish-American people of that State I do. In my personal relations with them I have always found them warm-hearted, generous, and hospitable. In politics no man can claim the Spanish-American vote as his own, for they vote their convictions and they divide along lines of principle and their own conception of what is right, Mr. Wray to the contrary notwithstanding.

Mr. Chairman, I would consider myself unworthy to hold a seat in this House if I sat silent in the face of this cruel, wanton, and deliberate slander. The people of New Mexico have been systematically abused for years by all sorts of publications. We have grown accustomed to the slanders and libels; we have become calloused to the assaults of the ignorant and vicious; but this insult is just a little more than we can stand, because it strikes at our honor.

So, for God's sake, Mr. Chairman, if there must be some among us to rock the boat at this time; if there must be some who have not enough to do fighting the Hun and must fight their fellow Americans, let them, in the name of decency, tell the truth. [Applause.]

Mr. SIMS. Mr. Chairman, I yield to the gentleman from Kansas [Mr. DOOLITTLE].

Mr. DOOLITTLE. Mr. Chairman, before I proceed I ask unanimous consent to extend and revise my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas?

Mr. STAFFORD. Mr. Chairman, reserving the right to object, are they the remarks of the gentleman from Kansas?

Mr. DOOLITTLE. They are a summary of the Federal Trade Commission report on the packers' investigation.

Mr. STAFFORD. It does not include any printed articles written by outside persons?

Mr. DOOLITTLE. It consists of extracts from the report and parts of the evidence.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. DOOLITTLE. The matter is as follows:

THE MEAT OF THE MEAT PACKERS' COMBINATION.

(Extracts from Federal Trade Commission's report to President Wilson.)

The Federal Trade Commission, at President Wilson's direction, has made a year's searching investigation of the five big packers—Swift, Armour, Morris, Wilson (the old Schwarzchild & Sulsberger Co. under a new name), and Cudahy Packing Co.—in their relation to the food industry, and the President has given the public the facts. The following is a digest, in form of quotations, of the more important points in the 50-page summary of the report:

The commission's letter submitting the summary says:

"Answering directly your question as to whether or not there exist 'monopolies, controls, trusts, combinations, conspiracies, or restraints of trade out of harmony with the law and the public interest,' we have found conclusive evidence that warrants an unqualified affirmative.

"This evidence in summary form accompanies this letter, and will be set forth in more detailed form in seven reports in support of our findings and recommendations. * * *.

"If these five great concerns owned no packing plants and killed no cattle and still retained control of the instruments of transportation, of marketing, and of storage, their position would not be less strong than it is."

"Out of the mass of information in our hands one fact stands out with all possible emphasis. The small dominant group of American meat packers are now international in their activities, while remaining American in identity. Blame which now attaches to them for their practices abroad, as well as at home, inevitably will attach to our country if the practices continue. * * * This urgently argues for a solution which will increase and not diminish the high regard in which this people is held in international comity.

"Some show of competition is staged by the five great packing companies. It is superficial. There is the natural rivalry of officials and departments, and this is made much of as indicating the existence of real competition. It is not real. * * *

"Some independent packers exist by sufferance of the fire, and a few hardy ones have survived in real competition. * * *."

Speaking of the commission's staff on this investigation, the letter says:

"These men have met and overcome every obstacle that ingenuity and money could devise to impede them. Space forbidding individual mention, we make this general acknowledgment, and this seems the proper time to call to your attention again and especially the work of Mr. Francis J. Heney, whose conduct of the case, because of its success, has met with condemnation, misrepresentation, and criticism. We contrast Mr. Heney's legal ethics with the legal ethics of the men by whom he was opposed."

The summary of the report is closely packed with facts and with copies of letters and documents found in the files of the packers. The summary states:

"The detailed evidence, including hundreds of documents taken from the files of the packing companies, about 9,000 pages of sworn testimony, and many thousand pages of field reports of agents of the commission has been carefully analyzed and digested, and will be laid before the President as rapidly as the various sections can be put in final form."

Of the untrustworthiness of the packers' reports to the commission, the summary says:

"* * * The reports of some of the most important corporations and the statements of their officials could not be accepted. Thus, Armour & Co. in their report, attested by the vice president, Arthur Meeker, among other falsifications, omitted the company's interest in the Chicago Stock Yards, amounting to $1,552,000. * * *."

As an evidence of the willfulness of this omission, it cites that "* * * Arthur Meeker, on June 6, 1916, stated before the Committee on the Judiciary of the House of Representatives that 'the Armour people have no interest in the Chicago stockyards.'

"The commission is also in possession of documentary evidence that a committee was formed by Swift & Co. to 'coach' employees who might be called upon to testify or give information to the agents of this commission and other Government bodies."

Again, the commission says:

"The combination among the Big Five is not a casual agreement brought about by indirect and obscure methods, but a definite and positive conspiracy for the purpose of regulating purchases of live stock and controlling the price of meat, the terms of the conspiracy being found in certain documents which are in our possession. * * *

"The Armour, Swift, Morris, and Wilson interests have entered into a combination with certain foreign corporations by which export shipments of beef, mutton, and other meats from the principal South American meat-producing countries are apportioned among the several companies on the basis of agreed percentages. * * *

"Since the meat supplies of North and South America constitute practically the only sources from which the United States and her allies can satisfy their needs for their armies, navies, and civil populations, these two agreements constitute a conspiracy * * * to monopolize an essential of the food of the United States, England, France, and Italy.

"The power of the Big Five in the United States has been and is being unfairly and illegally used to manipulate live-stock markets; restrict interstate and international supplies of foods; control the prices of dressed meats and other foods; defraud both the producers of food and consumers; crush effective competition; secure special privileges from railroads, stockyard companies, and municipalities; and profiteer.

"The packers' profits in 1917 were more than four times as great as in the average year before the European war, although their sales in dollars and cents at even the inflated prices of last year had barely doubled. In the war years—1915, 1916, 1917—four of the five packers made net profits of $178,000,000."

EXTENT OF CONTROL.

On the extent of the Big Five ownership and control some of the points are as follows:

"In 1916 the Big Five's percentage of the interstate slaughter (animals whose products go into interstate commerce), including subsidiary and affiliated companies, was as follows: Cattle, 82.2; calves, 76.6; hogs, 61.2; sheep and lambs, 86.4. * * *."

"Swift & Co. is the greatest butter distributor in the United States, handling in 1916, in round figures, 50,000,000 pounds, or nearly as much as the combined sales of the two largest nonpacker organizations.

"Judged conservatively by trade estimates, the Big Five packers handle at least half of the interstate commerce in poultry and eggs and in cheese. * * *

"The Armour Grain Co. is a close corporation, in which J. Ogden Armour owns 64 per cent of the stock and other members of the family 22.9 per cent. * * * Its eight terminal elevators at Chicago and its two elevators at Kansas City constitute 25 per cent of the total elevator capacity of these cities. In 1917 it handled 75,000,000 bushels, or 23 per cent of all receipts, of grain at Chicago, the greatest market in the world. * * *

"Vegetable-oil products are becoming increasingly important as substitutes for animal fats. The most abundant and widely used of the vegetable oils in the United States is cottonseed oil, of which 31.8 per cent was refined by the five big packers in 1916. The most important by-product of the cottonseed-oil industry is cottonseed cake, which is in great demand by live-stock producers. * * *

"The packers, controlling the disposal of more than two-thirds of the offal produced in the packing industry, have become the most important

factors in the manufacture of animal fertilizer ingredients and have strongly entered the field of production of mineral ingredients. In mixed fertilizers they produce 19 per cent of the total.

"Armour's drive into the rice market in a single year is perhaps the most striking instance of the potentialities in this direction (packer extension into staple groceries). Early in 1917 Armour & Co. first undertook the handling of rice and in that one year sold more than 16,000,000 pounds of rice, thus becoming at a single move, on the statement of the vice president of the company, 'the greatest rice market of the world.' * * *"

The summary also cites the facts regarding extent of packer control of leather and canned goods.

INSTRUMENTS OF CONTROL AND MONOPOLY.

On this subject the commission says:

"The Big Five have intrenched themselves in what may be called the strategic positions of control of food distribution. These * * * are stockyards, with their collateral institutions, such as terminal roads, cattle-loan banks, and market papers; private refrigerator-car lines for the transportation of all kinds of perishable foods; cold-storage plants * * *; branch-house system of wholesale distribution; banks and real estate. * * *

"* * * They are closely linked with a large number of banks, trust companies, and railroads, which connections are utilized, often unfairly if not illegally, for the promotion of the packers' interests in the food industry."

STOCKYARDS, CATTLE LOAN COMPANIES, AND LIVE-STOCK MARKET PAPERS.

Twenty-seven of the important stockyards are cited in which the packers own from 60 to 100 per cent of the capital shares. As to the cattle loan banks, it says:

"* * * How jealously this monopoly of making loans at the yards is guarded appears from the example at East St. Louis, where the packers would not permit the establishment of a rival bank within half a mile.

"Direct control by ownership of market papers and other trade periodicals was definitely established by the commission in the case of six papers, and there are a number of others controlled by various indirect but effective methods. Control of market papers is important, both for their actual and potential influence over shipments and prices by the character of statements published and put on the wires, as well as for protection against criticism. How important this may be is shown by a letter written by the editor of a Texas paper to Henry Veeder, referring to the marked change in the policy of his papers, as he expressed it, 'before and after taking' two loans of $5,000 each from Armour and Swift. * * *

"One of the trade journals frequently quoted as a source of authoritative information regarding the meat industry is the National Provisioner. An editor of this journal for years received a joint annual subsidy of $5,000 from Armour, Swift, and Morris.

"The big packers * * * are the largest, and in some cases practically the only, buyers at these various markets, and as such hold a whip hand over the commission men, who act as the intermediaries in the sale of live stock. * * *

"The Big Five own 93 per cent of the total of all kinds of cars owned by interstate slaughterers, including refrigerator, stock, tank, box, flat, and gondola cars. * * *

"The Big Five own 91 per cent of all refrigerator cars properly equipped for the shipment of fresh meat that are operated upon the railroads of the United States. The railroads have almost no equipment suitable for shipping dressed meat. * * * The smaller independents, therefore, confine themselves either to pork packing or to cattle slaughter for local consumption.

"Icing stations advantageously located on the lines of the trunk railroads between St. Louis, Chicago, and the Atlantic seaboard are owned and operated by three of the five packers. * * * Besides serving as a particular advantage to the owners in that their own ice service is secured at cost, these stations put them in a position to secure valuable information concerning the shipments and customers of competitors. * * *

"The big packers' cars have been carefully handled, promptly returned, and used only for the shipment of the packers' own commodities. The small packers, on the other hand, have been subject to extreme delays. * * *"

"* * * The railroads have also been accustomed to take liberties with the independents' cars, as, for example, permitting their beef cars to be used for the shipment of onions."

"The freight tonnage controlled by the big packers has for years given them a great leverage in all their dealings with the railroads. Until the Interstate Commerce Commission interfered this power was used to obtain money rebates and in recent years to secure special privileges and concessions * * *."

BRANCH HOUSES AND CAR ROUTES.

"The packers' distribution of their products is effected through a system of branch houses located in the large towns and cities and a system of refrigerator 'peddler car' routes which reach the smaller communities. * * * This system of wholesale distribution through branch houses and peddler cars is the bulwark of monopoly."

The number of branch houses of the Big Five is cited as 1,093; car routes, 1,297; towns covered by car routes and auto trucks, Armour 24,681, Swift 23,376.

EVIDENCE OF THE COMBINATION.

Among the evidences of combination the commission presents a chart of 108 companies in which the Big Five are jointly interested, nearly all of which they control.

Historically it cites the United States Senate committee's report in 1890, which found agreements between Armour, Swift, Morris, and Hammond to refrain from competition, with collusive prices and divided territory.

From 1893 to 1896 there was a pool of the same companies with the Cudahy Packing Co. and one other, meeting every Tuesday afternoon, Henry Veeder acting as secretary. This was testified by Veeder in 1912. Territory was divided, volume of business apportioned, penalties assessed for violation. From 1898 to 1902 there was a new pool, to which Schwarzchild & Sulsberger was an added party.

In 1902 the Department of Justice filed charges of conspiracy and restraint against the big packers, and in 1903 a permanent injunction was issued against them. Meantime the Big Five planned a $60,000,000 merger of their companies which fell through because of the panic of 1903, but a number of the independent plants they had secretly bought for it were turned over to the National Packing Co., a $15,000,000 corporation owned by Armour, Swift, and Morris. Veeder was secretary, and the directors met at the same hour on Tuesday afternoon as in the old pool. This effective plan continued till 1912, when, after failure of a criminal suit, threat of a civil suit caused dissolution of the National Packing Co., its plants being turned over to Armour, Swift, and Morris.

THE COMBINATION TO-DAY.

The old pool of meat shipments has now been replaced by a simpler, more effective "live-stock pool" or division of all live stock coming to market on agreed percentages, the cattle percentage being: Swift, 34 per cent; Armour, 27 per cent; Morris, 18; Wilson, 11; and Cudahy, 9. Since 1913 these percentages have held year by year, with scarcely 1 per cent variation. This agreement is an automatic regulator of the volume of packing-house products of the Big Five; it relieves them of any fear of competition, either in buying stock or selling meats. Each market has its own agreed percentages, but these are so adjusted as to give each packer his agreed share of the total of all markets.

Thus, even without any collusion beyond the agreement to divide purchases, the price to the producer "is bound in the long run to be the lowest price which will keep the producers raising cattle, hogs, and sheep and sending them to the stockyard."

A personal memorandum book kept by Germon F. Sulsberger of meetings of the combination is one source of evidence. These memoranda and other documents "form conclusive evidence of a criminal business conspiracy."

Sulsberger's memorandum of a meeting of White (vice president of Armour & Co.), Wilson, Edward Swift, and himself on June 4, 1914, at Armour's office, is clear evidence of an international pool with other Argentine companies for the shipment of meat from Argentina and Uruguay both to Europe and the United States.

JOINT FUNDS FOR INFLUENCING LEGISLATION AND PUBLIC OFFICIALS.

In the vault of Henry Veeder were found documents relating to joint funds maintained by the big packers and oleomargarine manufacturers:

"To employ lobbyists and pay their unaudited expenses; to influence legislative bodies; to elect candidates who would wink at violations of law and defeat those pledged to fair enforcement; to control tax officials and thereby evade just taxation; to secure modifications of governmental rules and regulations by devious and improper methods; to bias public opinion by the control of editorial policy through advertising, loans, and subsidies, and by the publication and distribution at large expense of false and misleading statements.

"Henry Veeder, the manager of the Veeder pools of the nineties, is the assessor, collector, and paymaster of these joint funds. * * *"

The purposes of the combination are named by the commission:

"To monopolize and divide among the several interests the distribution of the food supply not only of the United States, but of all countries which produce a food surplus, and as a result of this monopolistic position to extort excessive profits from the people not only of the United States, but of a large part of the world. * * *

"Among other well-known methods of unfair competition used by the big packers of which the commission has evidence may be mentioned the following: Bogus independents, local price discriminations, short weighting, acquiring stock in competing companies, shutting competitors out of live-stock markets.

VIOLENT PRICE FLUCTUATIONS IN LIVE-STOCK MARKETS.

"Our information shows that there are three principal causes for these violent price fluctuations:

"First. Collusive manipulation by the big packers to drive the prices either up or down, depending upon whether they are overstocked with fresh and cured meats and want to sell in a high market, or are understocked and want to buy in a low market.

"Second. Violent price fluctuations also occur as the result of disagreements among the Big Five. * * *

"Third. Unnatural price fluctuations are created when the packers controlling a particular live-stock market decide to keep some competitor out by raising prices. * * *"

ADVERTISING.

With reference to the Swift's widely published advertisements of $1.29 profit per head the commission quotes a letter of Charles H. Swift to Louis F. Swift and Edward F. Swift, which says:

"If ours and Libby's cattle were thrown together for the period, without including sausage or anything for good measure, it would bring ours up over $2 per head. (Libby, McNeill & Libby, canners, a subsidiary of Swift & Co.) * * *."

The commission further says:

"The packers, in their recent public statements and advertisements, have striven to create the impression that they have grown to their present size solely as a result of superior efficiency, and that whatever improper or illegal practices were discovered in connection with their business were merely incidental. The conclusion, however, that is produced by a study of their history and present activities is that they have attained their dominant position primarily as a result of unfair practices and illegal methods. * * *."

Mr. ESCH. Mr. Chairman, I ask unanimous consent to have printed in the RECORD a report or review on the testimony of Sir Adam Beck, of the Province of Ontario, Canada, before our committee on the pending bill by Mr. John Roemer, for years chairman of the Railway Commission of the State of Wisconsin. He has made a study of water-power development not only of the United States but also of the various Provinces of Canada, and I think the review is very instructive——

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection? [After a pause.] The Chair hears none.

The matter referred to is as follows:

CHICAGO, *July 8, 1918.*

Hon. JOHN J. ESCH,
House of Representatives, Washington, D. C.

MY DEAR MR. ESCH: For some time I have been interested in the development of water powers in this country. My interest has not been a financial one, as might be inferred from some of my activities. I am counsel for several public utilities in water-power States who at present have developments and might be affected by new legislation. This fact, however, does not in the slightest influence my judgment, as I do not represent or pretend to represent them in the matter of legislation.

While I was on the railroad commission of Wisconsin I was very much interested in the Canadian laws and the operations under them. Since then I have made considerable investigation, and have come to the conclusion that Americans would never submit to conditions prevailing in Canada.

I read with interest the remarks of Sir Adam Beck, delivered before your commission at Washington on the 15th of April last. In his statements I find some inaccuracies which I desire to bring to your attention. Also I think the impression he evidently sought to create, namely, that the hydroelectric system of Ontario is an ideal system and that the result of its work has been to create prosperity in Ontario, is not in accord with the facts.

In the first place the scheme may be briefly described as a scheme whereby the various municipalities involved give the commission a signed blank check, thereby enabling the commission to enter upon any expenditure it thinks wise and charge this expenditure on an alleged proportionate basis to the municipalities.

The last act or amendment to the Hydroelectric Commission act of 1918 even goes so far as to allow the commission, at the expense of the municipalities, to conduct experiments, buy and sell patents, and to manufacture electrical appliances or apparatus, the loss or profit on this new branch of the business to be charged up to the municipalities who have given the blank checks.

The municipality that goes into this scheme and is financially responsible, first, for 100 per cent of its local distribution system, and, second, for its proportion of the transmission plants cost, has absolutely no control or say as to how its money is to be expended; no control of its own distribution rates or anything else in connection with its expenditures.

The entire control of the expenditure of the enterprise is in the hands of the Hydroelectric Commission, which is conceded to be a one-man commission consisting of Sir Adam Beck, although nominally there are two other members.

Sir Adam, when before the committee, dwelt at some length on his statement that drastic as their powers under the various hydro commission acts appeared to be, nevertheless these powers had never been used in a drastic way and were just given them and added to year by year for the purpose of their moral effect on those who might be opposed to their wishes or methods.

This is partly true, and while the commission has acquired certain properties by negotiation, it is an exaggeration to call them "friendly negotiations" as does Sir Adam. The truth is that the same relation prevails between the victim companies absorbed and the Hydro Commission as exists between the unarmed innocent wayfarer and the hold-up man with a loaded revolver.

Sir Adam's methods, as I interpret them, in acquiring private properties or operating companies has been one of intimidation first and then ruthlessness.

He first emphasizes that he has the right to duplicate their systems and sell power at cost without including dividends or taxes, and with money borrowed at the lowest rate.

He intimates to his intended victims that he can seize their property and pay what he likes for it because no individual can bring him or his commission before the courts for review of his actions. He is a law unto himself.

He then intimates to the victim that if he desires to arbitrate as to the value of his property he may do so, but that he, Sir Adam, will select the single arbitrator who will fix the price, and that the sole qualification of this arbitrator need be that he is "skilled in the valuing of real property." (6 George V, ch. 19, sec.. 5.)

On the whole, the victim is persuaded it will be better for him to take any price that Sir Adam cares to offer rather than go through the farce of such an arbitration.

In speaking about some of the properties acquired by the Hydro, Sir Adam referred to the Trent Valley Canal Co. This was a company whose corporate name was the Electric Power Co. Its power was generated from the waste waters of the Trent Valley Canal, and its rights of generation were granted it by the Federal Government, and included several water falls that were held by the company for additional development when the power available from developed plants was disposed of.

Sir Adam brought into play all his methods of intimidation, but the company, relying on its Federal grants, refused to accept the low value put on its property by the Hydro engineers. Sir Adam then threatened suit by the Ontario government against the Federal Government to determine whether the Federal Government had the right to derive revenue from these water powers or whether they belonged to the Province. The revenues were small, and the Federal Government not wishing to stand suit agreed to cancel the development rights to all undeveloped concessions.

These undeveloped concessions were then placed at the disposal of the Hydro, and the Electric Power Co. was robbed of its reserve which it had held to meet its growing power market which it had created by years of pioneer work.

Sir Adam then renewed his "unfriendly negotiations" and threatened the company with competitive service from power generated from the company's former reserve.

The result was that the company sold its properties for about the amount of its bonded indebtedness, whereas its stockholders had built up a business of some potential value that they were unable to benefit from.

The rates for power in the communities served formerly by this particular company have not been reduced, and the municipalities have been unable to collect the taxes formerly received from the company.

In the case of the Ontario Power Co. the same general policy was followed. The company had an agreement with the Ontario government enabling it to generate as much power as it could obtain by the use of three pipe lines from a certain located intake to a certain located power house. The first pipe line constructed was of 18-foot diameter, and the plan indicated the location of two additional lines.

The Ontario government commission accepted the plan, and upon receiving notice from the company that it was about to proceed with the construction of a second pipe line issued orders that 18 feet was the maximum diameter it might be.

The Ontario Power Co. protested that its agreement did not limit the area but complied with the order.

It subsequently financed and commenced construction of its third pipe line, when without warrant or agreement and solely for the purpose of stealing the water from it for the use of the Hydroelectric Commission in its Chippewa project, the Ontario government commission refused it the right to proceed with the construction.

The company had already contracted to supply a large part of the power to be generated by the water through this third pipe line, and was purchasing power from another company during the construction period. As it was unable to renew the arrangement for this temporary purchase of power it was obliged to sell its magnificent property which it had promoted, financed, constructed, and operated up to a point where it was paying a dividend on its stock. The potential value of this stock consisted largely of the value to the company of the output of its third pipe line and represented a fair return after years of pioneer work in building up its business.

These are some of Sir Adam Beck's methods, which he calls "friendly negotiations."

In 1903 the Ontario government had granted charters and generating rights to three companies at Niagara Falls. Each of these agreements contained a clause providing that the government would not themselves make use of the waters of the Niagara or Welland River for the purpose of generating power. Without this protection the companies would have been unable to raise the large amount of capital they required.

Sir Adam Beck has now induced the government to rescind these charters as far as this clause is concerned, and after the capital has been obtained and tied up in plant has had an act passed saying that the government has changed its mind and is going to construct a plant of colossal size.

This act is entitled "An act respecting the public development of water power in the vicinity of Niagara Falls."

The act states that the government of Ontario has decided to go into the power generation business and after several clauses stating that it would build a plant to generate power from the waters of the Niagara or Welland Rivers, winds up with the following clause:

"7. The exercise of the powers which may be conferred by or under authority of this act, or any of them, shall not be deemed to be a making use of the waters of the Niagara River to generate electric or pneumatic power within the meaning of any stipulation or condition contained in any agreement entered into by the commissioners for the Queen Victoria Niagara Falls Park."

This commission for the Queen Victoria Niagara Falls Park is and was an honorary commission acting for the Ontario government, and its agreements with the three power companies which were violated by this act were all ratified by the government itself.

Sir Adam Beck referred several times during his remarks to the Toronto Power Co. and its subsidiaries, the Toronto Electric Light Co., the Toronto & Niagara Power Co., and the Electrical Development Co. of Ontario (Ltd.).

In connection with the Toronto Electric Light Co., he stated that the Hydro commission offered to purchase the stock of the company before duplicating its distribution system in Toronto.

This is a misstatement of the facts. No offer was ever made the shareholders. What happened was that the Hydro commission offered, if the light company would or could cancel its contract with the Toronto & Niagara Power Co. for the whole supply of Niagara power (which was known to be impracticable, as the power company had financed its whole undertaking on the strength of this and another contract for sale of power), then the Hydro would recommend that the city of Toronto would pay the company a sum of money for its plant that would enable it to pay its shareholders $125 per share for their holdings, which shares had sold a short time previously as high as $165 in the market.

When the light company had constructed its plant, it had an agreement with the city of Toronto which, while not explicitly giving it the exclusive right to the power and light market of the city, was secured by a general act covering the Province, which stated that in case a municipality had granted a franchise to a public utility company to operate in its borders, and in case the municipality desired to itself go into the business of the particular kind of utility business covered by the franchise, then the municipality had first to offer to purchase the assets of the existing company. Failing to reach an agreement, a board of three arbitrators was to be appointed, one of whom would be selected by the municipality, one by the company, and the third by certain judges of Ontario, which board should appraise the assets of the company.

If the company refused to accept the amount awarded by this board of arbitrators, then the municipality had power to duplicate its system.

This act was abrogated when the Hydro Commission was created, thus removing this valuable protection to the investments made during pioneer days by the company's shareholders and bondholders.

In connection with the Electrical Development Co. and the Toronto & Niagara Power Co., the only rivals of the hydroelectric system, with the exception of the Dominion Power & Transmission Co. of Hamilton, you will remember that Sir Adam Beck stated that it is the intention of the Government of Ontario to make a monopoly of the electric distribution in Ontario in favor of the hydro.

To eliminate its main competitor, namely, the Toronto & Niagara Power Co., the Hydro Commission opened "friendly negotiations." It asked what price the company would take for its properties. The company replied that it would sell it. generating company's plant (the Electrical Development Co., owning a generating plant at Niagara of 125,000 horsepower capacity), its transmission company (the Toronto & Niagara Power Co., owning transmission lines to Toronto, Welland, and Thorold, etc.), and its Toronto distribution company (the Toronto Electric Light Co., owning an extensive distribution system in the city of Toronto and suburbs).

The terms asked by the Toronto Power Co. were the repayment to it of the money invested in its properties. This offer was never considered, but immediately the ruthless destruction of the rights of these companies was commenced.

The vital part of this system is its distribution rights, as without its ability to transmit and distribute its product its generating properties would be reduced to a scrap basis.

The Hydro Commission, the city of Toronto, the Association of Hydro Municipalities, and the Ontario Government all combined to seek legislation from the Federal Government, from whom the distribution company obtained its rights, to seek the cancellation of these vested interests not only for the future but the legislation sought made the annulment retroactive for 12 years so as to cover all the plants constructed by the company.

The Senate of Canada threw out the clause sought by this powerful combination and reaffirmed the powers of the company, merely placing it under the regulatory control of the Dominion Railway Board, who were given authority to supervise any future construction of the company, with a view to public safety.

The House of Commons of Canada has not yet acted on the measure, which is now before them, and concerning which numerous deputations and lobbies have been sent to Ottawa to influence the members, the organs of the hydro in Ontario all the time threatening reprisals if the confiscatory measure is not put through.

I will not burden you with the details of the persecution of the Electrical Development Co., but suffice it to say that the Ontario government has been persuaded to enter action in the courts to attempt to restrict the company's operations in such a way as to make it unprofitable for it to continue in its undertaking. This suit seeks to confiscate part of the plant erected with the approval of the government commission.

The net result of the Hydroelectric Commission propaganda is to discourage absolutely the enterprise of capitalists in the development of water power and the distribution of electric power in Ontario. No water-power rights are obtainable and must remain idle until such time as the commission or Sir Adam Beck decides to develop them.

The creation of this condition has resulted in a large shortage of power required for the normal growth of the industrial life of the communities, and it is acknowledged even by the Hydro Commission that at present this shortage is over 100,000 horsepower in the Niagara district alone.

This result was primarily caused by the refusal of the Hydro Commission and the government to allow the Ontario Power Co. to install its third pipe line above referred to, which pipe line alone would have supplied power adequate for the present demands.

Sir Adam told you that Ontario is an industrial Province. He did not tell you that the average increase in demand for power is about 15 per cent per year, nor that during these war times this average is too low.

He did not tell you that the plants already built for the manufacture of munitions of war, many of which were constructed on the assurance of contracts for power with the Hydro Commission, have been unable to operate in whole or in part due to lack of power covered by their agreements.

He did not mention the millions of unproductive dollars invested in these manufacturing plants, unproductive because of failure on the part of the Hydro Commission to comply with the terms of their contracts, and that no redress was allowed these users because of the default of the Hydro Commission, as the commission is protected by law from suits for breach of contract unless they are a consenting party to such suits.

Somewhat categorically we take up Sir Adam's speech and find:

He states that in 1900 the leases of three companies at Niagara had been made as follows:

	Horsepower.
Canadian Niagara Power Co	100,000
Electrical Development Co	125,000
Ontario Power Co	180,000

The facts are that these agreements were for Canadian Niagara Power Co. not less than 110,000 horsepower with no limit, except that plans should be approved.

Electrical Development Co. for "125,000 horsepower for commercial use."

The Ontario Power Co. for all the water required by three pipe lines from a located intake to a located power house, with no limit in horsepower or size of pipe line.

The Electrical Development Co. agreement was dated January 29, 1903, not "1900."

Sir Adam Beck stated: "The Province of Ontario, we claim, is the manufacturing district for the whole of Canada."

The facts are that this was partly true until the advent of the Hydroelectric Power Commission, but since that date, say 1910, the manufacturing from the Montreal and Quebec districts has made enormous strides and challenges Ontario in her supremacy.

Recently the British-American Nickel Co., a corporation financed by the British Government, after an investigation of over a year, have decided to locate in the Province of Quebec largely because of their inability to make a fair arrangement with the Hydro Commission for power.

Sir Adam Beck states that the operating cost of hydraulic power is from 50 cents to $1 per horsepower.

The facts are that if we include taxes and Government rentals, insurance, wages, etc., the experience of the Niagara companies is that the cost, without including interest, is from $2 to $2.50 per horsepower of plant capacity.

Sir Adam states that the Ontario municipalities were given authority to generate power in 1902.

The facts are that this act referred to any group of municipalities and made no mention of Government guaranty of bonds or any breach of the Government's undertaking not to generate power at Niagara, which it had granted to the existing Niagara companies.

Sir Adam Beck states the Hydro Commission in calculating cost allowed 5 per cent for depreciation, whereas, as well as can be judged from the meager reports published, this depreciation is figured at about 3 per cent or less.

Sir Adam Beck states that his power of taking over existing properties is based on arbitration.

He neglected to state that the values are to be arrived at by a single arbitrator approved of by the Ontario government, whose sole qualification shall be a knowledge of real estate values.

Sir Adam stated that there is no profit to the State or to the municipality from the hydro operations.

He neglected to state the amount of taxes lost to the municipalities and the Province on the valuation given of $70,000,000 in hydro construction. Taxes on a low valuation represent a loss of over $1,400 000 per year to these municipalities without taking in war and income taxes and capital stock taxes.

Sir Adam states he has avoided duplication of plant.

His provincial commission has duplicated the high tension transmission lines Niagara to Toronto—80 miles—of the Toronto & Niagara Power Co. In Toronto, Hamilton, and London complete duplication of distribution systems was ordered by Sir Adam Beck's commission at a cost of about $13,000,000.

Sir Adam states he wants to create a real monopoly and states he set to work to acquire existing corporations and companies. He states that to establish hydro in a municipality it requires a vote of the people to a by-law.

Sir Adam Beck omitted to state how these by-laws were obtained.

In the case of the largest hydro municipal consumer (the city of Toronto) a plebiscite of the people was taken on the question, "Are you in favor of electric power at cost?" The result was a vote of 3 to 1 in favor of "power at cost." This plebiscite was then legalized by act of the legislature as a money by-law vote (for which the law states only property holders should vote), which enactment stated that this expression of opinion from every man entitled to vote for alderman, whether the voter owned property or not, was the same as if it had been properly voted on in the regular way, and the city officials were duly authorized to spend the necessary money for an $8,000,000 distribution system and to give Sir Adam's commission the city's credit, allowing him to draw on it in whatever figures he required for all time to come for transmission of power, generation works, experimental work, laboratory experiments, taking out or buying patents, manufacturing anything that is used electrically, whether apparatus or appliances, purchase of property of all kinds, and in fact everything the commission desires to use the money for time ad infinitum, without once asking the city for further approval.

Sir Adam Beck states his estimates of cost are always conservative.

The facts are his Chippewa development works were first estimated at $15,000,000, then, after the work was commenced, this was changed to $18,000,000, and later to $24,000,000.

Sir Adam Beck states that politics has not interfered with the Hydro Commission, but he does not say that the hydro has not interfered with politics.

The facts are that with the credit of 200 of the principal municipalities of Ontario in his hands to do what he likes with, the commission is stronger politically than any political party in the Province. Both political parties realize this and do not therefore dare to call their souls their own when the chairman of the Hydro asks for further arbitrary power. At the least show of resistance Sir Adam gives the S. O. S. signal, and deputations, sometimes 3,000 to 4,000 strong, invade the seat of government and demand that the Hydro's desires be satisfied. So far the pressure has been successful, even to the extent of making the Government repudiate its agreements granted on the honor of the Crown.

Sir Adam Beck stated:

"We can not expend money or undertake the construction of any works without an order in council from the Government.

"We could not expend any money, borrow money, issue any bonds without an order in council. The commission is entirely under the control of the Government."

The facts are that in law the above statements are correct, but in practice they are not, as the commission spends money regardless of any constraint and is not subject to provincial audit.

As an example of this might be cited the fact that in April, 1917, the Government appropriated $1,000,000 for the fiscal year for the Chippewa development. In nine months Sir Adam publicly declared he had spent $4,000,000. He stated publicly that he presumed the Government would produce the money, although it had not done so up to that time.

No proper audit of the hydro accounts has ever been published, and it has been a matter of public controversy. The Government of Ontario has been unable to secure a proper statement of the operations or expenditures. Such an audit has been ordered by the Parliament over 18 months ago, but has not been forthcoming.

The abnormally low rates charged by the Hydro Commission for power are not to be taken as an evidence of value.

The service rendered has been inferior, and on account of the long transmission and complicated operating conditions due to the large loads carried interruptions have been frequent and serious.

Eight and ten hour interruptions have been more or less frequent, and in view of the fact that the contracts of the commission are in no way binding on the commission it has frequently happened that power has been withdrawn entirely from a consumer, resulting in great loss.

The lost taxes, as stated above, would amount to at least $1,400,000 annually, and when Sir Adam Beck stated, as he did, that he was effecting an annual saving in rates to consumers of $2,380,000, he made no calculation of these taxes

He also neglected to say that this saving was based on a comparison with steam rates existing before the advent of hydraulic power. In Toronto the Toronto Electric Light Co. operated a steam plant, and in 1907 it purchased part of its power from the Toronto & Niagara Power Co. and was about to reduce its rates to a fair hydraulic basis, but the city made its so-called agreement to go into the Hydro ring of municipalities and compete with "power at cost"; the private company then decided to maintain its rates until compelled by competition to reduce them.

These steam rates are what Sir Adam uses in his comparison.

The Toronto Electric Light Co. had but 15,000 customers before the advent of the Hydro. It has now over 27,000 due to its superior services, and charges about 20 per cent higher rates than its competitor.

Sir Adam Beck's whole statement is bristling with inaccuracies and it is of little use to pursue them further.

The House Committee on Water Powers seemed anxious to find out the usual conditions of water-power grants in Canada, and Sir Adam was only able to speak of the Ontario agreements. These he quoted as being limited to a period of 40 years.

He was probably referring to concessions in connection with woodpulp grants.

The Niagara agreements were probably the last power-development agreements granted by the Ontario government before the Hydroelectric Commission came on the scene and put a stop to private enterprise in water-power development.

These Niagara agreements were for a term of 110 years, subject to a revision of rentals after the first 50-year period and every 30 years thereafter.

The rentals average $25,000 annually for the first 20,000 horsepower; $7,500 annually for from 20,000 to 30,000 horsepower; and 50 cents per horsepower per year above 30,000 horsepower.

So that a plant generating 100,000 horsepower would pay per annum:

First 20,000 horsepower	$25,000
20,000 to 30,000 horsepower	7,500
30,000 to 100,000 horsepower	35,000
100,000 horsepower for total of	67,500

or an average of 67½ cents per horsepower.

In closing I would submit that the Hydroelectric Commission of Ontario so far has not realized its object; that is, to produce ample power in Ontario and to make it available for all the people of Ontario.

It is true it has had a measure of success, but when all the facts of the case are considered it has fallen down badly. It undertook a large order, namely, to supply all the people in Ontario (for it is a provincial undertaking) with all the power they required. It acknowledges in this war crisis that it is over 100,000 horsepower short of what it could use without extending its present lines.

It has effectually put a stop to the investment of private funds in power or electrical development or traction development, especially interurban lines, and has undoubtedly caused an acute shortage in the output of munitions from Ontario plants by the prohibition it placed

on the right of the Ontario Power Co. to construct its third pipe line at its Niagara plant in 1916, which it (the hydro) is now compelled to build in as a temporary measure and in a temporary way.

The Hydro is able, through its political influence referred to above, to expend from $2,000,000 to $4,000,000 annually on a new power development that Sir Adam estimates will produce power in 1922.

No other public work of size not connected with the war is allowed to proceed, as all available money is required for war purposes.

I have written at some length and am inclosing under separate cover several documents which will be of interest to you if you have time during your vacation to examine them.

Yours, very truly, JOHN H. ROEMER.

Mr. ESCH. Mr. Chairman, I yield 20 minutes to the gentleman from Iowa [Mr. HAUGEN].

Mr. HAUGEN. Mr. Chairman, the proposed bill has been discussed in detail and at length. It is not my purpose to detain the committee. However, I desire to refer to one or two provisions in the bill.

According to estimates we have somewhere near 60,000,000 horsepower available for development under this bill. The proposition is to turn it all over to a commission composed of three secretaries—the Secretary of War, the Secretary of the Interior, and the Secretary of Agriculture—that commission to be given the power to dispose of it as in its wisdom it may seem wise through the issue of licenses running for 50 years, and so forth. The Federal Government is to be compensated to the extent of 10 or 15 cents per horsepower, or an amount sufficient to pay the administrative expenses, and the State service commissions are to fix the rate which the consumer shall pay. In this country we have State service commissions in a number of States fixing water-power rates. In Canada they have a municipal ownership operated under the Hydroelectric Power Commission of the Province of Ontario. In determining this all-inportant proposition it may be well to take into consideration the results of the experiment in Canada.

If so, a brief review of Sir Adam Beck's statement relating to Canada's experience may be of interest and value. In response to an invitation extended by the committee, Sir Adam Beck, chairman of the Hydroelectric Commission of Ontario, Canada, who has been identified with the Hydroelectric Power Commission since 1903, made a most interesting and instructive statement before the committee. According to Sir Adam Beck, Canada has given much consideration to water-power development as a public project or a provincial project. Its first attention was given to it in 1900 by the board of trade of the city of Toronto, which in 1900 did apply to the legislature for power to undertake the development and transmission of power from Niagara Falls. Up to that time leases of rights had been granted by the Province to the three companies, the Canadian Niagara Power Co., the Electric Development Co., and the Ontario Power Co., to generate 100,000 horsepower, 125,000 horsepower, and 185,000 horsepower, respectively, or a total of about 400,000 horsepower at Niagara Falls. The city of Toronto, which has a population of about 500,000 people, made application to the legislature for authority to generate power. Its application was rejected and a lease was granted to the Electric Development Co. Though disappointed, two years later a large convention was called of municipalities in the southwest part of the Province of Ontario; the Niagara district extended 250 miles west, 80 miles east, and 150 or 200 miles north. A commission was appointed to confer with the view of securing authority for the municipalities to undertake the development, distribution, and transmission of electricity as a municipal undertaking, also to generate power unless power could be procured on favorable terms from the three existing companies at Niagara Falls. An act was passed authorizing the municipalities to borrow money, to generate, transmit, and deliver power, and to appoint a commission of three to five members; a commission of four was appointed, and an expert electrical engineer, expert accountants, expert hydraulic and electric engineers were employed, and after 18 months a report was submitted, which Sir Adam Beck says was a revelation to the people as to what could be done and what a great benefit it would be to the communities where power could be had practically at cost. As to cost Sir Adam Beck expressed himself in this language:

> Now, when I speak of cost, I speak of it as covering all charges that are applicable to a business interest, charges, sinking fund, charges capable of discharging the whole indebtedness in 30 years; that is the whole of the investment made by the municipalities was to be retired by a charge included in the charge for power, the price of power delivered to the municipalities. Also a depreciation charge averaging 5 per cent, which was to provide for renewals or for the general depreciation of the system, the operating cost, the maintenance cost, and administration.

The question of whether the water-power and natural resources of the country should be developed for the good of the common people was made an issue. Though the proposition was characterized as radical, the party pledged to legislation making it possible for municipalities to undertake the development of power on their own account carried by a large majority and authority was granted to municipalities to acquire, by purchase or otherwise, and to hold shares in any incorporated company carrying on the business of developing, supplying, and transmitting electric power, to appropriate the lands, waters, water privileges or water power, powers or works, machinery and plants apportioned thereof of any person owning or operating under lease or otherwise, which in the opinion of the commission should be purchased, acquired, leased, taken, appropriated, and developed or used by the commission for the purpose of the act, all subject to arbitration. Though that drastic power was granted, up to the present time every property and right acquired, including 86 different plants, has been acquired by negotiations. The commission now operates 12 systems, which has contracts with 225 municipalities; of those, about 30 are townships. All the 12 systems are under one control, thus avoiding duplication of administration and operation, and thus getting the maximum of economy and efficiency. In Canada, as in every other country when new policies are suggested, opposition generally develops, and too often when in the interest of the people in general. Notwithstanding the vigorous opposition, the construction of 12 municipalities was approved in 1906 by an enormous majority, some ten to one. From then on all kinds of obstacles were thrown in the way.

As to the estimates, Sir Adam Beck stated:

> We were able, notwithstanding the provincial treasurer was somewhat convinced by the information that was placed on his table from those unfriendly to us, that our first undertaking would cost $12,000,000, we had estimated it would be under $4,000,000. We built it at the contract price, and we were several hundred thousand dollars below the estimates that we submitted to the municipalities. This created confidence in the minds of the people and also the municipal authorities.

The commission offered to buy the Toronto Electric Light Co.; it offered to assume all bonded debt of the company and to pay $135 for the common stock, which amounted to five or six million dollars. The company refused it and sold the plant to the McKenzie group, which controls the Niagara Power Co. Since then, of the 205 municipalities 56 privately owned distributing systems have been acquired. The Hydroelectric Power Commission has purchased 28 privately owned distributing and generating systems or stations. The commission began operation in the fall of 1910 by supplying 750 horsepower.

They pay primary interest charges, practically all 4 per cent, some from 5 to 6 per cent; sinking fund of 1.8 per cent, which retires the debt in 30 years; pay all the line losses, depreciation charges, operation, administration, and so forth.

The commission up to date has invested $53,000,000 in transmission, distribution, and generating system. The municipalities have invested $17,000,000, which makes a total investment of $70,000,000. The commission anticipates that by 1921 more than $100,000,000 will be invested in a hydroelectric power system in the Province of Ontario. Three hundred and ten thousand horsepower is being distributed and 750,000 horsepower will be available for the use of the people in the Province. As to the rate charged, Sir Adam Beck, chairman of the Hydroelectric Commission of Ontario, had this to say. I refer you to page 714, hearings, April 15, Part III:

> The average price of power or cost of power delivered to 225 municipalities in the Province of Ontario is under $18 a horsepower. We have made reductions annually. We were obliged to make reductions because the excess surplus earnings of the municipalities were such that if we had continued the rates that were originally established, based on one-half the cost that they were buying or securing power for previous to our coming into the field, we would have had such a large surplus that the whole debt of the municipality would have been wiped out in 10 or 15 years.

On page 716, Sir Adam Beck had this to say:

> We transmit power, as I said, over these various districts as far as 250 miles, we have between five and six thousand miles of double transmission lines. We have competition in the cities of Hamilton, Toronto, Ottawa, and Windsor, where the Edison Co., of Detroit, are doing business. I may say that we have bought out the Edison Co. in the Essex district, opposite Detroit. Our total market there at the present time is only five or six thousand horsepower. We are able to sell power to the citizens of Windsor, which has only 25,000 population, immediately opposite Detroit, where they have over half a million population, at 40 per cent lower rates than they are receiving in the city of Detroit. And we are meeting all our obligations. In Toronto we are selling power at one-half the rates you have in the city of Buffalo, 20 miles from the Falls; Toronto is 84 miles from the Falls.
>
> We have small towns, such as Galt, 89 miles, St. Thomas, 120 miles, from Niagara Falls, where the rates are just one-half the rates that the company in Buffalo is charging for its light and power.
>
> Buffalo prices were fixed by your public-service commission, and I think they were reduced by 20 or 25 per cent a year or so ago, but they are still twice as high as the average price we are supplying 200 municipalities. I am not saying this with any reflection on anybody. Their capital investment may be enormously larger and interest charges may be higher, and the stock, of course, has to be taken care of.
>
> The CHAIRMAN. We want the facts whether they reflect on anyone or not.

Sir ADAM BECK. They are facts: we have a pretty big organization watching us, not only in Canada but in the United States. And perhaps some of you had a copy of that issue, "An expensive experiment," that was liberally distributed by the thousand in Canada and the United States.

We are going on increasing our developments, and by 1921 we will have increased our plants to, I hope, 750,000 horsepower; we began with 750 horsepower seven years ago.

On page 711 Sir Adam Beck had this to say of the Ontario Power Co., which was acquired last August:

Negotiations were entered into, and the Hydroelectric Power Commission acquired the plant and took possession after about a year's negotiation. This is the company that has a contract with the commission for 100,000 horsepower.

The remaining 60,000 is under contract to the Niagara-Lockport Co. We assumed the whole of the bonded indebtedness of the company, amounting to about $15,000,000. We acquired the common stock of the company and paid them $8,000,000 in 40-year Hydroelectric Power Commission 4 per cent bonds, guaranteed by the Province of Ontario, a transformer station, and a short system of lines in the immediate vicinity of the plant itself; we reduced the cost of operation by over $40,000 a year; we have two firm contracts, one with the municipalities and one with the Niagara-Lockport Co., expiring in 1950; our revenue will be sufficient to maintain the plant to the highest point of efficiency, provide for renewals and depreciation charges and operation; we will have sufficient revenue to retire the whole of the debt in 25 years—that is, instead of the Ontario Power Co. owning this plant, we will, in 25 years, out of the reserves that we are setting aside, pay off the whole of our indebtedness and own the plant, free of debt, in 25 years from last August.

The CHAIRMAN. Without increasing the cost to the consumer?

Sir ADAM BECK. Yes.

Speaking of the benefits accrued, Sir Adam Beck had this to say:

You may like to know what benefit has accrued to the country on account of all this expenditure. We have reduced by five or six million tons per annum the consumption of bituminous coal in the Province of Ontario. We have reduced the freight haul on all this coal (the use of cars to haul the coal), and the obnoxious smoke that is created by the use of coal for manufacturing purposes in towns and villages. Electric power has been made available to every community, small or large, from a township to the largest city prepared to make a contract with the commission and assume the liability that accrues on account of such an undertaking. There is no discrimination. The small user buys electricity at the same price as the large user. There is a standard rate in every community, which applies whether you use 10 horsepower or 10,000 horsepower. In the case of domestic users, the small consumer buys it for less than the large user. There is no such thing as a flat rate to any consumer. When we took over these companies, we found that there were some individuals in a community that got a very much lower rate for power than others. We found that the large user got power at a low price and the small user had to pay four or more times as much as the large user paid. We wanted to encourage the wagon maker, the blacksmith, the industry that might use a small amount of power, so we fixed an equitable, fair, and just rate for all users. In case of the domestic users we make a service charge. A house with 1,000 square feet floor space pays 30 cents per month for service, whether they use light and power or not. A larger house with 3,000 square feet pays 90 cents. The small householder with 1,000 square feet had all the privileges and right to use electricity for 30 cents a month for which the larger house paid 90 cents. He had the further privilege that when he exceeded 30 kilowatt hours his rate is 1 cent, as in the case of the city of London, 125 miles from Niagara Falls. We pay 2 cents for the first 30 kilowatt hours used for domestic purposes. In excess of that it is 1 cent per kilowatt hour up to 60, and then we pay half a cent a kilowatt hour for cooking, the heating of water, fans, vacuum cleaners, irons, and so on. At any rate, the small householder, a working man, who lives in a small house, secures electricity at the same rate that I do, his service charge is lower, and he secures a reduction in the rate before I do, as I must use 90 kilowatts before I get a 1-cent-a-kilowatt-hour rate, and I must use 180 kilowatt hours before I receive a half-cent rate per kilowatt hour.

On page 715 Sir Adam Beck has this to say:

The saving to the users of electricity—that is, the rates in existence in 1912 and the rates in existence in 1916—for household purposes alone was $2,380,000 per annum. That is the saving to the householders in the various municipalities. The total accumulated surplus to the credit of the municipalities and the commission in 1917 is over $6,000,000. The surplus is all reinvested in the plants—none of the money can be taken out of the various systems. Take the city of London last year: After paying interest and sinking fund and maintaining the plant, keeping it all in first-class operating condition, up to original standard, had a surplus on an investment of $750,000 of $76,000 applicable to depreciation or renewal account. The plant value, because of the reserves being reinvested in extensions and improvements in the plant, is $1,200,000.

So you see they have the earning power of a million and a quarter—they have practically half a million dollars invested in the plant on which they do not pay any interest charges, only maintenance, operation, and depreciation charges. The sinking fund pays the bonds that are issued in 30 years, so that the plant in 30 years will be free of debt in the city of London. A corporation or company would naturally have issued three quarters of a million of common stock, and that common stock, if the surplus had been used to pay dividends, would have paid 10 per cent on the common stock, on an equal amount of stock as the bonded debt amounted to. Money so invested in the plants amounts to $2,000,000. The sinking fund and depreciation reserve amounts to $4,500,000 in six years. Some of the municipalities, of course, have only been in operation a year or two. The net surplus is $1,500,000. That is after writing off 5 per cent for depreciation. The commission's reserve and surplus is $1,600,000. The total reserve surplus of the municipalities and the commission is $7,670,000 on a total investment of some $70,000,000.

As to the cost, on page 703, Sir Adam has this to say:

The operating cost is from 50 cents to $1 per horsepower, while the fixed charge on the capital invested, interest, sinking fund, and renewal fund or depreciation is from six to eight dollars per horsepower, so you see how small an amount of the cost of power constitutes labor or operating power.

As to cost, Sir Adam Beck says:

Now, when I speak of cost I speak of it as covering all charges that are applicable to a business—interest charges, sinking-fund charges, capable of discharging the whole of the indebtedness in 30 years. That is, the whole of the investment made by the municipalities was to be retired by a charge included in the charge for power—the price of power delivered to the municipalities. Also a depreciation charge averaging 5 per cent, which was to provide for renewals or for the general depreciation of the system, the operating costs, the maintenance cost, and administration.

In hydroelectric development the operating cost is from 50 cents to $1 per horsepower, while the fixed charges on the capital invested, interest, sinking fund, and renewal funds, or depreciation is from $6 to $8 per horsepower. So you see how small an amount of the cost of power constitutes labor or operating cost.

Gentlemen, I suggest before passing this bill a careful reading and consideration of Sir Adam Beck's statement to the committee. If you do, I believe that but one conclusion can be reached, and that is that under this bill we are turning over to a number of bonding companies and exploiters resources which in the light of experience and according to rates fixed in the past by State service commissions, who are to continue the fixing of rates, will net the exploiters at least $1,000,000,000 a year in excess of a reasenable return upon their investments and the return of their capital several times over during the term of the license to be granted.

According to Sir Adam Beck's statement, under municipal ownership and under proper regulations and profits the consumer would pay from $9 to $18 per horsepower. Not only would the consumer have had the use of the power at one-half the cost likely under this bill, but every dollar invested, together with liberal profits and interest on the investment, would be returned to the investor. Under the proposed plan, if the State service commission continues as it has in the past, it will permit excessive charges and exorbitant profits, the consumer will pay twice the rate per horsepower, the promoter, the investor, the licensee will collect twice the rate sufficient to pay a liberal profit and a reasonable rate of interest on his investment of every nature, including operating expenses, and an amount equal to his investment every few years; besides, if 60,000,000 horsepower is developed an annual rake-off of at least a billion dollars, and when I say a billion dollars that, of course, is a most conservative estimate—an excess charge of $17 per horsepower on 60,000,000 horsepower would make up the billion. The chairman called attention to consumers paying $110 per horsepower, which is probably close to $100 in excess of a reasonable cost. At any rate, it is safe to say that if rates are to be fixed by commissions, as proposed, the annual excess cost to the consumer and the excess profit to the licensee would be at least a billion dollars a year. At the rate we are spending money a billion dollars a year, more or less, may not be of much consequence, but there may be a time coming when a billion-dollar income or saving annually may come in handy.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Will the gentleman from Iowa yield to the gentleman from Wisconsin?

Mr. HAUGEN. Yes.

Mr. STAFFORD. The gentleman has just referred to the comparative prices charged for electric power in Detroit, on the American side, and Windsor, on the Canadian side, and at Buffalo, on the American side, and 200 municipalities in Canada. Will the gentleman advise the committee whether the power that is charged for on the American side, in Buffalo and in Detroit, is hydroelectric power or whether it is generated from steam?

Mr. HAUGEN. It is hydroelectric power.

Mr. FERRIS. All generated at the same place.

Mr. HAUGEN. All generated at the same place and from the same source.

Mr. STAFFORD. As far as Detroit is concerned, I think the gentleman is in error, because there, I know, the Edison Co. manufactures its power, which supplies, largely, Detroit, from steam.

Mr. HAUGEN. I am quoting Sir Adam Beck, who is the chairman of the Hydroelectric Power Commission of the Province of Ontario, and who, I believe, knows more about hydroelectric power and the operation of it than any other man living.

Mr. FERRIS. The gentleman is entirely right as to Buffalo.

Mr. STAFFORD. My question was not only as to Buffalo, of which condition I am not acquainted, but as to Detroit, of which I have some acquaintance.

Mr. FERRIS. I answered as to Buffalo, because I was up there with an inspection committee a couple of years ago.

Mr. DOREMUS. If the gentleman will pardon me, according to the testimony of Sir Adam Beck, in many municipalities of Canada domestic consumers of light are getting it from the various cities at from 2 to 3 cents per kilowatt hour.

Mr. SIMS. The average is one and a quarter cents to domestic consumers throughout all of Canada.

Mr. STAFFORD. I am aware of this fact, which may be disclosed by the hearings, that the power generated by the hydroelectic power of Canada, where the charges are under the supervision of Sir Adam Beck, has been more than utilized, so that manufacturing plants in Ontario and otherwheres in Canada to-day can not acquire any additional power for manufacturing purposes. The Hydroelectric Co. there, however, is preparing to install additional machinery at Niagara Falls so as to accommodate the growing demand for power in lower Ontario.

Mr. DOREMUS. And it may be also interesting to know that this very nominal charge is sufficient to amortize the debt at the end of 30 years.

Mr. HAUGEN. Sir Adam Beck's statement was this: That the operating cost was from 50 cents to $1 per horsepower and the fixed charge on the capital invested, sinking fund, interest, and renewal or depreciation is from $6 to $8 a horsepower. The average charge in Canada in 200 municipalities is less than $18 per horsepower. The charge on our side is twice that charged in Canada. I suggest a careful reading of Sir Adam Beck's statement. If you will give it a careful study you will find that there is only one conclusion to be reached, and that is that we are turning over Uncle Sam's most valuable resources without compensation; and the result will be this: That the consumer will pay twice the price he would pay under the Canadian policy. Under it or under proper legislation the consumer will have the use of the power at half the price.

The money will be returned to the Government or the investor with a liberal profit, with a reasonable rate of interest, and the property will belong to the Government or the municipality after a certain number of years. On the other hand, if this bill is passed and if the State service commissions continue as they have in the past, the consumer will pay twice as much and the investor will have his investment returned to him every few years besides. He will be able to reap a profit of at least a billion dollars a year, while all the Government will receive will be the administrative expenses.

This, I believe, is sufficient to prove that rates to be fixed by the commission and the State service commission will be largely in excess of cost and liberal profits to the developer. There is no way of estimating the amount, but judging from what is being done it is safe to say from $9 to $50 per horsepower. Some have estimated it at $33 to $42 per horsepower. For the sake of argument, we will say half of that amount; if so, and if 60,000,000 horsepower is developed, they have an annual rake-off of over $2,000,000,000 a year.

With the experience we have had in Government ownership and operation regulations, with the increased cost in transportation under Government control, which resulted in an additional $900,000,000 burden pinned onto the American people annually, the expense of postal systems, the high cost of Government printing—in fact, the high cost of everything which the Government undertakes—one naturally hesitates in even referring to, much less suggesting, Government ownership or operation. Be that as it may, the fact that Government ownership or operation has proven a failure in our country and the fact that it most likely will prove a failure, the mixing of politics and business generally spells ruin, and as politics is bound to mix with Government business there seems to be no prospect for a successful Government ownership and operation here; but that is no reason for giving away our most valuable resources, in many instances to be exploited by greedy financiers, or the so-called high financiers, at the expense of the American people. But the contention is that unless we pass this bill there will be no hydroelectric-power development.

If one is to give it all away and if, as stated by the chairman, that the high rate charged by steam generating and other plants will necessarily have to be the rate charged for hydroelectric power then there is nothing to be gained by the consumer, the Government, or anybody except the licensee. Another contention is that the Government has no property rights. If the Government has no property rights, or no right to charge for the power, it has no right to charge as provided in section 10, page 37, subdivision D, which provides as follows:

> The licensees shall pay to the United States a reasonable annual charge in an amount to be fixed by the commission.

Nor has it a right to charge as was suggested in the administration bill, the minimum charge of 10 cents per horsepower, which amount, I take it, reflects on the judgment of the three Secretaries who prepared the bill and who are to be given power to fix rates, a rate which in all probability will be the rate fixed by the commission. That rate is, of course, absurd, and instead of providing for any such absurd rate, the committee, to avoid it appearing ridiculous in the matter, struck out the 10 cents and reported the bill in its present form. I take it that all will agree that rather than make a charge of 10 cents for a concession worth from $10 to $50, the Government had better give it all. If the policy adopted by Canada or that by Government ownership or operation is not adopted, we should provide in this bill first for reasonable charges to be paid by the consumer—a charge that would insure a liberal profit to the investor and to amortize the project in 20 to 50 years, and that when every dollar expended, together with a liberal return of the investment, has been earned or paid to the licensee, the licensee shall then turn the property over to the Government. The Government can then operate it, lease it, or turn it over to the municipalities. If the Government needs the revenue it can make a reasonable charge; if not, its use can be turned over for the benefit of the people in general. If so, subdivision D, section 10, page 36, should be amended. The amortization reserve referred to should be made compulsory. There should be no ifs and ands about it. We should provide for recapture for amortization reserve pure and simple, and when once the improvement of the plant has been amortized or paid for it should be returned to the Government, its owner. The bill and the license should provide for a fixed annual charge for the use of the water power sufficient to pay all Government expenses and to amortize the project in an estimated period of years.

The annual rent should either be credited to the Government or be applied as part payment for the improvements or the investment made by the licensee, or be paid into the Treasury and set aside for the purchase of the licensee's property at the expiration of the license, and when the amounts paid equal every dollar invested, including interest and a liberal profit on the investment, or, in other words, when every legitimate and proper claim has been fully paid, the licensee should return to the Government its property, the water power and improvements paid for as earned by the use of the Government property, and release all his claims, the same as in the case of a farmer borrowing money from the Federal loan bank, who gives his mortgage and pledges his farm as security for the loan. He pays interest and part of the principal annually, or he pays it all at maturity, and when his debt is fully paid the mortgage is canceled, and his farm is returned to him free of incumbrance. So in this instance the licensee pledges his improvements or investment as security for the use of the water power and Government property, and when his indebtedness to the Government for rent is equivalent to his claim his claim is exhausted, and the property should be turned over to the Government; if not, he should be made to do so.

Under such an agreement the bondholders and investors, for whom there is so much anxiety, need have no fear of losing a dollar so far as the Government is concerned. They will have in their possession not only their own property as security but the Government property as well, until they are fully reimbursed, and nobody can dispossess them of the premises until every claim which they may have has been fully satisfied. Certainly, when every claim has been fully satisfied they should be willing to give up the property, same as the mortgagee who releases his claim after the mortgage has been fully paid and satisfied; if not willing, they should be made to give it up. In that respect the recapture and amortization provision should be written so plainly that he who runs may read. Our experience in that respect has been most deplorable; only a few years ago we paid railroad companies millions to vacate Government property here in the District, to which the railroads had no legal or moral claim. Another striking example is that of the Government leasing the land on which the property of the Washington Market Co. is located. According to the committee's report (No. 558, 65th Cong., May 1, 1918) accompanying H. R. 10893, a bill to repeal an annual 99-year lease granted and made to the company by act of Congress. According to the report the title to the land upon which the market building stands has been in the United States since the location of the Federal city in 1802.

Prior to the granting of the lease the site was occupied by the municipal market building under the control of the city government. Stalls were leased. The receipts, after paying expenses for some years previous to May 20, 1870, the net earnings of the Municipal Market Co. amounted to about $14,000 annually. The annual rental fixed in the lease was $25,000, which was in 1873, three years later, reduced to $7,500 a year by the Legislative Assembly of the District. The committee's report calls attention to a funded debt of approximately $22,000,000 which was imposed upon the District of Columbia, a very large part of which was incurred for improvements which became valueless in a few years, such as defective street improvements. On page 3 of the report it is stated that the District of Columbia and the United States have contributed approximately $25,000,000 to pay debts and interest, for which the District of Columbia received little benefit and the United

States none whatever. For more than 20 years the United States and District of Columbia hired as an armory portions of the second and third floors of the building of the Washington Market Co. at a rental of $8,000—$500 a year more than the entire ground rent paid by the company—and is now paying $14,000 a year for a portion of the second floor of the building, or $7,000 a year more than the entire ground rent. The charter provides that after a lapse of 30 years from 1870 the lease may be canceled by paying the market company the value of the building on the site. The rent paid by the company is estimated to be only six-tenths of 1 per cent of the value of the land. The Government is now paying exorbitant rents, in some instances from one to three dollars per square foot, for office space. New buildings covering blocks have been erected; many more are needed. Numerous efforts have been made to terminate the lease and to appropriate it for Government use. Notwithstanding that, there seems to be no prospect of Congress asserting its rights in that direction. Numerous other instances might be referred to.

When we consider the number of deals put over, one wonders how it happens that these valuable resources were not discovered and appropriated before. Think of it. A billion or two annual excess profit dangling in the air all these years unappropriated. Several attempts have been made to have them appropriated, but so far without success. Why turn it all over now, I know not, except upon the claim as a war proposition, which, of course, falls to the ground when confronted with the fact that neither money, material, nor labor can be had to develop hydroelectric power. Even if money, material, or labor can be had. the cost would be so enormous that no prudent concern would undertake it at this time.

Only a few years ago several enterprising gentlemen undertook to gobble up a few sections of Government coal lands. That scheme was, of course, only a drop in the bucket as compared with this. An investigation was ordered, and, fortunate for the country, the Government is still hanging onto some of its coal lands. If we shall in one little bill, in one stroke, part with all these valuable resources without compensation, without so much as "thank you," if so important and wise, to accommodate these enterprising people, who, with their attorneys, have been knocking at the doors of Congress all these years, why not include the coal, minerals, and forests, and the job will be complete. Uncle Sam's resources will then be exhausted and future Congresses will not need to be concerned about conserving his resources; it can then devote all its time to taxation and providing soft berths in the public crib for worthy and deserving applicants. In my opinion, that is not the wise course to pursue. When this war is over we shall have interest to pay, probably many billion dollars—no one knows—taxation and bond issues also have a limit, and it may be that a billion or two of revenue from this source annually might be desired. Many seem to think that this war is going to be expensive; all agree that if it runs along a year or more we shall appropriate at least fifty or a hundred billion dollars. This bill, these resources, can be made to pay every cent of it. Before parting with it would it not be well to ascertain our national future need and to bear in mind that a billion or two is not so easily picked up annually. In amount it is equivalent to the cost of all the wheat made into flour and sold for consumption in the United States this year at the price of $2.40 per bushel, the price finally fixed in the Agricultural bill, and over which there has been so much contention. One billion dollars a year for 50 years is approximately four times the estimated value of all the land in the United States in the year 1900 and two and one-half times the value of all farm property in the same year; almost ten times the individual deposits in 1,606 loan and trust companies in 1916; twelve times the individual deposits in 15,450 State banks; five times the individual deposits in 7,589 national banks; and approximately two and a half times the total individual deposits in all our National, State, private, savings banks, and loan and trust companies for 1916. Fifty billion dollars is one and a half times the total production of gold and silver in the world since the discovery of America, and more than eleven times the total money in the Treasury and in circulation in the United States in 1916. Gentlemen, to me it seems that a concession running for 50 years, valued at more than a billion dollars a year, should not be granted, especially at this time, without compensation, except to pay administrative expenses.

Now, Mr. Chairman, I do not care to take up any more time at this time. [Applause.]

Mr. ESCH. Mr. Chairman, I yield 15 minutes to the gentleman from Idaho [Mr. FRENCH].

The CHAIRMAN. The gentleman from Idaho is recognized for 15 minutes.

Mr. FRENCH. Mr. Chairman, I do not know that I shall use all the time, and I would like at this time to ask unanimous consent to extend my remarks in the RECORD on this bill.

The CHAIRMAN. The gentleman from Idaho asks unanimous consent to extend his remarks in the RECORD on the water-power bill. Is there objection?

There was no objection.

Mr. HAUGEN. Mr. Chairman, I make the same request.

The CHAIRMAN. The gentleman from Iowa makes the same request. Is there objection?

There was no objection.

Mr. FRENCH. Mr. Chairman, we are all interested in water-power legislation. The country is interested in it. And brushing aside a lot of camouflage and a lot of considerations that are important and yet are minor in character, the essential thing that demands our thought is to so frame the bill under consideration that private or corporate interests may not tie up perpetually the water power of the country and make for their own benefit a gigantic monopoly to which the people will pay tribute.

Private interests have tried for years to induce Congress to pass a law under which perpetual grants could be made by the Government, or to have the Government remove all strictures so that they could apply to the States for perpetual grants. The Congress has steadfastly refused to meet the terms demanded. Failing in their demands, corporate interests have tried to obtain the most favorable terms possible for themselves and the most difficult possible for water-power development by States and municipalities. They have urged for themselves long leases; they have urged in the name of legislation that would not "frighten capital" such conditions as would make difficult or impossible bars for municipalities to meet; they have not failed to notice a very general demand for municipal development, and they have stood for legislation touching the recovery or recapture of a power project that private capital might develop that would be so extreme as to make the recapture quite out of the question. In a multitude of other ways those who have stood for private development of the electric energy in our country by means of water power have tried to impose impossible conditions that would discourage the taking over of projects already developed.

Now, I am not blind to the fact that in many sections of our country the sentiment is pronounced in favor of development of water power by private interests, the sections apparently feeling that through Federal or State control the people will be abundantly protected. However, for my part I am not so sanguine, and I shall indicate in my remarks the reasons why I am not.

I personally believe that municipal development of water-power systems of our country will mean for the greatest interest of our people, and I want to see the bill we are considering so shaped that if there must be private development of water power in some places, there may also be ample opportunity for municipal development of hydroelectric energy wherever the people may be willing to assume that responsibility, just as they have already assumed the responsibility of maintaining their schools, building their roads, and engaging in many other activities that are commonly felt can be better managed by the people acting as a group rather than by private interests. I was one of the Members of Congress four years ago who opposed the Shields water-power bill. I am opposed to the water-power bill that has come over to the House from the Senate, and I congratulate the special committee of the House on framing a substitute bill that is incomparably better than the proposition that was handed to them when they began their deliberations upon the question.

I am going to propose a series of amendments, however, to the House bill, looking to the end that still greater opportunity may be given for municipal development of hydroelectric energy; and while my remarks now will in part pertain to the amendments that I shall propose, I shall discuss them more fully under the five-minute rule, and shall now call attention to a few outstanding matters connected with this whole problem.

OUTSTANDING REASONS WHY SOMETHING MUST BE DONE.

Few bills, aside from those immediately pertaining to the war, have been before the Congress in recent years that were of such tremendous interest to the people of our country and the people who will make up the citizenship of this country in the years to come as the water-power measure that we are now considering. This question is of tremendous importance for several reasons.

In the first place, it is of tremendous importance because there is a constantly increasing demand for power in industry, for heat to be generated by some means, for light to be used in

business and in private homes, and for the multitude of uses that hardly can be classified as industrial and yet are of vital importance to the individual families throughout the land.

The fuel supply of the world must necessarily grow smaller day by day. Our coal can not last forever. We are already talking of the time when the coal supply of the world will be eliminated. Our oil and gas supplies can not last forever. We are using them to-day in prodigal manner, and yet we have been told that we have reached the apex, or well-nigh the apex, of oil and gas production in our country, and it will not be long before the annual supply of coal and oil and gas will probably be considerably less than in years preceding.

In a well-written article in the Railway Review for August our attention is again called to the increase in price of coal, and the authority points out that while the immediate cause for this increase in price is due to the war the diminution of labor both in the mines and in connection with transportation agencies and the necessity for transportation agencies to be used in large extent for other things besides coal, there must be a swinging back of the price of coal when the war shall be over, and yet, he says, that in all likelihood the price of coal will never approach to within about 30 or 40 per cent of the prices that prevailed before we engaged in the war.

Not long ago the fuel question was in large part met by the timber supply of our country. More and more this supply is being exhausted until to-day in all of our larger cities wood does not enter largely as a fuel factor.

The available water power in the United States is estimated at more than 60,000,000 horsepower by the Geological Survey without resorting to storage facilities. However, by resorting to storage facilities there appears to be practically a maximum storage of close to 200,000,000 horsepower. At present some six or seven million horsepower has been developed.

Herbert Knox Smith, in his report upon the water-power development of the United States a few years ago, indicated that for every horsepower developed hydroelectrically there was a saving of 5½ tons of coal. Upon the basis then of more than 6,000,000 horsepower used in the United States there is a saving of 35,000,000 tons of coal every year.

You can figure for yourself the millions of dollars that would be saved by translating the tons of coal into its selling price.

Consider then the development of 60,000,000 horsepower hydroelectrically and you have a net saving of 330,000,000 tons of coal annually, which at the present prices would aggregate more than the entire cost, in normal conditions, of administering the affairs of our country.

In an article by E. A. Palmer in a recent Railway Review he points out in graphic manner tendencies in electrification of the railway system of the United States. He says there are 260,000 miles of railroads in our country and that on this entire distance more than 66,000 steam locomotives are hauling the products and passengers from place to place.

He points out that operation by electric motive power has hardly scratched the surface of possibilities of electric use in the railway world.

Mr. Palmer says that the horsepower that may be utilized on electrified railroads is almost without limit. He points out the conspicuous example of the electrification of the Elkhorn grade of the Norfolk & Western Railway. He points out that in 1906 the traffic amounted to 280,000,000 ton-miles, while 10 years later, or the first year after electrification, in 1916, the traffic amounted to 593,000,000 ton-miles, or an increase of 110 per cent, resulting in only 10 per cent increase in transportation expenses.

He points out that on the New York, New Haven & Hartford Railroad 100 electric locomotives are handling passenger, freight, and yard business on approximately 600 miles of tracks, which includes some of the busiest four-track railroads in the world.

The Pennsylvania Railroad during the last 18 years has been extending electrification of its lines. The Chicago, Milwaukee & St. Paul Railroad is now handling by electric locomotives the 440 miles on the Rocky Mountain & Missoula division and is electrifying the 211 miles embraced within the Cascade division. The power generated on the Rocky Mountain & Missoula division is from water, and annually the utilization of water power for the motive energy of this division alone of the Chicago, Milwaukee & St. Paul upon present tonnage will save not less than 200,000 tons of coal and 425,000 barrels of fuel oil. Mr. Palmer translates this tremendous saving of energy in this language:

> Expressed in popular terms, the Rocky Mountain division will save sufficient fuel this year to supply 90 transports of 13,000 tons displacement bearing troops and munitions from the United States to France and return.

What then shall we say of the saving in fuel of all kinds in the electrification of many thousands of miles of railways within our country? What shall we say of the application of hydroelectric power in running our factories, in lighting our cities, in the operation of the machinery of our mines? And we must remember that in large part even the electric power that is now being utilized for all these purposes is being generated by steam that is produced by coal or fuel oil.

The development then of hydroelectric energy means the conservation of fuel of all kinds. It means thereby the extension of use of fuel into the indefinite future, and it means the opportunity to use fuel in the places where it can be used to better advantage than can electric energy.

In connection with this thought it must be borne in mind that in the utilization of water powers of our country in the development of hydroelectric energy we are not exhausting or diminishing the source of supply. The common sources of energy that I have indicated—timber, coal, fuel oils, and gas—are exhausted by use; not so with hydroelectric energy. Here is a power that is developed from the water of our streams which if not used flows on to the ocean, having contributed nothing of energy that is potentially within it.

In 100 years from now, though using hydroelectric power all that time, and using all we will be able to develop, there will exist the same capacity for producing hydroelectric energy that exists to-day. In fact, in all probability the natural opportunities for the development of hydroelectric energy in 100 years from now will be greater than they are to-day, for the reason that with the extension of agriculture, with the cultivation of our lands, with the widening of zones in semiarid regions that are productive under irrigation and the growing of forage, of timber, of other kinds of plant life, we create the very conditions that retard and hold back the flow of streams and, in fact, in some places increase the potentiality to such an extent that we may say that in all probability in the very use and development of the water power of our country it will be another case where "giving is a gaining," and the children of other years will have even more, notwithstanding our greatest use, than if we had not used at all.

Now, if it is important to consider the development of the hydroelectric energy in our country, there are several questions that are vital in connection with the same. A very cursory examination of the matter reveals the fact that, for the most part, the hydroelectric power that is used in our country to-day is concentrated within and under the control of a very limited number of large concerns. More than that, the very nature of the business seems to be such that unless the Government shall take a hand in the question there must be a still greater concentration of control and ownership of the hydroelectric business. This is a class of business that must be engaged in on more than a minute scale. If the electric-power company in your city charges extortionate rates, a new company can not very satisfactorily be organized, enter the business with limited capital, and proceed to compete with the older and probably large institution already in existence. The earlier institution in all probability will have the most available source for the development of hydroelectric power; in all probability the second company to enter the field would need to expend vastly more in the development of plant than the company already in existence, and the very conditions surrounding this industry keep out competition. The fact that the plant for the development of the water power must depend upon rivers and streams, reservoir sites, waterfalls, and other natural agencies that can not be placed at will by people, however interested, means that the hydroelectric business tends to become a monopoly. As the people of the country are vitally interested in the question, and as prices to the consumer can not meet the ordinary laws of competition, we must consider the question of the people's interests from the standpoint either of Government ownership—and by Government I mean Government either of Nation, the State, or the municipality—or we must handle this business, which is essentially a public-service business, by means of definitely constituted commissions, whose province will be to fix the rates that will be charged for the service rendered.

As I shall indicate later, I do not believe this latter will prove satisfactory, and, as I shall point out, municipal plants are rendering the same service for less cost to the people than are private concerns.

SHALL WE ENCOURAGE MUNICIPAL DEVELOPMENT?

Shall we encourage municipal development of hydroelectric energy? So far as I am personally concerned I have no hesitation in answering affirmatively, and I shall tell you why.

Reviewing the history of our country from the beginning from the standpoint of municipalities' or States' participation in affairs that might be done by the private individual, it is interesting to note the line of cleavage that at an early date began to assert itself.

There never was a time in the history of our country or in colonial history when the question of taxation was not handled by the State or some municipality under the State—contrasting markedly with the condition that existed in the Roman Empire 2,000 years ago when the franchise or right to raise taxes in a certain province would be sold to some individual or group of individuals who were supposed to have ability to meet their obligation to the State and who in turn would collect the taxes from the people. Something of this same system has been employed in other countries in later times, but, as I said, in the United States and in the Colonies prior to their organization into our Federal Government we had gotten by that stage, and the State or some municipality thereunder has uniformly exercised this function of government.

With regard to road building, it was somewhat different in our own country. While road building from the very earliest days was, in large part, a community matter, a county, or State matter, and even 100 years ago a matter for the Federal Government, yet there were many roads built and maintained by private owners, and the people generally were compelled to pay tribute in the way of tolls to the owners of these roads. I have driven by the old toll stations in Pennsylvania, in Massachusetts, and elsewhere. I recall even that in so new a State as Idaho there were toll roads, certain highways were maintained by means of the private franchise granted to the individual, the grantee maintaining the road and recouping himself by charging a fee for traveling the same. But we are abolishing private roads; we are abolishing tollgates.

In connection with toll roads, I should not omit to mention ferries and ferryboats, which in many States even to-day are maintained as private institutions under franchises granted by State authority. The owner of the franchise maintains and operates his ferryboat; the people who cross the river pay toll for the service rendered.

Even bridges are sometimes constructed by private individuals under franchise. Across the Snake River, between Idaho and the State of Washington, there was built the great Lewiston-Clarkston bridge, a bridge that for many years was maintained by private interests which received a revenue from the traveling public for the use of the bridge. Later this bridge was purchased by the States of Washington and Idaho.

Our rivers have been handled in much the same way as have our highways. Many of our rivers from very early times have been improved almost exclusively by the State or by different States or by the State in the larger sense—the Federal Government. On the other hand, many of our rivers have been improved by those to whom franchises have been granted for logging or other purposes, the grantee having the right of use of the river in compensation for the improvements made.

More and more, however, we are drifting away from this system of river improvement, and the Federal Government and the States, secondarily, are carrying forward this great work.

With our harbors, for the most part, the work of improvement has been carried on by the Federal Government or by the State. True even here, through a system of private ownership of dockage facilities, private interests have, to some extent, helped in this work, and have recouped themselves by charges made for the use of our docks.

Now, it is perfectly conceivable that all harbor-improvement work on our thousands of miles of coastal line could be carried on by private individuals and corporations which would be under the Federal Government to insure faithful execution of their work and which would recoup themselves and make their profits by charging the people for the use of the harbors. This would be a perfectly feasible system, and the Government could receive some revenue through leasing harbor rights. Yet who would seriously consider private development of our harbor facilities?

So we could carry on our river-improvement work through our country; so our highway-improvement work; so our bridges could be constructed; so our ferries could be maintained; so even taxes could be collected; so our schools could be maintained; so, in fact, could many of the agencies of the Government that for many years we have come to recognize as essentially belonging to the Government as it is manifested in some form from the large superstructure, the Federal Government, on down to the government of the community, the township, or the school or road district.

The line of cleavage that seems to separate the large class of business that is handled by the individual, the agricultural business, merchandising, the various trades and professions, on the one hand, and the business of maintaining such institutions as roads, harbors, navigation, and so forth—I say the line of cleavage seems to be one that has relation to the amount of service expended in comparison with the amount of public good received.

Probably no institution that we maintain results in such tremendous general good to the public in comparison with the amount of money expended in maintaining the same and in comparison with the number of men employed, and necessarily employed, in extending and keeping up the same as the public highway. Very close to the public highway from this standpoint are our coastal harbor facilities, our rivers, public schools, and other institutions that I could mention. On the other hand, the Government, the State, would probably be quite loath to enter the field of agriculture or merchandising or maintain blacksmith shops or garages throughout the country because of the very large amount of individual attention and detail necessary for the delivery of service.

Now, let us make the application: We have here the question that has been considered for several years—the working out of the best way for the development and utilization of hydroelectric power of our country. There are some who say let the State keep its hands off; let the Government treat this business as it does farming or as it does the trades and professions. And yet is there not a very close analogy between the amount of capital to be expended, the amount of attention in upkeep, in maintaining a hydroelectric power system and the maintaining of a highway or a harbor in New York City or Philadelphia? Can not those who urge the theory that to private initiative and private development belong the great hydroelectric possibilities of the present and of the future argue by the same processes of reasoning that to the private individual belongs the right to develop the harbor in New York, Philadelphia, Boston, or San Francisco? In maintaining our harbors in these places I have mentioned, or in maintaining a river as available for safe and economical navigation, we can not overlook the fact that natural resources or advantages exist that belong not to a few but to all the people.

It is this one condition very largely that helped us from the beginning, unconsciously or otherwise, to shape the very course that we have followed. Likewise it is true when the question of development of hydroelectric power is considered, the great natural resources belong to the people. True, they are not valuable for power purposes for the development of hydroelectric energy until they have been harnessed, but the harbor at New York is not available for the ships of the world if it is filled with snags and bowlders and its channel so massed with débris that ships can not enter with safety.

Now, when a private individual is granted a right or franchise to develop a water power, true enough he invests some capital, he installs modern machinery, he assumes some risk, but the very large and constant part of that which makes his investment worth while is the contribution that the public makes in the way of the water power that it furnishes in the franchise.

MUNICIPAL AND PRIVATE POWER PLANTS AS MEASURING STICKS.

I utterly fail to see the logic of those who stand exclusively for private development of hydroelectric energy. As I see it, no harm can come; but, on the other hand, probably much good, from municipal development. Most of the development that has occurred in the past has been through private means. Yet not all.

In the report of the Senate Committee on Public Lands in the Sixty-fourth Congress on the water-power bill, Secretary Lane is quoted as advising that out of 7,000,000 horsepower developed in the United States in 1913, 20 companies or groups of interests controlled 6,267,318 horsepower. Further, he advised that in the Western States of California, Colorado, Idaho, Montana, Nevada, Oregon, Utah, and Washington, out of 1,135,400 developed horsepower, large corporations controlled and owned 1,023,700, leaving but 111,700 horsepower in the hands of small developers.

He states that in California 92 per cent of the developed power is owned by large corporations and 8 per cent by small owners. In Oregon 90 per cent is owned by large companies, 10 per cent by small.

He further states that with but few exceptions the valuable power sites on lands not owned by the Federal Government have passed into private ownership in perpetuity.

There are upward of 100 cities in the United States to-day that have developed electric power for their people's use. With the close analogy between the development by municipalities of electric power and the maintenance of a municipal water system, as is very common, why is it not the part of wisdom to permit municipalities to engage in developing electric power if they so desire?

Municipally owned plants and privately owned plants would serve to check each the other. The people would soon learn whether through public management waste exists and whether through private ownership inordinate rates are charged.

The other day I was talking to a gentleman who had been a professor in the University of Idaho for several years, and he told me of a remark made to him by the manager of one of the large private hydroelectric power companies in the West that must face the competition in the region of country that is served by a municipal plant that exists for the purpose of serving a city of some 12,000 people. The manager of the private concern told the college professor that it would be worth $1,000,000 to his company if they could be rid of this vexatious municipal plant in their midst. Now, how would it be worth $1,000,000? Why, because there would be no measuring stick in the community by which the people could be constantly gauging the question of justice or injustice that was meted out to them by the private concern in rates charged and in service rendered. So it would work out in other places.

Another reason why I am in favor of making the opportunities greater for municipal development instead of relying upon the acquisition of properties after they shall be developed by private individuals and when the leases shall have expired is because I want to avoid the difficulty of handling the question of values when power plants shall be taken over by the Government or by the State or municipality.

We all know the habits of individuals, and especially of corporations. Directors are anxious to make the best showing possible for their stockholders by magnifying the value of properties that are in their possession.

I recall that Sir Adam Beck, in his testimony, told how a group of men some years ago at Ottawa secured the rights to generate power and secured control of lands for which, as I understand, $1,400 was paid. Nothing was done with this, and the Hydroelectric Power Commission, desiring to take over the rights of this group of men in the development of power for the city of Ottawa, approached the owners of the rights and asked them for a price. What did the owners ask for the rights? One thousand four hundred dollars plus a reasonable rate of interest? Not at all.

Would they have been content with merely doubling their money? Not at all. They were not content by multiplying their investment by 10, by 100, or 1,000; but they asked of the municipal organization of the Province $3,000,000 for property that had cost them $1,400 not many years before. You have all heard of instances of that character. Within the present Congress it has been pointed out time and time again how property right here in the District of Columbia, where assessment records are available, where property values can be obtained with the minimum of time and care, suddenly assumes an enormous value when the Government wants the property.

The same was true, as I recall, touching those who purchased some of the land and buildings down at Jamestown that were utilized in connection with the Jamstown Fair and then were quite willing in this war emergency to part with them to the Government at a price that was outrageous in comparison with that which it had cost. We fought that question out a year ago.

The adoption of the amendments that I shall propose will remove the necessity of meeting just such problems as these.

THE ONTARIO SYSTEM—AN INTERESTING OBJECT LESSON.

One of the most interesting things in connection with the study of development of hydroelectric power is the history of the Hydroelectric Power Commission of the Province of Ontario in our neighboring country to the north.

The use of electric power for manufacturing purposes and even for lighting in its largest aspect has a comparatively short history. The great development in hydroelectric power has been practically limited to the last 25 or 30 years. The people of the Province of Ontario some 18 years ago began to realize not only the great opportunities for the use of electric power, they realized that they were remote from coal and fuel oils, and they realized further that they were paying very high rates for the power that was furnished them by private institutions. Accordingly, in 1900 the Board of Trade of the City of Toronto made application to the legislature of the Province for authority to undertake the development and transmission of electric power from Niagara Falls.

At that time the Province had already granted leases to several private concerns. The application on the part of the city was rejected but the agitation continued, and two years later a large convention was called of municipalities from the great southwestern portion of Ontario, embracing towns and cities in a region some 150 or 200 miles north and south by probably more than 300 miles east and west. A committee was appointed from this convention to confer with the Government with the object in view of securing legislation that would enable the municipalities to undertake the development of electric power.

The Province proceeded rather deliberately, and a commission of inquiry was appointed under the legislation that was enacted in 1905. The chairman of this commission was Sir Adam Beck, whose testimony appears in part 3 of the Water-Power Hearings before the special committee of the House of Representatives. This commission was made up of men of very responsible character; Sir Adam Beck, himself a manufacturer, and one or two other manufacturers were upon the commission, and in addition an eminent electrical engineer and expert, Prof. Fessenden.

This commission went into the subject carefully and made its report, and the Legislature of Ontario, by act of May 14, 1906, created the Hydroelectric Power Commission of Ontario. Sir Adam Beck was appointed chairman and was, in fact, made a member of the Province cabinet without portfolio.

The testimony of Sir Adam Beck before the committee is intensely interesting. He tells the history of how the commission began the development of its work in Ontario, and how for a number of years its work consisted largely in being a sort of go-between or middleman between the large producers of electric power and the municipalities in Ontario. He tells further of the acquisition of plants and systems and franchises that had been granted to private concerns. He tells of the development of projects from the very beginning whose development has been carried forward under the commission. He tells of absorption by the commission of 86 different plants and the taking over of the great work that they were doing. He tells further of supplying electric power to 225 municipalities, of which thirty-odd are townships throughout Ontario. He tells of various systems that are being operated under this commission and of the development of resources and assets of the combined municipalities until to-day they have a value of something like $70,000,000, and upon the basis of plans that have already been laid out they will have a value of $100,000,000 within about three or four years.

The practically important part of the history that Sir Adam Beck told to the committee is that which has to do with the price for which electricity is furnished to the people of the Province. I have been accustomed to paying for the electric lighting of my home at the rate of 10 cents or 11 cents per kilowatt hour, whether in the city of Washington or in my home in Idaho. I am somewhat familiar with the rates that are being charged to other consumers throughout the United States by private concerns. It was a striking commentary on the work of this Ontario commission when I discovered in the testimony of Sir Adam Beck that the highest rates per kilowatt hour in the 225 municipalities that have become part of this greater municipality was a little more than 3 cents per kilowatt hour, and that in all the homes in the cities where service could be rendered most advantageously the cost was as low as 1 cent; the average was between 2 cents and 3 cents and not 7 cents, 8 cents, 10 cents, or more, as is the case within the United States.

Now listen further. Sir Adam Beck's testimony in the matter of comparative rates charged consumers in various cities of the Province of Ontario is highly illuminating. He points out that in Toronto in 1912, before the municipal commission began to supply power to the city, the rates charged the people were 8 cents per kilowatt hour, plus 25 cents per month meter rental. By 1916 the rates had been cut down to 2½ cents per kilowatt hour, and last year the commercial rates for lighting averaged 2 cents per kilowatt hour in Toronto, and no charge, as I understand, was made for the meter.

More than that, in 1912 there were 11,959 consumers of electricity, as against 52,000 consumers under municipal control last year.

With regard to the city of Hamilton, Sir Adam Beck said that prior to the entrance of the municipal commission into the business of supplying electric power to the people they were charged by private concerns 8 cents per kilowatt, plus 25 cents per month meter rental. Under the municipal competition the rates were promptly scaled down to 2½ cents, with no charges on the meter, and last year the rates averaged 1.32 cents per kilowatt hour and no extra charges. In Hamilton, in 1913, there were 6,550 consumers, while in 1916 there were 13,000.

Take Kitchener, a smaller city, with only 15,000 inhabitants, domestic rates were 11 cents per kilowatt hour, plus 25 cents per month for meter rent, prior to the entrance of the municipal commission into the field. After the latter entered the field the cost was reduced to 3.5 cents per kilowatt hour.

In Galt, another city of 12,000 or 15,000, the rates were reduced from 11 cents to 2.8 cents after the commission entered the field.

Sir Adam Beck further says that the domestic and commercial rate averages in the Province of Ontario have been reduced to 2½ cents per kilowatt hour.

He has pointed out in his testimony how the rates have been scaled down year by year, and upon the basis of saving, in a population made up of 1,500,000 people, there was saved in

the year 1916, in comparison with the year 1913, the vast amount of $2,380,000.

The demand for municipal service is not limited in the Province of Ontario to the members of a political party nor to a class. The demand, as nearly as I can gather it, seems well-nigh universal. The merchant wants it because of the economy in lighting and heating of his store; the manufacturer wants it because of the saving in power charges; the newspaper publisher wants it because of the convenience of electric power and the small cost to him in his business; the dairyman, the farmer, the miller, the warehouseman all demand this power, and it is remarkable how many are the people in Canada who are utilizing electricity at this time, apart even from those who ask for municipal development that they may obtain light and that in that cold climate they may obtain a cheap and convenient and clean method of heating their homes which is common practice.

CRITICISM OF THE ONTARIO SYSTEM.

In referring as I have to the Ontario system and to the testimony of Sir Adam Beck, the chairman of the hydroelectric commission, I would not have it understood that there is no opposition. If we may judge by the votes that have been cast in Ontario, it would seem that the people are almost unanimously in favor of the system; but there is a severe criticism in the volume entitled "An Expensive Experiment," published in 1913, from the pen of a distinguished American, Mr. Reginald P. Bolton, member of the American Institute of Consulting Engineers and numerous other organizations, that suggests the eminence of this authority.

I do not know what Mr. Bolton's idea may be to-day, but his idea five years ago was unfavorable to the Ontario system. He States that the popular approval in Canada as indicated by the vote is apparent rather than real, because of the fact that those eligible to vote do not represent the entire voting population. He further points out that the Province itself is burdened by the hydroelectric commission, and that thereby the people of the Province, whether they use electricity or not, are, in part, paying for a service that is rendered to only a limited number of people. He urges that the experiment has not added to the economic welfare of the community to any appreciable extent, but that it has involved the Province and the municipalities in a large addition to their existing indebtedness. He urges that competition has been unfair toward those who have owned private plants in that private-plant owners have burdens to keep up that the municipality does not have, and that the municipal commission has certain prerogatives not possessed by private concerns.

He urges again that the expense of furnishing electricity is not altogether capable of being measured under the present system in terms of kilowatt-hour charges, but that some expenses must be borne by what might be regarded as taxation in the nature of improvement taxes, as, for instance, where abutting property owners are charged a certain amount by the extension of the system along roads or thoroughfares.

Again, he urges that it is unfair to the public that the hydoelectric power commission has been productive of considerable inequality, that facts are concealed from the public, and that the financial affairs of the organization were not at the time he made his study of satisfactory character,

I felt that it would not be just in me to refer to the testimony of the chairman of this hydroelectric commission of the Province of Ontario without at the same time calling attention to the fact that criticisms are leveled against the work of the commission. I will say, however, I am profoundly impressed by the testimony of Sir Adam Beck, and surely it is worth while for our municipalities to examine into the question if even one-half that he has told should be found applicable to conditions within the United States.

THE SENATE BILL CONTRASTED WITH THE HOUSE BILL.

At this point you might be interested in noticing just what the essential points of difference are between the Senate bill and the House bill. The Senate bill applies only to navigable streams. The House bill applies to navigable streams and nonnavigable streams. The Senate bill places the power entirely in the hands of the Secretary of War. The House bill creates a Federal power commission composed of the Secretaries of War, the Interior, and Agriculture.

Both bills provide for a leasing system.

The Senate bill fixes an arbitrary period of 50 years for which leases may be issued; the House bill provides that the lease period may not be more than 50 years. The Senate bill provides that at the expiration of 50 years the project may be acquired by the Government at a "value" attained upon agreement by the Secretary of War and the grantee. The House bill provides that at the expiration of the lease the Government may take over the improvements and works that have been added by the lessee at a cost to the Government of net investment on the part of the company or lessee. Both bills attempt to provide against restraint of trade, against combinations looking to the holding up of prices charged; and the House bill specifically provides that the State may have the authority of fixing the service charges, and in the absence of State machinery for the carrying forward of this work the responsibility shall be placed in the commission. The House bill further provides that the Government itself may undertake the development of water power, and apparently authorizes the commission to give preference in the issuance of licenses to States and municipalities.

In my judgment the House bill is far more in accord with the needs and demands of the time than is the Senate bill. It is more in accord because it meets the entire situation touching our public waters and their use. It is more in accord because there is the possibility lodged in the commission of making a lease for a shorter period of time than 50 years; and it is more in accord, in my judgment, because I believe the terms of what may be known as the recapture clause are more satisfactory in the House bill than in the Senate measure.

There is one question, however, that it seems to me has not been given the attention that it deserves in either the Senate bill or in the bill reported in the House, and that is the proposition of opportunity for the people to develop hydroelectric power through States or municipalities. True enough on the face of things, it appears from the House bill that the opportunity is held out to States and municipalities to engage in hydroelectric development of power. True enough States and municipalities may be given something of a preference in the issuance of permits, but I believe we have failed to recognize this fact, that States and municipalities are slow to act and that no matter what public sentiment may be, no matter if it is entirely crystallized in favor of municipal ownership, under the cumbersome means that exists for the expression of opinion upon the part of the municipal body or upon the part of a State, the most valuable water-power sites will pass into the hands of private individuals or corporations before the States or municipalities will have an opportunity under the law to assert their rights. If they do, and then if municipalities develop more difficult projects, you can well understand the unfair comparison that would constantly be made between the two systems, it being overlooked that the private concerns have the easy projects and the municipalities the hard.

Mr. Chairman, I shall print with my remarks, for the convenience of Members, the amendments that I have referred to and that I propose to offer, and shall plan to give attention to each one of them as they shall be reached under the five-minute rule.

In brief, these amendments provide:

First, that within the definition of a municipality shall be "hydroelectric districts";

Second, that for a period of five years after any temporary permit or license shall be issued to a private concern, the State in which the power project is located, or the municipal district to which it pertains, shall have the option of taking over the project upon compensating the private concern in an amount not greater than the expenditures it has incurred, together with interest upon the same;

Third, that the maximum term of lease shall be not to exceed 30 years instead of 50 years;

Fourth, that the commission shall give preference to applications for permits to States or municipalities rather than to permit the commission to do so in its discretion; and

Fifth, that at the expiration of a lease, preference for its continuance shall be given by the commission to the State in which the power project is located or the municipality to which it pertains.

PROPOSED AMENDMENTS BY MR. FRENCH.

Amend page 25, line 19: After the word "district" insert ", hydroelectric district."

Amend page 29, line 11: After the colon, following the words "herein provided," insert the following: "*Provided*, That when application for temporary permit or license shall be made by citizens, association of citizens, or corporation, the commission shall certify the application and the terms of the same to the governor of the State and to the chairman of the board of county commissioners or other similar supervisory county board of the county or counties to which the application for temporary permit or license pertains, and shall cause a copy of said notice to be published once every week for four successive weeks in a newspaper of general circulation in said county or counties, and the State, county, hydroelectric district, or other municipality within which the application for temporary permit or license last mentioned pertains shall have the option for a period of five years of taking over as though having made the original application for license all rights, leases, and project property of every description of said citizen, association of citizens, or corporation, paying therefor an amount not in excess of the total amount of money expended on said project, including interest, by such citizen, association of citizens, or corporation, and thereupon the commission shall take up any preliminary permit or license theretofore

issued and issue a new preliminary permit or license, as the case may be, to said State or municipality, and in case the grantee of the preliminary permit or license and the State or municipality shall be unable to agree upon the amount due the grantee of the preliminary permit or license from said State or municipality, then, and in that event, the commission shall determine the amount to be paid, and the amount so determined shall be final under the terms of the preliminary permit or license."

Amend page 32, line 24: Strike out the word "fifty" and insert in lieu thereof the word "thirty."

Amend page 33, line 11: Following the word "commission" strike out the remainder of the line 11 and all of lines 12, 13, and 14, and insert in lieu thereof the following: "shall give preference to applications thereof by States and municipalities conserving and utilizing in the highest."

Amend page 33, line 17: Strike out the word "likewise."

Amend page 43, line 8: Strike out period and insert colon and the following: "*Provided*, That preference shall be given to the State in which the project is situated or the municipality to which it pertains in the issuance of a new license in event of application therefor."

Amend page 49, line 25: Strike out the words "retain the same" and lines 1, 2, and 3, on page 50.

Mr. SIMS. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. WEBB, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill S. 1419, the water-power bill, and had come to no resolution thereon.

LEAVE OF ABSENCE.

Mr. BRAND, by unanimous consent, was given leave of absence indefinitely, on acount of important business.

CALENDAR WEDNESDAY.

Mr. SIMS. Mr. Speaker, general debate on the bill having been closed, I ask unanimous consent to dispense with the business of Calendar Wednesday to-morrow.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to do away with the business on Calendar Wednesday to-morrow. Is there objection?

Mr. STAFFORD. Reserving the right to object, will the gentleman have any objection to coupling with that a request that we consider unobjected bills on the Unanimous Consent Calendar to-morrow until 2 o'clock p. m.? The reason I make the suggestion is that when the last Unanimous Consent Calendar was called there were some 30 or 40 bills not reached. Unanimous-consent day was passed on Monday, because of the death of Senator GALLINGER. The next unanimous-consent day will fall on Labor Day, and last year we adjourned because of that holiday. There are many Members interested in bills which they would like to have passed. I think the calendar could be called and the unobjected bills disposed of by 2 o'clock.

Mr. SIMS. I will agree to the gentleman's request.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to do away with the business on Calendar Wednesday to-morrow, coupled with the further request that after the prayer, the reading of the Journal, and the disposition of the business on the Speaker's table, the Unanimous Consent Calendar be taken up and considered not later than 2 o'clock. Is there objection?

Mr. WALSH. I object.

The SPEAKER. Does the gentleman object to the whole request?

Mr. WALSH. Yes.

Mr. SIMS. Does the gentleman object to dispensing with the business of Calendar Wednesday?

Mr. WALSH. I do.

Mr. STAFFORD. Mr. Speaker, I demand the regular order.

ADJOURNMENT.

Mr. SIMS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 27 minutes p. m.) the House adjourned until to-morrow, Wednesday, August 21, 1918, at 12 o'clock noon.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. DEWALT: A bill (H. R. 12786) to authorize the Philadelphia, Harrisburg & Pittsburgh Railroad Co., its lessees, successors, and assigns, to construct a bridge across the Susquehanna River, from the city of Harrisburg, Dauphin County, Pa., to the borough of Lemoyne, Cumberland County, Pa.; to the Committee on Interstate and Foreign Commerce.

By Mr. HENRY T. RAINEY: A bill (H. R. 12787) to amend the narcotic act; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 12788) granting a pension to Jacob L. Cunningham; to the Committee on Invalid Pensions.

By Mr. FULLER of Illinois: A bill (H. R. 12789) granting an increase of pension to Stacey E. Hartley; to the Committee on Invalid Pensions.

By Mr. POU (by request): A bill (H. R. 12790) for the relief of the heirs of R. F. Graves, jr.; to the Committee on Claims.

By Mr. POLK: A bill (H. R. 12791) granting an increase of pension to David A. Conner; to the Committee on Invalid Pensions.

By Mr. ROUSE. A bill (H. R. 12792) granting an increase of pension to Greer T. Neal; to the Committee on Pensions.

By Mr. SHERWOOD: A bill (H. R. 12793) for the relief of Nathan Manzer; to the Committee on Military Affairs.

Also, a bill (H. R. 12794) granting a pension to Etta A. Hood; to the Committee on Pensions.

By Mr. TIMBERLAKE: A bill (H. R. 12795) granting an increase of pension to Nelson Aumick; to the Committee on Invalid Pensions.

By Mr. WINGO: A bill (H. R. 12796) granting an increase of pension to George W. Tilman; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Resolutions of the Presbyterian, Methodist, and United Brethren Churches, of Pataskala, Ohio, in favor of amendment 18 to the Constitution; to the Committee on the Judiciary.

By Mr. FULLER of Illinois: Papers to accompany a bill to increase the pension of Stacey E. Hartley; to the Committee on Invalid Pensions.

Also, petition of citizens of Roscoe, Ill., opposing the Angelus resolution; to the Committee on the Judiciary.

By Mr. SCULLY: Resolution from Rev. James G. Mason, of Metuchey, N. J., favoring war-time prohibition; to the Committee on the Judiciary.

By Mr. SIMS: Petitions of various citizens of Scotts Hill, Tenn., against reducing the draft age to 18 years; to the Committee on Military Affairs.

By Mr. SMITH of Idaho: Resolutions of the Rotary Club and of the Greater Twin Falls Club, both of Twin Falls, Idaho, favoring the enactment of House bill 12774, to provide revenue to defray war expenses, and for other purposes; to the Committee on Ways and Means.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *August 21, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Good Lord, deliver us from the hyphenated American, the pro-German, the spy, the profiteer, the pacifist, the slacker, and all who would retard the prosecution of the war for human rights, human happiness, in the establishment of a permanent, world-wide peace; for Christ's sake. Amen.

The Journal of the proceedings of yesterday was read and approved.

MERCHANDISE DONATED TO THE RED CROSS.

Mr. HULL of Tennessee. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 12704) to authorize the importation without the payment of duty of sundry articles for the American National Red Cross to be donated or used by it solely to or for the benefit of the land or naval forces of the United States or its allies, or for the relief of the civilian population of the United States or of its allies.

The SPEAKER. The gentleman from Tennessee asks unanimous consent for the present consideration of the bill H. R. 12704. Is there objection?

Mr. STAFFORD. Mr. Speaker, the bill has been reported only recently, and I think it should be read first.

The SPEAKER. The Clerk will read the bill.

The Clerk read as follows:

Be it enacted, etc., That during the continuance of the state of war now existing, and during the period of one year thereafter, there may be imported into the United States free of the payment of any import

duty any articles of clothing, medicines, drugs, hospital supplies and equipment, goods, wool and cotton, and the products thereof, donated by any person or persons abroad and consigned to the American National Red Cross: *Provided*, That such articles or supplies are not to be sold but are only to be donated or used by it solely to or for the benefit of the land or naval forces of the United States or of the allies of the United States, or for the relief of the civilian population of the United States or any of its said allies.

SEC. 2. That the Secretary of the Treasury shall prescribe such regulations as may be necessary to carry this act into effect.

The SPEAKER. Is there objection?

Mr. WALSH. Mr. Speaker, reserving the right to object, would the gentleman from Tennessee mind explaining what is intended in lines 4 and 5, on page 2, by the language—

or for the relief of the civilian population of the United States or any of its said allies.

Mr. HULL of Tennessee. Mr. Speaker, I will say to the gentleman that that relates only to such disasters as storms and cyclones, when the Red Cross is suddenly called on for relief, as, for example, at the time of the Dayton flood. Those things are not expected to occur at all, but the language is inserted there because it is a part of the Red Cross work.

Mr. WALSH. Disasters such as fires and floods?

Mr. HULL of Tennessee. Yes; calamities that might call for Red Cross aid in line with its usual work.

Mr. WALSH. But why should this privilege be given in order to relieve that class of disaster during this war period any more than during peace times.

Mr. HULL of Tennessee. The purpose of the bill is to permit during the war the importation of large consignments of knitted and other goods that are prepared by Red Cross organizations in all the South American countries and in the Philippine Islands and in other countries which come in during the war only. They are not in operation during peace times as a rule, and this is to get them to the Red Cross organization on their way primarily to the Army and Navy at the front.

The SPEAKER. Is there objection?

There was no objection.

Mr. HULL of Tennessee. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The Clerk will read the bill for amendment.

The Clerk again read the bill.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. HULL of Tennessee, a motion to reconsider the vote by which the bill was passed was laid on the table.

EXTENSION OF REMARKS.

Mr. KELLEY of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting therein a patriotic address delivered at the Knickerbocker Theater, in Washington, on Memorial Day, by my colleague, Mr. JAMES.

The SPEAKER. The gentleman from Michigan asks unanimous consent to extend his remarks in the RECORD in the manner stated. Is there objection?

There was no objection.

ORDER OF BUSINESS—THE SELECTIVE-DRAFT LAW.

Mr. DENT. Mr. Speaker, I ask unanimous consent that the bill H. R. 12731, providing for the new draft, which is reported to-day from the Committee on Military Affairs, be set down as a special order for to-morrow immediately after the reading of the Journal.

The SPEAKER. The gentleman from Alabama asks unanimous consent that the new draft bill, H. R. 12731, be made the special order for to-morrow, not to interfere with the ordinary business on the Speaker's table, or with revenue bills or appropriation bills, or conference reports.

Mr. DENT. And that the order continue until the bill is disposed of.

The SPEAKER. And that it be the continuing order until the bill is disposed of.

Mr. MADDEN. Mr. Speaker, reserving the right to object—not that I am going to object—I do not think the bill ought to be displaced by a revenue bill or any other bill while it is under consideration, and I hope the gentleman from Alabama will take that out of his request.

The SPEAKER. He did not put it in. That was put in by the Chair.

Mr. DENT. The Speaker put that in; and I was quite willing to accept the Speaker's amendment, because I am sure that there will be no revenue bill reported to interfere with it.

Mr. MADDEN. I hope the Speaker will take that out.

The SPEAKER. Very well; the Chair will take it out. [Laughter.]

Mr. SIMS. Mr. Speaker, reserving the right to object—and, like the gentleman from Illinois [Mr. MADDEN], I do not expect to object—of course, the water-power bill is the continuing order. This is not a privileged matter, but all will realize that it is a matter that ought to have right of way. Therefore I shall not object; but I shall ask that as soon as the bill is passed, we resume consideration of the water-power bill under the existing order.

The SPEAKER. That will be done, anyway. The gentleman from Alabama asks unanimous consent that to-morrow, after the reading of the Journal and the disposition of business on the Speaker's table, the new draft bill, H. R. 12731, be made the special order and the continuing order until disposed of. Is there objection?

There was no objection.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. WINGO indefinitely.

CALENDAR WEDNESDAY.

The SPEAKER. This is Calendar Wednesday, and the Clerk will call the roster of the committees.

The Clerk proceeded with the call.

When the Committee on Foreign Affairs was called,

INDEMNITY OF THE GREEK SUBJECTS.

Mr. FLOOD. Mr. Speaker, by direction of the Committee on Foreign Affairs, I call up the bill (H. R. 69) on the Union Calendar, and I want to ask unanimous consent to substitute for it the bill (S. 4527) which has passed the Senate and is on the Speaker's table.

Mr. STAFFORD. Will the gentleman indicate the number on the calendar?

Mr. FLOOD. The bill I am calling up is a bill to authorize the payment of indemnities for the Governments of Austria-Hungary, Greece, and Turkey for injuries inflicted on their nationals during riots occurring in South Omaha, February 21, 1909. The bill as reported strikes out the appropriation for the subjects of Austria-Hungary and Turkey and applies simply to the subjects of Greece.

Mr. STAFFORD. Will the gentleman indicate the number on the calendar?

Mr. FLOOD. No. 82 on the Union Calendar. Mr. Speaker, I call up that bill.

The SPEAKER. The gentleman from Virginia calls up the bill H. R. 69 and asks leave to substitute for the bill the bill S. 4527 of similar tenor. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, is the Senate bill identical with the bill reported by the Committee on Foreign Affairs?

Mr. FLOOD. I think so.

Mr. STAFFORD. The gentleman thinks so. I think the Senate bill should be first read before unanimous consent is granted.

The SPEAKER. The Clerk will report the Senate bill.

The Clerk read as follows:

A bill (S. 4527) to authorize the payment of indemnities to the Government of Greece for injuries inflicted on its nationals during riots occurring in South Omaha, Nebr., February 21, 1909.

Be it enacted, etc., That there is hereby authorized to be paid, out of any money in the Treasury not otherwise appropriated, as a matter of grace and without reference to the question of liability therefor, to the Government of Greece, as full indemnity on account of injuries inflicted on its nationals during riots which occurred in South Omaha, Nebr., on February 21, 1909, as set forth in the message of the President of the United States dated January 14, 1916, $40,000.

The SPEAKER. The gentleman from Virginia asks unanimous consent to substitute the Senate bill for the House bill. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that it be considered in the House as in Committee of the Whole.

Mr. STAFFORD. Let it be considered in the committee.

Mr. FLOOD. All right.

The SPEAKER. The House automatically resolves itself into the Committee of the Whole House on the state of the Union for the consideration of this bill, and the gentleman from North Carolina [Mr. SMALL] will take the chair.

The House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 4527, with Mr. SMALL in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of Senate bill 4527, which the Clerk will report.

The Clerk read as follows:

A bill (S. 4527) to authorize the payment of indemnities to the Government of Greece for injuries inflicted on its nationals during riots occurring in South Omaha, Nebr., February 21, 1909.

Mr. FLOOD. I ask that the bill be read.

The bill was again read.

Mr. MILLER of Minnesota. Mr. Chairman, I would like to make an inquiry of the gentleman from Virginia, if I may. The bill as passed by the Committee on Foreign Affairs of the House authorized the payment of citizens of three different countries——

Mr. FLOOD. No——

Mr. MILLER of Minnesota. One was Turkey, one was Austria-Hungary, and one was Greece.

Mr. FLOOD. The bill as introduced had such a provision in it, but the Committee on Foreign Affairs of the House struck out the provision for the payments to the Governments of Austria-Hungary and Turkey.

Mr. MILLER of Minnesota. I really meant to ask the question in that way, and it is my mistake I did not. Will the gentleman state to the committee why Turkey was cut out? Now, I can see the reason in reference to Austria-Hungary, because we are at war with that country, but we are supposed to be in the piping times of peace with Turkey.

Mr. FLOOD. We have no diplomatic relation with Turkey, and that was the reason we did not make provision for the payment of money in this bill to her nationals.

Mr. MILLER of Minnesota. The absence of diplomatic relations did not prevent injuries to the citizens of Turkey in South Omaha?

Mr. FLOOD. We had diplomatic relations with Turkey then; that was nine years ago when it happened.

Mr. MILLER of Minnesota. Does the gentleman think we could make reparation to those injured citizens of Turkey even if we have no diplomatic relations with Turkey at the present time?

Mr. FLOOD. The payment of the money would go through the Government. We would pay the money to the Greek legation here as we would pay to the Turkish embassy if we had one. There is no embassy here to receive it, and we do not think it would meet with the approval of the country anyhow.

Mr. MILLER of Minnesota. Could we turn it over to the Alien Property Custodian?

Mr. FLOOD. Well, he has got money enough to do—he has got trouble enough handling the money he gets from the sale of alien property here.

Mr. MILLER of Minnesota. Has the gentleman any additional information as to the beneficiaries of this Greek fund in addition to that which is in the report of the committee?

Mr. FLOOD. No, I have not; but the gentleman from Nebraska [Mr. LOBECK] is very familiar with the whole situation. All the information I have is contained in the report of the committee. I yield to the gentleman from Nebraska.

Mr. LOBECK. What is the question?

Mr. MILLER of Minnesota. I think it is advisable to have something placed in the record of the proceedings of the House of the conditions in South Omaha that led to this riot.

Mr. FLOOD. If the gentleman from Nebraska will permit, I would be glad to extend my remarks in the RECORD by incorporating the report of the committee that gives the whole history of this transaction and contains all the information I have, and then in addition to that the gentleman from Nebraska can give the information he has which is not contained in this report.

The CHAIRMAN. The gentleman from Virginia asks leave to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

The report referred to is as follows:

The Committee on Foreign Affairs, to which was referred the bill (H. R. 69) to authorize the payment of indemnities to the Governments of Austria-Hungary, Greece, and Turkey for injuries inflicted on their nationals during riots occurring in South Omaha, Nebr., February 21, 1909, having had the same under consideration, reports it back with amendments and recommends that the bill as amended do pass.

Page 1, line 6, strike out the word "Governments" and insert the word "Government" in lieu thereof.

Page 1, line 6, strike out the words "Austria-Hungary."

Page 1, line 7, strike out the words "and Turkey."

Page 2, lines 2 and 3, strike out the words "To the Government of Austria-Hungary, $800."

Page 2, lines 4 and 5, strike out the words "and to the Government of Turkey, $230; in all, $41,030."

Amend the title so as to read: "A bill to authorize the payment of indemnities to the Government of Greece for injuries inflicted on its nationals during riots occurring in South Omaha, Nebr., February 21, 1909."

Your committee deemed it advisable, in view of the fact that this country is at war with Austria-Hungary and that the Government of Turkey has severed diplomatic relations, to eliminate from the provisions of the bill the payment of indemnities to the nationals of those Governments for injuries received in the riots referred to.

The facts connected with the riots aforesaid and which form the basis of these claims are fully set forth in the letter of the Secretary of State to the President, as follows:

THE PRESIDENT:

On February 21, 1909, a riot occurred in the city of South Omaha, Nebr., which was directed against Greek subjects resident in that place. Personal injuries and property losses were inflicted on the victims of acts of violence committed by the rioters, and approximately 1,200 Greeks were driven from the city.

Prior to these riots, a feeling of hostility appears to have existed among the people of South Omaha against Greek subjects there resident, caused, as represented by residents of the city, by the manner of living of some of these Greeks, it being alleged that they lived in most insanitary surroundings; by the lawlessness and offensive conduct of some of them in congregating in a certain quarter of the city and repeatedly insulting women passing along the streets; and by the fact that Greek laborers were brought into South Omaha to be employed in packing houses, where they worked for less wages than those ordinarily paid to the residents of the city. On the night of February 19, 1909, a policeman named Edward Lowry was shot and killed by a Greek named John Masourides, whom the officer had arrested. Bitter feeling was aroused as a result of the killing of the officer, and on the following day there was circulated in the city a petition signed by some 500 persons which read as follows:

"Whereas a condition of outlawry exists in this city among the Greeks, and in many instances a flagrant disregard and insolence of our laws and ordinances of this city has occurred during the past year; and

"Whereas the so-called quarters of the Greeks are infested by Greeks who have attacked our women, insulted pedestrians upon the streets, openly maintained gambling dens and many other forms of viciousness; and

"Whereas on the evening of February 19, 1909, these conditions culminated in the cowardly and brutal murder of Officer Ed. Lowry, one of the most highly respected citizens of this city: Therefore be it

"*Resolved*, That we, the undersigned citizens and taxpayers of the city, hereby believe that a mass meeting should be held on Sunday afternoon, February 21, at the city hall, to take such steps, and to adopt such measures as will effectually rid the city of the undesirable Greeks, and thereby remove the menacing conditions that threaten the very life and welfare of South Omaha."

A mass meeting of citizens was held on Sunday, February 21, 1909, and the situation with respect to the Greek laborers was discussed. Shortly after this meeting closed an attack was begun on the Greeks, which lasted well into the evening. Stores were broken into, property destroyed, and some personal injuries inflicted. The attack had the effect of driving the Greeks from the city. A number of subjects of Austria-Hungary and of Turkey also appear to have suffered from the fury of the mob. These persons were probably mistaken for Greeks.

It appears that some of the rioters were arrested, but so far as the Department of State is informed no persons were convicted of any offense, for the reason, as has been represented to the department, that it was not possible for the prosecuting authorities to obtain the necessary evidence to bring about convictions.

According to the department's information, no steps have been taken by the injured persons to redress their grievances through recourse to local tribunals. The State authorities, through the governor of Nebraska, have completely disclaimed all legal liability for the injuries inflicted on these foreigners. According to opinions received by the department from local officials in Nebraska, it appears that under the local laws no legal action can be maintained against either the municipality of South Omaha (now a part of the city of Omaha) or against the State of Nebraska in a case of this character.

The Governments of Austria-Hungary, Greece, and Turkey have asked the Government of the United States to pay indemnities for the injuries inflicted on their nationals. The sum of $5,891.50 was requested by the Government of Austria-Hungary, $153,533 by the Greek Government, and $1,984 by the Government of Turkey.

The Greek Government has represented to the department that from a report of an investigation of the deplorable occurrences in question, made by a legal adviser of the Greek Legation in this country, it conclusively appears that the mass meeting held on February 21, 1909, and the circumstances leading up to it, gave the local authorities warning which should have prompted them to take suitable steps to prevent occurrences such as those which followed the meeting, and that the police authorities did not in a determined manner seek to put an end to the riots and to protect the Greeks, but were half-hearted in their efforts. This report also furnishes the basis of the amount of the indemnity which the Greek Government requests this Government to pay on account of the property losses and personal injuries sustained by Greek subjects.

An investigation was also made by an official of the Department of Justice of the facts and circumstances in relation to the riots, including the losses sustained by the foreign subjects in whose behalf claims have been presented to this Government. The evidence and conclusions presented by this official in a report which he made of his investigation are considerably at variance with the evidence and conclusions contained in the report made by the Greek Legation's legal adviser, both as regards the responsibility of the police authorities for the violence of the riots and as regards the amount of the damages suffered by the victims.

It has naturally been impossible for this Government and for the representatives of the Governments of Austria-Hungary, Greece, and Turkey to obtain satisfactory evidence in some cases as to the property losses and personal injuries suffered by victims of these riots.

In view of the fact that subjects of a friendly nation were driven from the city of South Omaha, their property destroyed, and personal injuries inflicted on them, and in view of the action taken by the Government of the United States with respect to claims of this nature in the past, the Secretary of State has the honor to recommend that Congress be requested to make, as an act of grace and without reference to the question of the liability of the United States, an appropriation of $41,030 to pay the following amounts to the Governments of Austria-Hungary,

Greece, and Turkey: Eight hundred dollars to the Government of Austria-Hungary, $40,000 to the Government of Greece, and $230 to the Government of Turkey.

In this relation the Secretary of State has the honor to lay before the President, with a view to their transmission to Congress for the consideration of that body in connection with this case, copies of correspondence in relation to the claims presented by these three Governments.

Respectfully submitted.

ROBERT LANSING.

DEPARTMENT OF STATE,
Washington, January 11, 1916.

Mr. FLOOD. I yield to the gentleman from Nebraska.

Mr. WALSH. Well, how much time?

Mr. FLOOD. How much time does the gentleman want?

Mr. LOBECK. Five minutes.

Mr. FLOOD. I yield the gentleman 10 minutes.

Mr. LOBECK. Mr. Chairman, the history of this Greek case I have written down in a few lines that the House may understand how this bill is up for consideration at this time.

On February 21, 1909, a riot occurred in the city of South Omaha which was directed against Greek subjects, resident of South Omaha in that city. These men—Greeks—were many of them in business and many were employed in the packing industries and kindred plants in South Omaha.

On February 19, 1909, a policeman named Edward Lowry was shot and killed by a Greek named John Masourides, whom the officer had arrested. There had been before this considerable feeling against the Greeks on account of reported insanitary methods of living, and their offenses toward women; also that they worked for less wages; it was also reported they were being brought to South Omaha by the packing houses to compete with local laborers. The killing of the officer aroused naturally enmity against the Greeks, and a riot ensued.

I wish to say, by the way, that there were several men who are good citizens in Omaha now that were there in South Omaha at the time in business and their property was destroyed and they were not mixed in this affair at all.

On February 21 a riot ensued after an indignation meeting had been held by the people gathered to discuss the matter, and much property was destroyed and some personal injuries occurred, and the innocent as well as others suffered alike.

Efforts were made to have remuneration for property destroyed with the State authorities, but the governor disclaimed all legal liabilities.

The Greek Government took the matter up with our State Department, which has looked into the matter thoroughly—see a letter to the President by the Department of State, signed by the Secretary, Hon. Robert Lansing, dated Washington, January 11, 1916, in which the President recommend in a message to the House of Representatives—see Document No. 576, Sixty-fourth Congress, first session—that an appropriation be made to pay the claim.

Senator HITCHCOCK introduced in the Sixty-fourth Congress Senate bill 3680, which was reported on favorably and passed by the Senate. This bill was referred to the Committee on Foreign Affairs in the House, and reported on favorably in the Sixty-fourth Congress, second session, Report No. 1497, on February 15, 1917, recommending the payment of the claim, but was not acted on by the House before the session ended on account of the pressure of business.

On April 2, 1917, I introduced a bill, House bill 69, Sixty-fifth Congress, being the same as the one passed by the Senate in the Sixty-fourth Congress, it being referred to the Committee on Foreign Affairs.

The Committee on Foreign Affairs, January 7, 1918, reported the bill favorably to the House, see Report 232, Sixty-fifth Congress, second session, with amendments to strike out payment to Austria and Turkey, but favoring the payment to the Government of Greece of $40,000.

On May 11, 1918, Senator HITCHCOCK introduced in the Senate of the United States a bill known as S. 4527, which reads as follows:

A bill (S. 4527) to authorize the payment of indemnities to the Government of Greece for injuries inflicted on its nationals during riots occuring in South Omaha, Nebr., February 21, 1909.

Be it enacted, etc., That there is hereby authorized to be paid, out of any money in the Treasury not otherwise appropriated, as a matter of grace and without reference to the question of liability therefor, to the Government of Greece, as full indemnity on account of injuries inflicted on its nationals during riots which occurred in South Omaha, Nebr., on February 21, 1909, as set forth in the message of the President of the United States dated January 14, 1916, $40,000.

On June 19, 1918, the Committee on Foreign Relations in the Senate reported bill S. 4527 favorably, and it was passed by the Senate and is now before the House for consideration.

There has been considerable correspondence between the Greek Government and the Department of State, which is fully covered in Calendar No. 95, Sixty-fourth Congress, first session, Report No. 103 to the Senate; also in a message from the President of the United States to the House of Representatives in Document No. 576, Sixty-fourth Congress, first session, of date January 14, 1916.

The House bill is now on the Union Calendar No. 82, Report No. 232, and was on the Unanimous Consent Calendar, but on the objection by a Member was stricken off, because he thought the bill ought to have more consideration. I furnished to the Member objecting a full history of the case for his consideration, which he very kindly told me he would look into thoroughly.

I hope the bill may pass and this claim, which has been thoroughly looked into by the State Department and recommended by the President, paid to the Greek Government for such disposition to the injured parties as the Greek Government deem best.

Mr. MILLER of Minnesota. Now, will the gentleman yield for a question?

Mr. LOBECK. I yield to the gentleman from Minnesota.

Mr. MILLER of Minnesota. Were there any American citizens in South Omaha who were damaged in their property or injured in their person during this riot?

Mr. LOBECK. There was some property that belonged to some American citizens there that was injured. I know of one case where a building was injured, but it was the only case reported to me.

Mr. MILLER of Minnesota. Were there any American citizens injured?

Mr. LOBECK. Not so far as I know. If there was anyone injured, I am not informed.

Mr. MILLER of Minnesota. But there was some property belonging to American citizens that was destroyed in the riot?

Mr. LOBECK. There was some property injured owned by a good friend of mine, Mr. Burkley, and I would be glad if he could be compensated.

Mr. MILLER of Minnesota. Were there any citizens injured in their property who received any reparation, or is there any movement on foot contemplating giving them reparation from any source?

Mr. LOBECK. It was taken up by the governor of the State at the time——

Mr. MILLER of Minnesota. My understanding is that the American citizens who were injured in person or property are absolutely without redress.

Mr. LOBECK. I do not know if any American citizens were injured. There may have been. I can not answer from any information I have received. If injured, they should be compensated.

Mr. MILLER of Minnesota. But some property was destroyed?

Mr. LOBECK. Some property was destroyed.

Mr. MILLER of Minnesota. And that is the loss they must individually stand. I am informed there is no possible way in which those American citizens thus injured can be compensated for their loss.

Mr. FLOOD. They could sue the rioters and get judgment.

Mr. MILLER of Minnesota. Will the gentleman suggest that as a practical procedure?

Mr. FLOOD. It would not be in the case of these foreigners, but it might be in the case of an American citizen.

Mr. MILLER of Minnesota. Assuming the people there could pick out the rioters and identify them and prove they were the ones, they could make them defendants and have a case against them in tort. But I will say to the gentleman that such individuals would be absolutely execution proof, inasmuch as they were probably lawless elements who could not respond in damages, and would not.

Mr. FLOOD. I would not think so in this case. This riot was the result of a public meeting called through publications in newspapers two or three days before and attended by people who were supposed to be very reputable citizens of Omaha, and, I assume, men with property. And the American citizen would have his remedy in court. The foreigner that was being driven out of Omaha would have no remedy practically, except through the grace and generosity of the American Government, which we have extended always in such cases and which other nations have extended to our nationals under similar circumstances.

Mr. MILLER of Minnesota. That was the point I was proceeding to develop.

Mr. LOBECK. The Greek Government brought this matter to the attention of the State Department.

Mr. MILLER of Minnesota. This riot occurred nine years ago. Does the gentleman know of any jurisdiction under the sun that gives a privilege of action in tort nine years after the damage is committed?

Mr. FLOOD. Oh, no.

Mr. MILLER of Minnesota. Of course, any rights anybody may have had——

The CHAIRMAN. The time of the gentleman from Nebraska [Mr. LOBECK] has expired.

Mr. MILLER of Minnesota. Mr. Chairman, I ask unanimous consent that the gentleman have five more minutes.

Mr. FLOOD. I yield five more minutes to the gentleman from Nebraska.

Mr. MILLER of Minnesota. Of course, any rights anybody had to proceed in court have long since expired, and if they have not proceeded it is very evident that they could not or it would have been valueless if they had. Have any Americans proceeded in court?

Mr. LOBECK. I do not know. I have had a letter from Mr. Burkley on this subject, but he did not state his intentions.

Mr. MILLER of Minnesota. If we give this money to these Greeks we are really giving them compensation when American citizens who are damaged in the same way and at the same time are not receiving any compensation. We are conferring a benefit upon Greek citizens that our own citizens do not have. Is not that true?

Mr. LOBECK. I do not know how far our State government went into the case to find out what the injury was.

Mr. MILLER of Minnesota. I will say to the gentleman that when this was before the committee we gave that some little discussion, and I think that is the fact. But, as the chairman of the committee has stated, international comity through a long period of time has given basis for claims of this character. And I suppose we will have to stand for it and pay it, but I want it clearly understood that we are doing something for Greek citizens.

Mr. LOBECK. The State Department went into this matter thoroughly. They looked into the claims. The claims were a good deal larger than are allowed here, and the President, after listening to all these reports and reading them, recommended that this ought to be paid to the Greek Government for these people who were injured or whose property was destroyed.

Now, many of these people have become as good citizens of the United States as anyone, and some of them may have had their first citizen papers at the time and were in business in South Omaha, and I know several of them—they are good citizens. I can only answer for those who have since lived in Omaha. How this money will be divided among them is a matter for the Greek Government to take care of.

Mr. MILLER of Minnesota. Can the gentleman assure the committee that the regularly constituted authorities in South Omaha at this time did the best they could to prevent this damage from being inflicted?

Mr. LOBECK. I think they did.

Mr. MILLER of Minnesota. Can the gentleman give any details of their efforts?

Mr. LOBECK. It was done through the ordinary police channels.

Mr. STAFFORD. Mr. Chairman, we can not hear what the gentlemen are saying, and one of the Members is a member of the Committee on Foreign Affairs.

The CHAIRMAN. The point is well taken. The colloquy can not be heard. The committee will be in order.

Mr. NORTON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Nebraska yield to the gentleman from North Dakota?

Mr. MILLER of Minnesota. I yield to the gentleman from North Dakota.

Mr. NORTON. In this case the Greek Government claims $153,000?

Mr. LOBECK. That was the original claim.

Mr. NORTON. How was $40,000 arrived at as the amount of damage?

Mr. LOBECK. By an expert legal examiner detailed from the State Department, who examined the claims and thought that $40,000 would be ample.

Mr. NORTON. Have hearings been held before the committee on the question of the amount of damages?

Mr. LOBECK. I could not tell that, because I am not a member of the committee; but I do know this, that the officer—whatever his title may be—in the State Department looked into the claims thoroughly and went to South Omaha and took every precaution to avoid making any error.

Mr. NORTON. Have hearings been held before the committee to determine the amount of damages?

Mr. FLOOD. That was determined by the investigation made by the State Department.

Mr. NORTON. By the report of the examiner of the State Department?

Mr. FLOOD. Yes. The State Department found that the Greek Government claimed too much, and scaled down the claims from $153,000 to $40,000.

Mr. NORTON. Is it set out in the report—the individuals to whom these damages will go?

Mr. FLOOD. Not in the report of the committee, but the State Department has the list of the parties.

Mr. NORTON. A list of the injured parties?

Mr. FLOOD. Yes.

Mr. LOBECK. It has been filed by the minister of Greece. The gentleman who looked into the matter thoroughly was a man named Neilsen, who was designated by the State Department to look into the matter and make report. He reported some years ago.

Mr. NORTON. Did I understand the gentleman to say that in a case where an alien citizen is injured by the act of citizens of the United States he would not be permitted to go into court and sue for damages?

Mr. FLOOD. No; I did not say that. I said that in a case like this, where these people were run out by mobs or rioters, they would have no chance of obtaining redress in that community.

Mr. NORTON. I was wondering whether, if it were ascertained who did the damage, an action could be brought against them by the Greek officials.

Mr. FLOOD. There was no chance to convict them in a criminal court. There was no way by which the State government or the city government could be forced to allow damages. The public sentiment against the Greeks was such that they would never do anything to reimburse those who were injured for the injury inflicted on their property. The public sentiment was such that nothing could be done in the courts.

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. WALSH. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Virginia yield to the gentleman from Massachusetts?

Mr. WALSH. I did not ask the gentleman to yield. I desire to speak in my own time.

The CHAIRMAN. The gentleman from Massachusetts is recognized.

Mr. WALSH. Mr. Chairman, this is a measure to pay $40,000 to the Government of Greece for injuries resulting from a riot occurring in 1909 in the city of Omaha, Nebr. The Greek Government, through its properly accredited representatives, I understand, filed a claim with the United States for $153,533. I submit that this is no time for Congress to be considering a claim such as this.

I see the committee has stricken out the provision whereby we should pay to Austria-Hungary the sum of $5,891.51 and to the Government of Turkey $1,984, because the chairman of the committee stated that we are at war with Austria-Hungary and we ought to be at war with Turkey, but we are not.

Mr. FLOOD. I did not state that.

Mr. WALSH. The gentleman from Virginia says he did not state that. Perhaps that is a violent inference to draw from the statement he did make in reply to an inquiry of the gentleman from Minnesota [Mr. MILLER], but I doubt not that he might agree that that states the exact situation, nevertheless—that we are not at war with Turkey, but there is a general impression that we ought to be.

Mr. FLOOD. I do not agree with the gentleman.

Mr. WALSH. This riot was the result of a public meeting held in the city of Omaha some nine years ago, in which certain resolutions were passed and steps and measures recommended to be taken which would rid the city of undesirable Greeks, and thereby remove the menacing condition which threatened the very life and welfare of South Omaha. They attempted to conduct prosecutions for this lawlessness and rioting, but they were unable to convict because, as the report sets forth in the letter from the Secretary of State, they could not procure or obtain the necessary evidence, and because they could not get the necessary evidence in order to convict those who were responsible for this damage they accordingly passed it on to Uncle Sam, and they ask us here, during this war period, to pay the Government of Greece $40,000 for these injuries.

We are conferring upon the Government of Greece much greater benefits at the present time than we could confer by handing over to it $40,000 for something that occurred nine years ago. We are standing with our associate nations in this great crisis in order that the Government of Greece might not be destroyed and crushed; and I doubt not but that the assistance that we will render to Greece in this struggle will be such that after the war is over the diplomatic representatives of Greece may be willing and glad to say to our State Department that

they waive all claims for damages as the result of this riot that occurred in South Omaha. It seems to me that this is no time for us to be appropriating $40,000, when we are considering, or about to consider, one of the largest revenue measures that has ever been considered in a legislative body, and certainly the largest in the history of this Nation.

Mr. FESS. And the world.

Mr. WALSH. And my friend, the gentleman from Ohio, Dr. FESS, reminds me the largest revenue measure ever considered by any legislative body in the world, and that is true. We say here that we will set aside $40,000 of that at this particular time to pay for these injuries. I submit that this measure might well be deferred until after this war is over, until we find out what the conditions are and what the situation is going to be not only with reference to the Government of Greece but with reference to the State of Nebraska, with reference to the city of South Omaha, and with reference to the facts in connection with this claim.

Now, it is rather significant that in the letter from the Secretary of State he says:

> An investigation was also made by an official of the Department of Justice of the facts and circumstances in relation to the riots, including the losses sustained by the foreign subjects in whose behalf claims have been presented to this Government. The evidence and conclusions presented by this official in a report which he made of his investigation are considerably at variance with the evidence and conclusions contained in the report made by the Greek Legation's legal adviser, both as regards the responsibility of the police authorities for the violence of the riots and as regards the amount of the damages suffered by the victims.

Why, Mr. Chairman, only a short time ago out in the West, as the result of labor disturbances, a large number of members of that organization known as the I. W. W. were run out of town and taken down to New Mexico or one of the border States. After this struggle is over I have no doubt that the Government of which many of these men are citizens, these men, many of whom are now seeking to thwart this country in prosecuting the war, can well come in here and file a claim for injuries and damages which they have had inflicted upon them. It may be that as a result of the riots at East St. Louis Uncle Sam ought to pay some of the bills in that case because rioters broke the bounds of the law and got beyond the control of the local authorities. While the victims may have all been citizens of the United States, still if we take up this sort of legislation at this particular time it is going to encourage and invite men to ask for legislation along this line in other instances.

Now, the official of the Department of Justice differs in his conclusions as to the responsibility for these injuries from the conclusions reached by the legal adviser of the Greek Legation. That is natural. The legal adviser of the Greek Legation is acting in behalf of those seeking to get the money. He wanted $153,533 for injuries inflicted upon his nationals, and the committee, in its wisdom, after due deliberation and probably after consideration of facts which have not been stated here as yet, shaved this claim down to $40,000. We do not know how many were injured, what the character of their injury was, or how many of those people were injured by men of their own nationality who might since then have become citizens of this country. But that makes no difference. The gentleman from Nebraska [Mr. LOBECK], who represents the South Omaha district, read a statement to the committee, part of which I was fortunate enough to be able to hear, and he gave a very interesting chronological history of the attempts that have been made since its occurrence in 1909 to procure this money from the Treasury of the United States, but there was nothing there by way of justification.

I submit there has been no fact either in the letter of the Secretary of State or in the statements that have been made by the distinguished chairman of the Committee on Foreign Affairs that puts this into the class of emergency urgent legislation. It is in the nature of a claim that might well be deferred until after the war is over. They have been waiting more than nine years already. These riots occurred February 21, 1909. They can wait until February 21, 1920 or 1921, at which time we hope and trust this crisis will be over and there will be nobody harmed if we defer action upon this measure at this time. The only result of the passage of this bill will be to impose this additional burden in the midst of the tremendous demands made upon the Treasury at this particular time owing to war necessities. If we defer the payment of this, it will relieve the Treasury of that demand, and I submit that the responses to the questions asked by the gentleman from Minnesota [Mr. MILLER] are such as to show that even though this claim may have a scintilla of merit, it might well be deferred.

I desire now to direct the attention of the committee to the wording of these resolutions that were signed by some 500 persons of the noble city of South Omaha:

> Whereas a condition of outlawry exists in this city among the Greeks, and in many instances a flagrant disregard and insolence of our laws and ordinances of this city has occurred during the past year; and
> Whereas the so-called quarters of the Greeks are infested by Greeks who have attacked our women, insulted pedestrians upon the streets, openly maintained gambling dens and many other forms of viciousness; and
> Whereas on the evening of February 19, 1909, these conditions culminated in the cowardly and brutal murder of Officer Ed. Lowry, one of the most highly respected citizens in this city: Therefore be it
> *Resolved*, That we, the undersigned citizens and taxpayers of the city, hereby believe that a mass meeting should be held on Sunday afternoon, February 21, at the city hall, to take such steps and to adopt such measures as will effectually rid the city of the undesirable Greeks, and thereby remove the menacing conditions that threaten the very life and welfare of South Omaha.

That was followed by a mass meeting held on Sunday afternoon, and the situation was discussed, and shortly after this meeting closed an attack was begun on the Greeks which lasted well into the evening. Stores were broken into, property destroyed, and some personal injuries inflicted. The attack had the effect of driving the Greeks from the city. A number of subjects of Austria-Hungary and of Turkey also appear to have suffered from the fury of the mob. These persons were probably mistaken for Greeks. That sets forth briefly the history of this transaction. They determined to rid that city of some undesirable persons who had been insulting their women and had been violating the laws. They held a mass meeting, and later some persons attacked those persons and drove them out of town. Because they were citizens of a nation with which we are not now at war and because in driving them out of town some injury was inflicted upon them, because they were undesirable and lawless, we must now needs pay the Government of Greece $40,000 because South Omaha and its gallant crew of 500 citizens, who were willing to sign those resolutions, apparently took the law into their own hands and indulged in rioting and further lawlessness. I assume that Omaha in 1909 had arrived at that stage of civilization which enabled it to support a police force, and that the great Commonwealth of Nebraska during that remote and ancient period possibly supported a State militia, because I know that during this crisis that great State is doing its full share. But, sir, if they got into such a tangle as that at that time, it seems to me that rather than indulge in a riot they might well have called upon the governor, the commander in chief of their State militia, or upon the chief of police of South Omaha or some of the surrounding towns.

Yet we know nothing as to what steps were taken, except that the gentleman from Nebraska stated that the governor disclaimed all responsibility. Very well, he might disclaim responsibility because these people were foreigners, and it may be assumed that he or his legal advisers knew that at some time in the future, when the storm had calmed and the feeling had subsided, the very keen and astute gentleman who represents the Government of Greece in this city would see to it that claims were presented whereby $153,533 might be taken from the Treasury to pay the Government of Greece for the injuries inflicted on these undesirable lawless citizens.

I submit that it is no time for us to be passing legislation to pay any such sum, in view of the history of this particular transaction, and that the matter should be deferred until after this war is closed, when further investigation can be had, and that instead of giving the benefit of the doubt to the Greek legation and its legal adviser we should give the benefit of the doubt—in view of the representations of the Department of Justice and the investigation it has made—to the Treasury of the United States. I trust that the measure will not be passed, and I reserve the balance of my time. [Applause.]

Mr. FLOOD. Mr. Chairman, this is a piece of legislation that is following the precedents that have been set in similar cases in this country for a great many years. Our State and city governments do not deal with foreign governments and have nothing to do with our foreign relations. That is done by the National Government. Therefore when a question arises between a foreign government and any subdivision of this country the transaction is handled through the State Department of the National Government.

Mr. STAFFORD. Will the gentleman yield?

Mr. FLOOD. I do.

Mr. STAFFORD. The gentleman has stated that this is in line with precedents established for a long time by the State Department recognizing the obligation of the National Government to protect the nationals of foreign countries domiciled here. Can the gentleman give any special instances where we have heretofore reimbursed foreign governments for like instances?

Mr. FLOOD. I know that since the gentleman and myself have been in Congress a number of bills of this nature have been passed. There was one before we came here that the whole

country was interested in. That was the case where some of the best citizens of New Orleans hung some Italians whom they thought were violating the laws of that State and the ordinances of the city of New Orleans and were disgracing the community, and they rose up and hung them. The gentleman will recall that instance. These Italians that were hung were supposed to belong to the Mafia. They were foreign citizens, and our Government recognized its obligation to the foreign government and paid the Italian Government so that the families of these people who were killed could be reimbursed for their killing.

Mr. STAFFORD. If the gentleman will permit an interruption, as I recollect that New Orleans incident, I believe the principal instigator was a lawyer by the name of Pendergast, and at that time the question arose whether our Government would be responsible for the neglect of the local authorities in failing to protect the citizens of foreign countries.

The Secretary of State, Mr. Blaine—and I yield in my memory to the Representatives of the Committee on Foreign Affairs—took the position that the National Government was not responsible for riots occurring in localities. I do not recall that our Government ever passed any bills since I have been in Congress of a character similar to this. If the gentleman will kindly cite one, it will perhaps refresh my memory.

Mr. FLOOD. An Italian was killed in Florida a few years ago, and Secretary Bryan recommended as a matter of grace—not as an obligation, and this bill puts it on the same ground and so did the Louisiana case—that we should pay to the Italian Government, as we did pay, and they paid to the family of the murdered man $6,000. Congress passed the bill unhesitatingly. Some of our citizens in Italy a short time ago were murdered by Italian citizens. Italy paid thirty or forty thousand dollars to the families of these American citizens. The gentleman from Louisiana will bear me out in the case I have referred to. There is no doubt about this having been the policy of the Government for years. The Secretary of State, in this very letter, says the same thing. He says:

> In view of the fact that subjects of a friendly nation were driven from the city of South Omaha, their property destroyed, and personal injuries inflicted on them, and in view of the action taken by the Government of the United States with respect to claims of this nature in the past, the Secretary of State has the honor to recommend that Congress be requested to make, as an act of grace and without reference to the question of the liability of the United States, an appropriation of $41,030—

And so forth.

Mr. STAFFORD. The gentleman will note that the recommendation was made prior to our entering the war as an ally of Greece.

Mr. FLOOD. Yes.

Mr. STAFFORD. As pointed out by the gentleman from Massachusetts [Mr. WASH] that in the adjudication of respective claims between the governments at the close of the war, Congress might well take the position that in these war times the amount of $40,000 could far better be used in war purposes than devoted to these nationals who have suffered some insults and met with some property loss.

Mr. FLOOD. With reference to what we are going to do for Greece in this war, I hope that we will do a great deal, and that we will help her rehabilitate herself and get her in a position to help the allies win the war; but this money does not go to the Government of Greece; it is paid to that Government for the benefit of individuals.

Mr. STAFFORD. As a balm to the injured feelings of these nationals who have been driven out of South Omaha because of the failure of the local authorities there to protect them.

Mr. FLOOD. Not as a balm. It is paid to them as a right. Their property has been destroyed. They may have been violating the law. I do not know. Certainly this mass meeting of 500 South Omaha citizens violated the law, and if they thought the Greeks were violating the law they could have taken them into their criminal courts and prosecuted them and had them punished, but they should not have constituted themselves greaters violators of the law by organizing a mob and going there and driving these people out of the city and destroying their property. That was a violation of law, and the Greek nationals suffered by reason of that violation, and that is what their Government complains of—a violation of law against these Greek nationals, a violation of law that destroyed the property of these people; and we ask this appropriation to pay for this violation of our law by our citizens and to pay the people who suffered by reason of that violation. It follows the policy of our Government. Our Government has done this for years in similar cases. It did it in the case that the gentleman and myself have been discussing, notwithstanding the fact that Secretary Blaine said at one time that there was no obligation on the part of this Government. The Government does not recognize its obligation, but as a matter of international grace it pays, through these embassies and legations that are here, for the injuries done to the person and property of nationals of these various Governments who happened to be injured in this country through the illegal acts of our own people. We have established precedent for this bill. This claim is thoroughly proved. The Greek legation put in a claim for $153,000. Our Department of Justice investigated the claims, as did our State Department. They made careful investigation, and scaled the claims down to $40,000, and the Secretary of State has recommended that Congress make an appropriation of $40,000 for the purpose of paying the claims. The difference between the Greek legation and our Department of Justice and the Department of State was in respect to the amount of the claims.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. Yes.

Mr. WALSH. Has the gentleman the names of the people who were injured and the amounts which go to make up the $40,000?

Mr. FLOOD. I have seen the list of the names of those people, but the gentleman complained about this claim being presented in 1918, when it is nine years old. The Greek legation has been knocking at the door of Congress for this appropriation during most of that time. This letter from the Secretary of State, which the gentleman read here, was written before this war began. It was written two years ago, and the gentleman from Wisconsin [Mr. STAFFORD] indicates that probably the Secretary of State would not desire it to be pushed now. I want to say to him that I have had no conversation with the Secretary of State and no communication with him in reference to this claim, but there are claims in the Foreign Affairs Committee of a similar nature at the present time about which I have received letters from the Secretary of State within the last few days. He is interested in their being paid now and not waiting until the war ends. The State Department and our Government must recognize its international obligations in these matters.

Mr. DENISON. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. Yes.

Mr. DENISON. Does not our Government expect the same treatment from all other Governments where our own citizens are mistreated and their property destroyed in other countries?

Mr. FLOOD. Our Government expects it and demands it and receives it. I do not remember the name of the case, but in the case of the man who was killed in Florida Secretary Bryan recommended that we appropriate $6,000, and the question was raised on the floor of the House here, and it was stated that that was too much money to pay, but we produced evidence to show that just a short while before the Italian Government had paid our Government for our nationals who had been mistreated in Italy an amount between thirty and forty thousand dollars. That bill was passed without question. This measure has not been fortunate in getting before Congress sooner.

It has been reported to the House before, and either the House passed it and the Senate did not or it failed for some reason to get through the House when it got through the Senate. It has now been passed by the Senate and has a chance to pass the House, and it does not seem to me that there ought to be any question in the world about its passage. The fact that we are about to enact a tremendously large revenue bill is no reason why we should not pay our just and honest and legitimate obligations. We are passing the revenue measure to raise that enormous revenue for the purpose of paying our honest obligations, and under our international practice this is one of those obligations.

Mr. WALSH. Does the gentleman know of any claims which the United States has pending against the Governments of any of the nations with which we are associated in this war which we are now pressing?

Mr. FLOOD. I do not think that I could mention any. It is not my business as a Member of Congress to keep up with those things, and I have not any in mind. But I do know that the claim I speak of was paid by the Italian Government and paid very promptly. These foreign governments with whom we have had these negotiations have paid our claims much more promptly than we have paid them. We have postponed them to a more convenient season, as the gentleman now suggests we do with this. This matter is now before Congress. If it does not pass now, no man can tell when it will be taken up again in the House. It is a just claim. The amount of it has been carefully ascertained by our Department of State, and it is due to these people under the international practice. It will be paid to these people through their legation. This money does not go to the treasury of Greece, it goes to the individuals, and because we are going to do something to help Greece in this war, and to get Greece to help us, is no reason why we should deny to individual citizens of Greece the payment of a just claim

which they have against this Government. I hope the measure will pass.

I yield 10 minutes to the gentleman from Iowa [Mr. GREEN].

Mr. GREEN of Iowa. Mr. Chairman, I know something personally with regard to this claim. The matter upon which it is based constitutes one of the most disgraceful episodes in the history of this country. The facts are simply indisputable. A police officer was killed in South Omaha, and thereupon a number of citizens of that place gathered in mass meeting and proceeded to organize a mob, if a mob can be called an organized body, with the purpose not of inflicting any punishment for the crime that had been committed, but with the dastardly intention of driving out, injuring, and assaulting innocent parties. Now, the gentleman from Massachusetts [Mr. WALSH] read here the declaration of parties connected with the mob that some of those Greeks had been lawless. If any of that nationality had been guilty of crime in South Omaha, they were not the persons who were attacked. The people who were attacked were perfectly innocent, law-abiding citizens, who were carrying on a legitimate business in that city. Their stores were broken into, their property was destroyed, their persons were injured, and that some of them were not killed was not the fault of the members of the mob, because they proceeded regardless of consequences. Now, what have we done? For some eight or nine years, as the gentleman from Virginia [Mr. FLOOD] has said, the Greek legation has been pressing their claims upon the State Department and knocking at the doors of this Congress asking redress for this outrage. Have we done anything? Not a thing. And why? The reason is perfectly plain; because Greece is just a little space on the map of Europe, without any power to injure us in any kind of way. If it had been one of the strong nations—if it had been England or France, or even Germany before the war—this claim would have been paid long, long ago. There is not any question about it. We have paid claims of this character time and time again, and we ought to pay them. Shall we permit it to be said that we do justice only to strong nations and wrong the weak? It is a disgrace that the claim has stood so long, and it would be still more disgraceful not to pass this bill. There is no other way by which these parties can obtain redress.

Mr. DENISON. Will the gentleman permit a question?

Mr. GREEN of Iowa. Yes.

Mr. DENISON. Can the gentleman state whether Nebraska has a law similar to the law we have in the State of Illinois by which when citizens are injured by a mob they can recover damages from the local government?

Mr. GREEN of Iowa. My understanding is that the State of Nebraska has no such law and that it has refused to pay any damages to these parties. They might, of course, appeal to the local courts if anybody could state who constituted the mob, but there is no way of telling who composed it or placing the responsibility. They are absolutely without redress if we do not pay them at this time.

Let me mention some things further. It has been said we ought not to pay these parties because we are an ally with Greece and we are engaged in a war. The gentleman from Nebraska [Mr. LOBECK], who is familiar with the circumstances of the case and details of it, tells me that the fathers and mothers of boys who are engaged in this war on our side—enlisted in our Army—are a part of the people to whom this money would go. And look at the casualty lists. See how many names of Greeks are among them, justifying the reputation that these people have had from ancient times as lovers of liberty and ready to fight in the cause of freedom. Shall we tell them now because they are allied with us we can not pay this money? I can not see anything in that kind of an argument, but on the contrary an additional reason why we ought to pay this claim. We have no more loyal citizens anywhere in the United States and no more patriotic nation in this war than the Greeks. Hundreds have declined to claim their exemptions which they might have urged as aliens, but on the contrary when the call has come have gone willingly, and even without the call have voluntarily enlisted in the ranks of our Army and are fighting our cause now. I insist that this claim ought to be paid. [Applause.]

The CHAIRMAN. The gentleman from Virginia has 15 minutes remaining, and the gentleman from Massachusetts has 45 minutes.

Mr. WALSH. Mr. Chairman, just a word in response to the suggestion of the gentleman from Iowa [Mr. GREEN]. The question of Greek citizens being loyal or their names appearing in the casualty lists has nothing to do with the consideration of the matter before the House. That is a little sentiment dragged in here by the heels seeking to justify the payment of a claim of this nature during the war, and I will venture to say there is not a government that is associated with us in this struggle that is paying at this particular time claims of this nature for injuries to citizens of other governments that are associated with them in prosecuting this war. Why, if this is an obligation, if this is an honest moral obligation, and is to go to the citizens of this Nation—and some of those citizens have become citizens of the United States—why do not we pay the former citizens of Austria-Hungary who are now citizens of the United States? Yet they are eliminated from this bill because we are at war with Austria-Hungary, and yet if the money is to go to the citizens who are injured—and some of those men who are injured have since become citizens of the United States—why does not the obligation still exist to pay these men?

Mr. FLOOD. Who would pay them if we appropriated?

Mr. WALSH. Pay it to the citizens, that is where the gentleman says this money is to go, and yet there is not a word in the bill which says it shall be paid to these men.

Mr. FLOOD. I said it was to be paid to the legation, and the legation pays the citizens.

Mr. WALSH. There is nothing in this bill that says that it is ever to reach the pockets of these citizens.

Mr. FLOOD. It is not necessary to put it in the bill; it is a well-established national practice, and it is not necessary to put it in the bill. It has been done dozens of times.

Mr. WALSH. I am, of course, willing to take the gentleman's opinion in that respect. Now, the gentleman refers to a case down here in Florida, where some $6,000 was paid to an Italian citizen who was killed. That was before we entered this war. There has not been a claim cited or suggested where a government engaged in a common cause in the prosecution of this war has set apart any of their funds to pay claims of this nature.

And I submit that this bill here, if the claim is moral and just, and it is an obligation that is recognized by international law, should be deferred until the termination of this struggle.

Mr. DENISON. Will the gentleman from Massachusetts yield?

Mr. WALSH. I will.

Mr. DENISON. If American citizens who happen to be living in Italy or England should be killed or their property destroyed by mobs, would the gentleman think we ought to permit those Governments to wait or acquiesce in those Governments waiting until after this war before our citizens should be compensated?

Mr. WALSH. I certainly do. If we have claims pending against Italy or against France or against England or any other of the associate nations at the present time, for injuries inflicted upon our citizens as the result of mob violence or lawlessness for which citizens of those nations are responsible, we ought not to press those claims at the present time but ought to wait until the termination of the war.

Mr. DENISON. Will the gentleman yield for another question?

Mr. WALSH. Yes.

Mr. DENISON. How is the fact that a country is engaged in war going to benefit or help citizens that have been damaged?

Mr. WALSH. It is not a question of helping citizens who have been damaged. But those damages are so insignificant, international though they may be in their nature, that they ought to be put aside until the more important question is determined, and we ought not to use our funds, raised by war emergency taxation, for such claims as these. They have no proper place in the budget. I trust this measure will be defeated, though I imagine it will not be.

Mr. FLOOD. Mr. Chairman, I yield five minutes to the gentleman from Pennsylvania [Mr. TEMPLE].

Mr. TEMPLE. Mr. Chairman, I am somewhat surprised that any Member of the House should think we ought not to pay for damages done to Greek citizens because, forsooth, we are now on most excellent terms with the Government of Greece. These Greeks were injured in riots in South Omaha in February, 1909, and we are now asking that they be compensated for their losses. Our own Government has examined the claims presented by the Kingdom of Greece, and our State Department recommends that they be paid. It will not seem to them to be a satisfactory reply to say: "We shall not pay you Greeks anything now, because we are such good friends of your Government that we do not need to pay our debts to you." It seems to me if there is anything at all in the friendly relations between the two Governments that ought to influence our action one way or the other, we ought to pay the claims the more promptly because we are on good terms.

Mr. WALSH. Will the gentleman yield?

Mr. TEMPLE. Certainly.

Mr. WALSH. If the friendliness of the nations is to be considered, and, of course, it may be an element, would not the gentleman also favor paying them the amount that the Greek

legation claims and not have the temerity to scale down what they first claimed?

Mr. TEMPLE. I was protesting against allowing the friendly relations existing between the two Governments to have any weight in considering this matter at all. The gentleman says, on the other hand, that we ought not to pay it now, because our friendship is sufficient compensation. Oh, I know he did not use just that language.

I happened to be on the subcommittee of the Foreign Affairs Committee that had this case under consideration. We went into all the available evidence. I have forgotten a good deal of it, as it has been a long time ago. But I remember very distinctly my impression that the obligation ought to be paid just as promptly as possible. There is absolutely nothing in the whole case that is not entirely regular. This is the way the situation is met ordinarily. If these Greeks had been naturalized American citizens at the time, of course the Greek Government would not then have claimed any payment for them.

I remember a somewhat witty remark that may not be particularly welcome to us as citizens of the United States. A number of years ago a complaint was made to one of the ministers of a foreign country living in Washington when one of the nationals of his Government had been hanged by a mob. The minister refused to take up the case, saying to the complainant that, having investigated the incident, he had learned that the former subject of his Government had been duly naturalized and was entitled to all the privileges of American citizenship. The Greeks for whom this claim is presented were not naturalized American citizens, but were living here under treaty rights which guaranteed to them the full protection of our laws. It seems to me that if we wish our credit to stand well with our friends we certainly ought not to delay longer the payment of this obligation.

Mr. DENISON. Will the gentleman yield for a question?

Mr. TEMPLE. Yes.

Mr. DENISON. I think the claim ought to be paid, and that the bill ought to pass; but I want to ask the gentleman a question, inasmuch as I know he is quite an authority on these matters. Has it ever been attempted, or has the custom ever prevailed anywhere, of the Government attempting to recoup itself from the State or local governments?

Mr. TEMPLE. That is purely a matter of domestic law. The State of Nebraska is not known at all to the Government of Greece.

Mr. DENISON. I am talking about this Government recouping after paying these damages.

Mr. TEMPLE. That is not involved in this bill.

Mr. DENISON. Does the gentleman know of that ever being attempted or followed by the Government?

Mr. TEMPLE. I do not recall any such instance.

Mr. WALSH. Will the gentleman from Pennsylvania yield?

Mr. TEMPLE. Yes.

Mr. WALSH. Does the gentleman thing that if the payment of this is deferred it will affect our friendliness or the friendly relations existing between the Government of Greece and our Government?

Mr. TEMPLE. I do not know that it will have any effect at all on them.

Mr. WALSH. But the gentleman does think if it is not paid promptly—that is, if this bill does not pass—it will affect our credit as a nation?

Mr. TEMPLE. It ought to affect our own opinion of ourselves. [Applause.]

The CHAIRMAN. If there is no further general debate the Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That there is hereby authorized to be paid, out of any money in the Treasury not otherwise appropriated, as a matter of grace and without reference to the question of liability therefor, to the Government of Greece, as full indemnity on account of injuries inflicted on its nationals during riots which occurred in South Omaha, Nebr., on February 21, 1909, as set forth in the message of the President of the United States dated January 14, 1916, $40,000.

The CHAIRMAN. The question is on agreeing to the Senate bill.

Mr. FLOOD. I move, Mr. Chairman, that the committee do now rise and report the bill to the House with the recommendation that it be passed.

The CHAIRMAN. The gentleman from Virginia moves that the committee do now rise and report the bill to the House with the recommendation that it be passed. The question is on agreeing to that motion.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. SMALL, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (S. 4527) to authorize the payment of indemnities to the Government of Greece for injuries inflicted on its nationals during riots occurring in South Omaha, Nebr., February 21, 1909, had directed him to report it back with the recommendation that it be passed.

The SPEAKER. The Chairman of the Committee of the Whole House on the state of the Union reports that that committee, having had under consideration Senate bill 4527, had directed him to report it back with a favorable recommendation. The question is on the third reading of the Senate bill.

The Senate bill was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is, Shall the bill pass?

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. WALSH. Mr. Speaker, I demand a division.

The SPEAKER. The gentleman from Massachusetts demands a division.

The House divided; and there were—ayes 38, noes 2.

So the bill was passed.

The SPEAKER. Without objection, House bill 69, of similar tenor, will be laid on the table.

There was no objection.

On motion of Mr. FLOOD, a motion to reconsider the vote whereby the Senate bill was passed was laid on the table.

The SPEAKER. Has the Committee on Foreign Affairs any other bill?

Mr. FLOOD. No.

The SPEAKER. The Clerk will call the next committee.

The Clerk called the Committee on Military Affairs.

BOARD OF MANAGERS, NATIONAL SOLDIERS' HOME.

Mr. SHALLENBERGER. Mr. Speaker, I am directed by the Committee on Military Affairs to call up House joint resolution 289.

The SPEAKER. The Clerk will report it.

The Clerk read the resolution, as follows:

Joint resolution (H. J. Res. 289) for the appointment of four members of the Board of Managers of the National Home for Disabled Volunteer Soldiers.

Resolved, etc., That George H. Wood, of Ohio; James C. Catherwood, of Illinois; John C. Nelson, of Indiana; and Menander Dennett, of Maine, be, and they are hereby, appointed members of the Board of Managers of the National Home for Disabled Volunteer Soldiers of the United States, to succeed George H. Wood, of Ohio; James C. Catherwood, of Illinois; John C. Nelson, of Indiana; and John W. West, of Maine, whose terms of office expired April 21, 1918.

Mr. SHALLENBERGER. Mr. Speaker, this is a resolution to reappoint the managers of the Soldiers' Home. As nominated in the resolution, the only new name that is offered is that of Menander Dennett for John W. West, of Maine, and that is made necessary because Mr. West has died. This name is offered in lieu of Mr. West's.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. SHALLENBERGER. Yes.

Mr. WALSH. Did the gentleman state that Mr. West had died?

Mr. SHALLENBERGER. Yes.

Mr. WALSH. Since he resigned?

Mr. SHALLENBERGER. Yes; so I have been informed. He first offered his resignation because of failing health, and has since died.

The SPEAKER. The question is on agreeing to the resolution.

Mr. STAFFORD. Mr. Speaker, I wish to offer an amendment.

Mr. SHALLENBERGER. I have one amendment that I wish to offer. In lieu of the name of George H. Wood, on page 1, line 3, insert the name of M. T. Dwyer.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 3, strike out the name of "George H. Wood" and insert in lieu thereof the name of "M. T. Dwyer."

Mr. SHALLENBERGER. Mr. Speaker, the reason for that is that Gen. Wood has, since his term of office expired and this bill was introduced, which was at the beginning of this session, been appointed to a commission in the Army and is now serving in France. The name of Mr. Dwyer is offered for that reason. Gen. Wood has gone to France.

The SPEAKER. How does the gentleman spell that name?

Mr. SHALLENBERGER. It is spelled "Dwyer." He is a soldier.

The SPEAKER. The question is on agreeing to the amendment.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. SHALLENBERGER. Yes.

Mr. STAFFORD. Has the committee taken action on the substitution of Mr. Dwyer's name for Gen. Wood's?

Mr. SHALLENBERGER. Not as a committee, but the members of the committee who were present have all agreed to the substitution of Mr. Dwyer's name for that of Mr. Wood.

Mr. STAFFORD. Of course, I have no desire to oppose the substitution of Mr. Dwyer's name for Mr. Wood's in view of the fact that Mr. Wood is absent from the country in the service of the Army, but I wish to offer an amendment to substitute another name for that of another. However, I will wait the action of the House on the amendment offered by the gentleman from Nebraska.

The SPEAKER. The question is on agreeing to the Shallenberger amendment.

The amendment was agreed to.

Mr. STAFFORD. Mr. Speaker, I move to strike out, in lines 4 and 5, "Menander Dennett, of Maine," and substitute the name of "Henry Hase, of Wisconsin."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Strike out, on page 1, lines 4 and 5, the words "Menander Dennett, of Maine," and insert in lieu thereof the words "Henry Hase, of Wisconsin."

Mr. STAFFORD. Mr. Speaker, some years ago—about five, as I recall—an attempt was made to curtail the membership of the Board of Managers of the National Soldiers' Home. At that time Wisconsin, by reason of having one of the largest branch homes within the State, had a representative, but as the result of the elimination process, and the only case where the elimination process acted, the representative from Wisconsin was stricken off and the membership of this board of managers was reduced. Wisconsin has one of the largest of these branch homes in the country. It houses nearly 2,000 old soldiers. The home is located in the environs of Milwaukee, not in my district, but in that represented by my colleague.

Mr. Henry Hase, whose name I have proposed as a substitute for that of Mr. Menander Dennett, is a veteran of the Civil War. I may say that he is a Democrat in politics. He has three sons, one of whom is a major of artillery at the present time and for along time in the service of his country. That son volunteered in the Philippine war. He rose from the ranks and continued in the Regular Army until to-day he is one of the recognized authorities on matters of artillery. He has other sons who are giving their best in the interest of the Government.

I do not wish to provoke any contest between the home in Maine and the home in the Northwest, and yet anyone who has studied the statistics about the respective homes knows that the home in Maine has only a very few members as compared to that at Milwaukee, perhaps one-fifth as many. We ought to have a representative from Wisconsin to look after the branch home there. As Mr. Hase's friends wrote me some time ago when this matter was under consideration, I take the liberty now of presenting his name and to have Wisconsin placed on the list where she should be to-day in the membership of this board, and of which she was deprived by a lottery when an attempt was made to reduce the membership of the board.

Mr. DEWALT. Was Mr. Hase on the board before?

Mr. STAFFORD. No.

Mr. HERSEY. I would like to inquire if the other members of the board are not all from the West except the one from Maine?

Mr. STAFFORD. I believe not. I believe there is a representative from the East. I will give the gentleman the membership from the Congressional Directory.

Mr. HERSEY. I am speaking of those mentioned as nominees.

Mr. RAKER. Where are these men from?

Mr. SHALLENBERGER. One from Ohio, one from Illinois, and one from Indiana.

Mr. STAFFORD. I will give the House all the information I possess so that they may act intelligently on the matter. As disclosed by the Congressional Directory the managers at present are Gen. George H. Wood, president, headquarters Dayton, Ohio; Capt. John C. Nelson, Logansport, Ind.; Maj. James W. Wadsworth, Geneseo, N. Y. Maj. Wadsworth is a former Member of this House of Representatives and has an illustrious war record. The other members are Mr. James S. Catherwood, of Illinois; Col. Markham, of California; Mr. West, of Lewiston, Me.; and Mr. Black, of Kansas. Mr. Dennett has been recommended to succeed Mr. West.

As I have stated, Wisconsin ought to have its representative. It was purposed to reduce this board, I believe, to five, the number at that time being nine; but the law was repealed, and now I am only asking the membership of the House to place Wisconsin back where she was before that effort was made to reduce the membership of the board.

Mr. HERSEY. The gentleman's only reason is that the Wisconsin home is larger than the Maine home?

Mr. STAFFORD. My reason is that the enrollment at the Wisconsin home is nearly five or six times that of the Maine home. The Wisconsin institution is a live one, whereas the Maine home is dwindling and becoming less and less, and it is necessary and more important for the welfare of the homes to have a representative from the State, so as to give attention to the homes which have a large membership.

The SPEAKER. The question is on the amendment offered by the gentleman from Wisconsin [Mr. STAFFORD].

The question was taken; and on a division (demanded by Mr. STAFFORD) there were—ayes 14, noes 8.

Accordingly the amendment was agreed to.

Mr. FOSTER. Mr. Speaker, I want to ask the gentleman from Nebraska [Mr. SHALLENBERGER] if the name "James C. Catherwood" should not be "James S. Catherwood." I notice in the Congressional Directory it is James S. Catherwood, and that is my recollection of his name.

Mr. SHALLENBERGER. All I can say is that the name "James C. Catherwood" was handed to me by the members of the board who were interested in the passage of this bill.

Mr. FOSTER. My understanding has always been that his name is James S. Catherwood, and I think it ought to be changed.

Mr. SHALLENBERGER. I will offer an amendment changing the name "James C. Catherwood" to "James S. Catherwood."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 3, strike out the initial "C" in the name "James C. Catherwood" and insert the letter "S."

The amendment was agreed to.

The SPEAKER. Without objection, the same amendment will be made in line 8.

There was no objection.

The joint resolution as amended was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

On motion of Mr. SHALLENBERGER, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

The SPEAKER. Is there any further business from the Committee on Military Affairs?

Mr. SHALLENBERGER. No further business.

The SPEAKER. The Clerk will call the next committee.

The Clerk called the Committee on Naval Affairs.

Mr. FOSTER. Mr. Speaker, I ask unanimous consent to dispense with further Calendar Wednesday business and to consider the Unanimous Consent Calendar for the remainder of the day.

The SPEAKER. The gentleman from Illinois asks unanimous consent to dispense with Calendar Wednesday business for the remainder of the day. Is there objection?

Mr. RAKER. Mr. Speaker, I am constrained to object.

Mr. FOSTER. Mr. Speaker, I make the point of no quorum.

The SPEAKER. The gentleman from Illinois makes the point of no quorum. Evidently there is none.

ADJOURNMENT.

Mr. FOSTER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 43 minutes p. m.) the House adjourned until to-morrow, Thursday, August 22, 1918, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. DENT, from the Committee on Military Affairs, to which was referred the bill (H. R. 12731) amending the act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, reported the same with amendments, accompanied by a report (No. 759), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON: A bill (H. R. 12797) granting an increase of pension to Martin McDermott; to the Committee on Invalid Pensions.

By Mr. FIELDS: A bill (H. R. 12798) granting an increase of pension to William M. Blankenship; to the Committee on Invalid Pensions.

By Mr. PURNELL: A bill (H. R. 12799) granting an increase of pension to Benjamin F. Kernodle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12800) granting an increase of pension to James M. Spencer; to the Committee on Invalid Pensions.

By Mr. STEPHENS of Nebraska: Joint resolution (H. J. Res. 321) tendering public acknowledgment of gratitude to the Army and Navy of the United States; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BACHARACH: Petition of J. P. Reeves, of Bridgeton, N. J., concerning war-time prohibition; to the Committee on the Judiciary.

By Mr. SMITH of Michigan: Petition of Elmer Vaughen and 69 other citizens of Waldron, Mich., favoring national prohibition; to the Committee on the Judiciary.

By Mr. TILSON: Petition of Rev. G. Whitefield and 100 others of Milford, Conn., favoring war prohibition; to the Committee on the Judiciary.

SENATE.

THURSDAY, *August 22, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we have been called together to consider mighty issues of this troublous time. We bless Thee that Thou hast called together the heart and spirit of a great Nation back of the Senate, that the Nation is delivering itself through all its avenues of personal expression in the interest of the high ideals for which we have ever stood, and that in addressing ourselves to the task of this day we may do it with a clear conscience and with a sense of the backing and encouragement and sympathy of a great Nation.

We seek Thy blessing upon us, O God, that we may do all things according to Thy will, that our vision may be clear not only of the duties of the day but of the glorious opportunities that are before us to spread the ideals of peace and righteousness in all the earth.

We pray Thy blessing upon our soldiers and sailors and upon all who are in places of danger, that Thou wilt shelter them from harm and give them a speedy victory over our enemy. Grant us this day Thy grace. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of the proceedings of Monday, August 19, 1918, when, on request of Mr. CHAMBERLAIN and by unanimous consent, the further reading was dispensed with and the Journal was approved.

LIST OF CLAIMS (S. DOC. NO. 273).

The PRESIDENT pro tempore laid before the Senate a communication from the chief clerk of the Court of Claims, transmitting, pursuant to an order of the court, a list of cases referred to the Court of Claims for adjudication by a resolution of the Senate of March 3, 1887, commonly known as the Tucker Act, which cases were dismissed by the court June 17, 1918, on motion of the defendants under section 5 of the act of March 4, 1915; which, with the accompanying paper, was referred to the Committee on Claims and ordered to be printed.

RATIFICATION OF CONSTITUTIONAL AMENDMENT.

The PRESIDENT pro tempore. The Chair lays before the Senate a communication from the executive of the State of Louisiana, transmitting resolutions adopted by the legislature of that State ratifying the proposed prohibition amendment to the Constitution of the United States. The communication and accompanying resolutions will be placed on the files of the Senate.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the bill (S. 4527) to authorize the payment of indemnities to the Government of Greece for injuries inflicted on its nationals during riots occurring in South Omaha, Nebr., February 21, 1909.

The message also announced that the House had passed the following bill and joint resolution, in which it requested the concurrence of the Senate:

H. R. 12704. An act to authorize the importation without the payment of duty of sundry articles for the American National Red Cross to be donated or used by it solely to or for the benefit of the land or naval forces of the United States or its allies, or for the relief of the civilian population of the United States or of its allies; and

H. J. Res. 289. Joint resolution for the appointment of four members of the Board of Managers of the National Home for Disabled Volunteer Soldiers.

The message further transmitted to the Senate resolutions on the death of Hon. JACOB HAROLD GALLINGER, late a Senator from the State of New Hampshire.

PETITIONS AND MEMORIALS.

Mr. KENYON presented petitions of sundry citizens of Iowa, praying for national prohibition as a war measure, which were ordered to lie on the table.

Mr. POINDEXTER. I present a communication consisting of a letter addressed to myself and a series of resolutions of Millmen's Union No. 338, United Brotherhood of Carpenters and Joiners of America of Seattle, Wash. These resolutions and communication are in response to a letter addressed to organized labor July 13, 1918, by the general financial secretary of the International Union of United Brewery and Soft Drink Workers of America. In opposition to the principles stated in that letter the carpenters and joiners' union of Seattle, Wash., point out the benefits which have accrued to union labor and to the people of that State from prohibition as it now exists there, in opposition to the view expressed in the brewery workers' communication referred to. I ask that it be properly referred.

The PRESIDENT pro tempore. The resolutions and communication will lie on the table.

Mr. FLETCHER presented a resolution adopted at a mass meeting of citizens held in Royal Park, Miami, Fla., favoring the submission of a Federal suffrage amendment to the legislatures of the several States, which was ordered to lie on the table.

He also presented a petition of sundry citizens of Clearwater, Fla., praying for national prohibition as a war measure, which was ordered to lie on the table.

Mr. REED. I present a memorial signed by a large number of citizens of the State of Missouri touching upon the question of the proposed prohibition amendment. I ask that the memorial be received and appropriately referred.

The PRESIDENT pro tempore. The memorial will lie on the table.

Mr. HALE presented petitions of sundry citizens of Maine, praying for national prohibition as a war measure, which were ordered to lie on the table.

Mr. KNOX presented petitions of sundry citizens of Pennsylvania, praying for national prohibition as a war measure, which were ordered to lie on the table.

Mr. FERNALD presented petitions of sundry citizens of Maine, praying for national prohibition as a war measure, which were ordered to lie on the table.

He also presented a memorial of sundry citizens of New Jersey, New York, Connecticut, and Ohio, remonstrating against the enactment of legislation to prohibit the manufacture and sale of beer and wines, which was ordered to lie on the table.

WOMAN SUFFRAGE.

Mr. SHAFROTH. Mr. President, I present petitions of citizens of Colorado to the Senate of the United States relative to the passage of the woman-suffrage amendment to the Constitution. These petitions resulted from the action of the Denver Post, the largest daily newspaper in Denver, in advocating in some strong editorials the amendment, in placing in its columns a short form of petition, and asking the people who were interested to sign it and transmit it to the Denver Post. That has been done, and the signers constitute several thousand names in favor of the petition. No solicitors sought to procure the signatures. The petitions were signed by those readers of the paper who took the trouble to cut it out, sign the same with their address, and mail it to the Denver Post. It consists of only 10 or 12 lines, and I desire to read it:

PETITION TO SENATE FOR WOMAN'S SUFFRAGE.

Petition to the Senate to support the President of the United States and pass a suffrage amendment in accordance with the request of the President of the United States.

To the Senate of the United States:

The President says that the suffrage amendment should be passed as a just recognition of the work American women have done for the support of the war. We agree with the President.

The President says that this suffrage amendment is a necessary war measure; that it will help win the war.

Senators, that alone is surely reason enough why you should vote for the amendment.

Senators, your petitioners urge you to stand by the President and to heed his advice and to vote for the suffrage amendment, both as a war measure that will help us to win victory sooner and as an act of high justice to the patriotic women of the United States.

I ask that the petitions be referred to the Committee on Woman Suffrage.

The PRESIDENT pro tempore. It will be so ordered.

Mr. THOMAS. Mr. President, while we are on this subject I wish to present a letter of Mrs. Ida Husted Harper, of August 14, addressed to myself, and which I will read to the Senate so that it will appear in the RECORD in conjunction with the other items that have been offered. I will read only that part of it which refers to the so-called National Woman's Party:

I wonder if you are familiar with the history of this small organization. Its leaders, Miss Alice Paul and Miss Lucy Burns, while studying in England, joined Mrs. Pankhurst's organization and were among those who were put into prison. They returned to the United States in 1912 with the intention of starting a "militant" movement here, but the idea being coldly received they proposed to the National Association that they should organize a suffrage parade in Washington similar to those that had been held in London. They were appointed a committee to do this and also to assist the work for the Federal amendment, whose prospects had been advanced by the recent victories in Oregon, Arizona, and Kansas. While working here they conceived the idea of forming a rival organization which should do more aggressive work with Congress and cut out all State campaigns. They used the association's letterheads for this purpose, and as soon as its officers learned what was being done they were removed from the committee and thereafter devoted themselves to building up their own organization.

In 1914, as you know, they adopted Mrs. Pankhurst's policy of "fighting the party in power," and went into the equal-suffrage States to organize the voters against the Democratic candidates for Congress. Their action was strongly repudiated by the National Association, which always had been absolutely nonpartisan. In 1916 they changed their name from the Congressional Union to the National Woman's Party, thus confusing the mind of the public still more as to the identity of the two organizations. They worked against the Democratic candidates throughout this campaign also, and it would have been practically impossible for the National Association to retain the friendship of the Democratic Party had it not been for the election of President Wilson by the vote of the equal-suffrage States.

In 1917, because President Wilson had been thus elected, the leaders of the National Association saw an opportunity to carry out their long-cherished plan of securing for women a vote for presidential electors in various States, and had bills introduced in their legislatures for this purpose. The Congressional Union having again lost its fight against the Democratic Party, and fearing that it might disappear from the spot light, conceived the idea of "picketing" the White House. I need not enter into that unfortunate action further than to say that it contributed largely to the defeat of the suffrage amendment in Maine that autumn and came very near losing it in the State of New York. It required a year of effort by the officers of the National Association and its press bureau to convince the public that this small group did not represent the great body of suffragists.

This so-called National Woman's Party is less than five years old, and nobody has the slightest idea as to the size of its membership. Anyone who ever gave it 25 cents is enrolled as a member forever. It goes into a State, holds a meeting, appoints a committee, and then announces that it has organized the State. It assures the women that the National Association is working only for State amendments and that it alone is working for a Federal amendment.

The National American Suffrage Association was founded in 1869 by Elizabeth Cady Stanton, Susan B. Anthony, and other pioneers for the express purpose of obtaining a Federal amendment and never has ceased in its efforts. It took up State work only because it saw that Congress would not act until the experiment had been made in a number of States. Every State is auxiliary to this association, which has an estimated membership of 2,000,000, and its work has always been constitutional, legal, conservative, and dignified. Every particle of suffrage which the women of the United States possess to-day has been gained under the auspices of its State branches. It enjoys the full confidence of the Administration, and, we trust, of Congress, and we earnestly hope that its efforts of nearly 60 years will not be thwarted by this small body of irresponsible women.

Mr. REED. Mr. President, having received this frank opinion by the National American Woman's Suffrage Association of the National Woman's Party, it will now be in order to await an equally frank opinion of the National American Woman's Suffrage Association by the National Woman's Party.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PENROSE:

A bill (S. 4871) to authorize the Philadelphia, Harrisburg & Pittsburgh Railroad Co., its lessees, successors, and assigns, to construct a bridge across the Susquehanna River from the city of Harrisburg, Dauphin County, Pa., to the borough of Lemoyne, Cumberland County, Pa.; to the Committee on Commerce.

By Mr. POMERENE:

A bill (S. 4872) to incorporate the United Lutheran Church in America; to the Committee on the Judiciary.

By Mr. SHEPPARD:

A bill (S. 4873) for the relief of Calvin Willard Gilfillan; to the Committee on Naval Affairs.

Mr. FLETCHER. I have been requested to introduce a bill, which I now do. The object seems to be a most worthy one. Its form is not entirely perfect, but I ask that it be referred to the Committee on Education and Labor.

By Mr. FLETCHER:

A bill (S. 4874) to establish a national conservatory of music and art for the education of advanced pupils in music in all its branches, vocal and instrumental (with accompanying papers); to the Committee on Education and Labor.

By Mr. McNARY:

A bill (S. 4875) granting an increase of pension to Jacob Brown (with accompanying papers); and

A bill (S. 4876) granting an increase of pension to Samuel McCord (with accompanying papers); to the Committee on Pensions.

By Mr. JONES of Washington:

A bill (S. 4877) for the relief of Mary Wait (with accompanying papers); to the Committee on Claims; and

A bill (S. 4878) granting a pension to Sarah M. Geiger; to the Committee on Pensions.

Mr. BORAH. Mr. President, I desire to introduce a bill to be referred to the Committee on Finance. It is a bill providing for the raising of revenue by means of a tax on sales. I desire to say in the introduction of this bill that it was prepared by a citizen of my State, Mr. C. A. Mariani. It is not, therefore, original with the introducer of the measure, but I introduce it and send it to the committee because I think it is well worthy of their consideration.

By Mr. BORAH:

A bill (S. 4879) to provide revenue to defray war expenses, and for other purposes; to the Committee on Finance.

By Mr. MARTIN:

A bill (S. 4880) granting an increase of pension to Cornelia A. Nickels (with accompanying papers); to the Committee on Pensions.

CHANGES OF DRAFT AGE.

Mr. CUMMINS submitted five amendments intended to be proposed by him to the bill (S. 4856) to amend sections 2, 4, and 5 of an act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, and for other purposes, which were ordered to lie on the table and be printed.

Mr. GORE submitted an amendment intended to be proposed by him to the bill (S. 4856) to amend sections 2, 4, and 5 of an act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, and for other purposes, which was ordered to lie on the table and be printed.

Mr. KIRBY submitted an amendment intended to be proposed by him to the bill (S. 4856) to amend sections 2, 4, and 5 of an act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, and for other purposes, which was ordered to lie on the table and be printed.

Mr. FRANCE submitted an amendment intended to be proposed by him to the bill (S. 4856) to amend sections 2, 4, and 5 of an act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, and for other purposes, which was ordered to lie on the table and be printed.

FUNERAL EXPENSES OF THE LATE SENATOR GALLINGER.

Mr. NELSON submitted the following resolution (S. Res. 292), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay, from the miscellaneous items of the contingent fund of the Senate, the actual and necessary expenses incurred by the committee appointed by the President pro tempore in arranging for and attending the funeral of the Hon. JACOB H. GALLINGER, late a Senator from the State of New Hampshire, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

MOB VIOLENCE (S. DOC. NO. 272).

Mr. OVERMAN. Mr. President, I ask to have printed as a public document the letter of the President of July 26 last, denouncing mob violence.

The PRESIDENT pro tempore. Without objection, it is so ordered.

AMERICA'S UNGUARDED GATEWAY.

Mr. JONES of New Mexico. Mr. President, in the August number of the North American Review a letter was published which was unquestionably a reflection upon the State of New Mexico. The author of the article I do not know, but inasmuch as it was published in a periodical which has considerable circulation throughout the country it seems to me that it ought not to go unnoticed.

My colleague [Mr. FALL] addressed a letter to the editor of that periodical condemning its publication, and in response to that letter the editor has published in the War Weekly a general and unqualified apology.

The Representative from New Mexico in the House, on Tuesday of this week, delivered some very fitting remarks concerning the publication. I do not, therefore, deem it wise to make any extended remarks of my own concerning it at this time.

The people of Dona Ana County, in New Mexico, in mass meeting assembled on the 8th of August, passed resolutions which are so expressive of what I feel to be the universal sentiment of the people of New Mexico, and which in very strong and effective terms declare the conditions as they exist in New Mexico and the untruthfulness of the charges made, that I think it advisable that those resolutions should be printed in the RECORD.

I therefore request that the resolutions may be printed in the RECORD.

The PRESIDENT pro tempore. Is there objection?

Mr. FALL. My colleague has requested the publication of what resolutions?

Mr. JONES of New Mexico. Resolutions adopted at a mass meeting of the people of Dona Ana County August 8.

Mr. FALL. I have no objection at all to the publication.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

Resolutions adopted by a mass meeting of patriotic citizens held at the armory in Las Cruces, Dona Ana County, N. Mex., on August 8, 1918, held to consider an article in the North American Review for August, 1918.

Whereas there was published in the August number of the North American Review an article headed "America's unguarded gateway" (p. 312); and

Whereas said article is composed of a tissue of lies from the first line to the last; and

Whereas no respectable journal would publish such an attack upon the entire people of an American Commonwealth without investigation and justification therefor: Now, therefore, be it

Resolved, That we, the citizens of New Mexico, most highly resent this unjustifiable attack upon the honor, virtue, and loyalty of our people; and

Resolved, That we brand as unqualifiedly false the statements contained in said article to the effect that a Mexican, a German, or any other hostile army, could march unmolested and welcomed through our State; that our people are anything but profoundly devoted to the American flag; that the use of Spanish when necessary for the proceedings of court, legislature, or other assemblies constitutes any just reflection upon the loyalty of the people; that there is any secret or other organization that improperly influences the courts, legislature, election machinery, local administration, or any other element of public or private life; that the United States Government or any of its departments have wrongfully deprived any of our citizens of their rights or improperly extended any of their privileges.

And most emphatically do we resent and qualify as maliciously false and libelous the statement that "a state of treason exists in this part of our country" and the statement that "the native population awaits the hour to strike."

And in refutation of the said infamous statements and of the many others with which said article abounds, we submit:

(1) That New Mexico is blessed with as loyal and true a body of citizens as any other State of our beloved country.

(2) That never since New Mexico became a part of the Nation has any act of disloyalty been shown by its people toward the Government, but, on the contrary, in the Civil War, the Spanish War, and in every crisis of the country our State and her native sons have shown in potent and convincing deeds that their Americanism is as pure as that of any other State in the Union.

(3) That if the other States of the Union had furnished in the present war as large percentage of troops, volunteer and selective, as New Mexico, the United States Army would to-day be practically doubled in number.

(4) That Dona Ana County, which is a border county, and which, according to the article referred to constitutes the very gateway for a hostile army, was the first county in the United States to go over the top in the last Red Cross drive and exceeded its quota three times over.

(5) That New Mexico in every civil activity of the war has far exceeded its quota and has exceeded the average attained throughout the country.

(6) That the women of the State have been commended in their Red Cross work by the highest officials of the Red Cross for the activity and faithfulness of their patriotic services.

(7) That the farmers of New Mexico, impelled by the war emergency, have almost doubled the agricultural production in two years, and every essential war industry has been augmented to the limit.

(8) That no call of the Government in behalf of the great national enterprise has been met with any but the most self-sacrificing patriotic response.

(9) That the sentiment of our people, including distinctly the so-called Spanish-Americans, is characterized by the cheerful, willing service of our sons who have gone forth to war, and that sentiment is personified in the history of Capt. Joseph Quesenberry, Eighteenth United States Infantry, heroic son of this county, who captured the first German prisoners and guns taken by an American force in France; cited for bravery on the field by Gen. Bullard, his division commander, and by Gen. Pershing, the American commander; and who, in a few short days later, paid the supreme price and laid down his gallant sword and his young life for his country's cause: Now, therefore, be it further

Resolved, That in the light of these facts it is not strange that New Mexico arises as one man and challenges in unmeasured condemnation the brutal, degrading aspersions cast upon the integrity of our people, and we register our contempt for the disordered mind that conceived and the ill-advised publication that gives currency to such infamy; and be it further

Resolved, That the chairman and secretary of this meeting be instructed to forward a copy of this resolution to the New Mexico State Council of Defense, with the request that if possible legal action, both criminal and civil, or either, be instituted against the person and the publication responsible for the vile and malicious slander upon the good name of a loyal people, who form a substantial portion of the Nation, and who, as an integral part thereof, are entitled to the same protection as the Government itself against such seditious utterances; and further

Resolved, That the press of the State and the North American Review be furnished with a copy hereof for publication, and that the North American Review be requested to make editorial repudiation and retraction of the article, and that they be brought to the attention of the United States attorney for New Mexico, as well as the National Committee on Public Information, with the request that appropriate legal or other action be taken, and that widespread refutation be made, and that a committee of five be appointed by the chairman to follow up vigorously this and any other similarly unwarranted attacks.

WILLIAM ALEXANDER SUTHERLAND,
Chairman.

Attest:

JOSE GONZALES, *Secretary.*

APPRECIATION OF THE LATE SENATOR TILLMAN.

Mr. POINDEXTER. Mr. President, I present a resolution of the Alaska Bureau of the Chamber of Commerce and Commercial Club of the city of Seattle, which resolution was also concurred in by the Chamber of Commerce and the Commercial Club itself. It is an expression of appreciation for the services to the north Pacific coast of Hon. B. R. TILLMAN, late a Senator from South Carolina. It is a brief and appropriate and sincere expression of appreciation of the responsive interest which the late Senator always took in matters relating to the north Pacific coast, particularly in connection with the Navy. I ask that it be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

SEATTLE CHAMBER OF COMMERCE AND COMMERCIAL CLUB.

Resolution commemorative of the late Hon. B. R. TILLMAN.

In the passing of the Hon. B. R. TILLMAN, chairman of the Senate Committee on Naval Affairs, Alaska has lost a true friend. Advised as to the potential wealth of Alaska's undeveloped resources, he labored for a rational development that would make for the welfare of her people. A statesman of broad vision, he realized that the extremes of governmental policy toward the opening of Alaska's resources tended to economic loss and waste, instead of utilization and conservation.

For the use of Alaska coal to supply the needs of the Navy on the Pacific, Senator TILLMAN was an earnest and active worker, who exerted a strong influence in bringing about this nationally desired result.

In behalf of the friends of Alaska the Alaska Bureau of the Seattle Chamber of Commerce and Commercial Club expresses its sincere grief in the national loss of a champion whose every effort was for the welfare and advancement of mankind.

Adopted by the Alaska Bureau, Seattle Chamber of Commerce and Commercial Club July 30, 1918.

J. L. MCPHERSON, *Secretary.*

Adopted by the trustees of the Seattle Chamber of Commerce and Commercial Club August 6, 1918.

G. C. CORBALEY,
Executive Secretary.

AIRCRAFT PRODUCTION.

Mr. THOMAS. From the Committee on Military Affairs I present a report (No. 555) upon aviation production in the United States, and in this connection also offer a letter and telegram from Mr. Howard E. Coffin, at one time the chairman of the Aircraft Board, which was sent to me as chairman of the subcommittee, during our investigation. I am also instructed by the Committee on Military Affairs to request that the report now presented be read to the Senate in full.

The PRESIDENT pro tempore. Without objection, the Secretary will read the report. The Chair hears none, and the Secretary will read.

The Secretary proceeded to read the report. During the reading of the report,

Mr. THOMAS. Mr. President, in view of the fact that the reading of this report does not seem to command the presence of the Senate I ask that its further reading be dispensed with.

The PRESIDING OFFICER (Mr. ROBINSON in the chair). The Senator from Colorado asks unanimous consent that the further reading of the report be dispensed with. Is there objection? The Chair hears none, and the report will be printed in full in the RECORD.

The report is as follows:

[Senate Report No. 555, Sixty-fifth Congress, second session.]

AIRCRAFT PRODUCTION IN THE UNITED STATES.

Mr. THOMAS, from the Committee on Military Affairs, submitted the following report pursuant to Senate resolution 48:

The Committee on Military Affairs, who were directed by a Senate resolution adopted April 30, 1917, to investigate aircraft production in the United States, have completed that duty and report as follows:

On April 6, 1917, the United States entered the war.

On June 8, 1917, public announcement was made that a great fleet of 25,000 aeroplanes was about to be created, and would be decisive of the war months before an effective army could be put in Europe.

July 24, 1917, Congress appropriated $640,000,000 to carry out the aircraft program. This fund has been, either by actual expenditure or by commitments, exhausted. A further appropriation of $884,304,758 has been found necessary.

In the opinion of the committee a substantial part of the first appropriation was practically wasted.

While much good work has been accomplished, for which due credit should be given, it must nevertheless be admitted that our aeroplane program has, up to the present, presented many aspects of failure. To some of these we call attention:

While an army of three and one-half million has been raised, the aircraft situation is as follows:

(a) Six hundred and one De Haviland 4's have been embarked for France up to August 1, 1918.

Of these, 67 had reached the front by July 1.

On August 7 a squadron of 18 De Haviland 4's flew over the German lines. Details of its performance have not been received. The character and construction of the De Haviland 4 is further discussed in paragraph (i) and in the body of this report.

(b) We have not a single American-made Chasse (or plane of attack) upon the battle front.

(c) We have not a single American-made heavy bombing plane upon the battle front.

(d) We have not developed and put in quantity production a successful Chasse, or fighting plane.

(e) Our attempt to create a fighting plane was centered in an attempt to adapt the Bristol Fighter and De Haviland to the Liberty motor. The Bristol was, without sufficient tests, put in quantity production, over $6,500,000 expended, and the lives of several gallant men sacrificed, when the machine was condemned and its manufacture discontinued.

(f) The Standard J training machine was equipped with the Hall-Scott engine and put in quantity production. After more than 1,200 had been manufactured, at a cost of $6,000,000, the machine thus equipped was condemned as dangerous and placed in storage.

(g) The Spad is a Chasse, or fighting plane, of the highest type. Early in September an oral order was given to the Curtiss Aircraft Co. for the manufacture of 3,000 of these machines. Work was at once begun and drawings practically completed.

(h) On September 27, 1917, Col. Clark and Maj. Vincent (one of the inventors of the Liberty motor) concluded that the machine could not be operated with a Liberty motor.

On October 8 the contract was canceled, the reason given being that the single-seat fighter was regarded as obsolete. But the fact is that on April 23, 1918, a contract was let to the Curtiss Co. to build 1,000 single-seat fighters, known as the S. E. 5, which is the English equivalent of the French Spad.

In addition to this, our Government is now using upon the battle front every Spad machine it can secure from the French, but has only been able to obtain about 418 of them.

(i) The cancellation of the Spad contract and the failure of the Bristol left us without either a single or a two seat fighter, except the De Haviland 4, which was originally designed as a two-seat fighter and which we are equipping for reconnaissance, photographic, bombing, and fighting purposes.

(j) Contracts for 8,500 were let at various times. Up to August 1, 1,000 had been delivered, and a number forwarded to Gen. Pershing. An inspection and test developed numerous mistakes, both in design and workmanship. Work upon the planes was stopped until the defects could be remedied. In part this appears to have been accomplished in the field, for a squadron of 18 planes has been sent across the German lines.

(k) As early as the month of October, 1917, we were in possession of the necessary facilities to construct the Caproni, a powerful and successful heavy bombing plane, approved both by Italian and English aeronautical engineers.

Expert Italian engineers have been upon the ground since the month of January, yet the fact remains that we have up to date constructed only one experimental machine which is equipped with Liberty motors.

Nearly a year has elapsed since we might have begun work upon these machines and by this time have been in quantity production.

(l) The Handley-Page heavy bombing machine furnishes another example of delay. Plans were furnished the Signal Corps in the summer of 1917, but were not then availed of. Contracts for spare parts were not made until February, 1918. Deliveries of these spare parts did not begin until August, 1918. A sample plane ordered in March, 1918, was flown last July. Tests are not yet complete.

In the opinion of the committee the disappointing results above set forth are chiefly due to three causes:

I. That the airplane program was largely placed in the control of great automobile and other manufacturers, who were ignorant of aeronautical problems.

II. These manufacturers undertook the impossible task of creating a motor which could be adapted to all classes of flying craft. It is not too much to say that our airplane program has been largely subordinated to the Liberty motor.

III. We failed at the beginning of the war to adopt the commonsense course of reproducing the most approved types of European machines in as great numbers as possible. This should have been carried on coincident with the production of the Liberty motor. This sound policy has very recently, but after a lamentable lapse of time, been adopted.

The mistakes and errors referred to would probably have been largely avoided if the aircraft program had been under the control of one man, assisted by skilled aeronautical engineers and practical flyers to design and test our machines, with production made subordinate to them.

This brief summary is not to be taken as a wholesale condemnation of our aircraft program. Much has been accomplished. The committee is glad to report that while it believes there are yet many things to be remedied, nevertheless we are approaching a period when quantity production of planes may soon be hoped for.

The committee further reports in detail:

Beginning on May 29, your committee, instructed to inquire into the causes of delay in aircraft production, visited a number of training and testing fields and manufacturing plants in different sections of the country. It has since examined many witnesses, comprising manufacturers, fliers, officers, inspectors, and men more or less familiar with the subject and interested in the solution of its problems. The committee has not exhausted all sources of information, to do which would require the remainder of the session, but it received statements and heard testimony upon many features of the question. No attempt has been made to investigate charges of personal dishonesty or official corruption. That subject more properly belongs to the Department of Justice, which, under the direction of Hon. Charles E. Hughes, has been conducting an inquiry of its own regarding that and other phases of the subject.

In directing attention to conditions, both past and present, in the aircraft administration, your committee realizes that it is easier to criticize than to construct, and that due allowance should be made for mistakes of judgment, which are unavoidable in the organization of a new branch of the service, involving the establishment of an extensive industry. Our inquiry has been as impersonal as these conditions have permitted, and it is in the same spirit that this report is made.

THE AIRCRAFT BOARD.

As originally composed, representatives of the automobile industry featured this organization, presumably due to the theory that aircraft engine and plane production were analogous pursuits. The latter was therefore submitted to the custody of men skilled in automobile production. A board thus equipped naturally depended upon motor-car engineers and manufacturers for the solution of aviation problems. But the analogy between the two pursuits virtually begins and ends with the fact that each uses a gas-explosive motor. Hence difficulties in design and production would tend to increase until such conditions were recognized. This fact must have been demonstrated to the board through its initial experiences, for Maj. Downey states that in the beginning the board wanted much authority with little responsibility.

"They wanted the Signal Corps to execute contracts and stand back of them, the board to be in an advisory capacity, and still control the situation."

Later—

"They saw the crash coming; the board passed a resolution reaffirming the fact that they were only acting in an advisory capacity."

Organization under the Aircraft Board was unsystematic and ineffective. The chief officer of the Signal Corps was the nominal head, under whose ostensible supervision bureaus of engineering, equipment, supplies, lubrication, production, etc., were established, many of whose functions ill defined, conflicted with, or overlapped each other. Contractors, inventors, material men, everyone having business with this arm of the service and directed from one official to the other could not well transact their business and secure results with directness and efficiency. While this condition seems to be inseparable from official business routine in Washington, it featured largely in aviation from the start, materially hindering production on the one hand and diffusing responsibility therefor upon the other. Fairness, however, requires the statement that the assignment by Congress of aircraft production and administration with the Signal Corps was unfortunate. The primary needs and importance of that corps as then defined were fully equal to the experience and efficiency of its commanding officer.

AIRCRAFT PROGRAM.

When Italy entered the war she made a careful study of aerial warfare upon the French front as then developed. Her engineers then selected the most efficient types of French flying planes and immediately put them into production under the supervision of skilled French artificers. Coincident with this policy she began the development of airplanes on her own account. Her armies were, therefore, rapidly equipped with an excellent service, afterwards supplemented by machines equally effective, but of Italian design and driven by Italian motors. By this means she avoided delay in production. She also promoted the development of her engineering genius by employing it under practical conditions upon the front with the best machines that France had produced.

Your committee does not understand why the Aircraft Board did not adopt this obviously essential policy. The Signal Corps dispatched a commission to the front, headed by Col. Bolling, instructed to secure all needed information, evidently for that purpose. Col. V. E. Clarke, the aeronautical engineer of the commission, made an elaborate report, having Col. Bolling's approval, recommending the production of three English, two French, and one Italian plane, but the report was not heeded. Designs for these and other types were placed by the allied Governments, or by the inventors themselves, at the board's disposal, with assurances of expert aid to their vigorous construction.

An ostensible reason assigned for the board's inaction was the difficulty of translating metrical into linear measurements, and of obtaining quantity production of foreign motors. But the tardy acceptance and manufacture of some of the models and designs revealed the imaginary character of this objection. The board took some of the planes placed at its disposal and attempted with ill success to materially change them for American production. The general purpose of the changes seems to have been designed to adapt them to the Liberty motor, but this normal action should have been paralleled by their manufacture, both as to plane and engine, in strict accord with the plans as submitted.

Ultimately, and in the autumn of 1917, the board adopted one French and two English types of fighting planes to carry the Liberty engine. These were the Spad, the Bristol, and the De Haviland 4. Col. Clarke was instructed to redesign the Bristol upon the English model, retaining its wing load of about 7.1 pounds in a total weight of 2,937 pounds.

Hundreds of changes afterwards made in this design by Signal Corps and production engineers without consulting Col. Clarke increased the wing load to about 9.2 pounds per foot, with an approximate weight of 3,700 pounds. Some of these changes were required by this increased strain of the heavier and stronger motor upon the structure. The machine was finally put into production and then abandoned after the test of July last, and after an expenditure of more than $6,500,000 and the loss of several valuable lives.

The overload placed too great a strain upon the wings, and this, with bad construction, compelled the board to stop production. The money loss may be partly recovered by salvage. The loss of life and of months of precious time through the need of substituting another type of plane for the Bristol and then producing it are matters of far more serious concern.

In September, 1917, the Signal Corps contracted with the Curtiss Co. for 3,000 one-seater Spad planes. This is an excellent French biplane, then and now in use on the front. In October the contract was canceled, the reason given therefor being that it was done at the direction of Gen. Pershing. Inasmuch, however, as Gen. Pershing's cablegram concerning the subject bears the date of December 14 following, we must accept the statement of the Curtiss Co.'s officials that the board canceled the contract because it desired to equip the plane only with the Liberty eight-cylinder motor, which was found impracticable. The Liberty 8 was about that time discarded.

The plane was too light for the Liberty engine, so its production was suspended. The French use the Hispano-Suiza motor with this plane, and the Curtiss people assure us that their contract would long ago have been completed and the planes in the service at the front had the manufacturers been permitted to proceed with production. No attempt was thereafter made to manufacture single-seater fighters, ostensibly because of the Pershing cablegram, until May last, when Mr. Ryan placed an order with the same company for 1,000 SE–5 planes. This is substantially the English equivalent of the Spad and will probably be in production during the coming autumn. It is manifest that if the manufacture of the SE–5 is proper at this time, then the discontinuance of the manufacture of the Spad was a mistake, regardless of who is responsible therefor.

The plans for the Caproni and the Handley-Page bombing machines were available to the board soon after our entry into the war.

Early in the summer of 1917 the Standard Aircraft Co. was instructed to hold their plant at Elizabeth, N. J., in readiness to build Caproni planes.

About September 15, a verbal contract was made with the Curtiss Co., formally confirmed on October 8, 1917, to build 500 Caproni planes. This contract was never carried out, because no information was fur-

nished to the Curtiss Co., although they repeatedly endeavored to secure the same. Afterwards it was canceled, and contract for the Bristol Fighter was substituted.

As early as October, 1917, at an international conference in Paris concerning a general aviation program, the Italian inventor, Caproni, was summoned to meet Col. Bolling, one of the heads of the aviation section in Paris. An arrangement was ultimately made by which Capt. D'Annunzio and a force of workmen and engineers were to be brought to America to produce in American plants Caproni machines. Capt. D'Annunzio and 19 of the best men of the Italian factory arrived in the United States on January 17.

In January, 1918, the Standard Co. was given a verbal order for 1,000 Capronis, 50 to be assembled and 950 to be sent overseas knocked down. Drawings were prepared, but no official order was given for the machines.

On January 25 Capt. D'Annunzio and his men came to the plant, began work on a handmade machine. A witness describing the transaction states that—

"They (the aeroplane authorities), in February, began to back and fill on whether they were going to build Capronis in quantity, and by March 2 it was practically settled that they would not build Capronis in this country at all, except the ones we were working on and two or three for experimental purposes.

"As a result of that we took the Handley-Page as a substitute."

Capt. D'Annunzio states that he had expected upon his arrival in this country that everything would be ready. "They were wiring and cabling Italy, asking for the engineers of the Caproni plant. I requested Gen. Tozzi, who is head of the Purchase Mission, in Washington, to help me clear up the matter. So we provoked a lot of meetings between myself, Col. Deeds, and some other officers. * * * It was just the same as before, because no decisions were reached. * * * I found they were undecided as to whether they should make that machine, although demonstrations had been given before the European military mission," etc.

Finally Capt. D'Annunzio was authorized to build the first experimental machine for American engineers. That machine was finished and flown on July 7. In the meantime, and about April 12, the Fisher Body Co. obtained an oral contract for 250 Capronis, which was later canceled. Again, about May 18, 1918, the Curtiss Aeroplane Co. was given an order for 500 Capronis, and on the same day the Fisher Body Co. was given an order for 500 Capronis. It is understood, however, that nothing will be done to carry out this order until the experimental machine has been tested out. This precaution is proper.

During the interval of delay both of the Italian pilots who came to this country were killed in other machines, and the Caproni program is now awaiting the arrival of Italian pilots and the testing of the experimental machine.

Over 12 months of time has been thus consumed since the Caproni came under serious consideration.

Plans for the Handley-Page machine were supplied to the Signal Corps in the summer of 1917 by the owner, with full permission to use them. Its engineers made a number of changes in them, beyond which nothing was done with them. Hence, the representative of the owners in the early winter demanded their return. They were delivered to him as changed.

In February last contracts for 1,000 sets of parts, afterwards reduced to 500 sets of parts, were made with various contractors, to be assembled in Great Britain for the use of the American Army. From 60 to 90 days are required for the assembly of a Handley-Page machine. Twenty of these have been embarked, and we are informed that they will continue to go in constantly increasing quantity, reaching 140 for the month of February. Had these contracts been let last October they could have been completed and delivered by the 1st of July.

One sample machine constructed by the Standard Aircraft Corporation was completed and given its initial flying test on July 6 last. If further tests prove satisfactory the design will go into quantity production. Had the machine been ordered last summer it should be in quantity production now.

The production of training planes has been fairly adequate. One type, the Standard, of which there were 1,200, has recently been discarded because the Hall-Scott engine which drives it has proven unsatisfactory, but there is no reason to apprehend that training-plane production will fall below the requirements of the service. The designers and manufacturers of this plane insist that with a good engine it is all right, and this insistence will be tested. If successful, they can be made available hereafter. But Gen. Kenly and his assistants found them highly dangerous because of the motor and ordered their retirement. The machines cost the Government about $6,000,000.

THE DE HAVILAND 4.

The De Haviland 4 is the only so-called fighting plane now in actual production. Outstanding contracts call for 8,500 of them. They are being manufactured by the Dayton-Wright and the Fisher Body companies, with smaller contracts to the Standard and one or two other producers. On August 1 a total of about 1,000 of these had been delivered, all but a few of which had been turned out by the Dayton-Wright concern.

The first plane of this type was embarked for France during the latter part of February of this year, but never reached port. Up to July 1, 286 had been shipped abroad, of which 67 had reached headquarters in France. On August 1, 601 had been embarked. A number of them were delivered to Gen. Pershing's headquarters in June, and upon inspection were found to contain many defects, some of which were serious, others of less importance. Under date of June 26, Gen. Pershing cabled the War Department enumerating many defects and stating explicitly that the machines could not be used until some of them were corrected. Also that all planes of this class should be thoroughly tested and inspected before being shipped to him. This obvious requirement Gen. Kenly had insisted upon observing, but sent them over in the instance considered without doing so because of an overseas order requiring it.

Some of the defects enumerated in this report, in the opinion of every expert flyer who has been examined by the committee, rendered the machines more than ordinarily dangerous. Their opinions differed as to whether or not corrections can be made to make the machines safe, but the assertion that the plane is very unsafe in the condition in which it has been up to this time delivered from the factory was practically unanimous. Deliveries of the machine continued notwithstanding, and many were sent to France in precisely the condition complained of in Gen Pershing's cable. The explanation offered for continuing delivery of these defective planes is that the corrections could be made overseas, and a force of American officers and mechanics under command of Lieut. Col. Hall was dispatched to France about the middle of July with orders to make them. Your committee is of opinion that the planes should never have been permitted to leave the factory in their defective condition, and the fact that they were permitted to go shows either a lack of appreciation of the situation, a disregard for it, or a very poor system of inspection. On August 2 an order was issued to all the factories directing that no more of them be delivered until the corrections required were made. We are informed that production under these new conditions is about to be resumed.

In July 155 of these planes were delivered to the Navy, about 50 of which were shipped abroad, and approximately 100 crated and delivered at the seaboard for shipment. At this stage four of them selected from the lot were sent to the Navy testing field at Miami, Fla. A test and inspection there revealed the same defects that were reported by Gen. Pershing and some others. The commandant, Capt. McCaughtry, immediately reported this fact to the Navy Department, with the result that a cable was sent to Admiral Sims apprising him of the defective condition of those previously sent, while the 100 in crates at the port of embarkation were rejected and returned to the Aircraft Board.

Forty De Haviland 4's sent to a Long Island field about this time and tested out in the vicinity of New York were pronounced structurally weak and defective. With the production of the De Haviland 4 it has been the same story of changes. Many of these have been made in the plane since the board determined upon its manufacture. Some were unimportant, some extremely so; many of them undoubtedly necessary to its adaptation to the Liberty motor. But they have been made for the most part by automobile and mechanical engineers, having little or no experience in aviation engineering.

On the 28th, 29th, and 30th of July three squadrons of 18 machines each, 54 in all, having been overhauled by American and French mechanics at an American aviation base behind the French lines, were delivered to the front under their own power. These planes are said to have received the approval of Capt. de Havilland after a careful inspection. Assuming this to be true, it indicates that the machines sent over here have been carefully inspected and the defects remedied. On August 7 one squadron of these, comprising 18 machines, under command of Gen. Foulois, made an expedition across the German lines and returned in safety to their base. This marks the date of the use of the first American-built plane over the enemy's lines. The committee has no information regarding the character of their performance.

The character of the evidence concerning this machine, ranging from qualified approval to severest condemnation, shows that the De Haviland 4 is chiefly available for observation or reconnoissance purposes. That the War Department and the Aircraft Board share this view is best evidenced by the fact that it is to be replaced by a machine of later design as speedily as may be possible without complete suspension of production.

With the exception of the S. E. 5 and the Handley-Page, in parts, no other type of fighting plane can be produced in quantity before 1919.

The U. S. D. 9 plane is a redesign of the British D. H. 9, being a great improvement on the D. H. 4. But the U. S. D. 9 has not yet fully responded to the tests of the military bureau and will go into production only when it does so. The U. S. D. 9A, another and later design, now under test, promises to be a satisfactory machine. If the promise is fulfilled by the tests, the design will be adopted and substituted for the De Haviland 4.

Recognizing the fact that the United States would not produce planes in quantities early in the war, the board contracted with the English and French early in 1917 for a supply of fighting planes. Of these, 2,114, according to the latest testimony we were able to receive, have been from time to time delivered. This enabled us to maintain 13 squadrons of 18 fliers each on the front, a force which is wholly inadequate to meet requirements of modern warfare. It should also be stated that as our troops are moving to France in great numbers, the disparity may increase until we get into quantity production. It is proper to call attention to the fact that at an investigation of the War Department by the Military Committee, held in January and February, 1918, the committee was assured that the French could and would furnish all the combat planes we needed, provided we would send them the raw material, and that this material was being furnished. This assurance was given when the committee showed anxiety at the continued delay in the shipping of planes.

In January Gen. Squier and Col. Deeds testified to this fact and Secretary Baker gave similar assurance to the committee. The facts, however, are as shown by the testimony of Gen. Kenly, given on July 20, that the plan failed for two reasons. We quote his testimony:

"The French contract practically fell down, as you know. * * * It was due to what I consider two reasons. In the first place, the contracts with the French were dependent upon the sending of raw material that was to be furnished by us, and we did not live up to our agreement. * * * In the second place, the increase in German activities in the air caused a change of program in French aviation construction. * * * The French contracts fell down, so that we became more or less dependent upon what could be furnished on this side."

Besides this, many of the machines our men are now forced to use in France are unsatisfactory, but not more so than those used by the French themselves. An Army officer recently at the front testified that the American troops are using many antiquated machines purchased from the French that were discarded by them a year and a half ago. They are using the Sopwith, 1½ strutter, which has been declared unsafe by the French and British for observation work. They are using the A. R., equipped with Renault 220, which has a ceiling of only 10,000 feet. They use a Spad two-seater, which is unreliable and unsatisfactory. They were using a few French Briguet machines and the Sampson, which is a French machine. It is reassuring to reflect that all commands are unified in France, with all lines of the service under a common protection.

The Liberty 12-cylinder engine is an excellent one for the heavier planes and certain other purposes. Its weight of 825 pounds and its 400 horsepower makes it too heavy and too powerful for the lighter types. It is not yet perfect, but it is improving under repeated tests and experiments, which disclose defects for elimination and suggest changes and readjustment of its parts. It is now in quantity production, more than 4,000 having been delivered, and is approved by our allies, who are anxious to obtain more of them than we can at present supply.

In the development of this motor the Aircraft Board has performed an important task, for which due credit should be given. But the announcement that it had been evolved in a few days was unfounded, and the notion which was encouraged that it could be used for planes of all sizes and character was largely responsible for delays to our plane program.

Motor production has proved to be a formidable task, magnified in some degree by the reluctance of the designers to promptly accept and act upon suggestions of imperfections from competent engineers and critics and fliers and make changes in conformity with them.

The manufacture of the best foreign motors, among which are the Rolls-Royce, Hispano-Suiza, and Fiat, contemporaneously with the development of an American engine would have been the sounder policy. That it was partially adopted later confirms this conclusion. We are doing what should have been done a year ago and are producing the 150 and 180 horsepower Hispano-Suiza motor in quantity. Deliveries of the Le Rhone, Bugatti, and 300-horsepower Hispano-Suiza will follow.

American concerns are making the Rolls-Royce motor for the British Government and should long since have been making them for ours. The smaller types of Hispano-Suiza are serviceable for the lighter and faster planes. In view of these conditions, the apprehension of a year ago that we could not produce foreign motors in quantity because of their metrical measurements and intricacies of construction, requiring manual instead of machine work, which we did not possess, becomes untenable.

No fighting plane of American or other design has been built around the Liberty engine, although it is an axiom in aeronautics that planes must be adapted to motors. The Aircraft Board authorized some attempts at this all-important work, one by Capt. Le Pere and one by Col. Clarke, the first of which is being tested and developed by the board with good prospects of success. This should have been done before, as the type must be made effective before the best performance of the Liberty motor can be secured. A Curtiss design also gives promise of satisfactory results in the near future. The motor can be used in some other models with good results, but until a Liberty plane is successfully built around a Liberty motor by competent aeronautic engineers and thoroughly tested out our air program will not be complete.

INSPECTION.

The Signal Corps inspection system has paralleled that of the producers. In some instances it has functioned badly, with the result that defective material has at times been accepted and material condemned and reported to chief inspectors has found its way back to the producer. In some factories the finished product has been accepted, although not up to requirements. Generally speaking, the production and inspection systems of the manufacturers seem to be more cooperative than competitive. We have found no collusion between the official and the private inspector, but the inspection in the past has been bad. The faults of the system are in part due to the incompetency of the inspectors. We are informed that the system has undergone and is now undergoing a radical transformation and is being remedied as rapidly as skilled and efficient operators can be secured.

TRAINING AND TESTING FIELDS.

The training fields are each designed for 600 enlisted men, 300 cadets, and 72 officers, a total of 972 men, which, owing to the exigencies of the service, have at times been exceeded. This arrangement requires a total of 54 structures of all sorts for each standard field. In addition to these, there are repair and supply depots, balloon schools, experimental stations, radio laboratories, warehouses, quarantine camps, temporary barracks, photograph schools, etc.

Up to May 25 last there were 31 fields, including balloon schools and experimental stations, and 37 miscellaneous projects comprised in the above recital, not including the training schools at various State and other universities nor projects recommended but not yet approved by the War Department. Their estimated cost is $52,511,134, of which $39,356,407 have been expended, exclusive of a field at Miami, Fla., established by Col. E. A. Deeds, a member of the board, on his own responsibility (and without the knowledge or sanction of the head of the equipment division having charge of the work), and a night flying route from Dayton, Ohio, to Rantoul, Ill., by way of Indianapolis. The cost of these extra projects was over $400,000. This night flying route was used for the first time on the night of August 12 between Dayton and Indianapolis, and was pronounced satisfactory by Gen. Charles E. Lee and Capt. J. Fitz Morris, of the British air service, and the aviators who made the trip.

The Equipment Division had some difficulty in securing material for construction prior to the advent of Mr. W. C. Potter, now assistant director of the Production Board, since which time there has been much improvement.

The contractors for the work at Langley Field and the fields at Dayton were not satisfactory. Upon the whole, the work of construction proceeded fairly well, and the structures on most of the fields have been completed.

Langley Field, near Newport News, Va., consisting of 1,650 acres, was selected prior to our entry into the war for a training and experimental field. The estimated cost of its needed buildings, not yet completed, is $3,664,050, of which $2,305,697 have been expended. It seems to have been wisely chosen and well fitted for testing and experimental work. Nevertheless it was practically abandoned last year for that class of work, and McCook Field, at Dayton, Ohio, consisting of but 200 acres, and practically inclosed by river, trees, and telephone and telegraph wires, was selected instead and leased at an annual rental of $12,500. The reason assigned to the committee for this change was the lack of transportation facilities at Langley, although a spur connecting it with near-by railway systems had been constructed by the Government for its express accommodation prior to the transfer. The insufficiency of this reason is emphasized by the fact that about the same time the board selected the Wilbur Wright training field, near Dayton, requiring the construction of a trolley line by the Government at a cost of $175,000, which is its only line of transportation. The field is now being used by the Bureau of Aeronautics for its military testing plant. McCook Field is not only too small for satisfactory experimental flying, but its environment is unfavorable to its use for that purpose. The board has, however, equipped it with structures costing $920,100.

Adjoining the Wilbur Wright Field is a large warehouse, built at a cost of some $500,000. In this warehouse are stored great quantities of supplies, many of which, like machine guns, radio batteries, photographic accessories, etc., are manufactured in the East. To send them hundreds of miles west for storage, reshipping them over the same route back to the seaboard when needed for over-seas uses, is waste. It needlessly adds to railway congestion and should be corrected.

Your committee visited but a few of the training fields, of which Wilbur Wright Field, above referred to, was one. It comprises 2,200 acres and belongs to the Dayton Conservancy Association, and is designed as a part of the bed of a great reservoir to hold back the flood waters of Mad River. Much of it is low and swampy, either on a level with or slightly above the normal level of the stream flow. Any considerable rainfall floods a great portion of it, and a rain of 36 hours last March caused an overflow of nearly 2 feet above the floors of the hangars, thus seriously threatening the planes with damage and suspending training completely. A drainage system, since installed, is said to have improved this condition, but your committee is informed that the Signal Corps was advised by competent authority against locating a field upon these premises because of its low and marshy character, and the judgment of the officers and fliers at the field and familiar with the ground was a unit against its adaptability. An excellent stretch of ground within 4 miles of this field, traversed by railway and high above the river level, admirably drained by nature, was available to the board when Wilbur Wright Field was selected.

The large sums expended upon the Dayton-Wright Field, amounting to $2,878,699, and requiring an ultimate total of $3,097,777 and its use for testing purposes, probably demands its present retention if the drainage system referred to shall prove fairly effective. But, when the dam is completed—the reservoir is to be filled—the buildings must be removed or they will be submerged.

More recently the board, desiring an additional field near Dayton, was offered an acreage adjoining the Dayton-Wright Airplane Factory on the east. Inasmuch, however, as insistence was made that the lease be executed to the Dayton-Wright Co., as lessee for the use of the board, the rental to be made an item in the cost of airplane production, the representatives of the board very properly declined the suggestion, and the project is still incomplete. We feel obliged to note in this connection that shortly before negotiations for the McCook and the new field, Col. E. A. Deeds, a member of the Aircraft Board, was the owner of the first and a part owner in the second. He sold and transferred them to interests with which he had been identified and which now own them.

CONTRACTS FOR PLANES, MOTORS, AND ACCESSORIES.

At the outbreak of the war but few concerns were engaged in airplane and motor construction; but there were concerns devoted to other pursuits and potentially capable of producing both in quantity if encouraged to do so. The need for planes in volume, and as rapidly as possible, prompted Congress to make the largest single appropriation for the Signal Corps which up to that time had ever been made. Since then our engine-producing capacity has been fairly enlisted, while that of plane production has not been properly encouraged. A number of plane manufacturers, like the Wittemann-Lewis Co., of New Jersey, and in the business years prior to the outbreak of the war, have been unable to obtain contracts, while a number of concerns like the Dayton-Wright Co. and the Standard Co. have been practically organized since the war, and the former was given enormous contracts before its factories were completed.

Companies assured of capital and factory space have been denied contracts because they were not going concerns, while other companies in similar condition have received contracts, notwithstanding their present lack of producing equipment. No one official controlled or supervised the making of agreements or their execution. Beginning and ending with the Aircraft Board, the head of production, the director of supplies, the head of the contract section, and perhaps other links made up the chain of procedure. Adopting models of proved efficiency and then putting all responsible producers at work upon them would, in the opinion of your committee, have greatly expedited, as it would have guaranteed, the performance of the aircraft program.

To aid in the construction of the Dayton-Wright plant and the Elmwood plant of the Curtiss Co., the board made generous advances of money, and to them was given the task of making and supplying other contractors with plans, designs, blue prints, and specifications for the accepted types of machines, exclusive of bombing planes. This gave these concerns great advantage over their competitors, which thus became dependent upon them for material without which the work of production could not begin, and when begun was subject to suspension and delay with changes in construction and design. Moreover, the Curtiss Co. exacted a fee for copies of plans, etc., of 1 per cent upon the contract price from other contractors, which, although added to the cost of production, was paid to the Curtiss Co., adding a considerable aggregate sum to its revenues.

The number and amount of contracts for planes and motors assigned to concerns at Dayton and Detroit and the number and character of aviation fields at Dayton could not fail to attract the attention of your committee. Due to her vast automobile industry, Detroit doubtless possessed greater facilities for gas-engine production than any other American community, and the Fisher-Body Co. was well equipped for the manufacture of planes in quantity. A generous recognition of these facts was therefore inevitable.

But Dayton possessed no such advantages. Her manufacturing interests were for the most part in other directions. Industrially considered, the concentration of the greater part of the new pursuits in these two cities may perhaps be justified, but the committee is forced to the conclusion that the personnel of the Aviation Board, from its formation to its reconstruction, explains the fact.

The civilian personnel of the board and their more prominent subordinates were composed of gentlemen a very considerable number of whom lived in these cities and before or at the time of entering the Government service were leaders in and identified with the industrial development of their respective communities. The divestiture of their interests by transfer to others was a laudable though essential step toward qualifying them to public service, but the granting of major contracts to old associates, the transfer of the experimental station from Langley to Dayton, and installing it upon an inadequate tract, quite recently the property of a member of the board, the tender and qualified acceptance of a second field, formerly owned in part by the same member, the selection of the Wilbur Wright Field, physically and geographically unsuited for the purpose, and the giving of huge contracts for airplanes to a corporation created since the war began, of which he was one of the first officers, and owned exclusively by his former partners and business associates, have provoked, and we think justly, much of the public comment which made the investigation imperative and much of the resentment of less-favored manufacturers in other localities. It is also a distinct argument for those who assume to fear and who assert that aviation, through the board, is to be made the subject of ultimate automobile control. This feature of the subject is, as heretofore stated, under full investigation by the Department of Justice.

CROSS-LICENSE REQUIREMENT.

Although this subject has been referred to a special subcommittee for investigation, it has constantly obtruded itself upon our attention, hence we can not avoid referring to it.

The National Advisory Committee of Aeronautics, confronted with the necessity of satisfying the claims of patentees and avoiding possible delays threatened by conflicting patent rights, determined upon mature consideration to settle these difficulties through the agency of a Manufacturers' Aircraft Corporation, to be composed of those engaged in

the industry and empowered to license all aircraft contractors, who should pay a royalty to the company upon all planes and parts to be constructed, and to assign to the company for the common use all patents or applications therefor owned or controlled by the licensees. The bulk of these royalties was to be paid to the Curtiss and the Wright-Martin companies as compensation for the use of certain patents until each had received $2,000,000. These were to be charged against cost of production and paid by the Government. The agreement was sanctioned by the Department of Justice and approved by the Secretaries of War and the Navy.

The committee has not heard a word in approval of it. It is condemned by every airplane manufacturer outside of the immediate beneficiaries. Those executing the license agreements have done so under protest because the Aircraft Board recommended or required it.

Criticisms of it are numerous, the most serious of them being that it subjects manufacturers to onerous requirements by its beneficiaries, such as assessments for the use of plans and specifications, the purchase of the material and accessories from favored houses, the assignment and surrender of valuable patents and patentable devices to the Aircraft Association upon terms prescribed by itself, the discouragement of invention, and the inevitable control of the aircraft industry by that association or by some other interest through its agency. Your committee sympathizes with many of these sentiments, and notwithstanding the Aircraft Production Board as now officered no longer requires or recommends the execution of the agreements by contractors, we believe the arrangement should be abrogated. We regard it as vicious and as designed to reap large profits by taking advantage of the necessities of the Government. The basic patentees should, of course, if the patents are valid, be compensated, but this should be done by the Government directly whenever the courts finally determine who the owners are, and the patents should then be made free to all manufacturers.

New patents of meritorious character should be similarly acquired by the Government as they appear. Such a course would stimulate invention and promote the development of an art which is still in its cradle.

This is not a new departure but rather a reversion to an earlier policy, for Congress in 1917 appropriated $1,000,000 for the purchase of aircraft patents, which sum is still available, and if insufficient for the purpose it can be easily increased. The Government should never be made the victim of a patent monopoly which it generously created for the sole protection of the inventor against infringement by persons and corporations.

DIFFICULTIES OF AIRCRAFT PRODUCTION.

Much can be said in extenuation of the disappointments encountered in aircraft production. The industry is new and highly technical. Mechanics skilled in the art were few when the war began, and of aviation engineers there were scarcely any. Production capacity was undeveloped, and even planes for training were not immediately obtainable. Up to January, 1917, only 118 airplanes of all types had been delivered to the Army, 64 of which were made in 1916, and there was no aircraft organization either in the Signal Corps or out of it. The Bolling Commission was not sent to Europe until June, and its report was not received until September. But for the glowing forecast and optimistic announcements which the board and others made to the public from time to time regarding its actual and prospective performance, and the certainty of speedy and unlimited production, public disappointment would not have been so pronounced nor public resentment so widespread. Great Britain in 1915 and 1916 experienced delays, miscarriages, and expenditures. Instead of profiting by her experiences the board incurred similar ones and accentuated them by representations and assurances which were not warranted by the actual facts.

The order of the President creating a Military Bureau of Aeronautics and a Director of Aircraft Production and the appointment of Gen. Kenly and Mr. Ryan as the heads of the two divisions is an improvement upon the previous situation, and a number of the conditions we have criticized have been or are in the process of being corrected and better methods instituted. For example, a single board of engineers, formed by combining the technical and production engineering sections and headed by a chief selected by Mr. Ryan, with the approval of Gen. Kenly, has been established; one testing board under the command of a single officer has succeeded the double system formerly doing the work. The Military Bureau, under agreement with the director, after thorough experiments by actual fliers and aeronautic engineers, now determines the character of machine to be produced, and the business of the director is to produce it.

RECOMMENDATIONS.

1. The inspection of the finished product and other material is now the work of Gen. Kenly's division and is to be done by thoroughly competent officers. Work not satisfactory to Gen. Kenly or not up to the requirements of his bureau is rejected. Cooperation for the common end has been, and we hope will be, observed by the heads of the two divisions and required from their subordinates. The loose ends of the former organization have been gathered up as rapidly as possible, and the results of the improved conditions are already apparent in some directions. But the system is still subject to the criticism that it is dual in character, which is unsatisfactory, since it may at any time lead to differences and to division of responsibility. We are constrained, therefore, to renew the committee's recommendation of last April, sustained by the opinion of every man whose views were consulted by us, that the whole subject should be under the control of one man. Our present organization is faulty because divided into two parts with a man of strong will and opinion at the head of each division. While these two divisions are correlated, they may not be permanently coordinated. Your committee therefore believes that the importance and magnitude of aviation as a permanent branch of our military organization requires one directing and responsible head both for its efficiency and speedy development. Its classification with the Army and Navy as a distinct arm of the service is essential to this end.

Of comparative insignificance at the outbreak of hostilities in 1914, aviation has become indispensable in modern warfare. Without aircraft no army can any longer hope to triumph or, indeed, to escape inevitable defeat. Without aircraft the most powerful navy must in these days remain upon the defensive. The aircraft force of Great Britain and France each outnumbered the Regular Army of the United States when we declared war, and ours should soon be as large as theirs. It is a distinct arm of the service. Great Britain and France, recognizing its supreme importance and the need of its swift expansion, last year each covered it into a department of its own, whose head, as minister of the air, ranks as an officer of the cabinet, who is held responsible for efficiency of production and manufacture and an efficient force of aerial fighters. We should do likewise—create a department of aviation, under the control and supervision of a secretary, and ranking with those of the Army and the Navy. We would thus place power and responsibility in the hands of a single man, organize a service not alone for this war but for all time, and establish for the forces of the air the same policy of administration that has so long governed those of the land and of the seas.

The cost of equipment and maintenance is rapidly approaching that of the Navy, while training for aviation is as distinct and as technical as that at West Point and Annapolis.

The creation of the department of the air would unify the service, thus removing all friction between the Army and the Navy divisions of the service by subjecting both to the control of a common head. Differences between them under present conditions are unavoidable, and, while more disagreeable than serious so far, they will arise from time to time, tending to seriously disturb the service, besides interfering with production.

2. A commission of engineers and pilots for observation at the front, formed into relays and reporting in person to the department at frequent intervals, is also imperatively demanded. The betterment of the air service through the exigencies of actual warfare is rapid and important. They should be accurately and promptly reported in detail to the home office, and this can be efficiently done in no other manner. Similar conditions have long been maintained by our allies, whose policy in this regard we will do well to adopt.

3. But your committee feels that the prime need of the hour is machines in continuing quantity, and the production of them should be accelerated by enlisting the constructive activities of all responsible concerns engaged or which can be engaged in the business to full capacity. We can not, while the war lasts, have too many effective planes. Supremacy of the air means a speedy triumph. We have hundreds of trained pilots waiting for planes, whose services must be postponed for their production.

Planes to be useful must have motors. These, too, should be in production in every factory that can and will turn them out, due allowance being, of course, made for other equally insistent requirements for ordnance, ships, and the like. If this is done, the results for 1919 will then compensate somewhat for the disappointments of the current year.

4. The rapid development during the war of the aeroplane and its effective use as an important arm of the military, makes it imperative that America give greater attention to the perfection and production of aircraft. This should be done not only as a war measure but as a commercial and industrial necessity.

The importance of a powerful air force and an abundance of heavy artillery can not be overstated in bringing the war to a speedy and successful conclusion. With our vast resources in raw material and our facilities for manufacture we can, by the adoption of a broad program and with the assistance of our allies, obtain the complete supremacy of the air.

Without hesitation or delay we must give attention to this expansion of our aircraft policy. The inventive and productive genius and energy of America must be devoted to the creation and improvement of new types of aircraft and engines. Our present program must be greatly enlarged. The United States should establish at Government expense college and university courses in aero dynamics and mechanical engineering, in addition to courses for training fliers.

While quantity production is essential to the complete equipment of our armed forces, quality should not be sacrificed to quantity. The aeroplane requires the highest degree of skill in workmanship and the very best kind of materials.

The aeroplane is a product of American genius, but the credit for its development largely belongs to other nations. America should meet this challenge by bringing the aeroplane to still greater efficiency.

5. The inventive genius of the Nation should be encouraged in the most effective way. A Bureau of Inventions, recently established by the War Department, is a step in the right direction. A persistent complaint, doubtless in a large degree due to the disappointment of men whose devices have not been pronounced practicable, is that under the administration of the old board scant consideration has been given to new devices and suggestions. This seems principally to have resulted from the absence of any well-defined individual agency having full authority to deal with the subject. One man, the designer of a model for a dirigible with a car integral with the Blimp, began with the Advisory Committee and was passed on from one officer to another until he finally completed the circle and was referred back to the committee which started him on his journey. About six months were consumed in making the circuit and nothing was accomplished. A plane designer encountered a similar experience, with the added one that his plane was crushed to pieces in a sand test which was declared satisfactory by those who made it but wholly unsatisfactory by those empowered to make final decisions. Many, perhaps most, of the so-called inventions brought to the notice of the authorities in times like this are of no importance. But if the germ of something new and useful can be detected in one of a multitude of models the time and energy expended in discovering it will redound to the benefit of the Nation.

6. Ample protection should be extended by the Patent Office to applicants for patents for inventions relating to the public welfare and defense. This is demanded not so much for the inventor as for the Nation. Authority for this now exists, but it seems to be exercised at times and disregarded at others. Additional legislation may be necessary to make this precaution effective, but in the meantime a suggestion from the Production Board to the Commissioner of Patents regarding applications for inventions relating to aircraft would doubtless shield the application from all publicity, thus assuring its indemnity against disclosure to enemy interests.

7. The margin of profit on some contracts, particularly for motor production, is altogether too high. According to the estimates of the accounting division they appear to be for the Liberty motor at one of the plants, 33.6 per cent; for Liberty engine aluminum pistons, 285 per cent on capital invested; for the Le Rhone, 92.8 per cent on cost of production; and on the D. H. 4 plane about 50 per cent. This is largely due to the primary unfamiliarity of officials with the cost of rapid manufacture of novel products in great and urgent demand.

The high cost to the Government having been now demonstrated, we feel sure that future contracts will result in great saving to the Government.

8. Planes and engines rejected because of defective construction or materials not furnished by the Government direct should be at the cost of the producer. Existing agreements require payment from the Government for everything delivered, presumably because they have passed official inspection. But when producers are required under their agreements to bear the expense of an inferior product, on the perfection of which human life is absolutely dependent, their own inspection will be of the best, and good workmanship will inevitably result.

9. Your committee in inspecting the aircraft plants have noticed the great danger of destruction by fire, owing to hazardous processes of manufacture, hasty construction, lack of automatic sprinkler and other fire protection.

The burning of any of these factories, in whole or in part, at this time would be a catastrophe, for it would greatly cripple the aircraft program.

We urgently recommend that the requirements of the Fire Prevention Bureau of the National Council of Defense, composed of fire insurance experts, for better fire protection in these factories be made immediately compulsory by the Director of Aircraft Production, and that a stipulation be inserted in future contracts compelling a compliance with such recommendations.

Mr. THOMAS. Mr. President, in connection with the report, as heretofore stated, I offer for insertion in the RECORD, without reading, a letter and telegram regarding the same subject from Mr. Howard E. Coffin, formerly at the head of the Aircraft Board.

The PRESIDING OFFICER. Without objection, the letter and telegram will be printed in the RECORD. The Chair hears no objection.

The matter referred to is as follows:

DETROIT, *August 14, 1918.*

Hon. CHARLES S. THOMAS,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I am in receipt of copies of Judge Garrison's communication to you under date of July 26 and of your reply thereto under date of July 27.

The misleading publicity referred to by Judge Garrison continues to emanate from Washington at regular intervals, and has its inception in the fact that neither in the press nor in the public mind has there ever been a proper understanding of the status of the Aircraft Board or of its nonexecutive relation to the War and Navy Departments. Even in Washington, except in the minds of those having special knowledge of the facts, there has been a tendency to ascribe to the Aircraft Board executive and administrative powers similar to those of the Shipping Board or its Emergency Fleet Corporation and capabilities of action independent of the War and Navy Departments.

Much of this confusion of mind has arisen from the fact that three Army officers appointed by the Secretary of War to membership on the board and the three naval representatives appointed by the Secretary of the Navy have served in the dual capacity, namely, in an advisory and entirely nonexecutive rôle when sitting with the board but as executive officers having full power when functioning in their capacity as bureau heads of the War and Navy Departments.

I trust that, in simple justice to Mr. Howe, Mr. Thayer, and myself, as the civilian members of the Aircraft Board, vested with no executive powers of any kind, and dependent for all information concerning and contact with the technical and administrative phases of the Army and Navy aircraft programs upon the duly constituted representatives and channels of these governmental departments, such a clean-cut distinction and statement of fact may be incorporated in your report as will place before the American people the true status and relations of the three organizations involved in the governmental aircraft program.

For your reference I am inclosing you herewith a chart wherein these relations are clearly set forth in accordance with the rulings of counsel of the Aircraft Board, of the office of the Judge Advocate General of the Army, and the Secretaries of War and of the Navy.

The relations of the three civilian members of the Aircraft Board and of the board itself have been exactly the same to the Navy Department as to the Army, and neither the successes nor the failures of either of these departments in technical or administrative lines can be ascribed to the civilian members of the board.

All decisions as to types of planes and engines put into production have been made by the technical organizations of the War and Navy Departments, and all resolutions relating to the placing of contracts have originated within these departments before being brought before the Aircraft Board for clearance.

It has been only within these governmental departments that there has existed a sufficient knowledge as to the requirements of the air services to permit the origination of decisions and actions of this kind. Certainly Howe, Thayer, and myself, as the three civilian members, did not dictate in any way in such matters.

All contracts for aircraft have been made by the duly qualified bureaus of the War and Navy Departments, and the details of these contracts negotiated by the executive officers of these departments. The administration of all aircraft contracts has from the beginning lain entirely within the hands of the departments and bureaus of the Army and Navy services, and neither the civilian members of the Aircraft Board nor the board as such has ever exercised jurisdiction in these lines. It is significant in this connection that the Navy program, bearing the same relation to the Aircraft Board and its civilian members as that of the Army, and using the same forms of contract, has gone ahead and at high speed, while that of the Army has been and is still in difficulties.

Quoting from the fifth paragraph of your letter addressed to Judge Garrison, you state "that he was before the committee last January or February for something over two days, and if the program which he discussed at the time had been 10 per cent as well advanced as he then assured us it was the present investigation would have been unnecessary."

Permit me to point out to you:

1. That in these two days' hearing the subject of aviation was discussed only for a considerable portion of the first day, and that a part of the first day and the whole of the second was given over to a discussion of the general industrial situation in the conduct of the war.

See page 2253 "Investigation of the War Department Hearings before the Committee on Military Affairs of the United States Senate, Sixty-fifth Congress, Part 6, January 30 to February 2, 1918."

2. That all information given by me to the Senate committee, that portion of the first day's hearing devoted to aircraft, was, of necessity, furnished to me through the War and Navy Department channels having responsibility for aircraft production, that this information was exactly the same as that being supplied by the Signal Corps of the Army to the Secretary of War and that War Department officers having the confidential military and production aircraft programs in their charge were assigned for attendance in the Senate committee rooms during my hearing in order that these reports and records might be available for reference.

3. Under the restrictions of the bill creating the Aircraft Board limiting its activities to those of a nonexecutive nature and prohibiting the building up of any office or organization parallel or duplicating the activities of the executive bureaus of the War and Navy Departments, it should be clear that the civilian members of the board were dependent entirely upon the official representatives of those executive departments for reports as to military or naval plans and progress of production. I believe it has never been within the power of the three civilian members of the board, even had the necessity been recognized, to institute a thorough-going investigation as to the truth or falsity of these War and Navy Department reports made to the board and supplied to the chairman of the board for use in the Senate committee hearing. It has seemingly required months of investigation, backed by full executive power, to enable either the Senate committee or the Judge Hughes committee to get before them the facts concerning the technical and managerial difficulties of the War Department in the carrying out of its aircraft program. It should be evident, therefore, that the civilian members of the Aircraft Board could scarcely have inaugurated an investigation of the business management and progress of the War and Navy Departments' administrative bureaus, particularly in view of the fact that at the time of the Senate committee hearing of February 1 there was no realization of the necessity for such investigation.

4. In view of the figures, schedules, and reports furnished by the War Department at the time of the Senate hearing, I believe my testimony before this body to have been most conservative. Permit me to call to your attention your own question addressed to Gen. Squier, to be found at the bottom of page 2134 of the Senate hearings; also to the question of Senator WADSWORTH, addressed to Col. Deeds, middle of page 2153; also to statement by Chairman CHAMBERLAIN, middle of page 2157. These references indicate clearly that my statement before the committee had not been a glowing or unduly optimistic one. In my first day's hearing before you I did point out to your committee the peculiar nonexecutive and purely advisory relation in which the board stood to the Army and Navy services under the creating act of October 1. I also transmitted to your committee the information furnished by the Signal Corps that it was expected that 1,900 planes would have been shipped for overseas service prior to July 1. Permit me also to call to your attention the contents of the four paragraphs on page 2209 of the Senate hearing, comprising Col. Deeds' description of the manner in which the War and Navy Departments' decisions as to types of planes and engines were arrived at, the method of placing contracts and the advisory or clearing-house relation of the Aircraft Board to these contractural activities.

In connection with the Senate hearing I distinctly remember stating to the committee that inasmuch as the relations of the civilian members of the board to the Army and Navy programs were indirect, it would be necessary for the committee to obtain any detailed information it might desire from the War Department officers having executive charge of the work. I believe that several such officers were subsequently called before the committee and military and production information furnished in answer to inquiries of the members of the Senate committee.

In leaving this subject of the Senate hearing in January, permit me to say that I do not believe that you or any other member of Mr. CHAMBERLAIN'S committee believes that I in any way purposely misled you as to the situation. I transmitted to you gentlemen War Department information which was being embodied in reports both to the Aircraft Board and to the Secretary of War and frankly resent any inference suggesting deception. In the records of the Aircraft Board for December and January will be found reports made to the board by the War Department representatives as to production progress. At one of the January meetings just prior to the Senate hearing the Secretary of War was himself in attendance when production reports were presented by the Signal Corps.

My statements in these matters can, should you so desire, be verified by referring them to Mr. Richard F. Howe, of the International Harvester Co., the civilian member appointed to membership upon the board by President Wilson in November. Mr. Howe is now in Washington and can be reached care the Aircraft Board, of which he still remains a member.

Very truly, yours,

H. E. COFFIN.

DETROIT, MICH., *August 16, 1918.*

Hon. C. S. THOMAS,
United States Senate, Washington, D. C.:

In connection with your report as chairman of the Senate aircraft committee, may I not ask that in fairness to Messrs. Howe, Thayer, and myself, as the three civilian members of the Aircraft Board, having no executive relation to the engineering, contracting, accounting, production, or inspection work of the departments, you will give careful consideration to the contents of my letter of August 14, to the end that both the Senate and the press may be informed as to the correct status of the three organizations involved in the governmental aircraft program, namely, the War and Navy Departments and the nonexecutive advisory Aircraft Board. Much misunderstanding of the situation has arisen because of the dual functions of the officer members of the Aircraft Board, namely, advisory and nonexecutive when sitting with the board, but executive when functioning as the heads of Army and Navy bureaus. All technical and executive work as to selection of types of machines and their production has by law and by necessity rested until within the jurisdiction of the governmental departments, upon which the civilian members of the board have been dependent for all information and for all contact with military and naval air service progress.

H. E. COFFIN.

Mr. VARDAMAN. I ask whether the report is to be printed in document form?

The PRESIDING OFFICER. It is a report of a committee, and will be printed in the usual form.

ADMISSION OF ALIENS (H. DOC. NO. 1262).

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, which was read and, with the accompanying papers, referred to the Committee on Immigration and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a report by the Acting Secretary of State, submitting a draft of a joint resolution authorizing the admission into the United States of aliens who are refugees from conditions created by the war.

I earnestly recommend this humane project to the favorable consideration of Congress.

WOODROW WILSON.

THE WHITE HOUSE, *August 22, 1918.*

HOUSE BILL AND JOINT RESOLUTION REFERRED.

H. R. 12704. An act to authorize the importation without the payment of duty of sundry articles for the American National Red Cross to be donated or used by it solely to or for the benefit of the land or naval forces of the United States or its allies, or for the relief of the civilian population of the United States or of its allies, was read twice by its title and referred to the Committee on Finance.

H. J. Res. 289. Joint resolution for the appointment of four members of the Board of Managers of the National Home for Disabled Volunteer Soldiers, was read twice by its title and referred to the Committee on Military Affairs.

CALLING OF THE ROLL.

Mr. JONES of New Mexico. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from New Mexico suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Frelinghuysen	Martin	Sherman
Bankhead	Gulon	Nelson	Shields
Beckham	Hale	New	Simmons
Borah	Henderson	Norris	Smith, Md.
Calder	Johnson, Cal.	Nugent	Smoot
Chamberlain	Jones, N. Mex.	Overman	Sutherland
Colt	Jones, Wash.	Penrose	Thomas
Culberson	Kellogg	Pittman	Trammell
Cummins	Kendrick	Poindexter	Underwood
Curtis	Kenyon	Pomerene	Vardaman
Dillingham	Kirby	Ransdell	Wadsworth
Fall	Knox	Robinson	Watson
Fernald	McCumber	Saulsbury	Weeks
Fletcher	McKellar	Shafroth	Willey
France	McNary	Sheppard	Wolcott

Mr. JONES of Washington. I desire to announce that the junior Senator from Michigan [Mr. TOWNSEND] is necessarily absent, on account of illness in his family. I will allow this announcement to stand for the day.

Mr. MARTIN. I desire to announce that my colleague [Mr. SWANSON] is detained at home by illness in his family.

Mr. SUTHERLAND. My colleague, the senior Senator from West Virginia [Mr. GOFF], is detained at home by illness.

Mr. FRELINGHUYSEN. I desire to announce the unavoidable absence of my colleague [Mr. BAIRD], who is detained on official business.

The PRESIDING OFFICER. Sixty Senators have answered to their names. There is a quorum present.

SOLDIERS' VOTE.

Mr. TRAMMEL submitted the following resolution (S. Res. 293), which was read:

Whereas those splendid American citizens who are nobly serving their country in the Army and Navy are representative of America's most patriotic and loyal citizenship; and

Whereas on account of their absence on duty in the military and naval forces of the United States they will be deprived of the exercise of their right of franchise, except when a method is provided by their respective States for them to vote when absent from their homes on election days; and

Whereas in a number of the States no law has been enacted which authorizes and provides for those in the Army and Navy to vote while absent from home in the service of their country: Therefore be it

Resolved, That the States which have not heretofore enacted laws providing an ample and complete method for soldiers and sailors in the Army and Navy to participate in the primaries and general elections be, and they are hereby, urgently requested to enact such laws immediately upon the convening of their respective legislatures; and be it further

Resolved, That a copy of these resolutions be furnished to the governors of the several States of the Union.

The PRESIDING OFFICER. What is the request of the Senator from Florida with regard to the resolution?

Mr. TRAMMELL. It is a very brief resolution, and I do not see that there can be any objection to it. I ask unanimous consent for its consideration.

Mr. ASHURST. I did not hear it. Let it be read again.

The Secretary again read the resolution.

Mr. ASHURST. I have no objection to it.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

The resolution was considered by unanimous consent and agreed to.

GRATITUDE TO THE ARMY AND NAVY.

Mr. JONES of New Mexico. I ask unanimous consent for the present consideration of the joint resolution (S. J. Res. 168) tendering public acknowledgment of gratitude to the Army and Navy of the United States.

Mr. POMERENE rose.

Mr. CHAMBERLAIN. I will not object if there is going to be no discussion on this subject.

Mr. POMERENE. I did not expect to discuss it, but I was going to suggest an amendment.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole, and it was read, as follows:

Resolved, etc., That the thanks of Congress and of the people of the United States are due, and are hereby tendered, to the officers, soldiers, and sailors of the United States Army and Navy for their gallant and arduous service and splendid accomplishments in the present struggle. By their skill, energy, and enthusiasm they have sustained the best traditions of American valor and achievement and have inspired the world with confidence in the ultimate triumph of those principles of right and justice for the vindication of which we entered the war.

Resolved further, That the Secretary of War and Secretary of the Navy communicate this resolution in appropriate form to the officers, soldiers, and sailors of the Army and Navy.

Mr. POMERENE. The marines are recognized as a distinct branch of our service. Of course, they are embraced in the term "soldiers," but I suggest that the joint resolution be amended by inserting the word "marines," so that it will read "soldiers, sailors, and marines."

Mr. JONES of New Mexico. I have no objection to that amendment. I assume that the term "soldiers and sailors of the Army and Navy" will include marines, but in conformity with the suggestion of the Senator from Ohio, I will be glad to have the word "marines" inserted.

The PRESIDING OFFICER. The amendment suggested by the Senator from Ohio will be stated.

The SECRETARY. In line 5, before the word "sailors," strike out the word "and" and after the word "sailors" insert the words "and marines," so as to read "to the officers, soldiers, sailors, and marines of the United States Army and Navy."

The amendment was agreed to.

Mr. POMERENE. I move the same amendment on page 2.

The SECRETARY. On page 2, line 2, before the word "sailors," strike out the word "and" and after the word "sailors" insert the words "and marines," so as to read "to the officers, soldiers, sailors, and marines of the Army and Navy."

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendments were concurred in.

The joint resolution was ordered to be engrossed for a third reading and was read the third time.

Mr. JONES of New Mexico. I ask that the sentiment of the Senate upon the passage of the joint resolution be declared by a rising vote, and as a tribute to those who have made the supreme sacrifice I request that Senators will remain standing for one minute.

The PRESIDING OFFICER. The Chair suggests to the Senator from New Mexico that under the rule the only way a rising vote can be had is by demanding a division. Does the Senator demand a division?

Mr. JONES of New Mexico. I do. I ask unanimous consent that the vote may be taken by the Senate rising.

The PRESIDING OFFICER. The Senator from New Mexico asks unanimous consent that the vote be taken by a rising vote, and that Senators remain standing for one minute. The Chair hears no objection.

The question was put on a division, Senators standing for one minute, after which the Presiding Officer declared that the joint resolution was passed unanimously.

CHANGES OF DRAFT AGE.

Mr. CHAMBERLAIN. I move that the Senate proceed to the consideration of Senate bill 4856, known as the man-power or draft bill.

Mr. JONES of Washington. I suggest that it be taken up by unanimous consent. There will be no objection.

Mr. CHAMBERLAIN. I have no objection to that course. I ask unanimous consent that the Senate proceed to the consideration of the bill.

The PRESIDING OFFICER. The Chair will take the liberty of suggesting to the Senator from Oregon that under the rules debate is limited to five minutes during the morning hour, unless the bill be taken up by unanimous consent.

Mr. CHAMBERLAIN. I ask unanimous consent.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 4856) to amend sections 2, 4, and 5 of an act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, and for other purposes, which had been reported from the Committee on Military Affairs with amendments.

Mr. CHAMBERLAIN addressed the Senate. After having spoken for some time,

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 11945) to enable the Secretary of Agriculture to carry out during the fiscal year ending June 30, 1919, the purposes of the act entitled "An act to provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products."

Mr. SHEPPARD. I ask unanimous consent that the unfinished business be temporarily laid aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHAMBERLAIN. Mr. President, I would not under ordinary circumstances make any statement in reference to this bill because the substance of it has been discussed so many times that not only the Senate but the country is familiar with its terms.

The essential changes in the selective-service law of May 18, 1917, affect the minimum and maximum ages of those who come within the terms of its provisions. Another provision by way of amendment, which was added to the bill by the Senate Military Affairs Committee, is known as the work-or-fight provision. In view of the very many letters and telegrams that I have received with reference to both these subjects I am led to make a few observations in regard to the bill, after which I shall undertake to call the attention of the Senate and the country to the necessities of our Government which have suggested this present amendment to the selective-service law.

Objections have come to me, Mr. President, against the lowering of the draft age to 18; and many of the letters and telegrams which have come in protest against this lowering of the age charge that it is proposed by our Government, and particularly by the Military Affairs Committee, to rob the cradle in order to send young men to the front to defend not only the liberties of America but the civilization of the world. On the other hand, there have come to me protests, in the way of telegrams and letters, against the inclusion in the bill of any above 31 years of age, as provided in the present selective-service act. In these protests it is charged that it is the purpose of our Government, and of the Congress as well, to reach out and drag the old as well as the young into the service of their country and to send them forward to be sacrificed in this terrible war.

Mr. President, the people who make protests against the calling into the service not only of the young men of 18 to 21 but also of men from 31 to 45 years of age have forgotten or are ignorant of the history of our country. I shall undertake to show very briefly that the proposed act which is now before Congress for its consideration simply follows the plan proposed by the first Secretary of War after the Revolution and the bill which was suggested by Washington to Congress in 1790. I do this at the risk of tiring the Senate, but I do it for the purpose of calling the attention of the country to the fact that Congress is now but following in the footsteps of the fathers of the Republic and those who are responsible for the liberty which we now enjoy.

The Secretary for the Department of War, Gen. Knox, who was a distinguished general of the Revolutionary War, on the 18th day of January, 1790, submitted to the then President of the United States, Gen. George Washington, a very learned report and the form of a bill for the reorganization of the militia of the country. President Washington, in a letter to the Senate on the 21st of January, 1790, submitted that report and recommendation of Gen. Knox to the Senate of the United States for consideration. I shall call the attention of the Senate to just a few selections from that report in order to show that these gentlemen, who had served in the Revolutionary War with distinction and who knew the dire needs of the times and of the dangers which surrounded the country during the Revolution, favored just exactly what Congress is now called upon to do by the President in attempting to bring to the standard of our country men between the ages of 18 and 45. There never was a truer statement made by any man than this statement which was made by Gen. Knox in the introduction to his report:

> A Government whose measures must be the result of mutiplied deliberations is seldom in a situation to produce instantly those exertions which the occasion may demand, therefore it ought to possess such energetic establishments as should enable it, by the vigor of its own citizens, to control events as they arise instead of being convulsed or subverted by them.

Measures that can only be attained as "the result of multiplied deliberations." From that time to this hour the Congress of the United States has been deliberating upon the question as to whether or not certain classes of our citizens should be called for military service and whether or not conscription or the volunteer system should be utilized in order to raise an army adequate to the maintenance of our liberty and of our safety. Further down in that report he says:

> If the United States possess the vigor of mind to establish the first institution—

That was the institution for training young men between the ages of 18 and 21—

> it may reasonably be expected to produce the most unequivocal advantages. A glorious national spirit will be introduced, with its extensive train of political consequences. The youth will imbibe love of their country, reverence and obedience to its laws, courage and elevation of mind, openness and liberality of character, accompanied by a just spirit of honor, in addition to which their bodies will acquire a robustness greatly conducive to their personal happiness, as well as the defense of their country, while habit, with its silent but efficacious operations, will durably cement the system.
>
> Habit, that powerful and universal law, incessantly acting on the human race, well deserves the attention of legislators—formed at first in individuals by separate and almost imperceptible impulses, until at length it acquires a force which controls with irresistible sway. The effects of salutary or pernicious habits, operating on a whole nation, are immense and decide its rank and character in the world.
>
> Hence the science of legislation teaches to scrutinize every national institution, as it may introduce proper or improper habits; to adopt with religious zeal the former and reject with horror the latter.
>
> A republic constructed on the principles herein stated would be uninjured by events sufficient to overturn a government supported solely by the uncertain power of a standing army.
>
> The well-informed members of the community, actuated by the highest motives of self-love, would form the real defense of the country. Rebellions would be prevented or suppressed with ease; invasions of such a government would be undertaken only by mad men; and the virtues and knowledge of the people would effectually oppose the introduction of tyranny.

Here Gen. Knox was discussing the advantages of a compulsory military system which he was proposing and was distinguishing between a standing army as it is generally understood and an army raised from the body of the people themselves. What does he recommend?

The following plan embodies the general outline of his proposal:

> First, that it is the indispensable duty of every nation to establish all necessary institutions for its own perfection and defense.
>
> Secondly, that it is a capital security to a free State for the great body of the people to possess a competent knowledge of the military art.

Mr. President, I call particular attention to the second paragraph, because in the course of the bill which was presented to President Washington and by him to the Senate of the United States Gen. Knox points out what that military training is to be and what the military art therein referred to means. It means the training of the young men from 18 to 21 and from 21 up to 45 years of age under a compulsory registration and system.

Mr. VARDAMAN. Mr. President, may I ask if the service therein referred to was compulsory?

Mr. CHAMBERLAIN. Absolutely; and, Mr. President, you could take that law which was proposed by Gen. Knox and the law which followed and was based upon it in 1792 and you would find that we had a compulsory military training system in this country from the earliest days of the Republic down to 1848, when New York, the first State in the Union to do so, proceeded to nullify the act of 1792 by a tax which was imposed upon the citizenship of New York, and to such as paid it exempted its citizens from the military service required by the act of 1792. I continue reading from Gen. Knox's report and plan:

> Thirdly. That this knowledge can not be attained in the present state of society but by establishing adequate institutions for the military education of youth, and that the knowledge acquired therein should be diffused throughout the community by the principles of rotation.

I call attention to this last clause because the act itself says what these educational institutions are. They are the camps in which the young men are assembled for the purpose of training. The remarkable thing about the act is that it makes the young men the vehicles for training the men in the community who are above 21 years of age.

Mr. VARDAMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Mississippi?

Mr. CHAMBERLAIN. I do.

Mr. VARDAMAN. I desire to ask the Senator from Oregon—probably confessing my ignorance of the very interesting document from which he is now reading—to state the standard of training and the time during which these men would be subjected to that training under the terms of that act.

Mr. CHAMBERLAIN. Mr. President, I did not intend to go into the details of the act, but it provides exactly how long the young men should be trained, which was for a period longer than is applied to the other and older classes. Let me proceed a little further, and I may answer the Senator from Mississippi

more particularly later, if I am not trespassing too much upon the time of the Senate. The report continues:

Fourthly. That every man of the proper age and ability of body is firmly bound by the social compact to perform personally his proportion of military duty for the defense of the State.

Fifthly. That all men of the legal military age should be armed, enrolled, and held responsible for different degrees of military service.

The very thing that the pending bill proposes and almost in the very language of the bill which was then proposed by Gen. Knox.

And sixthly. That agreeably to the Constitution the United States are to provide for organizing, arming, and disciplining the militia, and for governing such a part of them as may be employed in the service of the United States; reserving to the States, respectively, the appointment of the officers and the authority of training the militia according to the discipline prescribed by Congress.

Mr. President, the plan that he proposed prescribed the ages of those from whom compulsory enrollment and service was due as follows:

The period of life in which military service shall be required of the citizen of the United States to commence at 18 and terminate at the age of 60 years.

And yet the Congress of the United States is now charged with dragging old men from their homes to be led to slaughter.

The men comprehended by this description, exclusive of such exceptions as the legislatures of the respective States may think proper to make, and all actual mariners, shall be enrolled for different degrees of military duty and divided into three distinct classes.

These are the classes:

The first class shall comprehend the youth of 18, 19, and 20 years of age; to be denominated the "advanced corps."

I call attention to the denomination of young men, because I am going to show a little later on that it was the young men who were to defend the country, while the older men were held in reserve.

Mr. KENYON. What were the ages?

Mr. CHAMBERLAIN. Eighteen, 19, and 20 in the advanced corps.

The second class shall include the men from 21 to 45 years of age, to be denominated the "main corps"—

I presume under the pending measure those from 21 to 31, inclusive, would be designated the "main corps."

The third class shall comprehend, inclusive, the men from 46 to 60 years of age, to be denominated the "reserve corps."

All the militia of the United States shall assume the form of the legion, which shall be the permanent establishment thereof.

Mr. President, it was provided that—

The advanced corps—

That is, the young men—

are designed not only as a school in which the youth of the United States are to be instructed in the art of war, but they are, in all cases of exigence, to serve as an actual defense to the community.

A little further down it is stated:

The youth of 18 and 19 years shall be disciplined for 30 days successively in each year, and those of 20 years shall be disciplined only for 10 days in each year, which shall be the last 10 days of the annual encampments.

Here are provided the schools, the educational institutions, which the young men are to attend. That answers in part the question of the Senator from Mississippi.

Mr. VARDAMAN. That provides 10 days' training?

Mr. CHAMBERLAIN. A longer period than that for the younger, or advanced, class and 10 days for each of the older classes.

Mr. VARDAMAN. There is no similarity between that particular measure——

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Mississippi?

Mr. CHAMBERLAIN. I yield, but I should like to make at least the statement——

Mr. VARDAMAN. I started to ask the Senator if the measure to which he has made reference was really similar to the bill now under consideration?

Mr. CHAMBERLAIN. I take the position that if you will lay them down side by side, while the language is different the principal features are so nearly alike that the pending measure may be said to be the offspring of the original report of Gen. Knox, because the bill now pending before the Senate provides practically nothing for which that measure did not provide.

Continuing the reading from the report:

As the main corps—

That is, the corps of men above 21 and up to 45—

and reserved corps are to be replenished by the principle of rotation from the advanced corps—

They were to be supplied from the young men—

and ultimately to consist of men who have received their military education therein, it is proper that one uniform arrangement should pervade the several classes. It is for this reason that the legion is established—

And so forth.

Mr. President, that is all of the act I care to read. It provided for an enrollment of the whole male population of the country from 18 to 60. The pending law provides for the enrollment of men between 18 and 45. The difference between the two is that the proposed statute does not go as far as did the plan proposed by Gen. Knox. Senators will find that report printed in the American State Papers, Military Affairs, volume 1, at page 6, and if it were not for its length I would ask to have it read into the RECORD, because the people of our country seem to be ignorant of the fact that the young men of the country 18 years of age, as well as those up to 45 or 60, have been looked upon as the dependence for military service of the United States since the earliest days of the Republic. That system was recommended not only by Gens. Washington and Knox and submitted to the Senate, but the principle was later recommended by Jefferson and Madison and other distinguished Democrats, and yet Congress is now charged with snatching from the cradle the babies to be sacrificed on the altar of their country, as well as dragging out the old men for murder, although following in the footsteps of the founders of our Government and of the author of the Declaration of Independence.

Mr. JONES of Washington. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Washington?

Mr. CHAMBERLAIN. I yield.

Mr. JONES of Washington. I think the matter the Senator has read is of sufficient importance in connection with the subject under discussion that it ought to be printed in the RECORD as a part of the Senator's remarks without taking the time to read it.

Mr. CHAMBERLAIN. I wish it might be, but there has been so much complaint of the lack of print paper in these critical times that I do not like to ask to have it printed in the RECORD. If, however, the Senator asks that it be done, I will not object, for the country ought to see it.

Mr. JONES of Washington. I do ask it.

The PRESIDING OFFICER. The Senator from Washington asks unanimous consent that the matter partly read by the Senator from Oregon be inserted in the RECORD. Is there objection The Chair hears none, and it is so ordered.

Mr. CHAMBERLAIN. The Senator did not mean the whole report?

Mr. JONES of Washington. Just such part as the Senator thinks would be especially valuable in connection with this discussion. I have not seen the report, so I will leave that to the judgment of the Senator.

Mr. CHAMBERLAIN. Very well.

The matter ordered to be printed in the RECORD, in addition to what has been read by the Senator from Oregon, is as follows:

It is for this reason the legion is established as the common form of all the corps of the militia.

The main legions, consisting of the great majority of the men of the military age, will form the principal defense of the country.

They are to be responsible for their proportion of men, to form an army whenever necessity shall dictate the measure, and on every sudden occasion to which the advanced corps shall be incompetent an adequate number of noncommissioned officers and privates shall be added thereto from the main corps by means of the sections.

The main corps will be perfectly armed in the first instance, and will practice the exercise and maneuvers four days in each year, and will assemble in their respective districts, by companies, battalions, regiments, or legions, as shall be directed by the legionary general; but it must be a fixed rule that in the populous parts of the States the regiments must assemble once annually and the legions once in three years.

Although the main corps can not acquire a great degree of military knowledge in the few days prescribed for its annual exercise, yet by the constant accession of the youth from the advanced corps it will soon command respect for its discipline as well as its members.

When the youth are transferred from the advanced corps they shall invariably join the flank companies, the cavalry, or artillery of the main corps, according to the nature of their former services.

Mr. CHAMBERLAIN. The report of Gen. Knox is quite lengthy, and I have only read into or had printed in the RECORD such parts thereof as outline the plan for compulsory registration and service of all men of military age, just as is proposed in the pending bill for compulsory registration and service of those between 18 and 45 years of age.

The discussion did not end with the report of Gen. Knox. Congress proceeded to do what Congress has done ever since in opposing legislation for the creation of an efficient Military Establishment for the country. It is not with any bad motive that this has been done; it is because there is a mistaken idea in the minds of the people, and there is a difference among

Senators as to what the traditional policy of the United States has been. I claim that the traditional policy of the country is that recommended by Washington and his Secretary of War, by many distinguished men in the public service since the Revolution, and particularly by men connected with the Military Establishment. It was the policy crystallized into law by the act of May 8, 1792, and followed down to 1848. If Senators are interested in the subject of how the States gradually departed from the plan laid down by the act of 1792, which was a compulsory registration and military service law, I call their attention to the hearings had in 1916 on the universal military training bill, S. 1695, page 725, where will be found the testimony of the distinguished adjutant general of New York, Gen. Louis W. Stotesbury, who discussed the subject and showed how New York established a plan for evading the compulsory-service act of 1792.

Mr. WATSON. What is the document?

Mr. CHAMBERLAIN. The hearings on Senate bill 1695, which was the bill to provide for universal military and naval training of the citizen forces of the United States, pending in 1916 before the Military Affairs Committee of the Senate.

Mr. President, the discussion did not end with Washington's recommendations to the Senate in 1790, for in 1792 Congress enacted the militia law to which reference has been made. I am not going to read it, but I invite the attention of Senators to it on page 285, Revised Statutes of the United States, second edition, 1878. That law, Mr. President, was a universal military compulsory registration and service law, and it was never repealed by the Congress of the United States except by implication in 1903. Still those of us who have been insisting upon the ages of 18 to 45 have been charged with undertaking to enact a revolutionary statute which will drive the children and old men of the country to slaughter.

Yet we are simply following in the footsteps of all the fathers of this Republic who participated in the Revolution, and of later officials of the Government and distinguished officers who participated in every subsequent war.

I concede there are sentimental reasons against calling out young men of 18 for military service. In times of peace it might not be well to compel the young men to serve except for training and for short periods; it might not be well in times of peace to take them to serve for such periods as would interrupt their educational processes, but in times of war all must serve and all must make such sacrifices as are necessary to preserve our institutions and our liberties.

Section 1625 of the Revised Statutes, to which I have referred, provides that—

> Every able-bodied male citizen of the respective States, resident therein, who is of the age of 18 years, and under the age of 45 years, shall be enrolled in the militia.

Not "may be," but, mark you, "shall be."

Section 1626 provides:

> It shall be the duty of every captain or commanding officer of a company to enroll every such citizen residing within the bounds of his company, and all those who may, from time to time, arrive at the age of 18 years, or who, being of the age of 18 years and under the age of 45 years, come to reside within his bounds.

So that it was compulsory upon those captains to train all of these young men. That, Mr. President, was a compulsory registration and service measure, and the pending measure does not essentially differ from it.

Mr. WATSON. Was that act ever enforced?

Mr. CHAMBERLAIN. That act, as I said awhile ago, was enforced, nominally at least, until 1848, when the States began to organize the State militia, out of which grew the National Guards of the several States.

Mr. President, I do not know that it is material to talk about the system that has been in vogue in our country for so many years, but in view of the objections which have been made to the pending measure I thought I ought to say something about that policy in this discussion. It will be remembered that voluntary enlistments at the age of 18 are permissible now, or were until a recent order was made, in the armies of the United States and in the National Guards, and many of the young men over in France now are between the ages of 18 and 21 years; and so it has been in the Navy and Marine Corps. I might say further, with reference to the recommendation of Secretary Knox—and this I forgot to mention—that boys of 16 who were actual mariners or seamen were compelled to train and serve. The Senator from Tennessee [Mr. MCKELLAR] suggests there are over 200,000 young men in the Army of the United States now who are between 18 and 21 years of age.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Missouri?

Mr. CHAMBERLAIN. Certainly.

Mr. REED. On that point the figures as I have them—and I think they are correct—are that there were voluntary enlistments in the Army up to June last to the number of 847,451; in the Navy, 307,210; in the Marines, 41,922; a total of 1,196,583. If the Senator will pardon the interruption—I do not desire to take his time—the number of those who were under 21 is not known; but I have a statement from Gen. Harris, Acting Adjutant General, to the effect that the average of a certain list taken at random shows that 77½ per cent of the recruits were under 21, and that another list of 7,000 papers shows an average of 60 per cent. If we were to average or compromise between these two figures, and put the figure at 70 per cent, we would have already serving over 700,000 boys under 21 years of age who enlisted voluntarily.

I was just examining this question when the Senator reached that point, and would not have mentioned it except that the figure of 200,000 was given. I think it is much too low; and while I do not absolutely certify to the correctness of these figures, I believe that they will be found substantially correct.

Mr. MCKELLAR. Mr. President, if the Senator will permit an interruption——

Mr. CHAMBERLAIN. I yield.

Mr. MCKELLAR. I saw the figures that the number of boys of 18 who had voluntarily enlisted in the Army was about 200,000—a little more than 200,000.

Mr. REED. I think the figures are grossly wrong; and to back up what I have said, I will introduce the letter of Gen. Harris at the proper time. I now call attention to the fact that in the late Civil War there were in the Army on the Federal side, of men under 18 years of age, 1,151,438, and of men under 21 years of age, 2,159,798; that these men constituted the great bulk of the Federal Army, which totaled 2,778,304. The fact is that the War of the Rebellion on the Federal side was fought by men under 21 years of age, and the majority of the men were under 18.

Mr. VARDAMAN. Mr. President, may I ask the Senator from Missouri a question, with the consent of the Senator from Oregon?

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Mississippi?

Mr. CHAMBERLAIN. I yield to the Senator.

Mr. VARDAMAN. Those young men from 18 to 21 years of age were all volunteers, were they not?

Mr. REED. Absolutely; and those that are now serving are volunteers.

Mr. VARDAMAN. That is exactly what I should like to see done in the case of all of the young men below 21 years of age. I should be willing to amend the law so that all young men, boys of 18 years of age and up to 21, should be permitted to volunteer, even against the wishes of their parents.

Mr. MCKELLAR. If the Senator will yield to me again I think there is no substantial difference between the figures of the Senator from Missouri and mine. The figures that I pointed out were from men between 18 and 19, and he pointed out those for men between 18 and 21. For just one year the number was about 200,000, according to the figures I have.

Mr. CHAMBERLAIN. Mr. President, I am very glad indeed to have the Senator from Missouri—who seems to have given the subject matter consideration—insert in the RECORD the figures as to the number of young men in the Army under the age of 21. There would be a great many more there if they were all permitted to go who want to do so; and there is no question about their fighting qualities or ability, nor is there any question about the zeal with which they go about the discharge of every duty. The best evidence of their endurance and their fearlessness was furnished by the Marine Corps in France recently, where these gallant boys added luster to our country's flag and new names to its roll of honor. The consensus of expert opinion on the subject is that men from 18 up to 21 make better soldiers than the older men, possessing as they do greater powers of recuperation and recovering more quickly from wounds and disease than their seniors.

Now, Mr. President, let us see what is the reason and what the necessity for changing the age limits of the selective-service act to 18 and 45 years. It is because we must get enough men to France to bring this terrible war to as speedy a conclusion as possible. It can not be hastened without men, and in order to get the men required for the proposed enlarged military program either the ages must be changed as proposed or the deferred classes must be invaded. Social and economic life will be disturbed less by changing these ages than by an invasion of the deferred classes. The reason for it, in short, is that America shall get to the front to play her proper part in this world war; for a piddling, pussy-footed policy of getting a few men

over now and then simply means a prolongation of the struggle and the expenditure of millions of lives and of treasure.

What I would like to see would be an American Army on the battle front, under American officers, fighting under the American flag, and not brigaded with any of our allies. We sent them over so slowly at first—and I am not criticizing anybody for it, but I am just calling attention to the fact—that we did not have units large enough to have them fight under our own officers and our own flag, but we brigaded them with our allies. It was like associating the living with the dead, this taking of these young men, with all the life and enthusiasm that America can give, and brigading them with men who had been fighting for four long, tedious years. They could not, in the very nature of the case, have had that vigor and enthusiasm which they would have had if they had been permitted to fight under American officers and under the American flag.

We now have, in round numbers, a million and a half men in all, combatant and noncombatant, in France. We have a million and a half more in the United States, in the Philippines, in Hawaii, and at Panama, and at other places under the jurisdiction of the United States. The enlarged military program calls for more men than that. The enlarged program that has been mapped out by the War Department and the one that Gen. March says we are going to carry out, provided only Congress will help do it, is a 98-division program—80 divisions in France and 18 divisions in the United States. Eighty divisions in France means 3,200,000 men there. We have one-half that number, or a little less than one-half. It would amount to more than 3,200,000 when you take into consideration the corps troops and the Army troops that are not attached to divisions, not attached to corps, but are a part of the fighting force. It will take over 4,000,000 in France, according to the estimate of Gen. March, to carry out the present program; and he says—and I believe he is right—that if we had 4,000,000 men in France we could break through the German line at any point and at any time we pleased.

Mr. VARDAMAN. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Mississippi?

Mr. CHAMBERLAIN. I do.

Mr. VARDAMAN. May I ask the Senator how many men between the ages of 21 and 45 he thinks are available?

Mr. CHAMBERLAIN. Yes; I will tell the Senator.

Mr. VARDAMAN. I shall be glad to have the Senator do so.

Mr. CHAMBERLAIN. If the Senator will look at the report which the committee has filed, he will find the whole subject discussed. He will find three studies prepared by the Provost Marshal General and grouped together under four headings the numbers of men that can be effective between 32 and 40, 32 and 45, 19 and 20, 18 and 20, and then between 18 and 45. The whole matter is grouped there and discussed at length. I will not take the time of the Senate to read these figures or to analyze them, but the Senator will find them on his desk printed in the report of the committee on the pending bill.

Mr. WOLCOTT. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Delaware?

Mr. CHAMBERLAIN. I do.

Mr. WOLCOTT. I should like to ask the Senator how many of the million and a half men in the United States and the Philippines, and so forth, are in camps for the purpose of being eventually sent across and added to the one and a half million now in France?

Mr. CHAMBERLAIN. Pretty near that entire number.

Mr. WOLCOTT. That means, then, does it not, that in order to bring our fighting forces up to the 4,000,000 point, which Gen. March thinks we should have, it will be necessary to raise 1,000,000 men more than we have now?

Mr. CHAMBERLAIN. Still more than that.

Mr. WOLCOTT. Will the Senator explain to me why more than that? There are a million and a half in France now. There are a million and a half here, being trained to go to France. When they are there, that will be 3,000,000. Gen. March says we should have, by June 30 of next year, 4,000,000; so that we need to raise, by this new draft, a million more. Is not that correct?

Mr. CHAMBERLAIN. Yes; if everything was going to remain in statu quo, which I hope might be possible. But the Senator is not making any estimate for a reservoir here or for wastage.

Mr. WOLCOTT. Of course, there is a wastage; but has the Senator any figures estimating the wastage?

Mr. CHAMBERLAIN. During the Battle of the Somme Great Britain lost 500,000 men. I do not think such losses will be sustained by the United States. I hope not.

Mr. REED. Mr. President, there is one fact that is overlooked by the Senator. The proposition is 4,000,000 men in France. That means substantially a million men in this country to be used as a reservoir, and the estimates include that; so that you must not speak of 4,000,000 men as enough to be raised, but 5,000,000. That accounts for another million.

Mr. CHAMBERLAIN. Mr. President, we have not men in the Army now, nor have we those in prospect who are registered and within the draft, but not called, sufficient to make up the program which was outlined to the committee by Gen. March and by the Secretary of War. There is some discrepancy in the testimony of Gen. March and Gen. Crowder as to the number of men now within the draft and subject to call between now and the 1st of January. Gen. Crowder maintained, when he was before the committee some time in June, if I mistake not, when the Army appropriation bill was under consideration, that we had enough men to last until the 1st of January if the then program were carried out for the calling of practically 100,000 or 150,000 men each month. Now Gen. Crowder claims that we have not enough to do that; that the men that will be called out under the draft will be practically exhausted by the 1st of October. I see that he is criticized in some quarters because of this apparent discrepancy in his testimony, but I think he is entirely free from any just criticism. He was right then, he is right now.

The New York Sun on the 7th of August criticized him for this discrepancy in his testimony. He was invited by the Sun to explain that discrepancy, and he did so in a letter to that paper, in which he said amongst other things:

"In your leading editorial of Wednesday, August 7, which I saw for the first time to-day, you called attention to an apparent inconsistency between two statements made by me in regard to the time when class 1 men would be exhausted in the draft. You first quote my statement made on June 10 before the Senate Committee on Military Affairs that 'we shall have practically exhausted class 1 by December 31 of this year'; and you then cite in contrast my recent statement in the memorandum to the Chief of Staff, published in the CONGRESSIONAL RECORD of August 5, pointing out that on September 1 the 'estimated number of class 1 men under the present ages * * * will be only about 100,000 men, and may fall below that figure.'

"It must, of course, be conceded that the two statements are not identical in effect. The explanation is simple, viz, that the first statement was based on the information then available, and that the rapid developments of the last two months have been responsible for the discrepancy between the two statements. Since the date of the first statement several important items entering into the calculations suffered material and unexpected change.

"The first and largest item is attributable to the increase which developed in the numbers of men requisitioned by the Chief of Staff under the draft between the date of the hearing in early June and the 1st of August. The June calls, which at the time of my testimony before the committee were estimated at 283,000, increased to about 302,000; and the July calls, which were estimated at the time of the testimony at 290,000 (see p. 22 of the committee's report of the hearing), increased to 401,000, or a total increase of about 130,000.

"The second item of change arose from the developments as to the new age—21—registration of June 5, 1918; the number of effectives to be obtained therefrom had, at the time of my testimony, been estimated at 400,000, but by August 1 the developments of that registration obliged us to reduce the figure to 350,000, or a loss of 50,000 under the original estimate. (CONGRESSIONAL RECORD, Aug. 5, p. 10019.)

"The third item is furnished by the estimate of additional class 1 men, under the original registration of 1917, to be obtained from the rectification of the classification process; this figure, in my testimony in early June, was placed at 200,000, but the developments of the next two months obliged us to reduce this figure to 125,000, or a loss of 75,000. (CONGRESSIONAL RECORD, Aug. 5, p. 10019.)

"A fourth and large item is accounted for by the extraordinary figures of enlistments during June and July in the Navy and Marine Corps. The large calls to camp during May, June, and July were a surprise to the public, and when public attention was attracted to them it was perceived that the lower order numbers in class 1 were being rapidly approached. Moved by this prospect, large numbers of men within draft age immediately proceeded to exercise their election to enlist in the Navy or the Marine Corps. Just what this number amounted to in

June and July I am unable at this moment to state exactly; the estimated number for May, June, and July together is 125,000, of which possibly 90,000 are to be attributed to June and July. There are also some other additional items of deduction which developed during those months, such as an additional 7,500 Emergency Fleet employees, and an especially large number of replacements of men rejected by the camp surgeons, estimated at some 60,000. The total of these and a few other items, which I need not stop to elaborate here, developing during the two months in question approximated 475,000 men.

"Applying this deficit to the expected calls for the later months, as set forth on page 22 of the committee report above mentioned, it is obvious that this shortage of 475,000 corresponds to something more than the 425,000 scheduled in June for the October, November, and December calls; in other words, the numbers that were expected to be ready to fill those three calls had disappeared and also 50,000 more out of the availables for the September call of 150,000, leaving only about 100,000 to fill the September call. That call itself by August 1 had been scheduled to be increased to 200,000.

"This, therefore, is how it came about that I was obliged to state in my memorandum of July 27, submitted to the Chief of Staff, and published in the CONGRESSIONAL RECORD of August 5, that 'the estimated number of class 1 men under the present ages will be only about 100,000 men (and may fall below that figure) on September 1, 1918, after filling the calls indicated for July and August and making deductions for the unexpected heavy losses due to a rush in June and July to the Navy, Marine Corps, and Emergency Fleet.'

"The inconsistency to which you refer is only such an inconsistency as develops in two months, when on the one hand the military conditions had led to unexpected increases in requisitions, and on the other hand the developments in the reservoir of men had led to unexpected shortages."

* * * * * * *

So that Gen. Crowder's figures were correct in both instances. I have found him so reliable in his statements to the committee in estimates which in the very nature of things could only be approximate that I believe his statement is correct now, that we must have more men by the 1st of October if we are to carry out this enlarged program.

It may be said, and it has been said, that we have more men in the United States in training now than we can ship over by the 1st of June, 1919, unless arrangements for transports can be continued as at present or increased. That is true; but we want these men to be drawn under this act and in training. The longer the training the better the fighting. Not only that, Mr. President, but the better care these young men will be able to take of themselves.

Mr. REED. If the Senator will pardon me, I think he has inadvertently made a misstatement. Does the Senator mean to say that we have more men in training than we will be able to get over in June?

Mr. CHAMBERLAIN. Of next year?

Mr. REED. Yes.

Mr. CHAMBERLAIN. We have in round numbers a million and a half men in training here, and the highest rate of shipment is about 350,000 a month. The testimony of Gen March——

Mr. REED. Surely the Senator is overlooking the testimony as to additional transportation that will be furnished.

Mr. CHAMBERLAIN. We should look at the question of transportation facilities that may be withdrawn from present use.

Mr. REED. Of course, I may be in error, but my recollection is that there is sufficient transportation not only for the army that we have under the old draft but the army which we will have under the new draft.

Mr. CHAMBERLAIN. The Senator is probably correct in his statement that we have sufficient transportation arranged for to take the men we now have in training in the United States, but it must be remembered that we may lose a part of that transportation at any time. Most of the transports, if I recall correctly, belong to our allies and not to us. Great Britain has had to take her ships which she was using for her own purposes in order to accommodate the United States. Of course, it is accommodating her, too, because we are helping her in her struggle for a place under the sun.

It will be greatly against her interests to undertake to cancel any contracts she has with us for the transportation of troops, but she may be compelled by her own necessities to do it.

Let me call the attention of the Senator from Missouri to this: When Gen. March was before the committee, I called his attention to the fact that I had learned incidentally from what I believed to be reliable authority that we did not have dock space in France more than sufficient to unload cargo necessary for the troops we now have there. It was in that connection he said we not only had dock space, but had cargo space to care for the men there and those to be carried over under the enlarged military program.

Mr. REED. I want to get the Senator right or get right myself. One of us is obviously in error. As I understand Gen. March's testimony, it was that certain requests had been made to us for a certain program of troops, which I am not at liberty to mention; that as a result, it had been determined that we would raise 98 divisions, 80 to be placed in France by June 1 and 18 to be held in this country; that the additional transportation had been arranged to carry these troops and to carry the provisions to Europe and to provide the arms by June 1; and that that is the reason why we are asked now to raise this enormous Army. If it be true that this Army is not to be employed for eight or nine months and there is to be no transportation furnished for eight or nine months sufficient to carry over the additional force——

Mr. CHAMBERLAIN. May I interrupt the Senator? I did not mean to be understood as saying that we could not get the men over before June next.

Mr. REED. If the additional force we are about to raise can not be sent to France until after June—if we can not begin sending them until after that date—I think there is no excuse for drafting them at this time. I think on the part of the Senator or myself there is some confusion on this question.

Mr. CHAMBERLAIN. I am inclined to believe that the Senator is right and that I am mistaken about what the testimony was on this subject. I think there was some confusion at the hearing as to what we could do in the matter of the transportation of troops.

Mr. FLETCHER. May I interrupt the Senator?

Mr. CHAMBERLAIN. In just a moment. Let me finish answering the Senator from Missouri. I remember a discussion that took place between the Senator from California [Mr. JOHNSON] and Gen. March with reference to the very subject we are discussing, when Senator JOHNSON expressed the belief that in view of the reservoir of 1,700,000 we now have in the cantonments of the United States and our inability to get them over, there would be no necessity to raise additional men. I think it was in that connection Gen. March said we will be able to get them over, and also those who would constitute the enlarged military program. I recollect it now. The Senator from Missouri is right. I yield to the Senator from Florida.

Mr. FLETCHER. The chairman will remember that he said we are sending 250,000 men a month. Of course, in 10 months that would be 2,500,000. That estimate also was based on the proposition that the rate would not be lowered but probably increased.

Mr. McCUMBER. Mr. President——

Mr. CHAMBERLAIN. I yield to the Senator.

Mr. McCUMBER. If the Senator will allow me, the Senator from Florida has just stated that they made an estimate of 250,000 a month, and that in 10 months necessarily we could take over 2,500,000, but what proportion of those could be taken over by American bottoms? Is it not also true that our contract with the British Government to furnish British bottoms expires October 1, and is it not uncertain as to the quantity of British shipping that we can rely upon after October 1?

Mr. FLETCHER. My understanding is that that is all arranged for.

Mr. CHAMBERLAIN. It was the testimony of Gen. March that it had been arranged for.

Mr. McCUMBER. I notice that Lloyd George in a statement he made the other day expressed the view that we transported from this country in the month of July 305,000 men, of whom 185,000 were taken over by British ships, leaving only, of course, 120,000 who were transported by American ships.

Mr. FLETCHER. If the Senator will permit me, it will be remembered that while we use British ships to transport troops they are getting the benefit of our ships for cargo purposes.

Mr. CHAMBERLAIN. Mr. President, according to the statement of the Secretary of War and of Gen. March and of Gen. Crowder, no matter which one of them makes a correct estimate of the number of men now subject to call under the draft, it will be necessary, in order to carry out the enlarged military program, to pass the pending bill, under the provisions of which there can be raised 2,398,845 men between the ages of 18 and 45. That number, added to the men now subject to call and those who are already in the service, will be sufficient for the purposes of the present military program.

The sooner we get these men over the sooner this war will end, and the sooner Congress passes this bill the sooner we will get the men in a condition to make efficient soldiers. Now, Mr.

President, I have undertaken to show why it is necessary to change the draft ages from those now established by law to those proposed in the pending bill. It must be done to raise the men necessary to carry out the enlarged military program.

Mr. President, I have taken a good deal of pains to find out how the selective-draft act and the volunteer system have operated since April, 1917, to July, 1917, both inclusive, and I have prepared a comparative table showing what has been done. I ask that the table may be printed in the RECORD.

The PRESIDING OFFICER. Without objection, that will be done. The Chair hears no objection.

The matter referred to is as follows:

Comparative table of operations of the selective draft and the volunteer system.

Month.	Called under draft.	Navy enlistments.	Marine Corps enlistments.	Army enlistments.
1917.				
April				86,451
May		22,238	5,295	120,002
June		20,102	4,073	95,240
July		14,319	3,508	80,615
August		7,507	2,221	[4] 64,986
September	296,678	3,293	811	24,367
October	163,644	5,445	635	31,216
November	35,721	8,325	617	45,699
December	20,320	[3] 31,301	1,452	[5] 141,931
1918.				
January	23,288	31,471	1,454	41,225
February	83,779	7,960	105	26,197
March	132,484	8,150	279	25,268
April	174,377	[6] 19,587	2,910	12,909
May	373,063	[6] 22,393	5,278	26,237
June	301,941	[6] 39,762	5,132	25,108
July	401,147	[6] 65,357	8,152	
Total [5]	2,006,442	307,210	41,922	847,451

[1] First 5 months enlistments total 447,294; remaining 10 months total 400,157.
[2] Classification begun December 15, 1917.
[3] Enlistments opened to registrants already examined.
[4] Enlistments for April-July, inclusive, equal 48 per cent of total enlistments; enlistments for June and July equal 33⅓ per cent total enlistments.
[5] The selective system has produced 2,006,442 men in 11 months—the volunteer system 1,196,583 men in 15 months.

Mr. CHAMBERLAIN. The foregoing table presents a comparative study of the selective and volunteer systems during the first 16 months of the participation of the United States in the present war.

Certain general features should be first noted:

(1) In the 11-month period, September, 1917, to July, 1918, the selective system has produced for the Army 2,006,442 men.

(2) In the 15-month period, May, 1917, to July, 1918, the volunteer system has produced for the Navy 307,210 men and for the Marine Corps 41,922 men.

(3) In the 15-month period, April, 1917, to June, 1918, the volunteer system has produced for the Army 847,451 men.

(4) The selective system has produced 2,006,442 men in 11 months and the threefold volunteer system 1,196,583 men in 15 months.

It will be noted that whereas war with the German Empire was declared in April, 1917, the mobilization of registrants under the selective-service law did not begin until the following September. An ebullition of military ardor and a resultant desire to enter the service always manifest themselves with the declaration of war and are expended within a comparatively short time. In the first 10 months of the Civil War the Union was able to place 632,000 men in the field as the residue of voluntary enlistments totaling over 1,000,000. But in the late spring and summer of 1862 the zeal for service had so far spent itself that the number of volunteers became practically nil in the face of military reverses and threatened disaster. As a result resort to conscription was forced in the spring of 1863.

The accompanying table illustrates an identical tendency in the present war. It will be noted that in the five-month period from April, 1917, to September, 1917, before the draft operations began, Army enlistments totaled 447,294, and that in the following 10 months the total enlistments amounted to only 400,157, including enlistments in the month of December amounting to 141,931. The explanation of December enlistments is given hereinafter. Excluding December enlistments, it appears that in the past nine months Army enlistments have totaled 258,226, as against enlistments of 447,294 in the first 5 months of the war.

In the case of enlistments in the Marine Corps, the first four months of its war-time recruiting netted 15,097. The succeeding 11 months, during the last 4 of which an intensive recruiting campaign has been prosecuted, have netted but 26,825 men. In other words, the past 11 months have produced but 11,000 more men than the first 4 months of the war.

It is therefore apparent that volunteering in combatant land forces is regressive and that the initial outburst of patriotism has steadily diminished.

Exactly the reverse is true of enlistments in the Navy. The initial rush to the Navy at the outbreak of war produced in three months 56,659 men, but with the exception of the months of December and January, hereinafter discussed, there was a comparative standstill in recruiting until April, 1918, when a veritable stampede for enlistment began. It will be noted that during the four-month period, April to July, 1918, naval enlistments amounted to 147,099 out of a total enlistment for the first 15 months of the war of 307,210 and that during the months of June and July, 1918, enlistments rose to 105,119 or more than one-third of the total for the entire 15 months.

The particulars of enlistment figures in the Army, Marine Corps, and Navy will now be examined in connection with the operation of the selective draft.

ARMY ENLISTMENTS.

It will be noted that the declaration of war caused an immediate rush to the Army. This was produced by two factors: First, a genuine desire for military service, as evidenced by over 200,000 enlistments in April and May, before the passage of the act of May 18, 1917, and secondly, by a desire to enter the service before the compulsion of the draft was exerted. It will be noted that the national drawing took place in July and that relative liability for service was then determined. A large number of registrants were thus assured against an immediate call to service. As a result, enlistments dropped off 16,000 in August and 56,000 in September, as against July returns.

During the months of September, October, and November voluntary enlistment in the Army was denied any registrant who had been called by his local board for physical examination. A sufficient surplus had been called and examined to fill all immediate demands of the draft. Hence those who had not been examined were, for the time, comparatively safe from the draft. It will be observed that enlistments for September, October, and November therefore fell rapidly.

On December 1, however, the privilege of volunteering was extended to those registrants who had been examined, authorizing their enlistment up to December 15. Enlistments for December thereupon jumped to 141,931, as compared with November enlistments of 45,699 and January enlistments of 41,225. It is indisputable that the sudden rise was created by the enlistment of those registrants who had already been examined and held for service and who exercised an option to enter voluntarily the service into which their compulsory induction was otherwise assured.

After December enlistments again fell rapidly, until the month of May, 1918, when the joint resolution of May 20 provided for the registration of all men who had attained the age of 21 since June 5, 1917. An immediate increase of 100 per cent over April enlistments is then observable in June, with a corresponding figure in May.

Briefly summarized, the statistics of Army enlistment show (1) a patriotic rush to the colors in the first four months of the war, and (2) a succeeding influx proportional to the pressure of the draft.

MARINE CORPS ENLISTMENTS.

The situation presented by Marine Corps enlistments is analogous to that of Army recruiting. First is noted the initial rush to service in May, June, July, and August. Then, with first quota contingents definitely determined, is noted a slump in September, October, and November, enlistments falling off in the last month to 617.

On December 15 a changed policy was adopted with reference to enlistment of registrants in the Navy and Marine Corps. Thereafter any registrant not within the current quota of his local board could enlist in the Navy or Marine Corps upon securing a release from his board. On the same date the new classification system became effective. A registrant whose order number had theretofore placed him far down on the liability list and who was then placed in class 1 became liable to call much earlier than he had anticipated. A corresponding increase in Marine Corps enlistments in December and January, amounting to 120 per cent over November enlistments, resulted in each month. The increase in Navy enlistments from the same cause, as hereinafter noted, was much more pronounced.

The following months of February and March show the poorest returns of the war. In April the Marine Corps began an intensive recruiting campaign, aided by its brilliant work on the western front. This drive for recruits has been pushed with increased vigor and with the widest publicity, yet it has resulted in the addition in four months of but 21,472 men. In the same period of time the Navy has recruited 147,099 men.

It is therefore apparent that the combatant features of Marine Corps service have not appealed strongly to the volunteer element.

NAVY ENLISTMENTS.

As in the Army and Marine Corps, the first four months of the war produced an abnormal flow to the Navy. But the first patriotic rush subsided in August, after the national drawing had taken place and relative liability determined. Naval enlistments fell off 50 per cent in this month. However, definite liability for service with the first draft contingents was not determined until late August. It thus appears that while enlistments in August fell off 50 per cent of July enlistments, nevertheless they amounted to 7,500. However, in September the personnel of the first draft was well settled and comparative assurance to remaining registrants accounts for a reduction in September of 50 per cent of August enlistments. Recruiting in October and November met with mediocre results.

However, on December 15 the new classification system went into effect, the results of which, in so far as changing the relative liability of registrants was concerned, have already been noted. Registrants with numbers placing them far down on the order of call found themselves suddenly transferred to positions of immediate liability. The classification continued during the months of December and January, when it was for the most part completed. The results are startling. In December and January Navy enlistments increased almost 400 per cent in each month over November enlistments, and the enlistments for December and January more than equaled enlistments for the entire six preceding months.

But it will be observed that the draft calls for December and January were the smallest of any months since the selective organization began operation. Hence panicky class 1 registrants became reassured and enlistments for February and March fell to 25 per cent of January enlistments. However, calls in March and April were large, and there appears a corresponding increase in Navy enlistments. In the months of May and June draft calls increased still more, and the bottom of class 1 came in sight. A tremendous increase in enlistments followed the prospect of military service. In the months of June and July the 1918 class became available and the class of 1917 was almost exhausted. A veritable scramble to secure enlistment in the Navy followed.

In the months of April, May, June, and July, 1918, when the heaviest calls were made and class 1 neared depletion, 147,009 Navy enlistments were accomplished, or 48 per cent of the total enlistments for 15 months of war. In the months of June and July, 1918, 105,119 men were enlisted, or over 33⅓ per cent of the total recruited in the whole war period.

It is thus evident that enlistment in the Navy has been in direct proportion to the imminence of compulsory military service.

Let me call attention to the totals shown by the foregoing comparative table, for they are instructive as showing the number of men in the service under the draft and volunteer systems.

Number called under the draft, 2,006,442.

Number of Navy enlistments, 307,210.

Number of Marine Corps enlistments, 41,922.

Number of Army enlistments, 847,451.

It will thus be seen that the selective system has produced 2,006,442 men in 11 months and the threefold volunteer system 1,196,583 men in 15 months.

I see my friend, the Senator from Colorado [Mr. THOMAS], here, who opposed the draft law at the time of its enactment. I believe he concedes with all of us that it is working all right and it ought not to be repealed now; but I think the Senator will admit that operations under it make a favorable showing as compared with the volunteer system.

Mr. THOMAS. I opposed the draft bill when it was before the Senate for consideration a year ago last May, and I voted against it; but, of course, I accepted the action of a majority, and I have done what I could to make the law effective ever since. I am not converted from my view regarding the virtues of the volunteer system, and I do not think that in the enforcement of the draft law the volunteer system should have been permitted at the same time. I think it has produced a great many inequalities that have resulted in some reflection upon those who were drafted instead of volunteering before they were called to the colors. But, of course, as the Senator says, this draft system is now the law of the land, thoroughly established, and I think it has been very well enforced by the Provost Marshal General. Of course, I shall do what I can now, as I have done what I could since the enactment of the system, to make it effective. Hence, I am in full accord with the requirements of the War Department as exemplified in this bill, which seems, from what the department tells us, to be essential at this crisis of the war.

Mr. CHAMBERLAIN. I hope the Senator will not think that I am criticizing his attitude now.

Mr. THOMAS. Not at all.

Mr. CHAMBERLAIN. I have the highest regard for the Senator, and there has not been anyone associated with the Military Committee who has been more zealous in his efforts to create an efficient Military Establishment. I am calling the Senator's attention to conditions under the two systems now, in order to try to convince him that the selective-draft system is preferable to the volunteer system, of which he was an able advocate.

It has been the history of every war that there is a point where the enthusiastic outburst of patriotism when the war first starts gradually wanes, and that every country that makes a successful fight, in the last analysis must come to some form of compulsion.

Mr. President, having briefly called attention to the exigencies that require the enactment of this law so far as the man power is concerned, I want to call attention to an amendment to the bill by the Senate Military Affairs Committee, which is known as the work-or-fight order, in the following language:

Provided, That when any person shall have been placed in a deferred or exempted class for any of the reasons in this paragraph set forth, he shall not be entitled to remain therein unless he shall in good faith continue, while physically able so to do, to work at and follow such occupation, employment, or business, and if he fails so to do he shall again become subject to the draft. The President shall make regulations for enforcing this provision.

Mr. President, there has been great protest against that provision, and I shall not permit it to be said that any of these protests which come to me as chairman of the Military Committee were not submitted to the Senate. Many of the labor organizations of the country, or rather the officers of these organizations, have telegraphed me protesting against the inclusion of this clause in the bill.

I have received 109 such telegrams, and I will ask to have the list of the senders of them printed at the end of my remarks, without setting them out in full, for they are substantially the same. Each of them comes from an officer of an organization stating that the organization to which he belongs represents memberships ranging from 10,000 to 100,000 or more.

But, Mr. President, I question very much if within the short time that this bill has been up for consideration before the Military Affairs Committee and before the Senate very many individuals of the membership of these organizations have been advised as to what this amendment is in terms or what it is intended to do. I am advised that other Senators have received practically the same telegrams.

Mr. President, it has been a physical impossibility for this provision to have reached the whole membership of these organizations in the United States. Some of the distinguished representatives of labor have been to see me, men whom I have known ever since my term in the Senate, men whom I respect, and as the representatives of their organizations they have given the reasons for their opposition to this legislation. Mr. President, I can not agree with them on this proposition, although I have been and am the friend of organized labor. But here is a situation different from any that has ever confronted us. The young men of our country are drafted into the military service. They go to the battle front of France and they are ordered by their commanding officer to face and march up against machine guns or the largest German artillery or some other form of death-dealing weapon.

Mr. THOMAS. Every.

Mr. CHAMBERLAIN. Every form of hellish device that the enemies of the allies have been able to invent, and they dare not disobey the order.

Further than that, they are compelled to dig trenches, to bury themselves therein when occasion requires, working in the rain and snow and slush by day and by night, with spade and shovel and pick, and without sleep or food or rest for days at a time are compelled to go "over the top," exposing their lives whenever ordered so to do, and if they dare disobey, whether told to work or fight, they are subject to trial by court-martial and possibly to be shot.

These men, Mr. President, are working for the munificent salary of $30 to $75 per month. They have no choice but to obey. They must work or fight. They are dependent upon the ability of the industrial life of America to keep them supplied with the things that make it possible not only to dig in but to fight whenever they are ordered so to do. There has been and is no exemption for them from any service. They are the fighting force of America, the defenders of liberty and of civilization.

On the other hand, here in America are young men of the same age, raised in the same environment, educated at the same institutions, possibly, who have followed a different

vocation from the time they were 14 or 15 up to the time they were of fighting age, skilled, it may be, in the manufacture of munitions, of guns, of ordnance, or in the manufacture of jigs and dies and gauges and things which are necessary for the Military Establishment of our country. They are exempted; they remain at home and are not to go to the battle front. I have no objection to that. They are just as much a part of the war service as the young men fighting at the front. I do not complain of that. Many of those who are engaged in this industrial work, many who have been engaged in manufacturing munitions and other supplies for the use of the Army, want to go to the front. They, as a rule, are patriotic, too, just as are the young men at the front, and they stay here for the purpose of furnishing the men at the front with things necessary to defend themselves. They are to be commended. But now, Mr. President, when one of these young men wants to stop he has the right to do so.

Nobody questions his right to stop. He does not have to work, but if he stops without sufficient cause he brings himself automatically within the draft. Suppose he wants to stop because he is dissatisfied with his condition, dissatisfied with his employer. It does not make any difference what he may be dissatisfied with. This bill only provides that he shall have his grievance determined through some of the instrumentalities established by law, but work in the meantime to maintain his brother on the firing line. Why should he not do it?

Mr. KELLOGG. Mr. President——

Mr. CHAMBERLAIN. I yield to the Senator.

Mr. KELLOGG. Is not the substance of the committee amendment found in the original section 4, where it provides that no exemption or exclusion shall continue when a cause thereof no longer exists?

Mr. CHAMBERLAIN. It is probably broad enough to cover it, but there was some question about it, and this amendment was proposed in the committee to remove the doubt and was adopted. It applies to all citizens, and it was not intended to interfere with organized labor. It goes further and authorizes the President of the United States to adopt rules and regulations governing the whole subject.

Mr. NORRIS. May I interrupt the Senator?

Mr. CHAMBERLAIN. Certainly.

Mr. NORRIS. I would not have any objection to the amendment if I were sure it did just what the Senator has now stated. I have no objection to the principle of it at all; I am in favor of it; but ought there not to be something in the amendment that would provide for the settlement of any difficulty that might arise in regard to the wages or subject of employment, the law specifically providing for some tribunal by which that should be passed on?

Mr. CHAMBERLAIN. I think that is provided for now. I think ex-President Taft is at the head of such a tribunal.

Mr. NORRIS. I understand that, but is there any language in this amendment that would put it under the jurisdiction of that board?

Mr. CHAMBERLAIN. The President would have the right to adopt rules and regulations which would compel that to be done.

Mr. SMOOT. Would it not be well enough to say that if they apply to that board under the present law, which they have a perfect right to do, there should be no strike until the decision of the board, and then if they struck after the decision was rendered, of course they would fall under the provisions of this law?

Mr. NORRIS. The point I wanted to make, if the Senator will permit me, is this: I would not want to put the men who might be affected by it under the arbitrary power of an employer who might not be disposed to be fair either in wages or in the conditions of work.

Mr. CHAMBERLAIN. Neither would I.

Mr. NORRIS. I know the Senator would not. All I want to be sure of is that the provision is properly safeguarded. I think the amendment ought to specifically make provision for something of that kind, so that there could be no doubt about it.

Mr. CHAMBERLAIN. If the Senator will make a suggestion that will cover the point he has in mind, it will be discussed when we reach amendments to the bill.

Mr. CUMMINS. Mr. President, I presented this morning a committee amendment to cover the very point suggested by the Senator from Nebraska. I am thoroughly in sympathy with my colleagues in the committee report, but I think the amendment would be more effective, it would be fairer, if it provided, as I have suggested in my amendment, that this proviso shall not apply in case of a strike if the strikers are willing to submit the dispute, whatever it may be, to a board designated by the President, and agree to abide by the decision of the board, and then abide by it. The difficulty with the Taft Board is that there is nothing compulsory about it, so that neither the employer nor the employee is absolutely bound to accept the recommendations of the board.

I think if a man will not work who is fit to work, he ought to fight if he is fit to fight, but I do not believe that he should lose his deferred classification simply because an unjust and arbitrary employer has made it impossible for him to work. If under those circumstances the striker indicates his willingness to allow his Government to decide the merit of the dispute and says to the Government, "I will abide by the decision and continue to work according to its terms," we would be at the same time protecting the Government and protecting the employees as well.

In that connection—because I shall present that after a while—I want to ask the Senator from Oregon [Mr. CHAMBERLAIN] and the Senator from Colorado [Mr. THOMAS] also if they do not think there should be added, after the word "business," in line 9 of page, something like this: "or some other productive occupation, business, or employment deemed necessary under the act"? In other words, it would seem to me that if one who was placed in a deferred classification because his work was necessary should happen to lose his employment but should enter another employment just as necessary as the one from which he had come he ought not to lose his deferred classification; and I think he would lose it under the terms of the amendment.

Mr. CHAMBERLAIN. Mr. President, there is force in the Senator's suggestion and I will be glad to discuss it with him when we reach the stage of amendments. I do not care to discuss it at length now because I want to finish with my general statement about the bill. It was not the intention of the committee, at any rate, if a man left one occupation which was an essential business and went into another equally essential that he should lose his deferred classification, but possibly the bill is not broad enough to do the thing which the Senator wants.

Mr. President, I have taken more time than I intended, and I crave the pardon of the Senate. Because of the importance of this measure and because of some of the criticisms which have come to me, indicating clearly that the history of military legislation was not in the minds of the people who have sent me many of these protests, I have felt it my duty to discuss the bill at greater length than is my usual habit, and I thank the Senators for their patient indulgence.

Mr. OVERMAN. Will the Senator from Oregon allow me to ask him a question?

Mr. CHAMBERLAIN. Yes, sir.

Mr. OVERMAN. I notice in the report of the committee that the number of males between the ages of 32 and 45 is 10,000,000, whereas the estimate under the proposed law is that out of 10,000,000 men we shall only have 600,000 effectives. How is that arrived at?

Mr. CHAMBERLAIN. Mr. President, the report itself shows how that was arrived at.

Mr. OVERMAN. I have not read the report; I merely saw it on my desk; and I want to know how the estimate is arrived at that only about 6 per cent of the males between 32 and 45 are effectives.

Mr. CHAMBERLAIN. I call the Senator's attention to the fact that the report has been printed at length in the RECORD and in addition to that a copy of it is on the desk of Senators. He will find on page 8 of the report just exactly how that number is arrived at. The report is quite long, and I will ask the Senator to read it instead of having it again printed in the RECORD.

Mr. President, I ask to have printed in the RECORD as an appendix to my remarks the names of the organizations from which I have received telegrams, without having the telegrams themselves printed.

The PRESIDING OFFICER. Without objection, it will be so ordered. The Chair hears no objection.

The matter referred to is as follows:

John A. Voll, president of the Glass Bottle Blowers' Association of the United States and Canada, Philadelphia, Pa.

D. W. Helt, grand chief signal man, International Brotherhood of Railroad Signal Men of America, Kingsville Depot, Ohio.

George W. Linvsey, general president International Jewelry Workers' Union, New York City

Charles Hohmann, acting secretary of the Bakery and Confectionery Workers' International Union of America, Chicago, Ill.

W. W. Britton, international president Metal Polishers' International Union, Cincinnati, Ohio.

F. E. Langdon, general secretary and treasurer International Brotherhood of Steam Shovel and Dredge Men, Chicago, Ill.

Abraham Baroff, general secretary and treasurer International Ladies' Garment Workers' Union, New York City.

E. J. Aspengren, president International Association of Machinists, Moline, Ill.

James M. O'Connor, secretary Amalgamated Lithographers of America, New York City.
O. R. Hartwig, Portland, Oreg.
Thomas E. Burke, secretary and treasurer United Association of Plumbers and Steamfitters of the United States and Canada, Chicago, Ill.
T. A. McCann, Bangor, Me.
J. W. Hays, secretary and treasurer International Typographical Union, Scranton, Pa.
Owen Miller, secretary of the American Federation of Musicians, St. Louis, Mo.
Thomas L. Hughes, general secretary International Brotherhood of Teamsters, Chauffeurs, Stablemen, and Helpers of America, Indianapolis, Ind.
Andrew Mayer, president Diamond Workers' Protective Union of America, Brooklyn, N. Y.
A. H. Nowak, secretary Spokane Central Labor Council, Spokane, Wash.
L. H. Moore, secretary Arkansas State Federation of Labor, Little Rock, Ark.
William F. Kramer, general secretary International Brotherhood of Blacksmiths and Helpers, Chicago, Ill.
Hubert S. Marshal, secretary and treasurer International Union of Journeymen Horseshoers, Cincinnati, Ohio.
W. E. Bryan, general president United Leather Workers' International Union, Kansas City, Mo.
Jacob Fischer, general secretary and treasurer Journeymen Members' International Union, Indianapolis, Ind.
T. A. Hanson, secretary and treasurer International Seamen's Union, Chicago, Ill.
J. J. Handley, secretary and treasurer Wisconsin State Federation of Labor, Milwaukee, Wis.
Thomas Sweeney, general secretary Journeymen Tailors' Union of America, Chicago, Ill.
James A. Duncan, secretary Seattle Labor Council, Seattle, Wash.
D. J. Farrell, secretary Silverbow Trades and Labor Council, Butte, Mont.
Frank Duffy, general secretary United Brotherhood of Carpenters and Joiners of America, Indianapolis, Ind.
C. L. Shamp, Omaha, Nebr.
Martin Lawlor, secretary United Hatters of North America, New York City.
William M. Ruff, secretary of Plumbers and Gas Fitters' Local, No. 107, Louisville, Ky.
R. H. Park, president of Idaho State Federation of Labor, Boise, Idaho.
F. M. Coffey, secretary of the State Federation of Labor, Lincoln, Nebr.
A. W. Hoch, secretary Seattle Machinists' Union, Seattle, Wash.
R. S. Basham, Central Labor Union, Newport News, Va.
William Dobson, secretary Bricklayers, Masons, and Plasterers' International Union, Indianapolis, Ind.
Joseph C. Orr, secretary and treasurer International Printing Pressmen and Assistants' Union, Pressmen's Home, Tenn.
International Union of Timberworkers, Seattle, Wash.
J. M. Neenan, president of the National Window Glass Workers, Cleveland, Ohio.
W. M. P. Clarke, president American Flint Glass Workers' Union of North America, Toledo, Ohio.
Dennis Lane, secretary and treasurer Amalgamated Meat Cutters and Butcher Workmen of North America, Chicago, Ill.
M. D. Tenniswood, Camden, N. J.
B. M. Williams, secretary Yakima Trades and Labor Council, Yakima, Wash.
C. R. Barrett, president Central Labor Council, Tacoma, Wash.
A. W. Stanley, secretary Everett Trades Council, Everett, Wash.
Thomas J. Donnelly, secretary and treasurer Ohio State Federation of Labor, Columbus, Ohio.
Charles H. Meyer, president International Union of Mine, Mill, and Smelter Workers, Denver, Colo.
Martin T. Joyce, secretary and treasurer Massachusetts State Federation of Labor, Boston, Mass.
Daniel C. Murphy, president California State Federation of Labor, San Francisco, Cal.
John Golden, president United Textile Workers of America, New York City.
John P. Burke, president International Pulp Sulphite Paper Mill Workers, Fort Edward, N. Y.
Jere L. Sullivan, secretary and treasurer Hotel and Restaurant Employees' International Alliance and Bartenders' League of America, Cincinnati, Ohio.
Patrick E. Lyons, secretary National Association of Machine Printers and Color Mixers, Buffalo, N. Y.
L. Bowen, secretary Alabama State Federation of Labor, Birmingham, Ala.
George A. Bruff, secretary National Marine Engineers' Beneficial Association, Buffalo, N. Y.
Charles M. Owens, secretary of Grand Executive Board, International Order Brotherhood of Railway Clerks, Cincinnati, Ohio.
Charles C. Shay, president International Alliance of Theatrical Stage Employees and Moving Picture Machine Operators, New York City.
G. W. Perkins, president Cigar Makers' International Union, Chicago, Ill.
W. C. Birthright, secretary Tennessee Federation of Labor, Nashville, Tenn.
Charles Perry Taylor, secretary Washington State Federation of Labor, Tacoma, Wash.
John T. Tobin, general president Boot and Shoe Workers' Union, Boston, Mass.
John Williams, international president the Amalgamated Association of Iron, Steel, and Tin Workers of North America, Pittsburgh, Pa.
Alex Ironside, secretary Vermont State Federation of Labor, Barre, Vt.
John Rader, secretary International Union of United Brewery and Soft Drink Workers of America.
Thomas Mahoney, president International Glove Workers' Union of America, Chicago, Ill.
H. B. Perham, president Order of Railroad Telegraphers, St. Louis, Mo.
James Wilson, general president Pattern Makers' League of North America, Cincinnati, Ohio.
Carl Bedgstorm, International Paving Cutters' Union of the United States and Canada, Albion, N. Y.
Frank Gimshaw, secretary Stove Mounters' International Union, Detroit, Mich.
R. L. Reeves, secretary Amalgamated Association of Street and Electric Railway Employees of America, Detroit, Mich.
John T. Wood, secretary and treasurer of National Brotherhood of Operative Potters, East Liverpool, Ohio.
William R. Deal, international secretary and treasurer Coopers' International Union of North America, Kansas City, Kans.
C. G. Worley, secretary North Carolina State Federation of Labor, Asheville, N. C.
William Tracy, international secretary United Brick and Clay Workers of America, Chicago, Ill.
E. Lewis Evans, secretary of International Tobacco Workers' Union, Louisville, Ky.
James Duncan, vice president American Federation of Labor, Quincy, Mass.
J. H. Noonan, International Brotherhood of Electrical Workers, Springfield, Ill.
R. J. Conway, secretary and treasurer Retail Clerks' International Protective Association, Lafayette, Ind.
James E. Goodyear, International Steel and Copper Plate Printers' Union of North America, Philadelphia, Pa.
Charles C. Bradley, national secretary and treasurer of American Wire Weavers' Protective Association, Brooklyn, N. Y.
J. L. Lewis, vice president United Mine Workers of America, Indianapolis, Ind.
Lawrence A. Grace, secretary Rhode Island State Federation of Labor, Providence, R. I.
F. A. Canfield, president Iowa State Federation of Labor, Sioux City, Iowa.
Charles Hamlin, secretary Kansas State Federation of Labor, Leavenworth, Kans.
George H. Slater, secretary Texas State Federation of Labor, Galveston, Tex.
John L. Joyce, secretary and treasurer International Longshoremen's Association, Buffalo, N. Y.
John J. Coyne, New Hampshire Labor Association, Manchester, N. H.
Fred W. Suitor, secretary Quarry Workers' International Union of North America, Barre, Vt.
Harry W. Fox, president Wyoming State Federation of Labor, Cheyenne, Wyo.
National Print Cutters' Association of America, New York City.
J. C. Skemp, general secretary Brotherhood of Painters, Decorators, and Paper Hangers of America, Lafayette, Ind.
Charles Schaefer, president Saw Smiths' International Union, Indianapolis, Ind.
Arizona State Federation of Labor, Phoenix, Ariz.
Edward A. Bates, secretary New York State Federation of Labor, Utica, N. Y.
Charles B. Stillman, president American Federation of Teachers, Chicago, Ill.
Edgar Fenton, president Oklahoma State Federation of Labor, Oklahoma City, Okla.
Peter Campbell, secretary Kentucky State Federation of Labor, Louisville, Ky
David L. Gould, secretary Amalgamated Lace Operatives of America, Philadelphia, Pa.
Ed. Anderson, secretary and treasurer Colorado State Federation of Labor, Denver, Colo.
Walter N. Reddick, secretary International Brotherhood of Bookbinders, Indianapolis, Ind.
J. L. Wines, secretary Missouri State Federation of Labor, St. Joseph, Mo.
M. M. Donoghue, president Montana Federation of Labor, Butte, Mont.
T. E. Whitaker, Georgia Federation of Labor, Atlanta, Ga.
J. L. Pauley, secretary West Virginia State Federation of Labor, Charleston, W. Va.
J. W. Wolfe, secretary New Mexico State Federation of Labor, Albuquerque, N. Mex.

LETTERS.

M. T. Finna, assistant secretary National Association of Letter Carriers, Washington, D. C.
W. F. Haggerty, general secretary International Brotherhood of Roofers, Brooklyn, N. Y.
David F. Lewis, president State Federation of Labor, Seattle, Wash.
H. B. Brawn, secretary Maine State Federation of Labor, Portland, Me.
Walter W. Drayer, general secretary Journeymen Stone Cutters' Association of North America.
William Kobs, assistant secretary Boston Central Labor Union, Boston, Mass.

Mr. REED obtained the floor.

Mr. CUMMINS. Mr. President, before the Senator from Missouri begins, and before the Senator from Oregon concludes, I should like to ask the Senator from Oregon a question which is rather fundamental in its character.

Mr. REED. I yield for that purpose.

Mr. CUMMINS. I think it is material, as we come to review the man power of the United States, how large an army with our present man power can we equip and maintain in foreign countries and at the same time support our own population and successfully answer the demands which the allies make upon us for foodstuffs and the like?

I assume that the chairman of the Committee on Military Affairs, the Chief of Staff, and all others who have surveyed the subject have made some estimate of that kind. I should like the country to get a fair idea of the size of the Army which it is possible for the United States to maintain in Europe and in other lands in which fighting is in progress, especially in view of the other demands which are made upon our productive capacity. I think this is the fittest time in the world to review that subject, because I think it presents the real justification for the "work-or-fight" maxim. If the Senator from Oregon has given thought to the subject, I should be very glad if he will tell the Senate what it is possible for the United

States to do in the fulfillment of all the duties which this war has devolved upon us.

Mr. CHAMBERLAIN. Mr. President, I do not know that I can enlighten the Senator from Iowa very much on that subject, because it is a very broad one. All I can say to the Senator is that the Secretary of War and the Chief of Staff came before our committee and testified with reference to our ability from a transportation point of view with reference to troops and cargo as well. They stated that we could not only supply the Army which we had but the number of men we intended to take over to carry out the enlarged military program.

Mr. CUMMINS rose.

Mr. CHAMBERLAIN. If the Senator will pardon me, I assume, of course, Mr. President, that in studying that question they must have studied the broader one to ascertain whether or not the maintenance of such a force in France would interfere with our ability to assist the allies and to support our own population. If they did not take that question into consideration, they are certainly not fitted to hold their jobs.

Mr. CUMMINS. I have no doubt about our power to maintain any such army as is proposed by Gen. March and by Secretary of War Baker. I want to know, and I think the country ought to know at this time while we are directing our man power into two great channels, what we really could do if it became necessary; and I am assuming, of course——

Mr. REED. I can answer the Senator that nobody knows; that nobody has made an estimate.

Mr. CUMMINS. I really asked the question of the Senator from Oregon.

Mr. BRANDEGEE. I desire to suggest that Senators be kind enough to speak a little louder. I am very much interested in the subject they are discussing, but I can not hear them at all.

Mr. REED. I did not mean to interrupt.

Mr. CUMMINS. I understand perfectly. I think what I ask can be known just as certainly as the number of men who would be required to be put into the battle fields of Europe next year. The country needs that assurance and needs some assurance that the great program upon which we are entering can be successfully carried to its end.

Mr. REED. Mr. President, I arose for the purpose of speaking to the proposition of extending the draft so as to include young men 18, 19, and 20 years of age. As I proceed with discussion I intend to offer some observations upon the necessity of a much greater Army than is now contemplated.

It is time we should understand the magnitude of our task. I had occasion to remark the other day that there were many men who, when we entered this war, believed that a mere declaration of war by the United States would carry with it such a tremendous moral force that Germany would seek to make peace. I took occasion at the time to say on this floor that the war would not be won by paper declarations; that the only thing that would count would be men and metal upon the battle front; and that before this conflict should come to an end there would be blood upon the lintels of every American home. Yet I believe when we declared war a majority of the men voting for the declaration thought that it would be of very short duration, and that many of them never contemplated the sending of American troops overseas. The scales soon began to fall from our eyes. Representatives of the Government of Great Britain and of France and of Italy and of all the other allied powers appeared on the floor of this Chamber and informed us of the great necessity of sending reinforcements. It was a startling thing to us, but we may be sure that the worst was not then stated. Since that time we have witnessed the Italian disaster, the Russian collapse, and the conquest of Roumania.

Mr. President, I have heretofore put certain figures in the RECORD which I again venture to repeat. Germany to-day holds upward of 417,940 square miles of conquered territory. A domain over twice as great as the entire German Empire. The conquered countries contain an aggregate population of 70,000,000. Her foot is upon their necks; her saber is at their throats. She has acquired the oil wells of Roumania to supply that great want. She has captured the copper mines of Serbia and thus has replenished her vanishing store of that almost precious metal. She is to-day harvesting the crops of Russia. She has transformed these conquered lands into feeding grounds for her army. She will put into her service industrially the millions of these conquered countries. If we are not careful, prudent, and active, she will put millions of them into her battle line. When, therefore, we consider the number of men we must yet raise we must not ignore these facts, neither should we fail to acknowledge the fact that, even since American forces to the number of a million and a half have arrived in France, there is no considerable balance of man power upon our side. The probabilities are that the German, the Austrian, and the Turkish hosts upon the western front are equal to the forces of America and her allies. There is no use disguising these facts. There is no use indulging in vaporings and foolish boasting. There is no sense or patriotism in fooling the American people.

The other day I read in a Washington paper—and I refer to this by way of illustration—an article describing the glorious flight of three squadrons of American airplanes over the German lines 20,000 feet above the earth. As one read the two or three column description he would have imagined that the day had come for our supremacy in the air. But the official telegram which was the basis for the flamboyant article merely stated that 18 American planes of the De Haviland type had flown over the German lines and returned in safety. Nobody could determine from the telegram whether they had flown 10 miles or 20 miles or 1 mile; nobody could tell, except as the exuberant fancy of this patriotic writer might picture it, whether they were good machines or bad machines. I do not say that to criticize the writer or to criticize the paper, I only cite this instance as belonging to a type which is much in vogue. I venture to assert that we can not win this war by writing glowing accounts of battles won. We can only win it by gaining the battles, and we can only gain the battles by superiority upon the battle field.

Mr. NEW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Indiana?

Mr. REED. I do.

Mr. NEW. Mr. President, I will simply call attention to the fact that the report to which the Senator from Missouri has referred was not limited to one paper, but a similar report was sent to a great many newspapers in the country and appeared in their columns the same day. So that the criticism can not be applied to one paper or to one writer alone, for it was evidently a matter of fixed and prearranged policy to embellish the dispatch in that extravagant way.

Mr. REED. Mr. President, I did not intend to enter into that field more than to suggest the thought, but I pause long enough to remark that a policy of boasting has been indulged in from the first. To illustrate, columns have been written and material has been officially furnished—at least, it has been officially furnished if we can count the Bureau of Public Information as official—that have led the American people to believe that we had thousands of battle planes on the front months ago, and that we were then assuming the mastery of the air. Photographs have been furnished, and that stupid bureau has actually furnished as pictures of our fighting craft little "Penguins," which are machines that will not fly at all. All that I am pausing to protest now is that we shall get out of the realm of imagination into that of fact.

If, then, the present forces upon the western front are substantially equal, if Italy shall continue to hold her front, and if the status quo in Russia shall be maintained—which is about the best we can possibly hope for—what must we do to overcome the enemy? There is no use denying the courage and tenacity of the Germans. I read silly stories written by silly writers and sent to the American public to the effect that the spirit of the Prussians is broken.

Mr. President, the man who writes that sort of stuff to-day and sends it to the American people gives out false information that is of more service to the Hun than all his brood of spies. Let our people understand the facts. We must meet a foe, whether his motives be lofty or whether they be ignoble, that still has the ability to fight and still does fight and still does die in his place. Let our people know that they must bring the necessary men and the necessary armament to destroy the enemy. Let us not hold out the false hope that Germany is ready to surrender.

If we bring an army of the bravest of our allies and the bravest of our sons to meet this German Army, equipped, trained, and armed to the teeth, and if the two armies are nearly equal, the natural result will be that they will stand and fight and fight and still fight, until they will almost destroy each other. Put in this room a hundred men on a side, equally brave, and at the end of the contest probably 90 per cent will be killed or crippled. But put 150 men on one side and 100 on the other, and the probabilities are that there will only be a small percentage killed on the side that has the advantage in numbers. If, then, we would save the blood of our own sons we must create such a preponderance of men on the western front that we can take advantage of our enemies, break their lines, and destroy them without ourselves being annihilated.

I present this view now in connection with the drafting of the 18, 19, and the 20 year old boys. There are at the present time voluntarily enlisted in the Army, in the Navy, and in the Marine Corps 1,196,583 men. The best figures I have been able to obtain warrant the opinion that 70 per cent of them are probably under 21 years of age.

If so, we have now serving 933,578 men under the age of 21. No one can state whether these figures are absolutely accurate; they are the best I can obtain. We may therefore assume that nearly a million boys under 21 are already on the battle line or marching to the front. Their lives are already greatly jeopardized because they are being placed face to face with an enemy numerically equal and perhaps superior. If we permit that condition to exist, a very large percentage of these boys under 21 years of age will be killed or wounded. But if we put onto that field four or five million additional men we will break through the Hun line; we will capture his fortresses; we will destroy his army; we will return to this country with a smaller loss of blood than if our forces are only equal to the enemy. For the same reason we will come back with less boys under 21 years of age killed than if we continue to feed them slowly and gradually into the mouth of the monster—war. So that the logic of the case forces us to the conclusion that we must create an army large enough to be effective and decisive.

It is said that we take these boys from their mothers' arms. I am not sure but that I have used that expression myself; and the God who rules this universe knows that to take a boy of 18 from his father and his mother is something that wrings the heart of every man who contemplates the tragedy. But so, sirs, does it wring your hearts to contemplate the taking of the 19-year-old boy, of the 20-year-old boy, of the 21-year-old boy, or the taking of the father of the family, or the husband of the wife?

There is no such thing as stopping to consider human feeling in war, for war is inhuman and tramples upon all human feelings. If we were to consider war from that standpoint there never would be a war. If all the world would consider it from that standpoint—and it is the proper one—there never would have been a Hun mad with blood lust; there never would have been created a great war armament to destroy cities and devastate countries; there never would have been distilled poison gases to burn out the lungs of men; there never would have been created a submarine to lurk beneath the waves and assassinate peaceful ships; no one ever would have conceived so hellish a thing as an explosive shell; no fiend would have thought of raining death from the skies upon sleeping women and tender babes. If there had been no devil there would be no evil. If there had been no Kaiser there would be no war, and all the world would be living in peace and harmony. But there is a Kaiser, there is a war, and war obeys the law of necessity. It acknowledges the supremacy of brute force. It is cruelty incarnate. It is justified in us because we stand to defend ourselves, to defend humanity, and to make home and liberty and Republic safe. Because of these reasons we are justified in calling the father from his family, the husband from his wife, the son from the arms of those he loves.

The question that confronts us to-day is not one of what we desire, but of what we must do. We did not create the German Army. We did not create the German Navy. We did not set in motion this machinery of diabolism. We did not point these bayonets of autocracy at the bosom of Liberty. We did not inspire Germany with a desire to conquer the world. These sentiments she herself cultivated, and we find ourselves to-day confronted by their results—the armed forces of Germany. They are firing upon American soldiers in France; they are sinking American ships within sight of New York.

How can we meet this condition? Our allies have called upon us for a larger army than we are proposing to furnish. It has been agreed that we shall furnish at least 98 divisions; that 80 shall be in France, and that 18 shall be in this country to fill the gaps when made. Such is the present demand. It is proposed to land the 80 divisions in France by the 30th day of next June.

So that there may remain no doubt regarding the purpose of our war chiefs, I read a paragraph from Gen. March's testimony:

> We have divided up the difference between our present strength and the 80 divisions next June so as to send over a proportionate number of divisions each month, so that on June 30, 1919, we will have in France 80 divisions of troops, and the amounts per month vary from 6 divisions going to an average of about 5 divisions a month for the whole year. The number will go down in the winter when the conditions of shipping and coal are more difficult, increasing in the spring to a sum total of an amount that will bring 80 divisions in France by June 30, 1919.

In order to provide this shipping, our allies must strip themselves to the very bone. We must continue to increase shipping as fast as possible. In order to maintain these troops, our allies must undergo great hardships and continue to undergo them until our new ships shall be sufficient so that their vessels can be released to resume their usual business.

Mr. President, the figures show that if we raise this body of men, we must go into the classes below 21. If we should take only the men above 21, what would happen? We would enter the industries; we would take our skilled workmen; we would destroy our creative capacity. That creative capacity is as essential as the Army itself. It must be maintained by us in an unusual degree, because of our great distance from the battle line.

The figures as prepared are that if we should take every man we can above 21 years of age and under 45 and yet leave the industries of the country in full vigor, we would only secure, in round numbers, 600,000 men, in addition to those in class 1 of the present draft; but if we go to the ages between 18 and 21 we will get 1,797,609, making a total of 2,398,845 men. All of these are necessary if we raise an army of the size agreed upon.

Mr. WOLCOTT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Delaware?

Mr. REED. I yield to the Senator.

Mr. WOLCOTT. I think the Senator inadvertently made an inaccurate statement. I understood him to say that if we should take every man we can get above 21 up to 45 we would get, in round numbers, 600,000. The Senator meant, did he not, above the age of 32 and up to 45?

Mr. REED. I meant from 32 to 45. I assume that we have already taken all of the men between 21 and 32 in the first classification——

Mr. POMERENE. No, Mr. President.

Mr. REED. And I have already discussed the proposition of entering the other classes; and I pause now for a moment to elaborate that a little.

Mr. POMERENE. If I may do so, in connection with the statement made by the Senator from Delaware, I should like to call the attention of the Senator from Missouri to the fact that Gen. March, the Chief of Staff, in his testimony says that they have 550,000 men from whom to take the quota required for the August draft and for the September draft; and that will still leave, if those figures are correct, 80,000 men to apply toward the October draft.

Mr. REED. I think I catch the thought which the Senator has in mind. I am not sure. But after we have exhausted the present draft, in order to make up the full-sized Army that we are proposing to raise and have in fact agreed to raise, we will still need all of the men between 32 and 45 and all of the men between 18 and 21, in addition to those between 21 and 31 who are in class A, but who have not yet been drafted. I am assuming that the same exemptions will be allowed as heretofore.

Mr. POMERENE. Mr. President, I do not want to interrupt the Senator, but I am very much interested in his argument. I recognize the fact that the statement of the Chief of Staff is to the effect that we shall need all of those men; but I think we can demonstrate by his own testimony that it is not necessary to go into the 18-year class.

Mr. REED. Mr. President, I am about to dwell on that subject. I assert, in my humble opinion, that before you get through with this war you will find that you not only have to take all the 18-year-old men, but you will have to invade the deferred classes, and to a very large extent; but of that I shall speak a moment later.

One reason why we are obliged to keep an unusual proportion of men in the industries is because we are so far from the seat of conflict. An army fighting in proximity to its own base of supplies probably would not need to maintain among its noncombatants one-fifth of the men we are obliged to so employ. Let me illustrate that.

If a farmer in France were to slaughter a beef for the Army and it had to be moved 50 miles to the front the transaction would be soon over. The labor of carriage would be small. But if a ranchman in Wyoming has a steer that we are to use for the Army it must be transported over something like 3,000 miles of land and then across 3,000 miles of sea. All the cars and all the steamships and all the men and all the energy and all the brains that it takes to move that steer that 6,000 miles is practically in excess of what would be required to move the French animal the 50 miles to the front, because after the American steer has reached the shores of France it still must be moved farther than the French steer of my illustration.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Colorado?

Mr. REED. I do.

Mr. THOMAS. It was said last year—and the Senator's statement reminds me of the fact—that it costs the United States for the maintenance and equipment of 1 soldier what it costs Germany to equip and maintain 14.

Mr. REED. Exactly. It has also been stated that an army could be maintained and kept upon the French front—an army of a million Frenchmen or a million Americans, if they happened to be living in France—for one-tenth of the amount it costs to send an army from the United States and to sustain it.

Let me give you another illustration of why it is necessary to employ so large a force back of the lines and why it is impossible to send as large a proportion of our people to the battle front as we could send if we were close to the field of action. Consider the matter of transportation. We have literally robbed the steel mills and the iron mines of this country in order to get steel to build our ships. We have taken labor by the hundreds of thousands from all parts of the country and transported them to the shipyards. We have sent vast quantities of provisions to them. We have mobilized about one-third, it seems to me—perhaps that is an exaggeration, but at any rate an enormous percentage—of all America's industries back of the mere building of ships, and we have hardly begun our task. Yet not one of those ships would be necessary if we were already on the other side. So that this long line of communication must be maintained. Everything we carry to France must be carried these enormous distances, and it all takes time and labor and expense. In the end it all absorbs the energies and power of our Nation.

The result of that, Senators, is when we come to maintain our Army we must keep a larger proportion of our able-bodied males in the industries than we would be required to keep if we were closer to the battle front. We are required to do this because the moment we fail to do it our Army will go to pieces at the front. We are therefore forced to put in these exempted classes—classes of skilled labor, managers of business, agriculturists, etc.—a much larger percentage than France or England finds necessary.

Besides that, we have another task. We are obliged to produce in vast quantities for the consumption of our allies. Before this war began we were furnishing them large amounts of metal and war materials; and now that the war is on that work still continues and will further continue and increase until the war is at an end.

This brings us, then, to this proposition: We can not take from our industries the men that are there. We can not take from agriculture many more men. We can not take the managers of great plants, because the plants must run. Where, then, are we to get the necessary 98 divisions? I challenge anyone to find any other satisfactory answer except that we must take the boys from 18 to 21.

Mr. President, how much of a hardship is that in the long run, when it is properly understood and fairly considered?

Mr. WOLCOTT. Mr. President, will the Senator yield?

Mr. REED. Certainly.

Mr. WOLCOTT. I desire to ask the Senator a question. Of course, about 600,000 of these troops can be obtained, after making all allowances for the transportation and production to which the Senator refers, from the classes from 32 to 45. Is not that correct?

Mr. REED. Yes; that is the figure. But 600,000 troops will not create that balance of power which it is necessary to have in order that we may bring this war to a speedy close.

Mr. WOLCOTT. I quite agree with the Senator on that.

Mr. REED. Yes; the Senator's correction is eminently proper. I did not intend to omit it.

Now, Mr. President, let us see how much of a real hardship there is. Of course, all war is a hardship. Of course, the taking of the flesh and blood of mothers in the form of the sons, to whom they gave birth, is a heartbreaking proposition; but let me repeat the figures I gave a few moments ago.

In the late war on the Federal side, under 15 years of age, there were 104,987 soldiers, every one of whom volunteered.

There were, under 16 years of age, 231,051 soldiers, every one of whom volunteered.

There were, under 17 years of age, 844,091 soldiers, every one of whom volunteered.

There were, under 18 years of age, 1,151,438 soldiers, every one of whom volunteered.

There were, under 21 years of age, 2,159,798 soldiers.

Of those who were 22 years and over, there were only 618,511 troops.

The War of the Rebellion was fought upon the Federal side by men of the same ages as those who are to be included in the proposed draft below 21 years of age. It was a war of volunteers. You were told, when the question whether we should have volunteering or drafting was under consideration, that the objection to the volunteer plan was that it took the bravest of the brave; that it skimmed the country of its courage, its brains, its brawn, its energy, its heroism. That argument won here. Yet, as I turn back and scan the page of history and look at the cold figures, I find that that heroic host that saved this country and rebaptized our flag, that kept us one Nation, was chiefly composed of the boys from 21 years down. The men older who entered, I suspect—and I do not say this in any way to reflect upon them—were chiefly officers. If, then, mothers could voluntarily yield their sons in the great rebellion, and if they went in response to the call of duty, and if already, under the adverse conditions created by the present system of raising armies by draft, we have nearly a million boys under 21 years of age who have volunteered; and if they are already in the camps and in the trenches and on the red line, why should we hesitate about saying that others of like ages should, in this awful crisis of the world's fate, be permitted likewise to serve?

I hear talk about "taking babes from their mothers' arms." Let me describe a few of these babes.

The marines, all volunteers; the marines, that were the first upon the battle line; the marines, that went over the trenches with cheers upon their lips; the marines, that the officers could not hold back; the marines, that wrote a page deathless of glory in the bloody history of the latest battle of the Marne; the marines are 70 per cent composed of these "babes." Splendid, gallant babes they have proven themselves.

And the Regulars—the Regulars, who were thrown against the German breastworks with scant preliminary training; the Regulars, who at the command sprang forward like tigers unleashed, anxious for the contest, unafraid, resistless; the Regulars, who unflinchingly charged nests of machine guns and batteries of cannon, and with the cold steel of their bayonets taught the Hun that the courage of freemen is superior to trained brutality; the Regulars, were they not 60 per cent boys under 21 years of age, babes of whom we hear so much?

The National Guard—all volunteers; the guard, many of whose numbers are boys under 21; the guard has held its share of the line and charged beside the veterans of France and England. Who has said that the lads have not kept step with the men; that the boys have not proven themselves supermen?

The American soldier—his is a glorious story; and yet it is the story of the boys under 21 years of age. In every war the boy has been the first to enlist. In every battle he has led the charge. In every victory his hand has held the banner as it was carried through smoke and carnage to glory. In every defeat he has been the last to quit his gun, the readiest to die in his tracks, and upon the plains of Europe he will again prove that courage is the heritage of youth, that glory is the guerdon of the young, that the fires of patriotism glow warmest in the hearts of those who behold life through eyes that are undimmed by age, experience, and pain.

But, Mr. President, I desire to invite your attention to a broader field. I know that it is an act of temerity to go beyond the present war plans as published and to express my humble opinion, and yet, sir, the fact that there is not a theory of the trained soldier that has not been modified in this war gives me courage to speak boldly. I do not say that in harsh criticism, for what mind is there that could visualize this world conflict when it was first begun? Nay, more, there has not been a military chieftain in all the world who has not been compelled to constantly enlarge the horizon of his vision to take in new fields and to attempt a solution of unheralded problems.

Accordingly I unhesitatingly say that we must not be content with raising an Army for France. To my mind it is absolutely suicidal to allow Germany to exploit and absorb the vast riches in man power, in money, and in material that lie yonder in Russia. It is insanity to allow this thing to continue. From the first I have been of that opinion. We had a solemn understanding, England had a solemn understanding, France and Italy had a solemn understanding with Russia that she would make common cause with them, and that they would stand together and battle until victory would come or the war should be ended by mutual agreement. A part of the Russian people broke that pact. There were weeks and weeks when negotiation was going on between those who were breaking faith with us and breaking faith with the world and breaking faith with their own people and trying to sell their nation and trying to sell us to the unspeakable Hun, and we sat here silent trusting to the honor of the bolsheviki.

In all the history of the world there is no chapter I ever read which was larger branded with the word "incompetency." We should have at that time said to that part of the Russian people who we believed wanted to keep faith, "We come to your

rescue. Hold fast and we will be by your side." If they intended to remain our friends they would have welcomed us with open arms. But if they were at heart our enemies and intended ultimately to go to the side of the German, then we would at least have had a chance to have saved a part of the munitions and a part of the guns we ourselves and our allies had generously furnished them. And we could have asked Japan to see to it that Russia should not be absorbed by Germany.

But there was then, there is now, an enormous element of the Russian people who do not want their country disgraced, who do not desire the German yoke, who would willingly join with us and with the English and with the French and with the Italians and with the Japanese.

I say to you that Russia, if she be possessed to-day of any sanity, would accept the joint guarantee of England, France, Italy, the United States, and Japan; that a Japanese Army and the allied army will leave Russia free and all her territory unimpaired, rather than to trust to the treacherous Hun, who is already ravishing her domains and drinking her lifeblood.

The field that lies yonder must be occupied. I unhesitatingly say that we will commit the tragic mistake of this hour if we do not occupy it. An army of 500,000 Americans, properly officered and manned, in Russia will produce one of three consequences. It will either be welcomed by the Russians and joined by the Russians, in which event it will soon become invincible, or the Russians will ignore it and ignore our enemy and allow us and Germany to battle over Russian territory, or Russia will unite with Germany against us. An army of 500,000 troops unopposed by Russians, except those that are allied with Germany and who are already lost to us, can keep an army of two and a half million Austrians busy, and they will not be free to help the Germans upon the western front.

But let us assume that Russia will refuse this help and that Russia will rise up against us, then I say that is a complete and absolute demonstration that Russia is already Germanized. Still in that case our troops and the troops of our allies should be there to thunder at the back door of Germany and to compel her to keep her armies in Russia to meet this force of ours, and we could keep that force far enough from the front so that Germany would never be able to capture or overwhelm it.

I would not stop, sir, with such an army as that. I venture the prediction to-day that if the ships can be built fast enough within 24 months from this time, if the war lasts that long, and it will, the allies will be obliged to put an army of a million to a million and a half men in Russia. I believe if that is done Russia will join our forces and that Germany will then be compelled to divide her forces. If we do not do this we will be in danger of finally meeting, upon the battle line in France, Germany and Austria with large contingents recruited in Russia.

If Russia is already so inimical to us that she will turn against us because we come to her rescue, because upon her soil we attack her oppressors, then I say she is irrevocably lost, and we might as well know the fact.

Mr. President, I hope that the Senate will give this serious consideration. If we are to raise an army for Russia, then our task is not to put 4,000,000 men in France with a million in this country, but our task is to raise 6,000,000 or 7,000,000 men, to arm them, to equip them, and to transport them. This war is not to be over in a day. Make no mistake. We can not have our armament complete under 22 months from this date, and I know whereof I speak. The army proposed by the present bill can not be landed in France until 11 months from this date.

It will then take time to place that army in conditions of efficiency. There will be necessary delays. There will be the waiting for transportation, the waiting for munitions, and the waiting for armaments. These things are inevitable; our enemy will not be at leisure. He will not be asleep. He will be on guard and will be harassing us at every point.

So, in my opinion, it will be 18 months at least before this army can all be sent to France and all utilized as a great fighting force. Then what? We will be obliged to drive the Germans back from France. When that is accomplished we will encounter chains of German fortresses and an almost invincible network of trenches. We will be met with all those devices that the highest military engineering skill in the world can create; we must then batter our way slowly and steadily forward until at last we shall wear down the great German fighting machine. It will take time. And as we wear down the machine in the front, we must see that it is not recruited from the rear, from Russia, from Roumania, from the conquered countries.

Mr. President, the task we are upon is not one of a month or a year. It will require more than the boys of 18 or 19. I said the other day, and I repeat now, that the women of this country will be obliged to do what they are doing in France, to enter the factories and many of them must enter the fields; that children barely beyond the tender years will be compelled to take up the dreary tasks of labor; and old men who have long since laid aside the implements of toil will be compelled to resume their tasks. Our people will be forced to undergo hardship and privation in order that this mighty giant we call America, by straining every nerve and every muscle, may at last achieve a world victory. That victory will come, but it will be at the expense of every energy, every power we and our allies can muster.

We may as well understand these truths. We may as well face the grim facts. I do not hesitate to present them. Game men always look their enemies in the eyes. A game race of people only prepare the better for the struggle when it knows the struggle is to be desperate. Only cowards bury their heads in the sand and seek to escape the actualities of life. Tell this American people, as brave as the bravest of this earth, that they may as well begin to prepare for a struggle that will be long, that will be bloody, and that will be bitter. Tell them so that they may nerve themselves for the ordeal. Tell them so that they may rebaptize their souls in the fountains from which the fathers of the Republic drew their inspiration in the dark days of the Revolution. Tell them the truth. That truth is that we must take the boys, we must take the men, we must call on the women, but that in the name of God and liberty we will win the victory.

Mr. KIRBY. Mr. President, I desire to offer an amendment.

The PRESIDING OFFICER (Mr. POMERENE in the chair). The Chair is informed that the committee amendments have not yet been considered.

Mr. KIRBY. The amendment may lie on the table. I wish to speak briefly to it.

Mr. THOMAS. Let it be read.

Mr. KIRBY. I ask that the amendment may be read.

The PRESIDING OFFICER. The Secretary will read the amendment.

The SECRETARY. Amend by striking out the word "eighteen" in line 3, on page 2, and line 6, on page 5, and inserting "twenty," and by striking out the word "eighteenth" on page 4, line 22, and inserting the word "twentieth."

Mr. KIRBY. Mr. President, I have listened with much interest to both the speeches that have been made in favor of this bill. I agree with the most of the things that have been said. But there is one thing that must be conceded, and will be by all, and especially after the dissertation of the learned Senator from Missouri [Mr. REED]. That is that this is a man's size war. This is a man's size job. Nobody, I think, in the United States will question that statement. Why not then expect our men to enter the Army? Why require our boys 18 years of age to do the fighting.

Now, it comes to us to determine what number of men we shall raise and what additional army we shall put in the field yonder in France. It has been determined by our military department, the General Staff, and the Secretary of War that we ought to have 4,000,000 men in France as soon as they can be transported there, and that ought to be supplied with a reservoir of at least 18 divisions of 40,000 men each in camps here.

What is the condition? We have 1,500,000 men in France. We have 1,500,000 men in camps in America. We still have 580,000 men in class 1 in the present draft. There are 750,000 men in the second registration and about 100,000 registering monthly. We have in this bill 601,000 men above 31 years of age who are proposed to be put in class 1, which provides more than the 5,000,000 men needed without taking into account the 600,000 fit for service 20 years of age.

What is the necessity now which requires that any man under 21 years of age shall be drafted? We have had some review of ancient and time-honored documents here that are supposed to contain wisdom because of their coming down from antiquity. We have been regaled and informed by the reading of the reports of the War Department of 100 years ago about the kind of men and the class of men and the condition of men who ought to be put into the Army and the service they were expected to perform. I am going to read briefly from Holy Writ, a more ancient and authoritative source, of the first great registration and the age that was therein suggested and approved. I read from Numbers, the first chapter:

And the Lord spake unto Moses, in the wilderness of Sinai, in the tabernacle of the congregation, on the first day of the second month, in the second year after they were come out of the land of Egypt, saying:

"Take ye the sum of all the congregation of the children of Israel, after their families, by the house of their fathers, with the number of their names, every male by their polls.

"From 20 years old and upward, all that are able to go forth to war in Israel; thou and Aaron shall number them by their armies."

And it was accordingly done. This registration was under the guidance of the Lord God of Hosts when He was in closer relation, in more direct touch with the chosen people, than He is supposed to be with our great Nation, and that people matured earlier in that climate than ours do.

That was the first great registration for a draft. The men were registered 20 years old and upward who were able to go forth to war.

When we started into this war we said our men shall be registered from 21 years and upward to 31 years, all that are able to go forth to war. What was the result? With the number of men who have already been sent to France and the number of men in camp in this country to-day, and the thousands in class 1 not called, besides those in the second registration, there are still six and one-half million men in deferred classification who are able to go forth to war who have not yet been called in the ages between 21 and 31 years.

Will not these men make as good soldiers as the men yonder on the battle front? Yea, verily. I call your attention to what the Chief of Staff said relative to that question. I might read several excerpts as well now as at any other time from Gen. March's testimony. He stated:

The figures which were given to us at that time by the Provost Marshal General as to the available man power under the then existing draft law would not provide the men for the program that we had under consideration, and the desire of the administration was to establish limits, both maximum and minimum, which would accomplish what we were after and at the same time disorganize the industries of the country as little as possible. (R. 23.)

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The policy of the War Department now is, and has been ever since I had anything to do with it, to put the maximum number of men in France that we physically can, with the idea of shortening the war to the greatest possible extent. (R. 24.)

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In order to raise the men for this proposed program the Provost Marshal General, after a prolonged study of the man power of the United States, furnished us figures which showed it was necessary to drop the figures to 18 years of age and to go to 45 in order to get the men to carry it through. We thereupon directed him to prepare a bill for submission to Congress which would embody two things, one a change of the limits of the draft age from 21 to 30 to 18 to 45. (R. 24.)

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Senator KIRBY. The number of men contemplated to be organized into an army can not be raised under the old program without taking some of the deferred classifications?

Gen. MARCH. That is exactly so.

Senator KIRBY. You have got over six and a half million men registered in the present draft who are in other classes than class 1?

Gen. MARCH. That is true.

The CHAIRMAN. How many men in round numbers do you expect to raise under this bill?

Gen. MARCH. We expect to raise, in addition to what we have available now, 2,300,000 men and odd.

* * * * * * *

Senator KIRBY. There is no reason from a military standpoint, or a point of physical fitness, why the men between 21 and 31 years of age out of these 6,000,000, or why 3,000,000 of them could not be put into the Army, except their dependents?

Gen. MARCH. There is no reason beyond that.

The CHAIRMAN. They would not make as good soldiers.

Senator KIRBY. They would make as good soldiers, would they not?

Gen. MARCH. Absolutely so. (R. 38.)

That was the testimony of Gen. March, now Chief of Staff, before the Military Affairs Committee. Before he got to that part of it he said in discussing this matter:

Gen. MARCH. It came up when it became perfectly evident that we could not carry through the program—

That is, the changed program—

that I proposed on the present draft limits without going to the other classes. I told Gen. Crowder at that time that I would not hesitate at all to go into any class to get the men necessary.

That is the condition so far as we are able to gather it. We know that these men will make as good soldiers as have ever carried a rifle upon any battle field in the world. We know that there are six and one-half million of them in these deferred classifications. We know that there are 4,500 draft boards that had no idea on earth when they put a man in the deferred classifications that for every man put in such classification it would require the taking of an 18-year-old boy off the farm or out of school to go to France to fight in his stead. They were classified under that sort of a condition, and I believe to-day that 2,000,000 soldiers can be procured from these deferred classes who are already registered without seriously disturbing industrial conditions.

Then what is the necessity for going below 21 years? Our armies in France have suffered no reverses and no serious losses. It is said that boys fought in the Civil War at 16, 17, and 18 years. That is true. It is said that there are already more than a million of boys under age now in the Army who volunteered. That is also true; but because these boys have responded nobly to the call of their country in her time of need, is it any reason for putting all the other boys in the war? Why not let them be fairly considered when we go to drafting the man power of the country to complete the Nation's fighting force?

There were many boys in the Army of the North; and viewing it dispassionately from a long time in the past—I was born after the war closed—that may be the reason why the South whipped the North for three years, because there was nothing but boys in the Northern Army. But whatever the reason, this other condition is here.

Now, taking the men from 31 up to 45, there are twelve or thirteen million men in that division, and you propose to take only 601,000 out of the 13,000,000, and you propose to take these other hundred thousands out of this other number, and you propose to take about 2,000,000 boys of the number between 18 and 21 years after 1,000,000 have already enlisted in the Army. That is the thing which is proposed here, and why? We need more men in the Army. Yes. These boys are no braver, they are not so discreet, and make no better soldiers than the men. Then why excuse 13,000,000 men and take 2,000,000 boys under 21 years of age? That is what is proposed to be done. About 18,000,000, in fact, are to be exempted from service. Why should it be done?

Most of us believe that the educated mind of its people is the Nation's best asset. Most of us know it is the best asset of the individual, and all of us know that boys of 18 years of age have not even finished their high-school education. All of us know that of the boys 19 years of age not one-third have finished their collegiate education, and what opportunity will they have to finish this education? They can not educate their minds and brains for their own individual benefit and the benefit of the Nation, if they must be taken now and put into the Army across the seas. And not one in thousands will ever again attend school after returning from such service.

It seems to me that there ought to be an element of fairness in this thing. These boys have never been able to vote. They are not allowed to vote now. They can vote neither for nor against any man who favors putting them into the draft or who favors keeping them out of the draft. They can not vote at all; and it seems to me that is one reason, compelling and imperative, why they should have a fair deal when it comes to imposing the military burdens upon the man power of the Nation.

Let us see a little further. We have shown how many men there are in camp, how many across the sea, how many in class 1, and how many in these other classes from which it is proposed to raise troops.

The Senator from Missouri [Mr. REED] makes a gloomy picture about the duration of this war. He may be right about that. I am not going to discuss the Russian condition here to-day, but I am going to talk about the thing that is before us now. The Chief of Staff said unless this bill is passed they will invade the deferred classes; that we need the men; that we will get the men and put them on the fighting front. What are you going to do to provide the next 3,000,000 men when this proposed draft is exhausted or when a larger army is required?

I am going to digress here just long enough to agree with the Senator from Missouri [Mr. REED] about the change which has come over the mind of the Senate and the people of this country about the magnitude of this undertaking since going into the war. When the preliminary steps were taken and declarations made before war was declared I had a fairly good view, I think, of what the condition would be, and other Senators, grave and reverend signiors here on this floor, said, "We are voting for this and against that because we believe it will keep us out of the war." About half the Senators in this Chamber thought when we declared war against Germany, as I gathered it, that it would amount to nothing but sending convoys of battleships with our merchantmen across the seas and occasionally shooting a submarine. I thought and said then that there would be 10,000,000 men in camp before it was ended, and I believe you will see it yet. That is the condition which seemed to me to confront us at that time and it is the condition that is upon us now.

Where are you going to get the other three or five million men? They are excusing and putting seven and a half million men in these deferred classifications of those affected by this bill solely on the ground that they are married. They have six and a half million in deferred classification between 21 and 31 years of age chiefly because they are married.

Now, then, is it possible that the whole burden of the war henceforth is going to devolve on the boys under 21 years old,

who have had no opportunity to finish their educations and to get married and establish homes and families? That is the program, as proposed. Where do the next three million come from? You are going to have to go into the deferred classification to get the next three million men or the next four million men, and you ought to do it, in my opinion. If that must be done, then, rather, let us go into the deferred classifications now and only take 500,000 or 600,000 of these boys down to 20 years of age, and leave the other two classes—18 and 19—two years in which to finish their educations; two years in which to develop themselves mentally and physically. Every man here knows that four-fifths of the boys in the United States of 18 years and three-fourths of the boys of 19 years of age are physically and mentally immature.

I shall not take the time to read the statement sent me by William W. Hastings, an authority on growth and development, now brigade physical director, Young Men's Christian Association No. 2, Camp Jackson, Fla., protesting against lowering the draft age as proposed in this bill. He says, however, "It violates the most vital law of conservation of man power. * * * The age of physical maturity in man is a real and vital factor and must be considered. Young men do not fully mature until the average age of 25 years. Men from 25 to 35 years are at their greatest working and fighting capacity physically and in their prime mentally. * * * It is the worst possible human economy to sacrifice boys before maturity. * * * A man of 21 is worth at least 40 per cent more in man power than a boy of 18." After discussing its violation of the educational need, he states, in closing, "The opinion, in brief, is that the drafting of boys 18 to 21 would involve the most vast and senseless waste of the whole war and would advertise to Germany a critical need for men which has no existence in fact."

There was some little camouflage about the proposition of getting these 18 and 19 year old boys in the last call in order that they might finish their education. I asked Gen. March how long, under the present program, it would be before these 18 and 19 and 20 year old boys are called for service. He said, "We expect to use and have every man who is called and qualified under this new draft in France or in camp here between now and the 1st day of next June, and those who go to France must have four to six months' training before they are sent." All 18, 19, and 20 year old boys will be in France by the 1st day of next March, or will be in cantonments and camps here by the 1st day of next June. That is all the leeway that is allowed. That is all the time there will be allowed these young men to finish their education.

In my State recently we have started a go-to-school go-to-college propaganda to encourage the parents to send and the boys to go to school and go to college. That is all right; it is desirable, it is necessary, but if you take all the boys and send them to war no benefit can result from it. It is going to result in my State, largely agricultural, in decreased crop production. There you will find the boys not in college now and not able to go to school on the farms engaged in the production of crops that are as essential to the conduct of the war and maintenance of the Army as soldiers armed with rifles and bayonets.

Those boys are on the farms producing. The farmers are not able to hire men at from five to eight dollars a day, in competition with the shipyards and other Government activities, in order to produce their crops. What will be the result? Less production and boys from 14 to 15 and 16 years of age, who ought to have an opportunity at least to go to school for a time, will be compelled to move up and take the places of those who are 18, 19, and 20 years old, and the latter class and all the others will be deprived of their reasonable opportunity to attend school, to develop their minds and cultivate their brains. I believe that is the condition that will result from this legislation proposed. I do not think it is fair under conditions as they exist.

We need the Army; we need to increase it; we need the man power; but it ought to be made up of men between 21 and 31 years of age; out of the six and a half million men in deferred classifications. Some of it ought to be taken from those between the ages of 31 and 45 years of age, from among the seven and a half to nine million men whom it is expected to excuse. Excuse why? Simply because they are married; not because they have dependents; no. Men of that class who have succeeded, have already builded their homes and fortunes and provided for all dependents; but they are going to be excused because they are married. Men between 21 and 31 are excused because they are not able to take care of their wives and families and go to war, and the others above that age will be excused, although they are able to take care of their families and have no dependents. That is about the way it is going to work out.

I believe that we owe something to the youth of the country. They have volunteered in great numbers—more than a million, as the Senator from Missouri [Mr. REED] has told you. Then, I do not believe that we ought to take the remainder of the boys and excuse all of these other men and require that hereafter all of the armies shall be composed of boys between 18 and 21 years of age, about two out of every three being taken. That will be the effect of it. I asked Gen. March: "Is it the purpose and will it be necessary for America to send men enough to France to whip Germany?" He said, "That is it, exactly; we must put enough men into France to whip Germany." I asked, "Is it possible that there are expected to be no more new levies by England and by France to recruit their armies except to keep them up to their strength at this time?" He answered, "That is about it. We have got to send enough men to whip the Germans." That is the condition; I say let it be done; but I say let us at least send enough of the men—grown men—within these deferred classifications, who are physically fit, to steady the line when it goes over the top down to death under the charges, as so often it must do. Let us send men from the United States of America, men who have enjoyed the benefits of the civilization of this time; who have had all the blessings and good things of life in this Government of ours; and who have everything to fight for, instead of the boys who have not had their chance.

Mr. CHAMBERLAIN rose.

Mr. WADSWORTH. Mr. President——

The PRESIDING OFFICER. The Senator from New York.

Mr. WADSWORTH. I noticed that the Senator from Oregon rose. Does he desire to make any motion?

Mr. CHAMBERLAIN. I was simply going to ask for a vote on the bill.

Mr. WADSWORTH. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The Senator from New York offers an amendment, which will be read.

Mr. WADSWORTH. Mr. President, one moment. Do I understand that there are committee amendments pending?

The PRESIDING OFFICER. The Chair understands that there are committee amendments pending.

Mr. WADSWORTH. Then I shall not press the consideration of my amendment at this time, but I should like the Secretary to read it.

The PRESIDING OFFICER. The amendment will be received, read, and ordered to lie on the table.

The SECRETARY. It is proposed to insert in the bill at the proper place the following words:

That all men rendered available for induction into the military service of the United States through registration or draft heretofore or hereafter made pursuant to any law heretofore or hereafter enacted shall be liable to service in the Army or the Navy or the Marine Corps and shall be distributed to the Army, the Navy, and the Marine Corps under regulations to be prescribed by the President.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Colorado?

Mr. WADSWORTH. I yield to the Senator from Colorado.

Mr. THOMAS. I would suggest to the Senator that the words "or hereafter," before the word "enacted" be eliminated from his amendment. We can not control the action of subsequent Congresses.

Mr. WADSWORTH. I will perfect the amendment, if I may, Mr. President, in that regard.

The PRESIDING OFFICER. The Senator from New York has the privilege of making any modification he may desire of his amendment.

Mr. WADSWORTH. Mr. President, I desire to take the time of the Senate for a few moments to make some observations on the amendment which I have offered, although I realize that it can not be brought to a vote at this time.

Senators will understand, having heard the amendment read, that it will operate to bring the Navy and the Marine Corps under the selective-draft system. Senators, of course, remember that in the Marine Corps and the Navy, both in the regular Navy, so called, and in the Naval Reserve, recruiting is done entirely by the volunteer system. That has been the case since our entrance into the war. In fact, the Navy and the Marine Corps have always relied upon the volunteer system to get men for those services. The Committee on Military Affairs listened to the testimony of Admiral Palmer, the chief of the Bureau of Navigation, on this topic; and it is fair to say—and I think I ought to tell Senators—that the admiral, who said that he reflected the official opinion of the Navy Department, did not look with favor upon this suggestion, stating, as I remember, that the Navy was doing very well, was getting the kind of men it wanted,

was getting as many as it wanted, and that they would dislike to be disturbed in any respect in their recruiting system or to have any drastic change made. He stated to the committee that between now and January 1, 1920, the Navy and Marine Corps combined—it was a somewhat rough estimate—would need 300,000 men; that they expected to take the men at the rate of 15,000 men a month for the Navy; that the Marine Corps would recruit that organization up to its full authorized strength and would also recruit to meet wastage; and the aggregate would be in the neighborhood of 300,000 men.

As I look over the figures and estimates presented by the Provost Marshal General and contained in the report of the Military Affairs Committee—and the chairman of the committee will correct me if I am wrong—the estimates as to the number of men which will be available for the Army in the event that this bill passes and the age limits are fixed at from 18 to 45, I do not see any allowance made for the 300,000 men who are going to be sent to the Navy by the volunteer system. Am I correct in that?

Mr. CHAMBERLAIN. I think the Senator is correct.

Mr. WADSWORTH. Senators, 300,000 men, while small by comparison with 2,300,000 men that the Army will need, are, nevertheless, a large body of men. They are the equivalent of seven divisions; and, unless I am entirely mistaken, the estimates of the Chief of Staff and the Secretary of War, in which they stated that this new draft law will produce 80 divisions in France and 18 divisions at home for the Army, will have to be modified by at least seven divisions if the Navy is to receive the men that it says it will need.

This brings up the entire question as to how the military forces of the United States—and when I use the term "military forces" I include the Navy and the Marine Corps—shall be recruited in such manner as that each branch of the military forces, such as the Army and the Navy and the Marine Corps, shall get the type of men they need in sufficient numbers. As the war proceeds, after the passage of this bill, the Army authorities will be in possession of the entire man power of the United States. Every man between the ages of 18 and 45, if this bill passes, will be registered for the Army and can be held for the Army, and the Navy and the Marine Corps must of necessity come to the Army and ask permission that a certain number of men from time to time be released in order that they may volunteer and enlist in the Navy or the Marine Corps.

The question may seem somewhat academic, but it seems more important to me than merely from the academic side. As the war goes on and more and more men are taken for the Army and the Navy and the Marine Corps, it is almost inevitable that there must come some degree of friction or misunderstanding between the two systems. It is all very well to make estimates at this time and say how many men the Navy will need and how many men the Army will need. The inaccuracy of those estimates is indicated the instant we take up this bill and see that they have completely forgotten the Navy in making the estimates as to the soldiers the Army is going to get. I think it can not be denied that with a selective-draft system working throughout the entire man power of the country, and a volunteer system working at the same time and endeavoring to accomplish the same results, you have an inevitable conflict of principle.

Mr. OVERMAN. Did the admiral say how he expected to get these 300,000 men? Did the Senator ask him the question as to how he expected to get them?

Mr. WADSWORTH. The admiral was asked those questions and so was the Secretary of War when this matter was brought up when he appeared before the committee. The answer was that they had every reason to believe that the Secretary of War and the Secretary of the Navy would get along amicably, and that the Navy would get the men it needed; but, nevertheless, the conflict in principle will exist, and, in my judgment, that conflict will tend to increase, for you are trying to conduct two diametrically opposed methods of recruiting the armed forces of the United States at one and the same time.

Now that the Congress, if I judge its temper aright, is about to authorize the President to take over potentially the entire man power of the United States, I think this is the proper and opportune moment to say that all of that man power shall be placed, when necessary, in the different branches of the armed forces through the selective-draft system.

There have been some unfortunate effects already in this situation. When I say that I do not mean for one moment to reflect upon the Navy or the Army or upon the motives of either recruiting service; but it is a fact that in at least two important recruiting areas the lists of men between the draft ages as at present defined and as registered and classified for the Army are made use of by the Navy recruiting officers, who go and persuade those men to get released by their local boards and voluntarily to enlist in the Navy.

To such a degree was that done in the State of New Jersey—and it is entirely human that the Navy recruiting officers should do that—that the quotas from several important districts in that State, upon which the Provost Marshal General and the Army were relying for men at a given date fixed ahead of time, were not there; the Navy had taken them. The same thing occurred in Virginia, if my information is correct, where, very humanly, the Navy recruiting officer secured, so I am informed, the list of all the young men registered under class 1 of the draft and started a recruiting campaign amongst them, appealing to them personally to go into the Navy; and they did so by the hundreds. When the Army came to get its quota from those particular districts, the quota was not there; it had been sadly depleted. It threw out of kilter, as it were, or out of joint, all the calculations of the Army selective-draft system with respect to the numbers of men that they thought they had ready to be called and put into the service.

I contend, Mr. President, that those two things ought not to be permitted to exist side by side. There should not be any distinction between a volunteer and a drafted man in this war. I have no sympathy with suggestions that are occasionally made that it is unwise in its effect upon the morale of military units to mix drafted men and volunteers. I think the impression that has existed in some persons' minds that that was an unwise thing to do and that the volunteer looks down upon the drafted man is utterly wrong. It may be in some isolated cases that for the first two or three days after the two groups of men are joined in one unit that some thoughtless volunteer may sneer a little, but dating from the hour when those two groups of men get tired together, when the sweat stands out on their brows, and they work together for a common country, all thought of difference between them is lost. I know myself of well-known military units now in active service, made up of three-quarters of volunteers and one-quarter of drafted men, and you never hear it mentioned; they are all soldiers of the United States, working together and ready, if need be, to die together.

Mr. President, Congress and the Government have very wisely adopted the policy of the selective draft. I think it should apply to all branches of the military service; and I do not believe that any one branch of the military service should be permitted to go out and recruit men into its ranks without any regard whatsoever to the needs of some other branch or of some industry. That can be done, and is being done to-day. The Navy, of course, is getting a splendid lot of men; no one would for a moment criticize the enlisted personnel of the Navy; but it is true, nevertheless, that in many cases the men who are permitted voluntarily to enlist in the Navy by so doing violate the principle of the selective draft when, as is the case in many instances, they are more needed somewhere else.

Mr. CHAMBERLAIN. Mr. President, may I interrupt the Senator?

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Oregon?

Mr. WADSWORTH. I yield.

Mr. CHAMBERLAIN. Will not this result follow if this bill passes, namely, that the Army will secure jurisdiction of all of the men between 18 and 45, and the Navy will not be able to get any men without the consent of the War Department?

Mr. WADSWORTH. I thought I had covered that.

Mr. CHAMBERLAIN. I did not hear the Senator do so.

Mr. WADSWORTH. It is true that if this bill passes the Navy must come to the Army and ask for men. Of course the Army will give them men; the Commander in Chief, the President of the United States, will see to it that there shall be no injustice; but they will not get them through the selective draft; they will get them by persuading the local boards to release them from the selective draft, and then volunteer, and in many cases the men who will have volunteered in the Navy in that way might be of more service in some other branch or left at home in industry or in agriculture. A good many cases have come to my attention of patriotic young fellows who have enlisted voluntarily in the Navy who might better have stayed at home, and who would have been more valuable at home; but the selective draft system did not operate in the Navy recruiting; there is no check, no control, and no system about it except the will or the desire of the individual.

I am frank to say that the Secretary of the Navy, as Admiral Palmer stated, is opposed to this amendment; but I really would like to hear a genuine argument against the principle of it. Is it not safer and wiser at this time to prepare the way for a recruiting system for all the armed forces of the United States which shall last clear through this war and without any friction whatsoever?

Mr. President, I merely had this to say on the amendment which I have offered. I wish now to make a few observations on the bill itself.

I welcome this bill; I am exceedingly glad that the Committee on Military Affairs has reported it, and I sincerely hope that it will pass at the earliest possible moment. I am glad that it is here, and I urge its passage at the earliest possible moment, because to my mind it is the final act—if any act of a legislative body may be considered final—of America going into this war with all her might. I could wish, sir, that it had been done before, but I make no complaint at this time of that. I am glad that it is apparently going to be done.

As I have viewed the situation for several months—and I have made some of my views known upon the floor of the Senate upon prior occasions—an act of this sort has been inevitable ever since Russia collapsed. The withdrawal of her mighty army from the war has changed the entire picture, has upset the balance completely, and put the Teutonic powers in a position where their man power in the war zone exceeded the man power of the allies. When Russia collapsed and created that situation it was then and there inevitable, and has been every week that has passed since then, that America would have to come to legislation such as is now proposed to make up for that loss in man power.

It is a grim business, Mr. President. There are phases of the situation that are not pleasant to discuss; there will be incidents by the thousand that will occur all over this country as the result of the passage of this bill which will be very difficult and very painful. I well understand, I think, the feeling of a great many people about lowering the draft age. I do not deride that feeling for a moment; I respect it; and were we not confronted with the situation which the Senator from Missouri [Mr. REED] has so eloquently described, the biggest fight that this country ever engaged in, and the end not yet in sight, I would not urge that boys of 20, 19, and 18 be taken into the Army under the draft law.

Mr. OVERMAN. Will the Senator yield to me for a moment?

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from North Carolina?

Mr. WADSWORTH. I yield.

Mr. OVERMAN. I heard a great speech delivered a few days ago by a member of the French mission, who stated that the minimum age limit of the French Army was 19. Has the Senator any information as to that?

Mr. WADSWORTH. My information is not so reliable that I would ask the Senator to take it without hesitation. My understanding, however, is that that figure is the peace-time age for the French soldier to start upon his compulsory military training; but I am quite certain that during this war the French Government has called to the colors for training purposes men considerably below the minimum age fixed in the statute and in that way has anticipated their reaching that age and becoming active soldiers; in fact, I think that 17-year-old boys have been put in training in France, so that they might fight when they were 18. I am not certain as to that, however, and I do not ask the Senator to take my word for it.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Colorado?

Mr. WADSWORTH. I yield.

Mr. THOMAS. I think it is true that what they call the class of 1919 have already been called to the colors, which would embrace men under the age of 19, if that is the regulation age.

Mr. OVERMAN. I asked the gentleman to whom I have referred at what age men were called to the colors, and he said not lower than 19. I asked an officer of the War Department if he had any information, and he said he thought in Italy it was 19 and in England it was 19. So I thought, perhaps, the Senator had investigated it and had information probably different from that.

Mr. WADSWORTH. No, Mr. President, I have not.

I was saying, sir, that, were it not for the situation that confronts us, I would not urge that a law of this kind be passed imposing military service upon men below the age of 21. I am so convinced that the crisis confronting us is so grave and that every other alternative would be so dangerous that I support this bill with every atom of earnestness that I can command.

Mr. VARDAMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Mississippi?

Mr. WADSWORTH. I yield.

Mr. VARDAMAN. I should like to ask the Senator if he does not think, if the draft law should be so amended as to permit young men 18 years of age to volunteer without their parents' consent, that an ample Army could be raised for the purposes of meeting the conditions that confront us as they have been described by the Senator from New York?

Mr. WADSWORTH. I do not think that that would meet the situation, Mr. President.

Mr. VARDAMAN. My idea is that there are some young men who at 18 are as mature as others at 21; there are boys of 15 who might desire to go to war, and who would really make more efficient soldiers than others at 19. If we make a universal rule to take boys of the tender age of 18 and compel them to enter the service, I am afraid that it will not work as the Senator, I am sure, hopes for. That is the only thing that disturbs me about the matter. It is a pretty tender age at which to make the rule universal and compel service.

Mr. WADSWORTH. I think we ought to remember that the rule is not universal. The rule imposing the duty of registering is universal. Then, of course, we must trust in the judgment of the local boards and the examining physicians to refrain from taking into the service any man, be he 18 or 28, who is not physically fit to go; and if a boy of 18 be so evidently immature and so evidently undeveloped as to make it reasonably certain that he would not be a good soldier, then, of course, he must be left at home. I merely make this observation because the Senator from Mississippi used the expression "universal rule," whereas it is not a universal rule that they must all serve.

Mr. VARDAMAN. The rule is universal with reference to taking the men into the service at that age. There is more in the spirit of a boy at the age of 18 than there is in physical development. I think the Senator will recognize that fact. There is more in the spirit of a boy fitting him for military service than in physical development at that tender age.

Mr. WADSWORTH. Mr. President, I am not sure that I understand the observation of the Senator.

Mr. VARDAMAN. If the Senator will permit me, I will make myself understood. I say there is more in the spirit of the boy of 18; there is a disposition to fight, although an older boy may be physically better developed than the little fellow who wants to go. That is the point. It is the boy with the spirit, with the fervor, with the desire to enter the conflict, whom I would be perfectly willing to permit to volunteer, even against the wishes of his parents.

Mr. WADSWORTH. I understand the Senator now.

Mr. SMOOT. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Utah?

Mr. WADSWORTH. I do.

Mr. SMOOT. The Senator in his statement said that he was in favor of the bill as it is. I want to ask him a question with relation to the ages between 40 and 45.

I notice from the report that between the ages of 40 and 45 it is estimated that 153,150 soldiers will be secured. Does the Senator really believe that in order to secure that small number it is worth while to register all of the men of this country between the ages of 40 and 45?

Mr. WADSWORTH. Perhaps I can answer the Senator's question by approaching it from a different angle. I really have no data upon which to base the statement which I am going to make—none whatever—but I am nevertheless pretty thoroughly convinced that the ages from 40 to 45 will produce a great many more than 153,000 men.

Mr. SMOOT. I take the number from the report of the committee.

Mr. WADSWORTH. I know it.

Mr. SMOOT. That is the number that the report shows. Taking into consideration the fact that it will take fathers, and perhaps fathers who have one or two or perhaps three sons in the Army, and that if this estimate is correct we could only secure that small number of soldiers, it does seem to me that it would be unwise to upset the man power of the country between the ages of 40 and 45 and take a class of men upon whom great responsibilities are resting, not only as the fathers of families but as the heads of business concerns of this country as well. The result, if this report is accurate, is so small that it has occurred to me that perhaps it would be better to stop at 40 years than to go to 45; and I wanted to know if the Senator had really made a study of that question. If so, I should like to have him tell us the result of it, because I have great confidence in the Senator's judgment when it comes to a question of military affairs.

Mr. WADSWORTH. I must confess that I have not made a study, as the Senator says, of that particular part of this problem. I think the Senator will find that when men between 40 and 45 are registered and made subject to draft there will be

very few cases of the kind he describes—of men being placed in class 1 who are the fathers, we will say, of men already in the Army.

Mr. SMOOT. I do not know why they should not be.

Mr. WADSWORTH. Very, very few cases. Most of the men of that age, of course, will be placed in deferred classifications.

Mr. SMOOT. Why should they be?

Mr. WADSWORTH. Because they have dependent families.

Mr. SMOOT. There are many, many cases where they are not dependent.

Mr. WADSWORTH. In that case they would not be placed in deferred classifications, although married. I can not agree with the Senator from Arkansas [Mr. KIRBY], who said that every married man is exempt. That is not accurate.

Mr. SMOOT. I did not so understand it myself, and that is the reason why I referred to married men. Now, I do not believe that is necessary, nor is the crisis so great at this time, nor do I believe that it will come, when we will be compelled to draft a man of 44 years, say, with two sons serving in the Army. I hardly think that time will ever arrive; and I do know this: You take the western country. Marriages there are earlier than they are in the East. Forty-five is the age when a man's family requires the most patient attention, and I know that many men of that age have sons now in the Army, and not a few, but thousands of them; and therefore I have doubted the wisdom of making this draft apply above 40 years.

Mr. WADSWORTH. It may seem to the Senator from Utah and to other Senators that the number of one hundred and fifty thousand odd is a small number to be obtained from the registering of men between 40 and 45 years of age; but 150,000 soldiers are, after all, a pretty important body of men, and if you do not get them between the ages of 40 and 45 you must get them somewhere else; and if these estimates can be relied upon at all, that extra 153,000 taken from younger men might well result in invading the deferred classifications of younger men.

I can not quite agree with the Senator from Utah about the crisis not being grave enough to warrant it. I will say very frankly that if I had my way I would put the maximum age limit at 55; and I would authorize the President, as he is authorized in this bill, to call the men by classes, according to their ages, as he sees fit. But the time may very well come when we shall need every man of 45, 46, and 47 years of age who is militarily fit to go into the Army.

The Senator may say that it is a most unusual thing for a father and son to be sent into the Army at the same time. It has already occurred among my relatives, and the son has been killed. It has occurred by the thousands in England and in France. It depends upon what you have to meet, Mr. President. If the fight gets desperate enough and goes on long enough to demand it, we shall have to do those things; and I should like to see all of the men registered to-day, rather than at some future time Congress be again asked, in a somewhat hesitant voice, to alter the age limits. I think it is wise, Mr. President, to register all the men up to 45, and I think it would be wiser to make it 55—not necessarily to take them all up to 55 at once, but to make it possible to take them later on if the necessity should arise; and that 153,000 men to whom the Senator refers might become a most important 153,000 men at a certain crisis in this war. No one can tell. It may not seem worth while to do it now, but it may turn out to have been infinitely worth while six months from now, or two years from now. So I do not regret the elaborate machinery and the expense involved in registering that small number of men between 40 and 45.

Mr. SMOOT. Mr. President, the Senator has answered the question very frankly; and not only is it his judgment that 45-year-old men should be registered, but men up to 55 years should be. That may be so, Mr. President. I have not fully made up my mind yet as to where the limit should be; but it does seem to me that instead of taking the 150,000 men above 40 years of age there are three or four million men at present in the deferred classes that should be drafted into the Army before the fathers of 40 and 45 years are drafted into the Army for military service. That is the way it looks to me. I know of men who are in deferred classes that there could be no good reason assigned why they should not serve their country in the Army under any great stress, or under the conditions as they exist to-day. I do not belittle the crisis that we are in; and, indeed, if I had had my way the Army would have been increased months and months ago, and the fight would have been made as energetically and as persistently as it was possible to make it, because I realize that that is the way to win this war. The only thing I had in mind was, would it not be better to take from the deferred classes men we know are fit for service, and get not only 150,000 but 1,500,000 if we wanted them, rather than invade the man power between 41 and 45 years of age?

I hope the Senator from New York did not draw the conclusion from what I said that I was seriously opposed to the age limit reaching 45; but I believe that this question ought to be discussed, and we ought to arrive at what is the best for the country. If it was necessary to take men of 75 to win the war, nobody would object. At least, I can say that I would not.

Mr. WADSWORTH. I am very glad the Senator has brought up the question. It is a very interesting phase of this subject.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Iowa?

Mr. WADSWORTH. I yield to the Senator.

Mr. CUMMINS. Personally, I believe that we shall be required to raise just as large an army as this country can maintain in order to accomplish the end we have in view, and I think we ought to do it just as speedily as we can. My question relates to a little discouragement I felt upon the examination of Gen. Crowder's report. He reports that between the ages of 31 and 45, inclusive, we may expect but 600,000 men. I know that he has been perfectly sincere in reaching that conclusion, and I assume that he has reached it by applying his experience in the execution of the draft law with the men between 21 and 30; but I should like to know if the Senator from New York is satisfied with that conclusion? Does his own reasoning verify it?

I believe that a great many more than 600,000 men will be found ready to enter the military service. I have given some study to it, but the Senator from New York knows much more about it than I possibly can; and I should like to hear somebody connected with the Military Affairs Committee discuss that phase of the matter. I think there are more than 600,000 men between 31 and 45 who would not claim exemption or claim a deferred classification at all; and I can not conceive a situation in which a great many married men will not be found between those ages who have accumulated enough so that it can not be said in any proper sense that their families are dependent upon their personal efforts for support.

I want somebody to encourage the country in the belief that we will find more effectives than 600,000 between the ages of 31 and 45. I confess that I do not like to see so great a part of the burden cast upon the boys under 21, although I am entirely in favor of the registration of the young men from 18 to 21; but I think it would be a little disappointing to the country if, in desiring 2,300,000 men, we should find it necessary to take 1,700,000 of them from those under 21 and only 600,000 of them from the men above 30.

Mr. WATSON. Above 31.

Mr. CUMMINS. Above 30, because the age of 31 itself is included in this draft, although the Senator from Indiana is quite right in saying that the present draft brings within it all men up to the time they arrive at the age of 31. If the Senator from New York can give us any light upon that subject, which seems to me to be a very important one, I should be delighted to have him do so.

Mr. WADSWORTH. Mr. President, of course, the subject is most important, but I fear I can not rise to the occasion. I have no figures, and I do not know where any can be obtained, that would contradict the estimate of the Provost Marshal General, and yet I am of the same opinion as the Senator from Iowa. I think it will turn out to be a fact that a great many more than 600,000 men will be available for the Army between the ages of 31 and 45. I think the Senator from Iowa is correct in the statement that thousands and thousands of married men whose business has been pretty thoroughly established, while their families are in a sense dependent on them and their efforts, nevertheless will be able to leave and go into the Army and their business be managed in some such way as to get along during the war. I think it will turn out that there will be thousands of these, and it is possible that the Provost Marshal General, in making his estimates, does not include any such men as potential soldiers.

Mr. CUMMINS. I do not want to be understood as even challenging the report of the Provost Marshal General, because he is a very learned man and a very skillful man in this respect; but I know—and he discloses it in his report—that he has applied his experience under the former draft law in reaching these results, and I believe that there are very many respects in which the former experience will not be found an accurate guide.

Mr. WADSWORTH. I agree with the Senator. I think the situation is very apt to show a decided change when the registration and classification of men over 40, we will say, has been completed. I think it will show that a great many business men have reached that stage in the development of their business where it is called a success, an established business, and they are therefore able to go into the Army, whereas the same man at 32 or 35, engaged in the same business, nevertheless has not

reached that stage in the development of his business where he can drop it. I think that will turn out to be the fact in thousands of cases.

Mr. OVERMAN and Mr. KELLOGG addressed the Chair.

The PRESIDING OFFICER. Does the Senator from New York yield; and if so, to whom?

Mrs. WADSWORTH. I yield to the Senator from Minnesota.

Mr. KELLOGG. Is it not a fact also that the sentiment of the country has changed, and that there are more men to-day who will not claim exemption under the law than there were when the war first started and the draft was made?

Mr. WADSWORTH. There is not the slightest question of that.

Mr. KELLOGG. Is it not a fact that the Provost Marshal General bases his figures as to the number of men he will receive between the ages of 32 and 45, inclusive, on the percentage of married men excused between 21 and 31, and that while one man's opinion, perhaps, is as good as another's, that is very unreliable at this stage of the war? I know of a great many men who would not have hesitated to claim exemption because they had dependent families who will never claim it now, and who are going to take the first opportunity to go.

Mr. WADSWORTH. Mr. President, of course the object of this bill is obvious. It is to furnish America the weapon with which she will help win the war in the shortest possible time. Of course it is entirely possible for us to get the needed men. The question is, Where shall we get them, and what kind of men shall we get for the Army? It may seem extreme, as some Senators believe and a great many people believe, to take men below 21 years of age; but the element in this situation that I think should compel us to support this bill is just this: When you take men below 21 years of age, down to and including the age of 18, and within reasonable limits thereby keep your fighting forces as young as possible, and disturb industry as little as possible, you will in the long run save lives and win the war quicker, for it can not be denied—all history shows it—that it is youth that survives in war and wins at the end. It has been shown over and over and over again. It has been quoted here upon the floor of the Senate in connection with the Civil War. It is being shown on the battle fields of France to-day.

Youth can fight or dig all day and lie down and, with a two-hour nap, jump up refreshed and renew its work. Middle age can not do that for any length of time. If America wants the very best and most effective weapon to win this war, she must put into the field her ablest men for fighting purposes. The ablest men are the men under 30; and as soldiers, generally speaking, they are at their prime at 19 and 20. There are exceptions, of course; but, generally speaking, a younger army will whip an older army in any long war, other things being equal.

So, Mr. President, in my judgment there is good ground, there is sound reason and logic, in this proposal—so sound and so logical that it can be presented to the American people frankly and fully and their support and approval of it urged on the ground that it is a life-saver, that it is a war winner; and the quicker we can win the war and the fewer lives we expend in doing it the better the people of the United States will be pleased. That is what they want, and that is what we want. The ages 18, 19, 20, 21, and 22 are the ages that will win this war. That is the justification for this bill, and a complete justification for it, and people will soon understand it. I believe that thousands and thousands of them already understand it, and are ready—yes, willing, even anxious—to accept it and go to work.

Senators, Russia collapsed last Christmas, and 6,000,000 men were taken from the allied armies by that collapse; and it is not until August, 1918, that America makes up her mind, through the action of her Government and her Congress, to make good that loss. But we have made up our minds now, I believe, and we are serving notice upon Germany and our allies that we are in this thing to the bitter end, with all our force, all our resources, and that never again are we going to be overtaken by an emergency. We are going to move ahead of any possible emergencies.

I am glad the Senator from Missouri [Mr. REED] discussed Russia here this afternoon. We have just decided to act about Russia—just commenced to do something about it.

It is high time, Senators. The Czecho-Slovaks have been begging us for four months to come to their assistance. I believe that when this war is over and history is written their achievement will be put down as one of the most remarkable and romantic in all history; and I will confess that my heart has been going out to those people, away off there in Siberia, fighting their battle all alone in a foreign, strange country, half armed, half clothed, doomed to destruction unless they are helped, and winter coming on in six weeks. They can not go back to Austria. They are nearly all of them deserters from the Austrian Army. They held together when Russia collapsed and maintained a degree of discipline. They had their regiments, brigades, and divisions in the Russian troops. They held together. They resisted Bolshevik influence. They were a rather uncomfortable element for the Bolsheviki and the Germans. They refused to disperse. They could not go back to Austria; and finally, according to my information, they made an agreement with the Bolshevik Government at Moscow that they would be permitted by the Bolshevik Government to travel eastward over the railways of Russia and over the Siberian Railroad and eventually reach Vladivostok, and then they hoped to reach the United States, and, reaching here, go on to France and fight. When they had started on that great migration across that enormous expanse of country the Bolshevik Government, no doubt inspired by its German masters, made up its mind that it was an unwise thing to contribute or permit the contribution of 100,000 soldiers to the forces of the allies in the shape of these Bohemians and Slovaks. They tried to stop them, and when they tried to stop them those people got out of their trains and seized the railroads and to-day possess nearly all of them from the Volga in European Russia to Vladivostok, with three or four comparatively minor exceptions, fighting with their backs to the wall and calling for us, for Japan, for Great Britain, for France to come and help them.

There they are to-day with almost the entire transportation system of Asiatic Russia in their possession. Thank heaven we have started at last, and I hope we will go the limit in helping them. They are our friends, that little 100,000, scattered along that 5,000 miles of railroad, most of them without shoes, all of them without overcoats, a third of them without rifles, but still holding their own. That little 100,000 men have performed a greater military service than any 300,000 men in this war.

Mr. President, I hope we will go to their assistance properly and promptly with men, with guns, with ammunition, with clothing and supplies. To us and our allies a golden opportunity has been presented by this heroic group. As the Senator from Missouri says, they have given us the opportunity once more to commence battering at the back door of Germany, once more to make this a world war against the Teutonic empires.

We need men, Senators. We may need more men than are contemplated under this act, but it is imperative that we pass this act at the earliest possible moment that men shall become available to be put into the camps and trained and sent wherever they are needed to fight the Germans.

Mr. KIRBY. The Senator from Oklahoma [Mr. GORE] asked the Senator from Wyoming [Mr. KENDRICK] to submit an amendment for him. The Senator from Wyoming has been unexpectedly called from the Chamber, and I offer it in his behalf.

The PRESIDING OFFICER. The amendment will lie on the table and be printed.

Mr. CURTIS. I should like to ask the chairman of the committee if it is his intention to ask for a vote on any amendment to-night?

Mr. CHAMBERLAIN. No. I understand the Senator wishes to make some observations.

Mr. CURTIS. I have a resolution here from the Kansas Farm Mortgage Bankers' Association which I desire to present, and I should like to submit a few remarks. It will probably take me three or four minutes, but I do not care to have it come in the proceedings on the pending bill.

Mr. CHAMBERLAIN. There was a very earnest request for an executive session, and unless there is some objection I will ask that the bill be laid aside until to-morrow morning, and in the executive session I shall ask for a recess until to-morrow.

The PRESIDING OFFICER. Without objection, the pending bill will be laid aside until to-morrow.

FARM-LOAN BONDS.

Mr. CURTIS. Mr. President, the New York Times, in its financial columns of June 2, said:

> There is a suspicion in some quarters that the selling of liberty bonds has been induced by the opportunity to reinvest funds in farm-loan issues, which not only pay a higher return but carry the tax-exemption privilege. Liquidation yesterday brought about new low points. The second 4's moved back to 93.52 and the 4½'s to 96.36. The movement is of no significance as reflecting any change in bankers' estimates of the new war situation, but it is interesting for its probable bearing on the fixing of the rate which will have to be carried by the fall Government offerings.

The 4½ per cent Federal farm-loan bonds were sold to yield the investor only 4¼. They are practically all bought up, with no more to be had. The 5 per cent Federal farm-loan bonds, to which the Times refers, have now gone to 103¾, judged by the asking price of last Saturday, August 17. This premium, which has given these bonds preference in the market to liberty bonds,

is not due to any superiority in the underlying security but is due to the total tax exemption and higher interest.

I wish to insert in the RECORD the following circular published by the Kansas Farm Mortgage Bankers' Association about this matter. I will ask to have it printed without reading.

The PRESIDING OFFICER. Without objection, it is so ordered.

The circular referred to is as follows:

In the United States are 10 persons each with an annual income of $5,000,000 or more, 9 with an income within that figure and $4,000,000 each, 14 with an income within that figure and $3,000,000 each, 34 with an income within this figure and $2,000,000 each, and 3,733 with an income of at least $150,000 each. Including all with an income of $30,000 and over each, there are 22,696 millionaires. It is among these, particularly the multimillionaires, that the syndicate hired by the Federal Farm Loan Board is finding customers for tax-exempted bonds. The combined income of the 67 persons of the first four classes alone far exceeds $196,000,000 and is sufficient to absorb present issues, while the rest of the boasted billion of bonds can easily be sold among the other classes and owners of new fortunes being made out of the war.

The security of Federal farm loan bonds is not certain and specific, since it may be withdrawn for substitution by the borrowers and even changed in kind or quality through subsequent legislation. Congress may possibly add encumbrances on real estate desired by union labor, and then perhaps paper involving the risk of any other socialistic project that investors will take. The mortgages now comprising the security were selected by officials appointed without regard to civil-service rules, of whom all might not have been as careful as private lenders, and some might hereafter be too lenient with the borrowers because of the formidable political power of their increasing numbers. The payments on the mortgages running for 36 years will not suffice to meet all the bonds at maturity only 20 years away, and so their redemption rests on whether they can be refunded, while their principal and interest may be paid in paper money should any get in circulation, and not in gold.

But the bondholders have no rights enforceable in court should the board wish to take charge of the land banks itself for defaults. Moreover, the board, although the sole supervisor, is also general manager of the system, leaving it without any disinterested authority to inspect and examine its affairs. Finally, the bonds are not guaranteed by the Government, while their tax exemption can be revoked and will soon, with other vital features of the act, be tested for constitutionality. So the small investor sticks to liberty bonds and war-savings stamps, from which he gets a fair return without paying premiums for speculative values, and lets the millionaire have farm-loan bonds. Proof as to which is the purchaser is that liberty bonds can be bought to yield 4.75, as against the only 4.35 per cent of farm-loan bonds. The tax rate on incomes over $1,500,000 is 62 per cent. Interest on the bonds is 5 per cent. The Federal and joint stock land banks can doubtless sell more than $200,000,000 a year.

On that amount the Government would lose $6,200,000 of taxes annually. The large investors are not concerned about the constitutional questions, because when once they have a receipt in full from the revenue collector they are safe, even though the Supreme Court nullify the act. According to E. D. Chassell, the $31 tax exemption on every $1,000 bond bought by the big tax dodger means only $5 saved by the farmer who gave the mortgage. That is, the borrower gets but $1 to every $6.20 of benefit got by the rich bondholder. So there is a reverse side to the advertisement that it is a patriotic duty to buy the bonds. Indeed, more patriotism would be displayed by buying ordinary mortgages that do not affect the Government's credit. Congress ought now to let the land banks stand on their own bottom without any further subsidies or even tax exemptions, because the stupendous war debt needs the Nation's undivided resources.

Since the capital stock of the Federal land banks is impaired and their financial standing not the best, the premiums and ready sale of the bonds are due, of course, to the total tax exemptions, the high yield resulting from the borrower's increased interest and to numerous millionaire buyers seeking to escape taxation. The farmers are beginning to realize this, and that they are billed in consequence to pay more county, State, and national taxes in other directions. Had the board allowed the Federal land banks to have their own selling agency the premiums would have accrued to the system and helped to meet expenses. But the board instead hired a Wall Street syndicate and also had the act so amended as to take the management of the system away from the farmers and prevent them from distributing its benefits in accord with their own ideas of proper methods, justice, and patriotism.

The board's reason for thus abolishing the cooperative features of the system is: "It is doubtful whether the management and control of any bank can be safely delegated to the borrowers." Such a statement, when in this country there are 7,269 building and loan associations, with 3,858,612 members and $1,769,142,175 assets, and in this and other countries 65,000 more credit societies with 15,000,000 members and $7,000,000,000 of annual business besides 23 landschafts with perhaps $1,000,000,000 of bonds, all managed by members or borrowers, caused great offense that lost the board the confidence of organized farmers and true cooperatives. The farmers could not possibly have managed the system worse than the board, either in respect to efficiency, safety, or patriotism.

Costs have eaten into assets just as in similar systems that failed to make good in Canada, Russia, France, Italy, Hungary, and the Balkan States. Loans have been made in regions avoided by private lenders and, contrary to the understood rule, are not being made only on land personally cultivated by the borrower. Some were made in large amounts to persons not strictly farmers, evidently with the hope of increasing more profitable business to the detriment of small cultivators. The easy money might help speculators tempt those who think they are farmers to have a tryout, and also enable real farmers discontented with their occupation or farms to cash in at the Government's risk and expense, unless the board assumes less of a defensive and more of a supervisory attitude toward the land banks.

As a war measure the Federal farm-loan act is a failure, for which purpose, fortunately, it was not passed. Subsequent congressional and Executive action proves this. A House committee is considering a bill to provide farmers with short-term credit on security other than real estate, so as to give lacking aid to tenants, renters, and the quick production of crops. Congress authorized the Secretary of the Treasury to buy $200,000,000 of Federal farm-loan bonds. The trustees have legalized such bonds as collateral for postal savings. In the Federal reserve a fund is being raised among commercial banks to carry warehoused cotton for southern planters. Besides $4,250,000 of public funds deposited with the Federal land banks and the many millions of dollars directly advanced by the Government for seed and fertilizer on the 29th of July $5,000,000 more was taken out of the United States Treasury to lend through the Agricultural Department to farmers reduced to poverty by bad crops. Much money has also been appropriated by the States for such purposes and for tractors.

All this became necessary owing to defects in the Federal Farm Loan System and because most of its money was used to buy up existing mortgages—a very unpatriotic thing to do, since it added little to the so much needed increase of agricultural production and actually diverted money from agriculture already in it. In this refunding campaign no friendliness was shown mortgage men. Differently from all other Government bureaus which gathered eminent men around them, the board prefers to go it alone, with many of its assistants without experience in farm finance.

Mr. CURTIS. Mr. President, under the syndicate arrangement adopted for selling farm-loan bonds it looks as if brokers get the premiums and that the land banks are getting no particular advantage from the tax exemptions of their securities. Would it not therefore be better to let the farmers themselves manage these banks exactly as the law intends? The only change necessary for this would be to give the farmers the entire responsibility for the system and oblige them to operate on their own unquestionably good credit.

This is the secret of the soundness and success of innumerable borrowers' banks of various kinds, among which failures are rarer than among ordinary banks. The 65,000 cooperative credit societies, with 15,000,000 members and $7,000,000,000 of annual business in the world, are based on this idea of using their own credit and of imposing upon members a liability that is either unlimited or else severe enough to be felt. The cooperative bank with unlimited or limited liability has proved its worth wherever tried, in country, town, or city, for encouraging thrift and extending credit in large or small amounts.

The same idea prevails in all true building and loan associations among the 7,269 with 3,858,612 members and $1,769,142,175 assets in the United States. Any member getting a loan must subscribe for shares up to its full amount. His payments are made not on the mortgage but on the shares. When the shares mature he may turn them in and have his debt canceled. The maturing of the shares depends upon his payments and also upon the association's profit and loss. All his credits could be wiped out by a loss, consequently he is liable to the full amount of his mortgage. Profits would hasten the extinction of his debt; and so he is as deeply interested as are nonborrowing members. As a result these associations can operate even on savings with safety, although the borrowers participate in the management.

The landschafts, started 150 years ago, are composed entirely of borrowers. They now number 23 with about $1,000,000,000 of bonds, and none of them ever defaulted an obligation. The borrowers elect all the officers and appraisers, every one of whom must also be a borrower. The borrowers' payments go into a sinking fund, in which the cash on hand, together with the unpaid principal of the loans, must equal outstanding bonds. If this fund becomes impaired in the old landschafts, any member may be assessed without limit for the deficiency. In some of the newer landschafts the liability is limited to the mortgage or some portion of it. But the basic idea in all is that the borrowers have the direct management, use their own credit, and assume liability large enough to be felt.

Nearly all American districts established under State laws for sanitary, mining, or agricultural drainage embody landschaft features. Their bonded indebtedness amounts to millions of dollars. The bonds are not instruments of the State or Federal Government. They are obligations only of the districts. But through the district's right to levy assessments they are secured by the collective ability of the owners of the benefited property and so are easily marketed at reasonable interest rates, although these beneficiaries of the issue also elect the managers.

With these successful instances of borrowers' banks here and in foreign countries, Congress should not hesitate or delay in placing the Federal land banks under the management and responsibility of the farmers. By so doing the farmers, and not rich investors, would get the advantage of all premiums on the bonds.

EXECUTIVE SESSION.

Mr. MARTIN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

RECESS.

Mr. CHAMBERLAIN. I move that the Senate take a recess until 12 o'clock to-morrow.

The motion was agreed to; and (at 5 o'clock and 15 minutes p. m.) the Senate took a recess until to-morrow, Friday, August 23, 1918, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate August 22, 1918.

MINISTER RESIDENT AND CONSUL GENERAL.

Joseph L. Johnson, of Columbus, Ohio, to be minister resident and consul general of the United States of America to Liberia.

SECRETARIES OF EMBASSY OF LEGATION.

CLASS 1.

James G. Bailey, of Kentucky, now secretary of embassy or legation of class 2, to be secretary of embassy or legation of class 1 of the United States of America.

Edward Bell, of New York, now secretary of embassy or legation of class 2, to be secretary of embassy or legation of class 1 of the United States of America.

Sheldon Whitehouse, of New York, now secretary of embassy or legation of class 2, to be secretary of embassy or legation of class 1 of the United States of America.

CLASS 2.

William W. Andrews, of Ohio, now secretary of embassy or legation of class 3, to be secretary of embassy or legation of class 2 of the United States of America.

Jefferson Caffery, of Louisiana, now secretary of embassy or legation of class 3, to be secretary of embassy or legation of class 2 of the United States of America.

Charles B. Curtis, of New York, now secretary of embassy or legation of class 3, to be secretary of embassy or legation of class 2 of the United States of America.

Frederick A. Sterling, of Texas, now secretary of embassy or legation of class 3, to be secretary of embassy or legation of class 2 of the United States of America.

Hugh R. Wilson, of Illinois, now secretary of embassy or legation of class 3, to be secretary of embassy or legation of class 2 of the United States of America.

CLASS 4.

Henry I. Dockweiler, of Los Angeles, Cal., to be a secretary of embassy or legation of class 4 of the United States of America.

James Theodore Marriner, of Portland, Me., to be a secretary of embassy or legation of class 4 of the United States of America.

COLLECTORS OF CUSTOMS.

Walker Taylor, of Wilmington, N. C., to be collector of customs for customs collection district No. 15, with headquarters at Wilmington, N. C. (Reappointment.)

John F. Pugh, of Juneau, Alaska, to be collector of customs for customs collection district No. 31, with headquarters at Juneau, Alaska. (Reappointment.)

SUPERVISING INSPECTOR OF STEAMBOATS.

William Fisher, of California, to be supervising inspector, eleventh district, Steamboat-Inspection Service, Department of Commerce (by promotion from local inspector of hulls at Seattle, Wash.; vice new position).

COAST GUARD.

Third Lieut. Fletcher Webster Brown to be second lieutenant in the Coast Guard of the United States, to rank as such from June 7, 1918.

Third Lieut. Robert Donohue to be second lieutenant in the Coast Guard of the United States, to rank as such from June 7, 1918.

Third Lieut. James Alexander Frost, jr., to be second lieutenant in the Coast Guard of the United States, to rank as such from June 7, 1918.

Third Lieut. Loyd Vineyard Kielhorn to be second lieutenant in the Coast Guard of the United States, to rank as such from June 7, 1918.

Third Lieut. Gordon Whiting MacLane to be second lieutenant in the Coast Guard of the United States, to rank as such from June 7, 1918.

Third Lieut. Elmer Fowler Stone to be second lieutenant in the Coast Guard, to rank as such from June 7, 1918.

Third Lieut. Carl Christian von Paulsen to be second lieutenant in the Coast Guard of the United States, to rank as such from June 7, 1918.

Third Lieut. John Elliot Whitbeck to be second lieutenant in the Coast Guard of the United States, to rank as such from June 7, 1918.

First Lieut. Charles W. Cairnes, United States Coast Guard, retired, to be a captain on the retired list of the Coast Guard from the 1st day of July, 1918.

MEMBER OF FEDERAL BOARD OF VOCATIONAL EDUCATION.

James P. Munroe, of Massachusetts, to be a member of the Federal Board for Vocational Education. (A reappointment.)

COLLECTOR OF INTERNAL REVENUE.

James S. Persinger, of Salem, Va., to be collector of internal revenue for the sixth district of Virginia, in place of John M. Hart, resigned.

UNITED STATES MARSHAL.

Nelson E. Lurton, of St. Louis, Mo., to be marshal of the United States Court for China.

PUBLIC HEALTH SERVICE.

Dr. Charles Edward Gibbs to be assistant surgeon in the Public Health Service, to take effect from date of oath. (New office.)

Dr. Claude William Mitchell to be assistant surgeon in the Public Health Service, to take effect from date of oath. (New office.)

Dr. Richard Baxter Norment, jr., to be assistant surgeon in the Public Health Service, to take effect from date of oath. (New office.)

SURVEYOR GENERAL OF COLORADO.

John B. McGauran, of Colorado, to be surveyor general of Colorado, his term of office having expired. (Reappointment.)

RECEIVERS OF PUBLIC MONEYS.

Albert T. Forse, of California, to be receiver of public moneys at Independence, Cal., his term having expired June 24, 1918. (Reappointment.)

John E. Barrett, of Kansas, to be receiver of public moneys at Topeka, Kans., his present term having expired August 12, 1918. (Reappointment.)

James L. Travers, of Minnesota, to be receiver of public moneys at Duluth, Minn., his present term expiring August 28, 1918. (Reappointment.)

James P. Bole, of Montana, to be receiver of public moneys at Bozeman, Mont. Term expired July 23, 1918. (Reappointment.)

REGISTERS OF THE LAND OFFICE.

Frank M. McHaffie, of Montana, to be register of the land office at Missoula, Mont. Term expired August 6, 1918. (Reappointment.)

Shober J. Rogers, of Nevada, to be register of the land office at Carson City, Nev. Term expired August 11, 1918. (Reappointment.)

Carl A. Ferguson, of Visalia, Cal., to be register of the land office at Visalia, Cal., vice Frank Laning, resigned.

John R. Beavers, of Colorado, to be register of the land office at Hugo, Colo. (Reappointment.)

John J. Missemer, of Colorado, to be receiver of public moneys at Hugo, Colo. (Reappointment.)

APPOINTMENTS IN THE ARMY.

GENERAL OFFICERS.

To be major generals with rank from August 8, 1918.

Maj. Gen. Jesse McI. Carter, Chief Militia Bureau.
Brig. Gen. William H. Johnston.
Brig. Gen. Beaumont B. Buck.
Brig. Gen. Walter H. Gordon.
Brig. Gen. Grote Hutcheson.
Brig. Gen. William Weigel.
Brig. Gen. Eli A. Helmick.
Brig. Gen. Robert L. Howze.
Brig. Gen. William Lassiter.
Brig. Gen. Robert Alexander.
Brig. Gen. William S. McNair.
Brig. Gen. John L. Hines.

Maj. Gen. Henry P. McCain, The Adjutant General, to be major general in the United States Army for the period of the existing emergency, effective August 27, 1918.

Brig. Gen. Merritte W. Ireland to be Assistant Surgeon General, with the rank of major general, during the existence of the present emergency, for service abroad, under the provisions of the act of Congress approved July 9, 1918, with rank from August 8, 1918.

To be brigadier generals with rank from August 8, 1918.

Col. Henry C. Newcomer.
Col. Edward D. Anderson.
Col. La Roy S. Upton.
Col. William J. Glasgow.
Col. Peter W. Davison.
Col. John E. Woodward.
Col. Howard L. Laubach.
Col. S. J. Bayard Schindel.
Col. Frank E. Bamford.
Col. Frank Parker.
Col. George H. Estes.

Col. Oliver Edwards.
Col. Briant H. Wells.
Col. Pegram Whitworth.
Col. Frank B. Watson.
Col. Robert E. Callan.
Col. Le Roy Eltinge.
Col. Frank K. Fergusson.
Col. Dennis E. Nolan.
Col. Harley B. Ferguson.
Col. Manus McCloskey.
Col. George A. Nugant.
Col. William E. Cole.
Col. Fox Conner.
Col. Guy V. Henry.
Col. Raymond W. Briggs.
Col. William P. Ennis.
Col. Edward H. De Armond.
Col. Beverly F. Browne.
Col. Marlborugh Churchill.
Col. William H. Burt.
Col. Robert M. Danford.

To be brigadier generals, Ordnance Department, with rank from August 8, 1918.

Col. John T. Thompson.
Col. George W. Burr.
Col. Colden L'H. Ruggles.
Col. Odus C. Horney.
Col. Samuel S. McRoberts.
Col. Guy E. Tripp.

Col. John W. Heavey, to be brigadier general for the period of the existing emergency, with rank from August 9, 1918.

To be brigadier generals with rank from August 16, 1918.

Col. Amos A. Fries.
Col. Ulysses G. McAlexander.
Col. Preston Brown.
Col. Lucius R. Holbrook.
Col. Frank R. McCoy.

To be first lieutenants.

First Lieut. Porter Aaron Steele, Medical Reserve Corps, from July 21, 1918.

First Lieut. Joseph Deerherd Guess, Medical Reserve Corps, from July 22, 1918.

First Lieut. Charles Nicholas Harper, Medical Reserve Corps, from July 23, 1918.

First Lieut. Walter Magruder Leonard, Medical Reserve Corps, from July 24, 1918.

First Lieut. Lucius Kennedy Patterson, Medical Reserve Corps, from July 25, 1918.

First Lieut. Clarence Michael Hyland, Medical Reserve Corps, from July 20, 1918.

First Lieut. Edmund Dumas Mills, Medical Reserve Corps, from August 9, 1918.

MEDICAL CORPS.

First Lieut. Edward Lamar Clemens, from August 16, 1918.

QUARTERMASTER CORPS.

First Lieut. John Q. A. Brett, United States Army, retired, to be captain in the Quartermaster Corps from July 9, 1918.

VETERINARY CORPS.

To be assistant veterinarian with rank from August 17, 1918, Second Lieut. Allen Ezekiel Cherry.

INFANTRY ARM.

Bertram T. Clayton, jr., late a cadet of the United States Military Academy, to be second lieutenant with rank from July 9, 1918.

PROVISIONAL APPOINTMENTS, BY PROMOTION, IN THE ARMY.

CORPS OF ENGINEERS.

To be captain with rank from June 11, 1918.

First Lieut. Bartley M. Harloe, Corps of Engineers, subject to examination required by law.

To be first lieutenants with rank from July 7, 1918.

Second Lieut. Joseph W. Gavett, jr., Corps of Engineers.
Second Lieut. Donald B. Adams, Corps of Engineers.
Second Lieut. William B. Wilson, Corps of Engineers.
Second Lieut. Woodward L. Harlow, Corps of Engineers.
Second Lieut. Homer W. Hesterly, Corps of Engineers.
Second Lieut. John C. W. Hinshaw, Corps of Engineers.
Second Lieut. Leonard B. Gallagher, Corps of Engineers.
Second Lieut. Hollister Johnson, Corps of Engineers.
Second Lieut. Asa Leroy Rogers, Corps of Engineers.
Second Lieut. Earl Bracken, Corps of Engineers.
Second Lieut. Homer N. Bartlett, Corps of Engineers.
Second Lieut. F. Russell Lyons, Corps of Engineers.
Second Lieut. Herman N. Simpson, Corps of Engineers.
Second Lieut. Freeman Clarkson, Corps of Engineers.
Second Lieut. Frank W. Hoyt, Corps of Engineers.
Second Lieut. Fernando T. Norcross, Corps of Engineers.
Second Lieut. Eugene L. MacDonald, Corps of Engineers.
Second Lieut. George Sherrard, jr., Corps of Engineers.
Second Lieut. William N. Thomas, jr., Corps of Engineers.
Second Lieut. James C. Henry, Corps of Engineers.
Second Lieut. John H. Veale, Corps of Engineers.
Second Lieut. Willis G. Whitten, Corps of Engineers.
Second Lieut. Lee S. Dillon, Corps of Engineers.

To be first lieutenants with rank from July 8, 1918.

Second Lieut. Ralph Millis, Corps of Engineers.
Second Lieut. Harold T. Avery, Corps of Engineers.
Second Lieut. Samuel J. Leonard, Corps of Engineers.
Second Lieut. Robert A. Monroe, Corps of Engineers.
Second Lieut. Frederic W. Conant, Corps of Engineers.
Second Lieut. George M. Steese, Corps of Engineers.
Second Lieut. Peter E. Bermel, Corps of Engineers.
Second Lieut. Harley Latson, Corps of Engineers.
Second Lieut. Starling L. Buell, Corps of Engineers.
Second Lieut. Charles Grunsky, Corps of Engineers.
Second Lieut. Henry H. Batjer, Corps of Engineers.
Second Lieut. Charles J. Davis, jr., Corps of Engineers.
Second Lieut. Marcus P. Taylor, Corps of Engineers.
Second Lieut. Norman K. Sheppard, Corps of Engineers.
Second Lieut. Victor A. Endersby, Corps of Engineers.
Second Lieut. Walter Ruppel, Corps of Engineers.
Second Lieut. Bernard E. Baer, Corps of Engineers.
Second Lieut. Jasper B. Carr, Corps of Engineers.
Second Lieut. James R. Wilson, Corps of Engineers.
Second Lieut. Jackson H. Wilkinson, Corps of Engineers.
Second Lieut. Clinton De Witt, Corps of Engineers.
Second Lieut. Henry C. Wolfe, Corps of Engineers.

To be first lieutenants with rank from July 9, 1918.

Second Lieut. Remi C. Knight, Corps of Engineers.
Second Lieut. Lewis A. Murray, Corps of Engineers.
Second Lieut. John J. Gromfine, Corps of Engineers.
Second Lieut. Henry Ten Hagen, Corps of Engineers.
Second Lieut. Preston M. Geren, Corps of Engineers.
Second Lieut. Carl R. Shaw, Corps of Engineers.
Second Lieut. Porter V. Hanf, Corps of Engineers.
Second Lieut. Benjamin S. Goodman, Corps of Engineers.
Second Lieut. Harold A. Taylor, Corps of Engineers.
Second Lieut. William M. Howe, Corps of Engineers.
Second Lieut. Emanuel M. Cohen, Corps of Engineers.
Second Lieut. Theron De W. Weaver, Corps of Engineers.
Second Lieut. Henry Berbert, Corps of Engineers.
Second Lieut. Curtis W. Handley, Corps of Engineers.
Second Lieut. Carl E. David, Corps of Engineers.
Second Lieut. Leo R. Eick, Corps of Engineers.
Second Lieut. John M. Harman, Corps of Engineers.
Second Lieut. William H. Smith, Corps of Engineers.
Second Lieut. Chester C. Hough, Corps of Engineers.
Second Lieut. Clarence N. Iry, Corps of Engineers.
Second Lieut. Carl O. Isakson, Corps of Engineers.
Second Lieut. John B. Campbell, Corps of Engineers.
Second Lieut. Fred D. Mendenhall, Corps of Engineers.
Second Lieut. George L. MacKay, Corps of Engineers.
Second Lieut. Everett L. Woodworth, Corps of Engineers.
Second Lieut. Frederick F. Frech, Corps of Engineers.

Second Lieut. Count Harvey, Corps of Engineers, to be first lieutenant with rank from July 30, 1918.

INFANTRY.

To be captains.

First Lieut. Willis E. Comfort, from August 20, 1917.
First Lieut. Leven C. Allen, from August 25, 1917.
First Lieut. Robert O. Jones, from August 27, 1917.
First Lieut. Oliver A. Hess, from August 28, 1917.
First Lieut. Edward A. Allen, from August 29, 1917.
First Lieut. Carroll M. De Witt, from September 18, 1917.
First Lieut. George L. Pepin, from September 18, 1917.
First Lieut. Clarence B. Carver, from September 18, 1917.
First Lieut. Jedediah H. Hills, from September 18, 1917.
First Lieut. Edwin E. Schwien, from September 18, 1917 (subject to examination required by law).
First Lieut. Dan D. Howe, from September 18, 1917.
First Lieut. John E. Copeland, from September 18, 1917.
First Lieut. Lloyd N. Keesling, from September 18, 1917.
First Lieut. John H. Humbert, from September 18, 1917.
First Lieut. Joseph L. Lancaster, from September 18, 1917.

First Lieut. David R. Kerr, from September 28, 1917.
First Lieut. Everett G. Smith, from October 3, 1917.
First Lieut. Lyman S. Frasier, from October 4, 1917.
First Lieut. Howard E. Hawkinson, from October 4, 1917.
First Lieut. Sidney S. Eberle, from October 4, 1917.
First Lieut. Joseph N. Dalton, from October 4, 1917.
First Lieut. Charles N. Stevens, from October 4, 1917.
First Lieut. James S. Bailey, from October 4, 1917 (subject to examination required by law).
First Lieut. Henry C. Long, jr., from October 4, 1917.
First Lieut. William E. Lucas, jr., from October 4, 1917.
First Lieut. Victor Parks, from October 4, 1917.
First Lieut. Walter A. Pashkoski, from October 4, 1917.
First Lieut. Roscius H. Back, from October 4, 1917.
First Lieut. Oscar F. Carlson, from October 4, 1917.
First Lieut. Richard G. Tindall, from October 4, 1917.
First Lieut. Roy L. Taylor, from October 4, 1917.
First Lieut. Leander R. Hathaway, from October 4, 1917.
First Lieut. German W. Lester, from October 5, 1917 (subject to examination required by law).
First Lieut. Karl Engeldinger, from October 5, 1917.
First Lieut. Francis A. Byrne, from October 9, 1917.
First Lieut. Harry J. Selby, from October 9, 1917 (subject to examination required by law).
First Lieut. Charles W. Jones, from October 12, 1917.
First Lieut. Edward H. Cotcher, from October 12, 1917.
First Lieut. Robert S. Miller, from October 12, 1917.
First Lieut. Paul N. Starlings, from October 12, 1917.
First Lieut. Charles Porterfield, jr., from October 12, 1917.
First Lieut. Sevier R. Tupper, from October 12, 1917.
First Lieut. Frank E. Royse, from October 12, 1917.
First Lieut. Lawrence F. Stone, from October 12, 1917.
First Lieut. Aaron J. Becker, from October 12, 1917.
First Lieut. Wilson M. Spann, from October 12, 1917.

These nominations were submitted to the Senate January 31, 1918, and were confirmed by that body February 13, 1918.

This message is submitted for the purpose of correcting errors in dates of rank of the nominees.

To be captains with rank from October 12, 1917.

First Lieut. Irving C. Avery.
First Lieut. James V. Ware.
First Lieut. Robert W. Brown.
First Lieut. James R. Manning.
First Lieut. Charles L. Steel.
First Lieut. Stuart R. Carswell (subject to examination required by law).
First Lieut. Gilbert S. Harter (subject to examination required by law).
First Lieut. John W. Cotton (subject to examination required by law).
First Lieut. Ralph E. Wallace (subject to examination required by law).
First Lieut. Lawrence W. Fagg (subject to examination required by law).
First Lieut. Maury Mann (subject to examination required by law).
First Lieut. Rupert L. Purdon (subject to examination required by law).
First Lieut. Richard S. Jones (subject to examination required by law).

To be captains with rank from October 16, 1917.

First Lieut. William C. Hanna (subject to examination required by law).
First Lieut. Leon G. Harer (subject to examination required by law).

To be captains with rank from November 5, 1917.

First Lieut. Sigurd J. Simonsen (subject to examination required by law).
First Lieut. Thomas G. Bond (subject to examination required by law).
First Lieut. John E. Haywood (subject to examination required by law).
First Lieut. Willis H. Hale (subject to examination required by law).
First Lieut. Noe C. Killian (subject to examination required by law).
First Lieut. Lindsay P. Johns (subject to examination required by law).
First Lieut. Walter R. Mann (subject to examination required by law).
First Lieut. Henry W. Lee (subject to examination required by law).
First Lieut. Charles A. Shamotulski (subject to examination required by law).

To be captains with rank from October 23, 1917.

First Lieut. Edwin M. Scott (subject to examination required by law).
First Lieut. Paul J. Dowling (subject to examination required by law).
First Lieut. John H. Jones (subject to examination required by law).
First Lieut. Rufus E. Wicker (subject to examination required by law).
First Lieut. Charles L. Briscoe (subject to examination required by law).
First Lieut. Hermann C. Dempewolf (subject to examination required by law).
First Lieut. Frank E. Hinton (subject to examination required by law).
First Lieut. Frank P. Tuohy (subject to examination required by law).
First Lieut. John R. Hermann (subject to examination required by law).
First Lieut. Louis T. Roberts (subject to examination required by law).

To be captains with rank from October 25, 1917.

First Lieut. James M. Palmer (subject to examination required by law).
First Lieut. Ralph A. W. Pearson (subject to examination required by law).

To be captain with rank from October 30, 1917.

First Lieut. Alfred Millard (subject to examination required by law).

To be captains with rank from November 5, 1917.

First Lieut. Harry H. Ambs (subject to examination required by law).
First Lieut. William H. Bittenbender (subject to examination required by law).
First Lieut. Raymond H. Bishop (subject to examination required by law).
First Lieut. James A. Summersett, jr. (subject to examination required by law).
First Lieut. Hugh C. Gilchrist (subject to examination required by law).
First Lieut. Allen T. Veatch (subject to examination required by law).

These nominations were submitted to the Senate February 25, 1918, and confirmed by that body on March 8, 1918.

This message is submitted for the purpose of correcting errors in dates of rank of the nominees.

To be captains.

First Lieut. Sidney F. Masbbir, from November 6, 1917.
First Lieut. William P. Scobey, from November 9, 1917 (subject to examination required by law).
First Lieut. William C. Moore, from November 30, 1917 (subject to examination required by law).
First Lieut. Albion Smith, from December 2, 1917 (subject to examination required by law).
First Lieut. Edwin D. Patrick, from December 11, 1917 (subject to examination required by law).
First Lieut. Herman F. Kramer, from December 15, 1917 (subject to examination required by law).
First Lieut. Clarence P. Evers, from December 19, 1917 (subject to examination required by law).
First Lieut. William H. Coacher, from December 19, 1917.
First Lieut. Edward S. Johnston, from December 19, 1917.
First Lieut. John T. Henderson, from December 29, 1917 (subject to examination required by law).

These nominations were submitted to the Senate February 25, 1918, and confirmed by that body on March 8, 1918.

This message is submitted for the purpose of correcting errors in dates of rank of the nominees.

First Lieut. Paul C. Turner from July 6, 1918.

To be first lieutenants from October 26, 1917.

Second Lieut. George W. Griner, jr. (subject to examination required by law).
Second Lieut. Hugh T. Mayberry (subject to examination required by law).
Second Lieut. Charles D. Pearce, jr. (subject to examination required by law).
Second Lieut. Edwin D. McDougal, jr. (subject to examination required by law).
Second Lieut. Philip W. Lowry (subject to examination required by law).
Second Lieut. Charles P. Winsor (subject to examination required by law).

Second Lieut. John Doble (subject to examination required by law).
Second Lieut. Moses McK. Darst (subject to examination required by law).
Second Lieut. Robert R. Smith (subject to examination required by law).
Second Lieut. Evan C. Dresser (subject to examination required by law).
Second Lieut. James G. Carr (subject to examination required by law).
Second Lieut. Daniel E. Farr (subject to examination required by law).
Second Lieut. Chester McN. Woolworth (subject to examination required by law).

These nominations were submitted to the Senate March 14, 1918, and were confirmed by that body on March 18, 1918.

This message is submitted for the purpose of correcting errors in dates of rank of the nominees.

To be first lieutenants with rank from October 26, 1917.

Second Lieut. Roland M. Glenn (subject to examination required by law).
Second Lieut. Harry S. Robertson (subject to examination required by law).
Second Lieut. Lawrence M. Arnold (subject to examination required by law).
Second Lieut. Arthur R. Knott (subject to examination required by law).
Second Lieut. Samuel O'C. Neff (subject to examination required by law).
Second Lieut. Philip E. Brown (subject to examination required by law).
Second Lieut. Olaf P. Winningstad (subject to examination required by law).
Second Lieut. Raymond M. Myers (subject to examination required by law).

To be first lieutenants with rank from October 30, 1917.

Second Lieut. Paul S. Russell (subject to examination required by law).
Second Lieut. Herbert Clinton Smith (subject to examination required by law).

To be first lieutenants with rank from November 5, 1917.

Second Lieut. Edward N. Mitchell (subject to examination required by law).
Second Lieut. James A. Van Sant (subject to examination required by law).
Second Lieut. William E. Stanley (subject to examination required by law).
Second Lieut. Frank S. Spruill, jr. (subject to examination required by law).
Second Lieut. George A. Davis (subject to examination required by law).
Second Lieut. Laurin L. Williams (subject to examination required by law).
Second Lieut. George Van W. Pope (subject to examination required by law).
Second Lieut. Edwin M. Allison (subject to examination required by law).
Second Lieut. George E. Butler (subject to examination required by law).
Second Lieut. Edgar L. Clewell (subject to examination required by law).
Second Lieut. Herbert A. Buermeyer (subject to examination required by law).
Second Lieut. Leo R. Moody (subject to examination required by law).
Second Lieut. William McL. Christie (subject to examination required by law).
Second Lieut. Leon D. Gibbens (subject to examination required by law).

To be first lieutenant with rank from November 7, 1917.

Second Lieut. Mark M. Grubbs (subject to examination required by law).

To be first lieutenant with rank from November 9, 1917.

Second Lieut. Robert A. Kinloch (subject to examination required by law).

To be first lieutenants with rank from November 19, 1917.

Second Lieut. Joel R. Burney (subject to examination required by law).
Second Lieut. Franklin P. Shaw (subject to examination required by law).
Second Lieut. Winfield H. Scott (subject to examination required by law).
Second Lieut. Arthur G. Davidson (subject to examination required by law).

To be first lieutenant with rank from November 22, 1917.

Second Lieut. Harold A. White (subject to examination required by law).

To be first lieutenant with rank from November 28, 1917.

Second Lieut. Campbell N. Jackson (subject to examination required by law).

To be first lieutenant with rank from December 2, 1917.

Second Lieut. James A. Black (subject to examination required by law).

To be first lieutenant with rank from December 15, 1917.

Second Lieut. Clarence R. Peck (subject to examination required by law).

To be first lieutenants with rank from December 19, 1917.

Second Lieut. Glenn G. Hall (subject to examination required by law).
Second Lieut. Charles C. Gillette (subject to examination required by law).

To be first lieutenant with rank from December 29, 1917.

Second Lieut. Walace E. Hawkins (subject to examination required by law.

To be first lieutenant with rank from February 9, 1918.

Second Lieut. Bird Little (subject to examination required by law).

To be first lieutenant with rank from February 11, 1918.

Second Lieut. Robert Robinson (subject to examination required by law).

CAVALRY ARM.

To be first lieutenants.

Second Lieut. Roland H. Rogers, Cavalry, with rank from June 26, 1918.
Second Lieut. Fred N. Raymond, Cavalry, with rank from July 4, 1918.
Second Lieut. Glenn W. Keith, Cavalry, with rank from July 10, 1918.
Second Lieut. Roscoe C. B. Ellard, Cavalry, with rank from July 13, 1918.
Second Lieut. Jason B. Hart, Cavalry, from June 25, 1918.

FIELD ARTILLERY ARM.

First Lieut. Yarrow D. Vesely, Field Artillery, to be captain with rank from June 11, 1918.

To be captains with rank from July 10, 1918.

First Lieut. William B. Dunwoody, Field Artillery.
First Lieut. Charles B. Thomas, Field Artillery.
First Lieut. Oliver J. Bond, jr., Field Artillery.
First Lieut. Robert H. Ennis, Field Artillery.
First Lieut. Benjamin E. Carter, Field Artillery.
First Lieut. Henry B. Parker, Field Artillery.

To be first lieutenants with rank from July 10, 1918.

Second Lieut. Harvey E. Ragland, Field Artillery.
Second Lieut. Charles H. Burchenal, Field Artillery.
Second Lieut. Oliver B. Cunningham, Field Artillery, to be first lieutenant with rank from June 11, 1918.

PROVISIONAL APPOINTMENTS, BY TRANSFER, IN THE ARMY.

CAVALRY ARM.

First Lieut. Dale M. Hoagland, Infantry, to be first lieutenant of Cavalry, with rank from October 25, 1917.

INFANTRY ARM.

First Lieut. Fletcher H. Etheridge, Cavalry (temporary captain), to be first lieutenant of Infantry, with rank from October 25, 1917.

PROMOTIONS IN THE ARMY.

CORPS OF ENGINEERS.

First Lieut. Starr C. Wardrop, Corps of Engineers (temporary captain), to be captain, with rank from July 30, 1918.

MEDICAL CORPS.

To be majors with rank from August 3, 1918.

Capt. Walter J. Bristow, Medical Corps, subject to examination required by law.
Capt. Elias E. Cooley, Medical Corps.
Capt. Thomas D. Hurley, Medical Corps.
Capt. Emanuel Kline, Medical Corps.
Capt. Josiah B. Henneberger, Medical Corps.

Capt. Paul M. Crawford, Medical Corps.
Capt. George S. Woodard, Medical Corps.
Capt. John H. Sturgeon, Medical Corps.
Capt. Fred G. Benton, Medical Corps.
Capt. Abram L. Van Meter, Medical Corps.
Capt. Alexander E. Listoe, Medical Corps.
Capt. Raymond W. Whittier, Medical Corps.
Capt. Wood S. Woolford, Medical Corps, subject to examination required by law.
Capt. Herbert C. Neblett, Medical Corps.
Capt. Leman D. Cruice, Medical Corps.
Capt. Charles B. Kendall, Medical Corps.
Capt. Cadmus J. Baker, Medical Corps.
Capt. Francis E. Gessner, Medical Corps.
Capt. James W. Bunce, Medical Corps, subject to examination required by law.

To be captains with rank from August 3, 1918.

First Lieut. Walter J. Bristow, Medical Corps, subject to examination required by law.
First Lieut. Elias E. Cooley, Medical Corps.
First Lieut. Thomas D. Hurley, Medical Corps (captain, National Army).
First Lieut. Emanuel Kline, Medical Corps.
First Lieut. Josiah B. Henneberger, Medical Corps.
First Lieut. Paul M. Crawford, Medical Corps.
First Lieut. George S. Woodard, Medical Corps.
First Lieut. John H. Sturgeon, Medical Corps.
First Lieut. Fred G. Benton, Medical Corps.
First Lieut. Abram L. Van Meter, Medical Corps.
First Lieut. Alexander E. Listoe, Medical Corps.
First Lieut. Raymond W. Whittier, Medical Corps.
First Lieut. Wood S. Woolford, Medical Corps, subject to examination required by law.
First Lieut. Herbert C. Neblett, Medical Corps.
First Lieut. Leman D. Cruice, Medical Corps.
First Lieut. Charles B. Kendall, Medical Corps.
First Lieut. Cadmus J. Baker, Medical Corps.
First Lieut. Francis E. Gessner, Medical Corps.
First Lieut. James W. Bunce, Medical Corps, subject to examination required by law.

DENTAL CORPS.

Maj. Albert R. White, Dental Corps, to be lieutenant colonel from March 5, 1918.

VETERINARY CORPS.

To be veterinarians.

Asst. Veterinarian Fred B. Gage to be veterinarian from January 27, 1918.
Asst. Veterinarian John H. Gould to be veterinarian from January 28, 1918.
Asst. Veterinarian Walter Fraser to be veterinarian from January 29, 1918.
Asst. Veterinarian Walter R. Pick to be veterinarian from July 27, 1918.
Asst. Veterinarian Andrew E. Donovan to be veterinarian from July 29, 1918.
Asst. Veterinarian Burt English, to be veterinarian from August 4, 1918.

TRANSFER TO THE ACTIVE LIST OF THE ARMY.

INFANTRY.

To be major with rank from May 15, 1917.

Capt. William T. Patten, United States Army, retired.

To be major with rank from July 26, 1916.

Capt. Thomas F. Maginnis, United States Army, retired.

APPOINTMENTS AND PROMOTIONS IN THE NAVY.

The following-named ensigns, for temporary service, to be lieutenants (junior grade) in the Navy, for temporary service, from the 1st day of June, 1918:

Collins R. Buchner,
Warwick M. Tinsley,
Archie R. Wolfe,
Francis P. Brewer,
Henry A. Stuart,
Aaron Eldridge,
Judson E. Scott,
Clyde H. Dougherty,
Edward L. Newell,
Robert B. England,
Howard S. Raber,
George O. Farnsworth,
Lars O. Peterson,
Omar B. Earle,
Alfred R. Eubanks,
Thomas Flynn,
John F. Piotrowski,
Alexander B. Holman,
Ralph A. Scott,
Michael Burke,
Irwin V. Herin,
William F. Schlesinger,
Herman A. Bauchot,
Earle G. Gardner,
William W. Eagers,
William K. Johnstone,
John F. Craig,
Frank T. Green,
Augustus K. Goffe,
Robert S. Savin,
William J. Graham,
Emmette F. Gumm,
George B. Evans,
Edwin Fisher,
Charles O. Bain,
Clarence H. Fogg,
Joseph A. Flynn,
James J. Lucas,
Thomas Southall,
Bernard S. Riley,
George C. Neilsen,
Sidney C. Seale,
Joseph C. Herman,
Thomas G. Shanahan,
George R. Blauvelt,
Eric P. Teschner,
Erich O. Tauer,
Jens Nelson,
Harry A. Bryan,
Edwin H. Briggs,
George Schneider,
Frank V. Shepard,
Warren L. Graeff,
Hector L. Ross,
Emmet L. Bourke,
John H. Chinnis,
Earl V. Hand,
Alonzo W. Esworthy,
Abram L. Broughton,
Robert I. Hart,
Albert F. Blake,
Charles Waters,
William F. Morris,
Jesse S. Hooper,
Edward I. Dailey,
John Heep,
James H. Cain,
Hugh J. Finn,
Carl J. Hanson,
William H. Wright,
Thomas T. Emerton,
Charles F. Ware,
John R. McMeekin,
Edgar T. Hammond,
John R. McKean,
John D. Thompson,
Raymond R. Smith,
Clarence E. Williams,
George E. Tarbell,
Albert Wing,
John L. Scheidemen,
Harold A. Clough,
Earl Swisher,
Albert C. Buck,
Walter L. Hawk,
Jesse L. Harmer,
Fred H. Stewart,
John W. Ross,
Francis H. McAdoo,
Almy C. Maynard,
James A. Burbank,
Ralph L. Dodge,
Charles K. Cobb, jr.,
Thomas W. Mather,
Joseph L. Day,
Charles L. Poor, jr.,
Raymond L. Watrous
Bulkeley L. Wells,
Winn D. Faris,

Walter R. O'Sullivan,
Chester L. Nichols,
Jay H. Keller,
John S. Brayton, jr.,
Thomas M. Leovy,
Conant Wait,
John Hemphill,
Charles R. Westbrook,
Richard S. Maynard,
Robert M. Curtis,
Ernest Gregory,
George T. Jarvis,
Thomas Robins, jr.,
Arthur C. Saxe,
George G. Jones,
Samuel E. Raymond,
Lyman S. King,
Evans R. Dick, jr.,
Miles Wambaugh,
Herbert M. Corse,
George E. McQuesten,
Arthur W. Ford,
Delancy Nicoll, jr.,
Lewis G. Smith,
Schuyler Dillon,
Paul A. Scherer,
Frederick A. Merrill,
Douglas G. Lovell,
William F. Kurfess,
William W. Slaymaker,
Harold F. Fulz,
Alfred G. Gennert,
Edwin Cowles,
Sydney P. Clark,
John A. Burgwin,
Frank T. Hogg,
Walter H. Wheeler, jr.,
Junius S. Morgan,
Folke E. Sellman,
Walter P. Shiel,
Arthur M. Tschirgi,
Wayne F. Palmer,
George D. Howell, jr.,
Donald McClench,
Charles Higginson,
Clifford D. Smith,
Hamilton Vose, jr.,
Robert F. Herrick, jr.,
Joseph C. Storey,
Horton Brown,
William C. Bok,
John H. Wilcox,
Edward Lloyd, jr.,
Donald M. Ryerson,
Elmer J. Stoffel,
Horace Butler,
Selim E. Woodworth,
Benjamin W. Cloud, 2d.,
John S. Lionberger,
Philip C. Kauffman,
Roy D. Keyes,
Richard H. Cobb,
Frank W. Morrell,
Franklin King,
Francis T. Hunter,
Conrad Chapman,
Harold S. Simmons,
George Taylor,
Robert W. Emmons, 3d,
William Thompson Kirk, 3d,
Arthur T. Leonard,
William H. May,
John L. Merrill,
John E. P. Morgan,
William V. Couchman, jr.,
Thomas N. Page,
William W. Grace,
George R. Hann,
Winslow H. French,
Andrew C. Little,
Irving R. Gale,
Hallowell V. Morgan,
Howard G. Cann,
Robert B. Noyes,
Thomas I. H. Powell,
Eugene R. Sturtevant,
Bryan Frere,
Henry Hale, jr.,
Thornton Emmons,
Chester J. La Roche,
Mallery K. Aiken,
Milton H. Bird,
Paul A. Hourigan,
John R. Litchfield,
Stanford Harmon,
John D. Schuler,
Carter B. Burnet,
Clarence W. Schmidt,
John T. Scully,
Arthur C. Smith,
William J. Curtis, jr.,
Howard P. Hart,
Hayden Crocker,
Frederick S. Connor,
Matthew P. Waller,
James L. Sprunt,
Robert R. Theobald,
Arthur C. Hoyt,
Marion W. Lee,
Ralph W. Preston,
Gould T. Miner,
James H. R. Cromwell,
William E. D. Stokes, jr.,
Robert D. Bartlett,
Charles H. Bowman,
George F. Talbot,
Herbert D. Glass,
Percival V. Harris, and
Allan C. Brown.

The following-named warrant officers, for temporary service, to be ensigns in the Navy, for temporary service, from the 1st day of July, 1918:

James P. Steedley,
Edward A. O'Neill,
Joseph M. Jensen, and
William W. Brougham.

The following-named enlisted men to be ensigns in the Navy, for temporary service, from the 1st day of July, 1918:

Theodore D. Case,
Raymond A. Talbot,
James C. Smith,
William T. Van Voris,
Fred Ford,
Allen P. Judson,
William F. Roessler,
Maitland Bakewell,
Russell D. Richardson,
William E. Phillips,
John C. Hobart,
Roy Jackson,
Ruley E. Mullis,
Thomas Ryan, jr.,
Raymond G. Deewall,
Clovis N. Fontaine,
Oscar Henrichsen, and
John Q. Chapman.

Ensign Manning W. Hodgdon, United States Naval Reserve Force, to be an ensign in the Navy, for temporary service, from the 1st day of July, 1918.

The following named temporary warrant officers to be ensigns in the Navy, for temporary service, from the 15th day of July, 1918:

Joseph A. Kelly,
Grover F. Coulson,
Jesse G. Hughes,
Jesse E. Jocoy,
John de Rue,
Earl B. Brix,
James H. Francis,
Stanley Limont,
Elmer E. Watkins,
Frank W. Rasch,
Perle M. Lund, and
Louis P. Ledoux.

The following-named enlisted men to be ensigns in the Navy, for temporary service, from the 15th day of July, 1918:

Worthy J. F. Forward,
Van Buren Jarvis,
Harry F. Newton,
Henry M. Parker,

James G. Finton,
Harry C. Rohfs,
Bernard C. Parker, and
Lyle Turner.

The following-named ensigns of the United States Naval Reserve Force to be ensigns in the Navy, for temporary service, from the 15th day of July, 1918:

James M. Haralson,
Fairfield E. Raymond,
Leonard S. Moore, and
John V. Murray.

Pay Clerk Alexander Riggin to be an assistant paymaster in the Navy, for temporary service, from the 15th day of July, 1918.

Stephen J. Callender, a citizen of Pennsylvania, to be an acting chaplain in the Navy, for temporary service, from the 3d day of July, 1918.

William E. Harrison, jr., a citizen of Washington, D. C., to be an acting chaplain in the Navy, for temporary service, from the 18th day of July, 1918.

Gunner Walter T. Keller to be an ensign in the Navy, for temporary service, from the 15th day of July, 1918.

The following-named acting pay clerks to be assistant paymasters in the Navy, for temporary service, from the 15th day of July, 1918:

Elwood J. Higley, and
Robert H. Mattex.

The following-named officers on the retired list of the Marine Corps to be majors in the Marine Corps, on the retired list, from the 1st day of July, 1918:

First Lieut. Samuel J. Logan,
Capt. Frederick M. Eslick,
Capt. Samuel A. W. Patterson,
Capt. Leo M. Harding,
Capt. Charles J. E. Guggenheim,
Capt. Lovick P. Pinkston, and
First Lieut. John W. McClaskey.

The following-named officers on the retired list of the Marine Corps to be captains in the Marine Corps, on the retired list, from the 1st day of July, 1918:

First Lieut. Fred A. Udell,
First Lieut. William A. Howard,
First Lieut. Renato Tittoni.
First Lieut. Harold C. Daniels,
First Lieut. Frederic Kensel,
First Lieut. Frank L. Martin,
First Lieut. Daniel M. Gardner, jr.,
First Lieut. Cleyburn McCaulley,
First Lieut. Harold Colvocoresses, and
First Lieut. Alexander B. Mikell.

The following named officers on the retired list of the Marine Corps to be majors in the Marine Corps, on the retired list, for temporary service, from the 1st day of July, 1918:

Capt. Arthur Stokes,
Capt. Arthur P. Crist,
First Lieut. Fred A. Udell,
Capt. Thomas F. Lyons,
Capt. Edward S. Yates,
Capt. Sidney W. Brewster,
Capt. Frederick C. McConnell,
Capt. Thomas A. Mott,
Capt. Harrison T. Swain,
Capt. John G. Muir,
First Lieut. William A. Howard, and
First Lieut. Renato Tittoni.

HOUSE OF REPRESENTATIVES.

THURSDAY, *August 22, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Lord God our Savior, let Thy blessing descend upon us to fructify our minds, cleanse our hearts, and make straight our paths in all worthy undertakings, and thus prove ourselves sons of the living God.

Make us valiant in fight, gallant in a victory for democracy, that Prussianism, militarism, and autocracy may be swept from the face of the earth; that the sun may shine for all and the earth yield abundantly to the labors of freemen.

To this end strengthen our arms and those of our allies, that the day of rejoicing may come speedily. In His name. Amen.

The Journal of the proceedings of yesterday was read and approved.

RATIFICATION OF THE PROHIBITION AMENDMENT.

The SPEAKER. The Chair has received a communication from the governor of the State of Louisiana, countersigned by the secretary of state, announcing the ratification of the prohibition amendment, which the Clerk will file among the archives of the House.

LEAVE OF ABSENCE.

Mr. SUMNERS, by unanimous consent, was given leave of absence for 10 days, on account of illness.

Mr. WILSON of Louisiana. Mr. Speaker, I ask unanimous consent for indefinite leave of absence for my colleague, Judge WATKINS, on account of important business.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

TEMPORARY INCREASE OF THE MILITARY ESTABLISHMENT.

Mr. DENT. Mr. Speaker, under the special order, I call up the bill (H. R. 12731) amending the act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917. And I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

Mr. WALSH. I object.

Mr. GILLETT. I think we ought to have it considered in Committee of the Whole.

Mr. DENT. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 12731, and pending that I ask unanimous consent that general debate on the bill be concluded in two hours, one half of the time to be controlled by the gentleman from California [Mr. KAHN], and the other half by myself.

The SPEAKER. The gentleman from Alabama moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 12731, and, pending that, he asks unanimous consent that general debate be limited to two hours, one half to be controlled by himself and the other half by the gentleman from California, Mr. KAHN. Is there objection?

Mr. KAHN. Mr. Speaker, I would like to ask the gentleman from Alabama whether he contemplates a liberal debate under the five-minute rule?

Mr. DENT. I certainly do. That matter, as the gentleman from California knows, was discussed in committee yesterday immediately after the bill was reported, and we all agreed that that should be the course pursued.

The SPEAKER. Is there objection?

Mr. MILLER of Minnesota. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Alabama a question. Of course, this is a very important measure. It is one that, at least in respect to a certain item, there will certainly be a division of opinion among the Members of the House. No matter on which side Members may vote, they desire to express their views. Two hours is a ridiculously short time for the discussion of this important measure. If the members of the committee do their duty by the House, they will take all of that time and more themselves. In addition to that, there are some gentlemen of the House, I am sure, who have views and would like, briefly, to present them. It may be that 5 or 10 minutes each is all that they would like, but they would like that very much. I can see no difference whatever in having the 5 or 10 minutes of general debate where they belong—and I am speaking as far as the economy of time is concerned—and having them bunched under the five-minute rule, where they do not belong, and all subject to a point of order, where some man who may be a little obstreperous and not like the way things are going can stop the proceedings in a minute. I suggest to the gentleman from Alabama that he lengthen the time for general debate. I am willing, for one, and others share the same view, to stay here until 10 o'clock or midnight if gentlemen desire to pass the bill to-day. But let us give this vital and important matter to the homes and the welfare of the Nation a fair and decent consideration in the House, and let us not make the House purely a rubber stamp for another body.

Mr. DENT. Let me say to the gentleman from Minnesota that when the $12,000,000,000 Army appropriation bill was before the House, in the first part of June, carrying a great many very important legislative features, the House dispensed with general debate, and the entire matter was discussed under the five-minute rule. I never have heard a single word of complaint from any Member of the House on either side that he was not given full and fair opportunity to present his views.

Mr. MONDELL. But that bill appropriated the money of the country, and this applies to the citizenship.

Mr. MILLER of Minnesota. I would like to say that in my judgment the action we took in respect to the $12,000,000,000 bill was radically and fundamentally wrong. We were induced to do it under a misapprehension. That bill was adequately and fully considered in another branch of this body without being hurried, and we could have spent two or three days' time on the bill with a good deal of propriety.

Mr. DENT. How much time does the gentleman suggest?

Mr. MILLER of Minnesota. It seems to me that if we had three hours, an hour and a half on a side, it would be sufficient. I want to hear what the members of the committee have to say upon the various features of the bill.

Mr. DENT. Mr. Speaker, I am willing to amend the request, although I have had practically no requests for time on this side of the House. I ask that the time be fixed at three hours, one half of it to be controlled by the gentleman from California and the other half by myself.

Mr. KAHN. And that all debate be confined to the bill.

Mr. DENT. Yes.

Mr. CLARK of Florida. Mr. Speaker, will the gentleman yield?

Mr. DENT. Certainly.

Mr. CLARK of Florida. Will the gentleman allow me 15 minutes of that time?

Mr. DENT. Yes; I shall yield the gentleman 15 minutes of that time.

Mr. JOHNSON of Washington. Mr. Speaker, I would like to make a request of the gentleman from Alabama [Mr. DENT]. There are a number of pages employed here by the House who are about 18 years old, and I would like to have sufficient time to bring them down on the floor, and test them out to see whether they can carry a hundred or more pounds on their backs, whether they are mature, whether they are likely soldiers. So I would like to have a few minutes' times in the debate.

Mr. DENT. I can assure the gentleman that he will have at least 10 minutes at some time during the debate.

Mr. JOHNSON of Washington. I thank the gentleman.

The SPEAKER. The gentleman from Alabama moves that the House resolve itself into the Committee of the Whole House on the state of the Union, and pending that he asks unanimous consent that general debate be limited to not exceeding three hours, one-half of that time to be controlled by the gentleman from California [Mr. KAHN] and one-half by himself, debate to be confined to the bill. Is there objection?

Mr. SEARS. Mr. Speaker, reserving the right to object, when we took up the revenue bill the people of the country insisted that we take weeks and months discussing the bill. This bill as presented to the House will take the 18, the 19, and the 20-year-old boys from their homes throughout the country, and it does seem to me that three hours is too short a time for this House to debate a question of that kind, and I therefore object.

The SPEAKER. The gentleman from Florida objects. The question is on the motion of the gentleman from Alabama, that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 12731.

The question was taken.

Mr. SEARS. Mr. Speaker, I demand a division.

Mr. DYER. Mr. Speaker, I ask for a division in order to see whether there is a quorum present.

The House divided; and there were—ayes 168, noes 0.

So the motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 12731, with Mr. HAMLIN in the chair.

Mr. DENT. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection?

Mr. STAFFORD. Mr. Chairman, I think the bill should be read for the information of the House and country.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 12731) amending the act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917.

Be it enacted, etc., That the second sentence of section 2 of the act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, be, and hereby is, amended to read as follows:

"Such draft as herein provided shall be based upon liability to military service of all male citizens and male persons residing in the United States, not alien enemies, who have declared their intention to become citizens, between the ages of 18 and 45, both inclusive, and shall take place and be maintained under such regulations as the President may prescribe not inconsistent with the terms of this act: *Provided*, That the President may draft such persons liable to military service in such sequence of ages and at such time or times as he may prescribe: *And provided further*, That a citizen or subject of a country neutral in the present war who has declared his intention to become a citizen of the United States shall be relieved from liability to military service upon his making a declaration, in accordance with such regulations as the President may prescribe, withdrawing his intention to become a citizen of the United States, which shall operate and be held to cancel his declaration of intention to become an American citizen, and he shall forever be debarred from becoming a citizen of the United States.

SEC. 2. That the provision of section 4 of said act, "persons engaged in industries, including agriculture, found to be necessary to the maintenance of the Military Establishment or the effective operation of the military forces or the maintenance of national interest during the emergency," be, and hereby is, amended to read as follows:

"Persons engaged in occupations or employments found to be necessary to the maintenance of the Military Establishment or the effective operation of the military forces or the maintenance of national interest during the emergency."

SEC. 3. That section 4 of said act be amended by adding at the end thereof the following proviso:

Provided, That nothing in this section contained shall prevent the President, if he deems it advisable, from appointing as a member of a local board any person residing outside the subdivision or area in which such local board has jurisdiction, or from transferring a member of one local board to another local board outside the subdivision or area in which such person resides.

SEC. 4. That section 5 of said act be, and hereby is, amended to read as follows:

"That all male persons between the ages of 18 and 45, both inclusive, shall be subject to registration in accordance with regulations to be prescribed by the President, and upon proclamation by the President or other public notice given by him, or by his direction, stating the time or times and place or places of any such registration, it shall be the duty of all persons of the designated ages, except officers and enlisted men of the Regular Army, the Navy, and the National Guard and Naval Militia while in the service of the United States, to present themselves for and submit to registration under the provisions of this act; and every such person shall be deemed to have notice of the requirements of this act upon the publication of any such proclamation or any such other public notice as aforesaid given by his direction; and any person who shall willfully fail or refuse to present himself for registration or to submit thereto as herein provided shall be guilty of a misdemeanor and shall, upon conviction in a district court of the United States having jurisdiction thereof, be punished by imprisonment for not more than one year, and shall thereupon be duly registered: *Provided*, That in the call of the docket precedence shall be given in courts trying the same to the trial of criminal proceedings under this act: *Provided further*, That persons shall be subject to registration as herein provided who shall have attained their eighteenth birthday and who shall not have attained their forty-sixth birthday on or before the day set for the registration in any such proclamation by the President or any such other public notice given by him or by his direction; and all persons so registered shall be and remain subject to draft into the forces hereby authorized unless exempted or excused therefrom as in this act provided: *Provided further*, That the President may at such intervals as he may desire from time to time require all male persons who have attained the age of 18 years since the last preceding date of registration and on or before the next date set for registration by proclamation by the President, except such persons as are exempt from registration hereunder, to register in the same manner and subject to the same requirements and liabilities as those previously registered under the terms hereof: *And provided further*, That in the case of temporary absence from actual place of legal residence of any person liable to registration as provided herein, such registration may be made by mail under regulations to be prescribed by the President."

With the following committee amendments:

Page 2, line 7, strike out "precribe" and insert the word "prescribe," and strike out the remainder of line 7 and all of lines 8, 9, 10, 11, 12, 13, 14, 15, and 16, and the word "States," on line 17, and insert in lieu thereof the following:

"*Provided, however*, That registrants who on the date fixed by the President for registration are of the age of 19 years and not over 20 years shall be designated as the 19 class and shall be drafted subsequent to registrants in class 1 of the age of 20 years and over the age of 20 years; and registrants of the age of 18 years and not over 19 years shall be designated the 18 class and shall be last called for service. All registrants of the age of 20 years and above on the day fixed by the President for registration shall be called prior to those in the classes hereby created."

Page 3, strike out all of section 3.

Page 3, line 22, strike out the figure "4" and insert the figure "3."

Page 5, after line 16, insert the following as new sections:

"SEC. 4. That during the present emergency the minimum age limit of officers of the Army of the United States, not above the rank of captain, shall be 18 years.

"SEC. 5. That the Secretary of War is authorized to assign to educational institutions, for special and technical training, soldiers who enter the military service under the provisions of this act in such numbers and under such regulations as he may prescribe; and is authorized to contract with such educational institutions for the subsistence, quarters, and military and academic instruction of such soldiers.

"Funds heretofore or hereafter appropriated for quarters and subsistence of the Army shall be available for payments to educational institutions under the contracts above authorized, including the cost of military and academic instruction."

Mr. DENT. Mr. Chairman, in order that the membership of the House may understand the program that the gentleman from California [Mr. KAHN] and myself have agreed upon, so that they may govern themselves accordingly, after a few moments of discussion I shall move that the Committee rise and report the bill back to the House, and when we return to the House I shall ask that general debate continue during the day up until 5 o'clock, with the understanding that we take up the bill for consideration to-morrow under the five-minute rule, and that we sit to-morrow until the bill is finally passed. [Applause.]

Mr. Speaker, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. DENT, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12731, and had come to no resolution thereon.

Mr. DENT. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12731. Pending that I ask unanimous consent that general debate run during the entire day, to be concluded at 5 o'clock, one half of the time to be controlled by the gentleman from California and the other half by myself, with the understanding that at that time the committee shall rise, and I give notice that to-morrow it is our intention that the House shall stay in session until the bill is finally acted upon.

The SPEAKER. The gentleman from Alabama moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12731, and pending that asks unanimous consent that general debate upon the bill be continued until 5 o'clock this afternoon when the Committee shall rise, one half of the time to be controlled by himself and the other half by the gentleman from California, debate to be confined to the bill itself, and he gives notice that to-morrow he is going to ask the House to stay in session until the bill is finally acted upon. Is there objection?

Mr. SIMS. Mr. Speaker, reserving the right to object, I want to ask the gentleman a question, or ask for information as to another matter. Now, this is a very important bill, and I do not like to object to the request which the chairman of the committee makes, but I am interested very much in what we will do to-morrow. I understand that the revenue bill is to come in on Monday next, and if that is true, I realize it is of too great importance to be delayed, as I do with this bill; but I do want to state to the Members of the House frankly, as far as I am concerned, as chairman of the Committee on Water Power, that I am not going to agree to the water-power bill being considered by way of temporary installments, especially since it has reached the amendment stage, and if this bill takes up all of to-morrow and if the revenue bill comes in Monday, I am not going to ask that the water-power bill be considered until after the revenue bill is disposed of. [Applause.]

Mr. LONGWORTH. Mr. Speaker, I do not see the chairman of the Committee on Ways and Means here, but I do not think, as a member of the committee, there is any chance whatever of the bill being reported on Monday.

Mr. SIMS. If the chairman of the committee will not bring in that bill for consideration or will not ask for its consideration before Wednesday, then we can finish the water-power bill by Wednesday, if we can have Saturday, Monday, and Tuesday for its uninterrupted consideration.

Mr. CRISP. Mr. Speaker, I do not think the bill will be in before Wednesday.

Mr. SIMS. I withdraw my reservation of the right to object.

Mr. WHEELER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WHEELER. I understood the request of the chairman of the committee is that general debate be continued until 5 o'clock this evening?

The SPEAKER. Yes.

Mr. LONDON. Mr. Speaker, reserving the right to object, I desire to submit to the Chair that the chairman of the committee in his request did not ask that debate be limited to the bill.

The SPEAKER. That was the original limitation.

Mr. LONDON. That was the original limitation presented half an hour ago, but not when he made this last request.

Mr. DENT. Well, it is was not in this request, but it was in the original request at the suggestion of the gentleman from California, and I will have to renew it.

Mr. LONDON. Mr. Speaker, I do not desire to obstruct the proceedings of the House, but I intended to speak for 15 or 20 minutes on another subject.

Mr. KAHN. Will the gentleman yield?

Mr. LONDON. I will withdraw the objection.

Mr. ANTHONY. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Alabama if he coupled with his request unanimous consent that the House sit to-morrow until the bill comes to final passage?

The SPEAKER. No; he just gave that intimation.

Mr. DENT. I did not ask for that, but I stated that would be the purpose of those in charge of the bill, to sit to-morrow until the bill is passed.

Mr. ANTHONY. It is the gentleman's intention to sit until the bill is passed to-morrow?

Mr. DENT. Yes.

Mr. SEARS. Mr. Speaker, reserving the right to object, I objected to the three hours because I believed this bill should have a full and free discussion. The present request of the chairman is for four and a half hours instead of three hours, and if it is agreeable to the House I shall not object.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on going into the Committee of the Whole House on the state of the Union.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12731, with Mr. HAMLIN in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12731, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 12731) amending the act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917.

Mr. DENT. Mr. Chairman, I ask the committee please to allow me to make a brief statement in regard to this bill before any interruptions are made with questions relative to it. It is not a very long bill and it will not take any great length of time to explain what the War Department wanted and what the Military Affairs Committee of the House has reported. Prior, however, to making a statement relative to the substance of the bill itself, in all fairness to the membership of the House, and especially to the Committee on Military Affairs of the House, in view of certain criticisms from different quarters of the country that there has been an unnecessary delay in the preparation and report of this bill, I wish to make a brief statement of the real facts. The Secretary of War and the Chief of Staff called me into conference about the first of August and stated to me the program. I asked if it had been put in form, and the reply was that it had not. The Secretary asked me whether the bill should be introduced now in accordance with their plan or whether they should wait until Congress reconvened for work on the 19th of August. I suggested myself to the Secretary that if the plan had been formulated and the bill put in shape I would introduce it at once so that the people of the country would have a chance to digest it before Congress settled down to work on the 19th of August. In accordance with that request, on Friday afternoon, August 2, the War Department sent me a copy of the bill. The House did not meet again till Monday, August 5. On Monday, August 5, I introduced the bill as prepared by the War Department and sent notices to members of the committee that I would begin hearings on the 19th, the day that Congress was expected to return to work. There has never been at any time or under any circumstances any demand or request from the Secretary of War or the War Department that any earlier action should be taken upon this bill. So that the facts are that within less than three weeks after the War Department had formulated a plan to increase the Army by 2,000,000 men and reduce the age limit to 18 and raise it to 45 the Committee on Military Affairs of the House reports a bill for the action of the House. [Applause.]

Now, Mr. Chairman, and gentleman of the committee, it is somewhat out of the record, but I thought that statement ought to be made in all fairness to everybody concerned. Before I leave that subject, however, let me add this one additional statement. When Gen. Crowder appeared before the committee on Monday last I asked him the question if he had not already proceeded to execute this law as if it had been already enacted, and he answered that he had. Then I asked him the further question, whether or not we would delay the execution of this law if the Committee on Military Affairs did not change the age limits as to registration between 18 and 45 but simply fixed the time or method when men between those ages should be called into the service, and he said it would not. This is manifest.

So much for the charge of delay on an important matter changing the policy of the Government with reference to drafting men in this country and increasing the Army to 5,000,000 men.

Now, Mr. Chairman, coming to the bill itself, let me state in the first place that the House Committee on Military Affairs made five changes in the bill as prepared by the War Department. The first strikes out a provision in the bill exempting declarants of neutral countries from the draft provided they claim their exemption, but carrying a provision to the effect that their declaration shall be null and void and they shall forever hereafter be barred from citizenship in this country. The reason briefly stated as to why the Military Committee was in favor of striking that provision out of the bill is this, that the Military Committee of the House reported several months ago to

the House a bill upon that subject, as an independent measure, which has passed this House and is now on the Senate calendar; and I think, and the committee thought, that this is a subject that should be handled by separate and independent legislation, especially in view of the fact that the bill as prepared and presented to the committee would leave in the country a class of residents who could never under any circumstances become citizens of the United States. That briefly is the reason for the action of the committee in that respect.

The next amendment is what is known as the "McKenzie amendment." I will pass that for the present and return to it later.

The committee also struck out of the bill as prepared by the War Department a provision which authorized the President to appoint as members of local boards citizens who did not live within the locality. The reason for that, I think, is too manifest to require explanation.

The fourth amendment of the bill was a provision authorizing by law the appointment of young men between 18 and 21 as officers in the Army, up to the rank of captain. The committee thought, and I am sure the House will agree with the committee, that if we propose to call men between 18 and 21 into the service, we should at least give them an opportunity to earn an officer's commission.

There was added as a fifth proposition to the bill a provision authorizing the Secretary of War to assign enlisted soldiers to educational institutions for special and technical training. That was an amendment suggested at the last moment by the War Department itself. It is the practice of the War Department now and, I think, speaks for itself.

That leaves only for consideration the so-called McKenzie amendment. The bill as drafted by the War Department provided for the conscription of men between the ages of 18 and 45, giving to the President the right and the authority to provide by regulation the sequence in which men between those two ages should be called into the service. Under that, of course, the President could call boys 18 years of age first, if he wished. Under that the President could call men 43 years of age first, if he wished. Under that the President could fix a period of ages which he would call first, and the period of ages which he would call second, and so on down. The McKenzie amendment provides that boys shall be registered and become subject to the service of their country between the ages of 18 and 21, but that those in the 19 class and in the 18 class shall be deferred, and that male citizens within the draft age between 20 and 45 shall be called before those who are in the 19 class, and those in the 19 class called before those in the 18 class.

Mr. MILLER of Minnesota. Will the gentleman yield?

Mr. DENT. I will ask the gentleman not to interrupt me until I have finished my statement.

The Secretary of War stated when he was before the committee on Monday, after the bill, of course, had been prepared by the War Department, that he was perfectly willing for the committee to write in the bill a provision that the boys in the 18 class—that is, those between 18 and 19—should be called last. So that really the only substantial difference between the committee as to the McKenzie amendment and the Secretary of War is that the McKenzie amendment takes care of the boy between 19 and 20 as well as the boy between 18 and 19. Now, that is the only difference between the Secretary of War and the bill as reported by this committee.

In addition to that, the committee, according to the bill as reported, does not deny to the War Department full power and authority to take every man in the country between 18 and 45 if they need them. The only thing is that the committee thought it just and proper to give the boys that were under 20 years of age an opportunity to attend their schools and business and to get education and training at home while the men older in years were being used in the service. Under this bill as reported by the Committee on Military Affairs those boys are subject to the call of the country and to service in this war. So it does not deprive the War Department of any man power whatever.

Mr. MONDELL. Will the gentleman mind being interrupted at this point?

Mr. DENT. I am willing to be interrupted now.

Mr. MONDELL. Did the committee consider this feature of the situation: If the boys between 18 and 20 are not to be called until all others have been called, why have them drawn at all? Why not wait until they are needed? Why classify them if they are not to be utilized?

Mr. DENT. Well, Mr. Chairman, I will say to the gentleman from Wyoming that it is possible that they may be utilized before the end of this fiscal year. It is possible that they may be drawn into the service. So far as my personal opinion i concerned, I will state in reply to the gentleman, it seems to me that, Congress being in session, we might well wait. [Applause.]

Mr. MONDELL. Why weigh all this agony on the minds of the parents of these boys in the fear that they will be called when it is not proposed to call them?

Mr. DENT. It is proposed to call them, I will state to the gentleman, if it is necessary to make this Army an Army of 5,000,000 men.

Mr. REAVIS. Will the gentleman yield?

Mr. DENT. I will.

Mr. REAVIS. It will not hurry the call of these boys to classify them, will it? They will not be called to the colors any quicker by reason of being classified under this bill?

Mr. DENT. They will not be called any quicker.

Mr. REAVIS. Then the classification does not hurry the call of these boys?

Mr. DENT. Not at all.

Mr. MONDELL. Then why classify them?

Mr. STAFFORD and Mr. LAZARO rose.

The CHAIRMAN. To whom does the gentleman yield?

Mr. DENT. I yield first to the gentleman from Louisiana [Mr. LAZARO].

Mr. LAZARO. Just a question for information. Did I understand the chairman to say that the boys between 18 and 20 would not be called until those between 21 and 45 were in class 1?

Mr. DENT. Between 20 and 45.

Mr. LAZARO. Now, what about it when they reach 20? Do they lose that status after they reach 20 or 21?

Mr. DENT. I do not know what the gentleman means. Does he mean the 19-year-old boy when he becomes 20?

Mr. LAZARO. Yes.

Mr. DENT. Of course, he then becomes subject to the draft.

Mr. CALDWELL. Mr. Chairman, will the gentleman yield?

Mr. DENT. Yes.

Mr. CALDWELL. I think perhaps the gentleman from Alabama was not entirely plain in his answer. My understanding of the testimony before the committee was that the War Department expected to call all of the men in class 1 who would be reached by this enlargement of the draft just before the 30th of June next year.

Mr. DENT. I stated that, I think.

Mr. CALDWELL. I do not think the gentleman made it very plain.

Mr. DENT. I stated that that was what the War Department anticipated doing. I hope they will not do it.

Mr. LUNN. Mr. Chairman, will the gentleman yield?

Mr. DENT. Yes.

Mr. LUNN. If I understood you aright with reference to the statement of the Secretary of War when he appeared before the Committee on Military Affairs, it was to the effect that he said the boys of 18 might be called last, and he was willing to have a provision to that effect incorporated in the law. I did not so understand him, but this was the statement he made, and it ought to be in the RECORD somewhere.

Mr. DENT. It is in the RECORD. The statement I made is in the RECORD.

Mr. LUNN. I understood, and I think other members of the committee understood him to say that he was willing to have a provision inserted that the boys of 18 should be called last, so far as practicable, but not to tie the hands of the War Department. That qualification is very important.

Mr. DENT. He did put in that qualifying language.

Mr. ROBINSON. Mr. Chairman, will the gentleman yield?

Mr. DENT. Yes.

Mr. ROBINSON. I would like to ask the chairman of the committee for a little information. I am told that none of our allies has drafted boys under 20 years of age. Is that information correct?

Mr. DENT. The committee has been unable to get full and definite information on the subject. The War Department itself does not seem to know, but it does appear that the British Government has recently drafted boys under 19. But the Canadian Government has never gone below 20.

Mr. ROBINSON. You do not know what action our other allies will take?

Mr. DENT. No.

Mr. KAHN. Mr. Chairman, will the gentleman yield?

Mr. DENT. Yes.

Mr. KAHN. Under the act of last year the British law took all the men from 18 to 41. The act of this year took all the men from 18 to 50, and even up to 55.

Mr. MILLER of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. DENT. I yield to the gentleman from Minnesota.

Mr. MILLER of Minnesota. Was it not testified to by the Secretary of War and the Chief of Staff before the committee, speaking for the Military Establishment, that in order to carry out the necessary military plans of the Government it is needful that all available within the range of 18 to 45 be authorized to be called?

Mr. DENT. It certainly was.

Mr. MILLER of Minnesota. Then what object could there be in sort of tying the hands of the military authorities by stating to them whether they should take A before they took B, and took B before they took X, and took a white man before a black man? Why impose that on their discretion?

Mr. DENT. The Congress could enact a law to authorize the President of the United States and the Chief of Staff and the Secretary of War to take anybody they want to if Congress is willing to surrender its power.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. DENT. For a question.

Mr. MADDEN. I understand the bill contemplates raising about 2,000,000 more men. Is that correct?

Mr. DENT. Yes; that is correct.

Mr. MADDEN. That is the plan?

Mr. DENT. Yes, sir.

Mr. MADDEN. Seventeen hundred thousand of these will be raised from the men who are between 18 and 21 years of age?

Mr. DENT. That is according to Gen. Crowder's figures.

Mr. MADDEN. Yes; that is the estimate; and not to exceed 600,000 are likely to be raised beyond the age of 31?

Mr. DENT. That is correct. Those are the figures of Gen. Crowder.

Mr. MADDEN. If those estimated figures are correct, does the gentleman think that under the classification proposed in this bill, limiting the right of the Secretary of War to take the men between the ages, say, of 19 and 18 until all the other men are classified above that, the War Department will be able to raise the 2,000,000 men it says it needs?

Mr. DENT. Of course the War Department will take these boys of 18 and 19, if they exhaust the others.

Mr. MADDEN. But they would not be able to start out with the certainty, would they, that they could raise 2,000,000 men?

Mr. DENT. Without invading these classes?

Mr. MADDEN. Without invading those classes.

Mr. DENT. What harm would be done if they invade the classes if necessary?

Mr. MADDEN. The point I wanted to inquire about is whether anything is to be gained by restricting the right of the Military Establishment to utilize the man power provided for in this bill without conditions.

Mr. DENT. I see the gentleman's point, and I am glad to answer it. I intended to come to that proposition a little later.

If the deduction from the figures furnished by Gen. Crowder are correct—and, of course, I know his figures are correct—if the deduction from his figures are correct, then we can only get 600,000 between the ages of 32 and 45. But I do not think the deduction or the method of computation is correct. The mistake that Gen. Crowder makes is in giving credit to all married men between 32 and 45. If you will read Gen. Crowder's statement you will see that he puts in the exempt class every man between 32 and 45, while the Secretary of War stated before the committee that he proposed to use the same exemption rule under this new law as was used under the present law. So that a man would not be exempted simply because he was married. If you exempt all the married men you might get only 600,000, but, of course, under this rule you would not exempt them all.

Mr. MADDEN. Let me ask the gentleman one more question.

Mr. DENT. Very well.

Mr. MADDEN. If the calculations made by the Judge Advocate General are correct—and let us assume for the sake of the argument that they are—that would compel the Military Establishment, would it not, to begin the organization of its new forces from the men above 31 and between 20 and 21?

Mr. DENT. That is true; but it would not stop the registration of those under 18.

Mr. MADDEN. I realize that; but the point I want to get at is this—I did not get through asking my question—that would be a source of embarrassment, perhaps, if they wanted to raise 2,000,000 men and the restrictions made it possible for them to raise only a million men. Why should we put any restrictions around them? Why not let them regulate the conditions as the importance of the situation justifies?

Mr. DENT. Of course, the only answer to that is that Congress has some right to express its opinion as to how men should be drafted who are going to be drafted under the law.

Mr. MADDEN. I recognize that.

Mr. SEARS. Will the gentleman yield?

Mr. DENT. I yield to the gentleman from Florida.

Mr. SEARS. As I recall, the first bill presented by the War Department provided for the drafting of the men from 19 to 45.

Mr. DENT. From 19 to 25.

Mr. SEARS. This bill is from 18 to 21, and 21 to 45. As I recall reading the hearings, either Gen. Crowder or Gen. March stated that they expected all these drafted men to be in France by next June. Suppose they are all called into service in this country, what assurance have we that 18-year-old boys and 19-year-old boys will not be sent to France, as originally intended by the War Department, before the 31 to 45 year old men in this country are sent?

Mr. DENT. You would have this assurance, I will state to the gentleman from Florida: If you pass the bill as reported by the committee, and the War Department can raise a sufficient number of men without invading this class, which they have to go into last, then the boys will not be called. That is the object of the law.

Mr. CANNON. Mr. Chairman, I rise to a question of order.

The CHAIRMAN. The gentleman will state it.

Mr. CANNON. I can not hear myself talk, let alone hearing what the gentleman is saying. I hope the committee will be in order.

The CHAIRMAN. The committee will be in order.

Mr. CANNON. I want to express the hope that gentlemen all around me who are discussing this bill will listen to the gentleman who has the floor. [Applause.]

Mr. SHALLENBERGER. Will the gentleman yield?

Mr. DENT. I yield to the gentleman from Nebraska.

Mr. SHALLENBERGER. In reply to the question of the gentleman from Minnesota [Mr. MILLER] and the gentleman from Illinois [Mr. MADDEN] I will say that the Secretary of War and Gen. Crowder have already testified before the committee that they are going to do the very thing which the bill proposes. Gen. Crowder said:

> We have already classified the 31 men; it runs from 32 to 36, inclusive.
> Secretary BAKER. And the other——
> Gen. CROWDER. Is the 19 and 20 class.
> Secretary BAKER. So that the regulations at present being formulated look to making a single class of men from 19 to 36, inclusive.
> The CHAIRMAN. That is the class you expect to draw from first?
> Secretary BAKER. Yes.

So the War Department's policy proposes to do exactly the thing which it is proposed to do in this bill.

Mr. DEWALT. Will the gentleman yield?

Mr. DENT. Yes.

Mr. DEWALT. I understood the chairman to state that Gen. Crowder and the Chief of Staff and the Secretary of War had stated to the membership of the committee that they had no objection to writing into the bill a provision deferring the calling of the 18-year-old boys until the last. Is that correct?

Mr. DENT. That is correct. I accept the qualification that the gentleman from New York, a member of the committee [Mr. LUNN], stated that he would like to have the language put in there "as far as practicable"; but then that is the substance of what they said.

Mr. DEWALT. Does the Secretary of War now object to that provision being in the bill, to wit, that men from 18 to 19 shall be deferred?

Mr. DENT. He does not, so far as I know, and I have no reason to believe he has changed his mind.

Mr. RAKER. Will the gentleman yield for a question?

Mr. DENT. I yield to the gentleman from California.

Mr. RAKER. On page 4 of the hearing I find this statement by Secretary Baker:

> I therefore have planned from the beginning, as a matter of regulation, to have the men from 18 to 19 put in a separate class, calling them the class of 18-year-old men, with a view to deferring their call until it is necessary.

Then he states further—

> I can see no objection to putting into the bill a provision that will make of the 18 to 19 year men a separate class to be called after the others, so far as practicable.

Then on page 5——

Mr. GILLETT. The gentleman had better read right on. Read the rest of that.

Mr. RAKER. He says:

> So that my judgment is that it is perfectly proper to put in the bill a provision which will make a separate class of the men from 18 to 19, to be called, so far as practicable, after the exhaustion of the remaining number in class 1.

Is this the statement that the gentleman from Alabama, chairman of the committee, refers to?

Mr. DENT. That is the statement I refer to.

Mr. RAKER. And the committee have simply made another class from 19 to 20?

Mr. DENT. Yes; except that the committee——

Mr. GILLETT. Will the gentleman yield?

Mr. DENT. Wait a moment. Let me be fair about this. Except that the committee refused to take the language that he suggested—

So far as practicable—

Because that would have made the whole thing meaningless.

Mr. GILLETT. Will the gentleman yield?

Mr. DENT. I yield to the gentleman from Massachusetts.

Mr. GILLETT. Did not that language—

So far as practicable—

Very distinctly limit his statement? Because close to the top of page 5 he states and illustrates at length why he put in that language—

So far as practicable—

And it seems to me that practically negatives the statement that the gentleman made that the Secretary of War is content with such a provision.

Mr. DENT. I stated just now—I do not know that the gentleman from Massachusetts heard me—that if you put in the words—

So far as practicable—

It would destroy the effect of the law.

Mr. GILLETT. Exactly, and the Secretary says he would not be satisfied unless those words were in.

Mr. LONGWORTH. Will the gentleman yield?

Mr. DENT. I yield to the gentleman from Ohio.

Mr. LONGWORTH. In view of what has just been stated, I want to ask the gentleman this question: Is this House to understand that the President and the Secretary of War favor the bill as reported by the committee, or are they opposed to it? Can the gentleman give us that direct information?

Mr. DENT. I think the gentleman understands the position I have stated without my personally answering the question. The War Department submitted a certain bill to us. The committee amended it in five different points. The McKenzie amendment was not suggested by the War Department, but so far as I know since the bill has been reported I have had no complaint from the War Department as to that amendment. Of course, they did not put it in, and I assume that they did not want it.

Mr. LONGWORTH. The gentleman would give the House to understand that the War Department is opposed to the amendment?

Mr. DENT. I am only drawing the conclusion from the fact that they did not have it in the bill that they had.

Mr. McCULLOCH. Will the gentleman yield?

Mr. DENT. I will.

Mr. McCULLOCH. In considering the sources of man power in making the estimates, did your committee take into consideration the aliens of the cobelligerent countries that will be available under the legislation recently passed?

Mr. DENT. Yes; those figures, I think, are in Gen. Crowder's statement. They are not very large.

Mr. McCULLOCH. What do they amount to?

Mr. DENT. My recollection is somewhere about 50,000, in the class between 32 and 45. I am by no means certain about this.

Mr. McCULLOCH. The number of such men registered under the last draft was 772,744, according to Gen. Crowder's report.

Mr. DENT. I do not remember the number and I will have to look at the report to see what figures, if any, were presented.

Mr. McCULLOCH. Is it not true that under this act the registration provided for there will be probably 2,000,000 aliens of cobelligerent countries available for service?

Mr. DENT. I confess that I am not familiar with the figures.

Mr. McCULLOCH. The information I desire to get is whether or not the committee in considering the proposed increase of ages and the reservoir of man power have taken into consideration the aliens who have not been drafted and taken into the service, although we have been in the war and had conscription over a year and a half.

Mr. DENT. There was some consideration given this matter, but we had no definite information upon the subject.

Mr. McCULLOCH. It is very important, is it not, that your committee should give that some attention?

Mr. DENT. It was given consideration as far as we had the facts and figures.

Mr. McCULLOCH. To what extent will aliens of cobelligerent countries be available.

Mr. DENT. I have stated emphatically that I do not remember any definite figures, and I doubt if they can be obtained.

Mr. McCULLOCH. I am considering offering an amendment, and if the gentleman will get the figures and put them in the RECORD, I should like to have him do so.

Mr. DENT. I will do so, if I can.

Mr. ANDERSON. Will the gentleman yield?

Mr. DENT. I will.

Mr. ANDERSON. The last sentence of the McKenzie amendment reads like this:

All registrants of the age of 20 years and above on the day fixed by the President for registration shall be called prior to those in the classes hereby created.

The word "registrants" includes those in the deferred classification as well as in class 1, and under this limitation it would not be possible to call anybody under the age of 20 until you had called all the classes of the higher ages.

Mr. DENT. I had not thought about that, but I think the gentleman's criticism is worthy of consideration.

Mr. ROSE. Will the gentleman yield?

Mr. DENT. I will.

Mr. ROSE. Going back to the question put by the gentleman from Ohio, it seems to me that it might be valuable information to the House if the gentleman could state to the House whether the McKenzie amendment had been submitted to the War Department.

Mr. DENT. No; the committee does not submit amendments to the War Department. The committee exercises a little independence and judgment sometimes itself. [Laughter and applause.]

Mr. HUSTED. Will the gentleman yield?

Mr. DENT. Yes.

Mr. HUSTED. If the McKenzie amendment is adopted, would that not operate to prevent the training in this country of many young men 18 or 19 years of age until after all men above that age had been called?

Mr. DENT. The gentleman means military training?

Mr. HUSTED. Yes.

Mr. DENT. Not at all. There are 140 colleges in this country that have adopted military training, and this amendment provides for sending enlisted men to the different schools, the War Department paying for it. They are filling the schools with young men all the time for training purposes, and the colleges are taking advantage of the military training under Army discipline.

Mr. HUSTED. It would prevent the compulsory military training in this country of men 18 and 19 years of age until all the other men are called.

Mr. DENT. I do not know of any law that authorizes compulsory military training.

Mr. HUSTED. If this bill was passed in the form presented by the War Department and boys of 18 and 19 years of age were called and sent to the cantonments, then they would be compulsorily trained.

Mr. DENT. If this bill was passed; but I said I did not know of any such law on the subject, and I am opposed to any such law.

Mr. HUSTED. Is the gentleman opposed to the proposition of training young men in this country of 18 and 19 years of age as soon as, in the judgment of the War Department, it is necessary?

Mr. DENT. I am opposed to compulsory training of them; yes.

Mr. ANTHONY. Will the gentleman yield?

Mr. DENT. Yes.

Mr. ANTHONY. It seems to me there is a lot of buncombe in the talk about the McKenzie amendment delaying in the slightest the calling of men of all ages mentioned in the amendment. Now, I want to submit a question. Is it not a fact that the Secretary of War or the Provost Marshal General could call successively all the classes down to 18 years old five minutes apart, as fast as he could write the orders, if he needed the men?

Mr. DENT. Unquestionably; if he needed the men.

Mr. ANTHONY. So all this talk about delay is a wasted effort.

Mr. DENT. I agree with the gentleman.

Mr. BANKHEAD. Will the gentleman yield?

Mr. DENT. I will yield to the gentleman from Alabama.

Mr. BANKHEAD. I understood the chairman of the committee to state that the Provost Marshal General estimated that he could get 600,000 men between the ages of 31 and 45?

Mr. DENT. Thirty-two to forty-five.

Mr. BANKHEAD. The Secretary of War stated that he proposed to put into effect the same regulations with reference to drafting married men that now exist. Did the committee make

any estimate as to the number of men that would be available under that regulation between the ages of 31 and 45?

Mr. DENT. That is purely a matter of speculation. I stated a little while ago, in answer to an inquiry from the gentleman from Illinois [Mr. MADDEN], that Gen. Crowder's figures were inconclusive to the committee and to me because of the fact that he put in the exempted class absolutely every married man between the ages of 32 and 45, when the Secretary said that would not be done. How many married men there are in the country between those two ages who have no people dependent upon them the committee has no means of absolutely ascertaining, and no one else has. That is a matter, of course, that must be ascertained after the law is put into effect. But the committee is of the opinion that Gen. Crowder's figures will be found to be incorrect, and that a very much larger number of men will be obtained between those ages than Gen. Crowder estimated.

Mr. REAVIS. Mr. Chairman, will the gentleman yield?

Mr. DENT. Yes.

Mr. REAVIS. The practical operation of the McKenzie amendment, as I understand it, is about this: Not to prevent the War Department from calling boys of 18 years of age, but to provide, if there is a surplus of man power beyond what the department needs, that the 18-year-old boys shall stay at home instead of the 45-year-old men. Is not that correct?

Mr. DENT. Absolutely correct.

Mr. HAMILL. Mr. Chairman, will the gentleman yield?

Mr. DENT. Yes.

Mr. HAMILL. The newspapers this morning all seemed to agree upon the fact that the Secretary of War and the Provost Marshal General are opposed to this amendment making an 18 and 19 year old class. I did not get clearly the answer of the chairman, and I want to know if that statement is incorrect.

Mr. DENT. Mr. Chairman, I have stated several times that the Secretary of War stated before the committee that he has no objection to the committee writing into the bill a provision classifying boys beween 18 and 19, to be drawn last, as far as practicable, but the Secretary did not go so far as to say that he was willing that that age should go up to 20, so that the difference between the committee and the War Department is that the committee adopts the preferential age of 18 to 20 and the War Department 18 to 19.

Mr. HAMILL. Is this, then, a correct statement of the opinion of the chairman, that the Secretary is willing that there be an 18-year-old deferred class and that that is definitely agreed to by him, but that so far as a 19-year-old class is concerned that is the judgment of the committee?

Mr. DENT. That is correctly stated, as I understand it.

Mr. HARRISON of Virginia. Mr. Chairman, will the gentleman yield?

Mr. DENT. Yes.

Mr. HARRISON of Virginia. I understood the situation about the McKenzie amendment to be this—and I will ask the chairman if I am not correct—that you can not call men under the classes there specified in the amendment until all of the men over 32 have been called, and if Gen. Crowder has not stated that in order to classify the men from 32 to 45 it will require at least 100 days, and that, therefore, if you adopt this amendment it will delay the calling and the training of the young men until those men have been classified and that time has expired?

Mr. DENT. I will say in answer to the gentleman that I do not remember whether Gen. Crowder said 100 days or not.

Mr. HARRISON of Virginia. I have his testimony.

Mr. DENT. But I am sure the gentleman has his figures correct. He did say that it would take a long time to classify them. That is one of the principal reasons why the committee wants the McKenzie amendment adopted, so that they will classify and take these men before they take the young men. [Applause.]

Mr. HARRISON of Virginia. Let me call attention to this fact, that of the 18-year-old men there are only 600,000, and that of the men from 32 to 45 there are 600,000. You, therefore, delay the training and classification of these young men until the 600,000 from 32 to 45 are called and classified, whereas, if this amendment is not adopted, those men can be called whenever the President thinks it proper to put them in training and be ready for service whenever the country needs them.

Mr. DENT. I am sure the gentleman from Virginia, a member of the committee, does not mean to state that in the registration and questionnaire there is going to be a different time and a different date for classifying those from 18 to 45. It will be done at the same time.

Mr. JOHNSON of Washington. Is it not all being done in advance of the law?

Mr. DENT. Yes.

Mr. HARRISON of Virginia. The difference, as I understand it, is that there are 14 classes over the ages of 32, and that there are a great many of them married men, there are a great many of them associated with the industries of the country, and that to undertake to classify these men would involve a long and laborious work upon the part of the Provost Marshal General, whereas as to the younger men very few of them are married and very few are synchronized, as they use the term, with the industries of the country.

Mr. DENT. I agree to the statement——

Mr. HARRISON of Virginia. Would it not, therefore, take a long time to classify them?

Mr. DENT. I agree to the general statement of the gentleman from Virginia, and everybody is bound to agree to that, that it will take longer to classify those men who are married and have children, to determine whether they have dependents, than it will to determine in respect to those who have none. I agree to that, but the gentleman will recall that when Gen. March, Chief of Staff, was on the stand I asked him how long it would be before he would exhaust class 1 under the present law, and he said it would be some time in November.

Mr. HARRISON of Virginia. I want to call attention to another point, and that is that Gen. Crowder or Gen. March—I forget which one—has testified that these 18-year-old men being called for service last will be retained in this country last, and that, as it is the proposition to retain a million men here in this country in the cantonments, these men naturally will be retained in the cantonments while the older men are sent to Europe.

Mr. GORDON. And what is the gentleman's objection to the amendment?

Mr. EMERSON. Will the gentleman yield?

Mr. DENT. I will.

Mr. EMERSON. Can the chairman tell us if the War Department, in increasing the Army to the size they now intend to increase it, would require immediately all men of 18 and 19?

Mr. DENT. Immediately?

Mr. EMERSON. Yes.

Mr. DENT. The War Department's figures state that it intends to get 5,000,000 men. There are 3,000,000 in the Army now, so in order to get the additional 2,000,000 men between now and the 20th of next June they would have to invade all of the classes between 18 and 45 if this law is passed.

Mr. EMERSON. So they would call the 18 and 19 men anyway.

Mr. STAFFORD. Will the gentleman yield?

Mr. DENT. I yield to the gentleman from Wisconsin.

Mr. STAFFORD. Was there any inquiry made by the committee as to the feasibility or advisability of invading class 2, between 21 and 31, those married men who, though they may have a child and wife, are not dependent on their husbands, before taking the youths of 18 and 19?

Mr. DENT. Yes; the committee took up that question and asked a good many questions about it.

Mr. STAFFORD. As I understand the bill recommended by the department, they are virtually exhausting under the present classification all man power for fighting purposes. Has any testimony been taken as to what the policy of the department is to be in case the war continues and they get 2,000,000 men by invading the 18-year-old-boy class, of getting an additional increment later on?

Mr. DENT. From other sources?

Mr. STAFFORD. From other classes.

Mr. DENT. The gentleman means from the other classes?

Mr. STAFFORD. Say from class 2. The point is, Has the committee inquired as to the advisability for the welfare of the country that class 2 men, having been trained and educated, though married, should be called to the colors prior to the boys of 18 who are not mature and have not had the training they should have?

Mr. DENT. Yes; that matter has been considered, but the committee has taken no action.

Mr. STAFFORD. What is the position of the department in regard to the inquiries directed to that question?

Mr. DENT. The only answer I can make as to their position is what they are actually doing.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. DENT. I will.

Mr. JOHNSON of Washington. Do I understand, now, we have an Army of about 3,000,000 men?

Mr. DENT. Yes.

Mr. JOHNSON of Washington. A large part of which was raised by the 21 to 31 draft and taken from class 1?

Mr. DENT. That is true, except as to the volunteer force.

Mr. JOHNSON of Washington. If that is the case, in order to put 2,000,000 additional men into the Army, why not start with the men of the age of 20 and raise the age to 45 or even 47, if necessary, and get the 2,000,000 with less trouble than was had before in order to get the first 3,000,000 men, and do it without taking mere striplings?

Mr. DENT. I think that can be done without any trouble. [Applause.]

Mr. JOHNSON of Washington. I think this House ought to do it.

Mr. DENISON. Will the gentleman yield?

Mr. DENT. I will.

Mr. DENISON. I think the chairman of the committee made a mistake awhile ago in answer to the question propounded by the gentleman from Nebraska [Mr. REAVIS], and I think it was done inadvertently.

Mr. DENT. I may have misunderstood him.

Mr. DENISON. This McKenzie amendment only affects priority of call to the service, that is all.

Mr. DENT. That is all; I thought that was the gentleman's question.

Mr. DENISON. It has nothing to do with priority of sending men to France?

Mr. DENT. Nothing in the world.

Mr. DENISON. So, even if we pass the bill as reported by the committee, with the McKenzie amendment in, the department can call all the young men of 18 years of age last and can send them abroad first, if it desires to do so?

Mr. DENT. Unquestionably, under the law.

Mr. GOOD. Will the gentleman yield for a question?

Mr. DENT. Yes.

Mr. GOOD. I desire to ask what investigation the committee has made with regard to the class of men who are engaged in the industries necessary to the prosecution of the war who have been placed in class 4 who are not continuously employed? For instance, I have been advised here in Washington, where the Government is engaged in building some buildings for housing purposes, men who are at work putting on lath receive a maximum of $19 a day on a Government cost-plus contract, and that some of those men do not work five days in a month. They get this big pay and they quit work until their money is exhausted. They are draft age and they ought to be in the trenches. [Applause.] What investigation has the committee made in regard to these slackers, who are of draft age under the present law, not being placed where they belong? [Applause.]

Mr. DENT. I will state to the gentleman that a great deal of criticism has been brought to the attention of the committee and the different members of the committee along that line, and that the committee has asked many questions of the War Department upon that subject, but the gentleman must realize that after all it is a question of administration, and it is almost impossible for Congress, by way of legislation, to control an administrative matter.

Mr. GOOD. I understand that; but has not the War Department dome something to bring that class of slackers into the service, where they belong?

Mr. DENT. I do not know any more about that than the gentleman does.

Mr. GOOD. The gentleman is in a position where, I think, he may know more.

Another question that I wish to be clear about: As I recall, when the first draft measure was before the House here and before the committee the fact was disclosed that the War Department wanted the boys of 18 and 19 called first. Subsequently they changed their view and were willing that the boys of 18 should not be dropped out, but they wanted the boys of 19 called first. Is that correct?

Mr. DENT. The gentleman is correct, so far as I recollect, to this extent, that the War Department wanted the young men from 19 to 25, inclusive. But I do not think there has ever been any proposition submitted for the 18-year-old boy to be taken, up to this time.

Mr. GORDON. Will the gentleman yield right there?

Mr. DENT. Yes.

Mr. GORDON. The 19 to 25 proposition was presented to the committee by the Secretary of War, who testified that it was his intention, if Congress gave him the power, to raise the first million men under the draft authorized in the bill from men 19 and 20 years of age. Is that true?

Mr. DENT. I am not absolutely sure as to this. The gentleman from Ohio has a good memory, and my recollection is that the original proposition of the War Department, by limiting the ages from 19 to 25, stated its intention to take men of the lower ages first in order to raise the draft Army to 500,000 and the additional force to 1,000,000 men.

Mr. PLATT. I want to ask the gentleman if the committee has inquired into the ages of the men in the Regular Army and the National Guard and the National Army? I am informed by Army officers that the fighting part of the Regular Army, not including the Quartermaster's Corps, is composed almost wholly of men under 20 years of age. There are whole companies where there is not a man over 20 years.

Mr. DENT. We had some information on that subject, but it was very indefinite. We were unable to find out exactly what it was, although my recollection is that the best information of the War Department was that they were above 21.

Mr. PLATT. Men have been allowed to enlist in the Army who were under 18. It is all nonsense to call men of 18 babies, when the Civil War was fought by men almost wholly of 20 years or under.

Mr. DENT. Is it not different to take a man of 18 by volunteering rather than take him by force?

Mr. PLATT. Then you take him on his own enthusiasm. He may volunteer when he may not wish to be drafted.

Mr. MONDELL. Did the committee go into the question of combing out the men already registered, with the view of getting more eligibles? My State furnished 55 per cent of all her registered men in class 1, and they are now with the colors—55 per cent of all the registered men. There are States of the Union where the men in class 1 only amount to 13 per cent of the registered men. Why not comb out and reclassify and get those slackers that are now registered before we tear these boys from their mothers' arms and send them over? [Applause.]

Mr. McKENZIE. Now, Mr. Chairman, I simply want to say to the gentleman from Wyoming [Mr. MONDELL] in response to his question to the chairman of the committee, that we did have that matter up in the committee and I had an amendment prepared. I questioned the Secretary of War in regard to the revocation of these hundreds and thousands of exemptions, and he said that it would produce chaos. I have no doubt it would produce chaos in some of the offices here in Washington and other places where these gentleman are.

Mr. GREGG. If this bill passes, the entire man power, and boy power, too, for that matter, will be drafted in the Army. What is to become of the Navy and the Marine Corps?

Mr. DENT. I will say to the gentleman from Texas that when Gen. March and the Secretary of War called me into conference on this bill I asked what would be the policy as to enlistments in the Navy and Marine Corps, stating that while I originally favored the volunteer against the conscript system, that when Congress adopted the draft system I thought it ought to apply to the Army and the Navy and the Marine Corps alike, because you can never eradicate from the American mind the distinction betwen a man that voluntarily fights and a man that is forced to fight. And I think there ought not to be any distinction.

The Senate Military Committee took the matter up with the Navy Department and the department absolutely refused to have the law changed, saying that they were getting along all right under the volunteer system and had practically a half million men in the Navy now, and it would disrupt and disorganize the system if we changed the law. Admiral Palmer so testified before the Senate Military Committee.

Mr. GREGG. Now, they may need more men later on. Suppose they want them, where are you going to get them?

Mr. GORDON. Out of the deferred classes.

Mr. GREGG. Are you not putting in the power of the War Department the right to dictate and control the size of the Navy and the Marine Corps?

Mr. DENT. Of course that would be a matter of agreement and coordination between the two departments, which the Secretary said he thought could be handled without any trouble.

Mr. GREGG. Could any man be transferred from the Army to the Navy without consent of the War Department?

Mr. DENT. Under this bill?

Mr. GREGG. Yes.

Mr. DENT. No; I do not think he could.

Mr. GREGG. Is not that virtually giving to the War Department the power to control the size of the Navy and Marine Corps?

Mr. DENT. That is the effect of it; but, of course, the two departments will have an understanding in regard to that.

Mr. GREGG. Suppose they do have an understanding——

Mr. DENT. They are all under the President.

Mr. GOOD. In view of the fact that there seems to be some misunderstanding as to exactly what the language in the proposed McKenzie amendment means with relation to the use of

the word "draft," I want to ask the chairman of the committee——

Mr. GARD. I desire to ask whether the committee has considered, or whether the chairman would now consider, the propriety of such an amendment as I will read, in lieu of the so-called McKenzie amendment:

That registrants who on the date fixed by the President for registration are of the age of 18 years and not over 20 years shall be called into such service and at such time as ordered by the President.

It would seem to me that that might safely include that the President might order the training of young men of the ages of 18 and 19, and they are called into so-called active military service other than in the training camps, to be determined by the emergency and the necessity of the occasion, to be evidenced by the proclamation of the President, who is the Commander in Chief of the Army.

Mr. DENT. If the McKenzie amendment is rejected the gentleman's amendment will be unnecessary. Of course, the President can do that under the law as proposed by the War Department. He can call boys of 18 and 19 whenever he gets ready, after the call of those above that age.

Mr. GARD. But into such service as the President might require.

Mr. DENT. That means the same thing.

Now, Mr. Chairman, unless some special question is desired to be asked——

Mr. PLATT. Mr. Chairman, will the gentleman yield there?

Mr. DENT. Yes.

Mr. PLATT. Is it not a fact that we enlist men in the Army of 18 without the consent of their parents, and that we have recruiting officers all over the country who are recruiting boys without the consent of their parents, and that advertisements appear in the papers bearing the heading "Volunteer"? In that case what is the use of having any sentiment about drafting when we are luring them away from home to volunteer?

Mr. DENT. If the gentleman can not understand the distinction between drafting and volunteering I can not inform him.

Mr. PLATT. The Government simply contracts with infants 18 years of age.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. DENT. Yes.

Mr. SNYDER. The gentleman does not mean to say that the present draft act is not entirely agreeable to the whole country to-day, does he?

Mr. DENT. I do not see how the gentleman can get any notion that I said any such thing. I said that originally I favored the volunteer system, but that Congress had adopted the other system.

Mr. SNYDER. I will say to the gentleman that up in my section of the country the draft act is acting splendidly, and we are not much disturbed about the 18-year-old feature.

Mr. DENT. I hope the gentleman will not undertake to put into the RECORD anything as quoting me that the draft was a failure. I expressed no such opinion.

Mr. SNYDER. Up in my country we are satisfied with this spread of ages between 18 and 45, because we are not much disturbed about the 18-year-old boy. The 18-year-old boys there are nearly all in the Army now, and I think you will find that pretty general throughout the country.

Mr. DENT. Unless there is some special question, Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. The gentleman from California [Mr. KAHN] is recognized. [Applause.]

Mr. KAHN. Mr. Chairman, I regret exceedingly that I am again compelled to be in opposition to the majority of the Committee on Military Affairs.

Mr. LUNN. Mr. Chairman, will the gentleman yield?

Mr. KAHN. Yes.

Mr. LUNN. You refer to the majority by number?

Mr. KAHN. To the majority.

Mr. LUNN. Not by faith?

Mr. KAHN. The Chief of Staff, who was before us, made this unanswerable statement: "The only way in which Germany can be whipped is by America going into this thing with her whole strength." [Applause.] And that is the problem that we are called upon to face to-day. Going into this thing with all our strength will materially shorten the war and will ultimately save the lives of thousands, yes, hundreds of thousands of 18-year-old boys. [Applause.]

In matters of this kind I think it wise to defer to the opinion of those men who, by reason of their experience and education in the military service of the country, are charged with the duty of winning this war. I, for one, will not set up my opinion—a layman's opinion—the opinion of a civilian who has not studied military tactics—against their opinion. The Secretary of War, Gen. March, the Chief of Staff, and the Provost Marshal General all stated to the committee unequivocally that in order to win this war we must take the young men from 18 years and those up to 45 years. My own personal predilection was the other way. Personally, I wanted to conserve the strength of the young men of this country till the final blows were to be delivered. I did not think it wise, originally, to take the 18-year-old young man. But when I have the opinion of these military authorities that they are absolutely necessary for the speedy winning of the war, I throw my own personal views into the scrap heap and abide by the judgment of these military authorities.

Gen. March stated that the present program contemplates the formation of 98 divisions. Eighty of those divisions are expected to be on the other side of the Atlantic by the 30th of June, 1919. Approximately 4,000,000 men serving in the American forces will be "over there" on the western front in the next nine months, and the General stated that with that force the Americans will be able to break through the German lines at any time and at any place that they desire. [Applause.] And he stated further that in his opinion it meant the winning of the war next year. Therefore I for one am not willing to withhold the force that the military authorities ask for at this time if it is going to win the war for us in the coming year.

The chairman of the committee stated several times that the Secretary of War would not object to writing into the law a general provision to take the 18-year-old boys last. But the Secretary of War, every time he made the statement, qualified it with the phrase "so far as practicable." That, of course, would have given the authorities in the War Department the right to call them if they thought it was necessary. He repeated the limitation time and again, "so far as practicable;" and I say for myself that I would have no objection either to writing into the law such a provision if that limiting clause, "so far as practicable," can be added to the phraseology.

Mr. SIMS. As to both 18 and 19?

Mr. KAHN. Exactly; 18 and 19, "so far as practicable," because that in effect leaves the provision, so far as its purport is concerned, the same at it was in the bill when it came to us from the War Department. And we have the statement of the Secretary of War that so far as it can be done they will call the 18-year-old boys last. So far as it can be done, they will take those older boys and then take the others last.

Mr. RAKER. Will the gentleman yield?

Mr. KAHN. Not now. But if some military exigency should require the taking of the younger boys first, I for one do not propose to tie the hands of the authorities and prevent them from using the men in our forces as the military authorities think it best to use them.

Mr. RAKER. Now, will my colleague yield for a question right there?

Mr. KAHN. Yes.

Mr. RAKER. If that is a fact, must not the War Department classify all of these men to start with; in other words, the 15,000,000 men?

Mr. KAHN. They contemplate classifying everybody that will be registered under this law. The boys of 18, 19, and 20, the men from 32 to 45, all will be classified. That is the intention of the War Department.

Mr. RAKER. Will my colleague yield for another question?

Mr. KAHN. Yes.

Mr. RAKER. Supposing there were 600,000 between 32 and 45. Suppose they call them out first. Could they not take those from 20 to 21 the next month, and those from 19 to 20 the next month, and those from 18 to 19 the next month? Could they not get them all within three months just the same?

Mr. KAHN. The Provost Marshal General stated to the committee that it would take many more weeks to classify the men from 32 to 45 than it would the younger men, because of their relationship to the industries of the country and their domestic relationships. He said positively, as I recall, that it would take some months to finish their classification, whereas the other would be much speedier, by reason of the fact that the young men had not so many ties.

Mr. RAKER. Just one other question.

Mr. KAHN. Yes.

Mr. RAKER. Then the question of classification and the time must mean the time that it will take the exemption boards to dispose of them.

Mr. KAHN. That is undoubtedly true. The Provost Marshal General further stated that of course the action of the boards must necessarily be unequal in the different States. Some of the States get the returns in very rapidly. Other States get the returns in quite slowly. So that after all, even under this very system, some of the young men will be called from

some of the States to go to the cantonments much earlier than they will be called from other States, because of those differences which you can not prevent and those little inequalities that must necessarily arise in trying to put into effect a law of this magnitude.

Now, Gen. March stated frankly to the committee what the program is with reference to getting these soldiers to France. I read from page 31 of the House hearings:

Gen. MARCH. The fact of the matter is that in order to carry through the 80-division program in France by June 30, 1919, we will need substantially every man we can obtain in class 1 from 18 to 45 years, inclusive—every single man—and we must not delude ourselves with the idea that the 18 and 19 year men are going to be deferred, if you want to put it in that way, for a considerable length of time. If you will go over the figures you will see that we will have to have those men in the early spring, anyway, in order to give them the training and get them over in France.

That is the statement of the Chief of Staff of our Army. Is his advice worth listening to? Is he competent? The President, the Commander in Chief, has confidence in him. He is charged with the duty of preparing our forces over here for the ultimate victory. Do you propose to put stumbling blocks in his way and then still hold him responsible to the country for winning this war?

Mr. FIELDS. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. FIELDS. The Chief of Staff, however, did not mean to convey the idea by that statement that the man power of the Nation would be exhausted by that time. Am I correct?

Mr. KAHN. The statement of the Chief of Staff speaks for itself. He said it is absolutely necessary to get these men over there.

Mr. FIELDS. Mr. Chairman, will the gentleman yield for a further question?

Mr. KAHN. Yes.

Mr. FIELDS. Did not the gentleman from New York [Mr. LUNN] ask the Chief of Staff, "In other words, when you call this class the man power of the Nation will be practically exhausted"? And the Chief of Staff laughed at him and said "No." [Applause.]

Mr. KAHN. Everybody knows that, in the final analysis, if everything goes against us, we will have to take the men in class 2, we will have to take the men in class 3, we will have to take the men in class 4; but we do not want at present to shut up our industries. We do not want to take those men in industries and occupations necessary for the winning of the war unless we have to take them.

Mr. JOHNSON of Washington. Will the gentleman yield for a question?

Mr. KAHN. Yes.

Mr. JOHNSON of Washington. The gentleman thinks it is all right to let many of the baseball players and theater employees and chauffeurs remain in deferred classifications, but to shut up the schools and take the schoolboys?

Mr. KAHN. Oh, the gentleman is offering a gratuitous statement, which I will refute at the proper time. I have here the report of the Commissioner of Education, who said in his annual report of 1917 that out of 1,000 boys and girls who entered the first elementary class in 1906 only 117 of them are left at 18 years of age to graduate from the high school, so that the percentage of students who go to the high schools is comparatively so small that it does not cut a figure in this great question involving our country's well-being and welfare.

Mr. JOHNSON of Washington. Will the gentleman yield for one more question?

Mr. KAHN. Yes.

Mr. JOHNSON of Washington. Is it not a fact that of the boys who graduate from the high schools more than one-half of them are 18 years of age?

Mr. KAHN. I do not know whether they are or not. I think I have the figures and will try to insert them at the proper time.

Mr. JOHNSON of Washington. The amendment in this bill provides that the Secretary of War shall designate certain of these drafted 18 and 19 year old boys for school.

Mr. KAHN. I favor——

Mr. JOHNSON of Washington. If 1 boy in 50 that is drafted is sent to school, what will the parents of the others say?

Mr. KAHN. I propose to meet this question as one Member of Congress by calling to the attention of my constituents that the welfare of my country comes before any individual's welfare. [Loud applause.]

Mr. JOHNSON of Washington. War hysteria is not necessary for the welfare of the country.

Mr. KAHN. I fear the gentleman from Washington is suffering from the hysteria.

Mr. JOHNSON of Washington. No; I am not.

Mr. KAHN. I will leave that to the House to judge. Now, some statements have been made respecting the attitude of our cobelligerent nations. Great Britain passed the military service act of May 25, 1916, whereby all men, whether married or single, were eligible to military service from 18 years to 41 years.

They found that did not produce the necessary man power and therefore they followed it up by the act of April 18, 1918, this very year, under which they raised the age to 50 years, with the possible extension to 55 years. I get that information from the Statesman's Yearbook of 1918, page 50.

Some Members say that France has not yet come down to 18 years. I believe that is quite true. France has called her 19-year-old men and they are now serving with the colors. Mr. Prudhomme, of the French High Commission, informed me only day before yesterday that they contemplate putting their 18-year-old men in next November. But the fact remains—the lamentable fact remains—that Germany is on French soil. Perhaps it would have been well for France if she had used her 18-year-old boys earlier in order to have driven back the German invader across the French border.

This country proposes to learn something from the mistakes of the cobelligerent nations. We see where they have fallen down, and we are trying to shape our legislation so that we shall not fall into the errors that they have committed.

Does anyone doubt, anyone who has studied the war in all its bearings, that if England and France at the very beginning had called out their entire man power to fight the enemy that this war would not have ended long before this? No; they made these mistakes of procrastination in calling out their man power, which some of the gentlemen on this floor are trying to repeat at this time in this country. The allies went at the thing piecemeal. They took a million of men, for instance, this six months, another million or a million and a half six months later, and still another million six months further on. We propose to furnish the man power now and finish it up as speedily as possible. That is the difference in the programs. [Applause.] France now has taken the men from 18 years, beginning this fall, and includes those to 48. Italy is taking the men now from 18 to 44, practically the same as we contemplate doing by our program.

But what has been Germany's program during all this time? It is said that Germany—and I speak not of the central powers, but of Germany—Germany has brought 10,000,000 of her men to the western front. Did Germany stop at 18? Let me state the facts. Liability to military service in Germany in peace times begins at 17 and runs up to 45, although service with the colors in the field army of Germany in peace times does not begin until the young man is 20. But that is in peace times, and the service in the field army of Germany lasts until the young man is 30. After that he goes into their various reserves.

Under the war expansion program of Germany, by December, 1916, the whole of the 1917 class of recruits had been incorporated into the army; and by May, 1917, lads were entering the army in their seventeenth year. Gen. March stated before the committee that among the German prisoners being taken on the western front were boys who are scarcely more than 16 years of age.

Mr. SHALLENBERGER. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. SHALLENBERGER. Is it not a fact that every one of the nations the gentleman has mentioned are calling boys of 18, but in every case they are called last; they are not called until the other men are called ahead of them?

Mr. KAHN. I believe they did not call a single man below 20 before this war commenced. They did not go to the later ages of 19 and 18 until the war had been on for some time. But now they have all come to it. I say it was probably a military mistake on their part in having failed to come to the lower ages first, because if they had put forward all their man power they probably would have avoided many defeats which they have suffered.

Mr. SHALLENBERGER. Will the gentleman yield further?

Mr. KAHN. Yes.

Mr. SHALLENBERGER. Is it not the gentleman's opinion that the judgment of the military staff of France is equal to that of any other military nation of the world, and that they opposed the calling of 18-year-old men, although Germany has been at the heart of France for four years?

Mr. KAHN. There is no man in this House or in the world who gives higher credit or greater honor to the military leaders of France than I do. What they have done in this war has challenged the admiration of mankind, and all the ages will gladly pay honor to the French soldier for his heroic deeds and his

willingness to make stupendous sacrifices in the face of a powerful and a relentless foe; but the French officer has finally come to the conclusion that he must call his 18-year-old boys now to win this war. And we instead of waiting until the last want to raise the necessary forces to win this war and avoid the shedding of human blood as speedily as possible by taking as a military necessity the boys of 18 and 19 now. [Applause.]

We are in a great world war. These wars seem to come in cycles. The last world war we had was the Napoleonic war, a little over a hundred years ago. They come in cycles separated by periods of from 100 to 200 years. It is in world wars that the great loss of human life is encountered, and we are in the midst of probably the greatest of those wars now. Our country has become involved in it.

What is to be our part in it? Is it to be the part of a giant or are we to play the part of a pigmy in this war? For God's sake, let us meet our obligations like men. Let our Nation be a giant among the giant nations, and then we will be doing our duty as legislators, our duty to our country, our duty to mankind, and our sacred duty to the cause of civilization. That is why I am advocating this legislation to-day. [Applause.]

Mr. OLNEY. Mr. Chairman, will the gentleman yield?

Mr. KAHN. Yes.

Mr. OLNEY. Is it not a fact also that in the French and Italian war ranks there is no such thing as deferred classification, and that in the English law there is no such thing as deferred classification except as to agriculture and industry, and that is why the allied nations are now compelled to come down to the 18-year-old classes?

Mr. KAHN. I believe my colleague is entirely correct in the matter.

Mr. CHANDLER of New York. Mr. Chairman, will the gentleman yield?

Mr. KAHN. Yes.

Mr. CHANDLER of New York. The gentleman spoke of the English raising the age to 50 years and possibly 55.

Mr. KAHN. Yes.

Mr. CHANDLER of New York. And also we know that the Germans have been using men of that age. Has the gentleman any statistics or any way of determining whether a soldier of, say, 45 or 50 years of age is equal to a soldier 18 years old on the battle field?

Mr. KAHN. I am glad the gentleman has asked that question. There was a difference of opinion as to the ability of older men to fight before this world war was entered upon; but the men who are charged with the duty of raising troops for the various belligerent nations all contend, I believe, that for trench fighting the older man is in many ways the equal of the younger man. For open fighting, I dare say, the younger man is much more serviceable, because the older man can not endure the long, hard marches. There is comparatively little marching in the style of warfare that is being indulged in in this war. An older man can doubtless stay in the trenches and do as well as a younger man. But if ever the enemy is routed from the trenches and we have an enormous force of young men to keep constantly driving him so that he will have to keep retreating, without a chance to entrench himself again, then I say the value of the younger man is enormous as compared to the older man.

Mr. CHANDLER of New York. Mr. Chairman, will the gentleman yield?

Mr. KAHN. Yes.

Mr. OLNEY. Mr. Chairman, before the gentleman does that, will he permit me to say, further, that I ascertained from the Provost Marshal General's office this morning that in the United States there will be available between the ages of 41 and 45 only 126,000 men considered to be in the soldier class.

Mr. KAHN. I think the report of the Provost Marshal General, incorporated in the CONGRESSIONAL RECORD of August 5, will show those figures in detail.

Mr. CHANDLER of New York. Mr. Chairman, will the gentleman yield?

Mr. KAHN. Yes.

Mr. CHANDLER of New York. As I understand the gentleman, his contention is that France, Germany, and England in waiting to call the 18-year-old boys until the last committed a great military mistake.

Mr. KAHN. Yes; on the part of England and France.

Mr. CHANDLER of New York. When we consider that Germany is the first military nation of the world, that France is a close second, that the English themselves are not in any way contemptible, does not the gentleman think that supreme sentiments of humanity actuated them in keeping the children for the last rather than putting them in at first?

Mr. KAHN. I object to the word "children."

Mr. CHANDLER of New York. Will we then not be charged with being lacking in sentiment if we, before we have exhausted the manhood of the country, send the children into the trenches right away?

Mr. KAHN. I again object to the use of the word "children." The trouble probably is that the English and the French and also the Italians, who are an emotional people, as well as ourselves, have had a considerable sentiment against taking the young men. But the more I study the question the more I am convinced that war is not a matter of sentiment; that it is a practical, a deadly practical proposition. In war sentiment is frequently wiped away, and it would seem that the nation that wipes sentiment away and looks upon war as a practical question is the nation that generally has reaped the victory.

Mr. CHANDLER of New York. Has not Germany acted upon the principle of wiping out sentiment and being severely practical?

Mr. KAHN. Yes; and to-day she occupies all of Belgium, practically. To-day she occupies all of Serbia. To-day she occupies all of Montenegro. To-day she occupies a good part of northern France. And we, by looking upon this matter as a practical one and not as a sentimental question, propose to drive Germany back across the Rhine, because we are going to deal with her as she has been dealing with the rest of humanity in this war heretofore. [Applause.]

Mr. CHANDLER of New York. Will the gentleman yield further?

Mr. KAHN. I can not yield further.

Mr. NOLAN. Will the gentleman yield?

Mr. KAHN. I yield to my colleague.

Mr. NOLAN. I would like to ask my colleague if there is any sentiment in this country against the boy who volunteers at 18 years of age. [Applause.]

Mr. KAHN. Yes; there is a great deal of sentiment; one of commendation. [Applause.]

Mr. NOLAN. Yes. Is it not a fact there is no military reason that prevents him from going to France when he enters the Army?

Mr. KAHN. Not only does he go at the age of 18 years, but on the field of France he has died at 18 years of age.

Mr. NOLAN. If the gentleman will yield further. Inasmuch as we have substituted the draft for the volunteer system, why can not we substitute it now at 18 years of age as we did at 21?

Mr. KAHN. I want to say to my colleague that I hope the day of the volunteer system in this country is a thing of the past [applause] and that from now on men will be selected by draft to serve their country and will esteem it an honor and a privilege to serve it.

Mr. NOLAN. Are there any statistics about the number of men under 21 years of age who have volunteered in the Army and Navy?

Mr. KAHN. I have not the figures, but I know there are a great many such boys.

Mr. McKENZIE. Will the gentleman yield now?

Mr. KAHN. I will yield to my colleague.

Mr. McKENZIE. Mr. Chairman, I am sure we all agree with practically all which my colleague has said, but I want to ask him one question, in fairness to the record. I want to ask the gentleman if he believes that it is a matter of necessity, a military necessity, to take the boys of 18 and 19 at this time, or is it a matter of policy of those who advocate it, that it will less disturb industrial and commercial interests of the country? What is the gentleman's judgment as to exhaustion of the man power of this country? Have not we got sufficient men——

Mr. KAHN. I do not think that we at this time, with a due regard to the welfare of the country, can go into the deferred classification, and I take the statement at its full face value made by the Chief of Staff of this country, he being the leader of the military forces in this country, saying that in his opinion it is an absolute necessity at this time.

Mr. HUSTED. Will the gentleman yield?

Mr. KAHN. I will.

Mr. HUSTED. I would like to ask the gentleman if it is not the present judgment of the military authorities of our co-belligerents that young men of 18 and 19 years of age have got to be taken in order to win the war?

Mr. KAHN. I imagine they would not be taking them if they did not think so.

Mr. HUSTED. I would like to ask the gentleman, that being the case, if it is not more sensible for us to follow their present judgment than what their judgment of two or three years ago was?

Mr. KAHN. I will tell the gentleman from New York frankly that I believe that it will bring the war to a very much earlier conclusion and will save hundreds of thousands of young men of 18 years of age who would otherwise have to be called subsequent to the enactment and enforcement of this law.

Mr. COOPER of Ohio. Will the gentleman yield?

Mr. KAHN. I will.

Mr. COOPER of Ohio. Is it not a fact that there are many thousands of these babies, or children, as the gentleman from New York calls them, who are now fighting on the firing line in France and doing fine work?

Mr. KAHN. There is no question about it. As my colleague from California pointed out, they have been allowed to go in by volunteering at 18 years of age, and I want to say that in the Navy of the United States volunteering at 18 years of age has been allowed since 1837.

Mr. GORDON. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. GORDON. Does the gentleman agree with Gen. March that men of 26 are better soldiers than men of 21? He testified to that before our committee.

Mr. KAHN. He made that statement some months ago.

Mr. GORDON. Yes.

Mr. KAHN. Yes; I think, if my colleague on the committee will allow me, that if we could get an army of 5,000,000 of 26-years-old men and put them at the western front to beat the Germans it would be the greatest army that the world ever saw, but we can not get them all at 26 years of age. [Applause.]

Mr. GORDON. Will the gentleman yield further?

Mr. KAHN. Yes; certainly.

Mr. GORDON. This bill as originally introduced would put into the military service, including those now in, 24,000,000 of men. Is that correct?

Mr. KAHN. I do not remember the exact figures.

Mr. GORDON. Those figures are shown by the report. Now, assuming that is correct, does the gentleman claim we have exhausted our man power and that in order to get four or five millions we have got to go to the boys? [Applause.]

Mr. KAHN. Of course it is impossible to gauge the value of every individual as a soldier. I have often stated you can take one man who is 30 years of age who will be of no more value as a soldier than a man of 60 years of age, while you can take a man 60 years of age who will be as young as a man 30 years of age. Every individual has got to be classified according to his individual ability and stamina. The defects and the capabilities of the individual must be determined by properly appointed boards, and when those boards make their returns I take it that so far as all practical purposes are served their action ought to be binding upon the Members of this House at any rate.

Mr. GOOD. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. GOOD. Considerable has been said here by the gentleman from California with regard to these boys who are 18 years being now in the service. The gentleman from New York said awhile ago that all boys up his way were in the service——

Mr. SNYDER. No; I did not say that, I said practically all of them.

Mr. GOOD. I see in reporting out this bill the statement of the War Department is to the effect that only 10,430 have enlisted during the past nine months who were under 19 at that time, and that there were only 36,540 in all the service under 19 years of age. What is the use of talking about that number in an army of over 3,000,000 of men?

Mr. KAHN. I did not yield to the gentleman for a speech; I yielded for a question, and I will answer it.

The number of enlistments in the Army of the boys of 18 was probably materially cut down after the classification law was agreed upon. They also had the privilege of volunteering in the Navy, and we have over 200,000 young men, as I understand it, now in the reserve of the Navy not doing any actual duty at all.

Mr. CAMPBELL of Kansas. Will the gentleman from California yield?

Mr. KAHN. I would like to get through.

Mr. CAMPBELL of Kansas. I know the gentleman wants to be correct. I am reading now from page 8 of the report, on which the statement is made that in the service of the United States, in the Army, the Navy, and the Marine Corps, there are 36,549 boys under 19 years of age, and that 10,430 of them enlisted since the 1st day of January, 1918.

Mr. FLOOD. They all came from the district of the gentleman from New York [Mr. CHANDLER].

Mr. SNYDER. Not all, but a good many of them.

Mr. KAHN. As far as I am concerned, I have been informed, without looking up the figures, that there are a great many of the young men who did enlist at 18 years of age both in the Army and in the Navy. And we all know that many of them are now at the front. We know that they were entitled to enlist under the laws of this country. I am told—how true it is I do not know—that even some of the boys who are less than 18 swore that they were 18 in order to get into the service of the country. But I do not suppose that the latter class would make any considerable number.

Mr. CAMPBELL of Kansas. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. CAMPBELL of Kansas. I notice in section 2 the bill does not include agriculture as one of the industries for which a deferred classification shall be given. Did the committee take into account the effect that taking the 18-year-old boys from the farms would have on the production of food in the United States?

Mr. KAHN. Yes.

Mr. CAMPBELL of Kansas. What information did they secure?

Mr. KAHN. It was the opinion of the Provost Marshal General that it would be better to change the law as it is proposed to be changed by the bill rather than to leave the old language stand, because it gave rise to so many controversies. He held that the new language would be a decided improvement because it includes agriculture with every other industry and occupation.

Mr. CAMPBELL of Kansas. But it does state the industries that are essential for the prosecution of the war.

Mr. KAHN. Exactly.

Mr. CAMPBELL of Kansas. And is not agriculture as essential for the prosecution of the war as any other industry?

Mr. KAHN. Agriculture has been construed by the department, as I understand it, as being one of those important industries necessary to the winning of the war.

Mr. CAMPBELL of Kansas. There are no farm hands left upon the farms aside from the boys below 21 years. After they became 21 years of age they go to the cities and into other occupations, so that nobody will be left if some provision is not made for keeping young men at home on the farms.

Mr. KAHN. I will say to my friend from Kansas that, speaking for myself alone and not voicing the sentiment of any other individual, I do not believe that this country is yet on a sacrificial basis. I do not think we have begun to know in this country the meaning of the words "making sacrifices" as we will know it.

Mr. CAMPBELL of Kansas. But we must raise food to feed our Army and our allies.

Mr. KAHN. Exactly so.

Mr. CAMPBELL of Kansas. And we will not be able to do that.

Mr. KAHN. I had a letter from England, from an American officer, only three or four weeks ago, in which he said he wished we could see what the English women are doing in England. They are acting as farmers; they are going to the fields; they are going into the workshops. They are doing the work that strong, bearded men have been accustomed to do. They are doing it gladly, uncomplainingly, in order that the English people and the English soldiers may still be fed during these terrible—unutterably terrible—days of trial.

Mr. KINKAID. Will the gentleman yield for one question?

Mr. KAHN. Yes; I yield.

Mr. KINKAID. Inasmuch as the Government Employment Agency for the employment of farm labor fell short this year of one-third of the amount of farm labor required, I wish to ask the gentleman from California whether this bill when enacted will allow the War Department more latitude in making provision for necessary farm labor than the present law?

Mr. KAHN. I imagine that the question of feeding the Nation and feeding the armies of this country is one of vital importance, and I feel confident that the various boards charged with the necessity of making the regulations that will supply the people and the armies with food will do their full duty under the law and for the best interests of the people.

But I want to go ahead if I can——

Mr. SHALLENBERGER. Will the gentleman yield for one question?

Mr. KAHN. Yes.

Mr. SHALLENBERGER. He has referred to the part England had played in this war. We expect to raise, as I understand it, 5,000,000 men by the action of this draft. How can we explain the situation when England raised an army of 6,000,000 men, a country with one-half of our population, before she took a boy 18 years of age? Is it not an indictment of the

courage of the men of America when, with a population twice that of England, we have to take those boys in order to make up an army of 5,000,000 when England raised an army of 6,000,000 men without taking a single boy?

Mr. KAHN. The war is four years old to England; the war is four years old to France. We propose that the war shall not get older than next year, if we can help it. [Applause.]

And that is the answer to the gentleman from Nebraska. We propose now by this very legislation to furnish the man power to end the horrible struggle that is going on on the other side of the Atlantic, while the gentleman's proposition is to continue it indefinitely.

Mr. STERLING of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. KAHN. Yes.

Mr. STERLING of Pennsylvania. I have listened to the gentleman from California, and I know him to be possessed of valuable information. When the gentleman stated that the Chief of Staff said that 4,000,000 men—American soldiers—would break through the German line on the western front at will, did the Chief of Staff say that they necessarily have to be boys? Can not men go through that line?

Mr. KAHN. The Chief of Staff does not propose to take all boys. There are already or there will soon be on that western front 3,000,000 men between 21 and 31 years of age.

Mr. STERLING of Pennsylvania. Will the gentleman yield further?

Mr. KAHN. Yes.

Mr. STERLING of Pennsylvania. And if it is the decision of this country to settle this war in two years, what is the objection to settling it with the manhood of the Nation?

Mr. KAHN. I am a civilian and not a military authority, as I have said repeatedly on this floor. I can not answer those questions; but I am willing to defer my judgment to that of the men whose duty it is to draw the military plans for this country and let them lead the Nation to victory rather than assent to let any Member of the House lead it to possible defeat and disaster. [Applause.]

Mr. STERLING of Pennsylvania. Mr. Chairman, will the gentleman again yield?

Mr. NOLAN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield, and to whom?

Mr. KAHN. I will yield to my colleague from California.

Mr. NOLAN. Is it not a fact that for the first two years of the war France and England, our allies to-day, depended largely upon this country for their food supplies and munitions, which consequently released a great number of their people to go to the front line of the trenches?

Mr. KAHN. That is very true.

Mr. STERLING of Pennsylvania. Will the gentleman yield further?

Mr. KAHN. I regret I can not yield further at present. I can not use all the time allotted to my side. I want to go on a little and later on I will try to yield again.

Mr. STERLING of Pennsylvania. Will not the gentleman yield again?

Mr. KAHN. I am trying to finish this speech. Later on I may be able to do it.

I find that Japan takes her boys from 17 to 40 into her army, and then after that they go into the reserves, to still further defend their country, if need be. Belgium—little Belgium, which has fought so valiantly in this struggle—took her man power from 18 to 40.

But these are present-day conditions. I took occasion to look up world history somewhat to see what had been done by the military powers of the past. I find that in Grecian history, Greek youths became subject to military authority and did fight for and serve their country from 18 to 60. From 18 to 40 Greek warriors were subject to serve anywhere. From 40 to 60 they were subject only to repel invasion. You all know the statement of the Grecian mother who handed her son his shield and spear upon the day he went into the military service. She said to her son, "Come back with your shield, or on it." That was the way and the spirit in which little Greece preserved Caucasian civilization against the hordes of Asia in the early days of recorded history of the human race.

I will not take the time to go into the various nationalities and the various civilizations, all of them more or less warlike, down to our own day, but I wish simply to say this: That in the days of the Republic the famous Roman legions that conquered the known world were made up of men from 17 to 40 years of age. They helped to give the world the largest measure of civilization up to their period that mankind had ever known—these "children," as some Members have chosen in this debate to call 18-year-old soldiers on this floor to-day.

I found that in Ancient Persia in the time of Cambyses the male population was divided into classes designated as children, youths, men, and old men. Each lad of 10 began his military career by entering class 1 and remained therein until he was 20, when he entered the class of youths. There he continued until he was 30 when he went into the men's class. At 40 he was admitted to the class of old men and served therein till he was 55, when he was entirely freed from military duty.

Among the Jews every man over 20 years of age, with certain stated exceptions, was a warrior. At the time of the flight from Egypt each of the 12 tribes furnished a corps of an average of 50,000 men. From this corps, in times of war, the needed number of recruits was selected by lot. It was a draft pure and simple.

In Egyptian history I found that the father of Sesostris, at the time of the latter's birth, selected all the boys born in Egypt on the same day and made of them a military school out of which later grew Sesostris's confidential bodyguard. Many of his generals were among the number of these boys.

And so I could multiply the instances where those civilizations, which thrived and flourished many centuries ago, did not hesitate to employ their youths whenever they embarked upon offensive or defensive warfare.

It has been repeatedly stated upon this floor that if you take the 18-year-old boys into our Army you deprive them of the opportunity of receiving a necessary education. I will ask the Clerk of the House to read in my time a letter from the Director of the Census of this Government.

The Clerk read as follows:

DEPARTMENT OF COMMERCE,
BUREAU OF THE CENSUS,
Washington, August 16, 1918.

Hon. JULIUS KAHN,
House of Representatives, Washington, D. C.

MY DEAR MR. KAHN: In compliance with your telephone request of yesterday, I take pleasure in giving below a statement of the percentages which the numbers of males aged 18, 19, and 20 years, respectively, reported at the census of 1910 as having attended any kind of educational institution during the school year 1909–10, formed of the total numbers of males of the same races and ages in the population of the United States:

Age.	Percentage which number of males attending educational institutions represented of total number of males of same race and age in population, 1910.		
	All races.	White.	Negro.
18	22.1	22.9	15.3
19	14.8	15.3	9.9
20	9.3	9.7	5.4

The foregoing are the latest authoritative data upon this subject. The report of the commissioner of education for the year ending June 30, 1917, gives (p. 7, vol. 2) a statement showing for the year 1915 the percentage which the estimated number enrolled in schools in each of certain age groups formed of the estimated total number in the same age group. The percentage for the age group 18 to 20, inclusive, for both sexes and all classes of the population was 17.13. In calculating this percentage it was assumed that the age distributions of the population as a whole and of all persons attending school were the same as in 1910.

Very truly, yours,

SAM. L. ROGERS,
Director.

Mr. KAHN. So that, from the testimony of the Director of the Census, only about 2 in 10 of the children of this country who are 18 years of age continue their education.

But I have here the report of the Commissioner of Education for 1917. His tables show, on pages 4 and 5 in volume 2 thereof, that of all pupils and students, male and female, in both private and public schools and colleges in 1915 there were 19,990,316 in elementary schools, or 91.03 per cent of the total; in the secondary schools there were 1,504,972, or 7.13 per cent of the total; in the higher institutions of learning there were only 403,548, or 1.84 per cent of the total.

In closing, I want to say again that on page 8 of that report the Commissioner of Education says:

From the above tables it may be estimated that about 117 in every 1,000 pupils entering the first grade in 1906–7 will graduate from the high school in 1918.

Therefore, about 11.7 per cent of the children, boys and girls, who go to the schools of this country finally graduate from the high schools at 18 years of age.

Now, one word in final conclusion. The gentleman from Kansas during this debate said in effect that the military authorities, under the McKenzie amendment, could call the men 20 years old, and a week or a month later they could call those of the younger ages. If that be the fact—and I as-

sume that he, having voted for it, voted for it on that assumption—where is its improvement over the proposed law submitted by the military authorities, who are given absolute discretion in the matter? They will not call them until they feel that there is necessity to call them under the provision as submitted by them to our committee. I am unwilling with my vote to tie the hands of the military authorities of this country. I am unwilling with my vote to tie the hands of the Commander in Chief of the American Army in this matter. I am willing that he should take the responsibility which the law imposes on him, and therefore I for one shall vote against the amendment proposed by the gentleman from Illinois [Mr. McKENZIE], and will vote for the bill substantially in other respects as reported from the Committee on Military Affairs.

I reserve the balance of my time. [Applause.]

Mr. DENT. Mr. Chairman, I yield 30 minutes to the gentleman from Kentucky [Mr. FIELDS].

The CHAIRMAN. The gentleman from Kentucky is recognized for 30 minutes.

Mr. FIELDS. Mr. Chairman and gentlemen of the committee, the purpose of the bill H. R. 12731, under consideration, is to raise the maximum age of the draft to 45 and lower the minimum age to 18. I voted to report the bill out of the committee and shall vote for its passage by the House.

The officials of the War Department who are charged with the prosecution of the war tell us that they must enlarge their plans and have more soldiers than was previously recommended. The authorities who have charge of the administration of the draft law tell us that they must have greater numbers from which to draw if they are to furnish to those in direct charge of the prosecution of the war the forces for which they have asked and which they deem essential to the successful completion of the task before us.

The question as to the number of men needed is strictly a military question which can only be passed upon or decided intelligently by the military men in charge of the prosecution of the war, and when they reach a decision and make a recommendation as to the number of men needed their decision must be respected and their recommendation accepted if we expect to win the war, and we must win it or suffer greater hardships in the future than the prosecution and effects of any war could place upon us, regardless of its magnitude or hardships.

Mr. Chairman, in my opinion this is the last great struggle between democracy and autocracy, between free peoples and the rulers of oppressed peoples, between freemen and slaves, so to speak, and that being the case there is but one conclusion that we can reach, which is, that democracy must win and win decisively or submit to autocratic rule and the "iron heel" of oppression throughout the world, and rather than submit to such rule we had better all be dead. But we shall not fail; we shall not bow in humble submission to autocratic rule, but by the strength of our mighty resources, our enormous man power, our skill, our courage, and the justice of our cause, we will win and win gloriously. [Applause.]

I am one of those, however, who believe that hysteria in the prosecution of the war and unnecessary waste in our preparation should be avoided as far as possible, for we know not how long the struggle will continue, and, besides, the Nation must live after it is ended; hence, the necessity of exercising our best judgment and conserving, where to do so will not impede the progress of the war, our resources, our energies, for the burdens of future responsibilities. Please do not understand me to advocate economy to the extent of impairing efficiency or even taking a chance in that direction, for nothing is farther from my thoughts. We must first look to and secure the greatest efficiency that we can produce, but in doing so we should not indulge in wanton or extravagant waste.

By advocating such economy as should be practiced in any or all great enterprises I do not mean to convey the idea that our resources or our man power is becoming depleted, for such is not the case. There is no cause for alarm that either the man power or the military resources of the Nation are about exhausted. The Chief of Staff has stated that that is not the case, as every man well knows that it is not the case.

Now, to the bill in its details and the issues that are involved. The differences between the majority and the minority of the committee are found in a single proposition, and that single proposition is this: Shall the call of the 19 and 18 year classes of registrants be deferred until the older men of class 1 are called, or shall the 19 and 18 year classes be called at the same time, or probably before the older classes are called? That is the only difference that is involved. With regard to the question of placing the immature youth of the Nation in the war we find here and in the country four well-defined opinions on that subject.

There is one class who advocate an infant soldiery, who believe that the boys of 18 and 19 should be called first. There is another class who believe that they should not be called at all. There is another class who believe that they should be called along with the men, and there is still another class who believe that they should be called if necessary, but not until it is necessary. I belong to the class last mentioned. The gentleman from California [Mr. KAHN] has said that he advocates throwing our whole strength into this war. So do I. No man on the committee or on the floor of this House believes more firmly in that than I do, or will go further in that direction. The gentleman says he is unwilling to withhold the forces from the military powers of the Nation. I join him in that, and there is nothing in the bill before the House, including the McKenzie amendment, which was adopted by the committee, that withholds one single iota of the force or the man power of the Nation from the executive or military authorities of the Government.

Mr. GORDON. Will the gentleman yield right there?

Mr. FIELDS. Yes.

Mr. GORDON. As a matter of fact, the amendment proposed by the gentleman from Illinois [Mr. McKENZIE] is designed to substitute man power for boy power, is it not?

Mr. FIELDS. Absolutely so. Under the bill before the House the Commander in Chief of the Army can call every man between the ages of 18 and 45 within 10 days, or within 1 day if the exigencies of the situation should warrant it, or if he deems it necessary to do so. We need not deceive ourselves on that proposition, because the bill gives him that authority. But here is one proposition, my friends, to which I want to call the attention of the House. You know when the war started last year the plan of the General Staff was to call out the boys first. Its plan at that time was to register the boys from 19 to 25, and to call first the 19 class, then the 20 class, and they stated that in all probability these two classes would supply all the soldiers needed; but Congress said, "This is a man's war, and you shall not place the burdens of fighting it solely upon the immature youths of the Nation." So they were not permitted to call them in the way they had planned. In other words, they were not permitted to call children exclusively, or at all, but were empowered to call men.

Now, the gentleman from California [Mr. KAHN] said, if I remember correctly, that if the exigencies of the situation made it necessary to call the younger men first, of course, then, he would agree to it. Well, we are giving the Provost Marshal General a great deal of latitude. In fact, if we pass this bill without the McKenzie amendment the Provost Marshal General may decide before next week that the exigencies of the situation demands the calling of the 19 or even the 18 year class first. Gentlemen should not become so heated over this proposition. They should deal with it fairly and squarely. If you believe that it is proper to fight this war by putting the boys in front of the men, then vote to strike out the McKenzie amendment. If you believe that the immature youths should not be called unless the exigencies of the situation demand it, and then not until the men of class 1 have been called, you should vote for the McKenzie amendment, for the purpose of the amendment is to prevent the drafting of the 18 and 19 year classes until those above 19 in class 1 have been called. In brief, the McKenzie amendment will prevent the calling of the 18 and 19 year classes first; the bill without the amendment will permit the Provost Marshal General to call the younger classes first if he elects to do so, and judging from his attitude on this proposition in the past I have strong suspicions that he will call the younger classes first if given the authority to do so.

We are all agreed on the main proposition, the prosecution of the war. We all agree that we must prosecute it to the utmost of our ability, but the question as to whether we shall place the burdens of war upon immature youths when it is unnecessary to do so is one of grave concern and should receive the most earnest thought of every man, and if, after calm consideration, you believe in putting the boys in front of men, then vote, as I have previously said, to strike out the McKenzie amendment. If you believe in putting the men in front of the boys, vote for the McKenzie amendment, and then there will be no chance for any speculation or misunderstanding. You will know exactly what you are doing. As I said a moment ago, the man power of the Nation is not exhausted or hardly touched; many men are exempted to-day who owe more to their Government than do boys of 18 and 19. Thousands of men are enjoying the protection of deferred classification who could well be spared to the military service. Every man who has studied the question knows that is true.

We must deal with this proposition sensibly and fairly and in an unbiased and unprejudiced way. We must support the in-

dustries essential to the maintenance of the Government. We must have munitions, we must have clothing for our soldiers and our civilian population, and we must have food for all and an ample supply of it for our soldiers especially.

There are, however, many manufacturing interests in the United States that are asking deferred classifications for their men who are not contributing either directly or indirectly to those supplies. Shall we defer the men in those institutions while the boys alone do the fighting or shall the men of the Nation assume their part of the responsibility?

Oh, the gentleman from California [Mr. KAHN] said, "We do not want to disturb industry." But I will say to the gentleman that one of the greatest industries of this country is the production of food, and the boys of 18 and 19 are most valuable on the farm, but they are not given deferred classification as a rule because they are not considered essential to the farm by the men who have written these classifications. Yet the factories of various kinds, and even banking institutions and commercial institutions of one kind and another, have asked for and secured deferred classification for men who ought to be on the battle line to-day. There is a great, united effort in this country, and has been from the time this war started, to put the boys of the country into the front ranks.

One of the publicity agents of these organizations went so far last winter as to say editorially—and I give him credit for frankness—that "there are boys enough of the 18, 19, and 20 year classes to supply all the soldiers that we need or can maintain on the western battle front, and by drafting those classes into the service we can release the men to the industries." I am opposed to such warfare as that. If such a plan was carried out it would, of course, increase the man power of the factories, enlarge their output, and enable them to wax still richer on war profits; but I am opposed to drafting the boys for the purpose of enabling some men to get rich. Now, if it becomes necessary for the boys of 18 or even younger to go we will all make the sacrifice, regardless of how painful it may be; but by the eternals, I am unwilling to subject the boys of 18 or 19 to the burdens of war while men are being deferred for industries which are not essential to the war.

Mr. Chairman, I desire to digress from the main thought at this point to say for the information of any who might seek to ascribe to me selfish motives because of my opposition to the drafting of the boys of the 18 and 19 year classes until it becomes necessary to do so, that I have no personal interest in the matter. I have no son or no relative between the ages of 18 and 20 or who is nearing the age of 18 who would be protected by the McKenzie amendment. My two oldest sons, who are 24 and 22, respectively, are both in the military service, having long since volunteered. My third son has passed his twentieth birthday, is almost 21, and is, therefore, above the age to which the McKenzie amendment applies, and I will say in passing that he has asked my permission to volunteer as soon as he completes his course in school, which will be within the next few days, and I have consented for him to do so. My fourth son is only 14, and we all hope that the war will end within less than four years. I therefore have no personal interest whatever in the matter. My only interest in it is my interest in humanity, my interest in the weak as against the strong, in the right as against the wrong.

So let us accept the right and protect the weak by passing this bill with the McKenzie amendment, which makes it impossible to put the boys in front of the men, or to be more explicit, it will prevent the calling of boys until they are actually needed. That is all there is to it. It does not make it impossible for the War Department to call the boys, and it does not defer their call one single day when they are needed, but it does make it impossible to call them before the men in class 1 are called.

Mr. BLANTON. Will the gentleman yield?

Mr. FIELDS. Yes.

Mr. BLANTON. The gentleman from California [Mr. KAHN] repeatedly objected to boys 18 years of age being called children. I want to ask the gentleman from Kentucky if it is not a fact that they are children simply because the law of our land so designates them?

Mr. FIELDS. The law of the land designates them as children simply because they are children.

Mr. JOHNSON of Kentucky. The law calls them infants.

Mr. COOPER of Ohio. If these boys are children, why does our Government allow them to enlist? And there are thousands of them over there fighting to-day.

Mr. FIELDS. That is true; and I will say to the gentleman that I was not in favor of that. I have advocated the most vigorous prosecution of the war of which we are capable, but I have believed, and now believe, that we could prosecute it more vigorously with an army of men than with an army of undeveloped boys. By that statement I cast no reflection upon the brave and patriotic lads who have volunteered. They are doing splendidly; but if they were fully developed they would do better and be more able to endure the strain to which they are subjected.

Mr. TILSON. Will the gentleman yield?

Mr. FIELDS. I will.

Mr. TILSON. I know the gentleman wishes to be fair, because he is one of the fairest men on the committee. He says the object of the amendment is to prevent the sending of boys ahead of the men. Now, suppose we assume that the President and his advisers are all bad and want to do the worst thing they can, can not they call out the men to-day and the boys to-morrow—as the gentleman says, get them all into camp and then send the boys to France and leave the men in the camp. Could not they do that?

Mr. FIELDS. Yes; but does the gentleman think they would do that? Of course he does not.

Mr. TILSON. How does the amendment prevent their doing that very thing?

Mr. FIELDS. The amendment would not prevent such action, and does not need to, for the honor and decency of the President and the Provost Marshal General is a guaranty against it. I am not assuming that the President and the Provost Marshal General are bad and the gentleman knows it, and I cast no reflection upon them. The gentleman knows that I have supported the War Department and the President as strongly as any other man on the committee.

But, I said, to use the language of the gentleman from California, suppose that in the mind of the Provost Marshal General some condition should arise which in his opinion justified the calling of the boys first, the bill without the McKenzie amendment would permit him to do it and with the McKenzie amendment it would not, and I will say in this connection that I see no reason for hanging the whole question as to whether the boys shall go first or last upon the discretion of the Provost Marshal General, who we know has always favored the drafting of the boys first. In his natural frame of mind it would be extremely easy for him to decide that the boys should go first, for you know it is easy for a man to believe that which he wants to believe.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. FIELDS. Yes.

Mr. JOHNSON of Washington. In regard to the McKenzie amendment, did the gentleman hear the question asked by the gentleman from Minnesota as to the effect of the last provision in the McKenzie amendment—

> All registrants of the age of 20 years and above on the day fixed by the President for registration shall be called prior to those in the classes hereby created—

The contention was that the 18 and 19 year old boys should not be called until all the classification of the past draft had been exhausted?

Mr. FIELDS. It means that until class 1 shall have been exhausted. I am frank to say that I think class 2 should be materially invaded. I think that too many have been placed in class 2 in certain sections because of their connection with industry. We hardly know what class 2 means in the agricultural or rural sections. We have no class 2 men of any consequence.

Mr. JOHNSON of Washington. I agree with the gentleman. If an amendment should be offered to the bill on page 2 changing the figures "18" to "20" the draft would apply to men between 20 and 45, and the McKenzie amendment with its possibilities of creating this confusion would be eliminated from the bill.

Mr. FIELDS. Yes.

Mr. JOHNSON of Washington. Leaving the people of the United States to thoroughly understand the draft provision and know that the eligibles would be from 20 to 45.

Mr. FIELDS. The adoption of such an amendment would eliminate the McKenzie amendment by excluding from the draft the classes to which it applies.

Mr. RAKER. Will the gentleman yield?

Mr. FIELDS. Yes.

Mr. RAKER. Can not every man be taken under the McKenzie amendment within, say, a week if it became necessary?

Mr. FIELDS. Absolutely so.

Mr. RAKER. By deferring the classification of 18 and 19, can there be any reason given why it would retard the War Department in any way if the McKenzie amendment was written into the law requiring the older men to be taken first?

Mr. FIELDS. A statement could not be correctly made that it would impede the progress of the War Department or weaken the man power of the Military Establishment, because every

man knows, as the Chief of Staff testified before the committee, that men are better for the service than the boys. He stated specifically that men of 26 are even better than men of 21.

Mr. REAVIS. Will the gentleman yield?

Mr. FIELDS. I will.

Mr. REAVIS. The McKenzie amendment contains no limitation on the authority of the War Department to utilize the man power between 18 years and 45 years.

Mr. FIELDS. None whatever.

Mr. REAVIS. They could take them as well with the McKenzie amendment in as without it; that is, they are authorized by the McKenzie amendment in this bill to take the man power between those ages just as completely as they would be if the McKenzie amendment was not in it.

Mr. FIELDS. They could call every man from 20 years and up to-day and the balance of them to-morrow.

Mr. REAVIS. There is no limitation in the McKenzie amendment on the utilization of the man power between 18 years and 45 years.

Mr. FIELDS. There is none.

Mr. REAVIS. The practical operation of that amendment would be if the demands of the country and the department could be satisfied by the utilization of those between 20 and 45 before using the 18, the boys would remain at home.

Mr. FIELDS. That is correct.

Mr. REAVIS. If the demands are not so satisfied, the country can utilize them below the age of 20.

Mr. FIELDS. Yes; and to state it another way, if we are not to utilize all the man power at once, under the McKenzie amendment we will utilize the older men first and keep the young men at home; but if necessary to use all at once they can all be called.

Mr. REAVIS. The McKenzie amendment places no limit on that.

Mr. FIELDS. No.

Mr. FOCHT. I would like to ask the gentleman's judgment on this one question.

Of the 3,000,000 that are proposed to be taken from the grammar schools and the high schools of the country, has the gentleman any information as to how many of that number could be made up out of the foreigners who are here living in our midst and out of the slackers who are in our midst instead of taking these boys of tender age? Does the gentleman know how many might be taken from that class that it is admitted are here, and why should they not be taken before the boys?

Mr. FIELDS. I have not the figures at hand.

Mr. FOCHT. Does the gentleman think there would be enough or half enough.

Mr. FIELDS. I would not want to express an opinion on that because I do not like to express an opinion without information.

Mr. FOCHT. Then the gentleman has not the information.

Mr. FIELDS. No. I have not. I have read the data in a general way, but I do not recall the numbers given.

Mr. DOUGHTON. Mr. Chairman, in connection with the question just asked by the gentleman from Pennsylvania [Mr. FOCHT], admitting that there are a number of foreigners and slackers, does not the gentleman believe they should be taken before we go into the boy class?

Mr. FIELDS. I think that the slackers should be taken, also the foreigners who are living here, so far as would not conflict with our treaties. We of course can not afford to violate treaty agreements, for to do so might involve us with friendly nations.

Mr. Chairman, the gentleman from California [Mr. KAHN] referred to the fact that Germany to-day occupies a portion of the territory of Belgium and France and other European countries. That is true, but when Germany invaded those countries she did not invade them with her boys in the front ranks. She invaded them with her men, for, as has already been shown, she had not sent her boys to the front. Therefore, his reference to that fact does not strengthen his argument that the McKenzie amendment should be eliminated from this bill.

Mr. Chairman, I want to refer, as the chairman of the committee has, to some criticism that has come from certain quarters of the country of the House and the Military Affairs Committee because this bill was not passed at an earlier date. The Committee on Military Affairs has given the War Department to understand from the time that the war began that it was ready at all times to act in the most expeditious manner upon any measure that the department cared to put before it. When the committee met after this session of the Congress convened we asked the War Department to let us know what they wanted and stated that we would give it to them in both matériel and men. The chairman of the committee suggested the raising of an army of 4,000,000 men. That was not approved by the department. We said to them, "We want to give you every dollar and every man that is necessary." When the appropriation bill was before the Senate committee less than 60 or 90 days ago, the Senate committee was considering the advisability of adding an amendment which, in effect and almost in words, was identical with this bill, and the Chief of Staff and the Secretary of War appeared before the Senate committee and stated that it was not their wish to have it done at that time, that it was not necessary. Then Congress prepared to take a brief recess, and did recess.

Mr. RAKER. Mr. Chairman, will the gentleman state what date it was that they appeared before the committee?

Mr. FIELDS. It was during the consideration of the appropriation bill; I do not remember the exact date, but it was only a short time ago.

Mr. RAKER. Some time in July.

Mr. FIELDS. Yes; or late in June, perhaps. And then Congress had not more than recessed until this proposition was given out to the press of the country, and certain elements in the country who like to resort to the lash-and-spur method began, through certain papers of the country, to criticize the Congress, and especially the Committee on Military Affairs, for delay in the proposition. Yet no new developments have presented themselves here or elsewhere that demanded more speedy action than the committee had heretofore offered to take. Those criticisms are unfair and unjust and have been used over the country for a purpose which is so manifest that it need not be explained to be understood.

Mr. RAKER. Mr. Chairman, will the gentleman yield?

Mr. FIELDS. Yes.

Mr. RAKER. I find from this report that the letter from the Provost Marshal General upon the subject of changing the draft age was not written until July 27, 1918. I would ask the gentleman whether the subject of the amendment of this law was presented in any way, shape, or form to the Military Affairs Committee or any of the Members that he knows of before the Congress commenced to take the three-day recesses about the 18th of July?

Mr. FIELDS. I had no knowledge of it until I read of it in the newspapers, after I had gone to my home in Kentucky to spend the recess, or a portion of it, and it is my understanding that no member of the committee had knowledge of it. Now, in conclusion I wish to say that I have stated the proposition as clearly as I am capable of stating it. All there is to the McKenzie amendment is that the boys of the Nation can not be put in front. I judge that every man will exercise the dictates of his own conscience upon the question. Either way it goes, it does not go to impede the progress of the War Department or affect the prosecution of the war, and I think that no man on this floor would vote for or entertain the thought of voting for a proposition that would in any way impede the progress of the War Department or weaken its hand in the prosecution of the war. It is every man's duty to stand behind the policies of the War Department. We may differ upon matters of detail. We have the right to express our opinions upon matters of detail. The trouble with some men is that they fail to distinguish between a policy and a detail incident thereto. The question as to whether we shall draft the boys before the men, along with the men, or after the men is not a question of policy, it is a question of detail.

Our policy is to raise all the man power that is necessary to prosecute this war, but the question as to what or which class shall be called first is only a detail and does not affect the policy, and I will say in this connection that while every Member of the Congress and every citizen has expressed his opinion on matters of detail it is gratifying to see how unanimously both the Congress and the country have supported the war policy in its entirety.

If I may refer briefly to my own course, without violating the rules of propriety, I can say that I have supported the entire war policy to the utmost of my strength and ability.

I spoke in support of the war resolution when it was under discussion in the House, but was called to the bedside of my wife, who was dangerously ill, before the vote was taken, and for that reason was prevented from voting for it. I have advocated from the beginning the raising of the largest and most efficient army of which we are capable and by the most expeditious methods at our command. I have voted for the appropriation of every dollar asked for by the War Department for the support of the Army and the prosecution of the war. I was one of the first members of the committee to advocate giving to the President unlimited power in the exercise of the draft, which power was conferred by a provision carried in the last appropriation bill.

The Secretary of War has asked the Congress for many amendments to the original law of 1917, and I have supported each amendment for which he has asked and had charge of their most

important amendment (the new quota bill) on the floor of the House, and I trust that I may not be classed as immodest if I say that the Secretary of War gave expression to his appreciation of my support of the department by a letter which he wrote to me on June 1, which reads as follows:

THE SECRETARY OF WAR,
Washington, June 1, 1918.

Hon. WILLIAM J. FIELDS,
House of Representatives.

MY DEAR MR. FIELDS: I have just read the record of the debate on the Army bill, and am so grateful for the splendid support which the committee is giving the department that I want to express my personal thanks to you for your part in it.

Cordially, yours,

(Signed) NEWTON D. BAKER.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. FIELDS. Yes.

Mr. HARDY. Some one made the statement that the placing of these older men would require 100 days for classification. I did not get it plainly, but it seems to intimate that the adoption of this amendment would consume a good deal of time in classifying the older men. What about that?

Mr. FIELDS. Well, I might claim that the gentleman's hair is red, but that would not make it red.

Mr. HARDY. Is there any way by which this amendment would delay the enlisting of the number of men desired?

Mr. FIELDS. There is not, but if there was, why did they come in so late? As I have just stated, this bill was about to be added as a Senate amendment to the Army appropriation bill late in June, and the War Department requested the committee not to include it in the bill.

Mr. HARDY. The question is, Is it true?

Mr. FIELDS. It is true. The House Committee on Military Affairs wanted to raise an Army of 4,000,000 men when we considered the appropriation bill. The Senate committee inserted this amendment into the appropriation bill, and the War Department opposed both propositions; so if there is delay in the calling of these men the War Department, and not the Congress, is responsible for the delay. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. CRISP having taken the chair as Speaker pro tempore, a message, in writing, from the President was communicated to the House of Representatives by Mr. Sharkey, one of his secretaries.

TEMPORARY INCREASE OF THE MILITARY ESTABLISHMENT.

The committee resumed its session.

Mr. TILSON. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. Chairman and gentlemen, of course the important thing with which we have to deal is to provide the means by which the war can be won. If we are going to fight the war vigorously we will have to provide the means. If those who are responsible for the conduct of the war, namely, the President and the Secretary of War and the heads of the Military Establishment, indicate there is only one way by which we can be assured of certain early successes then I think we are derelict in the performance of our duty if we do not comply with their demands. It is infinitely more important that we should win the war and win it soon than it is that we should quibble about who should go to fight the battles.

Mr. RAKER. Will the gentleman yield right there?

Mr. MADDEN. No; I refuse to yield. Every family in the United States has already been invaded, and I apprehend that every family will be still further invaded on account of the obligations that have arisen from the war. Personally I believe in universal military training, and the putting of the 18-year-old man into this class of drafted men will enable the President and the Secretary of War to give them the training which they ought to have and need before they are called into active service. The time has come when we ought not to have any division of sentiment about what should be done. The longer we take to win the war the more of our men will die, the more difficulties will surround our industrial, agricultural, and economic situation here. It is a very serious proposition we have to deal with. Nobody regrets more than I do that we are called upon to act on this occasion; but we are in the war—we can not get away from it—and the American people expect to win it, and they are willing to stand behind the Government of the United States in any way that is necessary to win it. If we are going to maintain American liberty and perpetuate American institutions we have got to make every sacrifice that is necessary to make. It is infinitely better for us to sacrifice among ourselves voluntarily than it is to wait until success crowns the German arms and they are permitted to invade American shores and impose burdens upon us against our will.

It is far better for us to be willing to meet the situation, and meet it cheerfully and meet it immediately and to meet it in a way in which it can be met, and the only way in which it can be met is by raising an Army sufficiently large and equipping that Army with everything it needs, than it is to wait and putter along and continue to be uncertain about the outcome. There has been a great deal of fault found about the delay in making preparation for war. If we had been prepared a year before the war began the war would have been over before now; but it seemed to be difficult to make those in responsible control of the Government to understand the need and importance of early vigorous action. But the momentum has begun. We have already organized a great force, both in the Army and the Navy. We are already beginning to see the equipment move forward with which to supply the men on the battle front, and while they are there we who are behind the lines owe them an obligation, and that is to stand behind them with every facility that it is possible to supply. Now, if one of those facilities is additonal man power, then that must be supplied. We must all dedicate ourselves to the country, to its future, to its freedom. We must give everything we have if need be, even to our lives; and I have no fear that without restriction the military authorities will take these 18-year-old boys and put them at the front without proper training. My thought is that they will be taken by the military authorities and they will be given at least eight months' military training in American camps. That is equivalent to sending them to school, and it will be giving them an education which they need and ought to have. Every boy in America should be given such training. I am as much opposed to war as any man, but I love America and I love the freedom which it affords, and I am willing to make every and all sacrifices that we may maintain that freedom and hand it down to the children of our children, so that they, too, may glorify liberty and patriotism. We do not want to live in a country less free than the country our forefathers lived in, and neither do we want our children to do so. We do not want to live under the iron heel of oppression of the German Government, and there is only one way, in my judgment, to prevent it, and that is for America, in company with the allied nations with whom it is associated, to win this war; and to win the war means that we must raise an Army the weight of which will be greater than the army against which it has to go. Germany makes no hesitation about the method that it pursues, and we must meet Germany on its own ground with instruments and methods equal to its own, and superior, if we expect to win. Win we must. No one wants to take the children of America and put them on the battle field. Every American, however, believes that there can be no question about our duty and our obligation. Our duty and our obligation compel us, regardless of whether we will or not, to do whatever is necessary to be done; and if those who are charged with the responsibility of executing the law, charged with the responsibility of commanding the men, say that there is no other way to insure success than the way in which they have indicated, then our duty is clear. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. TILSON. Mr. Chairman, I yield eight minutes to the gentleman from Missouri [Mr. MEEKER].

Mr. MEEKER. Mr. Chairman, I base my objection to the drafting of men under age on the ground of responsibility and rights of citizenship. It does not matter whether a ward of the State is in school or out of it. I believe that with the privileges of citizenship should go the responsibilities and obligations of military service, and, incidentally, that is one of the reasons why I am against woman suffrage. [Applause.] I think anyone who is given the privilege of citizenship should be compelled to give his life to defend the country, but not until then. I am going to vote for the McKenzie amendment. I am in favor of universal military training of our boys from 18 to 21 for the reason I have given. I am opposed to universal military service for our boys from 18 to 21.

If the men of the United States can not defend the United States, then they should turn the United States over to the women and the children. [Applause.]

We started out to make this a man's war, and I think that one of the chief reasons why we are getting such reports from the Army on the other side is that we have a man's army. We might have had different reports if more than half of that army had been 17 and 18 year old boys. When men become citizens they know why they are there, and they know what to do. And the military authorities, I think, have been just as much surprised at the speed with which our men—not our boys—are moving toward Berlin as some of the enemy them-

selves. But do not forget that that is an army of men, and it is the first men's army that the world has seen in action.

Now, the McKenzie amendment does a very specific thing. It prevents putting the immature men into the service. We men here know that there may be 250,000 or 300,000 boys of 18 or 19 years of age now in service. That is all well and good; but those boys are boys who are practically mature now. But if you take by one fell swoop the 18-year-old boys of this country you do not get that quality. I have a lad who is 17½ years old now. He will be in the service long before he is 21. He is getting all the military training that I can give him, and has had for five years. He has been in command of a machine-gun squad for four months, and is an expert with the gun, and he is not looking for any swivel-chair place. But that boy is exceptionally well developed physically. He has had a special training in military service, and in a year from now will be sufficiently mature to go in and do his part. But that boy is one out of a thousand so far as his opportunities are concerned, and he can take care of himself. If you want to keep the American Army up to the quality it now has, you do not want to make it 50 per cent juvenile.

Mr. COOPER of Ohio. Will the gentleman yield?

Mr. MEEKER. Yes.

Mr. COOPER of Ohio. I have been informed that there are between 60,000 and 70,000 boys in the Army now that are between 18 and 21.

Mr. MEEKER. Out of 3,000,000 men.

Mr. GARNER. I know that it is not less than 200,000, and I think it is nearer 500,000 than it is 60,000.

Mr. MILLER of Minnesota. Does the gentleman know the division that turned the Prussian Guard to flight last July on the western front?

Mr. MEEKER. No.

Mr. MILLER of Minnesota. I will tell the gentleman that it was the Second Division of Marines, and a great part of them were no more than 18 or 19 years old. [Applause.]

Mr. GOOD. In the report of the committee the statement is made by the War Department that on January 1 there were 36,549 boys under 19 years of age in the Navy and Marine Corps and Army of the United States.

Mr. MEEKER. The statement of the gentleman from Texas [Mr. GARNER], everybody knows, could not be true.

Mr. COOPER of Ohio. I said from 18 to 21. You said from 18 to 19.

Mr. MEEKER. We are now talking about efficiency; and let us not forget, in our sudden fervor here for training these boys—and I am for universal training, and have been—that if it had not been for some military authorities that have been quoted we would have had it a year ago. I do not know why we should suddenly quote somebody who is a year behind on military training.

As to military training, yes; but as to putting these boys, from the standpoint of efficiency as well as from the standpoint of justice, into this service, I think the McKenzie amendment is fair. Of course, we are now in the midst of war. I am not going to confess to the enemy that when we have put 3,000,000 men in uniform our man power is exhausted in this country. [Applause.]

The kind of talk is tommy rot to say that out of 25,000,000 men we throw up the flag of distress inside of 18 months. The man power of the United States has not yet begun to be realized. I think our greatest problem now is not in getting more men over there. It is in sending the fellows that are there now the stuff with which to do the job. [Applause.] If they have the munitions and the equipment, they can take care of that army. We know that it is production in this country and not man power on the field. We have not yet begun to organize. The turnover of labor in this country is more appalling than the shortages of men on the other side.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MEEKER. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. DENT. Mr. Chairman, I yield 10 minutes to the gentleman from Florida [Mr. CLARK].

Mr. CLARK of Florida. Mr. Chairman and gentlemen, while I have listened to this discussion a good many random thoughts have been running through my brain. I have heard a number of most remarkable arguments submitted, and I have wondered whether or not this is really the American Congress. One gentleman, and a very eminent gentleman, a Member of this House, says that he is willing to waive his judgment on all these questions in favor of that of the military authorities of the United States.

Now, Mr. Chairman, I am perfectly willing to do that on a question which involves purely and strictly military knowledge, but when it comes to determining the simple, naked question of whether or not the men of the United States should fight the battles of this country or whether the boys should do it, I respectfully decline to allow any military man to settle the question for me as a Representatve in the Congress of the United States. [Applause.]

It has also been intimated here that we ought to accept what comes from the War Department in this time of war without the dotting of an "i" or the crossing of a "t," because they know and we do not. I decline to subscribe to that doctrine. I am not willing as a Member of Congress, representing my constituency, to abdicate my functions, in time of peace or in time of war, to a lot of swivel-chair soldiers in the War Department.

Now, somebody may say, "Because you oppose anything these gentlemen do"—and that is said in the newspapers and elsewhere—"you are unpatriotic." And Members of this House have even been almost accused of treason because they have seen fit to assert their own judgment and not swallow, like a young mocking bird swallows the worm, everything that these gentlemen are of a mind to poke into their throats. I had thought that we had three departments to this Government, coordinate departments, of equal integrity, having their different functions to perform, but it seems that we have not.

It seems that in time of war we should abdicate and allow the military to do the legislating. We have jubilated in the public press only recently over the fact that our troops have captured German boys 18 years of age, and we have declared to the world that this is evidence that the man power of Germany is exhausted and that they have got to put the children in their army. And yet here we are, in the very beginning of war, so far as we are concerned, undertaking to say that the 18, the 19, and the 20 year old boy, who has never had a voice in Government, shall be called, and the gentleman from California [Mr. KAHN] indignantly denies that they are children. He denies it, but the laws of his country and the Constitution which he has sworn to uphold and defend declare that they are children. They can not make a contract. They can not perform any of the functions of a man under the law. And yet we propose to drag them, nolens volens, into the vortex of this awful struggle.

So far as I am concerned, I shall never consent. I said in my recent race for renomination in my district—and the people applauded it everywhere—that I would never vote in this House to draft a boy under 21 years of age into the Army of the United States until I was convinced that the man power of the United States had been depleted to that extent that made it necessary, and that when that time came I would vote to take them from the ages of 15 to 70, if it was necessary in order to win this war. [Applause.] And yet any of us who take a position like that are liable to be called "traitors" or stigmatized as "treasonable." Let me tell you: I have two sons only, one within the recent draft age, now out upon the mighty ocean somewhere under the flag of his country. I have only one nephew in all the world, an only sister's only son, and he is in the trenches in France. [Applause.] I have another son, too old for the original draft, with a wife and two babies to support; but if the time comes for him to go—and he is now anxious to get into it—I shall give him the Godspeed of a father and say, "Go!" But I shall not vote to send your 18 or 19 year old boy there, and I have none to be affected by this legislation.

Let us stop and think for a moment. These boys, as I intimated a moment ago, have never had any voice in the government of this land. They are children; the law declares they are children and they are immature. But they say, "We are going to give them an education." The gentleman from Illinois who spoke a moment or two ago said, "We are going to give them an education." Yet the hearings show that the Chief of Staff stated that he expected the last one of them to be in France by June 30 of next year. How much of an education will they get in that time? How much will they be educated? If you can completely educate a boy within that time, then we ought to abolish West Point and we ought to abolish Annapolis, and we ought to set up new institutions according to this newly developed idea, where you can give them complete educations within six or eight months instead of in four years.

Mr. Chairman, what will Germany say if we pass this bill at this time? What will the world say? What will everybody say? America, the greatest republic that ever existed beneath the dome of high heaven, the greatest government that was

ever upon the earth, with her 25,000,000 men, with her illimitable resources, right at the threshold of the struggle has come to the pitiful necessity of going to the cradle to get her soldiers to fight her battles. [Applause.]

I yield back the rest of my time.

The CHAIRMAN. The gentleman from Florida yields back two minutes.

Mr. DENT. Mr. Chairman, how much time have I?

The CHAIRMAN. The gentleman from Alabama has consumed 1 hour and 45 minutes, and the gentleman from California [Mr. KAHN] has consumed 1 hour and 28 minutes.

Mr. DENT. I will ask the gentleman from California to consume some more of his time.

Mr. TILSON. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. CHANDLER].

The CHAIRMAN. The gentleman from New York is recognized for 10 minutes.

Mr. CHANDLER of New York. Mr. Chairman and gentlemen, we all have in the House of Representatives a common desire, a supreme determination, and, although we may differ in a matter of opinion, we all aim to do and to accomplish the same great thing, to whip the Germans. We differ only as to methods.

Now, the most awful and stupendous crisis that has ever confronted our race now confronts us. Everything that freemen hold dear and sacred is immediately and dangerously at stake. If Germany wins, absolutism and imperialism win, and probably for all time; and if America and the allies win, freedom wins, and the Declaration of Independence will be the chart of the nations for all time.

Now, there is no question about whipping Germany. Germany must be whipped if it takes 20 years to do it, and we want to whip her in 20 months or 20 days if possible. We have declared war against the Imperial German Government and likewise against the Imperial Austrian Government. We have a registered man power of 10,000,000 of men. We have a possible man power of over 23,000,000 of men. We have a conservatively estimated national wealth of something like $250,000,000,000; and before I, as a Representative from New York—an American Representative—will consent that the flag of our Republic shall be hauled down in dishonor and disgrace, and before I will consent that the brave boys that we are sending to the trenches of Europe shall be ordered back in humiliation and in shame, I will vote to send every man of the 23,000,000 to the field and cast every dollar of the $250,000,000,000 into the scales. [Applause.]

But, as was suggested by the distinguished representative from Missouri [Mr. MEEKER], I want this war, so far as America is concerned, to be known as a man's war and not as a child's war. I am perfectly willing that boys of 18 or 17 or 16 should defend their country and take the field if the supreme necessities of the occasion demand.

Mr. EMERSON. Will the gentleman yield?

Mr. CHANDLER of New York. I yield to the gentleman.

Mr. EMERSON. Who is to determine when that necessity arises?

Mr. CHANDLER of New York. As far as the action of this Congress on this bill is concerned this Congress is to determine that and not the General Staff. [Applause.] I might answer the gentleman's question by asking one. Does not the gentleman understand that under the Constitution it is our privilege and duty to do that, without allowing the General Staff to do anything except to act in an advisory capacity? [Applause.]

Now, the whole question, it seems to me, is a question of figures, of what people have done in this war and what we can do, not in imitation of them but as a matter of experience based on what they have done. Let us see. As I get it from the Military Affairs Committee, doubtless correct, the total man power of this Republic between 18 and 45 years is 23,086,500. The man power between 18 and 19 is approximately 2,000,000. Subtract 2,000,000 from 23,000,000 and we have 21,000,000 left. We have already called an army of approximately 2,000,000. If you subtract the present army from the man power left after the 2,000,000 boys have been subtracted, you have manhood yet to be combed out, to be utilized, of 19,000,000 men with which to raise approximately an army of 2,500,000. And if we can not raise 2,500,000 from the 19,000,000 men, the question arises, Why can we not do it? Is it because of the poor quality of the manhood, or is it because of the miserably poor legislation that we propose to enact in this Chamber?

What have other nations done? France, with about 38,000,000 or 39,000,000 people, has raised an army of over 6,000,000 men without calling upon the 18-year-old boys of that country. Have they a superior manhood? I deny that it is superior to ours. The British Isles, with approximately 45,000,000 people, have raised over 6,000,000 men. Is British manhood superior to American manhood? They did this before they called upon the 18-year-old boys.

My distinguished friend from California [Mr. KAHN], for whom I have the greatest respect and an almost inordinate admiration, stated that Germany, France, and England in sending the boys last made a huge military mistake. I submit that my friend, who is generally unanswerable in argument and powerful and logical in his statements and deductions, begged the question because he had a poor case. I will tell you why those countries did it. France is chivalrous, beautiful, brilliant, sentimental, poetic, humane, and at the bar of history France refused to have it said that she sent boys onto the battle field before men were sent. [Applause.] And she sent them only after the men had been exhausted and she was, so to speak, bled white. So with England. And is it to be stated by the historian of the future, when this gigantic struggle is discussed, that France was so humane and sentimental, that England was so humane and sentimental, and that even Germany—atrocious Germany—was so sentimental that they refused to employ the boy power before the man power was exhausted, and that we had not done the same? My friends, I regretted to hear the gentleman say, and he could not have said it in measured terms and after reflection, that we were practical and proposed to dispense with sentiment in this war. I deny that we can do that without ourselves abrogating the great purposes for which we have entered the struggle. [Applause.] Sentiment is at once the cornerstone and the gilded dome of civilization. Destroy sentiment and civilization will fall. It was the failure to be sentimental and humane that carried Germany into Belgium, that destroyed Gothic cathedrals builded in the time of the Norman conquest, that raped women, that murdered children, that described treaties as scraps of paper. It was lack of sentiment that did these things. I refuse to subscribe to the statement that we are to cease to be sentimental. Let us win this war—we will win it; we are bound to win it; God has decreed that we shall win it; justice demands that we shall win it—but let us win it with bearded men and not with beardless boys. [Applause.]

The CHAIRMAN. The gentleman from New York yields back two minutes.

Mr. KAHN. I yield five minutes to the gentleman from New York [Mr. PLATT].

Mr. PLATT. Mr. Chairman, I am sorry that my friend and colleague from New York [Mr. CHANDLER] made the speech that he has just concluded, and I hope he will have the good sense to tear it up and vote right on this proposition. The State of New York in this House, at least the Republicans from that State, and, I think, also the Democrats—I do not like to inject politics into this debate—will vote pretty solidly against this amendment, in my opinion. Mr. Chairman, I do not like to say it, but this proposed amendment to the bill extending the draft ages, limiting the power of the President to call the younger men, is supported chiefly by Members of this House who voted against the war and who voted against the original draft act, and it is the last gasp of the obstructors of the war. They are the men, at least, who are most volubly supporting this amendment. I should think that fact alone ought to be enough to make every man who is heart and soul for the war and for winning it as speedily as possible vote against it.

Mr. McKENZIE. Mr. Chairman, I should like to say——

Mr. PLATT. I admit I was a little severe in that statement——

Mr. McKENZIE. I hope the gentleman will withdraw it. I do not propose that the gentleman shall question my sincerity in this war.

Mr. PLATT. I do not. The gentleman from Illinois is as patriotic as any man here. I simply deplore the fact that the gentleman is in very bad company. I am sorry for it. The gentleman's amendment was drawn in good faith, and there is undoubtedly a considerable sentiment for it.

Mr. McKENZIE. And I deny the right of the gentleman to speak for his colleagues from New York. New York does not send that kind of men.

Mr. PLATT. The Representatives from New York will speak for themselves, and their words and votes will show whether I am right.

Mr. MEEKER. Does the gentleman know any man who fought harder for the draft than the gentleman from Missouri?

Mr. PLATT. I know the gentleman from Missouri supported the draft very ably, but I do not know how the gentleman is going to vote on this amendment.

Mr. MEEKER. I am going to vote for this amendment; therefore it ill becomes the gentleman to gauge his standard of patriotism in that way.

Mr. PLATT. The gentleman should not be in the company that he is in; that is all I have got to say to him. I do not question his sincerity or his motives.

Now, what is the use of this sentimentalism? Go and ask any veteran of the Civil War, on the Confederate side or the Union side, and you will find they will tell you that the Civil War was fought by men under 21, the majority of them. I talked with a leading veteran up in my district the other day, and told him that there was a strong sentiment here in some quarters against the drafting of the younger men. He said, "That is all nonsense. I enlisted when I was 15. I was not 20 when I came home a lieutenant." He is a man well over 70 years old now, hale and hearty, and serving his country well as chairman of the draft board of his town. I do not believe boys of 15 ought to be allowed to enlist, but we have allowed boys of 16 to enlist in the Navy until very recently, with the consent of their parents. We consider men of 18 of age for the purpose of enlistment. They can and do enlist without consent of their parents. We allow the recruiting sergeants to go through the country and advertise in the newspapers for volunteers and try to get them away from their parents, because the law allows them to enlist without the consent of their parents. Why be sentimental? If they are old enough and mature enough for the Government to contract with them for enlistment they are old enough to be drafted if the country needs them—and most of them want to go.

Mr. BLANTON. Will the gentleman yield right there?

Mr. PLATT. Yes.

Mr. BLANTON. In the case of the Civil War was it not because of dire necessity both in the North and in the South?

Mr. PLATT. I think not. It was voluntary enlistment. Eighteen has for many years been in our military laws as the minimum Army and militia enlistment age.

Mr. GORDON. In the North they confined the draft to 20 years of age. They never drafted a man under 20.

Mr. PLATT. I am not talking about the draft, but the voluntary enlistment question. That was worse in the Civil War than any draft that ever existed, for every boy of 18 was made to feel that he was a slacker and a coward if he did not go in. The draft is infinitely better than to allow the recruiting officers to go around the country and take boys away from their parents without their consent and put them in the Army. We can not fight the war on sentiment; we have to take men where they can be got. We all know that if you try to take men from 32 to 45 you will not get very many. The younger men leave mothers, from whom none of us like to take them, but the older men leave mothers and wives and children.

The purpose of this bill is to raise an army. In my opinion we made a mistake in the first place that we did not take the ages that were given us in the original draft act drawn by the War Department of men between 19 and 25. I recall that there was an amendment offered by the gentleman from Minnesota [Mr. MILLER] to the bill as reported from the committee to restore the age limits recommended, and how many Members of this House voted for it?

Mr. GORDON. Six.

Mr. PLATT. My recollection is that only three voted for it, but it may be that there were six. One was the gentleman from Massachusetts, Mr. Gardner, who has since lost his life in the war; another was the gentleman from Minnesota [Mr. MILLER]; and I was the other. If there were six, I do not recall who the others were. It was a committee division and not a roll call. We made a mistake, in my opinion, in not accepting the provision that they gave us then and let the War Department take the responsibility, for we could extend the ages later as needed.

Mr. JOHNSON of Washington. And the ages of 19 to 25 would have produced an entire army.

Mr. PLATT. Nearly as many as we have got now, judging from the figures given in the report accompanying this bill. We could have taken them without having any considerable number of deferred classifications. In the other countries they have no deferred classification, and they take the married men, too. We can do that, if necessary, but I hope it will not be necessary. Every consideration for raising a large army and raising it quickly is in favor of drafting the younger men, who generally have no dependents and are often not yet settled at work. I hope the amendment will be defeated.

Mr. DENT. Mr. Chairman, I yield 10 minutes to the gentleman from Virginia [Mr. HARRISON].

Mr. HARRISON of Virginia. Mr. Chairman, it will be conceded on all hands that we ought not to hesitate to take the necessary steps to insure victory and to reach this result at the earliest possible moment. The necessary steps may be painful, but defeat by the Hun is a contingency so fearful that, whatever sacrifice the American people are called on to make, I feel sure that there is no division of sentiment about making the sacrifice.

I believe it will also be conceded that in a war of this magnitude not only must armies be placed in the field but every resource of the Nation must be energized and coordinated.

To this end we have enacted laws placing in the hands of the President the most extraordinary powers over the great industries and properties of the country and the welfare and lives of its people. He has used those powers with wisdom and prudence, and to-day the President of this country stands preeminent over all the great men of the civilized world.

The best brains of the business world in every line are now at work, each in his own line, to produce great results.

The War Department has been administered by the able Secretary with the greatest success and ability. The results speak for themselves. Out of a helpless condition the country, in record-breaking time, has been placed upon an efficient war footing.

A great army of over 3,000,000 men has been armed, equipped, and marshaled for the work in hand.

By the utilization of the great resources of the people of this country an army of nearly a million and a half of men has been landed in France with the necessary means and supplies to maintain it.

Since the participation of the American forces in the great battles the Huns have been driven from the portals of Paris and have ceased to be a menace to the channel ports. It has about ceased to be a question how far the Hun can carry his offensive, and the question now facing the forces of civilization is how to overcome his resistance.

At this juncture the President comes before Congress with a measure designed by the military leaders to enable him to deliver speedily the final blow.

The plan now contemplates an army of 5,000,000 men, 4,000,000 of whom, by the 1st of next July, will be in France, with a reserve army in this country of 1,000,000. This means an increase of 2,300,000 to our present forces.

Of course, such an enlarged military scheme is a greater tax upon the resources of the country than it has yet been called upon to carry. It requires now, more than at any time heretofore, men in the army of production. We must seek for our Army its necessary man power out of those who have not yet been synchronated with its necessary production.

This, we are told by the President and all those in charge of our military operations, can only be done by enlarging the age limits.

Mr. EMERSON. Will the gentleman yield?

Mr. HARRISON of Virginia. I will.

Mr. EMERSON. Has the War Department taken a square position on this McKenzie amendment?

Mr. HARRISON of Virginia. The War Department has said that it had no objection if it was left clearly and substantially as it was in the original bill; that is, that 18-year-old men can be put in one class and not be called until the others are exhausted, if practicable. That is what the bill authorizes the President to do.

Mr. EMERSON. Has the President given his view upon it?

Mr. HARRISON of Virginia. The Secretary of War and the Provost Marshal General and the Chief of Staff came before the committee and asked that the bill be passed. I think in view of that that he has.

Mr. EMERSON. Many Members of the House will vote as the War Department recommends, believing that it is the executive branch of the Government.

Mr. HARRISON of Virginia. I think I can show that that is the fact when the time comes.

Mr. RUCKER. Will the gentleman yield?

Mr. HARRISON of Virginia. Yes.

Mr. RUCKER. The gentleman may go too far in that, judging from what he said a moment ago, because I have knowledge of the fact that one distinguished officer in the Army came before the Senate Military Affairs Committee and testified, and then afterwards, because he heard from some other man high in authority, suppressed his testimony and it was never published. I am willing to do what the President thinks is necessary, but I am not willing to do what every man high in military authority thinks is necessary.

Mr. HARRISON of Virginia. Does the gentleman think that the Cabinet would be represented before the committee with a bill that came from the War Department, under the authority of the War Department, and the President not be in favor of it?

Mr. RUCKER. I do not know as I catch the gentleman's question, but I do think that it is exceedingly questionable

whether the President indorses all or some of the things that the War Department stands for.

Mr. FLOOD. This bill has the indorsement of the Secretary of War, who is in the President's Cabinet.

Mr. HARRISON of Virginia. The Secretary of War brought the bill before the committee of the House as an administration bill. I can not understand how it could be said that it does not have the indorsement of the President.

Mr. RUCKER. I do not mean to say that it has not; I merely say that the gentleman ought to have some authority for stating that it has.

Mr. HARRISON of Virginia. As to the extension of the age above 31 I hear litle or no complaint. It is expected, however, to provide only for 600,000 of the 2,300,000 desired.

Mr. GORDON. Will the gentleman yield?

Mr. HARRISON of Virginia. Yes.

Mr. GORDON. It will only provide 600,000 if you put them in the deferred classes. There are 10,000,000 men. Do you claim they can only get 600,000 out of that?

Mr. HARRISON of Virginia. I am speaking on the authority of men who know something.

Mr. GORDON. Oh!

Mr. HARRISON of Virginia. I am informed by the men who have these matters in charge that they can produce only 600,000 men, and I take that in preference to the statements and views or theories of the gentleman from Ohio.

Mr. STERLING of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. HARRISON of Virginia. I have only 10 minutes.

Mr. STERLING of Pennsylvania. I just want to ask one question.

Mr. HARRISON of Virginia. And I have not yet gotten to the point. Go ahead.

Mr. STERLING of Pennsylvania. As I understand the McKenzie amendment, it is merely a suggestion by the representative body of the Government to the War Department.

Mr. HARRISON of Virginia. No; it is mandatory. It makes it necessary. The original bill contains the original suggestion.

Mr. STERLING of Pennsylvania. A gentleman speaking in favor of the bill and against the McKenzie amendment says the War Department could call the men and then the boys into the same camp, and send the boys first under the McKenzie amendment.

Mr. HARRISON of Virginia. Yes.

Mr. STERLING of Pennsylvania. Then it is merely a suggestion that the citizenship of this country, through their Representatives, suggests that the man power be raised first.

Mr. HARRISON of Virginia. The gentleman is mistaken about the scope of it.

Mr. STERLING of Pennsylvania. Is there any doubt about that being the wishes and the intent of the citizenship?

Mr. HARRISON of Virginia. As to the extension of the age above 31, I hear little or no complaint. It is expected, however, to produce for the Army only 600,000 men out of the 2,300,000 that are desired. I believe that it will be more beneficial in the production end than in the military end. There is no place in this country for the loafer and the nonproducer, and I do not care if such a one belongs to the idle rich or to the hobo class. He should not be a tax on the productive energy of the worker. "Work or fight" is the slogan. A slacker who reverses the scriptural rule by working on Sunday for double pay and who rests the greater part of the week is better fitted for the Army discipline than for a place in industrial life. I think this rule of work or fight should apply to everybody—rich or poor, labor, industrial, or agricultural. There should be no exception.

Useful occupation, as a rule, not as a slacker device, or fight! While I am on this point, I was glad to hear the Secretary of War say to the committee that he desired to relieve, as far as practicable, those who should remain at their industrial posts of the embarrassment of, claiming an exemption. Many men who should remain at their posts hesitate to claim deferred classification. They are forced, if they do, to align themselves with those who claim it and who should not.

No man who is at work along lines which enable him to render better service to his country should be embarrassed by claiming a deferred classification.

Only 600,000 fighting men are expected out of combing these deferred classifications. The extension of the age upward is therefore, in my judgment, of far greater service in swelling the army of industry and agriculture than in adding to the military man power.

Gen. March, in his testimony before the Senate committee, has said that the classes of 18, 19, and 20 year old youths would furnish better soldiers than the classes over 31. It will be necessary, in any event, to raise 1,700,000 men from the classes under 21.

In order to obtain the 600,000 men in the classes over 31 months must elapse before the 14 classes of about 13,000,000 men can be classified by the local boards with appeals to district boards.

It is here that the McKenzie amendment is pernicious.

The whole war program of the President is held up while the millions of men in the 32 to 45 classes are being classified. It took 15 months to classify the 10,000,000 in the first draft, and who can say how long it will take to classify the 13,000,000 in the present draft of those over the age of 31?

The McKenzie amendment does not permit the classes of 18 and 19 to be called until the classes of 31 to 45 have been exhausted, and if adopted it must postpone the calling of these young men until the classification of the classes 32 to 45 has been fully completed.

In the meantime the glorious opportunity of ending the war in 1919 may have passed away forever.

An illiterate but a great general of the Civil War was once asked the secret of military success. He replied, "Getting there fustest with mostest men."

Time is of the essence of military action, and yet gentlemen claim that they are in substance supporting the President's war program when they vote to make it impossible without exposing it to the dangers of costly delay.

The bill as drawn by the War Department provides for the classification by ages and places it entirely in the discretion of the President to call the classes at such times and in such order as he thinks proper.

Under this discretionary power the Secretary of War has explained to the committee that he does not intend to call the 18-year-old boys until all the other age classes have been exhausted.

The result on the 18-year-old class is that they will be the large constituent element of the 1,000,000 men army retained in this country.

There are now about 1,500,000 in the camps in this country, there are about 300,000 in class 1 not yet called out, there will be, according to estimates, 1,100,000 in classes 19 and 20, and there will be 600,000 in classes 32 to 45. So that if the 18-year-old class is not called out until the other classes have been utilized, it really means that the 18-year-old boys will be the army reserved in this country. The training they will receive will add greatly to their efficiency and to their safety, and when called for active service none of them will be any longer 18-year-old boys.

In the meantime thousands of them will be educated at Government expense in the schools this bill provides for.

There is nothing anomalous in the youths under 21 being called on to fight the battles of their country.

They are as much, if not more, interested in the free institutions of this country than older men. It is by virtue of these free institutions that an opportunity is held out to them of obtaining wealth, power, or any object of their ambition. They have more years of expectancy than older men.

There is nothing strange in finding them fighting for their country.

The young man called to service will find thousands and tens of thousands of young American patriots of his own age already on the firing line. Their feats on the battle fields of France have already added luster to the glory of American arms. He will fight by the side of British, French, and Italian youths, and he will fight against the Hun youth, some of whom are yet younger in years.

American history is full of the heroism of American youth. Nathan Hale died on the scaffold exclaiming that his only regret was that he had but one life to give to his country. He entered the military service before he attained his majority and died a few months thereafter. The Civil War on both sides was fought by its young men. The average age of the Civil War soldier was 19.

The issue therefore is fairly and clearly presented.

Gen. March has stated that if the bill as formulated by the War Department becomes a law he will have an army in France by the 1st of next July and bring the war to a glorious and speedy conclusion.

We can take him at his word or we can tie the hands of the President so as to hamper the proposed operation of the measure.

We should reflect that if by the vote we cast we prolong the war we may send to the slaughter thousands of the young men whom we are seeking to protect.

For myself I shall place full confidence in the discretion of the President and vote for the war program as he has proposed it.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

By unanimous consent Mr. HARRISON of Virginia was granted leave to extend his remarks in the RECORD.

Mr. KAHN. Mr. Chairman, I yield five minutes to the gentleman from California [Mr. OSBORNE].

Mr. OSBORNE. Mr. Chairman, I have no word of criticism in word or thought of what may be said on this floor on this subject by any Member. This is a most difficult question. I am old-fashioned. I have always been accustomed to regard the military age in this country as commencing with 18, and in the Civil War it ended with 48. That has been the military age as far back as my familiarity with national history goes. Therefore I can not see the reason for great indignation over the fixing of 18 years as the minimum at the present time. In fact, there seems to be no question upon that point. We fix it in the bill at 18 to 45. The only question is as to whether we shall leave in the hands of the President, to whom we have entrusted the conduct of the war, the question of the order in which these men shall be taken. We trust all other military matters to the President, and he in turn entrusts them to his military advisers. Why should we make a different rule in this case? The military advisers believe it wise to conduct the campaign in this way. Why should we withhold from the President, as is proposed by this amendment, the power to dispose of his great Army as to him may seem best? It has been stated here on the floor that it is the intention of the President and the Secretary of War to put off the use of the 18-year-old men for some time, and I have no doubt that that is true. We have voted everything freely, and we ought to. We have voted money, we have voted powers of the most sweeping character, in order to carry on the war. Why should we put in an impediment at this time? It is painful for all of us to vote to fix the age at which men shall go to war. I presume that a great proportion of the Members of the House have sons who are affected by this law. As for myself, I have four. I am going to vote for this law, which will bring four of my sons under its terms. [Applause.] They would not have it otherwise, I am proud to say. I believe the emergency is so great, the perils to our country so overwhelming, that, so far as I am concerned, I am willing not only to vote the man power but everything else that we hold dear, and I am unwilling, even in appearance, to put an impediment in the way of the President and the soldiers to whom we have entrusted the conduct of this war. Therefore I shall vote against the pending amendment. [Applause.]

Mr. KAHN. Mr. Chairman, I yield five minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Chairman, I shall vote for the McKenzie amendment placing the men of the ages of 18 and 19, which it is proposed to draft under the bill, in separate classes to be called later than the men above 20; but I shall also offer, if I have the opportunity, or vote for if offered by some one else, an amendment eliminating from the draft men of 18 and 19 years of age.

Our one paramount purpose is to win this war. There is nothing that one of us would leave undone if necessary to win the war, but after the most careful consideration of the matter I am convinced that the drafting and the sending to the battle lines of Europe of the boys of 18 and 19 is not necessary to the triumph of our cause, fair to the boys, or good for the Nation.

Within 30 days the President has more than once expressed himself in a way to make it clearly evident that he doubted the wisdom, the advisability, or the necessity of reducing the draft age as it is now proposed to reduce it. Within a like period the Secretary of War has expressed himself in like manner, and his evidence before the Military Committees of the House and Senate within the past few days clearly evidences a doubt on his part even now of the necessity or of the wisdom of the reduction to the age of 18.

Before the Senate committee the Secretary stated that it was with the greatest reluctance that he had agreed to the proposal to reduce the draft age to 18. He called attention in his testimony before the House committee, as did the President, in a recent letter to Secretary Lane, to the harm that would come to the country should the education of the youth of the land be interfered with and interrupted as would occur if all able-bodied boys above 18 were inducted into the service.

We know that the men connected with the operation of the selective draft are and have been from a purely military standpoint favorable to the drafting of boys of 18, 19, and 20, and not only that, but the immediate use of such troops on the battle line as soon as they could be given a preliminary training. That was the military plan of a year ago when it was suggested by the War Department that the first army of a million men should be of men of 19 and 20. Such men are quickly trained. They are amenable to discipline; they are recklessly courageous; and our Washington military authorities not only want them drafted but they want the privilege of using them at once, and are therefore opposing the McKenzie amendment, which would put them in the last class to be called.

Neither the President nor the Secretary of War have been inclined to this purely military view, which is based partly on the desire for young troops and partly on the desire to take advantage of the present situation to establish a national system of universal military training, beginning with boys of 18. Even the gentleman from California [Mr. KAHN] admits he was shocked at the idea of drafting boys to fight our battles, but he says that he defers to the judgment of the military authorities. So do I in purely military matters, but in matters affecting a great national policy which appeals to the heart and sentiment of all of the people, which involves a question of right and justice, I can not wholly surrender my judgment to anyone. I certainly shall not surrender my judgment in a matter on which a layman is as well qualified to judge as a military man.

The gentlemen who say they yield their judgment in this matter to that of the military authorities mean that they accept the statements and figures of the military authorities as to the necessity of enrolling boys of 18 and 19 in order to secure the 2,000,000 men which are now desired. I have gone over all the figures presented by the department officials, and, in my opinion, they fail utterly to prove their contention. It is true that the table on page 7 of the report as to the number of men who would be available between the ages of 32 and 45, if accepted as entirely accurate, would strengthen the claim for younger men in the draft, but that table, in my opinion, is manifestly and grotesquely faulty and indefensible.

The table in question gives the total number of males between the ages of 32 and 45 as upward of 10,000,000, and from this figure the War Department immediately deduct practically the entire estimated number of married men, or about seven and three-quarters millions. The figures as given lack only about 1½ per cent of the total number of married men of these ages as estimated by the statistician of the Prudential Insurance Co., whose letter appears on page 11.

Not content with having proposed to excuse in advance all of the married men without regard to conditions of dependency the War Department then estimates 400,000 of these unmarried men as the number who would be given deferred classification on account of agriculture and other industries. Not content with this, the department then estimates that another 200,000 of them would be given deferred classification for reasons not given, and last and finally, according to this estimate of the War Department, 300,000 of these men from 31 to 45 will be so craven and unpatriotic as to become delinquents, whom the department would not have the energy or the intelligence to overtake and return to the service.

Of course, if we are only to obtain 600,000 men, or 6 per cent of the 10,000,000 to be enrolled between 31 and 45, as the War Department estimates, then it will be necessary to draft the children in order to get a fighting force; but I am not willing to believe that only 6 per cent of these men are fit or willing to serve their country, and that 94 per cent of them want to put the burden on the boys. Assuming for the sake of argument that the propriety of excusing all married men from military duty, could not the married men thus excused perform the other services for which the War Department is proposing in advance to excuse them?

But this is not the only reservoir of our man power. There are still nearly four and a quarter million men who were registered under existing drafts; half a million of them are in class 2.

Had as large a number of men in proportion to the population been called from all the States as were called from the State I have the honor to represent we would have an Army of 5,000,000 without any further extension of the draft whatever. Nearly 55 per cent of our enrolled men in Wyoming were placed in class 1, have been called, and are now serving with the colors. The average per cent throughout the country was less than 28 and in some States below 15. Why do the military authorities shrink from combing out in the States with the low percentages the slackers under the present draft? Why does it reach out its hands for the boys while declining to take the men who are already within its grasp and recorded on its rolls?

Mr. Chairman, I repeat, the American people have one paramount purpose, and that is to win this war; and if it were necessary in order to do it to call on the boys of 18 after utilizing the men of more mature age, no one would hesitate, in view of the character of the struggle and the absolute necessity of win-

ning it. But I, Mr. Chairman, for one, am unwilling to admit that a Nation of nearly 110,000,000 of active, vigorous, forceful people has exhausted its man power in raising an Army of 3,000,000 men and must now call upon the boys to fight its battles. If this were true, there would be no more welcome news to the Kaiser and his cohorts; and the very fact that we seem to be admitting it to be true by lowering our draft age to a point below the ages of men called by either France or England tends to give aid and comfort to the enemy.

It proves nothing to say that boys of 16, 17, and 18 enlist voluntarily and make good soldiers. Such volunteers are the more mature, the more venturesome, the more self-reliant of their age, and, mixed with older men, they make splendid soldiers; but it is altogether a different thing to reach out the strong arm of the Federal Government and take from every home and every fireside the boys of 18 and 19. Napolean said of such troops in his day that, while valiant and courageous, their corpses strewed the roadsides and their tortured bodies filled the hospitals.

The McKenzie amendment would help, because it would tend at least to check the War Department in the sending of these boys abroad until at least a majority of the older men had been utilized; but if we are to enroll youths of 18 and 19 only to defer their induction into the service, what good purpose is there in enrolling them at all at this time? They will come in automatically under the draft a little later. In the meantime they can help on the farms and in the industries; they can continue their schooling; they can mature under the natural and healthy influences of their homes.

Why fill hundreds of thousands of homes with anxiety; why burden hundreds of thousands of mothers with anguish unnecessarily? We began this war as a man's war, compelling the service of none under voting age. Perhaps it might be well to reduce the age one year, but let us not make to the world a confession not founded on fact, that our man power is exhausted and that henceforth we must depend on youths. Let such of the youngsters as desire to and are qualified volunteer, but let us not compel them to serve in the years of their immaturity unless and until it shall be clearly necessary.

Mr. KAHN. Mr. Chairman, I yield five minutes to the gentleman from Indiana [Mr. WOOD].

Mr. WOOD of Indiana. Mr. Chairman, I take it that we all are of one opinion when it comes to the raising of these 2,000,000 men. We are in favor of raising the 2,000,000 of men provided for by this measure, and ten times 2,000,000 if necessary. If you will review the hearings before the committee and supplement these hearings with the speeches which have been made against the McKenzie amendment, there is but one deduction that follows, and that is that the conscripting of these boys between 18 and 21 is a mere matter of convenience. The gentlemen who have testified before the Committee on Military Affairs have admitted as much, saying that they can be taken into the Army with very little trouble, but that it will take a considerable length of time to revise and reclassify the conscription lists over that age. Now, if you will look at these hearings you will see that there are 10,028,973 men between the ages of 32 and 45. These 2,000,000 men can be taken from that class, and should be taken from that class, before we resort to the taking of young men between 18 and 21 years of age. As has already been stated here, I think it would be a calamity for this country at this time to say to the world that we are reduced to the extremity of taking the young men of this country beneath the age of 21 years, a thing that is not resorted to by any of the countries now involved in war, except Germany alone. And there is this thing that should be taken into consideration: It takes six men on this side of the sea to take care of one of those boys who is fighting in the trenches. We have already confronting us this condition, in so far as the agricultural interests of the country are concerned, that we have had to close the storehouses and shops and have had to invite the women out of the kitchens to go to the fields of Indiana and all over the United States to save the wheat crop and the oats crop that has just been gathered, and this will be equally true when it comes to gathering the corn crop. If you take these boys from 18 to 21 years of age, where are they going to come from? In the largest proportion from the agricultural districts of this country. So that while we are seeking to augment and strengthen our military forces, do not make the mistake, if you please, of depleting the resources of that section of this country upon whom these men in the trenches must depend.

I sometimes think we become too much obsessed by the things in which we are immediately engaged and do not pay enough attention to coordination or correlation. These men whose affairs it is to look to the military propositions and problems are obsessed with the importance of them alone. They do not look back behind the lines and look to the section of the country from which the resources must come to support the Army of the United States. Therefore I say we should be very slow for industrial reasons before we undertake to lower this age. Oh, but some one says that it would interfere with the great manufacturing industries of our commercial centers. It may interfere with these industries. They, too, must make sacrifices, all must make sacrifices, but it should be made to fall alike equally upon commercial industries and upon agricultural industries.

A consensus of the best military authorities of the world discloses that the best soldiers range between the ages of 25 and 30 years, inclusive. That soldiers between the ages of 18 and 21 are not mature either in body or judgment is also the experience of the best military authorities in the world.

Soldiers between the ages just stated, while they possess an abundance of bravery and energy, do not have the judgment of maturer men and do not know consequently how to protect themselves as these maturer men do. Their very impulsiveness impels them into danger that maturer men would not enter and subjects them to sacrifices that are unnecessary. There is no end to their bravery or daring on the battle field, but let one of them get wounded—and God knows there will be plenty of them wounded—or confined to the hospital by disease, then he becomes a boy again longing for his home. He has not the fortitude to withstand his ills that men of maturer age have.

If this is true why should we, with a fighting man power of 20,000,000 of men in the United States—that is a reservoir from which we can draw an army the like of which was never seen in any country—resort to the proposition contained in this measure? Why should we not furnish an army of men? Why should we not furnish the most efficient army instead of a deficient one? These are the questions that the fathers and mothers back home will ask. These are the questions that the farmers of this country will ask whose farms are already depleted of labor and which will be more greatly depleted than any other industry if this bill passes without amendment.

It has been admitted in debate here to-day by the gentleman from California [Mr. KAHN] that men older than 45 years of age make good soldiers in the trench warfare and while thus engaged they are just as good as any other soldier. If this be true, and this being peculiarly a trench warfare, why not extend the age beyond 45 years, if necessary, and give the boy a chance? There is no occasion to nip the budding flower; far better would it be to utilize the fading flower.

I have one constituent who writes me that he has contributed six sons to this war, and if this bill passes unamended as to age it will take his only remaining son. He is 55 years old, and he asks that this bill be amended so as to include him and to leave this 18-year-old boy with his mother. I expect that this same petition, differing only as to number and age, has been offered up from every niche and corner of the country.

Before we confess to the world that we are reduced to the dire extremity of drafting immature boys into the Army we should pay some heed to those who are called upon to furnish these soldier boys. Every patriotic American citizen is willing to make the fullest sacrifice necessary to be made to win this war, but until the time comes when the immature manhood of this country must of necessity be sacrificed for this purpose it should not be done.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WOOD of Indiana. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana? [After a pause.] The Chair hears none.

Mr. KAHN. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. ROWE].

Mr. ROWE. Mr. Chairman, we are all in favor of this measure, changing the draft, so that our Army all told will exceed 5,000,000 of men. We are only discussing here to-day the question of the McKenzie amendment.

We have at this time about 3,000,000 in our Army, of which about 1,400,000 are either on the other side or on the way over. The balance of our Army is in training in the United States. To-day the two armies on the western battle front almost balance exactly each other. It is possible that the armies of the allies exceed those of our enemies by from 2 to 4 or 5 per cent. The time has come when the officers of our Army and the officers of the armies of England, France, and Italy have determined that we must raise such an army that we will have a preponderance in man power. England and France will add as many

men as Germany will be able to add. The United States must furnish the surplus.

Now, we are in the embarrassing position of being compelled to transport our Army to Europe and of supporting that Army with food and the necessary war equipment when we have placed it there. We have been able during the past few months to send over more than 250,000 men a month. We know now that we can transport the necessary men to Europe to assure us an Army by next June of 4,000,000 men, and we are assured by men whom we trust that we will have the ships that will enable our country and England to support that Army when we get it in France. It only remains for us to determine how we shall raise the necessary men.

Some of you are in favor of taking men of other classes. I have no quarrel with you, but my judgment leads me to believe that the men of 18 should be called before the men who have families to support are called. The men of 18 will make as good soldiers as the men that we now have in the Army. And much as I hate by my vote to call upon men of 18, 19, and 20 years to go into this terrible war, it is my duty to the Nation to support the measures best calculated to win this war in the least possible time, and I shall vote against the amendment.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KAHN. Mr. Chairman, I understand the gentleman from Alabama intends to close in one speech.

Mr. DENT. That is right, and I would like the gentleman to yield his time now.

Mr. KAHN. Mr. Chairman, I yield five minutes to the gentleman from New Jersey [Mr. PARKER.]

Mr. PARKER of New Jersey. Mr. Chairman, the time is so short that I shall have to ask that I be not interrupted, and I should also like to have notice when I have occupied four minutes.

Mr. Chairman, we are in the same position that we were in the third year of the great Civil War. At that time Gen. Grant made up his mind that the only way to end that war was to follow the Confederate Army, and make that his object, and subject himself to all sorts of losses so as to defeat and destroy that army. For that reason we called upon the man power of the country. We are in the same position on the western front now. We want 5,000,000 men, of which about 1,000,000 will remain in the United States. Those 5,000,000 men must be drawn from our people while we are struggling with the problem, not of money, but of supplies; of our skilled laborers, our men in the factories. The deferred classes were drafted in England, but not until after two years of war, and then with great care, and after educating women to take the place of skilled workmen, so that five-sixths of the working people in the great shipbuilding establishments and iron works upon the Clyde are women, and 13,000 of the 20,000 who make high explosives, where I visited the factory, are women. Women now till the fields and have learned to do the skilled and heavy work of the farm. We would put our women to do the work of the factory and the farm if it becomes necessary. It can not be done without long and intensive training. It took two years in England, and we have not the two years. In this condition we can either send our boys to the front or we can attempt to put our women without training into our factories and make a failure of it. It is a practical question.

It must be left as a practical question to the President, who is the Commander in Chief and who is running this war, to say what ought to be done from day to day as conditions arise. I will not vote to limit his discretion by the McKenzie amendment.

A word as to the youth of the soldier. It is objected that young men lose their schooling if taken as soldiers. I want to say that if we talk about education, war is the best education that can be found anywhere. When I came to Congress over 100 Members had been in the war; more than half of them had enlisted at ages below 20 and some of them down to 18.

In the Fifty-fourth Congress there were 135 war veterans, of whom 64 had enlisted before they were 21—39 from the North and 25 from the South, viz, 1 at the age of 12, 1 at 13, 4 at 14, 6 at 15, 6 at 16 (besides 2 Virginia cadets), 4 at 17, 18 at 18, 11 at 19, and 13 at 20. Over a quarter of the House were Civil War veterans. These younger men had their education by that war. War is the greatest school that there is.

These facts tell whether it narrows or broadens a man to have served in a war, whether it does harm and affords an education or not. Our senior Senator from Minnesota enlisted when he was 18. One of the members of the Republican national committee was a boy of 16 when he left my side at school. He returned at 18 as captain of a company and has taken his place in the affairs of the Nation. Military training is the greatest education to be found. We want to afford all our boys a military training. Unless they are put in the Army they will not get it, but they can, if advisable, be kept at home with the million that stay here, so that they will be trained and ready for service abroad when that service is required.

Now, with reference to that training, I have one request to make of the House. I would like to extend my remarks in the RECORD, but I would like also to file a separate extension in reference to training in rifle practice and the work that has been done on that subject in the State of New Jersey. I make that request, Mr. Chairman. It will include some documents. [Applause.]

The CHAIRMAN. The gentleman from New Jersey asks unanimous consent to include in his remarks the documents indicated. Is there objection?

There was no objection.

Mr. KAHN. Mr. Chairman, I yield two minutes to the gentleman from Ohio [Mr. MCCULLOCH].

The CHAIRMAN. The gentleman from Ohio is recognized for two minutes.

Mr. MCCULLOCH. Mr. Chairman, this being a bill to increase the man power of the Army as recommended by the General Staff, I, of course, intend to support it, as I have supported every other war measure, but I feel that it is my duty to bring to the attention of the House the fact that there is a source of man power that has been practically untapped that amounts, according to reliable estimates, to in the neighborhood of two millions of men, or will amount to two millions of men when the next registration is completed.

Aliens who owe allegiance to cobelligerent countries, except England and Canada, have not been called upon to do their duty in this war, and, according to a recent report of the Provost Marshal General, under the registration of June 5 there were aliens owing allegiance to cobelligerent countries registered to the number of 772,744. The total number called was 281,982, and the total number accepted was 49,276, which goes to show conclusively that the aliens are taking advantage of the exemption on account of alienage provided for in the conscription law and are evading service under that provision.

The Provost Marshal's report to the Secretary of War, which I have referred to, on the subject of the first draft under the selective-service act, and which contained the foregoing figures, also contained the following statements:

An overwhelming majority of the boards, to be sure, report that no appreciable number of aliens were willing to serve; some boards say, "A few were willing."

The report also contains the following:

As between neutral aliens, allied aliens, and aliens allied with the enemy, were there differences of attitude?

The boards' answers to this question are rather indefinite, but it seems probable that while allied and neutral aliens are more sympathetic in their atttiude toward the selective-service law than are aliens allied with the enemy, their sympathy does not very often find expression in an eagerness to serve in the Army. As between allied and neutral aliens, a number of boards say the allied aliens showed a better attitude, but there are one or two boards who found the neutral aliens the more willing to serve.

The facts are, because of the provision in the selective-service law exempting aliens from military service solely on account of alienage, there are thousands upon thousands of aliens owing allegiance to the countries with which the United States is associated in the present war who have claimed this exemption and who are in fact the worst kind of slackers. Aliens of the cobelligerent countries should never have been exempted in the original law, except where there were treaty agreements which made the exemption of the subjects of certain countries necessary. I shall, therefore, at the proper time introduce an amendment to the pending bill under consideration as follows:

Amendment by Mr. MCCULLOCH: After section 1 add a new section, as follows:

"SEC. 2. No alien who is a citizen or subject of any of the countries cobelligerent with the United States in the present war shall, unless contrary to existing treaties, be granted exemption from military service or placed in deferred classification under the provisions of this act or under any rule or regulation to be issued by authority granted under the provisions of this act solely on account of alienage: *And provided further*, That the War Department shall, immediately after the passage of this act, reclassify all aliens heretofore registered who are citizens or subjects of any of the countries cobelligerent with the United States in the present war and who have been exempted or placed in deferred classification on account of alienage, and said aliens shall be immediately called for service unless such action would be contrary to existing treaties: *Provided further*, That the act of May 18, 1917, is hereby amended accordingly."

If this amendment is adopted, it will bring immediately into the service aliens owing allegiance to the cobelligerent countries. It need not interfere with the treaty negotiations which are now in progress, but without doubt would hasten and perhaps insure prompt action. Any country that refuses to enter

into conventions for technical or diplomatic reasons would find such methods of no avail, for the alien would be taken anyway. If existing treaties would be violated, the provision would not be operative under the express terms of the amendment.

I am moved to introduce this amendment because of the delay of over a year in getting the treaties drafting aliens completed, and because I was informed just a few hours ago that there would be further delays. The time for delay in this matter is past. The aliens must go just as the American boy must go, and right now—not next year or when this war is over.

The United States Government has temporized too long with the alien situation in this country. When I say the United States Government, I am glad to be able to except the House of Representatives. For this House passed a number of months ago by an overwhelming vote the Burnett alien slacker bill, which was strangled to death in another body. And this House passed by an almost unanimous vote the amendment to the last Army appropriation bill to make effective the treaties that the State Department represented to Congress were practically ready for signature and ratification. This amendment was also passed by the Senate and became a law, but with the exception of England and Canada, aliens are still exempt and the State Department has not succeeded, even though there has been a delay of over a year and promise after promise made, in getting these aliens into the service. Citizens of France, of Greece, of Italy, of Serbia, of Belgium, and the other allied countries, who represent a source of man power in this country, estimated at close to two millions of men, are free from military service in their own countries, because they have come to America and are still exempt from military service in this country solely because of the delay of the State Department in completing the conventions which were necessary to be completed in order to make the legislation passed by Congress effective and bring these aliens into the service.

I was surprised beyond expression in words when questioning the distinguished chairman of the Committee on Military Affairs on the floor of the House a little while ago to find that although the War Department is demanding that every available source of man power in this country be utilized, that the draft ages for drafting American citizens should be increased to 45 and reduced to 18, so that every American citizen and every boy between the ages of 18 and 45 would be immediately liable to call for military service; when it is being suggested that the rules governing dependency should be materially modified and that men from every walk of life should be taken into the service, in the face of this overwhelming necessity not a syllable of testimony was developed before the Military Affairs Committee, and not a single excuse given, why the enormous reservoir of man power represented by the citizens and subjects of the cobelligerent countries in America had not been touched; not a word as to why for over a year, when everybody else has been required to make sacrifices, that the alien remained free from all obligations to serve either in the American Army or the army of the country to which he owes allegiance.

I am glad to feel and know that I have done my part to the very best of my ability to see to it that America is not made a haven of refuge for alien slackers.

Immediately after the announcement by the War Department of the draft quota apportionment, when the injustice of exempting aliens became apparent I called the attention of the Secretary of War to the injustice that was being done and urged that action be taken immediately to cure it. The Secretary of War, in answer to a brief upon this subject I filed with him on July 17, 1917, admitted the inequity and indicated that his department would not be opposed to the drafting of aliens. From that moment on I have used every effort within my power to secure some action, somehow, that would make the alien serve somewhere. After the Burnett bill had died in the Senate and the State Department, although action was delayed for over a year, had accomplished nothing material, I took the matter up with the President of the United States, and on the occasion of a personal interview I called to the President's attention every detail of the situation and pointed out to him personally the great injustice that was being done the American boy by taking him away to war and leaving the alien slacker here at the American boy's home to take his position and profit by his absence. I do not feel at liberty to make public anything the President said to me, but I believe it is perfectly proper for me to say that I was satisfied at the close of my interview that the President was in sympathy with the effort that I had been making. But, in the face of everything that has been done on this important matter, the aliens, with the exception of those from England and Canada, are still free from liability to service, and I am convinced that the time for temporizing is past; the State Department has failed to get results, and I was informed only yesterday that because of some trivial differences in the technical wording of the conventions, that we can expect further delay. Therefore Congress should take this matter into its own hands and by an amendment to this bill, such as I propose to submit for the consideration of the House at the proper time, which, by its express terms, provides that no existing treaties shall be violated, require that the citizens and subjects of cobelligerent countries resident in the United States shall be immediately called for military service.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. McCULLOCH. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. KAHN. Mr. Chairman, I yield the remainder of my time, which I believe is eight minutes, to the gentleman from Minnesota [Mr. MILLER].

The CHAIRMAN. The gentleman from Minnesota is recognized for eight minutes.

Mr. MILLER of Minnesota. Mr. Chairman and gentlemen of the House, I am for the bill as it was originally drafted by our military authorities and seriously and emphatically recommended to the Congress by the Secretary of War, and I am opposed to the so-called McKenzie amendment.

In the few minutes at my disposal I shall endeavor to give you some of the reasons that bring me strongly to this position. We are at war. I repeat it, my friends, because we are apt to forget that we are at war. War is not a condition in which we can indulge sentiment, not a condition in which we can think of this individual, or that, or the other. War is a condition in which there should be but one supreme thought, and that is the welfare of our country. The welfare of our country to-day calls for this legislation to be enacted into law as it was scientifically designed. We need the young men and the old men to bear the burdens of the day.

In the name of the youth of our land between the ages of 18 and 20 I refute the aspersions that have been cast upon their character, their strength, and their patriotism by some here to-day who spoke of them as "infants in the cradle." [Applause.] Since men first marched to battle in a holy cause the youth of the country, in a mental state of ideality, when patriotism and lofty motives are supreme, have marched with their elders, and their deeds are written on every battle field of the world's history. It is an aspersion upon their strength and their character to say that young men of the age I have named are not able and willing to shoulder their rifles and bear their full part in this struggle.

Do we need the youth and the elder men? Yes. In the hearings had upon this bill I read the following question propounded, and this the Secretary of War himself answered. "I asked the Surgeon General for a formal opinion as to the changes he would recommend in the bill as drafted in the light of the experience of other countries and our own experience. The Surgeon General independently came out with the suggestion of 18 to 45, so that the Surgeon General's opinion sustains that arrived at by the General Staff."

Here you find the medical authority—and there is no higher medical authority in the world—of Surg. Gen. Gorgas and his staff, telling you that in the war that is now in progress our country needs the men from 18 to 45, and he himself suggested that they are of the quality and character that we should call upon for service now.

A little further on I read this—and in order that you may be advised, if you care to look this up, I will say that it is in the hearings before the Senate committee. I find this question was asked:

> Senator JOHNSON. So, in order to carry out the purposes for which we have entered this war, successfully to prosecute it, this particular measure you deem essential?

That was asked of Secretary of War Baker, and this is his reply:

> I believe that to be the fact. My own judgment about it originally was that 19 should be the minimum, and I came to the 18 minimum only after very thorough study of the situation, and with some reluctance, but finally believing it to be necessary to secure the appropriate number of men.

When the present Secretary of War has been convinced by a thorough study of the problem that our exigency requires these men of the ages mentioned, who is there in the land that dare lift his voice and say it must not be so? I can hardly imagine

anyone more solicitous than the Secretary of War to protect the manhood and the youth of our land.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. MILLER of Minnesota. I can not now. I have not the time. There is one more authority that should speak, and I give you his word—the Chief of Staff, Gen. March, one of the most splendid soldiers that ever wore the American uniform. This question was asked him:

Question (by Senator REED). As a matter of fact, is it not your opinion that it is better for the country, better for the Army, better for the service, to call out these younger classes—that is, the men 18, 19, and 20 years of age—than it is to call out the men 32 and up? Is not that your personal opinion?

To which Gen. March replied:

My opinion is unqualifiedly in favor of the young man. The young men between 18 and 20 are usually not married; they have not settled down in life; they have not any incumbrances; and they are better off physically.

There can be no doubt in the mind of any man who has walked in the trenches, who has endured the terrible strain of the life of the front, when storms gather and skies weep, that young men of the kind who have been aspersed here to-day are the kind that best of all bear the burden. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. MILLER of Minnesota. I have one more word that I wish to say. Can I not have just one minute in which to say it?

The CHAIRMAN. The gentleman from Alabama and the gentleman from California control the time. The time of the gentleman from California has expired.

Mr. DENT. I yield one minute to the gentleman from Minnesota.

Mr. MILLER of Minnesota. I had some other things I desired to say from my own standpoint, but I want to give you a word fresh from the front. But yesterday I received a letter from one of the generals now in command of one of the Army corps of the United States, whose name, for obvious reasons, I withhold, but I want you to hear his words. He is there where shells are bursting and men are dying. He says:

To all of us here the cordial support of you men in Congress is a source of great satisfaction. I do not think there is anything that would take the ginger out of the command more than to feel that Congress was not giving them cordial support in every way.

And I say to you, my friends, that if you shackle the administration in this bill by telling them when they can take men of 18 and 19 and when they can not, you are not giving our men on the battle field support in a cordial and generous way. Let us uphold their hands and support them to the utmost. [Applause.]

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. DENT. I yield the balance of my time to the gentleman from Ohio [Mr. GORDON].

The CHAIRMAN. The gentleman from Ohio is recognized until 5 o'clock.

Mr. GORDON. Mr. Chairman, as my time is so short, I request not to be interrupted. I desire to advert to several matters that have come up in the debate here.

I have discovered no disposition on the part of any Member of either branch of Congress to withhold from the President all the men and money he has asked for since the beginning of this war. The question of how many men are necessary in this war is a military matter, and upon that I gladly defer to the judgment of the military department. Gen. March says he wants to put 80 divisions in the field next June. That would be 3,200,000 men. Upon that question I offer no comment, but accept the judgment of the military authorities.

But when it comes to the question of drafting the citizens of your country, when you have a reservoir of man power, which has been so much referred to, of over 20,000,000 men, I do say that the question of whether or not you will go to drafting boys at this stage of the proceedings is solely and exclusively a question for Congress and not for the military authorities. Why, Gen. March testified before our committee less than two months ago that a man of 26 was very much superior—he did not put it exactly that way, but answered without hesitation in a reply to an inquiry by the Secretary of War as to which was the better material for soldiers, men of 21 or 26, and he said, "Oh, the man of 26." Of course, any man of common sense knows that is so.

Members have referred to the large number of available men in the United States as bearing directly on this question. My own judgment is that the authority in this bill to draft boys 18 and 19 years of age ought to be stricken out. There is no necessity for it. Some gentlemen here have intimated that whenever a man in the War Department tells you that a piece of legislation is necessary, even if it is woman suffrage, Congress is bound by that judgment. The Member of Congress who says that does not understand the functions of his office. This is a question peculiarly within the province of Congress. When we stand on this floor and say to the President, "We are ready to vote you all the men and all the money you say is necessary to prosecute this war," we are performing our full duty. Those of us who favor striking out the provision, and, if we can not do that, favoring the McKenzie amendment, propose to give the President better men than he is asking for, if we are to assume that he is supporting this bill as originally introduced; because we call in the testimony of his own military advisers, the highest military authority in the Army, the Chief of Staff, in which he says the man of 26 is better than the man of 21. Is there any doubt in the mind of any man here that men above 20 are better than boys of 18 and 19 years old? Of course there is not. This proposition that boys make better soldiers than men had its origin in cowardice and slackerism; there is where it originated.

Men stand up and argue in the face of common sense. Is there a man on this floor who is not capable of determining whether the physical power of a man is superior to that of a boy? Of course there is not. Those who pretend otherwise are simply trying to fool themselves. This is the same question we had up when the draft bill was here and it was recommended that we should draft those between the ages of 19 and 25. I remember the gentleman from Minnesota [Mr. MILLER], who addressed you so eloquently on this bill, was in favor of the ages of 19 and 25, and made a speech on the military prowess of the boys right in face of the statement of the Secretary of War that if we gave him authority he would draft a million boys 19 to 20 years old. That was stated on the floor of the House, and everyone understood it. Right in the face of that he made a speech adhering to it, and out of more than 200 votes on the floor his proposition received just 6 votes. That was the judgment of this House at that time. I have seen nothing to change it; I have seen no evidence to show that boys have increased in physical efficiency by the lapse of one year and a half.

Why, he says we are at war. I have heard that statement repeatedly. Of course we are at war; we are in the g eatest war in the history of this world, a man's war, and we ought to have men to fight it.

I shall support the McKenzie amendment. If I could have my way, I would strike out the ages of 18 and 19 and make 20 the minimum age on the ground of efficiency. When men stand here and tell me that with 20,000,000 men in this country we are reduced to the absolute necessity of drafting boys they simply speak against common sense. No man on this floor believes any such thing as that. A good deal has been said about the fact that these men between 20 and 45 are articulated with the social and business organizations of the country, which might be interfered with if they did the fighting for the country. Of course, that is true. As a matter of fact, your boys 18 and 19 years old are articulated with social interests of the country. Most of them live in and are a part of their homes, and they are attached to their homes, and men even beyond the military age very much prefer to go into the war and fight, if they could, and could be accepted, rather than send these immature boys. [Applause.] We have heard the Secretary of War quoted here as to the military necessity of drafting these boys. I want to read you what the Secretary of War said in an authorized statement on June 13 last. That statement was repeated by Gen. Crowder in the Senate Committee on Military Affairs, and you will find it on page 20 of the hearings dated June 10–18. This is the authorized statement given out by the War Department on June 13, 1918:

WASHINGTON, *June 13.*

In view of many reports that the War Department was to ask modification of the draft law and extend the present age limit, Secretary of War Baker to-day authorized the statement that no such plan was under consideration.

The present provision for drafting men between the ages of 21 and 31 satisfies military requirements and there is no need whatever, it is explained, to look beyond those age limits now or in the near future. Mr. Baker would be opposed to any proposition to extend the age limit at present for the reason that he regards this as entirely unnecessary.

Now, what has happened since the 13th of June to change that situation? If we admit that he has changed his mind, what reasons have been given for it? You have the statement of the Chief of Staff that he wants to put 80 divisions in France of 40,000 men each by the first of July next, which would amount to 3,200,000 men, and adding 1,000,000 in this country you have a little more than 4,200,000 men. Is it possible that this House is going to vote to give notice to the wide world, including the public enemy, that we are reduced to the extremity in the second year of the war of drafting boys? Let me call your attention to the fact

that in the great Civil War, when this country was fighting for its national existence, and when we were going through all the stress the gentleman from New Jersey [Mr. PARKER] tells about in the third year of the war, never during that whole war, lasting four years, did they reduce the draft age below 20. That was the minimum draft age during the Civil War.

The CHAIRMAN. The time of the gentleman from Ohio has expired. All time has expired, and under the unanimous-consent agreement the committee will automatically rise.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HAMLIN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12731, and had come to no resolution thereon.

ADMISSION OF REFUGEE ALIENS INTO THE UNITED STATES (H. DOC. NO. 1262).

The SPEAKER laid before the House the following message from the President of the United States, which was read and, with the accompanying papers, ordered printed and referred to the Committee on Immigration and Naturalization:

To the Senate and House of Representatives:

I transmit herewith a report by the Acting Secretary of State, submitting a draft of a joint resolution authorizing the admission into the United States of aliens who are refugees from conditions created by the war.

I earnestly recommend this humane project to the favorable consideration of Congress.

WOODROW WILSON.

THE WHITE HOUSE, *August 22, 1918.*

DEPARTMENT EMPLOYEES SUBJECT TO MILITARY SERVICE.

The SPEAKER laid before the House the following message from the President of the United States, which was read and ordered to be printed in the CONGRESSIONAL RECORD and to lie on the Speaker's table:

To the House of Representatives:

In compliance with the resolution of the House of Representatives of June 29, 1918, requesting the President, if not incompatible with the public interest, to report to the House of Representatives the number of men in the service of the Food Administrator, Fuel Administrator, and all boards and commissions appointed by Executive order since April 6, 1917, who were on June 5, 1917, between the ages of 21 and 31 years, for whom requests for exemption from military duty or deferred classification have been asked by such administrators, boards, or commissions and allowed; the name and home address of each such person; the character of work he is performing in the service of such administrators, boards, or commissions, and the length of time he has been in such service, I transmit herewith statements from the United States Food Administration, the United States Fuel Administration, the War Industries Board, the War Trade Board, the Alien Property Custodian, and the Committee on Public Information showing the employees for whom exemption from military duty or deferred classification have been asked.

WOODROW WILSON.

The WHITE HOUSE, *22 August, 1918.*

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UNITED STATES FOOD ADMINISTRATION,
Washington, July 8, 1918.

DEAR MR. TUMULTY: I am inclosing herewith copy of letter and statement forwarded to Congressman WILLIAM J. FIELDS on July 2, which answers the request contained in your letter of July 6 to Mr. Hoover.

Faithfully, yours, ——— ———.

Mr. JOSEPH P. TUMULTY,
Secretary to the President,
The White House, Washington, D. C.

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JULY 2, 1918.

Hon. WILLIAM J. FIELDS,
Committee on Military Affairs,
House of Representatives, Washington, D. C.

DEAR CONGRESSMAN FIELDS: I am submitting herewith a complete list of members of the Food Administration for whom requests have been made for deferred classification.

Faithfully, yours, ——— ———.

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JULY 1, 1918.

The following members of the Food Administration at one time or another received deferred classification in the draft as a result of direct request by the Food Administration for such classification:

With the exception of one individual, marked (*), requests for indorsement for deferred classification for members outside of Washington have been refused.

Name and home address.	Length of service.	Character of work.
Aronson, Morris, Chicago, Ill.[1]	9 months	Assistant, License Division.
Barker, Charles A., Los Angeles, Cal.[2]	6 months	Mail censor, License Division.
Baruch, Fred., jr., San Francisco, Cal.[3]	8½ months	Chief, Correspondence Section.
Brown, Edwin C., Minneapolis, Minn.[4]	6 months	Assistant and attorney in the Enforcement Division.
Coe, Arthur F., Los Angeles, Cal.[5]	9 months	Secretary and assistant to head of division.
*Hitchcock, C. N., New York City [6]	8 months	Office manager, Grain Corporation, New York City.
Hill, Charles A., Fresno, Cal.[7]	6½ months	Chief in License Division.
Lane, Mortimer B., St. James, N. Y.[8]	1 year	Statistician.
Larsen, L. A., Manistee, Mich.[9]	1 year 1 month	Head of Mailing Division.
MacGregor, William E., Minneapolis, Minn.[10]	6 months	Attorney in Enforcement Division.
Maxon, Mark E., Cortland, N. Y.[11]	5½ months	Chief in License Division.
Miner, John Rice, Orono, Me.[12]	1 year	Biometrician.
Nairn, Wilson B., Washington, D. C.[13]	do	Statistician.
Norris, George M., Washington, D. C.[14]	do	Do.
Padgett, Lewis B., Washington, D. C.[15]	do	Head draftsman.
Stammer, Walter H., Fresno, Cal.[16]	9 months	First assistant.
Strauss, Lewis L., Richmond, Va.[17]	1 year 1 month	Private secretary to the Food Administrator.
Sutter, Harry B., Indiana, Pa.[18]	5½ months	Chief, License Alteration Section.
Wyman, Phillips, New York City [19]	1 year	Digest clerk.
Yocum, Trell W., Cleveland, Ohio [20]	do	Chief of Trade and Technical Journals Section.

[1] Mr. Aronson is exceptionally well qualified for his position as dictator of correspondence, and as such positions can be filled only by men with special training in dictation, his place could not, without great difficulty, be filled should he leave us.

[2] Mr. Barker is mail censor in our License Division. His work involves a knowledge of all rulings regarding licenses, regulations, etc., and a thorough knowledge of the work of the entire division to assure uniformity and accuracy in correspondence.

[3] Mr. Baruch has charge of the correspondence in our License Division, and has under him 4 dictators and about 20 stenographers and clerks. He had been rejected as unfit for military service and certified for limited service only.

[4] Mr. Brown is personal assistant to the Chief of our Enforcement Division, and because of his legal education and experience and his personal qualifications he could not be replaced without hindering the effective operation of this administration. He was rejected by the second officers' training camp because of broken arches.

[5] Mr. Coe has shown special aptitude for the work delegated to him, and his position as secretary and assistant to the head of our License Division is one of responsibility, and we do not feel that he could be replaced without great difficulty.

[6] Mr. Hitchcock, in his position of office manager of our Grain Corporation in New York, is rendering very valuable service, and he is an extremely capable man. He was classified for limited service by the military examining authorities, being under weight for regular military classification.

[7] Mr. Hill has charge of tabulations and special records in our License Division, and has supervision of from 45 to 50 clerks. He is very valuable to us in this position, and we felt justified in asking for deferred classification.

[8] Mr. Lane is in charge of the grain statistics section of our Statistical Division, and has charge of the bulletin service maintained in that division, for which he is well qualified.

[9] Mr. Larsen organized and is at present in charge of our Mailing Division, and having been with the Food Administration since its inception he has a thorough knowledge of the personnel and activities of the Food Administration, which is very essential in the correct distribution of our mail. Aside from this, he is just recuperating from a very serious illness and it is doubtful if he would ever be fit for active military service.

[10] Mr. MacGregor is employed in the capacity of attorney in our Enforcement Division and is extremely valuable in his position. His present health is not very good, and in 1916 he was refused enlistment in the Army as he could not pass the physical examination.

[11] Mr. Maxon has charge of the reviewing, checking, and correcting of applications for licenses and has supervision over about 30 clerks. He holds a responsible position and has shown himself very proficient in the execution of his work.

[12] Mr. Miner is employed as biometrician in our Statistical Division. He has had exceptional training in mathematics and, in particular, actuarial and biometrical phases of mathematics. On account of his special training and aptitude for the work of Statistical Division, we feel that it would be almost impossible to find anyone who can do exactly the work which Mr. Miner is doing for the Food Administration.

[13] Mr. Nairn is a statistician in our Statistical Division and has had special training in statistical work. He has had charge of special reports dealing particularly with cereal production and stocks, and his experience and qualifications have rendered his services very valuable to us.

[14] Mr. Norris is a statistician in our Statistical Division and has had special training for this work. He could not be replaced without affecting the efficiency of our organization.

[15] Mr. Padgett is head draftsman in our Statistical Division: created this particular section, and his familiarity with the details makes his retention important.

[16] Mr. Stammer has rendered faithful and efficient service in our License Division, and his legal training and familiarity with the work of that division make him a very valuable man. He has charge of personnel and general supervision of the work of entire division.

[17] Mr. Strauss in his position as private secretary to the Food Administrator is employed on work of a very difficult and confidential nature. His long service with the Food Administration is one of the prime requisites for such a position.

[18] Mr. Sutter is in charge of a section of about 15 clerks attending to alterations of licenses and license records. He had been rejected as unfit for military service and certified for limited service only.

[19] Mr. Wyman, as a digest clerk, is retained owing to his familiarity with all of the work of the Food Administration. It would require many months of training for a new man to fulfill his duties.

[20] Mr. Yocum's deferred classification was requested because of his value as chief of our Trade and Technical Journals Section. He was rejected by first and second officers' training camps because of a post-operative hernia.

UNITED STATES FUEL ADMINISTRATION,
Washington, D. C., July 8, 1918.

Hon. J. P. TUMULTY,
Secretary to the President, the White House, Washington.

MY DEAR MR. TUMULTY: In accordance with your request of July 6, I am inclosing on a separate sheet a list of those members of the Fuel Administration for whom I have asked exemption from military duty or deferred classification.

The total number for whom applications have been approved is 10. Of this number only six are now connected with the Fuel Administration. One of the four members formerly belonging to the Fuel Administration has entered the aviation branch of the service.

I am also inclosing a copy of a notification that I sent to the heads of all departments of the Fuel Administration on January 19, 1918, showing that a certificate of physical disability from some draft board or some officer of the United States duly authorized to examine persons for military service would be necessary in order to gain my approval of such application,

Sincerely, yours,

H. A. GARFIELD,
United States Fuel Administrator.

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UNITED STATES FUEL ADMINISTRATION,
Washington, D. C., January 19, 1918.

To the heads of all departments:

Various requests have been made to the Fuel Administrator by persons in the employ of the administration who are within the draft age for approval of application for deferred classification under the draft regulation.

In order that our consideration of these applications may be upon a basis fair to all, I have decided that in the future no such applications will be approved unless there is presented with them a certificate of "physical disability" from some draft board or some officer of the United States duly authorized to examine persons for military service.

All applications of this character should be referred to the legal department.

H. A. GARFIELD,
United States Fuel Administrator.

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Requests for exemption from military duty or deferred classification have been asked by the Fuel Administrator for the following persons now members of his staff:

Name and home address.	Character of work.	Time of entering the service.
J. D. Willis, 5611 Fourteenth Street NW.	Chief of Speakers' Bureau, Conservation Division.	Oct. 19, 1917
N. L. Elwell, 600 Manchester Apartments.	Head of Accounts and Supplies..	Oct. 23, 1917
M. A. Downes, Lanham, Md.....	Purchasing officer.....	Oct. 11, 1917
A. W. Crabbe, 1122 Spring Road NW.	Chief clerk.....	Nov. 21, 1917
R. C. Snow, 413 Fourth Street NW.	Special qualified assistant Distribution Division, Statistical Section.	Nov. 27, 1917
E. L. Powell, 1326 Euclid Street NW., apartment 37.	Draftsman, Distribution Division, Statistical Section.	Dec. 17, 1917

Similar requests were made for the following persons, who are no longer connected with the Fuel Administration:

Name and home address.	Character of work.	Time of entering the service..
George M. Maynard, 1475 Columbia Road NW.	Clerk in Administration Division Accounts and Supplies Section.	[1] Oct. 27, 1917
Sloan Flack, 1736 G Street NW.[2]...	Legal assistant, Legal Division..	[3] Oct. 2, 1917
Harry G. Starr, 2112 F Street NW., Atherton Apartments.	Property officer, Accounts and Supplies Section.	[4] Mar. 20, 1918
Leonard A. Snead, Burlington Apartments.	Assistant to Fuel Administrator.	[5] Sept. 7, 1917

[1] May 31, 1918. (Resigned.)
[2] Mr. Flack has entered the aviation branch of the service.
[3] May 5, 1918. (Resigned.)
[4] May 20, 1918. (Resigned.)
[5] June 6, 1918. (Resigned.)

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WAR INDUSTRIES BOARD,
Washington, July 18, 1918.

Hon. JOSEPH P. TUMULTY,
Secretary to the President, White House.

DEAR MR. SECRETARY: The attached is a list of employees of the Southern Pine Emergency Bureau for whom deferred classification has been requested. While these men are not employed by the War Industries Board, yet the Southern Pine Emergency Bureau is cooperating with the lumber section of this board in the placing of Government orders.

While these deferred classifications have been asked for by the Southern Pine Emergency Bureau, yet the lumber section of this board has called attention to the importance of the work being performed by these men, together with the difficulty of replacing them. I therefore send you this list so there will be no misunderstanding about the action of the War Industries Board.

Very truly, yours,

BERNARD M. BARUCH.

List of employees of Southern Pine Emergency Bureau, cooperating with Lumber Section of War Industries Board, for whom deferred classification has been requested.

Name and address.	Position.	Appointed.	Classification.	Age.
DeMuth, H. L., Toronto Apartment, Twentieth and P Streets, Washington, D. C.	Manager Southern Pine Emergency Bureau, Washington, D. C.	Mar. 1, 1918	Class 3, Div. I..	30 years.
Baldinger, E. B. Mount Vernon Apartments, Ninth Street and New York Avenue, Washington, D. C.	Assistant Manager Southern Pine Emergency Bureau.	Aug. 3, 1917	Class 2, Div. D..	26 years.
Lanier Philip, New Orleans, La.	Assistant director Southern Pine Emergency Bureau.	Sept. 1, 1917	Class 4.....	32 years.
Roney, Joseph Charles, Columbus, Miss.	In charge of all detail work pertaining to Government orders handled by Southern Pine Emergency Bureau.	May 27, 1918	Was in A-1 limited but later transferred to Class 3 on 12th of July.	29 years.

WAR INDUSTRIES BOARD,
Washington, July 17, 1918.

Hon. JOSEPH P. TUMULTY,
Secretary to the President,
The White House, Washington, D. C.

DEAR MR. SECRETARY: In compliance with the President's request, and in answer to House resolution 392, I attach list of employees of the War Industries Board who were on June 5, 1917, between the ages of 21 and 31, for whom requests for deferred classifications have been asked. No request for exemption from military service has been made for any employee of this board.

Very truly, yours,

BERNARD M. BARUCH.

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Employees of War Industries Board for whom deferred classification has been asked.

Name and home address.	Position.	Section.	In office since—	Classification.	Age.
Aldrich, Henry Ray, Minneapolis, Minn.	Statistician...	Nonferrous metals.	Dec. 17, 1917	3-I	27 years.
Cutter, John, Dedham, Mass.	In charge plans conservation of wool.	Conservation Division.	Sept. 5, 1917	3-I	30 years.
Grothaus, Leo W., Milwaukee, Wis.	Principal assistant.	Electric and Power Equipment Section.	Dec. 5, 1917	2-B	33 years.
Taylor, William A., jr., New York City.	Charge of filing.	Military Optical Glass and Instrument Section.	Apr. 30, 1918	I-C	22 years.
Walker, Reginald D., Mineola, N. Y.	Executive assistant.	Wood Chemicals Section.	Apr. 1, 1918	3-I	28 years.

WAR TRADE BOARD,
Washington, July 17, 1918.

Hon. J. P. TUMULTY,
Secretary to the President,
The White House, Washington, D. C.

MY DEAR MR. TUMULTY: In the letter I forwarded to the President, under date of July 15, in reply to your letter of July 6, in which you asked for a list of the names of the men for whom deferred classification has been asked by the War Trade Board, I find that on list A the name of Mr. J. L. Andrews, whose history follows, was not included:

"Name: J. L. Andrews.
"Home address: 55 Linwood Avenue, Bogota, N. J.
"Duties: Secretary to Mr. Chadbourne, member of the board.
"Classification under draft: IV–A.
"Date entered service: December 8, 1917."

I also want to call your attention to the fact that also on list A Mr. Milton A. Young's name should read Milton L. Young.

I greatly regret this oversight and beg to remain,

Very truly, yours,

VANCE MCCORMICK, *Chairman.*

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WAR TRADE BOARD,
Washington, July 15, 1918.

The PRESIDENT,
The White House, Washington, D. C.

MY DEAR MR. PRESIDENT: This is in reply to Mr. Tumulty's letter of July 6. In it he requests a statement in accordance with House resolution 392, showing the members of this organization for whom deferred classification has been asked.

I beg to inclose three lists, as follows:

List A gives information of those who are still in our service and for whom deferred classification has been asked and granted. Some of these, you will note, due to either physical unfitness or dependency, have been placed in a later classification than class 3, division 1.

List B shows the names of those who are still in our service for whom deferred classification had been asked and granted. Their respective local draft boards, however, as a result of a subsequent review, have been informed that we no longer consider their services indispensable now that the War Trade Board has passed through the early stages of organization.

List C shows the names of those for whom deferred classification has been asked and who have subsequently resigned and the draft boards informed at the time of their resignation.

Yours, respectfully,

VANCE MCCORMICK, *Chairman.*

LIST A.

Name and home address.	Duties.	Classification of draft.	Date entered service.
Bennett, Lawrence, 34 Grammercy Park, New York City.	Secretary, War Trade Board.	3-I	Aug. 2, 1917
Burrows, A. A., 179 East Chestnut Street, Chicago, Ill.	Expert on special licenses.	3-I	June 8, 1917
Chatfield, Frederick H., 1939 Madison Road, Cincinnati, Ohio.	Trade expert for foods and fodders.	3-I	Sept. 20, 1917
Dean, Thompson, Darien, Conn.	Chief, refusal section, Receiving and Issuing Division, Exports.	4-A	Aug. 8, 1917
Dewey, F. Hernshaw, jr., 311 Main Street, Worcester, Mass.	Handles rulings of War Trade Board to branch offices.	4-A	Nov. 14, 1917
Dickerson, W. H., 1346 Park Road, Washington, D. C.	Trade expert on rubber.	3-I	Dec. 5, 1917
Enos, Alanson T., jr., Brooklyn, N. Y.	Chief assistant, New York branch office.	3-I	Nov. 20, 1917
Frothingham, Theodore, jr., Boston, Mass.	Second assistant, contraband committee.	3-I	Nov. 1, 1917
Gutman, L. J., 1714 Eutaw Place, Baltimore, Md.	Charge of filing section, Receiving and Issuing Division, Exports.	3-I	July 28, 1917
Hardenburgh, W. P., jr., New York City.	Secretary, contraband committee.	3-I	July 27, 1917
Harper, McClelland M., 117 North Sprague Avenue, Bellevue, Pa.	Assistant to trade expert on steel.	4-A	Oct. 18, 1917
Hebel, P. K., 2823 Girard Avenue, Philadelphia, Pa.	Assistant trade adviser on foodstuffs.	4-A	Sept. 10, 1917
Hopkins, G. B., St. Georges Road, Ardmore, Pa.	Trade distributor for northern neutrals.	3-I	Oct. 23, 1917
Hale, Shelton, 1525 Q Street NW., Washington, D. C.	Assistant secretary, War Trade Board.	3-I	Dec. 14, 1917
Hand, C. H., jr., 1833 Monroe Street, Washington, D. C.	Director, Bureau of Enemy Trade.	(1)	
Johnson, W. G., 1116 Post Street., San Francisco, Cal.	Assistant trade expert on steel.	3-I	Dec. 3, 1917
Knowles, K. E., 711 St. Marks Avenue, Brooklyn, N. Y.	Assistant to F. C. Munson, member of the board.	5-G	Nov. 1, 1917
Lewis, Moe, 334 Saratoga Avenue, Brooklyn, N. Y.	In charge of files and correspondence for Bureau of Transportation.	3-I	Aug. 2, 1917
Macy, W. Kingsland, Islip, Long Island.	Member contraband committee.	3-I	July 7, 1917
Mitchell, S. A., San Francisco, Cal.	Assistant to Mr. Sheldon, representing War Trade Board, London, England.	3-I	Feb. 1, 1918
Miller, J. B., 4 West Fifty-third Street, New York City.	Assistant director, Bureau of Exports.	3-I	June 29, 1917
Mitchell, John M., 583 Putman Avenue, Brooklyn, N. Y.	Chief of Distributing Section, Exports.	3-I	July 28, 1917
Morriss, Richardson, 27 West Forty-fourth Street, New York City.	Assistant, Receiving and Issuing Division, Bureau of Exports.	3-I	July 20, 1917
McKellar, Robert E., 383 South Orleans Street, Memphis, Tenn.	Chief of Tracing Section, Receiving and Issuing Division, Exports.	3-I	Aug. 10, 1917
McNeely, C. W., 640 Church Road, Overbrook, Philadelphia, Pa.	Trade expert on hides, leather, etc.	3-I	Jan. 2, 1918
Orcutt, Reginald W., 333 Commonwealth Avenue, Boston, Mass.	Assistant to Director, Bureau of Imports.	3-I	Nov. 16, 1917
Ogsbury, Charles R., Hotel Barton, Indianapolis, Ind.	Chief of tabulating section, Bureau of Tabulation and Statistics.	3-I	Dec. 14, 1917
Pratt, Albert K., 462 West Twentieth Street, New York City.	Trade expert on wool, cotton, etc.	3-I	Oct. 18, 1917
See, Alva B., 7 Monroe Place, Brooklyn, N. Y.	Assistant trade expert to Mr. Vandyke.	3-I	Nov. 16, 1917
Van Sinderen, H. B., 42 Remsen Place, Brooklyn, N. Y.	Director, Bureau of Exports.	3-I	July 5, 1917
Young, Milton A., 2757 West Fourteenth Street, Cleveland, Ohio.	Confidential secretary to chairman, War Trade Board.	4-A	Aug. 4, 1917

LIST B.

Class, Sherman T., Summit, N. J.	Private secretary to Mr. C. A. Richards, chairman of contraband committee.	3-I	July 15, 1917
Chapin, Chas. D., New York City.	Bureau of Imports	3-I	Dec. 3, 1917
Cowen, Abraham Y., 85 East One hundred and eleventh Street, New York City.	Research work, Bureau of Research.	3-I	Do.
Dickinson, John, Baltimore, Md.	do	3-I	July 24, 1917
Davis, V. C., 312 North Columbus Street, Alexandria, Va.	Charge of telegraph and telephone lines.	4-A	Aug. 27, 1917

[1] Was 3-I, put in 1-A, appeal taken.

LIST B—continued.

Name and home address.	Duties.	Classification of draft.	Date entered service.
Foreman, Gerhard, Glencoe, Ill.	Office manager, Bureau of Enemy Trade.	3-I	July 28, 1917
McManus, Edwin, 465 West End Avenue, New York City.	Attorney, Bureau of Enemy Trade.	4-G	Nov. 12, 1918
Tanner, C. B., 4134 Seventh Street NW., Washington, D. C.	Charge of printing	3-I	Sept. 25, 1917
Warshow, Herman, 57 East Third Street, New York City.	Research work, Bureau of Research.	3-I	Oct. 16, 1917
Willensky, Joe, Chicago, Ill.	do	3-I	Oct. 1, 1917
Witkowsky, Alan D., 5424 East View Park, Chicago, Ill.	Tracing applications, Bureau of Imports.	3-I	Dec. 10, 1917
Mayer, E. B., Chicago, Ill.	Member contraband committee.	4-A	July 4, 1917
Oliver, J. D., jr., South Bend, Ind.	Auditor	3-I	June 5, 1917

LIST C.

Name and home address.	Duties.	Date entered service.
Bakewell, Paul, jr., 4484 Westminster Place, St. Louis, Mo.	Director, Bureau of Enemy Trade.	Nov. 5, 1917
Becker, H., James, 5132 Hyde Park Boulevard, Chicago.	Assistant director, Bureau of Research.	July 25, 1917
Forgan, J. B., jr., Chicago, Ill.	Handled issuance of import licenses.	Nov. 28, 1917
Gruening, E. H., Boston, Mass.	Office manager, Bureau of Imports.	Nov. 26, 1917
O'Brien, Morgan J., New York City.	In charge imports, New York branch office.	Aug. 18, 1917
Taylor, Roy, Brooklyn, N. Y.	Executive offices	Jan. 24, 1918
Taggert, Rush, jr., Washington, D. C.	Attorney, Bureau of Enemy Trade.	Oct. 6, 1917

ALIEN PROPERTY CUSTODIAN,
Washington, D. C., July 9, 1918.

Hon. J. P. TUMULTY,
Secretary to the President,
The White House.

DEAR MR. TUMULTY: In compliance with your request of July 6, I attach hereto the information requested by House resolution 392.

Sincerely, yours,

A. MITCHELL PALMER.

Alien Property Custodian—Number of men, 8.

Name and home address.	Position.	Length of time in organization.
Louis Fasterling, 5363 South West Avenue, St. Louis, Mo.	Office manager (Division of Individual Property).	8 months.
H. J. Hannoch, 271 Clinton Avenue, Newark, N. J.	Attorney (Law Bureau)	8½ months.
C. W. Mingle, Fitler Road, Torresdale, Philadelphia, Pa.	Stenographer (acting mail clerk).	8 months.
Gilbert S. McClintock, 44 South River Street, Wilkes-Barre, Pa.	Assistant chief, Corporation Management Department.	Do.
Percy B. Pope, 401 Chestnut Street, Philadelphia, Pa.	Assistant chief (Division of Accounts).	7½ months.
Edgar Rypinski, 222½ Taylor Avenue, Scranton, Pa.	Chief, Division Mails and Files.	8½ months.
Robt. T. Scott, R. F. D. No. 1, Rosslyn, Va.	Secretary to the custodian	8 months.
Jos. K. Willing, 5331 North Twelfth Street, Philadelphia, Pa.	Attorney (Law Bureau)	Do.

NOTE.—This office has only been in operation eight and one-half months.

COMMITTEE ON PUBLIC INFORMATION,
Washington, D. C., July 11, 1918.

Hon. JOSEPH P. TUMULTY,
The White House, Washington, D. C.

MY DEAR MR. TUMULTY: Reporting to the President in reply to House resolution 392, I have the honor to submit the following information:

In connection with the domestic work of the Committee on Public Information, carried on by an appropriation of Congress, there are no male employees between the ages of 21 and 31.

In the foreign section, which operates out of the President's fund, there are just three employees for whom a deferred classification has been asked:

Carl Byoir, engaged October 1, 1917; home address, Des Moines, Iowa, and New York City.

Mr. Byoir, as associate director of the foreign section, has particular charge of the 33 foreign-language groups organized in the United States and is in charge of all the routine connected with the administration of the offices that we may maintain in the various foreign countries. I asked a deferred classification over his own protest, because he is absolutely necessary to the proper discharge of this important work.

Kenneth Durant, engaged May 16, 1917; home address, Philadelphia, Pa.

Mr. Durant came to the committee upon the personal recommendation of Sir Gilbert Parker, who had employed him throughout 1916 to prepare a digest of American opinion for the British Cabinet. Mr. Durant is assistant to the director of the foreign cable service, and, as in the case of Mr. Byoir, I asked a deferred classification over his protest, because he was absolutely necessary to the work.

Julius B. Kaupis, engaged April 20, 1918; home address, Brooklyn, N. Y.

Mr. Kaupis was selected by the Lithuanian National Alliance, and as he knows the workings of this great foreign group more than any other man, I have asked a deferred classification for him until we can complete an effective organization of the Lithuanians in America.

Respectfully,

GEORGE CREEL, *Chairman.*

ORDER OF BUSINESS.

Mr. DUPRÉ. Mr. Speaker, a parliamentary inquiry. Is there any chance of any change in program from that announced between the gentleman from Alabama [Mr. DENT], the chairman of the Committee on Military Affairs, and the gentleman from California [Mr. KAHN] in respect to the proceedings to-morrow?

The SPEAKER. Not that the Chair knows of.

Mr. DUPRÉ. I thought I would draw the Speaker's teeth on that subject.

The SPEAKER. Very well.

HOUR OF MEETING TO-MORROW.

Mr. DENT. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet to-morrow at 11 o'clock a. m.

The SPEAKER. The gentleman from Alabama asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. DENT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 4 minutes p. m.) the House adjourned until to-morrow, Friday, August 23, 1918, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting a tentative draft of bill authorizing transfer of land known as Craney Island from War Department to Treasury Department and Fishermans Island from Treasury Department to War Department (H. Doc. No. 1258); to the Committee on Military Affairs and ordered to be printed.

2. A letter from the Secretary of War, transmitting tentative draft of proposed bill to amend section 4 of chapter 5 of "An act making appropriation for the support of the Army for the fiscal year ending June 30, 1919 (H. Doc. No. 1259); to the Committee on Military Affairs and ordered to be printed.

3. A letter from the Secretary of War, transmitting tentative draft of proposed bill to amend the one hundred and eighteenth article of war and authorize the calling into service of dismissed or discharged officers (H. Doc. No. 1260); to the Committee on Military Affairs and ordered to be printed.

4. A letter from the chairman of the Interstate Commerce Commission, transmitting copy of the report of the commission in Valuation Docket No. 2, Texas Midland Railroad (H. Doc. No. 1261); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. WEBB: A bill (H. R. 12801) to amend section 1 of Title VII of the act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917; to the Committee on the Judiciary.

By Mr. AYRES: A bill (H. R. 12802) to provide for the erection of a public building at Eldorado, Kans.; to the Committee on Public Buildings and Grounds

By Mr. DONOVAN: A bill (H. R. 12803) to establish a national conservatory of music and art for the education of advanced pupils in music in all its branches, vocal and instrumental, and for other purposes; to the Committee on Education.

By Mr. MONDELL: A bill (H. R. 12804) to add certain lands on the North Fork of the Shoshone River to the Shoshone National Forest; to the Committee on the Public Lands.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CRISP: A bill (H. R. 12805) granting a pension to Baxter Hogan; to the Committee on Pensions.

By Mr. DOOLITTLE: A bill (H. R. 12806) granting a pension to Lou Alice Clay; to the Committee on Invalid Pensions.

By Mr. HELVERING: A bill (H. R. 12807) granting an increase of pension to Ira C. Sage; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BRODBECK: Letters from citizens of New Oxford, Adams County, Pa., urging immediate passage of war-time prohibition; to the Committee on the Judiciary.

By Mr. DALE of New York: Petition of Eugene F. Cooke, president of the American Federation of Catholic Societies, Brooklyn Diocesan Branch, protesting against amending the draft law so as to include young men between 18 and 21 years old; to the Committee on Military Affairs.

By Mr. ELSTON: Petitions of Epworth Methodist Church, Berkeley; the St. James Presbyterian Church, Oakland; the Women's Home and Foreign Missionary Society, Berkeley; and the Methodist Episcopal Church, Oakland, all in the State of California, favoring war-time prohibition; to the Committee on the Judiciary.

By Mr. MAGEE: Petition of Mrs. Almon E. Smith, North Syracuse, N. Y., for national bone-dry prohibition; to the Committee on the Judiciary.

Also, petition of Mrs. Henry Milbank, of Syracuse, N. Y., in favor of a national bone-dry law; to the Committee on the Judiciary.

Also, petition of Mr. J. C. Burrows and others, of De Witt, Onondaga County, N. Y., in favor of war-time prohibition; to the Committee on the Judiciary.

By Mr. RAKER: Resolutions adopted by 28 boards of northern California, in re passage of an amendment to the draft act, raising the age limit to 45 years; to the Committee on Military Affairs.

By Mr. REED: Petition of 100 members of the Clarksburg (W. Va.) Woman's Christian Temperance Union, signed by Mrs. Amos Payne, president, and Mrs. B. F. Robinson, Mrs. J. D. McReynolds, and Mrs. S. C. Watkins, executive officers, protesting against lowering of the draft age; to the Committee on Military Affairs.

Also, memorial of the Rotary Club of Clarksburg, W. Va., favoring more stringent laws relative to the punishment and suppression of the activities of pro-German sympathizers in the United States; to the Committee on the Judiciary.

By Mr. TEMPLE: Petition of Rev. M. M. Allbeck, of the Grace Lutheran Church, Monongahela, Pa., favoring war-time prohibition; to the Committee on the Judiciary.

SENATE.

FRIDAY, *August 23, 1918.*

(*Legislative day of Thursday, August 22, 1918.*)

The Senate met at 12 o'clock noon.

TEXAS MIDLAND RAILROAD.

The PRESIDENT pro tempore laid before the Senate a communication from the Interstate Commerce Commission, transmitting a copy of the report of the commission in valuation Docket No. 2, Texas Midland Railroad, which, with the accompanying paper, was referred to the Committee on Interstate Commerce.

PETITIONS AND MEMORIALS.

Mr. NELSON presented a telegram in the nature of a memorial from the Koch Vegetable Tea Co. of Winona, Minn., and a telegram in the nature of a memorial from the Dr. Ward Medicine Co., of Winona, Minn., remonstrating against an increased tax on alcohol, which were referred to the Committee on Finance.

He also presented petitions of sundry citizens of Minnesota, praying for national prohibition as a war measure, which were ordered to lie on the table.

Mr. HALE presented a petition of sundry citizens of West Scarboro, Me., praying for national prohibition as a war measure, which was ordered to lie on the table.

Mr. COLT presented a petition of the congregation of the First Baptist Church of Wickford, R. I., praying for national prohibition as a war measure, which was ordered to lie on the table.

FUNERAL EXPENSES OF THE LATE SENATOR GALLINGER.

Mr. JONES of New Mexico, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 292, submitted by Mr. NELSON on the 22d instant, reported it favorably without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay, from the miscellaneous items of the contingent fund of the Senate, the actual and necessary expenses incurred by the committee appointed by the President pro tempore in arranging for and attending the funeral of the Hon. JACOB H. GALLINGER, late a Senator from the State of New Hampshire, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

BILL INTRODUCED.

Mr. ASHURST introduced a bill (S. 4881) for the survey and allotment of lands within the Colorado River Indian Reservation in the States of Arizona and California, for the disposal of the surplus lands after allotment, and for other purposes; to the Committee on Indian Affairs.

CHANGES IN DRAFT AGE.

Mr. STERLING submitted two amendments intended to be proposed by him to the bill (S. 4856) to amend sections 2, 4, and 5 of an act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, and for other purposes, which were ordered to lie on the table and be printed.

AIRCRAFT PRODUCTION.

On motion of Mr. SMOOT is was

Ordered, That 16,000 additional copies of Senate Report No. 555, Sixty-fifth Congress, second session, entitled "Aircraft Production in the United States," be printed for the use of the Senate Document Room.

CHANGES IN DRAFT AGE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 4856) to amend sections 2, 4, and 5 of an act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, and for other purposes.

Mr. LODGE obtained the floor.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Hitchcock	Norris	Smith, Mich.
Beckham	Johnson, Cal.	Nugent	Smoot
Brandegee	Johnson, S. Dak.	Overman	Sterling
Calder	Jones, N. Mex.	Penrose	Sutherland
Chamberlain	Jones, Wash.	Pittman	Thomas
Culberson	Kellogg	Pomerene	Trammell
Cummins	Kendrick	Ransdell	Underwood
Curtis	Kenyon	Robinson	Vardaman
Dillingham	Kirby	Saulsbury	Wadsworth
Fall	Knox	Shafroth	Walsh
Fernald	Lodge	Sheppard	Watson
Fletcher	McCumber	Sherman	Weeks
France	McKellar	Shields	Wilfley
Frelinghuysen	McNary	Simmons	Wolcott
Gulon	Martin	Smith, Ariz.	
Hale	Nelson	Smith, Ga.	
Henderson	New	Smith, Md.	

Mr. SUTHERLAND. I desire to announce that my colleague [Mr. GOFF] is necessarily absent, owing to illness.

Mr. FRELINGHUYSEN. I wish to announce that my colleague [Mr. BAIRD] is detained on official business.

The PRESIDENT pro tempore. Sixty-five Senators have answered to their names. There is a quorum present.

Mr. LODGE. Mr. President, the importance of the bill now pending in the Senate can not possibly be overestimated, not only as being the method of giving us an immediate increase of man power but also because it will have a great effect on public opinion everywhere. Of course, we could get a great many more men out of the present draft ages, but owing to the large number between 21 and 31 who are employed in essential industries, whether rightly or wrongly, and are exempted on that account, we are obliged necessarily to go beyond the ages originally established.

When we were considering the draft question last June I then spoke briefly and expressed the hope that it might not become necessary to take boys as young as 18, for educational reasons, but if it was necessary that they must be taken. I think it is clearly necessary that we should turn to the great reservoir of men, the largest reservoir of men that we have, between 18 and 20, in order to supply our Army.

Mr. President, there seems to be a disposition to shrink from making that limitation at 18. I need not rehearse the figures of the Civil War, where, as I recall it, a very large majority of the Army was under 21.

Mr. BRANDEGEE. Under 19.

Mr. LODGE. Under 19. There is no question of the goodness of the material properly selected, but I can not understand the proposition that is made to begin, in order to spare that reservoir, by taking older men; that is, to begin by filling the Army with the less good material for the trenches, less good physically.

Personally, I think 45 is a haphazard age to fix. I think 40 would be a much better age, because, when you pass the line of 40, you get among the men whose sons are in the war. You also get among the men who form the principal part of those persons who are carrying on the work and the industries of the country. It is the men between 40 and 50 who furnish the great mass of the directing classes—the superintendents, the foremen, the heads of business, the managers of manufactures. Of course, there are many much older, but the bulk come between 40 and 50. You are invading a very valuable class and invading them for a small result; about 150,000 men is all they expect to get. They are mature men. If taken into the Army they ought, other things being equal, to have an opportunity for responsible positions where their one advantage, which is their maturity, would count most. But there has been no chance for those men. They have not been allowed in the camps. They are not allowed to enlist even, and they have had no opportunity to take men between 40 and 45 or between 40 and 50. To put them in as trench troops is putting in men who, on the average, are physically inferior to the men under 30. There can be no question about that.

This shyness about touching the men under 20 or under 21 arises, I am afraid, from a feeling which has stood in the way of all our war measures more or less; and I apply what I am now to say to the administration and to Congress alike. We must remember that our object in all this legislation is getting victories and not getting votes. It is no time to be shy of any measure or any provision, whether in a revenue bill or in a draft bill, because it may be momentarily unpopular and somebody thinks votes may be lost by it.

They misconceive, in my opinion, the feeling of the Americans when they become timid on account of votes. Leave votes alone and do what is right for the country at this time. Now, the real thing above all other things that is right is to get the greatest possible number of men and transport them to France with the utmost speed. If we begin with the older men, who are small in number, and spare the younger men, where we can get our great force, and fail to comb those now exempt in essential industries, we delay the war, and delaying the war means increase in deaths and losses on the front.

Mr. BRANDEGEE. Has the Senator seen in the newspapers that Germany is now drawing on the 1920 class?

Mr. LODGE. Yes.

Mr. BRANDEGEE. I have seen that statement.

Mr. LODGE. I think all the nations abroad begin at 18 and Germany has gone below it.

Mr. President, nothing could be more inspiriting, nothing could give greater confidence to our allies and to the country than the earnest desire and complete readiness of Congress to pass this new draft bill, for thereby is shown the determination of the Representatives of the people in both branches to put the largest possible number of men in France at the earliest possible moment in order to win a complete victory without delay. The Senate indeed was eager to pass an enlarged draft law last June, and I can not but think that it is to be regretted that the Secretary of War at that time stopped any action by Congress for reasons which have never been made very clear. The opposition of the Secretary being now withdrawn, this bill will quickly pass. Much precious time has been lost, but I have no doubt that every exertion will now be made to carry through the new registration as rapidly as possible. This is a great measure of preparation, and expresses, I am sure, the feeling of the American people in regard to the prosecution of the war. The weight of the United States is already turning the scales which so long have hung in doubtful balance. That weight must be increased in every possible way. A great victory has been won in the Marne salient, in which American troops took a large and most important part. That victory has been continued in the advance of the British, French, and American troops from Amiens. We have every right to rejoice over what has been accomplished. We also have a right to feel the deepest pride in the splendid achievements of the American soldiers. During the great German drive, which began in March, the

clouds hung low and dark, but if hopes were dimmed our faith in the ultimate result, I believe, never wavered. An undue pessimism then would have been harmful in a high degree, and an uncalculating optimism now would be almost equally mistaken. Great victories have been won. The reasons for those victories I believe to be two—the appearance of American troops in large numbers on the fighting line and the unity of command. From nothing have the allies suffered so much as from the lack of unity of command, and our administration is entitled to high praise for having cordially joined in putting all the armies on the western front under the command of Marshal Foch. In military operations nothing can be worse than divided counsels and independent commands, even if each commander is a man of the highest ability. For military success there must be one man and one mind to make the final decision. That has been a great element of strength to the Germans. The fact of this unity of command which we and our allies have at last attained has been felt from one end of the western front to the other. The other reason for success was the appearance, as I have said, of the American troops in the fighting line. It was not to be found in their numbers alone, although those were large and of the highest importance; it was in their quality. Our soldiers had necessarily but little experience in the long and bitter defensive warfare carried on by the allies for the last four years, but they brought something quite as important, as vital even as that experience. They were picked men of the finest physical and mental quality, never war-worn nor weary. They had not suffered from the miseries of hope deferred, from the discouragement which follows great deeds that bring no final result. Their spirit was at its highest. In one word, they were the best shock troops in Europe, for the shock troops of England and France and Italy, of Germany and Austria, had all been much more than decimated and had lost to a degree the freshness of the first keen impulse. I can imagine the glow of satisfaction with which Marshal Foch put his new soldiers to the touch. In that supreme test he found that he had a weapon which combined the crushing power of the sword of Richard with the keenness of the scimitar of Saladin and which had the perfect temper of both. He must have rejoiced mightily when he saw these American troops fling themselves upon the Germans and in many cases drive before them in headlong rout that famous infantry. Imagination, as Napoleon said, plays a great part in war, and the presence of these new and gallant troops from the United States and the consciousness that thousands more were coming must have infused fresh spirit throughout the long line of fighting men and renewed the vigor and confidence of our brave and sorely tried allies. But we must not misconceive the character of the victory, great as it has been, and the determination exhibited by the passage of this bill shows that we do not misconceive it. It was a victory of defense. It was a "victory of arrest," as it is well defined by Mr. Frank Simonds in an admirable article which appeared on the 11th of August. The offensive has apparently passed into our hands, but the victory of attack, although begun, is still to be won. We shall win it, but it will be no easy task, and I am sure that the American people mean to carry it through to the bitter end and to an entire completeness. It therefore is of importance that we should have in our minds a clear definition of what that completeness and that end must be. We must face facts and strive for a complete veracity of mind. We must know just what we mean to do, for knowing what we mean to do is half the battle.

The Germans, repulsed and losing, will undoubtedly resort to their other weapon, which they have used more than once during this war with terrible effect. They will begin an insidious and poisonous peace propaganda. With this weapon they have succeeded in disorganizing Russia, reducing that great country to a wreck, and removing it for the time being as a military factor. With the same weapon they brought about the Italian defeat on the Isonzo, which was the result of treachery and disintegrating propaganda and not of straight fighting, because the Italians, when unbetrayed, have shown since then at the Piave the finest fighting qualities and have thrown Austria back in crushing defeat. It is the German propaganda which we shall be obliged to face in the ensuing months, and it therefore seems to me of the last importance to know exactly what we mean by peace. Generalities will not serve. It must be, it is commonly said—we have all said it—a just and righteous peace. But what is a just and righteous peace? What are the conditions that would make it so? What is the irreducible minimum? We intend to make the world safe for democracy. But what exactly do we mean by democracy? If we mean, as we undoubtedly do, the democracy of England, France, Italy, and the United States, we can all understand it; but the Bolsheviki masquerade under the name of democracy, and the Bolsheviki, by a combination of treachery, corruption, and ignorance, have reduced Russia to servitude under Germany and have engendered a form of democracy as dangerous to the world as the government of the Hohenzollerns. But assuming, as we do, when we say we must make the world safe for democracy that we mean our own conception of democracy, how is it to be made safe? That, again, is a vague term which must be answered, and can only be answered by definition. We are fighting and our allies are fighting with us for security; for independence; for the right of nations, great and small, to govern themselves in their own way; for organized races and peoples to have the opportunity to govern themselves in independent States; for the sanctity and observance of treaties; for the general disarmament of nations. How are these things to be secured? The details are really far more important than the general propositions, in which we all agree. Broadly speaking, there is only one way to obtain this security of the nations, this safety of democracy, this preservation of freedom and civilization, and that is by reducing Germany to a condition where by no possibility can she precipitate another war for universal conquest, with all its attendant horrors, upon an unoffending world. Again we are faced by details. How is this to be done? I see only one way in which it can be done, and I will enumerate the results, the hard facts, the essential conditions to which we must attain.

Belgium must be restored.

Alsace and Lorraine must be returned to France—unconditionally returned—not merely because sentiment and eternal justice demand it, but because the iron and coal of Lorraine must be forever taken from Germany.

Italia Irredenta—all those areas where the Italian race is predominant, including Trieste—must go back to Italy.

Serbia and Roumania must be established in their independence.

Greece must be made secure.

Most important of all, if we are to make the world safe in the way we mean it to be safe, the great Slav populations now under the Government of Austria—the Jugo-Slavs and the Czecho-Slovaks, who have been used to aid the Germans, whom they loathe—must be established as independent States.

The Polish people must have an independent Poland.

And we must have these independent States created so that they will stand across the pathway of Germany to the East. Nothing is more vital than this for a just, a righteous, and an enduring peace.

The Russian Provinces taken from Russia by the villainous peace of Brest-Litovsk must be restored to Russia. The President, as you all remember, has announced the vast importance of sustaining Russia. If Germany continues to hold a large part of Russia, the world for years to come will be under the shadow of another great war which will surely be precipitated upon us when Germany has developed her Russian possessions to the point of yielding her men, money, and supplies.

Constantinople must be finally taken away from Turkey and placed in the hands of the allied nations as a free port, so as to bar Germany's way to the East and hold the Dardanelles open for the benefit of mankind.

We must not be beguiled into concessions to Turkey, with whom we ought now to be at war, in the hope of separating her from Germany. It would be a miserable outcome to have Turkey retained in Europe, a curse to her subjects and neighbors, a plague spot, and a breeder of wars. Her massacres must not under any pretense be condoned nor her iniquities rewarded. Let Turkey and Bulgaria share the fate of their master and be so treated that they will be unable again to trouble the world.

Palestine must never return to Turkish rule, and the persecuted Christians of Asia Minor—the Syrians and the Armenians—must be made safe.

There must be compensation. For the lives of women and children and helpless old men no compensation can ever be obtained. But the things, including pictures, books, and works of art, which the Germans have stolen can be restored and there can be money compensation exacted for the tribute money wrung from helpless towns and cities under the German lash. There must be compensation to Belgium and a partial compensation at least can be found in the disposition of the German colonies, which ought never to be returned to the Empire which has so abused all the most ordinary rights of humanity.

These in outline are the principal conditions which alone will give us a victory worth having, and when we talk about a complete peace and a just and righteous peace, let it be known to all the world that this is what we mean. It is idle to talk about our annihilating the German people. Nobody, of course, has any such idea. It could not be done even if we wished to do it.

We are not engaged in this war to try to arrange a government for Germany. The German people must do that themselves, and they will get precisely the government which they desire and deserve—just as they now have the government they prefer, whose purposes and ambitions and barbarism they share and sustain. Our part and our business is to put Germany in a position where she can do no more harm in the future to the rest of the world. Unless we achieve this we shall have fought in vain. Congress and the President had no right to declare war unless they meant to do precisely this thing. Nothing less would justify our action. We are pouring out the best blood of the country, the blood of our chosen youth, upon the altar of patriotism. We are making every sort of pecuniary sacrifice. We are bearing an immense burden of taxation. We are mortgaging with our loans the future of coming generations. We have set aside for the time being the Constitution under which individual liberty has been preserved and the country has grown and prospered. We have adopted measures which lead, if unchecked, to the building up on the one hand of a great bureaucracy such as that which crushed and ruined Russia and which on the other are stimulating the development of state socialism. It is our intention to return, as our laws show, to the old restrictions, protections, and rights of the ordered freedom of the Constitution. We are taking these vast risks, we are bearing these huge burdens, we are making these unspeakable sacrifices of life with a brave and cheerful spirit; but we have no right to do all these things unless we win the prize and reach the goal which alone can warrant and justify them. The results which we must have, and which I have ventured to outline, can never be obtained by a negotiated peace. Lord Lansdowne—and he is not alone—appears to think that this war can be ended by a peace formulated by eminent representatives of the nations in the old way. He does not seem to have gone beyond the methods of 1815 and the Congress of Vienna. As this war is utterly different from any war that the world has ever known, so must the peace which concludes it be utterly different from any peace which the world has ever known. It can not be a peace of bargain, of give and take, and of arrangement. It can not be a peace which rests on signed treaties alone, for no treaty is worth the paper it is written on when made with Germany, whom no agreement binds, to whom no signature has meaning, and whose pledges are as false as dicers' oaths. The only peace for us is one that rests on hard physical facts, the peace of unconditional surrender. No peace that satisfies Germany in any degree can ever satisfy us. It can not be a negotiated peace. It must be a dictated peace, and we and our allies must dictate it. The victory bringing such a peace must be won inside, not outside, the German frontier. It must be won finally and thoroughly in German territory, and can be so won nowhere else.

In no other way can we secure the safety for which we are fighting. In no other way can we justify the sacrifices we are making. To this supreme end our efforts must be addressed. I do not underrate the difficulties. I do not underestimate the obstacles to be overcome. But the difficulties and the obstacles must alike be crushed, set aside, and overridden. The United States occupies, fortunately, a position in which she will be able to speak with a powerful voice. We seek no territory, no material gain for our own country. We seek only the safety of civilization and freedom and the assurance of our own absolute independence and our right to live our own lives and settle our own problems in our own way. There is no territory by which we could be bribed or influenced, no trade advantage by which we could be tempted. There is no personal profit which can turn us from the one great object. Our sole purpose is to put Germany finally and completely in a position where she can never again attempt to conquer and ruin the world as she has done in the last four years. Complete and utter victory is all we Americans can gain from the war, and that victory we must have. In one word, we must go to Berlin and there dictate peace. This purpose can be accomplished. We shall do it, but we must be above all propositions of a bargained peace, all suggestions of negotiations; deaf to every voice which would divert us from the path; deaf alike to the whimper of the pacifist and to the wheedling or truculent appeal of the helpers of Germany. When Germany is beaten to her knees and the world is made safe by the arrangements which I have suggested, then, and not before, we shall have the just and righteous peace for which we fight. In this way and in no other shall we obtain it. We shall obtain it because we are going to win. Let us but be true to ourselves, and we shall not then be false to any man.

I ask permission, Mr. President, to print the accompanying article as an appendix to my remarks.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is as follows:

APPENDIX.

LAST PHASE OF THIRD GERMAN EFFORT OF GREAT WAR.

[By Frank H. Simonds.]

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Germany has lost the campaign of 1918, and with this loss has been joined the inevitable extinction of the last chance to win a military victory, provided only that the great nations now in arms against the German and his minor allies remain as firmly united as they have been in the past. Germany escaped a defeat which was plainly indicated after the close of the campaign of 1916, despite her Roumanian victories of that year, solely because Russia abandoned the struggle and thus freed German hands. In 1917 the Russian debacle enabled Germany to defeat British and French offensives, and in 1918 to undertake her own great offensive, which has just been wrecked at the Marne.

If one could conceive that, following the Russian precedent, Germany could hereafter eliminate Britain, France, the United States, or Italy from the war, she might be able to undertake a new offensive to win a military decision in the west with a reasonable prospect of victory, but apart from such a success she has no longer the numbers or the resources necessary for the task.

We have had in this war three phases, which have been exactly alike and have held to the same results. In August and September, 1914, Germany undertook to eliminate France from the war by her great offensive. Her strategy was based upon the theory that before Russia could intervene effectively either in east Prussia or against Austria, the German Army could dispose of France and thereafter turn its attention to the reduction of Russia. The failure of the Marne entailed the decisive defeat of this strategy. The German Army proved inadequate for its mighty task and French military power endured.

Again, at Verdun, having beaten Russia down and while Britain was still unready, Germany endeavored to dispose of France. The problem was the same, the issues identical, and, in this case, it was Britain who played the rôle of Russia in 1914 and at the Somme began an offensive which deprived Germany of all chance of realizing her Verdun purposes. For a second time the western line held and Germany was thrown back upon the defensive.

We are just seeing the last phase of the third German effort. The revolution in Russia, carefully guided by German agencies, had at last disposed of Russia in 1917. The United States could not effectively intervene in the first half of the campaign of 1918. Ludendorff had nearly six months ahead of him, as he calculated, more than six months as it then seemed, in which to dispose of Britain and France before Pershing's army could turn the scales. And, as in 1914, in the Marne campaign, and in 1916, before Verdun, the Germans have come within an ace of success and have failed, only after brilliant preliminary triumphs.

REPETITION OF WATERLOO EVENTS.

But again there has been a repetition of the Waterloo circumstances. The German Napoleon has sought three times to overwhelm the allied Wellington, Joffre, Petain, and Foch, in turn, but each time Blucher has arrived in time, the Russians in 1914, the British in 1916, and ourselves in 1918. As a result, each grandiose attempt has failed at the moment when the German people and the German soldiers have not too rashly believed that victory was within plain sight.

Now, going back to the former occasions, we see that the failure in the Marne campaign was followed by a transfer of German effort for nearly a year and a half to the east front. Germany could not fight offensive campaigns on both sides, so she abandoned the west to settle matters in the east. When she came back to the west, in the Verdun campaign, she was too late. Britain was almost ready and France able to hold until Britain could begin. After the Verdun failure it was necessary to go east and south again, Russia having once more become dangerous and Roumania a fresh foe.

But Russia, definitely destroyed for military purposes, Roumania disposed of, the east at her feet, Germany came west again this spring. America was as unready, far more unready than Britain in the Verdun time. The chance to dispose of the older enemies before the new one was on the field in troublesome numbers was unmistakable. The battles of Picardy, Flanders, and the Aisne seemed to promise the ultimate victory just as Morhange, Charleroi, and Mons seemed to promise it in 1914. The most optimistic allied observer could not deny that Germany had a fresh opportunity to gain a decision on the continental battle field the moment it was disclosed that the Germans had devised a system of battle tactics which abolished the value of trench systems, as their heavy guns had abolished the value of forts nearly four years before. The parallel was again striking, but fortunately the end was the same.

Now, it is one thing to say that Germany has lost the chance to win a military decision in this war and another to say she has lost the war. Still a third statement is the declaration that we, the nations which are allied against Germany, have won the struggle. This last is emphatically not the case. Nor is it true that Germany has lost the war. She has lost the chance of winning it on the battle field; she has other methods, and they are bound to be used now to the uttermost.

Germany was beaten in 1916 at the close of the campaign of that year, and she knew it. Accordingly, the Kaiser proposed peace, not because he desired peace, not because his proposal was intended to be the basis of a settlement on an honorable and possible basis, but because he reckoned that a proposal of peace might disarm his foes and accomplish what his armies had failed to bring about, namely, a real German victory. His calculations were amazingly correct. His peace proposals threw his foes into confusion, ultimately led to Russia's collapse, temporarily brought Italy to the point of seeming impotence, and enabled the German army to enter the campaign of 1918 with a new chance to acquire a military decision.

NEW PROPOSAL OF PEACE PREDICTED.

Beyond all doubt the Kaiser will now repeat his strategy of 1916 and we shall have a new proposal of peace within a brief time, probably the moment that some considerable but relatively unimportant German success, such as still remains possible, tends to give a temporary lie to the facts in the German military situation in the west. There will then be a frank declaration, such a declaration as Kuehlmann made the other day, that no military decision is possible. Both sides have made the try; both sides have made at least three tremendous failures; therefore, the Germans will reason, a military decision is impossible and peace by negotiation is the only way out of a situation which is bringing about the bankruptcy of civilization.

When this situation develops it is essential for every allied observer to remember that Paris is once more in danger, for the German will be seeking by the most ingenious and sustained effort to win the French

Nation into making a separate peace, a peace which will be as attractive, in German propaganda, as that "peace without indemnities or annexations" which lured Russia to ruin at Brest-Litovsk. Not less appealing bait will be held out to Italy, like France invaded and far more than France exposed to internal dangers of a disruptive sort.

Germany means to win the war by her peace offensive, now that her war offensive has failed. The element of time is just as much against her in the new operation as in the old. Turkey and Bulgaria are becoming restive; Austria is on the edge of revolution—to be sure, like a donkey on a mountain trail, Austrian statesmen seem always to select the outer and dangerous edge; but the present situation is more critical than any that has preceded. If German peace operations were delayed over a long period, Turkey and Bulgaria might escape the German leading strings and make a separate peace with the enemy. Even Austria might break under the strain.

We shall have next winter, therefore, to repel the peace offensive designed to enable Germany to keep a respectable, a larger share of the Provinces she has conquered. We shall have the peace offensive supplemented by much military threatening. Unquestionably the promise to devastate all of France still in German hands, as well as Belgium, in the fashion Picardy was devastated in the Hindenburg retreat, will be one gentle German hint to France as to the advisability of coming to an arrangement. And until that peace offensive is defeated we must face the fact that we may still lose the war.

ONE MORE YEAR OF HARD FIGHTING.

But if the peace offensive fails, as the war offensive has unmistakably failed, there is still ahead of us at least one year more of terrific and costly fighting before we can begin to hope to win the war in the only way that it can be won—namely, upon the battle field. And in that time each temporary reverse, each check, each delay, will serve the Germans as a new basis for their peace offensive and a new foundation for their argument that no military decision is possible. Of the three stages that have to be covered before we come to the point where real peace is possible, we have but passed the first, or are just coming to the end of it. It has been in a sense the most critical of all, but it has also been the simplest, because in the face of a peril which no man could misunderstand all effort and all energy were concentrated naturally upon the task of stopping the enemy. It will be less easy to get the same concentration in the other two stages.

If one could only make it clear for the balance of the war to all publics, American and allied alike, that the German uses peace and war operations in just the same way and for the same end. If he can't conquer a foe and impose his will upon an enemy by his army and by battle, he tries a peace proposal. Whether the attack be by arms or words, the purpose of the attack is to gain or retain Provinces and plunder. Russia was conquered by German peace operations quite as much as by her military attacks. The Italian defeat at the Isonzo was procured by peace machinations before it was obtained by military attack.

The German knows quite well that if the war goes to a military decision he will not only lose all that he has taken in his various campaigns, but also that Germany will suffer as much as in the Thirty Years War. German rulers know that the defeat of the German Army will inevitably involve changes within Germany which are, to say the least, unpromising. No one expects a great moral awakening in Germany. What is to be expected is that the German, who was willing to support the existing system because of its supposed efficiency and fancied profits, will look for a new system when the profits are found to be nonexistent.

CHANGED MIND AFTER RUSSIAN COLLAPSE.

Therefore the German leadership is not going to risk the decision upon the battle field, which must be against it, if it can find any way to keep the provinces and the plunder without running the ultimate risk. This can only be accomplished by a peace propaganda which turns on the war weariness and feeling of exhaustion of the peoples fighting. We have all of us had full and sufficient evidence of the many phases of the defeatist campaign of 1917, following the German peace proposal of December, 1916, and the Reichstag resolution of the following summer.

In 1916 and for a fraction of 1917 the German was convinced that he could not get a military decision. He changed his mind after the Russian collapse. In other words, his peace offensive was so successful that it cleared the way for a new venture of the German high command, a new try for the military decision. The result of this effort is becoming plainer every day. The decision was not and is not to be had: therefore, the German will unquestionably go back now to the other form of warfare, which he calls peace propaganda and we call a peace offensive.

Turning now to the military phase again. The German can not get a military decision because he no longer has the numbers to enforce any local decision. He no longer has any advantage in gross numbers. With the American troops actually in France the allies outnumber him greatly; but, unfortunately, only a portion of the Americans are now available. But there are enough of these, as I showed several weeks ago in a Sunday article, to give Foch something more than an equality of numbers and leave the German only such advantages as come from the greater homogeneity of his force, since it is all of one nationality, and the superiority of training, with respect only, however, to our own troops.

Since I made my statement the proof has been supplied by the Foch offensive. Employing the larger part of the American divisions which have been long in France and his own French colonial troops, Foch created an army of maneuver and struck the German flank between the Marne and the Aisne, bringing off one of the great strategic triumphs of the war. Had Foch been able to dispose of sufficient reserves the stroke might have been far more effective, just as Joffre's victory at the Marne would have led to far more decisive results had Joffre possessed any large unexhausted reserve.

But neither Foch nor Ludendorff has such a reserve now. Ludendorff had it in the beginning of the campaign and lost it in the terrible struggles which have since ensued. Foch is acquiring it as our American troops become available in larger and larger numbers, but will probably not have it in sufficient strength to enable him to go beyond the limits of counter offensives like his recent stroke this year. This is not to say that Ludendorff may not deal a happier blow, viewed from the German angle, than his last two, one of which was checked, the other turned into a heavy defeat. The point is that he will be unable after such a stroke to enforce a decision.

MOST BRILLIANT OF HIS CAMPAIGNS.

Napoleon was in the same situation in the most brilliant of all his campaigns, also fought in the Marne Valley. Bernhardi comments significantly upon this fact in one of his military works. The German has very nearly exhausted his shock troops; he is facing an enemy who is his equal in numbers, has at least as good communications on the vital French sectors of the front, and is now in a position to meet any offensive, employing therein fresh American troops.

The value of our troops in the situation is peculiar. They are not, on the whole, the match for any other troops in the European field on the defensive, because they lack the four years of training of French, German, and British troops. But on the offensive and under the guidance of the French staff they possess exactly the qualities which make them the most dangerous shock troops in Europe. They are young, physically fit, and morally at the highest point soldiers can attain. Their spirits have not been weakened by four years of suffering; they have not slowed down under the strain which has taken the edge off the best of all the other nations' forces.

As a striking force Foch, then, has found at his hand in Pershing's army the best conceivable weapon. He has, moreover, the certainty of a rapidly increasing number of these troops. Three hundred thousand arrive in Europe each month, and it will not be long before his monthly increase in trained troops will reach this figure. In less than two months the American contribution is more than the annual increment Germany gets from one of her classes, and it is made up of infinitely better material.

We shall have next year practically the only army in Europe capable of making an offensive in the spirit and with the force which German armies revealed at the Marne and Verdun, which the French armies displayed in many offensives before the fatal failure of the Aisne last year, which the British armies preserved through the Somme and the Flanders campaign of last year. It will be an incomparable weapon in Foch's hands, this American Army, with all its determination, spirit, and energy. And some fraction of it, an ever increasing fraction, will play a part this year. Indeed, if there is a tendency in certain quarters to exaggerate the technical military value of our contribution at the recent battle test, the value of the moral contribution can not be exaggerated.

We ought to have more than 2,000,000 fighting men in France next year, and we ought to have reserves to keep our Army at that strength. With such an army as the striking force of the allied offensive, it does not seem to me that there is any reason to doubt that by the end of the campaign, even though we are not in Berlin or across the Rhine, the outcome of the war will be so clearly forecast that the Germans will be unable to make a peace offensive which can be dangerous, for once our military victory is foreshadowed German victory by peace offensives will become as impossible as German victory by military means is now becoming.

OVER THE PITCH FOR THE PRESENT YEAR.

Meantime we are over the pitch for the present year, and for the war, unless the German can escape again, as he did two years ago, when he started his peace campaign and thereby destroyed Russia and ruined the Italian offensive against Austria. While Italy holds Austria, with a measure of help from the allies, France, Britain, and the United States can defeat Germany next year, as they should now be able to check the remaining German thrusts this year. Unity of commands, unity of faith, and unity of policy carry with them the death sentence for the German purposes if they can be preserved through the next winter.

It is idle to imagine that the German Army is not capable of great resistance in the future. The recent retreat has been conducted in a manner beyond praise. The German high command made an appalling blunder and a grotesque miscalculation. Had the German Army been any less determined and disciplined this blunder might have led to destruction, at least for the army immediately involved. But, so far from leading to this, the defeat simply opened the way for an orderly and well-conducted withdrawal in which the resistance of the retreating foe won the recognition of the victors. Even if the German does not fight fairly or cleanly, even though his methods are abhorrent, there is general testimony to the stubbornness with which his rear guards hung on to position after position, although the great battle was lost and there could be no disguising the fact.

WILL SEEK SOME SORT OF VICTORY.

Nothing is more likely than that the Germans will attempt to close the present campaign with some sort of victory. A decisive victory is beyond the possibilities. But he may take some sector of famous ground, some city like Nancy, or even Ypres, by paying a price, and then point to this achievement as proof that he has won the campaign and remains invincible. In 1915 the Germans used their autumn successes in Serbia to cover failures in the west and the larger failure in the east, where Russia managed to escape destruction for the moment. In 1916 Roumania played the same part for the Germans, who had been defeated at Verdun and the Somme. Last year the Russian collapse was too plain to require from the Germans any such effort.

The way to a successful peace offensive for the Germans plainly begins at some local military triumph on the west front which shall, in part, restore the prestige of the recently defeated Crown Prince and the discomfited Ludendorff. To get this victory a new blow will be needed, and there is, therefore, every reason to forecast at least one more considerable German offensive, followed by a desperate effort both to exploit such success as is achieved on the battle field and celebrate it all over the world.

We shall have to be on our guard, therefore, both in the matter of pessimism and of optimism. At the present moment there is a dangerous degree of optimism afloat. The reaction from the depression of recent months is natural and proper, but it should not lead to exaggerated hopes. We have blocked the enemy, and we have defeated him in the crucial battle of this campaign. But the most that was possible for us this year was to prevent the Germans from winning the European phase of the war on the battle field; it will take one or two more years for us to win it by our own efforts. The second Marne was like the first, a great and successful battle of arrest; but nations are not conquered by battles of arrest—such battles merely save the nation or nations attacked. There remains the larger task of beating the enemy, and he remains, despite his recent reverse, still unbeaten in the larger sense.

Mr. POMERENE. Mr. President, I have listened with very great interest to the speech of the learned Senator from Massachusetts [Mr. LODGE]. So far as the objects and purposes of this war are concerned I am in hearty accord with everything he has said. I must take exception, however, to one statement which he made, or perhaps it is only the inference which might be drawn from his statement, to the effect that those Senators who vote against 18-year limitation will be perhaps considering it from the standpoint of votes.

Mr. LODGE. Oh, Mr. President, if the Senator from Ohio will allow me, I beg to say that I did not mean to imply anything of the kind. My own impression was against lowering the draft age to 18 years at the beginning, but I think the time has come when we must do it.

Mr. POMERENE. I am very glad to have that explanation.

Mr. LODGE. I certainly would not make any insinuation of that sort as to any Senator.

Mr. POMERENE. I feel quite sure that the Senator did not intend to do so.

Mr. President, the most solemn, the most serious, and at the same time the most satisfactory act of my life was when I voted in favor of the joint resolution declaring a state of war against Germany. In that resolution we pledged all our men and all our resources to the accomplishment of the end we had in view, and, if it is necessary at any time to vote to take the 18-year-old boy or even the 17-year-old boy to accomplish that object, I shall vote for it. My thought is that this war shall be prosecuted until there is an unconditional surrender of Prussianism; but when Senators come in here and speak as if ex cathedra and declare that it is now necessary to take 18-year-old boys, I must take issue with them.

It may be interesting for Senators to bear in mind what the draft age was during the Civil War, and surely conditions as they confronted the country at that time were indeed serious. I realize the fact that most of the boys who went to the front were 18 and 19, and I may say I think in truth that if more of the boys who were older had performed their part it would have been less necessary for the boys of 18 and 19 to shoulder arms.

But the Congress which had charge of the legislation at that time provided that the draft age should be 20. The Twelfth United States Statutes at Large, page 731, first section, reads:

That all able-bodied male citizens of the United States, and persons of foreign birth who shall have declared on oath their intention to become citizens under and in pursuance of the laws thereof, between the ages of 20 and 45 years of age, except as hereinafter excepted, are hereby declared to constitute the national forces, and shall be liable to perform military duty in the service of the United States when called out by the President for that purpose.

There was an act supplementary to this passed in 1864. I read from the Thirteenth United States Statutes at Large, page 7:

That boards of enrollment shall enroll all persons liable to draft under the provisions of this act, and the act to which this is an amendment, whose names may have been omitted by the proper enrolling officers; all persons who shall arrive at the age of 20 years before the draft; all aliens who shall declare their intentions to become citizens—

And so forth.

Mr. President, it seems as though, while the majority of the boys who were at the front in the Civil War were 18 and 19, the Congress in its wisdom only required those to go who were 20 years of age and upwards.

Gen. March, the Chief of Staff, appeared before the Committee on Military Affairs during the early part of this month and testified, on page 24 of the hearings:

I believe when we get together our Army as one composite American Army under our own commanding general, occupying our own sector instead of having the troops distributed along the line, that 2,000,000 combatant Americans can do anything over there.

And on page 38 of the hearings he said:

My personal belief is that with an American Army of 4,000,000 men in France under one commander in chief we can go through that German line wherever we please.

And the headlines in this morning's paper confirm his statement, because they say that to-day, along a front of 31 miles, the enemy are in full retreat.

Mr. President, in considering our military status, the Army experts made the statement that the necessary forces required were 98 divisions—80 along the battle line and 18 in camps in this country, 98 in all—with 40,000 men to a division. All told they amount to 3,920,000 men—80,000 short of the 4,000,000 men which seems to be the special number usually named. If we take the figures which are submitted by these experts, I think it will appear very clearly that it is unnecessary to take the boys of 18.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER (Mr. SUTHERLAND in the chair). Does the Senator from Ohio yield to the Senator from North Dakota?

Mr. POMERENE. I yield.

Mr. McCUMBER. If I understood the Senator correctly, he just made the statement that there were 40,000 men in a division. Is that correct?

Mr. POMERENE. Forty thousand was the statement made by the Chief of Staff.

Mr. McCUMBER. I have always understood that an American division consisted of about 28,000, and it is something of a surprise to me to learn that it is 40,000. Evidently there has been a change quite recently.

Mr. POMERENE. Mr. President, the Senator from North Dakota, as I recall the fact, is correct as the division was understood to be some months ago. Later it was said that it would amount to about 37,000, and when the testimony was given before the committee they fixed the number at 40,000; and I am accepting that number for the purposes of the observations I may have to make.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Utah?

Mr. POMERENE. I yield.

Mr. SMOOT. Of course, it is understood that that includes all the noncombatants.

Mr. POMERENE. Oh, I assume so.

Mr. WOLCOTT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Delaware?

Mr. POMERENE. I do.

Mr. WOLCOTT. A division must consist of more than 40,000 men, because, if the Senator will note, on page 24 of the hearings Gen. March testified as follows:

Roughly, 40,000 men to a division. Of couse, there are the corps troops and the Army troops in addition to that, which brings the whole number up to about 4,800,000 men.

Mr. POMERENE. I know that general statement has been made, and I may make some reference to it a little later if I do not overlook it.

Mr. President, in the first registration there were 9,586,508 men registered. In the second registration there were 784,000 men registered. That included only those men who became of age after June 5, 1917, and it is estimated by the War Department that if this bill should become a law, fixing the age limits at 18 and 45, there would be a total new registration of between thirteen and fourteen million. Taking the lower estimate, it would make a total of 23,370,508 men between 18 and 45 years of age. We have at the present time in Europe about 1,500,000 men; we have in the camps to-day 1,500,000 men—in round numbers, a total of three millions of men. These three millions of men are taken out of the class of registrants between the ages of 21 and 31, save and except those who volunteered. There are between six and seven millions of men among those who registered the first time and who are in the deferred classes—classes 2, 3, 4, and 5. These classes include all married men—men, it may be, who have wives but no children—men who ought to be at the front serving their country instead of depending npon the 18-year-old boys to take their places. And, lest I forget it, let me observe here that none of these men are exempted by act of Congress. It is true the power has been given by the Congress to the President to provide for classification and to defer certain classes, but what has been done in that behalf has been done by the War Department alone. It is their judgment, not ours. It is not the country's judgment.

Mr. President, I have even received a number of letters from the draft officials in my own State, and no later than this morning a letter from one of these draft boards suggesting a reclassification of these registrants, because they say there are many of these young men who at the outbreak of our trouble with Mexico and when it was thought that there might be a draft to take the boys there married in anticipation of possible trouble.

Now, Mr. President, let us see the present condition of these lists of registered men. We have 3,000,000 in the service. According to the hearings before the Military Affairs Committee it was uncertain as to how many men remained in class 1, but after the War Department has revised its figures we find that on August 1, 1918, there were still 550,000 men in class 1.

Mr. WOLCOTT. Five hundred and eighty thousand.

Mr. VARDAMAN. Mr. President, may I ask the Senator to repeat that statement?

Mr. POMERENE. I made the statement that there were 550,000 men in class 1 still remaining uncalled. The Senator from Delaware [Mr. WOLCOTT] corrects me, and makes the statement that there are 580,000; and I think that figure appears in the hearings, as I now recall.

Mr. WOLCOTT. On page 35.

Mr. POMERENE. On page 35. They are calling these men at the rate of 250,000 a month. Let us assume, for the sake of the argument, that the 250,000 quota for the month of August has been called and are in camp. I do not know whether they are or not. There still remain 330,000 men in class 1, out of which we can get the quota of 250,000 for September, and that will leave about 80,000 still remaining for the October call. More than that, during the last registration there were 784,000 men who had become of age since June 5, 1917.

Now, I am not prepared to say whether the 250,000 quota for the month of August was included in the department's estimate of a million and a half men in the camps in this country

or not; but wipe that out. We have, then, 330,000 in class 1 without any reclassification; and let me remind Senators that when this classification was made by the War Department it was not the understanding of the boys who were to be drafted that those who were put in deferred classes would be exempted from service. They were simply deferred; and I dare say that every Senator here knows of young men of his own acquaintance who have said, "I am in the deferred class, and I expect to be called, and I am going to go when called." Now, the War Department, instead of treating classes 1, 2, 3, 4, and 5 as if they were deferred classes, by this legislation in fact is treating them as if they were exempted classes, and are calling upon the boys of 18, 19, and 20 to go to the front.

Senators, we have, according to the statement I have made, 330,000. Assuming that the number of men desired in Europe is 4,000,000, with 3,000,000 in the service, that leaves us only 1,000,000 men to provide; and we have 330,000 in class 1 now. That leaves, then, 670,000 other troops to be provided for, and they can be provided by a reclassification. Why, the most of these men who have been put in the deferred classes will resent the thought that they are to be arbitrarily kept at home.

Let us examine these figures a little further. There is a very interesting statement submitted in the report of the Military Affairs Committee, an estimate made by the Provost Marshal General, on pages 6, 7, 8, and 9. He estimates that if this bill becomes a law there will be, between the ages of 32 and 45, 601,236 men. We only have 670,000 to provide. We get 601,000—in round numbers, 600,000—from this class of new registrants, and that leaves us, then, 70,000 men to provide.

Now, note further: In the classes 18 to 20 they estimate that there will be 1,797,609. A rough estimate contained in the hearings before the committee will show to you that in the judgment of the War Department there would be 550,000 men of the age of 20, 550,000 of the age of 19, and 600,000 of the age of 18, so that if we go to the class of 20 for our 70,000 we can find them there and still have 480,000 in the 20-year class; and yet they come and want the 18 and 19 year old boys.

Mr. President, I am very glad to say—and I do it with all credit to the boys of 18 and 19—that if left to their vote as to whether they should go to the front or not, the vast majority of them—nearly all of them—would vote to go. Thank God for that spirit.

Now, I want to call the attention of the Senate to the very great liberality which the department exercises when it comes to the exemptions from military service. Let us take the study on page 8 of the report of the committee on the pending bill.

There are of the ages 32 to 45, 601,236; of the ages 19 to 20, inclusive, 1,121,634; in all, 1,722,870. Now, when it comes to a determination as to the number that we shall get out of the class age 32 to 40, I want Senators to note how extremely liberal they are in allowing exemptions. The total males are estimated at 10,028,973. They deduct first married men deferred—that means deferring that class of married men who perhaps have fortunes, the pampered sons of fortune, and who are hiding behind their wives' petticoats; they are to be exempted under this regulation—less deferred solely for industry and agriculture, 401,159; less other deferments, 200,579; less delinquents, 300,869; making a total by that one sweep of the pen of 8,637,089 who are deferred, leaving a remainder of 1,391,884.

But they are still not through with their exemptions. They go further and they deduct "less enlistments," 170,000; less aliens, 125,270; less Emergency Fleet, 60,000; total, 355,270; leaving a remainder again of 1,036,614. Then they deduct "physical rejects," 435,378, and that leaves a net total of 601,236 for military service out of 10,028,973 between the ages of 32 and 45. They take 1 out of 16, or thereabouts.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Iowa?

Mr. POMERENE. I yield to the Senator.

Mr. KENYON. I should like to ask the Senator if these figures as to the married men cover all married men or only those with dependents?

Mr. POMERENE. I regret that I am not able to definitely answer. I have taken the figures as they are given here. Of course, some of the married men have volunteered. Some of the married men are put in class 1, some in class 2, some in class 3, and, if my memory serves me correctly, some in class 4.

By the way, lest I forget it, I ask that there may be appended to my remarks the classification provided for in the pamphlet marked Selective Service Regulations, page 136.

The PRESIDING OFFICER. The Chair hears no objection, and it is so ordered.

Mr. CHAMBERLAIN. In this connection——

The PRESIDING OFFICER. Does the Senator from Ohio yield?

Mr. POMERENE. I yield to the Senator from Oregon.

Mr. CHAMBERLAIN. In response to the question of the Senator from Iowa [Mr. KENYON] I desire to say that in the New York papers of the 10th instant there appeared what purported to be a statement by the Secretary of War that marriage per se would exempt men automatically from the draft.

Mr. POMERENE. Would or would not, did I understand?

Mr. CHAMBERLAIN. That it would automatically exempt men from the draft. It surprised me, because I thought it was the reverse of the policy which had been adopted. As soon as my attention was called to it I addressed the Secretary of War a letter, and if the Senator would care to have me read the letter, which is short, I will read it and his reply.

Mr. POMERENE. If it is short, I would be very glad to have it read.

Mr. CHAMBERLAIN. I will ask the Secretary to read those two letters. They answer the question of the Senator from Iowa.

Mr. POMERENE. I will be glad to hear them.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

AUGUST 16, 1918.

Hon. NEWTON D. BAKER,
Secretary of War.

MY DEAR MR. SECRETARY: In the New York papers of last Saturday, if I mistake not, you were quoted as saying, in substance, that "under the new man-power act and regulations thereunder, as you would promulgate them, there would be no husbands in class 1."

As I have watched the evolution and development of the regulations under the former act, if this course now outlined in your interview is followed, it will reverse the whole policy that has heretofore been adopted. Your interview is bringing to my desk hundreds of letters on the subject, and I am advised from different parts of the country that men who would come under the new man-power act are rushing to the matrimonial bureaus, expecting to be relieved from the draft if any such rule as proposed is adopted.

The question is bound to come before the Senate in the discussion of the new bill, and already I have heard at least one Senator say that he would not vote to reduce the age to 18 years if any such rule is to be followed.

May I have an authoritative statement from you upon this subject, so that I may be prepared to answer discussions upon the subject?

I have the honor to remain,
Yours, very sincerely, GEO. E. CHAMBERLAIN.

—

WAR DEPARTMENT,
Washington, August 16, 1918.

Hon. GEORGE E. CHAMBERLAIN,
United States Senate.

MY DEAR SENATOR CHAMBERLAIN: I have received your letter of this morning. The present situation with regard to married men in class 1 is that four classes of married men are included within the limits of that class:

1. Married men who do not support their wives or families.
2. Married men whose wives support them.
3. Married men whose wives have adequate independent means.
4. Married men engaged in useless occupations, and who are not the main or principal support of their families.

There is no intention to change this situation.

In construing the regulations with regard to dependency of wives and children, financial dependency has been looked upon as the reason for deferred classification. This will continue to be the case.

I am told that in some parts of the country there is an abnormal increase in the rate of marriages, which suggests the possibility of a desire to use marriage as a basis for a claim for exemption. Marriages so contracted will not have the effect desired. The status of registrants married at a time and under conditions suggesting any such purpose will be that of unmarried persons, so far as their classification is concerned.

Cordially, yours, NEWTON D. BAKER,
Secretary of War.

Mr. POMERENE. I may say also that some four or five days ago I wrote to the Provost Marshal General asking him if he could inform me, or give me an estimate, of the number of married men who did not have children, whose wives were prior to marriage either self-supporting or supported by their parents. I have not been favored with a reply, but I assume that the department has been very busy.

Mr. KENYON. Mr. President——

Mr. POMERENE. I yield to the Senator from Iowa.

Mr. KENYON. In view of that letter, trying to clear up this point, which it seems to me is very important, will the Senator from Ohio permit me to ask the Senator from Oregon if the figures on page 8 of the report, less married men deferred, over 7,000,000, include all married men or only the married men who might be deferred along the line of the Secretary's letter? It would make quite a difference in the reservoir of men to be drawn from.

Mr. CHAMBERLAIN. I will say to the Senator, I do not have the report before me just now and I do not know just what those figures are, but I think there is an explanatory footnote which shows just what was intended. I am not sure about it. I imagine, however, that it would be largely dependent on the local board, with reference to the character of married men who would be exempted by the board.

Mr. KENYON. As I understand these figures, they are simply taking out all the married men. If the law is to be interpreted in the light of the Secretary's letter, you would not deduct so many married men, and would have a larger reservoir to draw from.

Mr. POMERENE. Mr. President, all of which goes to prove the necessity of a reclassification of these men.

Mr. KENYON. Exactly.

Mr. POMERENE. And when they are reclassified and they come in here and say to us then that it is necessary to take the 18-year-old boy I will support that measure, but not until I can get more satisfactory information than I have gotten up to date. [Applause in the galleries.]

The PRESIDING OFFICER. Order will be maintained in the galleries. No applause is permitted by the rules of the Senate on the part of the occupants of the galleries.

Mr. CHAMBERLAIN. I do not know whether the applause comes from those who are married or about to be married, or from the representatives of the younger element.

Mr. POMERENE. Well, whether it does or not, the observation does not add any enlightenment to the discussion.

Mr. President, there has been a good deal said in reference to the quality of the 18-year-old soldier. I am willing to admit that perhaps the 18-year-old soldier who wants to go will make a better soldier than the one who is 25 and does not want to go; but that is not any reason why we should exempt the 25-year-old man who is married and take the boy who is 18 years old.

Has it occurred to those who are insisting upon the taking of the 18-year-old boys that under the laws of nearly every one, if not every one, of the 48 States a boy can not get married until he is 21 years of age without the consent of his parents? And does it not occur to Senators that it is a little bit strange if the 18 and 19 year old boy made the best soldier that the Congress of the United States during the Civil War cast aside the 18 and 19 year old boy when it came to the preparation of the draft bill and provided that the minimum draft age should be 20?

Oh, Mr. President, when I hear Senators say that the 18 or 19 year old boy is so much better material out of which to make a soldier than the boy who is a few years older I envy that man his mental microscope which permits him to see these things in that way. If we are to refer to the soldier boys of 1860 to 1865, we know that then nearly every American boy in his teens could shoulder his rifle and go out in the forest and pick a squirrel from the top of the highest tree, and except that they needed a few horseshoers and a few tailors and a few cooks that was about all the expert knowledge they needed. But now in this war of science and mechanics, when all the resources, mechanical and scientific, are being mobilized and sent to the front, who will make the better soldier, the boy of 18 who has not had the benefit of a college education or who has not yet served his apprenticeship, if he is seeking a trade, or a boy who is 21 years old and upward who has perhaps finished in part, at least, a college course or may perhaps have served his apprenticeship in his trade and knows the secrets of electric science and motors and all the complicated pieces of machinery that are now needed along the battle front?

Yet we want to take these boys. I am not consulting their wishes. I believe that, looking at it from the standpoint of the boys, I am making the most unpopular speech I have ever made when I say that, in my judgment, they ought to stay at home a little while.

It was only a few months ago that the President of the United States, as I recall from what appeared in the papers, urged all the boys to stay in college until they were called. Why? Because he realized that they needed their training. I am just as much interested in the boy who is learning his trade as in the boy who is preparing for a profession. This war is going to end some day, and when those boys have to go to the front I wish them to have all the preliminary education that they can get before they go, because I know and you know that when the boys come home they will perhaps be marrying or think that their early manhood has been too far spent and they have not the time to take up the preliminary training for a profession or a trade, and they will not get it then.

The Military Affairs Committee must have recognized that they are doing an injustice to these boys when they take them, because they say that when they come back they may be educated at the expense of the Government, those who were under 21 years of age, if they make the request within six months. I appreciate that part of the bill and I shall favor it, because it will give educational advantages to the boys who have volunteered to serve their country in the past and who are yet under 21 years of age.

Now, do Senators feel that they are doing the right thing by these boys when they leave these deferred classifications as they are? Mr. President, I regret the necessity of calling anybody to war, but I shall not willingly subscribe to all these exemptions, and that is what these deferred classifications are, and make the boy of 18 "pay the freight." They have been very liberal in those allowances, and the more liberal they are in those allowances the greater the demands are on the 18-year-old class.

Mr. President, I say this with all due respect, but there is not any Senator who can read the testimony before the Military Affairs Committee and come to any other conclusion than that it was their belief that at all hazards they should get the boys of 18, 19, and 20. The Secretary of War in these hearings made the following statement on page 73:

> My own judgment about it originally was that 19 should be the minimum, and I came to the 18 minimum only after very thorough study of the situation and with some reluctance, but finally believing it to be necessary to secure the appropriate number of men.

When the War Department comes to the Congress of the United States and says that the condition at the front is such that we need 4,000,000 men, I accept that statement without qualification, because that is a military proposition and I am without military experience; but when they come to me and say, "We must have the 18-year-old and the 19-year-old boys and preserve the classification which we have arbitrarily made," that is a question which addresses itself to me in my capacity as a United States Senator, and I will not surrender willingly my responsibility in that behalf.

Mr. President, on yesterday two very able speeches were made, one by the senior Senator from Missouri [Mr. REED] and the other by the Senator from New York [Mr. WADSWORTH], bearing upon this question. They referred to the necessity of getting troops into Russia, as if that at this time should influence the judgment of Senators in fixing the age limit.

I am in hearty accord with them when they say it is our desire that a great army should be in Russia, but I listened very patiently to hear either one of those Senators tell me how we were going to get that army into Russia at this time. The great battle is on the western front. We should send our armies where the fighting is the fastest; we should send them where the need is the greatest; we should send them to join hands with the British and the French and the Belgians and the Italians.

Now, if we desire to send 500,000 troops to Russia we have not the ships with which to send them. We can now send 500,000 troops to the western front more quickly than we can send 100,000 to Russia. Yes; let us surround the Teuton powers with armies when we can, but let us not dissipate the forces we have now to go after a will-o'-the-wisp. Then if it becomes necessary when we have the means to send these troops across there; if it is necessary to send a great army of millions of men, I am willing to do that; but when the Chief of Staff tells me what 2,000,000 men can do and what 4,000,000 men can do, and when they have got between six and seven millions in the deferred classes under the first registration, and they will get more than 10,000,000 out of the contemplated registration if the age limit is increased from 31 to 45 years, I do not see my way clear to tell the boys of 18 to shoulder arms.

APPENDIX.

SECTION 268. THE QUESTIONNAIRE.

Form 1001—P. M. G. O. *Questionnaire.*

(Stamp of local board.)	Serial No.	Name of registrant: Telephone No.....
		..... (Christian name.) (Surname.)
	Order No.	Address..... (Street and number or R. F. D.)
		City ..... County ..... State.....

Notice to registrant: You are required by law to return this Questionnaire, filled out in accordance with instructions contained herein, within seven days from date of this notice. Failure to do so is a misdemeanor punishable by fine or imprisonment for one year and may result in the loss of valuable rights and in immediate induction into military service.

(Date .....) .....

Member of Local Board.

Claim for exemption or deferred classification.

Note to claimants: This form is to be used for claiming exemption or deferred classification by or in respect of any registrant and for stating the grounds of claim. Place a cross (X) in column A opposite the division that states the ground of claim. Boards are required to consider only grounds thus indicated by the claimant in column A.

CLASS I.

Col. A.	Div.	
.....	A	Single man without dependent relatives.
.....	B	Married man, with or without children, or father of motherless children, who has habitually failed to support his family.
.....	C	Married man dependent on wife for support.
.....	D	Married man, with or without children, or father of motherless children: man not usefully engaged, family supported by income independent of his labor.
.....	E	Unskilled farm laborer.
.....	F	Unskilled industrial laborer.
.....	.....	Registrant by or in respect of whom no deferred classification is claimed or made.
.....	.....	Registrant who fails to submit Questionnaire and in respect of whom no deferred classification is claimed or made.
.....	.....	All registrants not included in any other division in this schedule.

CLASS II.

.....	A	Married man with children or father of motherless children, where such wife or children or such motherless children are not mainly dependent upon his labor for support for the reason that there are other reasonably certain sources of adequate support (excluding earnings or possible earnings from the labor of the wife) available, and that the removal of the registrant will not deprive such dependents of support.
.....	B	Married man, without children, whose wife, although the registrant is engaged in a useful occupation, is not mainly dependent upon his labor for support, for the reason that the wife is skilled in some special class of work which she is physically able to perform and in which she is employed, or in which there is an immediate opening for her under conditions that will enable her to support herself decently and without suffering or hardship.
.....	C	Necessary skilled farm laborer in necessary agricultural enterprise.
.....	D	Necessary skilled industrial laborer in necessary industrial enterprise.

CLASS III.

.....	A	Man with dependent children (not his own), but toward whom he stands in relation of parent.
.....	B	Man with dependent aged or infirm parents.
.....	C	Man with dependent helpless brothers or sisters.
.....	D	County or municipal officer.
.....	E	Highly trained fireman or policeman, at least 3 years in service of municipality.
.....	F	Necessary customhouse clerk.
.....	G	Necessary employee of United States in transmission of the mails.
.....	H	Necessary artificer or workman in United States armory or arsenal.
.....	I	Necessary employee in service of United States.
.....	J	Necessary assistant, associate, or hired manager of necessary agricultural enterprise.
.....	K	Necessary highly specialized technical or mechanical expert of necessary industrial enterprise.
.....	L	Necessary assistant or associate manager of necessary industrial enterprise.

CLASS IV.

Col. A.	Div.	
.....	A	Man whose wife or children are mainly dependent on his labor for support.
.....	B	Mariner actually employed in sea service of citizen or merchant in the United States
.....	C	Necessary sole managing, controlling, or directing head of necessary agricultural enterprise.
.....	D	Necessary sole managing, controlling, or directing head of necessary industrial enterprise.

CLASS V.

.....	A	Officers—legislative, executive, or judicial of the United States or of State, Territory, or District of Columbia.
.....	B	Regular or duly ordained minister of religion.
.....	C	Student who on May 18, 1917, was preparing for ministry in recognized school.
.....	D	Persons in military or naval service of United States.
.....	E	Alien enemy.
.....	F	Resident alien (not an enemy) who claims exemption.
.....	G	Person totally and permanently physically or mentally unfit for military service.
.....	H	Person morally unfit to be a soldier of the United States.
.....	I	Licensed pilot actually employed in the pursuit of his vocation.
.....		Member of well-recognized religious sect or organization, organized and existing on May 18, 1917, whose then existing creed or principles forbid its members to participate in war in any form, and whose religious convictions are against war or participation therein.

Registrant or other interested person must answer the following question.

Q. Do you claim exemption or deferred classification in respect of the registrant named above? If so, state the division of each class and each class in which you claim that he should be classified.

A. ....; in Division .. of Class .. and Division .. of Class .., and Division .. of Class .. (Date) .....

(Yes or no.)

(Address.)..... (Sign here.).....

Waiver of claim for exemption or deferred classification.

(To be signed by registrant or other interested person whenever a waiver is used.)

I hereby waive all claim of exemption or deferred classification of the registrant named above.

(Date of signing.)..... (Sign here.).....

Mr. THOMAS. Mr. President, it is my intention to support the pending bill as it has been reported from the Military Affairs Committee. I shall do so from an overwhelming sense of public duty. I do not profess to be familiar with military conditions and military requirements beyond the information which is given to us by those who are supposed to have military knowledge and into whose hands the fortunes of this great war have been committed.

The thought of 4,000,000 of Americans fighting the battles of the country 3,000 miles away from home, an Army composed of the very flower of American manhood, and subjected to all the horrors of modern warfare, is a most distressing, albeit an inspiring, one. The necessity of increasing our Army in order to provide against the natural waste of war and to make it so supremely effective as to insure speedy victory is and ought to be the controlling motive upon which the Senate will act.

Mr. President, I hoped when a year ago last May we passed the draft act that the men provided by it would prove amply sufficient for our military and naval purposes. Many of those supporting the measure were of that impression, and I entertained the conviction that their assurance would be verified by the lapse of time. Under that act nearly 10,000,000 of men between the ages of 21 and 31 were registered. From the operations of the draft many more than two-thirds of them were excluded. I take it, Mr. President, that those exclusions were necessary because of the work which must be done behind the lines, and I feel very sure that it is because of that exclusion that this bill is largely required.

I shall vote for this measure, Mr. President, because I believe that it will be a means of ending the war successfully and soon. I believe it is better to expose the young manhood of this country to the horrors of the front and to slaughter Germans now than to allow Germans to continue an indiscriminate and long-delayed slaughter of Americans and their allies in the future. We may be mistaken in regard to our hopes and our predictions, but we shall at least have the solemn consolation of knowing that, according to the best judgment which the highest authorities can give us, we have attempted to do our duty.

I rose, Mr. President, however, to speak upon an amendment to this bill which I had the honor of introducing in the Military Affairs Committee and which received the practically unanimous indorsement of the members of that body. Not all of them voted for it; none voted, as I recall, against it, although some voiced their objections to it. The amendment to which I refer is designed to provide means of compelling men who are fortunate enough to be assigned to work at home to perform that work, to the end that the man not so fortunate may at all times feel that the army in America—the great industrial army and each unit thereof—is doing its best in the common task imposed by this war upon every man and every woman enjoying American institutions and subject to American responsibilities.

I think, Mr. President, that some further legislation upon this subject is required largely because that which we have seems up to this time to have been ineffectual. That may be due to lack of positive administration or perhaps to the inefficiency of the law itself, but the fact remains that the act of May, 1917, providing that no exemption or exclusion shall continue when cause therefor no longer exists, does not seem to have been fully enforced or is perhaps not sufficiently explicit to be capable of vigorous enforcement.

Mr. President, the bill which we are about to pass, like the act of which it is an amendment, is to be passed because it is absolutely necessary to the public welfare, because in this crisis it is imperatively demanded. We were told during the discussion preceding the passage of the act of May, 1917, that it was the most democratic military bill ever considered by Congress, because it was universally applicable and no man could escape the operation of its provisions unless clearly within the exemptions therein specified, and, if we examine the body of the law, Mr. President, we find that that is literally true. But, as I have stated, the exemptions are overwhelmingly greater than the classification which subjects a portion of these men to

military duty, and it is because out of that classification there remain so few yet to be called to the colors without invading other ages that the War Department and the President have asked for the enactment of this additional measure.

Mr. President, if all men subject to military duty, having none dependent upon them in the true sense of the word and unmindful of the obligations of industry and the need for proper equipment, could be called there would be an abundance of material easily available under the old law, and therefore would make further consideration of this bill wholly unnecessary; but we do not invade these classes, because, with the exception of those who are physically disabled and those who have dependents upon them, they are as imperatively needed at home; their activities are so essential to the constant work of war production that to transfer them from these deferred classifications into the one making them liable to military duty is out of the question.

Of course I do not refer now to that extremely fortunate class of young gentlemen who have been able to secure commissions and who are engaged in the several departments and bureaus far away from the echoing guns of the German Army and entirely out of reach of dangers, except those which may be encountered upon the gay streets of the Capital City.

Mr. President, some of the men now exempted, I am sorry to say—exempted because of their peculiar skill in various industries, exempted because of their superior productive capacity in the various pursuits that minister to the prosecution of the war—have not been doing their best, if the reports in the public press are to be credited and if our individual experiences may be relied upon, and I presume the same will be said, unless legislation such as is embodied in this amendment shall be placed upon the statute books, of many of those who apply for and obtain similar exemption under the operations of this act.

In saying this, I repudiate the charge which has been made from some sources that this amendment is a deliberate or any attack upon labor, or that it is a reflection upon the great mass of the labor of this country. That can not be, Mr. President, unless that mass is not and has not been giving its best to the work of the war. There are slackers in all communities. There are slackers in every department and every pursuit of life. There are slackers in peace as there are slackers in war; and it is that class of people, whether they belong to organizations or not, whether they are in the East or in the West, whether they be black or white, Jew or Gentile, that this amendment is designed to reach. It can only be upon the assumption that all these people are members of organized industries, or workmen organized in industries, that the charge can be founded. Even then, Mr. President, I deny that it could be successfully sustained.

Mr. President, war in modern times is war between nations, not armies; between peoples, and not military departments. This war is the marshaling of the assets of the great central empires of Europe upon one side and the allied nations upon the other. It is a war in which men and engineering and manufacture and agriculture and psychology and every conceivable faculty, acquired or inherent, have been and must continue to be enlisted until the end.

Let me ask what would become of the armies of Germany or of England if behind them the seething industries, the tilled fields, and the vast mass of activity everywhere constant should cease for the brief space of 60 days? Why, Mr. President, the war would end, and end in favor of those peoples continuing the activities of the various elements that to-day minister to modern war. The manufacture of shrapnel, of ordnance, of means of transportation, the digging of coal, the operation of railways, the building of ships, the sowing and the gleaning of wheat, the tilling of the soil, the raising of flocks, the increase of our live-stock industry—all these things are as essential to the sustenance of the allied armies as the presence of that mighty host which to-day confronts the flower of the German Army and which is driving it slowly but surely back to the frontiers of the German Empire. It requires a scientific distribution of man power. The duty is devolved upon the Government of the United States to say where a particular individual shall contribute his proportion of effort and of energy to the common cause, and then to see that he does it.

When skilled in some scientific or mechanical pursuit, or engaged in the raising of foodstuffs, or versed in the arts of transportation, naturally very properly the subject of the draft should be assigned to the duty of carrying on that calling for the general welfare not as a favor to him but because the interests of that great political unit which we call the United States of America require it. The classification is not made as a favor; it is made for the public interest and from necessity. And when these various elements are sifted from the general mass subject to the draft, the remainder must find exemption through physical disability or because of the absolute dependence of others upon them, or go to the colors. Many of them have waived, and many will waive, such exemptions, and share the glory and invite the fate which unfortunately will come to many a gallant boy to-day in the full tide of youth and strength, to-morrow a thing that was and never can be again.

Mr. President, what is required of these men who have no skill in any pursuit and who are not needed for home employment? Some one has said that all organized society, in its last analysis, depends upon force. In my judgment, the best definition of republican government that ever fell from the lips of man was uttered upon this floor by the great Senator from New York, Mr. Root, some time ago. He declared that republican government was organized self-control; there you have the whole scheme of democracy—intelligent democracy, law-abiding democracy, the democracy of America and of the Anglo-Saxon race.

These men in classification A, Mr. President, must don the uniform of their country. They must go to the training camps and there undergo a long system of severe, but necessary, discipline. When they have become hardened to the requirements of war we transport them to the seashore, where they embark upon transports in vast numbers for a foreign country. The danger zone begins before the shores of their native land have receded in the distance from their vision. Every moment of the time until the welcome shores of England or of France shall break upon their delighted vision they are subjected to all the possible horrors of submarine warfare. But go they must, and they go gladly. Thus far they have largely escaped this terrible and ever-present danger; but only those who have made the voyage, Mr. President, and only the loved ones at home, whose hearts follow the transports throughout their long and perilous journey, can speak from the fullness of their hearts and tell us what that experience is.

These men can not strike. They can not refuse to go. Duty calls, and they have answered. But we require ships to care for them after their arrival; without fleets they may become as helpless as though they were unarmed altogether. We are building ships; but are we building them as fast as we can or as fast as we should? Are we building them so fast that the submarine disasters can be overtaken? I hope so, Mr. President; but whenever I see the familiar announcement that several thousand men have suspended work in a shipyard for better wages and better conditions of employment my mind instantly reverts to the American front, to the boys we have over there, and who must be sustained by the Government which sent them if that Government is to be vindicated in the eyes of posterity. And I marvel that these workers do not vision the same great obligation.

But, Mr. President, these boys have only begun their task when they shall have disembarked. They undergo more discipline, more training hour after hour and day after day, marches across the country, they are brigaded with other troops, they occupy trenches, confront gas attacks, the barrage, the machine guns, they make the charge over the top. These constitute their duties. No American Army, North or South, has ever yet failed the supreme test in the hour of crisis. They never will.

How about the man at home? He has not been permitted to remain at home as a favor, but to give his country the best that is in him toward the manufacture and production of the thing that contributes to the welfare of the Army in France, because he can perform that task better than his fellows. Now, what does this amendment propose? Simply that he shall do his bit here and do it all the time. Simply that the cause of his exemption shall not fail, or if it fails because of his own dereliction, then that he shall take his place in the trenches by the side of his brother in arms. Is there anything wrong about that, Mr. President? Is there anything un-American in that proposition? I have yet to hear it. It is so self-evident a fact that no man entertaining a proper sense of duty and of obligation can gainsay it for a moment.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER (Mr. FERNALD in the chair). Does the Senator from Colorado yield to the Senator from North Dakota?

Mr. THOMAS. I yield.

Mr. McCUMBER. I desire to vote for the Senator's amendment. I desire to vote for it because it is in the right direction, but I wish it could be so amended that it would have in it a real benefit to this country.

Let me call attention to the real danger, the real trouble, that is at the heart of the United States to-day in prosecuting

this war. It is not the number of men that are out of employment so much as it is the slacking of those that are in employment. How does this bill reach them?

Let me ask the Senator to step down here any time and look at these squares under the shadow of the Capitol, where I have watched these men digging trenches. While for 35 years I probably have not lifted anything heavier than a lead pencil, if I could not perform three times the amount of labor that is being performed there I would be ashamed of myself. I would to God that our soldiers over in the trenches, digging in in the face of shot and shell, working laboriously throughout the night after fighting throughout the day, could pass down at one of these squares and watch the work going on there as I have watched it and asked other Senators to look upon it to see where the slacking was being done. I know what I would see. A man would take a shovel of dirt and throw it leisurely over and lay the spade or shovel down or rest for two minutes on the handle and then take another, and by actual count there were not one-fifth of the men there working at any one time—all resting, all killing time, all robbing the Government. I do not know that they are Americans; I think they are not. I think they are foreigners who are here to-day taking the place of our boys who are fighting for the Government. They are getting six and eight dollars a day, with pay on holidays for overtime, and that is the character of the work we are getting out of them.

If the Senator has an amendment that will say to these men, "We will pay you honest wages, but you shall do an honest day's work," it ought to receive 96 votes in the Senate. Will his amendment do it? I think not, because the same person under the amendment who is killing time down here, making it cost the Government three times as much as it ought to cost to produce the results it is producing, will continue in employment, and he will continue also to slack in his work.

These are not members of organized labor at all, because it is the lowest class of labor that you find here among the ordinary shovelers, colored and white men working there together. But it does seem to me that we ought to have some kind of an amendment that would compel every American man and woman to perform a full and honest day's work six days in the week while our soldiers are battling in France.

I wish the Senator could so word his amendment that we could reach the slacker who is pretending to work, and not merely the one who is avoiding the doing of any kind of work.

Mr. THOMAS. Mr. President, what the Senator has described as taking place in Washington I think can be duplicated in many other places in the country. This amendment does not and can not reach that situation. I think no amendment to this bill that the Senate would consider can reach it. It can be remedied in but one way, in my judgment, and that is by the conscription of labor. I know of no reason why, in time of war, when conscription is the rule of the Government, it should not be resorted to for every purpose, labor included, which is essential to the prosecution of the war.

I realize, Mr. President—and I intend to refer to it a little later on in my remarks—that where wages increase abnormally production decreases. That is so universally the case that I know of no exceptions to it in history save where great emergencies are on, the menace of which directly overhangs the community.

I am doing with this amendment, Mr. President—or, at least, I am trying to do—what seems to me to be expedient and possible to accomplish with regard to those men who are exempted from military duty because of their ability to better serve the country, and because of that reason only, and who fail or refuse to serve.

Mr. President, wages were never so high as they are in the United States. Perhaps they may not be too high. I have my opinion about that, but it is not necessary to this discussion, beyond my desire to draw a contrast between what a man receives here in the performance of the tasks assigned to him under the draft law and the compensation received by the soldier in the trenches—$8 a day, $10 a day, $12 and $15 a day, as against $1 a day in the trenches.

Mr. President, I am unable to perceive in what respect labor conditions can be bettered over what they now are in America, unless, indeed, we take the last, final step in the collectivist's solution of a social problem and wipe out all private ownership in property, in the products of the hand and brain, and submit to its universal distribution.

If any argument were needed—and I think none is needed—to support my contention, it is found in the fact that in addition to this exemption—for that is what it amounts to—is the enormous compensation paid to the individual exempted, thus imposing upon him the double obligation of doing his best during this war.

Mr. President, what is and what has been the situation? If I attempted to enumerate the strikes, the cessations of labor in the essential industries of the United States during the last 60 days, I am afraid that I would have to defer all further comment upon the subject until to-morrow.

While the Senator from New York [Mr. WADSWORTH] was speaking yesterday afternoon a page brought me a copy of the Evening Star. There I found an account of a strike in Virginia in an essential war industry, the demand being an increase from 75 cents to 87½ cents per hour. The men employed had suspended all work until the controversy could be settled, and the settlement of such a controversy with such men means the full granting of their demands. If I read to the Senate all of the letters and telegrams I have received from different parts of the country since the introduction of this amendment calling my attention to specific instances of suspensions of work in war industries, I think I could exhaust the next two hours of time.

But there are features of some of these abstentions from work which, to say the least of it, are a little peculiar. For example, I was told the other day by a gentleman claiming to have first knowledge of the subject that a demand in one of the great Connecticut manufacturing centers, submitted to the duly constituted arbitration authorities, was followed, through the impatience of the men for a speedy decision, by what they pleased to call a recess—not a strike, just simply a recess, a vacation, if you please. Another instance: In New Jersey some three or four thousand men engaged in an essential, vital industry made certain demands not immediately complied with, and as a result they were invited by their leaders to go fishing. That is what they called it. "A rose by whatever name smells as sweet." The work was suspended because the men said that the fishing was good. In other instances called to my attention men have left their unions and then quit work in order to absolve themselves from the obligation of their organizations. Others get so much money in three days of work they loaf the rest of the week, and still others, because they get double pay on Sunday, knock off on Saturday, substituting that for their holiday in order that the attraction of double wages may be availed of.

Turn to any part of the country you please and you are confronted with these unfortunate conditions, notwithstanding the fact, Mr. President, that through an agreement solemnly entered into between the representatives of labor and capital, between employer and employed, a great industrial board of commissioners has been created, charged with the duty of inquiring into and determining these differences, to the end that the suspension of work may not result from differences between employer and employee.

Mr. President, I read of a strike last week, I think in Brooklyn or Long Island, in a factory which has a Government contract for the manufacture of 1,700,000 gas masks, for better wages and better conditions of labor. I do not know whether it has been settled or not. I hope so. But, Mr. President, can there be anything more horrible than a suspension of work in the production of masks at this time?

During our investigation of aircraft an American officer came before us, given a leave of absence because he had been gassed near Amiens during the German drive of last March and April. He was a magnificent man physically, the son of a Minnesota governor, a great, powerful, stalwart specimen of an American soldier. His face was the color of a corpse, and he could scarcely talk above a whisper. He assured us that he was not gassed seriously and that his companions did not fare so well. This devilish device of German scientists, abhorrent to all the laws of civilized warfare and humanity, was suddenly launched upon a splendid body of Englishmen and Americans holding an advanced position with the flags of their country flying over them, and because their gas masks were not immediately available many of them lost their lives.

Death in this form, Mr. President, is most horrible. The substance of the lungs is dissolved by contact with the deadly element, the face turns green, the victim writhes upon the ground, his body becomes rigid, and he tries in vain to suck the oxygen into his lungs while the slow but awful processes of the poison prolongs his tortures; and in America men and women, highly paid, are striking in the gas-mask factories for better wages, many of whom were doubtless detailed and placed in the deferred classification because of their skill, indifferent to the fact that this unspeakable horror may visit American soldiers unequipped with masks because of their delinquency.

Senators, what will be your sensations if some morning we read of an appalling gas disaster caused by the absence of American gas masks through the failure of men deferred for the purpose of manufacturing them to work by day and by night in their production?

My God, Mr. President, can there be any question in the mind of any thinking American about the necessity of requiring this work to be done by the men who have been specially detailed and exempted from the trenches for the purpose of doing it? If so, let him exhibit himself to the American people, that he may be forever gibbeted by public opinion.

The same need, Mr. President, is present in aircraft and in munitions—in everything that ministers to the genius of war and essential to a swift and speedy victory.

We are told by some labor leaders that this amendment is absolutely unessential; that it is an attack upon labor or a reflection upon it. I will deal with that in a moment, but first I want to call attention to two announcements of August 12—one by the President of the United States and the other by Mr. Gompers—both provoked by unsatisfactory labor conditions.

The President, in a proclamation of the 11th to the coal miners and operators, pleaded with them to give their maximum efforts to the production of coal, to the end that the threatened shortage next winter may be averted. He asked the miners to work full time and urged those who are essential to the industries to accept a deferred classification in the draft. The President of the United States was obliged to appeal to the coal miners not only to work to prevent a coal famine next winter but to accept deferred classification for that purpose. He said:

> The existing scarcity of coal is creating a grave danger—in fact, the most serious that confronts us—and calls for prompt and vigorous action on the part of both operators and miners.
>
> Without an adequate supply our war program will be retarded; the effectiveness of our fighting forces in France will be lessened; the lives of our soldiers will be unnecessarily endangered and their hardships increased; and there will be much suffering in many homes throughout the country during the coming winter.
>
> I am well aware that your ranks have been seriously depleted by the draft, by voluntary enlistment, and by the demands of other essential industries. This handicap can be overcome, however—

Says the President—

> and sufficient coal can be mined in spite of it if everyone connected with the industry, from the highest official to the youngest boy, will give his best work each day for the full number of work hours.

Mr. Gompers referred particularly to the coal situation in my State, and I think the same conditions may be prevalent in the State represented in part by my friend the Senator from Utah [Mr. SMOOT], who sits before me, miners overprosperous, getting too much money on Monday, Tuesday, and Wednesday to require working on Thursday, Friday, Saturday, and Sunday. Perhaps I have not classified the days exactly; perhaps I have not given the proper proportion, but the principle is there. Said Mr. Gompers:

> NEW YORK, *August 11.*
>
> The actions of labor union secessionists are characterized as bolsheviki movements by Samuel Gompers, president of the American Federation of Labor, in a manifesto issued by him to-day as a result of union coal miners' dissensions in Colorado. He said in part:
>
> "If ever in the history of labor unions solidarity in action, fact, and spirit were necessary, now is the time. Secession in the labor movement must be effectually crushed if the interests of the toilers of America are to be protected."

Surely there must be something wrong with labor when Mr. Gompers finds it necessary to make such a public announcement as this. Yet he would have me remain silent lest I cast a reflection upon the members of his great organization.

Mr. President, let us see what shortage threatens to be. I have had occasion to criticize Mr. Garfield upon this floor, and I am therefore glad to be able to commend him. He has been particularly vigilant in calling attention to the condition of the coal output in the United States and in warning everyone of the necessity not only of producing as much coal as possible but economizing in its consumption. He said the other day:

> The country faces a coal shortage of 75,000,000 tons, the Fuel Administration announces. New England has been asked to cut all the firewood available to prevent fuel famine.

This is but one of many warnings, yet with winter upon our threshold, with the practical certainty of a coal shortage, many of our exempted miners are idling much of their time away.

We are face to face, Mr. President, as Mr. Cleveland once said, with a condition and not a theory, and it is a very serious and constantly aggravating condition.

Complaint is made that this amendment is aimed at labor unions. If labor unions are responsible for these conditions, it is true. If the labor unions justify these conditions, either directly or indirectly, by opposing amendments like this there may be something in the charge. Otherwise the charge is silly. I want to get at the man who has been exempted because of his particular industry and who fails to do his duty under that exemption, I do not care whether he belongs to a union or not. He is the individual who, I think, should be proceeded against under the provisions of a draft law and required to work or go to the front.

Among those who have opposed this amendment and who I understand have addressed Senators and promoted a propaganda all over the United States through the various affiliated organizations are the heads of the American Federation. Let me say, Mr. President, lest I be misunderstood, that I think the Federation as such, very largely in its accomplishments and the recommendations and public statements of Mr. Gompers, has been doing very patriotic and highly creditable work. I go further and say that the vast majority of the men who affiliate with the American Federation of Labor, both in enlistments and in the draft and also in industries, have been doing their bit in the most commendable way.

Because I want to get at the men whose conduct is a reflection upon the patriotism, the earnestness, and the zeal of the Federation it is rather amusing to be condemned and criticized as assailing their integrity and casting reflections upon their union.

Mr. SMITH of Michigan. I should like to ask the Senator whether legislation is necessary to effect the purpose which he has in mind?

Mr. THOMAS. I presume the Senator is going to refer to the present law.

Mr. SMITH of Michigan. I have always understood that this was a privilege which was revocable by the board which grants it. It is a privilege which the President of the United States can set aside at any moment, and I should be very much surprised if it requires affirmative legislation to effect the purpose the Senator has in mind.

Mr. THOMAS. I think the Senator was not here when I took the floor. I called attention to the existing law and to the fact that while the act seemed to be sufficient for the purpose, yet the experiences of the past year indicate either that it is not so or that it is not enforced to the letter, and the purpose of this amendment is to add a mandatory provision by which it can be made effective.

Mr. SMITH of Michigan. The point with me is this, if the Senator will pardon me: This legislation must be approved by the President or, of course, it can not become a law, unless it is passed over his head, which is not very likely; at least I would not anticipate such a result. But it must be approved by the President, and if he approves the proposed bill, with the amendment of the Senator from Colorado, why can he not exercise the power now? An adverse vote on the amendment proposed by the Senator from Colorado will be a legislative interpretation of the present law and we might even retard what we have a desire to effect.

I only throw that out as a suggestion. I know, of course, the Senator from Colorado is very sincere and has enunciated a thought which must be in the minds of almost every citizen of the country.

There should be no favor for a man who is neither willing to work or fight, and in my judgment there is no permanent favor which has been extended to him which can not be revoked by the very authority which grants it, and it can be set aside altogether by the President of the United States by one stroke of the pen.

Mr. THOMAS. Mr. President, I think perhaps that is true. This is a matter which has gravely concerned me for a long time. It may be that in my apprehension of consequences to the boys at the front I have been overzealous. It may be that the law which is now upon the statute books is amply sufficient for the purpose; but I have waited in vain to see that provision enforced as I think it ought to be enforced, and I have been fearful that it might be due perhaps to the weakness of the law itself. I do not think that is the case, because the law is explicit. Yet I determined upon full deliberation when this bill came up to offer an amendment which would put the question at rest by putting teeth into the law.

Of course, if the Senate rejects it, the responsibility is theirs; if the House of Representatives rejects it, the responsibility is theirs; if the President rejects it, then his is the responsibility; but so far as I am personally concerned, I must insist that we take some action upon this very serious problem.

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Connecticut?

Mr. THOMAS. I yield.

Mr. BRANDEGEE. The Senator earlier in his remarks, when I was not upon the floor, may have expressed an opinion upon the question I am about to ask him, but I will ask him the

question and he will know as to that. Did the Senator read the article in the Washington Star of last night by Mr. David Lawrence on this question?

Mr. THOMAS. I did.

Mr. BRANDEGEE. I should like to ask the Senator, then, if he remembers that Mr. Lawrence stated that in administration circles it was considered that the amendment proposed by the Senator was not necessary and that it was not looked upon with favor, or words to that effect?

Mr. THOMAS. I do.

Mr. BRANDEGEE. Did the Senator refer to this in the earlier part of his speech?

Mr. THOMAS. No; I did not.

Mr. BRANDEGEE. Not having gone into the subject so thoroughly as has the Senator with reference to the powers contained in existing law or as to the method and manner by which the regulations to which Mr. Lawrence referred are enforced, I wondered what impression the article made upon the mind of the Senator—as to whether it satisfied him that his amendment was not necessary.

Mr. THOMAS. No; it did not. I have been told, though I know nothing personally about the fact, that Mr. Lawrence speaks for some in power. If that be true, I presume that he reflects the sentiment of those whom he may thus represent; I do not know. The purport of that article, coupled with some other incidents relating to this subject, only confirms my view that Congress should take direct action upon the subject. In the Official United States Bulletin of the 21st of August—two days ago—appears what is called a daily press interview by the Secretary of War, dated August 20. The Secretary there says:

> Gen. Crowder pointed out that the provision in the Senate bill is substantially what the Department is now doing and what there is now power to do, so that the provision inserted by the Senate amendment is simply making a legislative declaration of a policy already in effect.

Well, of course, Mr. President, if it is doing that it is doing something. If the policy is already in partial effect, I am very glad of it; but I should be delighted to see some concrete evidences of the enforcement of the act in all appropriate directions. The Secretary then goes on to say:

> A man who gets an industrial exemption by reason of his being an indispensable operative in an indispensable industry ceases to have that exemption as soon as he ceases to be an operative in that industry.

If that were automatically so, of course, the cessation of work would of itself serve to transfer the delinquent from his deferred to the drafted class, and my amendment would be unnecessary.

The interview continues:

> The boards have never applied that in the case of bona fide disputes between labor as an aggregate and the employers as an aggregate, but they have always prevented a man taking refuge behind an industrial exemption and then discontinuing the work for which he received the exemption, so the apparent purpose of the Senate amendment is already in operation.

But that is not the apparent purpose of it. It is not the intended purpose of it, at any rate. This statement means, Mr. President, that if a man as an individual ceases work he becomes at once subject to the draft, but if a half dozen men or 2 dozen men or 15 or 20 men conclude to quit work, then the law does not apply; in other words, if men in their organized capacity, whether they are exempted or not, see fit to quit work the administration does not apply the provisions of the present law to them. Why not? Is a strike something sacred; something that is exempt from the operations of law during this war? Is it one of those privileges, Mr. President, which are above the Constitution?

Many ways—in fact, every possible way, I think, that can be conceived of—have been devised for the settlement of disputes collectively arising between employer and employee, so as to prevent the cessation of work. Why, then, the exemption of the strike? Is it political? Do industrial conditions require it? What is the reason for differentiating between a body of men who collectively refuse to work, all of whom may perhaps have been exempted because of the responsible nature of their calling, and the same body of men who go out one by one and refuse to work?

Mr. President, Mr. Morrison, of the Federation of Labor, did me the honor a day or two ago, at a hearing before a committee of the other House, to call attention to my amendment, which he characterized, among other things, as an insult to labor. The statement is actually silly. I care nothing for that. When a man descends to epithet, it is very clear that he is barren of argument. Mr. Morrison says:

> Its clear intent is the conscription of labor. There is no necessity for such legislation.

Mr. President, this is not intended as a conscription of labor; but, again I ask, in times of war why should labor not be conscripted like everything else if it becomes necessary to win this great struggle? We take the boy from his mother's arms—we are going down to the age of 18—and we transport him across the seas and confront him with the trained legions of the Kaiser. Can we not conscript the work that is necessary to make his perilous duty as effective as possible? A true conscript law, when the Nation is engaged in a great war like this, should include every man from 18 to 65, I do not care what his calling is, and assign him to do the work that he is best fitted for and see that he does it.

You say that is militarism. So it is; but, Mr. President, when we are fighting a war like this the only way in which we can succeed is to go under the domination of what we call militarism while it lasts. Fight the devil with fire. Therefore I am not appalled by the assertion that we are trying to conscript labor. I am only concerned in saying that this does nothing of the sort.

If this war lasts a year and a half longer—and I am very much afraid that it will last much longer than that—the necessity of doing this very thing may become apparent. If it does, and I am living, I affirm that I shall support and vote for it, because I want to see this war won. We are in it to the hilt. I believe in killing Germans and killing them all the time and killing as many as possible, while preserving our own forces to every extent consistent with the performance of their duties. Until that policy—I will call it policy—becomes the American policy this war will drag along. We have been engaged too much and too long in the effort to differentiate between the Hohenzollerns and the German people. This is a war of the German people, and it has been from the start, not only the German people in the German Empire but the German people everywhere, with the honorable exception of the majority of the American citizens of German origin in the United States. We want to recognize that fact and to act accordingly. We used to have a saying on the western plains—and it was a good one in the old days—that the only good Indian is the dead one. The only good German, in my eyes, is a dead German. But we are not conscripting labor at all.

Mr. Morrison also says:

> It is an attack upon the loyalty of the workingmen of the United States, which will be bitterly resented by them if enacted into law.

Mr. President, how is it possible to impugn the loyalty of labor by insisting that exempted men should do the tasks assigned them? That logic may be sound; it may be unanswerable; but I confess I am unable to follow it. Far be it from me to reflect upon American labor or upon a single unit of American labor that is performing its duty, but let me say, lest I overlook it, that I am in receipt of scores of letters from humble members of many labor unions who wish me Godspeed in this effort. One of them says:

> I have a boy at the front; he volunteered. I am doing my bit, and I want my neighbor to do his, because I want my boy to come back. He may not come back; but, if so, I do not want to reflect that he might have come back if everybody had done his duty at home.

In my mind, Mr. President, that is the spirit of American labor, thank God, and I hope it will continue to be during this war.

Mr. President, I sometimes fear, but I hope I am mistaken, that the heads of organized labor, or many of them, propose to take advantage of war conditions to clinch the hold of organized labor upon the country. When I read this criticism of Mr. Morrison my mind reverted to a speech made by him last year in Buffalo at a great labor convention. I think the President addressed it, or a letter from the President was read to it. It was a wonderful meeting and one whose resolutions caused a thrill of joy to pulsate in the heart of every lover of his country. But Mr. Morrison when reelected secretary said to the convention:

> I have only this to say: That as in the past I will give all the time I have to assist in organizing the unorganized workers and retaining the standards established by the trade-union movement, and I hope that during the coming year the organized forces of the Federation will capture the last trench of the unorganized workers and organize the employees of the United States Steel Co. and the Bethlehem Steel Co.

Mr. President, I have no objection to that. I think my record—a somewhat humble one—will bear me out in the assertion that I have been a good friend of organized labor, or I have tried to be; but I do not think that it is entirely consistent with patriotism to announce that during the crisis of the Nation's life advantage will be taken of it to organize two great institutions of the country, unless it can be done just as it would be done in times of peace. It comes pretty near to being a threat against the integrity of our cause; and Mr. Morrison may regard this proposed amendment as interfering somewhat with the program there so boldly announced.

I recall another speech made shortly afterwards at Kansas City—last year, I think—by Mr. James O'Connell, who is also one of the high officials of the Federation of Labor. He addressed "a wildly applauding boiler makers' convention." He said:

You are meeting now, my friends, and you will be expected before this convention adjourns to make a declaration as to what the position of the Brotherhood of Boilermakers, Iron Ship Builders, and Helpers of America is, so that the world may know. It is not a mere question of being behind President Wilson. That is a sort of catchy expression, and catch phrases sounds nice. The question is, are you behind yourself? If you are you will say so before you leave here. We took advantage of the situation as we found it abroad, and before war was declared by the United States we saw to it that organized labor was going to get proper recognition and that conditions of employment and standards of living would not be interfered with, would not be lowered. Nothing can take place, nothing can be done, unless we are consulted and practically give our consent to it.

You have the shipbuilding, and we are not talking about getting a penny an hour increase now. Now we are striking for dollars. We have forgot that there is such a thing on the market as a penny any more. * * * Out on the Pacific coast, * * * Seattle, Portland, San Francisco, all asking for dollars—$2 a day increase, $3 a day increase. It does not frighten anybody any more. We are just coming together and going to get dollars now instead of pennies. Now, I want you to get it in your heads to talk about dollars, not pennies, in your organization. The opportunity is presented for the first time in the history of the United States Government, practically a union contract signed between the Government and the officers of the department and affiliated organizations, practically requiring that the shipbuilders of America come to Washington and put their feet under the table with the labor leaders to settle their troubles. * * * Uncle Sam is paying union committees to come to Washington and meet the employers. Isn't that a pretty good union agreement? That is only the beginning.

* * * Now, I hope the boilermakers, in convention here, will get in their minds that beautiful thought of "more"—

I believe that the word "Bolsheviki" means "a man who wants more"—

Place your officers in a position to go out and demand, and then back them up. Give them your united and undivided support. And in this crisis, instead of our organization being wiped out, instead of our power being lessened, we will come out after the war is over bigger and greater and grander and better understood than we ever were before.

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Connecticut?

Mr. THOMAS. I yield.

Mr. BRANDEGEE. Will the Senator state from what publication he is reading?

Mr. THOMAS. I have just read a quotation in the World's Work for February, 1918, from the speech of Mr. James O'Connell, I think at Kansas City at the boiler makers' convention, and quoted by Mr. Burton J. Hendrick in an article entitled "The leadership of Samuel Gompers."

Mr. President, I do not propose—I have not the time—to comment upon that statement; but is it not a fair deduction to say that it outlines the purpose of an organization to take advantage of the Nation's extremity and get all they can and keep getting it; to think in terms of dollars instead of cents, and also to emphasize a meeting in Washington, with Uncle Sam paying the bills, as a mere step in the direction of the universal and progressive demands of labor for higher pay and more of it? Let it come, if that be the trend of the times, but let no man or set of men take advantage of an opportunity caused by the calamities of a great war, involving the life of the Nation and certainly involving countless lives of American soldiers, to interfere with labor conditions, keeping them chaotic and disturbed, interfering with production, and thus lowering the striking power of this great Republic.

But, Mr. President, we are told that this amendment, if adopted, will enable capital to exploit labor, and I think a Senator upon the floor here yesterday expressed himself as unwilling to see anything of that sort as the result of our action. So would I; but of all the arguments or statements that have been offered against this amendment—and I say it with all respect—that it is certainly the poorest. It does not approach the domain of argument. The exploitation of labor by capital has frequently occurred; it may occur as frequently in the future; but capital can never exploit labor when the demand for labor exceeds the supply; it is an economic and social impossibility. Some old fellow said years ago that he did not know anything about the tariff, but he knew that when two men were seeking him his wages went up; and when he was seeking employment from two men his wages went down.

There is not an employer to-day who would dare try to exploit his employees. What would be the result? They would, as a Senator near me suggests, go somewhere else, and thousands of hands are stretched forth urging him to come and offering him better conditions, although no attempt is made to exploit him.

I think, Mr. President, that just now the boot is on the other leg. I think labor is—I will not say exploiting capital, although I believe it—but exploiting the Treasury of the United States. We are paying more than double prices for everything that we are producing in this war, and the man who is getting extraordinary wages and who refuses to work until he can get still better ones is just as much of a profiteer as the employer who takes advantage of his contract to make an undue dishonest profit. The difference is in degree and not in kind.

I have no use for what is called the "profiteer," which I understand to mean a man who takes advantage of opportunities at this time to make extraordinary profits from the Government. We can reach the big profiteer through the income tax and the war-profits tax; whether we can reach other and smaller profiteers remains to be seen; but I hope that whatever the Senate may do with this amendment, it will not be defeated upon the ground that it is an exploitation of labor.

The Government has favored labor ever since this war began. We have passed legislation here forbidding the Government of the United States to develop labor in its own factories, forbidding the payment of bonuses for piecework, and labor threatened to strike, if I am correctly informed, in the event the Senate amendment to the naval bill became the law. I could name other instances, Mr. President, and it may be all right, perhaps; but surely the Government has done everything that it should have done to stimulate labor in every direction, both by legislation and appeal. Yet our labor troubles multiply.

Mr. President, some sections of organized labor are engaged in attempting to secure immunity for one Thomas Mooney. He may be guilty or he may be innocent; I have my own opinion about it, and it is a very decided one. What has impressed me about it was a threat some time ago of a universal strike in the event the laws of the State of California were followed by its governor and Mooney's sentence on conviction of murder in the first degree was carried out.

I do not regard that as patriotic. It is perilously close to treason. I saw a statement the other day—and I think it is true—to the effect that a large delegation of organized workmen, claiming to represent a great many more, went to the President and insisted that he should grant Mr. Mooney a new trial, regardless of the action of the sovereign State of California and, of course, regardless of the Constitution of the United States. I do not know how he can do it; but the fact that two lawyers, one a most eminent lawyer of national reputation, are said to have enjoined the same thing upon the President. That gave it certainly a very sinister appearance.

I am not charging organized labor with the responsibility of all these conditions; I am merely calling attention to them as emphasizing the proposition that I am not legislating in the dark, that there is a slackness in production in many places, that there are threatened strikes based on preposterous causes, and that, so far as the Government can do so, we should put a stop to it. There is no slacking in Germany. Every man there must do his duty and do it all the time. Not only that, but every poor Englishman, American, Frenchman, and Italian prisoner is compelled to work day and night in the mines, in the fields, and in the factories of Germany producing munitions and equipment to be used against their own countrymen. The German factories are running by day and by night, and the man who dares to stop is shot.

I hear some one ask, "Would you apply German conditions to American labor?" No; not at all. I would appeal to American workmen to so conduct themselves that there should be no necessity for even referring to such conditions, interfering at present only as regards men in deferred classifications; but if production in Germany had slackened for a short space of time prior to the collapse in Russia this war would have been ended; and it has been said many times that men should take advantage of the experiences of their opponents.

Mr. President, it is said that this bill interferes with the rights of strike. What is the right of strike? In peace times we know what it means—that no man can be compelled to work against his will; if he wants to quit, he has the right to quit; he can quit individually or he can quit collectively—but I deny that the right to strike exists in time of war, in the absence of the most abundant and overwhelming justification, the existence of which I can not conceive at the present time. To my mind, in these days of stress and of crisis a strike is prima facie un-American; it certainly lowers production, and it may seriously interrupt or interfere with the progress of events in the prosecution of the war.

I can assure every workingman that this administration—and its career thus far justifies the assertion—that a strike brought about by causes that warrant it will never be followed by punishment of any kind. On the contrary, the conditions complained of will be rectified. I know of instances, if human testimony is to be credited, where strikes have been settled by

mutual agreement, and the employers then compelled to comply with the demands of the strikers, to operate retroactively, through governmental interference and by governmental demand. Surely, in view of such conditions, no man need fear that if he has the right to suspend work because of intolerable labor conditions he will not be able to apply to the Government and receive ample protection.

In his letter to me, which I placed in the RECORD, Mr. Gompers gives assurance of the fact that our production has been greater than ever, for which due credit should be given. I give it freely. It has been great, but it is not great enough. It can not be too great during this war; and it is not great enough unless and until it represents the combined product of every man and woman doing his and her full duty in the place to which they have been assigned or which they have chosen.

We need ships. How bitterly we need them, only those who are in charge of affairs can fully appreciate. A great deal has been said regarding this bill, about delay in increasing the extent of our draft requirements. I want to say that men have been mobilized and have been transported to France just as rapidly as we have been able to do so, and at the same time preserve the assurance of our ability to command sufficient tonnage to keep them supplied with all that they need; and our shipping program is behind. Every man in every shipyard in the country should be glad to work, if necessary, 12 hours every day—15, 20, if necessary—in order that our tonnage may be sufficient for our needs, in order that production may be ahead of the waste caused by the submarine, in order that we may transport troops, if necessary, not only across one but across two oceans.

We need munitions; we can not manufacture munitions fast enough. We need artillery; we are behind upon artillery; how badly, I dare not say. Up to this time we have been largely dependent upon our allies for our artillery supply. We need aircraft. Mr. President, at the end of nearly one year and a half we have produced something like 1,000 so-called fighting planes. Upon the front we need every air vessel that can be constructed and flown. We have a splendid equipment of young men, trained aviators, over on the front and in this country, straining like hounds at the leash. They can do nothing until they have airships; and when they get them—and I fervently hope they will get them soon, in all their variety of fighting and bombing and reconnoissance—then we will see the beginning of the end. But we can not get them save by the unremitting toil of our own people.

A few days ago I was told that during the hours of labor walking delegates had the habit of calling the foremen out of some of the places where these manufacturing operations were being conducted, giving them instructions and consulting them, without regard to the effect on their time or their duties. It will take a vast amount of clothing to supply 2,000,000 more men, and shoes, and military equipment of all kinds, and transportation. If there is any direction where war activities should not be carried on to their fullest extent and where production should not be conducted to the highest point of efficiency, I am unable to mention it. Yet men are refusing to work till their grievances, or what they call their grievances, are adjusted.

Mr. President, for whose benefit are we fighting this war. For the capitalists, for the leisure classes, for the workmen, for any particular portion of our population? For what are we making these gigantic sacrifices and expending not only all our visible treasure, but mortgaging the generations for centuries to come, unless it be to preserve to the individual, whether he be a workingman or a capitalist, black or white. Jew or Gentile, those priceless privileges of freedom and liberty which are inseparable from a republican form of government—the right to strike, if you please; the right to labor or to abstain from labor, if you please; the right to enjoy life and to the pursuit of happiness; the right to everything that makes life dear; the right of the slacker and the exemptionist just as fully as the right of the boy at the front and the family which he represents; the rights and the liberties and the freedom of all? Governments exist largely for the protection of those otherwise defenseless; largely, in other words, for the poor, for the man who toils for his livelihood, cheered by the reflection that he lives in a country where perhaps his son can rise higher in the scale of social life than the point he has been able to attain.

It is for these, primarily, that this great war is being waged, and these enormous sacrifices have been demanded. If it be true that by insisting that those at home shall do their bit we are invading individual liberty, reflecting upon labor organizations, or attempting to exploit workmen—and it is not true—we might easily retort that at this time and at this hour even those things should be done if it be necessary for the protection and the welfare and the future existence of the American Republic.

Mr. President, I believe that the sentiment of the Nation demands legislation of this sort. I believe that every father with a son at the front or with a son to be included in the operation of this bill when it becomes a law; every mother whose boy to-day is wearing the uniform of his country, side by side and shoulder to shoulder with fellow Americans maintaining the honor and the integrity of the American Army away off on the blood-stained fields of France; every wife whose husband has heard the call of duty and left his family and his home, perhaps forever, that he may give to his country the highest test of devotion; every fair young girl whose heart's desire has been postponed, perhaps forever, because her lover has gone to the colors of his country, ready to march when the order is given, and brave the machine guns of the enemy—every one of these in their hearts' depths feel that those who stay at home should make, as far as they can, an equal sacrifice and see to it that the man at the front shall not falter for lack of all that he demands for the full and triumphant vindication of his Nation's integrity.

The great heart of the American people is sound, else we would not be in this war at all, and, Mr. President, we have only begun it. Every day we see in the public press the constantly lengthening lists of American dead and American wounded. Those somber lists will continue to lengthen as the shadows of winter come upon us as we advance toward the heart of the enemy's country, and the tears of widows and orphans will mingle with the snows of the coming season. Let us feel, Mr. President, that we at home, those who legislate and those who toil, have performed to the fullest that duty which this great tragedy of nations has placed upon their shoulders.

Mr. CUMMINS. Mr. President, I rise simply to ask whether the Senator from Colorado will permit a question before he takes his seat. I was called from the Chamber just at the moment that the Senator from Michigan [Mr. SMITH] was asking the Senator from Colorado a question and I did not have the opportunity to hear his reply. I ask it from the standpoint of one who thoroughly believes that every man in America must either work for the war or fight in the war.

This is the inquiry: Does the Senator from Colorado believe that under the existing law the thing he desires to accomplish can be accomplished, and does he propose this amendment because he believes there is lack of authority, or because he is fearful or uncertain about the enforcement of the existing law in the manner he desires to see it enforced?

Mr. THOMAS. Mr. President, I answered that question substantially to this effect: While the provision of the law seems to be ample, I have been unable to see any signs of its application, and consequently I thought we should require its enforcement by additional legislation. I also called attention to a statement of the Secretary of War, published in the Official Bulletin of the 21st of August, in which he said, in substance, that this provision had been enforced against individuals who discontinued work, but it was not enforced against labor in the aggregate, as he expresses it—that is to say, in the case of bona fide disputes between labor as an aggregate and employers as an aggregate—which I construe to mean that the law as it has been enforced, and therefore as it has been construed, is one which applies to an individual who refuses to work, but not to a number of individuals who may at the same time refuse to work. I also stated that I could see no difference in effect between the case of a man who refused to work individually and the case of half a dozen men who refused to work collectively.

Mr. CUMMINS. That was the point I had in mind. I gather that the administration has made that statement, and therefore I assume that the purpose of the amendment is really to reach a strike rather than the mere cessation of work by an individual.

Mr. THOMAS. No. That, of course, is the construction that I have placed upon this statement of the Secretary of War. The purpose of this amendment is to reach every man who, being exempted because of his skill in some necessary work, is not required to go to the front, and make him do his bit at home.

Mr. CUMMINS. As I gather, though the Senator thinks that the administration—and I mean the administration of the draft law—is already doing that so far as individuals are concerned——

Mr. THOMAS. The Secretary of War so announces.

Mr. CUMMINS. But at least is not doing it, so far as concerted cessation of work is concerned.

Mr. THOMAS. He says that specifically.

Mr. CUMMINS. Now, suppose that the employer of labor, by unfair methods, creates a dispute that has real merit, and those who propose to quit work on account of those conditions are willing to submit the dispute to the Government board and abide by the decision, and they do abide by it. Does the Senator think that still the penalty which is inflicted by this proviso, if it may be called a penalty, ought to be inflicted?

Mr. THOMAS. It is inconceivable to me, Mr. President, that such a condition can arise at present, when employers are competing with each other for labor, and they are greatly afraid every day of a depletion in their already depleted ranks. But assuming such a condition to exist, I think that the agreement which was made here some time ago between the representatives of the employers and employees, as a result of which the Taft Industrial Board was created, should be respected by both sides, and that instead of striking in such an event the work should go on, production should continue, and that board should determine the whole business.

Mr. CUMMINS. There have been instances, though, in which the employer has refused to submit the dispute to the Government board, as I have been told.

Mr. THOMAS. It may be; but, if that is the case, the employer has violated the spirit of that understanding, and as a consequence he is the reprehensible party.

Mr. CUMMINS. My whole thought is this: While I agree with the Senator from Colorado that we must introduce a system through which men must either work productively in useful employment or, if fit physically, must enter the ranks of our fighting forces, we ought not at the same time to give to an avaricious and unfair employer an opportunity to use our necessity to impose hard conditions upon his employees.

Mr. THOMAS. I quite agree with that; but I put it to the Senator whether it is possible, where the demand for labor is so abnormally out of proportion to the supply, that any such dispute is likely to arise.

Mr. CUMMINS. I think, generally speaking, the Senator is right. There is a very great demand for labor; but, at the same time, there is a great difficulty which presents itself in a man skilled in one occupation passing from it to another, and becoming equally necessary in the different employment.

Mr. THOMAS. Frankly, I should like to see that transition from one employment to another prevented, because that is the crux of the whole situation.

Mr. CUMMINS. Precisely.

Mr. THOMAS. A skilled man is so much in demand now that half a dozen employers want him. The result is that he goes from one to the other, because of superior inducements, and as a consequence he produces nothing.

Mr. CUMMINS. Precisely so. Now, I give the Senator an illustration that came to me the other day. I have it simply upon the representation of another. I have no personal knowledge of the facts.

There are some railroads in the country—a good many of them—that have been excluded from governmental control and possession, and over them the Government does not attempt to exercise any jurisdiction whatever. The employees of some of these roads, or at least one of them, as related to me, were denied even a portion of the privileges which had been extended to the employees of roads which had been taken over by the Government. They could not very well leave their employment. They had homes in the community. They were bound to it by a a great many ties. The Government could not do anything for them, and they considered the propriety of striking. Now, assuming that the employer in that instance was endeavoring to impose harsh and unfair conditions upon those employees, does the Senator think they ought to be taken from their deferred classes, if they were in deferred classes, without any opportunity whatever to submit to a Government tribunal the dispute which had arisen between them and the company which had employed them?

That is the only point which I think ought to be covered by this amendment.

Mr. THOMAS. To my certain knowledge, in addition to the Taft board, there are other boards. A very prominent citizen of my State, Mr. Verner Z. Reed, is a member of an industrial arbitration board which travels all over the country, at the behest of the Department of Labor, for the purpose of inquiring into and disposing of such difficulties and kindred ones. They have been very busy ever since their organization, something like a year ago.

The incident mentioned by the Senator from Iowa is akin to one which is now quite acute in my State. The Denver & Salt Lake Railroad, which is in the hands of a receiver, was taken over by the Government, and while the Government was operating the road the employees were assured of a raise in wages, retraoctive to the 1st of January last. While that assurance was pending the Government determined to abandon the road and turn it back to the receiver. The employees then demanded of the receiver this additional pay. The receiver had to reply that his road was bankrupt and that he could not do a thing. He was not to blame. It was a clear case of governmental dereliction. My last advices are that the road is tied up and the men have quit work. It is a road that is very necessary for the coal industry, and it means the decrease of our output of coal to a very material degree. I think the Government should keep its promise to those men, but I do not believe that the men should strike because up to this time it has not done so.

Mr. CUMMINS. I am very sure that the Government really failed in its obligation to the country in not keeping the railroad and controlling it in a proper way.

Mr. THOMAS. Certainly; or at least in not keeping its promise.

Mr. CUMMINS. And I agree that these men, the operators upon the road or upon the road that I have in mind, which I will not mention, ought to continue in labor; but they ought to know and they ought to be assured that their dispute, which might ordinarily result in a strike, will be considered by the Government and that a decision will be made. It is in that respect largely that I think the amendment of the Senator from Colorado ought to be a little modified.

Mr. THOMAS. My impression is that if the existing arrangements of the Government for the settlement of threatened disputes, so as to avoid a strike, can not be made effective, it will be impossible for us to enact anything that will be effective.

Mr. CUMMINS. We can at least say that if the strikers are willing to submit to the decision of the Government and abide by it they shall not be penalized on account of it.

Mr. THOMAS. Of course, I do not want to interfere with or in any manner imperil the absolute rights of the worker, except in so far as it may be necessary for the prosecution of this war. So far as that is concerned, the rights of the individual and injuries to the individual, wherever necessary, ought to be made subordinate to the supreme public necessity.

Mr. CUMMINS. I agree with that entirely. There may come a time when we will be compelled—and I am not sure that we are not approaching it—to invade the deferred classes or the postponed classes. Everything must give away to the supreme necessity. I do not want to be understood as in any way antagonizing that broad and just view of the matter.

Mr. CHAMBERLAIN. I ask that the bill be read and that the committee amendments be considered as they are reached in the reading, and later other amendments may be considered.

Mr. STERLING. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GUION in the chair). The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gerry	McCumber	Sheppard
Beckham	Guion	McKellar	Shields
Borah	Hale	McNary	Smith, Md.
Calder	Harding	Martin	Smith, Mich.
Chamberlain	Henderson	Nelson	Smoot
Colt	Johnson, Cal.	New	Sterling
Culberson	Johnson, S. Dak.	Norris	Sutherland
Cummins	Jones, N. Mex.	Nugent	Thomas
Curtis	Jones, Wash.	Overman	Trammell
Dillingham	Kellogg	Poindexter	Vardaman
Fall	Kendrick	Pomerene	Watson
Fernald	Kenyon	Ransdell	Weeks
Fletcher	Kirby	Robinson	Wilfley
France	Knox	Saulsbury	Wolcott
Frelinghuysen	Lodge	Shafroth	

Mr. OVERMAN. I desire to announce that my colleague [Mr. SIMMONS] is detained on official business.

Mr. JONES of Washington. I wish to announce that the junior Senator from Michigan [Mr. TOWNSEND] is necessarily absent on account of illness in his family. I will allow this announcement to stand for the day.

The PRESIDING OFFICER. Fifty-nine Senators have answered to their names. There is a quorum present. The Senator from Oregon asks that the formal reading of the bill be dispensed with, and that the amendments of the committee be considered as they are reached in the reading. Is there objection? The Chair hears none.

The Secretary proceeded to read the bill, and read to line 17, on page 2.

Mr. JONES of Washington. I wish to ask the chairman a question. I understand that just before the point of no quorum was made the chairman of the committee submitted a request that the committee amendments be considered first. The request was not put before the quorum was called for, and I wish

to ask whether that request had been submitted to the Senate?

The PRESIDING OFFICER. It was put after the call for a quorum, and there was no objection.

Mr. JONES of Washington. I did not observe it. I intended to object to it, because I do not believe that arrangement ought to be made on bills of this kind. It is all right on appropriation bills. However, since the subject matter has been submitted, I do not know that I will make a point about it.

The Secretary resumed the reading of the bill.

The first amendment of the Committee on Military Affairs was, on page 2, line 24, before the word "occupations," to insert the word "industries," so as to read:

Persons engaged in industries, occupations, or employments found to be necessary to the maintenance of the Military Establishment or the effective operation of the military forces or the maintenance of national interest during the emergency.

Mr. CALDER. Mr. President, at this point I should like to make an inquiry of the chairman of the committee in charge of the bill. Would the word "occupations," in line 24, page 2, permit the Secretary of War to make regulations relieving the members of the police force in our several cities from the draft? I make the inquiry because I am in receipt of a letter from the mayor of the city of New York advising me that since the draft began over 700 members of the police force of that city have been taken and that before the end of the year at least 1,200 will be taken, and if this proposed law goes into effect he believes at least one-half of the police force of the city of New York will be required to go under the terms of the bill. Our legislature has passed a bill giving to the police and other employees of our cities full pay while they are away at the war, showing that they have determined to take care of them. I should like to know if the chairman of the committee believes that the word "occupations" used in the bill would give the Secretary of War the right to make regulations relieving various people like policemen from the draft.

Mr. CHAMBERLAIN. I do not know that it would. I do not think it would, and I do not think it ought to. That was not the purpose of the amendment in putting in the word "occupations."

Mr. CALDER. It would seem to me, if you read the whole paragraph, it would indicate that it would. It reads:

Persons engaged in industries, occupations, or employments found to be necessary to the maintenance of the Military Establishment or the effective operation of the military forces or the maintenance of national interest during the emergency.

Mr. CHAMBERLAIN. I do not think the amendment is broad enough to cover that.

Mr. CALDER. I wanted to get the opinion of the chairman of the committee.

Mr. CHAMBERLAIN. If the Senator will examine the hearings on page 4, he will find the reasons given by the Provost Marshal General for adding the word "occupations" and changing a little the terminology of the first act.

Mr. BORAH. Mr. President, I agree with the Senator from Oregon that it ought not to include them, but the word "occupations" has a pretty broad meaning. If the policemenship of these men is not an occupation, what is it? I quite agree I do not suppose the Secretary of War would exercise it along that line, but I do not know how he would exclude them under that wording.

Mr. CHAMBERLAIN. It is barely possible that it might be done, but I know that was not in the contemplation of the amendment.

Mr. McCUMBER. How could the word "occupation" be construed to mean an official position? Is an official position of any kind an occupation?

Mr. BORAH. What is it if it is not an occupation?

Mr. McCUMBER. It is not an occupation.

Mr. BORAH. What is it?

Mr. McCUMBER. An official position is not necessarily an occupation. There may be those who have no other occupation than running for office, but I do not think it is anywhere designated as an occupation.

Mr. BORAH. I think you will find it will cover it.

Mr. NELSON. I wish to suggest to the Senator from New York, as well as the Senator from Idaho, that the words "industries, occupations, or employments" are all qualified by the language found at the foot of page 2 and extending to page 3:

Persons engaged in industries, occupations, or employments found to be necessary to the maintenance of the Military Establishment or the effective operation of the military forces or the maintenance of national interest during the emergency.

It is all qualified by that language, so that we need not determine the question whether a policeman's duty is an occupation or an industry—whether it is an office or not. The question will be whether it has any bearing on the prosecution of the war. The whole thing is qualified by those phrases.

Mr. CALDER. The phrase "or the maintenance of national interest during the emergency"?

Mr. NELSON. Yes; the President will be the judge of that under this law.

Mr. BORAH. If the President should conclude that this particular office or position was an occupation and was not associated with the maintenance of the war, of course he could exclude it. Still it would come within his jurisdiction.

Mr. CALDER. I send this letter from the mayor to the Secretary's desk and ask to have it read for the information of the Senate.

Mr. FRELINGHUYSEN. If the Senator will yield, I will state that Gen. Crowder's explanation as to why the words "occupations or employment" are used will be found on page 4 of the hearings, volume 1. Gen. Crowder's explanation is as follows:

The next change I find in the existing law is on line 19, same page, where I undertake to substitute for the words "industries, including agriculture" which occur in the original bill, the words "occupations or employments." I want to say that in the administration of the selective-service law these words "industries, including agriculture," have caused considerable trouble. Some boards were disposed to give the words a very strict construction, particularly the New York City board, presided over by former Justice Hughes, assisted by former Attorney General Wickersham and Chief Justice Cullen of the Court of Appeals. That board adopted a definition of the word "industries" which excluded commerce, foreign and domestic.

* * * * * * * *

They excluded railroads in this country; they excluded banking, and we got out of that difficulty by defining the words in terms of inclusion. Their definition was followed to some extent by other boards, and has furnished a good deal of trouble.

Then he goes on:

There are various forms of quasi public employment that have to be reached in the future administration of this law. For instance, I can not classify a hospital as an industry, and yet I see the necessity of making deferments of forces of the various public hospitals throughout the country.

I think it comes within the jurisdiction of the board, the question whether or not they will exempt men on a police force.

Mr. BORAH. I find occupation is defined among other things as follows:

That to which one's time and attention are habitually devoted; habitual or stated employment; vocation; calling; trade; business.

The synonyms which are given include occupation, work, calling, vocation, profession, or office. I do not think there is any doubt about its covering the office.

Mr. CALDER. I ask to have the letter I sent to the desk read.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The Secretary read as follows:

CITY OF NEW YORK,
OFFICE OF THE MAYOR,
August 9, 1918.

Hon. WILLIAM M. CALDER,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I have the honor to invite your attention to conditions now confronting the administration of police affairs in the city of New York by reason of the drafts upon members of the police force under existing and proposed military draft laws. The existing law calls all members of the police force from 21 to 31 to the colors. All the men on the existing civil-service list are of conscription age, and, consequently, should they be appointed they become almost immediately a liability upon the city, without having rendered any appreciable service.

Already more than 700 men have been drafted, and before the end of this year at least 1,000 will have been drafted into the military service, and ultimately 28 per cent of the entire force, or 3,000 men, will be called.

Should the Government raise the draft age to 45 years, virtually every able-bodied policeman in this city will be, sooner or later, taken into the Army. Policemen of this city physically fit will be called before civilians with dependents, because they can not claim exemption from a monetary standpoint, since, under the provisions of the Fenner law, the city pays them the difference between the salary they get as policemen and the salary they get as members of the Army.

An efficient policeman can not be made in a brief period; a year or two is required to bring about this result. If we are to be compelled to recruit the police force of this city, in this most trying period of its history, from the utterly green and perhaps thoroughly undesirable material left over from the draft, we are courting disaster.

The possibility of disorder, due to labor unrest; the fomenting of disturbance by enemy alien elements; possible uprising against authority, due to dissatisfaction with the war or the Government by reason of insufficient, improper, or unacceptable food, or due to the high cost of food and clothing, or increased burdens, may, under certain circumstances, burst into an appalling reality.

The arguments advanced that no exception can be made in New York City regarding drafting of policemen, because to do so would mean that every other city in the country would be justified in making similar demands, should have no weight. New York City is in a class by itself. It is the financial center of the world; from it radiates all activities looking toward the speedy and satisfactory conclusion of the war. This is not true of any other city in this country. Riots or disturbances in this city improperly handled and ineffectively quelled would be a national disaster that would be pleasing to the enemy and would certainly demand the attention of the Government.

New York is the gateway of American commerce; it is the pulse of this hemisphere, and from it is judged the Nation's vigor and determination. It is unthinkable that the police force of this city should be otherwise than up to the highest standard in these momentous times, when unprecedented emergencies are bound to arise.

Moreover, the city of New York is made up of many foreign elements. At least 75,000 enemy aliens, male and female, and hundreds of thousands of citizens of the Teutonic race, against whom demonstrations may be expected under certain conditions, make up a considerable part of our cosmopolitan population.

The war activities in this city, and our cooperation with the Federal Government, has made unusual demands upon the police force of this city. To make further inroads upon this very much depleted force, which may not be recruited with proper material, is a matter worthy of serious consideration.

I therefore feel it is my duty to request the Representatives of this city and State in Congress to secure such modification of the existing statutes as will meet this very important and dangerous condition, for I am certain it can not be to the best interest of the Government, considering all New York City means to the Nation, to destroy or seriously restrict the efficiency of the police force of this city. A policeman can render much better service to the Government by good police duty in this city than he can by entering the military service.

Very truly, yours,

JOHN F. HYLAN, *Mayor.*

Mr. CALDER. I believe myself that the word "occupations" in the bill covers the situation fully. If it did not I would offer an amendment to cover it. From New York City goes at least 60 per cent of our Army supplies sent abroad and at least 70 per cent of our troops. I agree with the mayor that this law should be so framed as to permit us to keep our efficient police force if in the judgment of the War Department it should be kept.

Mr. CUMMINS. Mr. President, it seems to me that there is a little confusion here between the right to classify and put certain persons in deferred classifications and the right to exclude entirely from the operation of the draft. This paragraph is intended to give to the President the right to remove certain persons or certain occupations entirely from the operation of the draft, not merely to classify them so that they will be in the first, second, or third class. I am very much opposed to giving the President the right to exclude anybody from the operations of the draft law as a class. I think the point is of a good deal more importance than we realized a moment ago, when it was called to our attention. The original draft law provided:

And the President is hereby authorized to exclude or discharge from said selective draft and from the draft under the second paragraph of section 1 hereof, or to draft for partial military service only from those liable to draft as in this act provided, persons of the following classes: County and municipal officials.

I think that is indefensible. Why should county and municipal officials be excluded under any circumstances from the operations of the draft? I can see how a particular county official or a particular municipal official ought to be placed in a deferred class, but there is no reason on earth for giving the President the power to exclude them as a class. Then we have customhouse clerks, clerks employed by the United States in the transportation of mail, and so forth. Under that law the Provost Marshal General placed them in class 3. It did not exclude from the draft. Mark you, the President has never excluded these people from the operations of the draft, and I think he never will, because it is plainly against public policy to do so; but the Provost Marshal General placed in class 3 highly trained policemen at least three years in the service of the municipality. That may be very right.

I realize, of course, that protection should not be withdrawn from the city of New York. There should always be an adequate police force there for the preservation of order, and to meet that the Provost Marshal General has put the policemen answering these qualifications in the third class. There is no likelihood that the third class will in any approximate time at any rate be called for military service.

The bill we have before us provides:

That the provision of section 4 of said act—

And what I quoted was from section 4—

That the provision of section 4 of said act, "persons engaged in industries, including agriculture, found to be necessary to the maintenance of the Military Establishment or the effective operation of the military forces or the maintenance of national interest during the emergency," be, and hereby is, amended to read as follows:

"Persons engaged in industries, occupations, or employments, including agriculture, found to be necessary to the maintenance of the Military Establishment or the effective operation of the military forces or the maintenance of national interest during the emergency."

I am very sorry that the power of the administration to exclude entirely from the operation of the draft is enlarged so as to include persons who are named in this part of the bill. I think the country ought to have the opportunity to draw from all these classes. There may be very good reason for saying that this man shall be drawn last, but there can not be any reason for saying that this man shall not be drawn at all.

While I do not propose any change in the report of the committee in this respect, I feel that it is entering upon rather a dangerous field.

The PRESIDING OFFICER. The question is on the amendment reported by the committee.

The amendment was agreed to.

The next amendment of the Committee on Military Affairs was, on page 2, line 25, after the word "employment," to insert the words "including agriculture."

The amendment was agreed to.

The next amendment was, on page 3, line 3, after the word "emergency," to insert the following proviso:

Provided, That when any person shall have been placed in a deferred or exempted class for any of the reasons in this paragraph set forth, he shall not be entitled to remain therein unless he shall in good faith continue, while physically able so to do, to work at and follow such occupation, employment, or business, and if he fails so to do he shall again become subject to the draft. The President shall make regulations for enforcing this provision.

Mr. CUMMINS. Mr. President, I offer the amendment to the committee amendment which I send to the desk.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. On page 3, line 9, in the committee amendment, after the word "business," it is proposed to insert the following: "or some other productive occupation, employment, or business deemed necessary hereunder."

Mr. CUMMINS. Mr. President, as I read the amendment of the committee, the deferred classification is forfeited in the event that the person so classified fails to work at or to follow the occupation, employment, or business in which he was engaged at the time of the classification. If the drafted man seeking exemption and given the deferred classification passes from one necessary employment to another and is so engaged, thus rendering his country exactly the same service and as valuable service as he did or was doing at the time of his exemption or of his being placed in a deferred class, there is no reason in the world why his privilege, whatever it may be, should be forfeited. The amendment which I have offered to the committee amendment is solely for the purpose of enlarging the description in the committee amendment so that if the man is in a productive and necessary employment, so decided by the board or by whatever authority decides such questions, he shall not lose his classification.

Mr. CHAMBERLAIN. Mr. President, I desire to suggest to the Senator that the amendment of the committee go over for the present. It is being discussed by some members of the Military Committee, who are absent on that account, and we can take it up a little later. I ask that the amendment be passed over at present.

Mr. CUMMINS. Mr. President, I have another amendment——

Mr. CHAMBERLAIN. I ask that the committee amendment and also the amendment suggested by the Senator to this provision be passed over for the present.

The PRESIDING OFFICER. The request is made to pass over the amendment of the committee without prejudice.

Mr. CHAMBERLAIN. My request is that the so-called "work-or-fight" amendment, with the amendment proposed to it by the Senator from Iowa [Mr. CUMMINS] may temporarily go over.

Mr. CUMMINS. That is quite agreeable to me.

The PRESIDING OFFICER. If there be no objection, it will be so ordered.

Mr. POMERENE. If I may make the suggestion, I understand that the Senator from Iowa has another amendment to this amendment which he desires to offer.

Mr. CUMMINS. I have an amendment in addition to the one which I have just offered, but it is an amendment with regard to the application of the amendment in cases of strike.

Mr. POMERENE. Is there any objection to the Senator offering the amendment now, so that it may be printed in the RECORD for the information of Senators?

Mr. CUMMINS. The amendment has been printed.

Mr. POMERENE. Very well, then.

The PRESIDING OFFICER. Without objection, the amendment will be passed over.

Mr. FRANCE. Mr. President, I offer an amendment to the committee amendment, which has just been passed over, and I ask that it be printed and lie on the table.

The PRESIDING OFFICER. The amendment will be printed and lie on the table.

The Secretary resumed the reading of the bill, on page 3, line 12, as follows:

3. That section 4 of said act be amended by adding at the end thereof the following proviso:

"*Provided*, That nothing in this section contained shall prevent the President, if he deems it advisable, from appointing as a member of a local board any person residing outside the subdivision or area in which

such local board has jurisdiction, or from transferring a member of one local board to another local board outside the subdivision or area in which such person resides."

Mr. FRELINGHUYSEN. Mr. President, I think as printed in the bill the provision is incorrect. As I understand the report of the committee, there were certain words inserted in this clause which do not appear in this print. Therefore, in order to make the language accord with the report of the committee, I move that the words which I send to the desk be inserted.

The PRESIDING OFFICER. The amendment proposed by the Senator from New Jersey will be stated.

The SECRETARY. On page 3, line 17, after the word "area," it is proposed to insert the words "but within the same State."

Mr. FRELINGHUYSEN. Mr. President——

Mr. CHAMBERLAIN. Mr. President, will the Senator from New Jersey yield to me?

Mr. FRELINGHUYSEN. I yield to the Senator.

Mr. CHAMBERLAIN. The Senator from New Jersey is perfectly correct in stating that the language which he suggests as an amendment was agreed upon in the committee, but somehow or other it was omitted from the bill as it has been printed. It is, however, in the terms of the bill as printed in the report.

Mr. SMITH of Michigan. Mr. President, where does the amendment proposed by the Senator from New Jersey come in—after the word "advisable," on page 3, line 15?

Mr. FRELINGHUYSEN. No; after the word "area," in line 17. I will explain the amendment to the Senator, if he wishes.

Mr. SMITH of Michigan. I desired to understand where the amendment was proposed to be inserted.

Mr. FRELINGHUYSEN. Mr. President, the purport of this language is to permit the President in the selection of members for the local boards to take them from areas outside of the local subdivisions, as provided in the original law. In the selection of local boards the President was limited to a subdivision of a county or to an area containing 30,000 inhabitants. It was provided that the President should select the members of such boards from the local authorities. The pending bill provides that he may go to areas outside of the subdivision and select men for service upon boards in districts of which they are not residents. The reason given for that by Gen. Crowder was as follows:

> The effect of that proviso is to make it legal to appoint as a member of a local board a person residing outside of the area of that board or for members of boards to exchange services. We started in the administration of this law by localizing its administration and making a residential requirement for membership on the board.

I want the Senate to realize the effect of this provision. I reserved a right in committee to move to strike it out. I am not going to make that motion, but I wish the Senate to understand that the provision in the bill will permit the President, through the governors of the States, to appoint as members of the local boards men who are total strangers to the locality where they may serve. The idea in the original act was to select men in a district who were conversant with the condition of the men drafted in that district—their neighbors and friends—and thus throw around the selection of those men a certain confidence and security. I do not believe that the President, or Gen. Crowder representing him, is going to radically change the local boards; but in certain districts it is claimed that they can not get proper men to serve on the boards, and in certain other districts that they can not get anyone to serve on them. So Gen. Crowder has asked for authority to go outside of the various subdivisions in selecting members for local boards. This is proposed in order to correct the abuses which have crept into the drafting or conscription system. At first I felt that I would move to strike out the provision, but I feel the necessity of finding men to serve on these boards who will properly administer the law is so great that I have decided not to do so. I wish, however, the Senate to understand the purport of the provision reported by the committee.

Mr. CHAMBERLAIN. Mr. President, with all due deference to the opinion expressed by the Senator from New Jersey [Mr. FRELINGHUYSEN], I do not believe that the President would be authorized to appoint any other than a citizen and resident of a given State to membership on a local board in that State. As I understand the purpose of this provision, it is simply to authorize a change of the membership of the local boards within a State, so that the department may meet the difficulty which they have encountered in some States in getting men at all who are competent to serve.

Mr. SMITH of Michigan. I would like to ask the Senator from Oregon if there is lurking around in this proposed legislation the fear that local officials will not properly enforce the law?

Mr. CHAMBERLAIN. There were some instances given, which were not made a matter of record, where in some districts in the larger cities the department has been absolutely unable to find men who were competent to serve at all.

Mr. SMITH of Michigan. "Competent to serve?"

Mr. CHAMBERLAIN. They are absolutely not competent to serve.

Mr. SMITH of Michigan. Yet all of those communities elect Members of the House of Representatives; they elect Members of the Senate; and every one of them has a voice in the choice of the President of the United States. I think that the provision involves a very uncalled-for reflection upon the intelligence of the various communities in the country. I do not mean that the Senator from Oregon intentionally reflects upon them, but I refer to the motive back of this proposed legislation. If there is any one thing that ought to be done with a reasonable degree of domestic and local sympathy, it is the drafting of soldier boys whose hearts are torn by the stress of war and who are ready and anxious to do their duty in this crisis. No pressure is necessary from outsiders; they have responded and others are ready to go where duty calls without hesitation or complaining. Surely, local boards can and will execute the law without any assistance from strangers.

Mr. CHAMBERLAIN. May I say to the Senator from Michigan that a few instances were given which showed that such a provision is necessary if we are to have any boards at all? I think there were some instances given—the Senator may imagine such cases—where the local boards did not want to enforce the draft act at all.

Mr. SMITH of Michigan. I presume there is some ground for that statement or the Senator from Oregon would not make it, but such instances must be very rare.

Mr. FALL. Will the Senator from Oregon permit me to ask him a question?

Mr. CHAMBERLAIN. Certainly.

Mr. FALL. I should like to know if any of those instances have occurred in county units?

Mr. CHAMBERLAIN. I think not. I do not recall any such.

Mr. FALL. Then why not apply this proposed change simply to cities or to localities of over 30,000 inhabitants outside of the county units? So far as I am familiar with conditions, particularly in the western section of the country, it does not appeal to my reason at all to say that county officials, who are elected by the people, are not capable of acting on local boards, although I can understand where in a city of four or five hundred thousand or a million inhabitants it might be very well to allow the President to transfer a member of a local board from one 30,000 unit to another 30,000 unit in the same political unit.

Mr. SMITH of Michigan. Mr. President, what are Senators to do who vote for this kind of an amendment? Are they to acknowledge that there are communities in their own States which have not sufficient intelligence and patriotism to enforce this proposed law? Are we to impugn the patriotic motives of the people of our own States by saying that some one shall be brought in from the outside who will not be influenced by local conditions and by old friendships to enforce the law?

Mr. President, I think this is the most outrageous reflection imaginable upon the patriotism and intelligence of local communities. I would not any more vote for it than I would vote personally to indict strangers against whom nothing has been said. I want some one to approach the families of the people of my State who have an interest in those families.

I do not want strangers to come in, without sympathy, and undertake to chill the heart throbs of women who are about to lose their boys to the Army. I do not agree with the committee. I think this plan is wholly unwarranted; I think it is a sad reflection upon the various communities of the country. I would not even inject such a rule on the State of Mississippi. I would not even do it there, much less will I permit it to be done in my State. I want no one from North Carolina or South Carolina or Mississippi to come into Michigan to administer the draft law. We will administer the draft law ourselves. I mean no reflection upon those States. They would not want anyone from Michigan to go down there to enforce the draft law in North Carolina.

Mr. VARDAMAN. Unless it should happen to be the Senator himself. We would have no objection to him.

Mr. SMITH of Michigan. Well, I thank the Senator from Mississippi. Senators who are about to retire from the Senate have a singular affection for one another. [Laughter.]

Mr. VARDAMAN. I wish my good friend, the Senator, to understand that that expression was not born of the fellow

feeling which makes us "wondrous kind." It was rather my admiration for the Senator and my knowledge of his sense of fairness that caused me to make the observation.

Mr. SMITH of Michigan. No, Mr. President, I know how kindly the Senator from Mississippi is, and I know, too, that he has shown as much courage as any man who ever sat in this Chamber since I have been here, and he has been as discriminating and as fair, and, in my judgment, his heart beats with the truest loyalty to the flag and to the country. I do not intend to criticize him, but if anyone thinks he is going to get my vote for an amendment that will permit a stranger to be brought into my community to enforce the draft law he is mistaken. I want no strangers there for such purpose; I want a neighbor, a friend, a sympathizer, a kindly person whom I have known to undertake the enforcement of the draft, and it will be obeyed.

Mr. FRELINGHUYSEN. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from New Jersey?

Mr. SMITH of Michigan. Certainly.

Mr. FRELINGHUYSEN. The Senator understands that the privilege of transferring members of local boards is limited to the confines of the State?

Mr. SMITH of Michigan. Yes; it is supposed to be so limited, but my honored friend, the Senator from New Jersey, was so uncertain about the matter that he offered an amendment which would make the language plain.

Mr. FRELINGHUYSEN. The provision reported by the committee originally limited the changes that might be made on the local boards to residents of the particular State.

Mr. SMITH of Michigan. I do not know how it is going to be administered, but I know there are enough strangers running around this country wearing badges and in some sort of roving employment by the Government to make a formidable addition to the American Army in France. I do not want strangers to come to Michigan to enforce our draft laws. There is not a community in my State, from the Canadian border to the Indiana line, that is not competent, perfectly willing, and desirous of enforcing this law, and enforcing it properly, and we do not need to import intelligent strangers from anywhere to do it. Michigan is in this war to the finish. Yes; a military victory alone will satisfy us, and our beloved boys are ready and waiting to help win such a victory even at the sacrifice of their young and promising lives. No force is necessary to get the sons of Michigan, who are in great numbers now upon every battle field.

Mr. BRANDEGEE. Mr. President, will the Senator from New Jersey let me ask him where is the provision in the bill which limits the power of transferring members from one local board to another to residents of the particular State?

Mr. FRELINGHUYSEN. It was in the original print, and I have just offered an amendment limiting it to the confines of each State.

Mr. BRANDEGEE. Limiting the power of transferring members of local boards to residents of the respective States?

Mr. FRELINGHUYSEN. Yes.

Mr. BRANDEGEE. That is not in the bill as reported.

Mr. FRELINGHUYSEN. It is not in the Senate print.

Mr. CHAMBERLAIN. Mr. President, may I say for the committee that this very subject was under discussion in the committee for some time. If Senators will look at the report which was filed, they will see the bill as it was agreed upon by the committee printed in full in that report. The section under consideration confines the power given to make changes in the local boards to citizens residing within the confines of the respective States; but somehow or other in printing the bill to be placed on the desks of Senators separate from the report those few words were omitted. Now the Senator from New Jersey [Mr. FRELINGHUYSEN] has moved to insert those words which will carry out exactly that portion of the bill as it was agreed to by the committee.

With reference to the statement of the Senator from Michigan [Mr. SMITH], it sounds all right to say that this thing ought not to be done, and I am in accord with the Senator's views. I would not want anybody to come from an outside State to my State for the purpose of administering the draft act, nor does this provision intend to allow that to be done.

It is all right for the Senator to talk about communities being able to conduct their own affairs and being intelligent enough to vote and to elect Representatives in Congress and other public officials; but it is a well-known fact that there are some communities in the larger cities of the country, where the area is contracted, where the population is dense, and where there are so many foreigners that this work can not be done. It is only to meet that condition that the provision has been inserted in the bill. I do not want to be invidious in picking out any particular city, but there are some cities where the foreign element constitutes a local draft area and where the men can not speak a word of English or read a word of English, while right across the street some business man may be competent to do the work. The purpose of the provision was largely to meet that condition. Those cases were cited by the Provost Marshal General, but feeling the same delicacy about it that I do now he asked that that portion of his statement be not printed in the record. I will be glad, however, to inform the Senator as to some of the cities where this condition has been found to exist.

That is one condition. Conditions developed in some portions of the country—and I am glad to say that they are very few and far between—which showed that the local board was opposed to the whole system, and it was hardly fair to other portions of the State, and it was not fair to the State of the Senator from Michigan that such a board should be permitted to exempt every registered man who came before it on the theory that they were opposed to the draft law. The provision was designed to meet those conditions. The Provost Marshal General says they are not frequent, but there are some districts where the population is dense, where the area is small, and where the foreign population is great, where it is hard to find anybody to do the work efficiently.

Mr. SMITH of Michigan. Well, Mr. President, if the Senator from Oregon will allow me, I think that under such conditions as he describes in a specified area, where the English language is not spoken, and where it is impossible to arrive at a fair understanding, the authorities might have the right to deputize some one from an adjoining subdivision, but this proposed legislation, if passed, will open the door to strangers administering the law in local communities. I think that is really at the bottom of this thing, although I do not wish to question the statement of the Senator from Oregon.

Mr. CHAMBERLAIN. I know the Senator wants to be perfectly fair about this matter. If he will take the proposed amendment in connection with the original draft act, which was approved on the 18th of May, 1917, he will see there is no danger of that situation arising. For instance, the original draft act, on page 4, provides:

Such boards—

That is, the local boards—

shall be appointed by the President and shall consist of three or more members, none of whom shall be connected with the Military Establishment, to be chosen from among the local authorities of such subdivisions or from other citizens residing in the subdivision or area in which the respective boards will have jurisdiction under the rules and regulations prescribed by the President.

It will be seen that the membership of the local boards is confined absolutely to residents of the respective draft districts or subdivisions. The only purpose of the provision reported by the committee is to enable the President or the Provost Marshal General to transfer a member of one local board to another local board to meet the very condition which I have described.

Mr. SMITH of Michigan. When we started out with the original draft bill it was supposed we were going to be confronted with riots, and so forth, at every turn. It was even prophesied here that it would not work; that it was contrary to the spirit of American institutions; that it was unnecessary, and there were very unusual forebodings as to the working of the draft law. Yet, notwithstanding all that was said, the draft law has worked well. It has fallen alike upon all classes of our citizenship. It is perhaps the most effective, fair, and just plan under which an army could be raised. Most communities have fallen in with it readily. I passed an humble cottage the other day in my State where there were five stars on the service flag, and there was no criticism of the law. I passed a mansion not far from the cottage to which I have just referred where there were also five stars on the service flag. The first one of those stars represented Stewart Edward White, the author and hunter, and the others his younger brothers, every one of whom is now in the service.

I do not want to get very far afield from the proposition upon which we are now passing, but I am not willing by my vote to indict any community in any part of the United States for lack of patriotism or lack of intelligence or lack of desire properly to enforce the draft law.

Mr. McCUMBER. Mr. President——

Mr. SMITH of Michigan. If I should say such a thing about one community, somebody else might, with the same lack of information, say it about my own State. I want these unusual, extraordinary laws enforced by local citizens who know their

neighbors, know how their hearts ache and can sympathize with them and yet enforce the law. I do not want a man to take up this rule and apply it and then jump in his automobile and whirl away without the least particle of sympathy for those he has left behind. I think that is going to be the effect of this amendment. Take the State constabulary of Pennsylvania. Probably there is no constabulary in the entire country as efficient as the State constabulary of Pennsylvania. The members of that constabulary, strangers, come into a community to enforce what? Criminal laws; to hunt down the murderer and the thief. I do not care if the officer does not waste much sympathy over that type of offender. But here is a boy drawn from school to be placed where his life is in peril. He is perfectly willing to give it, and his family are willing that he should give it, and yet it is proposed to bring in strangers from other States to enforce that kind of a law. I do not believe it is necessary, and I will not vote for it.

Mr. McCUMBER. Mr. President, I think there is another reason that should be given in support of this amendment, and that is to secure uniformity of rule throughout the several districts. I have received letters even from my own State and from other States complaining of this lack of uniformity, stating that in certain counties the rule of exemption is most liberal and in other counties it is most stringent. Where a condition of that character existed in one county the Senator might find four or five stars, indicating the number of boys taken from a single family, while in another subdivision he might find a family of the same kind, and practically of the same conditions, where there might be only one star or no stars. Therefore, while I would not go outside of the State, I think it would be very well if within the State itself the members from one county or one subdivision who had been sitting and passing upon exemptions might visit and sit with a board in another section, to the end that the same rules should apply to every section of the same State. I do not understand that this is intended to go outside of the State, but, on the contrary, it is to be wholly within the State.

Mr. SMITH of Michigan. The language of this amendment does not justify the Senator in assuming that the important official is only going in for council. He goes in to superintend and supervise, and his word is law.

Mr. McCUMBER. I referred to an exchange. You take a man from a section that has been especially liberal and send him to another section where the rule against excuses is rather stringent; you send a man from a county in which they have applied a stringent rule and allow him to sit with the others in a county where the rule has been liberal, and the tendency on both sides is to equalize and to secure uniformity of the rule. I think good will come from it.

Mr. KELLOGG. Mr. President, before the Senator from North Dakota takes his seat I should like to ask him a question. Can not that uniformity of decision be obtained by an appeal, and was not that the object of the provision for appeal, and also the provision for allowing the President to modify or reverse the decision?

Mr. McCUMBER. The appeal would apply to the person who was dissatisfied because he was taken. The appeal would scarcely arise in a case where a person desired to be exempted, and the board was most liberal in allowing him to be exempted.

Mr. KELLOGG. If that is the case, then, if this amendment was intended to accomplish what the Senator from North Dakota says, it would not be confined to the field in which it was intended to operate, because the exchange would have to be so general throughout the country between communities as to mix the boards all up and make uniformity of decision impossible. The object here, as I understand it, is simply to relieve certain local communities where the draft law is not fairly administered, and a very few of those. The Senator will recollect that when the original draft bill was before the Senate it contained no clause for local boards, and there was great opposition to the bill on that account, and opposition to allowing it to be administered by Army officers; and for that reason the local boards were provided for, and the Military Establishment excluded from the personnel of those boards. It seems to me that the Military Establishment should be excluded in this amendment.

Mr. McCUMBER. There is nothing in the amendment itself which destroys the local board. It simply provides that in proper and just cases some one serving upon another board may serve upon this local board, and an exchange thus be made. I do not understand that that would in any way destroy or affect the localization of influence or action.

The PRESIDING OFFICER. The question is on the amendment of the Senator from New Jersey [Mr. FRELINGHUYSEN].

Mr. VARDAMAN. I ask that the amendment may be stated.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. On page 3, line 17, after the word "area," it is proposed to insert the words "but within the same State."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. FRELINGHUYSEN. Mr. President, I have a still further amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. On page 3, line 16, after the word "person," it is proposed to insert the words "not connected with the Military Establishment."

Mr. CHAMBERLAIN. Mr. President, I will say to the Senator from New Jersey that I will not object to that, because under my view of the matter it is already in the law.

Mr. NELSON. It is in the law already.

Mr. FRELINGHUYSEN. But, as I read this amendment, while the original section of the bill has this prohibition, this amendment says "any person," and would evidently nullify the original prohibition against anyone connected with the Military Establishment serving on these boards. I think it is just as safe to have this amendment made.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Jersey.

The amendment was agreed to.

The reading of the bill was resumed, and the Secretary read to the end of section 4, on page 5, line 16.

The SECRETARY. At this point, on page 5, after line 16, the committee proposes to insert the following:

5. The wife of a soldier or sailor serving in the present war——

Mr. VARDAMAN. Mr. President, may I ask the Senator from Oregon if there has not been an amendment offered to the section that has just been read?

Mr. CHAMBERLAIN. Not yet.

Mr. VARDAMAN. I believe the Senator from Arkansas [Mr. KIRBY] has an amendment to that section.

Mr. CHAMBERLAIN. Amendments are not in order yet. The Secretary is just reading the bill, and the committee amendments are being considered first.

Mr. NORRIS. I think the Senator from Arkansas [Mr. KIRBY] submitted an amendment to that particular section. I do not think it was formally offered; but he gave notice of it, and had it read.

Mr. CHAMBERLAIN. At his request it lay on the table, and I assume it will come up when the amendments are reached.

Mr. NORRIS. I presume that must be passed on before the committee amendments are disposed of.

Mr. CHAMBERLAIN. This is not a committee amendment, Mr. President. This is the bill as reported from the committee.

Mr. NORRIS. Then it is all right. I was under the impression that that particular phraseology was a committee amendment.

Mr. VARDAMAN. Then the question of the age limit is not before the Senate at this time? If it is, I desire to notify the Senator from Arkansas [Mr. KIRBY], who introduced the amendment and whom I wish to have present when the vote is taken.

Mr. SMITH of Michigan. Mr. President, I should like to ask the Senator from Oregon, in charge of the bill, whether the designation "the wife of a soldier or sailor serving in the present war" includes the marines? If not, I think it ought to be added.

Mr. CHAMBERLAIN. That amendment has not been read yet, Mr. President.

The PRESIDING OFFICER. The whole amendment has not yet been read.

Mr. SMITH of Michigan. I heard the first two lines read, and that is what caused me to make the inquiry.

The PRESIDING OFFICER. The Secretary will state the amendment of the committee.

The SECRETARY. On page 5, after line 16, the committee proposes to insert the following:

The wife of a soldier or sailor serving in the present war shall not be disqualified for any position under the Government because she is a married woman.

Mr. CHAMBERLAIN. Now, I will state, in answer to the Senator's question, that the committee thought that language was broad enough to cover all of them—both the Marine Corps, the men in the Navy, and the men in the Army.

Mr. THOMAS. Mr. President, I suggest an amendment, by inserting after the word "sailor," on line 17, page 5, the word "while," so as to read:

The wife of a soldier or sailor while serving in the present war shall not be disqualified—

And so forth.

Mr. SMITH of Michigan. The wife while serving or the soldier while serving?

Mr. THOMAS. The expression may not be absolutely clear. I think it is. My purpose is to limit the removal of this disqualification to the condition of actual service.

Mr. ROBINSON. Mr. President, if the Senator will yield, he certainly would not want to limit the removal of the disqualification so as to preclude a woman whose husband has served in the war, and who has been so injured that he can not continue to serve, from taking Government employment; and yet that is exactly what his amendment would do if agreed to.

Mr. THOMAS. Well, it might have that effect.

Mr. SMITH of Michigan. Or who has been killed.

Mr. ROBINSON. If he is killed, she is no longer a wife; she is a widow.

Mr. SMITH of Michigan. Oh, no.

Mr. THOMAS. Mr. President, inasmuch as there is some objection to the amendment I have suggested, I will not insist upon it.

Mr. CUMMINS. Mr. President, I should like to know, so that I can reflect upon the subject—it is a very important matter—what positions under the Government, by any law or rule, are forbidden to married women simply because they are married?

Mr. THOMAS. Mr. President, I will attempt to answer, but upon information. My information is that under civil-service rules and regulations married women are disqualified from practically all civil-service positions; the idea being that preference should be given to unmarried women, who have to support themselves and who have no husbands to support them.

Mr. CUMMINS. I ask the question purely for information. I did not know that the Government excluded any married woman from a position simply because she was married.

Mr. THOMAS. I understand that the amendment was offered by the Senator from Missouri [Mr. REED].

Mr. CUMMINS. It may be so. I have no information on the subject.

Mr. REED. Mr. President, how far these regulations go I am not prepared to say; but I am informed that there are certain departments of the Government where a woman who is married to a man in the Government service is not permitted to be employed, and that in some of these departments they have construed service in the Army and Navy as employment, and that accordingly there are cases where the wife of a soldier or of a sailor has been refused employment, not because she is not competent but because her husband is in the Government service. With that in view, I wrote this amendment. I did not have the time to investigate as to the extent of the present practice; but I felt very sure that the Congress would not permit any woman to be barred from Government work at a time like this merely because her husband was serving in the Army or Navy.

Mr. SMOOT. Mr. President——

Mr. REED. I yield to the Senator from Utah.

Mr. SMOOT. I think the Senator has the information a little mixed. The rule is this—and it applies only to a very few of the departments of our Government—that where the husband is an employee of the Government under the civil service his wife shall not be employed in that department under that same service. That rule would not apply to a case like this, because the soldier is not in the civil service, but of course he is in the employment of the Government. I think it is unnecessary, if that is the reason of the amendment, because I want to say to the Senator that that only applies to employees who are employed under the civil service.

Mr. REED. Mr. President, I think the Senator probably is in error. Whether he is or not, I should like to have this amendment in the bill for the sake of fixing the status.

Mr. ROBINSON. If the amendment is not agreed to, it would be in the power of any department to deprive the wife of a soldier of the opportunity to enter the service. If the amendment is agreed to, it would not be within its power to do so. I think it entirely improbable that any such discrimination would be made, but still the amendment will serve a useful purpose.

Mr. SMOOT. I was not speaking as to whether the amendment should be adopted or whether it should not be adopted. I am not opposed to the amendment. My intention was simply to call attention to the fact that there was such a rule as suggested by the Senator, but that it applied only to employees who were employed under the civil service, and also only to a limited number of the departments.

Mr. SHIELDS. Mr. President, I offer an amendment to the subsection now being discussed, as follows: After the word "woman," on line 19, page 5, add these words:

And the civil-service laws shall not apply to such persons.

Mr. REED. I accept that amendment, and I should like to have the amendment accepted by the chairman of the committee.

Mr. NORRIS. Mr. President, I ask the Senator not to accept it. I am very much in favor of the amendment as it stands, but I should not like to see it modified as suggested by the Senator from Tennessee. I should like to have a separate vote on it.

Mr. CHAMBERLAIN. Mr. President, I should like to consent to the request of the Senator from Missouri to accept that amendment, but I think it would be a disaster. There is no telling how many married men there may be in the service, and there are many splendid women who would not be capable of doing the work in these departments or in any Government position; and I do not think it ought to the added to this clause of the bill.

Mr. SHIELDS. Mr. President, I think this is a very meritorious amendment. This law, when passed, will take to France many citizens of this country who will leave wives at home; and there ought to be no technical bar to their wives, while remaining at home, supporting their families through the public service. Every Senator in this Chamber knows that the civil-service law is administered along technical lines; that the examinations are very technical and include many matters which have no application or reference to the position which the applicant seeks to obtain. Furthermore, the applicants under that law are limited to persons under 45 years of age, which will also bar some. But the great trouble in getting into the service as provided by this subsection 5 is that they will be required to take an examination in regard to technical matters. Many of these women have been out of school for years. They can not stand a school examination as now required by the Civil Service Commission. Many men can not do it, and to require them to take such an examination is practically barring them from the service. This subsection might as well be left out unless the civil-service examination requirement is suspended. I think, in behalf of these married women, that this subsection ought to be adopted and the civil-service law ought to be suspended as to them while their husbands are in a foreign land fighting for their country.

Mr. McCUMBER. Mr. President, I want to ask the Senator from Tennessee if he would relieve them entirely from examination under civil-service rules?

Mr. SHIELDS. Yes; I would give them the amplest opportunity to enter the service and make a living for their families.

Mr. McCUMBER. That is not the question. The question is this: If a soldier's wife seeks to enter Government employment, either in Washington or otherwise, would the Senator dispense entirely with all examination as to her competency and fitness for the particular position for which she applies?

Mr. SHIELDS. Why, certainly not as to all examinations. The officer to whom they apply would see that they are competent to discharge their duties; but I would exempt them from any jurisdiction or dominion of the civil-service law as it is now being administered.

Mr. McCUMBER. But the Senator's amendment would relieve them from any examination whatever.

Mr. SHIELDS. There are thousands of young women in Washington right now who have never passed any civil-service examination; and why not put these mothers of families, mothers of soldiers, in a status where they can make a living?

Mr. THOMAS. Mr. President, may I ask the Senator whether, in the event his amendment is adopted, the beneficiary of the amendment will continue to receive the money which she now receives from the Government because she is the wife of a soldier?

Mr. SHIELDS. Certainly. I want to help them, not to diminish their ability to make a living.

Mr. THOMAS. In other words, to the $30 a month, or thereabouts, which she now receives, one-half of which comes from the Treasury, the Senator would add the salary which as an officeholder the married woman would draw?

Mr. SHIELDS. Certainly, if she performs labor for the Government of a value that entitles her to receive it. I do not want any law to require these women who want to work to remain idle, to sit in their houses with folded hands. Let us give them a chance to make a living. If they render full value in the service to the Government they are not pensioners. They are not subjects of charity. They are entitled to compensation for their work regardless of their means or regardless of whatever allowances they get from the Government.

Mr. THOMAS. Then I think the Senator's amendment should be entitled "An act to encourage the marriage of young women with soldiers in the United States Army."

Mr. SHIELDS. I understand now that marriage is being encouraged all over the United States and all over the world, and I am in favor of it.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Tennessee to the amendment of the committee.

Mr. CUMMINS. I should like to have the amendment stated.

The PRESIDING OFFICER. The Secretary will state the amendment to the amendment.

The SECRETARY. At the end of the proposed amendment of the committee, after the words "married woman," on line 19, page 5, it is proposed to insert:

And the civil-service laws shall not apply to such persons.

Mr. THOMAS. I ask for the yeas and nays on that amendment. I do not know that I can get them, but I call for them. I should like to see a record vote on that amendment.

The yeas and nays were ordered.

Mr. REED. Mr. President, I wish to make a suggestion. I am inclined to think there may be some misapprehension about the effect of this amendment.

Of course, the amendment offered by the Senator from Tennessee [Mr. SHIELDS] does not mean that a person shall be employed, whether competent or incompetent. There is nothing in the amendment to compel the employment of any incompetent person, or to compel the employment of any person. It only provides that no person who is the wife of a soldier or sailor shall be barred by virtue of marriage, and it further provides that they shall not be barred by any civil-service examination or rule; but they would nevertheless have to satisfy their employer as to their reasonable competency or he would not employ them, for there is nothing to compel him to employ them. They are now employing thousands, having waived the civil-service rule.

Now, just one moment. I shall not detain you long.

We have now under arms, or will have by the 1st of October, substantially 3,000,000 men in the Army, 500,000 in the Navy, and three hundred and odd thousand in the Marine Corps, giving us an Army approximating 4,000,000. These are from the younger men of the country. The new draft will raise, in my judgment, two and a quarter million more; so that it may be said that we will have drawn from the male population substantially 6,000,000 men by this time next year. I said yesterday that I believe we will go beyond that, but I do not pause to consider that.

When you have taken 6,000,000 men out of the vocations of life which they have heretofore followed, you will need every woman you can get in the service of the country, either of the Government or the business and industrial concerns of the land.

If anyone desires to limit this amendment to the period of the war, I should not object, because I believe when the war is over the wives of these men will be taken care of, but I think there is no danger in this amendment. It will not break down the civil-service rules. It will simply mean that if a man goes into this war his wife will not be obliged to sit at home and nurse her hands and become a partial charge on the community; that when there is a Government position open that she is able to fill she will not be barred from that position.

Mr. President, there are many hardships being undergone to-day. There is many a man who could have had exemption who was either too patriotic or too proud to ask it. There is many a man who was earning a thousand or two thousand or even five or six thousand dollars a year who is to-day drawing from the Government $30 a month, and whose family prior to this war lived, if not in luxury, at least in a condition of entire comfort; and to-day the women, who have sealed their lips and uttered no complaint, scarcely know how they are to continue to live on the poor stipend the Government gives.

For the wife of a man who is standing in the battle front or the wife of a man who is upon the deck of a vessel of war there ought to be no bar to preferment by any law or regulation or rule. She ought not to be compelled to go into competition with some young lady clerk fresh from a university, but should be allowed a place under the Government which her husband is imperiling his life to preserve if her education is superior to that of the young lady who has no husband, perhaps no father or brother, in the war.

I am in favor of the amendment as offered.

Mr. THOMAS. Mr. President, I do not want to utter a single word in disparagement of the soldier or his wife, and I am painfully aware of the fact that any opposition to legislation which is intended to benefit that class of our people may be so construed. But I think that we are beginning, by what is now proposed, a career of legislation the effect of which will be to very largely discriminate against those who stay at home, whether they are eligible for military service or not, whether they have been kept at home because they can be of greater service at home than they can be upon the front, or not, and will find its fruitage in the millions upon millions of dollars which we are expending in pensions, a list which is growing as the old participants in the Civil War are becoming less and less in number.

Mr. President, the Government of the United States is doing more for the soldiers and sailors and the families of the soldiers than any other nation in the world is doing or ever has done. We pay, it is true, comparatively speaking, a small reward to the private soldier; but we give him the opportunity, of which he avails himself, of a very liberal system of insurance, and we add to the one-half of his salary which he is required to send or which he does send to his family an additional equal amount, plus added amounts for children, if there be any. The burden which that places upon the Treasury of the United States is enormous. We pay it gladly; it ought to be done; but it is now proposed to give the wife of the soldier an unusual privilege because her husband is serving the country at the front. The inspiration is a noble one and the purpose is entitled to due and creditable consideration.

The Senator from Missouri [Mr. REED] has just given us an approximate estimate of the number of soldiers we will have at the front very soon. It is safe to say that 50 per cent of them may be married men. As a result there will be a new army of would-be officeholders created in the United States, some two million in number, and I think in excess of the total amount of our civil service now, although it has been greatly expanded.

It is true, Mr. President, that many of these soldiers have given up compensation in civil life very much in excess of the amounts which they are receiving in the service, but it is equally true that many of them have no one dependent upon them in the sense that dependency is used in the statute and whose wives are much better off than many good women anxious to serve the Government and needing the compensation as a means of livelihood. This is discriminating against the woman, in my judgment who is working for the Government wherever she can but who is without a husband and may need the compensation that she can secure under the civil service.

It is not the young lady fresh from a university in whose behalf I am speaking, but that great army of dependent women who are entitled to due consideration by this great Government of the United States, notwithstanding the fact that they have no husbands or their husbands may not be at the front. Many of them have sons at the front. This privilege is not extended to them. Many of them have brothers at the front. It is not extended to them, but it exalts the wives of the soldiers into a specific and favored class. The result of such legislation will, in my judgment, be to greatly injure an equally reputable class of women in this country who are entitled to consideration notwithstanding the fact that they are not the wives of soldiers.

I hope this amendment will be rejected.

Mr. HITCHCOCK. Mr. President, it seems to me there is another matter to which should be given consideration in discussing the amendment of the Senator from Tennessee, and that is Government efficiency. If there is anything we are striving for in the present war it is to mobilize the energies of the United States and secure efficiency, and one of the most important factors in securing efficiency has been the civil-service law of the United States.

It is not popular, particularly among politicians. I have heard it denounced very frequently in the cloakroom. Senators who have favorites for whom they want positions, public men generally, politicians who want to resume the old practice of favoritism in giving Government employment to men and women, abhor the civil-service law. But the civil-service law of the United States has exalted the public service. It has brought decency into Washington life. It has brought efficiency into the Government offices. Though it is not yet a perfect system, it is so far superior to the old system of favoritism that I for one am strongly opposed to any attack upon it, even though the attack be in the guise of an attempt to help the wives of the soldiers in the war.

Mr. President, there are not very many wives in the United States who can come to Washington for the service of the Government. There are not many wives who care to leave their homes and their families to come here, and Washington is the chief place where such positions as these might be offered. It will simply be the beginning, if we adopt this amendment, of an attempt to break down the civil-service law.

Mr. VARDAMAN. May I ask the Senator if it is not possible that the wives will not have to come to Washington?

Mr. HITCHCOCK. I say you are holding forth false hopes to them, and those wives who do come here will discover that they have separated themselves from their families and, in some cases, separated themselves from their children and come to a place where the cost of living will more than eat up all they get out of it, and they will be disappointed.

The first effect of it will be an assault upon the civil-service law of the United States, and I am opposed to it for that reason. It is true there are some women whose husbands have gone into the war who have been compelled to go into civil employment, and civil employment is open to them. There has never been a time in the United States when it was so easy for women to find employment as it is now in civil lines of life. In professions, in merchandizing, in industries, there never was a time when women could earn so much and secure work so easily.

I am opposed to this proposed amendment of the Senator from Tennessee, first, because it is an attack upon the civil-service law in the guise of assisting the wives of soldiers, and, second, because it is holding out a false hope in offering an unnecessary inducement to women who already find abundant employment in the world of industries in the land.

Mr. VARDAMAN. Mr. President, I desire to say that I agree most heartily with what the able Senator from Nebraska [Mr. HITCHCOCK] has said with reference to the necessity of maintaining in all its vigor and usefulness the civil-service system of this country. I regard the civil-service system of the greatest importance to this Government, and I would not intentionally impair its usefulness because of its far-reaching importance to the American people. This Government belongs to the people, and anything that contributes to the efficiency of the Government is necessarily beneficial to the people. There is a disposition in these days by some to regard the Government as the property of the favored few who happen to occupy official stations. There is no doubt about the spirit of autocracy being rampant in the land. From that theory, however, I most emphatically dissent. There is nothing on the surface which betokens quite so much danger to the future permanency of the Republic as that.

If I thought the adoption of this amendment would impair or materially reduce the efficiency of the civil-service system, I should oppose it with all the fervor of my soul; but I take it that there are not going to be very many women who will ask for these positions, and I am also convinced that the few who may ask for them will not be given employment if they shall prove themselves incapable of performing the duties of the place to which they aspire. These are trying times, and the difficulties of the immediate future are going to be more trying still.

I think every advantage should be given the soldier's wife, sister, or mother in the matter of Government employment which will enable them to make the living and support the ones dependent upon the soldier who is fighting the country's battles in the trenches. Nothing is too good for the loved ones of the brave boys who are defending the flag in a foreign country, and if they are not here to receive the favors at the hands of the Government, for God's sake let it be given to their wives, mothers, or sisters, as the case may be, who are taking his place in the support of the family.

The effect of this law is temporary, and even if it should not work altogether satisfactorily it will result in very little harm, because the war, I trust, will soon be over and normal conditions will be resumed.

There is cogency in the arguments made by the able Senators from Nebraska and Colorado. I may be swayed somewhat by sentiments of love and sympathy, but it is a pardonable weakness, I trust, on my part. I think my constituents living and posterity will overlook any weakness that I may exhibit in leaning to those whose loved ones are "over there" fighting and dying that the American flag may remain triumphant in the air.

Mr. SHIELDS. Mr. President, when I offered this amendment an attack upon the United States civil-service law or its rules and regulations was not in my mind. It is not an attack upon that law in the guise of a law for the benefit of the wives of soldiers and sailors.

But, Mr. President, I know of nothing sacred about the United States Civil Service Commission or the law establishing it, or the rules and regulations which have been promulgated, which have prevented many meritorious women and men in this country from entering into this service, which they are entitled to enter. I know of no reason why the Civil Service Commission should be exempt from any modification or change in this crisis of the Government. Why is it more sacred than many institutions and many laws that we have modified, amended, or suspended during this emergency?

Nor will I agree, Mr. President, that the employment of the wives of soldiers and sailors in bringing them here to Washington will injuriously affect the employees of the governmental service. I take it that there will be good women and industrious women who will come here earnestly seeking to earn a livelihood for their children while their fathers or their husbands are in the foreign service. I do not think it will in any way affect the standing, the morals, the effectiveness, of the Government service in Washington. On the contrary, I believe the presence of these women here will have a tendency to elevate it. They are not coming here unless they need the employment. They are not going to leave their homes and their relatives unless they enter the service of the Government to earn a livelihood. If there are very few of them who are to come, then the effect will be in proportion to the number.

I see nothing in these arguments about the sacredness of the Civil Service Commission or about the women who will come here and enter into the service that should argue against the amendment. I offered the amendment in good faith for the benefit of good women, women who will want to supplement their scanty allowances with their own labor. It does not provide for any gratuity. It provides for payment for services rendered. The Government will get full value received for whatever is paid them. I think it is a meritorious measure, and it ought to be adopted. It will terminate with the war, as will this bill and every amendment to it. There is no permanent attack upon the civil-service law or any invasion whatever upon the present rules and regulations except during the present emergency.

Mr. JONES of New Mexico. Mr. President, I am inclined to believe that the Senator who prepared this amendment might add a proviso in some way so as to give it greater effect than it would have in the present language. I do not know of any branch of the Government service where any woman is excluded from the service simply because she is a married woman. There is always some other element connected with the situation which prohibits her from entering the service. If there is any branch of the service where the mere fact of marriage provides a disqualification I do not know of it; but there are cases where marriage coupled with some other condition disqualifies. I assume the Senate will want to adjourn in a few minutes, and that it will do so without passing upon this amendment.

Mr. SHIELDS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from New Mexico yield to the Senator from Tennessee?

Mr. JONES of New Mexico. I yield to the Senator.

Mr. SHIELDS. I have noticed the language of the subsection to which the amendment is offered, and there is probably some ambiguity about it, or it might not be as broad as desired. I presume the language could be modified in conference to carry out the evident intention of the Senate. However, I will be perfectly willing to withdraw the amendment I offered and substitute for it the following:

Provided, That the United States civil-service law, rules, and regulations shall not apply to the wives of soldiers and sailors while their husbands are in active service during the present war.

Mr. VARDAMAN. Will the Senator from New Mexico permit me?

Mr. JONES of New Mexico. I yield to the Senator.

Mr. VARDAMAN. I suggest to the Senator from Tennessee that he add "or to mothers or sisters upon whom the family is dependent." There are instances where the mother of the soldier has the care, or rather the support, of the family devolving upon her. I know of instances in this city where the sister is carrying the entire cost and expense of maintaining the family. If you are going to make it apply to the wife, I think you ought to make it apply to the mother and sister. I suggest to the Senator from New Mexico, if he will pardon me further, that the Senator from Tennessee take this matter under consideration and prepare his amendment to cover these points and present it in the morning.

Mr. JONES of New Mexico. I desire to state that I am in sympathy with the purpose sought to be accomplished, but I feel that a little further reflection might be given to the language of the amendment, including the amendment of the Senator from Tennessee [Mr. SHIELDS].

EXECUTIVE SESSION.

Mr. CHAMBERLAIN. Mr. President, it is quite important that we have an executive session in order that some Army nominations may be confirmed. I therefore move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 5 minutes spent in executive session the doors were reopened.

RECESS.

Mr. CHAMBERLAIN. I move that the Senate take a recess until 12 o'clock to-morrow.

The motion was agreed to; and (at 5 o'clock and 25 minutes p. m.) the Senate took a recess until to-morrow, Saturday August 24, 1918, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate August 23 (legislative day of August 22), 1918.

APPOINTMENT IN THE ARMY.

To be major generals.

Maj. Gen. Henry P. McCain.

Brig. Gen. Harry L. Rogers to be Quartermaster General.

Brig. Gen. Merritte W. Ireland to be Assistant Surgeon General.

Maj. Gen. Jesse McI. Carter.
Brig. Gen. William H. Johnston.
Brig. Gen. Grote Hutcheson.
Brig. Gen. Beaumont B. Buck.
Brig. Gen. Walter H. Gordon.
Brig. Gen. William Weigel.
Brig. Gen. Eli A. Helmick.
Brig. Gen. Robert L. Howze.
Brig. Gen. William Lassiter.
Brig. Gen. Robert Alexander.
Brig. Gen. William S. McNair.
Brig. Gen. John L. Hines.

To be brigadier generals.

Col. Henry C. Newcomer.
Col. Edward D. Anderson.
Col. La Roy S. Upton.
Col. William J. Glasgow.
Col. Peter W. Davison.
Col. John E. Woodward.
Col. Howard L. Laubach.
Col. S. J. Bayard Schindel.
Col. Frank E. Bamford.
Col. Frank Parker.
Col. George H. Estes.
Col. Oliver Edwards.
Col. Briant H. Wells.
Col. Pegram Whitworth.
Col. Frank B. Watson.
Col. Robert E. Callan.
Col. Le Roy Eltinge.
Col. Frank K. Fergusson.
Col. Dennis E. Nolan.
Col. Harley B. Ferguson.
Col. Manus McCloskey.
Col. George A. Nugant.
Col. William E. Cole.
Col. Fox Conner.
Col. Guy V. Henry.
Col. Raymond W. Briggs.
Col. William P. Ennis.
Col. Edward H. De Armond.
Col. Beverly F. Browne.
Col. Marlborugh Churchill.
Col. William H. Burt.
Col. Robert M. Danford.

ORDNANCE DEPARTMENT.

To be brigadier generals.

Col. John T. Thompson.
Col. George W. Burr.
Col. Colden L'H. Ruggles.
Col. Odus C. Horney.
Col. Samuel S. McRoberts.
Col. Guy E. Tripp.
Col. John W. Heavey.
Col. Amos A. Fries.
Col. Ulysses G. McAlexander.
Col. Preston Brown.
Col. Lucius R. Holbrook.
Col. Frank R. McCoy.

INFANTRY ARM.

Bertram T. Clayton, jr., to be second lieutenant.

MEDICAL CORPS.

To be first lieutenants.

First Lieut. Edward Lamar Clemens.
First Lieut. Clarence Michael Hyland.
First Lieut. Porter Aaron Steele.
First Lieut. Joseph Deeherd Guess.
First Lieut. Charles Nicholas Harper.
First Lieut. Walter Magruder Leonard.
First Lieut. Lucius Kennedy Patterson.
First Lieut. Edmund Dumas Mills.

QUARTERMASTER CORPS.

First Lieut. John Q. A. Brett to be captain.

VETERINARY CORPS.

Second Lieut. Allen Ezekiel Cherry to be assistant veterinarian.

PROMOTIONS IN THE ARMY.

CORPS OF ENGINEERS.

First Lieut. Starr C. Wardrop to be captain.

DENTAL CORPS.

Maj. Albert R. White to be lieutenant colonel.

MEDICAL CORPS.

To be majors.

Capt. Walter J. Bristow.
Capt. Elias E. Cooley.
Capt. Thomas D. Hurley.
Capt. Emanuel Kline.
Capt. Josiah B. Henneberger.
Capt. Paul M. Crawford.
Capt. George S. Woodard.
Capt. John H. Sturgeon.
Capt. Fred G. Benton.
Capt. Abram L. Van Meter.
Capt. Alexander E. Listoe.
Capt. Raymond W. Whittier.
Capt. Wood S. Woolford.
Capt. Herbert C. Neblett.
Capt. Leman D. Cruice.
Capt. Charles B. Kendall.
Capt. Cadmus J. Baker.
Capt. Francis E. Gessner.
Capt. James W. Bunce.

To be captains.

First Lieut. Walter J. Bristow.
First Lieut. Elias E. Cooley.
First Lieut. Thomas D. Hurley.
First Lieut. Emanuel Kline.
First Lieut. Josiah B. Henneberger.
First Lieut. Paul M. Crawford.
First Lieut. George S. Woodard.
First Lieut. John H. Sturgeon.
First Lieut. Fred G. Benton.
First Lieut. Abram L. Van Meter.
First Lieut. Alexander E. Listoe.
First Lieut. Raymond W. Whittier.
First Lieut. Wood S. Woolford.
First Lieut. Herbert C. Neblett.
First Lieut. Leman D. Cruice.
First Lieut. Charles B. Kendall.
First Lieut. Cadmus J. Baker.
First Lieut. Francis E. Gessner.
First Lieut. James W. Bunce.

VETERINARY CORPS.

To be veterinarians.

Asst. Veterinarian Fred B. Gage.
Asst. Veterinarian John H. Gould.
Asst. Veterinarian Walter Fraser.
Asst. Veterinarian Walter R. Pick.
Asst. Veterinarian Andrew E. Donovan.
Asst. Veterinarian Burt English.

PROVISIONAL APPOINTMENTS, BY PROMOTION, IN THE ARMY.

CAVALRY ARM.

To be first lieutenants.

Second Lieut. Jason B. Hart.
Second Lieut. Roland H. Rogers.
Second Lieut. Fred N. Raymond.
Second Lieut. Glenn W. Keith.
Second Lieut. Roscoe C. B. Ellard.

FIELD ARTILLERY ARM.

To be captains.

First Lieut. William B. Dunwoody.
First Lieut. Charles B. Thomas.
First Lieut. Oliver J. Bond, jr.
First Lieut. Robert H. Ennis.
First Lieut. Benjamin E. Carter.
First Lieut. Henry B. Parker.
First Lieut. Yarrow D. Vesely.

To be first lieutenants.

Second Lieut. Harvey E. Ragland.
Second Lieut. Charles H. Burchenal.
Second Lieut. Oliver B. Cunningham.

CORPS OF ENGINEERS.

To be captain.

First Lieut. Bartley M. Harloe, subject to examination required by law.

To be first lieutenants.

Second Lieut. Joseph W. Gavett, jr.
Second Lieut. Donald B. Adams.
Second Lieut. William B. Wilson.
Second Lieut. Woodward L. Harlow.
Second Lieut. Homer W. Hesterly.
Second Lieut. John C. W. Hinshaw.
Second Lieut. Leonard B. Gallagher.
Second Lieut. Hollister Johnson.
Second Lieut. Asa Leroy Rogers.
Second Lieut. Earl Bracken.
Second Lieut. Homer N. Bartlett.
Second Lieut. F. Russell Lyons.
Second Lieut. Herman N. Simpson.
Second Lieut. Freeman Clarkson.
Second Lieut. Frank W. Hoyt.
Second Lieut. Fernando T. Norcross.
Second Lieut. Eugene L. MacDonald.
Second Lieut. George Sherrard, jr.
Second Lieut. William N. Thomas, jr.
Second Lieut. James C. Henry.
Second Lieut. John H. Veale.
Second Lieut. Willis G. Whitten.
Second Lieut. Lee S. Dillon.
Second Lieut. Ralph Millis.
Second Lieut. Harold T. Avery.
Second Lieut. Samuel J. Leonard.
Second Lieut. Robert A. Monroe.
Second Lieut. Frederic W. Conant.
Second Lieut. George M. Steese.
Second Lieut. Peter E. Bermel.
Second Lieut. Harley Latson.
Second Lieut. Starling L. Buell.
Second Lieut. Charles Grunsky.
Second Lieut. Henry H. Batjer.
Second Lieut. Charles J. Davis, jr.
Second Lieut. Marcus P. Taylor.
Second Lieut. Norman K. Sheppard.
Second Lieut. Victor A. Endersby.
Second Lieut. Walter Ruppel.
Second Lieut. Bernard E. Baer.
Second Lieut. Jasper B. Carr.
Second Lieut. James R. Wilson.
Second Lieut. Jackson H. Wilkinson.
Second Lieut. Clinton De Witt.
Second Lieut. Henry C. Wolfe.
Second Lieut. Remi C. Knight.
Second Lieut. Lewis A. Murray.
Second Lieut. John J. Gromfine.
Second Lieut. Henry Ten Hagen.
Second Lieut. Preston M. Geren.
Second Lieut. Carl R. Shaw.
Second Lieut. Porter V. Hanf.
Second Lieut. Benjamin S. Goodman.
Second Lieut. Harold A. Taylor.
Second Lieut. William M. Howe.
Second Lieut. Emanuel M. Cohen.
Second Lieut. Theron De W. Weaver.
Second Lieut. Henry Berbert.
Second Lieut. Curtis W. Handley.
Second Lieut. Carl E. David.
Second Lieut. Leo R. Eick.
Second Lieut. John M. Harman.
Second Lieut. William H. Smith.
Second Lieut. Chester C. Hough.
Second Lieut. Clarence N. Iry.
Second Lieut. Carl O. Isakson.
Second Lieut. John B. Campbell.
Second Lieut. Fred D. Mendenhall.
Second Lieut. George L. MacKay.
Second Lieut. Everett L. Woodworth.
Second Lieut. Frederick F. Frech.
Second Lieut. Count Harvey.

INFANTRY.

To be captains.

First Lieut. Willis E. Comfort.
First Lieut. Leven C. Allen.
First Lieut. Robert O. Jones.
First Lieut. Oliver A. Hess.
First Lieut. Edward A. Allen.
First Lieut. Carroll M. De Witt.
First Lieut. George L. Pepin.
First Lieut. Clarence B. Carver.
First Lieut. Jedediah H. Hills.
First Lieut. Edwin E. Schwien.
First Lieut. Dan D. Howe.
First Lieut. John E. Copeland.
First Lieut. Lloyd N. Keesling.
First Lieut. John H. Humbert.
First Lieut. Joseph L. Lancaster.
First Lieut. David R. Kerr.
First Lieut. Everett G. Smith.
First Lieut. Lyman S. Frasier.
First Lieut. Howard E. Hawkinson.
First Lieut. Sidney S. Eberle.
First Lieut. Joseph N. Dalton.
First Lieut. Charles N. Stevens.
First Lieut. James S. Bailey.
First Lieut. Henry C. Long, jr.
First Lieut. William E. Lucas, jr.
First Lieut. Victor Parks.
First Lieut. Walter A. Pashkoski.
First Lieut. Roscius H. Back.
First Lieut. Oscar F. Carlson.
First Lieut. Richard G. Tindall.
First Lieut. Roy L. Taylor.
First Lieut. Leander R. Hathaway.
First Lieut. German W. Lester.
First Lieut. Karl Engeldinger.
First Lieut. Francis A. Byrne.
First Lieut. Harry J. Selby.
First Lieut. Charles W. Jones.
First Lieut. Edward H. Cotcher.
First Lieut. Robert S. Miller.
First Lieut. Paul N. Starlings.
First Lieut. Charles Porterfield, jr.
First Lieut. Sevier R. Tupper.
First Lieut. Frank E. Royse.
First Lieut. Lawrence F. Stone.
First Lieut. Aaron J. Becker.
First Lieut. Wilson M. Spann.
First Lieut. Irving C. Avery.
First Lieut. James V. Ware.
First Lieut. Robert W. Brown.
First Lieut. James R. Manning.
First Lieut. Charles L. Steel.
First Lieut. Stuart R. Carswell.
First Lieut. Gilbert S. Harter.
First Lieut. John W. Cotton.
First Lieut. Ralph E. Wallace.
First Lieut. Lawrence W. Fagg.
First Lieut. Maury Mann.
First Lieut. Rupert L. Purdon.
First Lieut. Richard S. Jones.
First Lieut. William C. Hanna.
First Lieut. Leon G. Harer.
First Lieut. Sigurd J. Simonsen.
First Lieut. Thomas G. Bond.
First Lieut. John E. Haywood.
First Lieut. Willis E. Hale.
First Lieut. Noe C. Killian.
First Lieut. Lindsay P. Johns.
First Lieut. Walter R. Mann.
First Lieut. Henry W. Lee.
First Lieut. Charles A. Shamotulski.
First Lieut. Edwin M. Scott.
First Lieut. Paul J. Dowling.
First Lieut. John H. Jones.
First Lieut. Rufus E. Wicker.
First Lieut. Charles L. Briscoe.

First Lieut. Hermann C. Dempewolf.
First Lieut. Frank E. Hinton.
First Lieut. Frank P. Tuohy.
First Lieut. John R. Hermann.
First Lieut. Louis T. Roberts.
First Lieut. James M. Palmer.
First Lieut. Ralph A. W. Pearson.
First Lieut. Alfred Millard.
First Lieut. Harry H. Ambs.
First Lieut. William H. Bittenbender.
First Lieut. Raymond H. Bishop.
First Lieut. James A. Summersett, jr.
First Lieut. Hugh C. Gilchrist.
First Lieut. Allen T. Veatch.
First Lieut. Sidney F. Mashbir.
First Lieut. William P. Scobey.
First Lieut. William C. Moore.
First Lieut. Albion Smith.
First Lieut. Edwin D. Patrick.
First Lieut. Herman F. Kramer.
First Lieut. Clarence P. Evers.
First Lieut. William H. Coacher.
First Lieut. Edward S. Johnston.
First Lieut. John T. Henderson.
First Lieut. Paul C. Turner.

To be first lieutenants.

Second Lieut. George W. Griner, jr.
Second Lieut. Hugh T. Mayberry.
Second Lieut. Charles D. Pearce, jr.
Second Lieut. Edwin D. McDougal, jr.
Second Lieut. Philip W. Lowry.
Second Lieut. Charles P. Winsor.
Second Lieut. John Doble.
Second Lieut. Moses McK. Darst.
Second Lieut. Robert R. Smith.
Second Lieut. Evan C. Dresser.
Second Lieut. James G. Carr.
Second Lieut. Daniel E. Farr.
Second Lieut. Chester McN. Woolworth.
Second Lieut. Roland M. Glenn.
Second Lieut. Harry S. Robertson.
Second Lieut. Lawrence M. Arnold.
Second Lieut. Arthur R. Knott.
Second Lieut. Samuel O'C. Neff.
Second Lieut. Philip E. Brown.
Second Lieut. Olaf P. Winningstad.
Second Lieut. Raymond M. Myers.
Second Lieut. Paul S. Russell.
Second Lieut. Herbert Clinton Smith.
Second Lieut. Edward N. Mitchell.
Second Lieut. James A. Van Sant.
Second Lieut. William E. Stanley.
Second Lieut. Frank S. Spruill, jr.
Second Lieut. George A. Davis.
Second Lieut. Laurin L. Williams.
Second Lieut. George Van W. Pope.
Second Lieut. Edwin M. Allison.
Second Lieut. George E. Butler.
Second Lieut. Edgar L. Clewell.
Second Lieut. Herbert A. Buermeyer.
Second Lieut. Leo R. Moody.
Second Lieut. William McL. Christie.
Second Lieut. Leon D. Gibbens.
Second Lieut. Mark M. Grubbs.
Second Lieut. Robert A. Kinloch.
Second Lieut. Joel R. Burney.
Second Lieut. Franklin P. Shaw.
Second Lieut. Winfield H. Scott.
Second Lieut. Arthur G. Davidson.
Second Lieut. Harold A. White.
Second Lieut. Campbell N. Jackson.
Second Lieut. James A. Black.
Second Lieut. Clarence R. Peck.
Second Lieut. Glenn G. Hall.
Second Lieut. Charles C. Gillette.
Second Lieut. Walace E. Hawkins.
Second Lieut. Bird Little.
Second Lieut. Robert Robinson.

TRANSFERS TO THE ACTIVE LIST OF THE ARMY.

INFANTRY.

Capt. Thomas F. Maginnis to be major.
Capt. William T. Patten to be major.

PROVISIONAL APPOINTMENTS, BY TRANSFER, IN THE ARMY.

CAVALRY ARM.

First Lieut. Dale M. Hoagland to be first lieutenant.

INFANTRY ARM.

First Lieut. Fletcher H. Etheridge to be first lieutenant.

HOUSE OF REPRESENTATIVES.

FRIDAY, *August 23, 1918.*

The House met at 11 o'clock.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father who art in heaven, we would draw near to Thee, that we may receive Thy spiritual touch and be inspired to meet the duties of the new day with intellectual, moral, and spiritual strength; that with religious zeal and patriotic fervor we may be faithful servants unto Thee and unto our country in this hour of need; in the Spirit of the Lord Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

TEMPORARY INCREASE OF THE MILITARY ESTABLISHMENT.

Mr. DENT. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12731.

Mr. JOHNSON of Washington. Mr. Speaker, I desire to make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Alabama moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12731, and the gentleman from Washington [Mr. JOHNSON] makes the point of order that there is no quorum present, and evidently there is not.

Mr. DENT. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anthony	Fairchild, G. W.	Key, Ohio	Russell
Aswell	Farr	Kinkaid	Sabath
Barkley	Flynn	Kitchin	Sanders, La.
Booher	Focht	LaGuardia	Saunders, Va.
Borland	Foss	Larsen	Schall
Bowers	Frear	Linthicum	Scott, Iowa
Britten	Freeman	Longworth	Shackleford
Browne	Fuller, Mass.	Lundeen	Sherley
Browning	Gandy	McAndrews	Shouse
Butler	Garrett, Tex.	McCormick	Siegel
Candler, Miss.	Graham, Pa.	McKinley	Sims
Cantrill	Gray, Ala.	Mann	Sisson
Caraway	Gray, N. J.	Mays	Sloan
Carew	Harrison, Miss.	Miller, Wash.	Snell
Carter, Mass.	Haugen	Mott	Steenerson
Carter, Okla.	Hawley	Mudd	Stephens, Miss.
Connelly, Kans.	Hayes	Neely	Stevenson
Cooper, Wis.	Heaton	Nelson	Sumners
Copley	Heintz	Nicholls, S. C.	Swift
Costello	Helvering	Nichols, Mich.	Switzer
Cramton	Hensley	Oliver, Ala.	Talbott
Crisp	Hicks	Oliver, N. Y.	Templeton
Crosser	Hollingsworth	Padgett	Venable
Curry, Cal.	Hood	Peters	Vinson
Davis	Howard	Porter	Voight
Delaney	Huddleston	Pou	Walker
Dies	Humphreys	Powers	Watkins
Dillon	Husted	Quin	Welling
Dominick	Jacoway	Ragsdale	Wilson, Tex.
Dooling	Johnson, S. Dak.	Randall	Wise
Doremus	Jones	Rankin	Woods, Iowa
Drukker	Juul	Reed	Woodyard
Eagan	Kearns	Riordan	Young, Tex.
Eagle	Keating	Rose	
Ellsworth	Kelly, Pa.	Rowland	

The SPEAKER. On this vote 291 Members, a quorum, answered to their names.

Mr. DENT. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will unlock the doors.

LEAVE OF ABSENCE.

By unanimous consent, Mr. RUSSELL was granted leave of absence for 30 days, on account of illness.

TEMPORARY INCREASE OF THE MILITARY ESTABLISHMENT.

The SPEAKER. The question is on going into the Committee of the Whole House on the state of the Union for the further consideration of the draft bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12731, with Mr. HAMLIN in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12731, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 12731) amending the act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917.

The CHAIRMAN. The general debate having been exhausted, the Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the second sentence of section 2 of the act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, be, and hereby is, amended to read as follows:

"Such draft as herein provided shall be based upon liability to military service of all male citizens and male persons residing in the United States, not alien enemies, who have declared their intention to become citizens, between the ages of 18 and 45, both inclusive, and shall take place and be maintained under such regulations as the President may prescribe not inconsistent with the terms of this act: *Provided*, That the President may draft such persons liable to military service in such sequence of ages and at such time or times as he may precribe: *And provided further*, That a citizen or subject of a country neutral in the present war who has declared his intention to become a citizen of the United States shall be relieved from liability to military service upon his making a declaration, in accordance with such regulations as the President may prescribe, withdrawing his intention to become a citizen of the United States, which shall operate and be held to cancel his declaration of intention to become an American citizen, and he shall forever be debarred from becoming a citizen of the United States.

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

Page 2, line 7, strike out the word "precribe" and insert "prescribe."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Page 2, line 7, after the word "prescribe," strike out the following: "*And provided further*, That a citizen or subject of a country neutral in the present war who has declared his intention to become a citizen of the United States shall be relieved from liability to military service upon his making a declaration, in accordance with such regulations as the President may prescribe, withdrawing his intention to become a citizen of the United States, which shall operate and be held to cancel his declaration of intention to become an American citizen, and he shall forever be debarred from becoming a citizen of the United States."

And insert:

"*Provided, however*, That registrants who on the date fixed by the President for registration are of the age of 19 years and not over 20 years shall be designated as the 19 class and shall be drafted subsequent to registrants in class 1 of the age of 20 years and over the age of 20 years; and registrants of the age of 18 years and not over 19 years shall be designated the 18 class and shall be last called for service. All registrants of the age of 20 years and above on the day fixed by the President for registration shall be called prior to those in the classes hereby created."

Mr. STAFFORD. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. STAFFORD. For a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. STAFFORD. I wish to inquire whether the second amendment submitted by the committee is really a substitute for the amendment just read striking out. The amendment submitted by the committee has no relevancy whatever to the subject matter of the amendment suggested by the committee striking out. They are two separate and distinct propositions, and the vote should be taken separately upon it.

Mr. DENT. Mr. Chairman, I think we will have no difficulty about that. The gentleman is entirely correct. It is not intended as a substitute, but was intended as a separate amendment.

Mr. McKENZIE. The last amendment should be read first.

Mr. STAFFORD. The vote now comes on, I contend, the amendment of the committee striking out, independent of the vote on the McKenzie amendment.

The CHAIRMAN. The Chair was inclined to treat this as one amendment—a motion to strike out and insert. However, if the chairman of the committee——

Mr. DENT. I ask unanimous consent that the two amendments be treated separately.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that the two amendments be treated separately. Is there objection? [After a pause.] The Chair hears none.

Mr. JOHNSON of Washington. Mr. Chairman, I want to see if I am clear about it. The vote now is to come on lines 7 to 16, which deals with the forfeiture of the first papers of aliens who do not become drafted?

The CHAIRMAN. The vote in the determination of the committee comes on the portion stricken out in the bill.

The question was taken; and the Chair announced the ayes seemed to have it.

On a division (demanded by Mr. STAFFORD) there were—ayes 160, noes 11.

So the amendment was agreed to.

The CHAIRMAN. The Clerk will report the next amendment.

The Clerk read as follows:

Provided, however, That registrants who on the date fixed by the President for registration are of the age of 19 years and not over 20 years shall be designated as the 19 class and shall be drafted subsequent to registrants in Class I of the age of 20 years and over the age if 20 years; and registrants of the age of 18 years and not over 19 years shall be designated the 18 class and shall be last called for service. All registrants of the age of 20 years and above on the day fixed by the President for registration shall be called prior to those in the classes hereby created.

Mr. LUNN. Mr. Chairman——

Mr. JOHNSON of Washington. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman from New York offers an amendment.

Mr. JOHNSON of Washington. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. JOHNSON of Washington. I have a perfecting amendment to the text ahead of that——

Mr. LUNN. This is a perfecting amendment.

Mr. JOHNSON of Washington. Which affects the amendment now about to be considered, my amendment being in line 2, page 2, to strike out the word "eighteen" and insert "nineteen." May not I be heard on that?

The CHAIRMAN. The gentleman from Washington will have an opportunity. The gentleman from New York, as the Chair understands, is offering a perfecting amendment, and as a member of the committee will be first heard.

Mr. JOHNSON of Washington. One moment, if the Chair will indulge me. I should like an opportunity to show the House that if we can make the minimum age 19 we have no need to hold in the amendment of the gentleman from New York, beginning line 17.

Mr. LUNN. Mr. Chairman——

The CHAIRMAN. The Chair will state that there will be no trouble about this at all. The gentleman from Washington [Mr. JOHNSON] will have an opportunity to submit to the House his proposition. The gentleman from New York [Mr. LUNN] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LUNN: Page 2, line 24, after the word "and," insert the words "so far as practicable."

Second amendment offered by Mr. LUNN: Page 3, line 1, after the word "shall," insert the words "so far as practicable."

Mr. LUNN. Mr. Chairman, I ask unanimous consent as a member of the committee, not having spoken yesterday, to proceed for 10 minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent to proceed for 10 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. LUNN. Mr. Chairman, in offering these two amendments to the McKenzie amendment, I am doing it so as to make the McKenzie amendment, if it should pass, as little in the way of obstructive legislation against the War Department as possible. I am opposed to the McKenzie amendment, but no one knows how an amendment may be acted upon by the House, and I am offering two perfecting amendments; and I trust that the two amendments which I offer will be passed by the House. I want to be perfectly fair with the House by saying that with my amendments agreed to, even then I shall vote against the McKenzie amendment. The War Department——

Mr. GORDON. Will the gentleman yield before he goes to the War Department?

Mr. LUNN. I will yield.

Mr. GORDON. The effect of your amendment will be, of course, to nullify the McKenzie amendment as a legal proposition?

Mr. LUNN. The gentleman should have waited for his question until I made my argument.

Mr. GORDON. You have already stated you are opposed to the amendment. I understand your purpose is to defeat it by the adoption of your amendment.

Mr. LUNN. You were not——

Mr. GORDON. In other words, chloroform it.

Mr. LUNN. If I could chloroform it, I would gladly do so.

Mr. GORDON. Of course, and that is your amendment.

Mr. LUNN. The purpose of my amendments, as stated before, is to make the McKenzie amendment, in case it should pass, as

little obstructive as possible. Secretary Baker has stated, in as definite language as possible, that the purpose of the War Department was to defer calling the younger men into active service so far as practicable, calling the men above 31 years prior to the junior class.

Mr. DENT. Will the gentleman yield?

Mr. LUNN. I would like to proceed, because I know my time will go. I will yield to the gentleman from Alabama if he will ask for additional time——

Mr. DENT. I am perfectly willing the gentleman should have all the time he wants. I think he is entitled to it as a member of the committee. The gentleman made a statement that I would like to have some understanding about. He stated that the War Department had no intention of calling boys of 18 and 19 until the older men were called. Does not the gentleman distinctly remember that I put that question to the Secretary of War and the Secretary of War said that they expected to classify the men between 19 and 36 and call those first? [Applause.]

Mr. LUNN. In answer let me quote from the Secretary of War in the hearings on page 4:

I can see no objection to putting into the bill a provision that will make of the 18 and 19 year old men a separate class, to be called after the others, so far as practicable, but I would not like to see it put in as a hard-and-fast rule.

No one can tell how rapidly the classification can be made. The classification between 31 and 45 will not be as rapid and can not be as rapid as the classification of the 18, 19, and 20 year old youths. The purpose of the War Department is to place these young men in training schools and keep them there as long as they possibly can. There is not a man on the floor of this House more interested in conserving the man power of this Nation than is the Secretary of War and the men associated with him. It is unfair for Members to assert that 18-year-old boys are to be used while slackers remain. No slackers will remain in this country so far as it is humanly possible to search them out and compel their service. It is also contrary to fact to speak of young men of 18, 19, and 20 years of age as if they were mere children. To refer to them as anemic youths, mere children, babies, and so forth, is grossly to misrepresent the real facts. If you were to have all the young men of 18, 19, and 20 years of age stand up in America, you would witness a magnificent sight of splendid youth ready and willing to give their service to their Nation in time of need. [Applause.]

They stand for the war and stand for it now. My own boy, 16 years old, weighs 154 pounds, and is making preparations to go as a soldier at 18. He can not enlist until he is 18. It would be a source of supreme sorrow to me if, at that age, he should hesitate for one moment in giving his life, if need be, for his country. He will not hesitate, but he can not enlist until he is 18 years old.

Mr. FIELDS. The gentleman does not want that statement to go into the RECORD. He can enlist now.

Mr. LUNN. I tried to have a boy of 17 enlisted, having his parents' consent, but he could not enlist.

Mr. GORDON. Your boy can enlist with your consent.

Mr. LANGLEY. All you have to do is to give your consent.

Mr. WILSON of Illinois. Give your consent; that is all that is necessary.

Mr. LUNN. If enlistment is in order for the 17-year-old boys, I will have a great deal taken off my shoulders, because I have many applications; but the War Department will not accept them. The gentlemen, however, are mistaken. The law permits of no enlistments in the Army under 18 years of age.

It has been reported that a Member of the House will place on exhibition an 18-year-old boy. If this is done, the 18-year-old boy should be an average boy of that age. It is unfair, however, to argue that those of us who believe that the War Department can safely be trusted as to the time of calling out the junior classes are arguing in favor of placing the junior class in advance positions prior to thorough training and prior to the utilization, to the utmost, of our older man power. The 18-year-old class should be called last, so far as practicable, and that is the purpose of the Secretary of War; and that is why I am opposed to the McKenzie amendment, which seeks to restrict the action of the War Department. It is the power of Congress to fix the various ages at which men can be drafted. It is within their power to fix the age limits 16 to 60, or 19 to 50, or 18 to 45, or any other age limits; but it seems to me it would be a colossal mistake, after fixing the age limits, to endeavor to regulate the method and the time of their call. I am against having a committee on the conduct of the war, even though composed of Congress in its entirety, to determine military matters, which in all reason should rest with the military authorities. I am willing to trust the Commander in Chief of the Army and his advisers to safeguard the highest interests of our youth.

Mr. HARDY. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman yield?

Mr. LUNN. Not just now. On page 5 we have a committee amendment, which reads as follows:

That the Secretary of War is authorized to assign to educational institutions, for special and technical training, soldiers who enter the military service under the provisions of this act in such numbers and under such regulations as he may prescribe; and is authorized to contract with such educational institutions for the subsistence, quarters, and military and academic instruction of such soldiers.

Funds heretofore or hereafter appropriated for quarters and subsistence of the Army shall be available for payments to educational institutions under the contracts above authorized, including the cost of military and academic instruction.

I maintain that with the passage of the McKenzie amendment not a single youth of 18 or 19, or of those included in the prohibition of the McKenzie amendment, can be called, even for training; not even for training can they be called, nor can they be placed in educational institutions. To my mind many of the arguments advanced for the McKenzie amendment are arguments for a nation playing with war, and not for a nation that is face to face with the most colossal war in the history of the world. Young men of these ages, many of them, are on the firing line. That is not an argument, however, to place the youths immediately to the front, I would defer their call just so far as practicable, but I would not restrict the War Department in these terrible days. I personally believe that not one boy of 18 will be sent to the front for at least one year.

Mr. JOHNSON of Washington. Mr. Chairman, will the gentleman yield right there?

Mr. LUNN. My faith is predicated on the basis of the determination to bring as many men as possible into the service that are now exempted, men that are doing work that may not be quite as essential as we thought.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. LUNN. One statement more, and then I will yield. But who is best able to decide when these boys shall be called and trained? Can we not trust the War Department in this matter? If we can not trust the War Department in this matter, and all other matters, we are in a serious situation. As for myself, I will trust them, believing that they will act in accordance with the best interests of the Nation and the highest interests of our young men. The amendment would not allow us even to call the junior classes for training. If necessity required, if the fortunes of war went against us so terribly that we had to put the utmost of our man power, 18-year-old boys, as well as others, in the front, they would have to go untrained, and the fearful responsibility would rest upon those who are endeavoring to restrict the War Department in the performance of its functions.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CALDWELL. I ask unanimous consent that the gentleman may proceed for five minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent that his colleague may proceed for five minutes more. Is there objection?

Mr. STAFFORD. Reserving the right to object, I would like to inquire if there is going to be any limitation on time for the consideration of this and other amendments? Otherwise we would be here until midnight.

Mr. DENT. I would like to have an agreement.

Mr. JOHNSON of Washington. Mr. Chairman, in arranging the time I would like to state to the committee that on yesterday I was promised 10 minutes in general debate. The time was arranged for me on both lists but was not available. Now, then, I favor the Lunn amendment. I am opposed to the McKenzie amendment. At some stage in the proceedings I want to offer an amendment to make the minimum age 19 years, and I want to show that that is in accordance with the views of the department and will not delay the draft preparations that are actually proceeding this day. If I can have that time now and be allowed 15 minutes now in behalf of the amendment offered by the gentleman from New York I shall be thankful to the committee.

Mr. DENT. I do not think the gentleman will have any trouble in getting time. He is entitled to it. I would like to have some agreement as to the length of time in which the McKenzie amendment and amendments thereto shall be discussed.

Mr. KAHN. What does the gentleman suggest as to the proper basis of time?

Mr. DENT. I would suggest an hour and a half.

Mr. KAHN. I think a little longer ought to be given to the House, because, after all, it is this amendment that will occasion the greatest amount of debate.

Mr. DENT. How much time will the gentleman suggest?

Mr. KAHN. I will suggest two hours and a half.

Mr. DYER. Make it three hours.

Mr. KAHN. There is a feeling over here that it should be made three hours. I shall be perfectly agreeable to that.

Mr. CANNON. This is the amendment that will produce considerable discussion, even under the five-minute rule without extensions. Why not proceed for the present?

Mr. STAFFORD. If we do not have some limitation Members will ask for extensions, and we shall be here until midnight.

Mr. LITTLE. What of it?

The CHAIRMAN. Does the gentleman from Alabama [Mr. DENT] desire to submit any request?

Mr. DENT. I ask unanimous consent that the debate on the McKenzie amendment and all amendments thereto be concluded in three hours.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that the debate on the McKenzie amendment and all amendments thereto close in three hours. Is there objection?

Mr. MEEKER. Reserving the right to object, Mr. Speaker, who is to control that time?

Mr. DENT. I ask that one-half of the time be controlled by the gentleman from California [Mr. KAHN] and one-half by myself.

The CHAIRMAN. The gentleman from Alabama supplements his request by adding that one-half of the time shall be controlled by the gentleman from California and one-half by himself. Is there objection?

Mr. RUCKER. Mr. Chairman, reserving the right to object——

The CHAIRMAN. The gentleman from Missouri reserves the right to object.

Mr. RUCKER. I would like to have the attention of the chairman. I think it is plain that practically all the debate on this bill centers around this amendment and amendments thereto. Three hours' debate will be consumed by a few gentlemen, with the extensions they have asked for and ought to have. This is an important matter, and many of us would like to have a few moments in which to express our views. I think the debate ought to go on without limitation now, and in two or three or four hours from now the gentleman from Alabama can protect himself so as to complete his bill to-day.

Mr. LUNN. That is right.

Mr. DENT. Mr. Chairman, I withdraw my request.

Mr. RUCKER. I hope the request will be withdrawn.

The CHAIRMAN. The request is withdrawn.

Mr. CLARK of Florida. Mr. Chairman, I want to make a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. FIELDS. Mr. Chairman, a parliamentary inquiry. Does the gentleman from Alabama withdraw his proposal?

The CHAIRMAN. He has withdrawn it. The gentleman from Florida is submitting a parliamentary inquiry.

Mr. CLARK of Florida. When will it be in order to offer other amendments to this section—after the McKenzie amendment has been discussed and voted on, or now, when it is pending?

The CHAIRMAN. Of course the committee amendment will have preference in voting. Other amendments may be submitted and be pending, but the vote will come first on that.

Mr. CLARK of Florida. Then I ask leave to offer two amendments to the section now, in order that they may be pending and voted on.

Mr. FOSTER. I think we ought to take them in their order, and I shall object to that.

The CHAIRMAN. That can be done only by unanimous consent. The gentleman from New York [Mr. CALDWELL] has requested that the time of his colleague [Mr. LUNN] be extended five minutes. Is there objection?

There was no objection.

Mr. HARDY. Mr. Chairman, I want to ask the gentleman what practical difficulty is there in the way of calling the older men before the younger men are called?

Mr. LUNN. The gentleman asks what are the practical difficulties that forbid the calling of the older men prior to the calling of the 18 and 19 year class. I can not better answer that than by reading the statement of Secretary Baker before our committee, as follows:

> I can see no objection to putting into the bill a provision that will make of the 18 to 19 year men a separate class, to be called after the others, so far as practicable, but I would not like to see it put in as a hard and fast rule, for this reason: That the process of classifying the men from 31 to 45 is a long drawn-out process; the questions of fact involved in their industrial relations require very careful working out, and some of the cases, which many of you members of the committee may have seen, are rather voluminous records, so that the classification of the men from 31 to 45 will be a long drawn-out process—

And this is the important point—

> and the time might come when we would not have exhausted the men from 45 down, and yet so many of them would be in the process of being classified and questions of appeal and questions of determination still open about them that there would be a shortage if we did not go into the junior class. So that my judgment is that it is perfectly proper to put in the bill a provision which will make a separate class of the men from 18 to 19, to be called, so far as practicable, after the exhaustion of the remaining number in class 1.

Now, to answer the question of the gentleman from Texas further, if in the process of these classifications they had so many hundreds of thousands of men of the older age in class 1 ready to be called, they could immediately call those men. If they were of a sufficient number to fill the quotas, they would not have to go into the junior classes. Neither do the War Department officials intend to invade the junior classes so long as they have the older men on whom they can draw, and I believe that they will so arrange their program that the younger men will not be called until they absolutely must be called, and then they will have had splendid training and will be used on the other side in the same way; that is, the lesser trained will not be called to the fighting front until they are fully trained.

Mr. HARDY. Does not the McKenzie amendment meet your proposition by providing that those in class 1 of the higher age shall be called before those of the lower age?

Mr. LUNN. The McKenzie amendment makes no such distinction. The reason I use this perfecting language is that that may be so—so that, so far as practicable, it may be done. Let us not tie the hands of the men who are responsible for conducting the war—so that, no matter what contingency might arise, they would be powerless to act—when they have expressed themselves as willing to defer these classes as long as practicable and take the older men first.

Mr. MEEKER. In the hearings did anything come out as to why they are not calling out the men in class 2?

Mr. HARDY. Let me finish my question. This reads that they shall be drafted subsequent to the registrants in class 1 of the age of 20 years and over.

Mr. MILLER of Minnesota. If the gentleman will read a little further, he will find that the amendment with reference to those in the 18 class does not defer them simply to those in class 1, and that they are not, under this language, to be called until everybody who registers from 18 to 45 has been exhausted.

Mr. McKENZIE. I will say to my friend from Minnesota that there is no such intention.

Mr. MILLER of Minnesota. I do not know anything about the intention, but the language is exceedingly plain.

Mr. LUNN. I have only one minute, and I want to use that one minute by saying that no one would deplore more than I the utilization of the boys of 18 unless it becomes absolutely necessary; but I do deplore the attempt on the floor of the House to infer that the young men of America of 18, 19, and 20 are not willing and able to go at any time that the Nation may need them; and our purpose is that they shall go only when the Nation does need them. This is the purpose of the Secretary of War and his advisers, and I believe American opinion is back of that proposition. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. McKENZIE. Mr. Chairman, inasmuch as I did not discuss this bill in general debate, I ask unanimous consent that I may be permitted to proceed for at least 15 minutes. I do not know whether I can get through or not in that time, but I would like that much time.

Mr. HARDY. Make it 20 minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that he may proceed for 15 minutes. Is there objection?

There was no objection.

Mr. McKENZIE. Gentlemen of the committee, setting aside at the opening of my remarks all such criticisms as those made by the gentleman from New York [Mr. PLATT], who spoke on yesterday, that would in any way impugn the patriotism and loyalty of a man who would offer such an amendment as I have offered to this bill and which is now pending, I shall endeavor to discuss this proposition from a calm, unprejudiced, and, I believe, patriotic standpoint.

You are well aware that when we passed the national-defense act a few years ago, a bill which I had some little part in framing, we provided that the Congress of the United States might authorize the drafting into the Military Establishment of the country our man power from the age of 18 to 45. That is the law of the land to-day. I do not question the wisdom of it; I

believe in it. Later, war came. I, with many of you here, felt that the time had come when it would be pusillanimous for this country longer to refrain from entering into the arena of the great conflict. After war was declared the War Department officials came before us and asked that the Military Committees of the House and the Senate report a bill providing for the enlargement of the Regular Army and the National Guard to war strength, and the drafting of 1,000,000 men to go into what was known as the National Army and also the drafting of men for technical units. At that time they asked us to fix the age limit from 19 to 25. The Military Committee of the House brought in a report fixing the age limit from 21 to 40, ignoring the recommendation of the Secretary of War and of the other officers in the United States Army. I was one, as you remember, of a minority of eight on that committee who stood on the floor of this House and fought for immediate conscription of the men of this country between the ages of 21 and 40.

Under the leadership of the gentleman from California [Mr. KAHN], who was then a militant fighter, a member of the Committee on Military Affairs, it went to the Senate in that form, and the Senate inserted practically the recommendation of the War Department in lieu of the House limitations as to age, and from there it went to conference, and under the leadership of Mr. KAHN, with the other conferees of the House, we stood for the 21 years limitation. Ah, but that was before my distinguished friend from California had abrogated and surrendered every right as one of the American people—act upon his own good judgment. Then the law was placed on the statute books of this country providing that we might draft the man power from 21 to 31 years of age, inclusive. That is the law now.

We are now asked to change the draft law. Why? Because there is not a sufficient number of men in class 1 under the new classification program to make up an army proposed now by the War Department of 5,000,000 men.

I want to say in passing that I am for the 5,000,000 army. I never did believe that it was good policy to try to bore a 2-inch auger hole with a gimlet. I am for the big army. Why the shortage of men? We registered between ten and eleven million men between the ages of 21 and 31 in this country. They were classified under regulations prescribed by the President of the United States. Under the liberal regulations tens of hundreds of thousands of men physically fit for military duty are to-day safely hiding behind the barricades put up by these regulations. So when Gen. Crowder was called upon to furnish men for the new army of 80 divisions in France and 18 divisions in this country, he said, "I have not got the men; I have got less than half a million men remaining in class 1 in this country." Where are they? You know and I know where they are; but rather than change the regulations that would shake out the employees of thousands of nonessential industries in this country; rather than to shake out of the Government departments in Washington thousands of able-bodied men that are doing woman's work; rather than take the hundreds of fellows from the ball fields of the country; rather than call the married man who rides in his automobile with his wife without a child, living on the income of invested inheritance; rather than do that and putting him into the service, they say that we want 5,000,000 men, and we must raise the draft age to 45 and lower it to 18.

Am I opposed to the raising of these men? You know that I am not. The gentleman from California, when he speaks about the power of this Nation to put it all into defeat of Germany, I am with him. I do not complain of that; I am in favor of taking men from the cradle to the grave, if necessary, to destroy the militarism that endangers us. [Applause.]

Ah, but he says we ought not to make the mistake that England and France have made in not calling 18-year-old boys at first. Oh, the glorious record of France! May her flag ever wave. When we think that that tricolor was held supreme at Verdun against the onslaughts of the mighty men of Germany; when we realize that the great majestic military power that swept through little Belgium, entering at the unprotected back door, was defeated at the Marne not by the boys of France but by the men, and hurled back, and have been held until this hour, and yet the boys of 18 of France, while in training, are not yet in the trenches.

Although in my veins flows the blood of a man who came from the hills of Scotland, I have had my prejudice against that little land of England, but when I realize that in obedience to a sacred treaty that they had pledged themselves to uphold in defense of the little nation of Belgium they hurled themselves unprepared in front of the mightiest military force this world has ever seen, I take my hat off to England. [Applause.] Such courage and fidelity are distinguishing characteristics of a strong and great people. Yes; she threw her army in there and it was destroyed. She then went back and she called her men, not her boys, and she has been calling them year after year for four years, and not until last March, when the commander of the English Army gave out the word that England was fighting with her back to the wall, did they put in their boys of 18 and 20. Do you mean to stand here and tell men, you patriots from New York, you men who boast of patriotism—does the gentleman from California [Mr. KAHN] dare impugn my motives and say that if the Germans were at our gates, if the Capital of our Nation were being bombarded by German cannon, if our cities were being destroyed, that I would not say to put in the boys of 18 if short of men? Ah, they know that I would. I am for that thing. I am for a powerful military program from first to last, and no quibbling about it. War is terrible, and I am in favor of making it terrible, but I am not in favor of taking the least powerful, the least efficient of our men, and throwing them into the ranks. I want the best Army that we can get to go to France. I offer this amendment not because of any particular interest in the individual boy, while I love him, but I offer this amendment because I believe it is good military policy, and I believe it will give us the strongest Army that we can get, stronger than if we put in the boys. What does it do? It simply says yes; that we agree, though it may be a trial for us to do so, that you may list the boys from 18 to 21 along with the men to 45, put them all in; we are not denying them the power nor the right. We put them in; and what does my amendment say? It simply says to the War Department—and from the bottom of my heart I believe it is good military policy—you can take the boys from 20 up, you can take the men up to 45 as you please, you can put them in to fill the quotas as they come along, but the boys of 19 shall not be called until these men are taken, and they will make stronger and better soldiers for our country, and then the boys of 18 shall be called last. Who is to compose the 18 divisions that remain in this land? Shall they be made up of men of 40 and over, or shall we reserve for that force the young boys of the country? You men who have advocated universal military training, I appeal to your sense of judgment to-day.

Is it not simple wisdom, is it not good policy, to hold those 18-year-old boys back and call them when the necessity requires it and put them in the camps of this country and train them? Ah, but the gentleman from New York [Mr. LUNN] says let us put in the words "as far as practicable," so that you can invade the homes at any time and leave at home the men who ought to go and put in the boys. Oh, have we come to the place in this great land of ours, boasting of its strength, its power—and we have been proud of it—have we at the end of one year found that we are a nation of slackers? Have we found that all of our protestations of love for the flag and the love of liberty sink into insignificance when compared to the desire and privilege of making gold, and that rather than disturb the business interests of the country, the industrial interests of the country, by taking men to fight our war, we shall take the boys of 18? God pity the great American Republic, with all of its boasted power and strength, if that is to be the rule! [Applause.]

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. DENT. Mr. Chairman, I ask unanimous consent that the time of the gentleman be extended for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. McKENZIE. Will these boys of 18 and 19 and 20 fight? Oh, you know they will. No man has read the story of the Civil War, of how those young boys covered the ground at Shiloh with their bodies, and at Donelson, and at Vicksburg, and in Virginia, men of the North and the South. Men? No; boys! Yes; boys wrote those glorious pages of American history. It was done by a nation of heroes, but those heroes were boys. What shall be written over the names of men, the men who stayed at home and let the boys do it? If in this hour, when we are boasting of our power and our fight for democracy in the world, if a man is to be branded as not being entirely loyal when he pleads for these youths, then what shall be written over the names of the men who stay at home? What is the proper word to write over the name of the slacker, who is standing back, the man who could go just as well as not, the man who would make a man soldier, to meet the men soldiers of Germany? But, no; he must take care of his business and we must send the boy! My friends, I am not fighting the War Department, I am not fighting the President of the United States. I am standing by them, and have been all through this conflict, and will continue to do so in everything that I believe to be right; but when you put me upon the Committee on Military Affairs I went on there as a free man, thank God, with free men. I stand here to-day as

a free American citizen, appealing to other free American citizens to do the thing that they believe will be best for the country and not best for some individual. When I went on that committee I resolved to give my best and most earnest thought to these great questions that come before it and I am still doing so, but I decline most respectfully to surrender my manhood and what little intelligence I have, what patriotism I may have. I decline to surrender this to the Kaiser of Germany or to any other man who would undertake to dictate to me and say that I must lie down and have nothing to say in that position. When it comes to that, I want to be relieved of the responsibility of serving upon the Committee on Military Affairs.

My friends, it is up to you. You can put these boys in now, I am not saying they shall not be registered, that they may be used if necessary; all I am appealing for is that, in the name of justice, in the name of good military policy, you take the older men first to stand the terrible strain that will be put upon them, that you use them first, and if the time comes when we need them then we will put in the boys. [Applause.]

The CHAIRMAN. The time of the gentleman from Illinois has again expired. The gentleman from New York [Mr. CALDWELL], a member of the committee, is recognized for five minutes.

Mr. CALDWELL. Mr. Chairman, I ask, as a member of the committee, as I did not speak yesterday, that I may be given 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none.

Mr. CALDWELL. Mr. Chairman and gentlemen, Germany has done her worst. Let us do our best and send the pride of our country to do it.

It is necessary that America send overseas a force large enough to enable the allies to hold the line from Switzerland to the sea. Germany has 13 lines of fortifications already prepared between the point where she is now fighting and the Rhine. Gen. March says that with the millions he asks he can cross the German line at will. He did not mention the sacrifice, but those of us who look at the war practically, with the fixed determination to win the war, are willing to make any sacrifice for the victory that we must win.

The present fight over the McKenzie amendment is a tempest in the teapot. There is already provision of law authorizing the draft of men for the National Guard between the ages of 18 and 45. The Hay bill of June, 1916, commonly known as the national-defense act, so provides.

The idea of the War Department now is to amend the last draft act so that men between the ages of 18 and 45 can be called for the other forces, because the number of men between 21 and 31 is not adequate to produce in class 1 enough men to meet the requirements of the military situation in France.

The plan of the department is to group by regulation, after the registration of all men who would come in under the new ages, those who would fall in class 1 from 32 to 36 years old, inclusive, together with those who would be in class 1 of 19 and 20 years old, inclusive. There would be a lottery as heretofore adopted and they would be called indiscriminately, as it would be a very great mistake to put all the old men in one draft and all the young in another.

The McKenzie amendment grew out of a misunderstanding of the Secretary of War's statement before the committee and was largely actuated by the desire of certain men to make a hard-and-fast rule which could not be changed even if exigencies required it. The Secretary repeated several times that it was not the intention of the War Department to take the men above 37 years of age or those below 19 until necessity required it, but that it would be perilous to write into the law a rule that would not be flexible and which would interfere with the mobilization of the full man power of our country.

Gen. March, Chief of Staff, stated and repeated under cross-examination by me that if this bill was passed as he asked it that he was satisfied that the war would end by Christmas, 1919. This is a result devoutly wished, and I can not understand how anyone who did not doubt his sincerity could refuse his request. It is the intention of the War Department, as expressed by the Secretary and his aids, to mobilize all of the men in class 1 between the ages of 18 and 45 prior to June 30, 1919. And, as a matter of fact, it is expected that most, if not all, of them will be in uniform by January or February of next year.

The science of warfare will require a substantial reserve force at all times at home, and the necessities of the country will require the continuation of the education of our young men in order that the necessary officer personnel may not be depleted, that the adequate technical units may be kept at full strength, and that society will not suffer after the war for lack of education. For that reason provision is made in the amendment offered by Mr. LUNN and suggested by the War Department for the education in the institutions already inspected, numbering more than 400 at this time, and many others hereafter to be selected, of all young men who show aptitude, and then in the particular line for which they are fitted. It is expected that the old men and the 18-year-old boys will make up the reserve army, and that under these regulations, if the bill is passed as the Chief of Staff asks it, that we will be able to put three or four million men in France in time to be used early next year.

Mr. DYER. Will the gentleman yield?

Mr. CALDWELL. I do.

Mr. DYER. What does the gentleman call old men?

Mr. CALDWELL. Above 36.

Mr. DYER. Does the gentleman call those old men?

Mr. CALDWELL. Relatively old men in the draft.

Mr. SNYDER. The gentleman means older men.

Mr. CALDWELL. Yes; older men.

All of the wars of America have been fought by the young men and boys, though the old men have done their share. We are only carrying out the policy of religious history as established by the ancient Jews, and which policy has been followed by every country of modern times. Criticism has been made that we are placing the burden of war on the shoulders of the boys of the country. The answer to this lies in the fact that to fight for one's country is not a burden but an honor. Following the Civil War and for 25 years thereafter practically every important place in the Government of this country was held by a man with an honorable war record. When the boys come home they will take control of the country they have saved. To give the young men the opportunity to participate in the great enterprise is a favor and not a hardship.

Mr. AYRES. Will the gentleman yield for a question?

Mr. CALDWELL. I will.

Mr. AYRES. Is there anything in the McKenzie amendment that precludes the War Department from calling the 18 and 19 year old boys to the cantonments to be prepared?

Mr. CALDWELL. Yes, sir.

Mr. AYRES. I understand there is not.

Mr. CALDWELL. I understand there is, because it says they shall not be drafted, although they shall be registered, until all the other men have been drafted.

Mr. AYRES. The author of the McKenzie amendment says it does not preclude the War Department from calling them.

Mr. CALDWELL. It is a difference of opinion and construction, and I refer to the amendment itself.

It is usually the father that seeks exemption for the young man, but he always blames the mother and boasts that the boy wants to fight. Why this objection? I have not heard the boys complain. I would not send the young men under age to war unless it was necessary. Neither would I send one over age, for that matter. But the necessity has occurred, and to my mind it is quite apparent. When I voted for war I pledged my country and its citizens to its support, and I see no reason now to violate the pledge.

I have heard that this is a war of science and machinery; but in the last analysis it will be won by our athletes with guns in their hands. The enemy has thrown her young manhood into the struggle. Let us meet her with a superior force; or, as I said in the beginning, Germany has done her worst. Let us do our best and send the pride of our country to do it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CALDWELL. Mr. Chairman, I ask unanimous consent that I may speak for three minutes more.

The CHAIRMAN. Is there objection?

Mr. DYER. Mr. Chairman, reserving the right to object, may I ask how much time the gentleman has already consumed?

The CHAIRMAN. Ten minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. CALDWELL. What excuse would we have to offer if we refused to give the President the power to recruit the Regular Army and the National Army that we have already given him to fill up the ranks of the National Guard now in service? In the Hay bill the President has that power.

I believe that I have seen the magnitude of this war from the very beginning. I can see very clearly now, as I have since war was declared, the necessity for sending a force large enough to hold the line from Switzerland to the sea, a distance of more than 400 miles, with 13 men to the yard all the way. Germany is retreating now. She has retreated under pressure, but for a triple reason: First, on account of the pressure of the allied armies; second, because she seeks to shorten her line and use her forces thus relieved on the eastern front; and, third, that she might intrench herself behind the wall on which the spears

of Canada and Australia blunted and bent as if they were made of wax. The Irish, the Scotch, the Canadian, and the Australian are our nearest kin. Our soldiers are more nearly like those than any others. Let us not make a mistake of sending too small a force upon this Herculean task. Remember Germany has 13 lines of fortification already prepared between the point where she is now fighting and the Rhine. Gen. March says that with these millions he can cross the German line at will. He did not mention the sacrifice, but those of us who look at the war practically, with the fixed determination to win the war, are willing to make any sacrifice, especially if it will enable us to go through the German line. Let us furnish an adequate force to do it.

There is a compensation for this sacrifice if the job can be done in one year more, and that is the saving in human life which would be lost through the prolongation of the war. And, as between the two, the present sacrifice is preferable. [Applause.]

The CHAIRMAN. The Chair recognizes the gentleman from Kansas [Mr. LITTLE] for five minutes.

Mr. LITTLE. Mr. Chairman, I ask leave to speak for 10 minutes.

The CHAIRMAN. The gentleman requests leave to speak for 10 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. LITTLE. Mr. Chairman, I do not see that the man who can "holler" the loudest has any particular advantage in this debate if the House will submit to the rule of reason. This is a plain matter of sound common sense, reinforced by such experience as we can get at. In that light one thought crept in here yesterday which should determine the decision of every man here who will stop to think. It now appears, as we were informed yesterday, that the Government of France has not yet reached the point where it draws upon its 18-year-old class. No nation in the world ever resisted so successfully such tremendous military assaults as France has met for four years. Those men have experience that qualifies them better than anybody in the world to determine when a nation should begin to draw upon its last resources, and they have decided, and their judgment ought to govern the action, thought, and vote of every fair man here.

The reason is obvious if you will stop and ponder for a moment. A nation in going to war must remember that there is another generation to follow. If you forget that, the next generation will essentially deteriorate. The statistics of Europe tell us that after every great war the nations most involved are an inch or two less in stature. Now, why is that? The great wars have, to a great extent, been fought until now by boys of from 16 to 21. They passed through the trials, perils, menaces, and privations that come with a great war before they were half developed, and they falter under the strain. No man would think of working a two-year old colt as a five-year old horse, and yet the wars of the world have been fought by boys, by the colts of the world. Seasoned timber endures. Nature intends its products shall attain a thorough development before use.

Gen. SHERWOOD volunteered at 26. Here he is at 82 hale and hearty, while he tells me his comrades of 18 and 20 are older now really than he. He is, of course, the most illustrious and most experienced soldier now in the service of the Republic, and he feels the lack of wisdom in sending schoolboys to war. No man is better authority, and he thinks as the French think. Who is there in the department that even compares with him as a soldier?

Thoughtless men have long sent boys to war undeveloped, half grown. They return apparently all right, but with constitutions undermined to face life again, and we see the long roll beaten for the list of pensioners who would not need pensions but for the undermined constitutions of undeveloped boys sent to war. Yet for centuries nations keep the men at home and see their battles fought by schoolboys.

What becomes of a nation then? The minute that happens their powers of reproduction begin to dwindle. A gentleman said here yesterday that the wars of Rome were fought by men of 17 to 40, and the wars of Greece by men of 16 to 60. But Greece and Rome floundered and broke and fell under that terrific strain. For generation after generation they sent their boys out to battle, but the nations fell back until anybody could lick them, the one-time conquerors of the world. That is why the men of France are not summoning their children to battle. That is the reason they are setting the example that we should follow.

Why, who are these men that want the boys to go to war while they stay at home? What reason is there that among the 20,000,000 names the War Department can find but 2,000,000 fighting men? In the first roll there were 10,000,000 listed for draft and only 1,500,000 have been drawn into the Army. I see that in this report [holding up the committee's report on the bill] the War Department tells us 10,000,000 of men are ready from 32 to 45, and that they can only use 600,000 of them. What is the matter with the rest of them? If they want soldiers, why do they not go and get them where France got hers, among the grown men of the Republic? Twenty million of men are waiting the call to arms, and only 2,100,000 of them have been marshalled in battle array—1 man in every 10. Then they turn to the boys. What do they say in this report? There are 3,100,000 schoolboys from 18 to 21. How many are they going to pick out of them? One million eight hundred thousand—3 in every 5. What for? To take places that should be filled by 18,000,000 men from 21 to 45. Of all the 20,000,000 that I have called your attention to but 800,000 are engaged in essential industries. Who are the other men? Are the men of this Republic cowards and slackers? God forbid! Enforce your rules and they will respond. This is a man's fight.

Man is the only animal that sends his offspring off to fight while he stays at home. [Applause.] There are enough slackers here in Washington to make a brigade. [Applause.] There are enough in any industry to make a division. They say that these are to be exempted because they are married men. Plenty of them would rather go than send their 18-year-olds. Of the 7,700,000 men who are married and above 31 years of age, 408,000 have been widowed or divorced. Why do they not go to war? They would be two-thirds of all they claim they can find above 31. The place to get your soldiers is where France and England got theirs, among the men.

Is anybody going to tell us that the men of America are cowards? I know that many gallant men and many kindly gentlemen favor this proposition. If it were not for that fact I should affirm without fear of contradiction that no brave man and no gentleman would think of sending his boy to war before he went himself. [Applause.] I know a man, a big-business man in my town, Frank Jennings, who said to me the other day—and he is a valuable citizen and has no boys to send—"I am 42 years of age. I would rather go myself than see any boy of 18 go to war." [Applause.]

The gentleman from New York [Mr. LUNN] said he wanted the boys of 18 to stand up and be registered as patriots. They have been registered as patriots in every battle from Bunker Hill to Gettysburg. Go and register yourselves, you men of 45! [Applause.]

It is not my purpose to cast animadversions upon the men who disagree with me. Men have come here and intimated challenges of the patriotism of those who disagree with them. Men who are afraid to go to war piece out their alleged patriotism abusing those who have fought because of some disagreement over policies. One man said to us yesterday that the welfare of the country is more important than the welfare of any family. Great God, my people knew that a hundred years before he had touched the shores of America. We do not need any orators from Europe to tell the sons of the men who fought at Bunker Hill, Saratoga, Brandywine, Lundy's Lane, the Cowpens, Bennington, New Orleans, Buena Vista, Vicksburg, and Shiloh that the welfare of the Republic is more important than the welfare of any given family. We know that. We do not have to be told by anybody from Europe that we need a big army; that 4,000,000 men will make a great assault. They say the committee was electrified when a staff officer—staff, I said—told them 4,000,000 would whip the Germans. We knew that last year. We knew that when we wanted to send a million of volunteers to Europe before they could get the draft law passed and into motion. If we had succeeded, we would have had 1,000,000 volunteers in France before last Christmas, Italy would be in Trieste, and Russia on the firing line. Plenty of us knew that then. Last fall I said to this House—September 13—that we would never accomplish anything until we have 3,000,000 men on the firing line. I am glad to see that the War Department has caught up with me. I welcome them to the field on which I have stood. We have been needing soldiers for months, and there are 8,500,000 men from 21 to 31 uncalled.

I have said these boys will deteriorate. Intelligence is the backbone of a republic. Every time you take a boy out of school you cut down the intelligence of the future. He should be in school and his father should be fighting. Is there any man of 45 that wants to stay at home while his boy goes to war? God have pity on him if he does! Yet there are 7,000,000 married men, some of them having children, who were listed immediately in the deferred classes. Come out of the brush, brave men! Come out of the brush, cowards and slackers! Go yourselves and register to be shipped to Europe, and let your boy stay in school, where he belongs, and with his mother. He is to furnish

the intelligent voter of the future. Let him stay in order to build up the next generation. Utilize French experience. Do not rely on the eloquent gesticulations of men who admit they know nothing about the subject and depend entirely on somebody's ipse dixit.

Nor is that all. Every great industry that makes big money comes here to tell us how much it needs these men exempted. Who is going to farm this country? You have taken pretty much all the unskilled labor now except those who manage to escape all service. The farmers all over the great West have to depend now solely on the boys of 18 to 21. You could not strike the industries of this country a greater blow than to take them off the farm where they can do the work and where nobody else does it.

The farmers rely now on the minors to do the farm work. If a boy of 18 or 20 is as good as a man of 30 or 40, how does it happen the boys are not holding the places of responsibility or are not at least doing the work in the great factories? Every man here knows a regiment of men of 40 would defeat one of 20-year-olds. Every man knows a man of 35 makes a better soldier than a boy of 18, can endure more, takes better care of himself. I volunteered at 38, and I am helping those who were 20 then get pensions every month. Of course a developed man is better for any use than an undeveloped boy. It is a false economy that cuts the sapling and lets the big oak stand. A bby of 20 has 30 years of service before he is 50, while a man of 40 has only 10 years.

If we lose in battle a schoolboy we lose 30 useful years. If we lose a man of 40 we lose 10 such years. Yet these lads are adapted to farm work, and we have no others for it. This is as essential an industry as any the Republic has, and I warn you that the minute you take the last unskilled labor from the farm, the boy under 20, you have struck a blow at the business of this country more tremendous than you could deal by any that you could direct against any other industry, my friends.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. LITTLE. I ask to proceed for two minutes more.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent to proceed for two minutes more. Is there objection?

There was no objection.

Mr. LITTLE. Gentlemen of the House, this is an important moment for us and for this great Republic. You are not now determining for the success of this war alone. If that is all you want, go among the 20,000,000 men and bring them out and let them fight. A man says in effect on this floor, I know nothing about this subject. I shall blindly follow the orders of somebody in the department in framing these laws. That is not an argument. That is a confession. You have taken an oath to serve the Republic with all the intelligence you have. If you have none, why are you here? Who are these experts? What fights were they in? What troops did they raise and lead to victory? Give us their credentials! You are now deciding what the future of your great Republic will be. Do you want the seeds of deterioration to be sown among us as they were sown in Greece and Rome? Do you want our Republic to start on the path that brought about the downfall of every great empire? Or do you want us, as brave men, like gallant men, to have the men of the Republic go out and fight for the Republic and save the fathers of the next generation until such time as it shall really become essential?

Why, little England and little France deferred—one of them does still—the drawing upon these little fellows—these young men, if you wish to call them so. Shall we, the great giant Republic, like a foolish boy scared by a shadow, who has not yet reached the crossing of the ford, be the first to call upon our children and wreck our schools?

At Guinginto one evening 19 years ago was fought the bloodiest fight in the Philippines. Across a rice field into a Tropic wood under a terrific fire they charged. After the battle, as I sat on a rice dike, a little boy of 18 came to me as if to his father, and he said, "Colonel, the boys were mighty brave today." They had been, and I had thought of it myself as they swept across a field on the charge I ordered. That little fellow wanted to talk it over with an older man just as at home. The man of 35 or 40 has to take the lead, the responsibility, with boys of 18 or 20. Of course a man of 25 to 40 is the burden bearer instead of the boy of 18 in war as elsewhere. I looked at him, and I thought of his mother at home and of his school where he ought to have been, and I said to him, "Sonny, the rest of them were not any braver than you, were they?" He had not thought of it. He was just a child, a schoolboy of 18, although he bore bravely the burden of a man of 25. A regiment of men of 40 years can whip a regiment of boys of 20. The boys lack the stability that comes with experience and development. They get sick quicker than mature men. They commit more indiscretions. They break down more easily. The Adjutant General indicated that the age of 26 is the ideal age for a soldier. When you get these boys you are not getting the stability, the force of character, the endurance, the preparation for difficulties, the understanding of what they are doing, of men of 40. Every man of 40 is better than his son of 20, and he is in authority, and he ought to go first. [Applause.]

The CHAIRMAN. The time of the gentleman from Kansas has expired. The gentleman from Missouri [Mr. DYER] is recognized.

Mr. DYER. Mr. Chairman and gentlemen of the House, practically ever since this has been a Nation of free men and free women we have permitted by law service in the Army and the Navy of boys of 18 years of age, and we have not yet found any great trouble or complaint by Members of Congress for permitting the boys of that age to enter the military and naval service of their country as volunteers.

But now, when we come with a proposition to place all boys of 18 years and up upon the same footing and make them all liable for military service, we find complaint.

Gentlemen, this bill is the right way and it is the proper thing to do, because it prevents lots of boys who are 18 years of age and unfit for military service from entering the service as by law to-day. Boys of 18 have been going until the last few days and enlisting in the service of the Army and of the Navy, and they have gone to France. There are thousands of them there, and they have given a good account of themselves. We now are putting into the selective-service law young men of the ages of 18 up to 21, and that will give the War Department authority to prevent the service of men of 18 years of age and 19 who are not qualified physically or where there are other reasons why they should not enter the Army, but it will give to a great many who are able the opportunity to enter.

I have, as a good many of you gentlemen have, some reluctance in voting to take into the service boys of 18, many of whom have been going to school. But, Mr. Chairman, some of the boys of 18 are not going to school. They are compelled to work for their daily bread upon the farm or in the factory, and while I would like to see the boys of my city who are 18 and who are going to the high schools permitted to complete their education, yet I am not willing to see preference given to the boys who have those advantages over those who do not have those advantages. I would not be in favor of voting for a proposition to permit them to go on to school because they are in school and not allow exemption to those who are not going to school.

Mr. Chairman, it is not a pleasant duty for any of us to vote for war. It is not a pleasant duty to vote into the Army the young boys of our land. But we are in a position to-day where our duty compels us to take a firm stand that must be taken in behalf of our country, and not for any other consideration. Human life is precious, but it is secondary to the welfare of our country, and we must stand to-day as men who are free against any personal interest, any personal welfare, and back up the Government of the United States in giving it that Army which it needs to fight this war. We must have the men, and the President comes to us, the Secretary of War comes to us, Gen. March, the Chief of Staff, comes to us, and tells us what they need. Shall we say that we, here in the House of Representatives, from the farms, from the law offices, from wherever we may come, are better able to decide these great and important questions, when the welfare of our country hangs, as it does, by the decision of battles? Shall we take unto ourselves the responsibilities and the assumption of intelligence of deciding these purely military questions, or shall we leave to the officials of our Government, the executive officers, the responsibility which under the Constitution of the United States is theirs? The President is the Commander in Chief, and we must give him power, and we must trust him to do that which is best and for the welfare of the whole people.

We have in office to-day a man, Maj. Gen. Crowder, the Provost Marshal General, against whom there has been no criticism with reference to this selective-service law. He has endeavored to have this draft law conducted fairly and properly; and, Mr. Chairman, I submit that we should leave these matters where they belong—with the military authorities. [Applause.]

The CHAIRMAN. The time of the gentleman from Missouri has expired. The gentleman from Tennessee [Mr. MOON] is recognized for five minutes.

Mr. MOON. Mr. Chairman, much has been said on this measure, and very much better said than anything that I could say. Yet I have felt that this bill should not pass without an expression of opinion on the measure.

The most sorrowful act in my life was the voting for the declaration of war. Yet it was a high duty, a grim necessity; and while we may regret the fact that the nations of the

world are at war, and that our hundred millions of people are involved in that great controversy, still the high duty rests upon us as a legislative body to stand behind the Executive of the United States, charged with the successful prosecution of this war, until peace is made by the unconditional surrender of Germany. [Applause.]

Yet while all this is true, and while I, in common with you, have voted for every single measure looking to the successful prosecution of the war—opposed, indeed, in the first place to the draft law because I thought a volunteer army could be raised better and make a more effective army than a draft army, yet when the judgment of this committee was that the Army must be raised by the draft, all of us on the final vote on the conference report adopting the draft law supported that measure—we come now to the question of the extension of the draft law. The question presenting itself is, What course is wisest in the raising of an army for the further prosecution of this war? The system is settled. The only question before us is the age of the soldier who shall be called to bear arms in the defense of his country. It is said that the administration favors a bill that would place in the field soldiers from 18 years of age to 45 years of age. I do not know how this is, whether the President approves it or not. I assume that if the military branch of the Government are strongly for it, the President will not object to the passage of such a measure. Yet the responsibility rests, not upon the Executive but upon this body, in determining the character of the soldiery of our Government, and we must look not only to the successful prosecution of this war, but to the aftermath of war, the effect that this draft may have upon the citizenship of this Republic in the days to come. To my mind the suggestion that children shall be forced into the ranks of war, while mature and able-bodied men, of whom we can arm 10,000,000, enjoy the luxuries of peace 3,000 miles from the scene of conflict, carries with it a tinge of intense cowardice. [Applause.]

Who is this 18-year-old boy that you will consign to war while mature men have peace? He is only a child yet, clinging to the knees of that mother who taught him his prayers; a tender bud blooming into manhood.

Will you give him his opportunity in the battle of life by enabling him to have an education and to develop the character that at that age alone can be perfected, or will you give him to the battle of bullets and the grave while cowardly men stand back and receive the benefits of his death? [Applause.] That is the question before you. Who says he is not a good soldier? The bravest of the brave, he has been in every war that has ever been fought, and the world never saw braver or better soldiers than the tender boys from 18 to 20; without discretion perhaps, but true in the obedience of orders and the discharge of duty. Shall he be sacrificed? I see, Mr. Chairman, that you are about to drop the gavel. I ask for 10 minutes more time. I hope not to use it all.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that his time be extended 10 minutes. Is there objection?

There was no objection.

Mr. MOON. I was about to remark, Mr. Chairman, that it is not fair to these boys, it is not fair to the Republic, which must have the benefit of a great citizenship later, that they be drafted into war now. If necessary, let them be placed in a deferred class and as a last resort take them into the Army to fight the battles of your country. If necessary in the meantime let them have some training, but defer, as the amendment of the gentleman from Illinois [Mr. McKENZIE] does, the classification of these boys. Discuss as you will the measure, and yet the simple question arises after all, Is it best for us to put our boys in the Army before they are mature men, or is it best to hold them in reserve until they are mature and can bear the arduous burdens of citizenship? If it shall be insisted upon, to my mind it is an evidence of weakness to begin with. When the last reserves of Germany were called into this great struggle, taking the youths of 16 to 18, do you not remember how the impression went forth to the world that the German power was broken—God grant that it be true—because she had called to arms boys of 16 to 18? And when Germany, France, and England, as far as possible, have reserved the young manhood of the nations for the future are we to tell the world that we place our 18-year-old boys in the field in order that the elder men may enjoy the luxuries of peace? The gentleman from California [Mr. KAHN] and others have said that we must throw away sentiment on this question, that we must no longer have tender care for the youth of our country. Perish forever the thought. This Republic to-day would be but a colony of England if there had been no sentiment among the American people. In the very dawn of this Republic the world saw Africa slumbering in the darkness of a lost civilization. It beheld the great continent of Asia with not a single altar erected to liberty, Europe sheltering only the thrones of blood-stained monarchies. It was sentiment that then drove to the shores of New England the *Mayflower*, where the Puritan lifted the standard of liberty, demanding the right to work and worship God in obedience to the dictates of his own conscience.

Far down to the south, upon the banks of the James, were raised the banners of freedom, and a great people united to press civilization to the far West. Then the hand of the tyrant reached across the sea to suppress the liberties of a mighty people. It was then that the Colonies united under a sentiment that has affected the world ever since, the sentiment of freedom and justice. Without it there would have been no Declaration of Independence. Without it there would have been no Constitution and no Republic. We gave to the world the example of freedom and of democracy. We asserted the rights of men to govern themselves. We determined that every man is entitled to life, liberty, and the pursuit of happiness. We said that no just government can exist save by the consent of the governed. Was it sentiment that drove us forth to battle for these rights? Was it sentiment that enabled the fathers of the Republic to assume that godlike spirit that raised a tottering Nation to glory? Yes; sentiment! Was it sentiment that divided this great country, one side claiming the right to constitutional liberty and the other holding to the maintenance of the Union, declaring that liberty was worth nothing and a constitution worth nothing without a republic behind it to be sustained? Sentiment sustains freedom and civilization by law and order. These are all matters of sentiment. It is sentiment to-day that places us largely in this war. We had no idea of entering this struggle, in my judgment, except as a defensive proposition on our own shores until we beheld the great commissions from foreign lands pleading for liberty and democracy for the world coming to our shores. We saw Italy, the land of Brutus and Cato; and Great Britain, glorious in her history and traditions; we beheld the beloved land of France, pleading at the altar of American liberty for help to sustain the principles of democratic government, taught since 1776 by the American people, and we answered her. We laid aside all the prejudices we had against Great Britain; we extended the hand of friendship to Italy; and we said to France, "By the eternal, the Hun shall never place his unhallowed foot in the tomb of Lafayette and his unholy hand shall not haul down the flag of France." [Applause.]

We are in this war largely as a matter of sentiment. Practically it is a sentimental war, and we must prosecute it to a successful conclusion for democracy and the freedom of men. But we can reserve the boys for the last charge; we can reserve them to the day when America must wave her banners, all her banners wave, and charge with all her chivalry. [Applause.]

We must not hesitate about this matter; we must stand for whatever is right and just, and whatever be the judgment of this committee, let us go into the House and present that judgment not by a divided vote but by one solid unit, facing the enemy and sustaining the Government and the President of the United States. Let us do the deed to-day, and dare it, and in the days to come, from our place on high, look down on to-day and yesterday as days that can never die. [Applause.]

Mr. DEMPSEY. Mr. Chairman, I ask to proceed for 10 minutes.

The CHAIRMAN. The gentleman from New York asks to proceed for 10 minutes. Is there objection?

There was no objection.

Mr. DEMPSEY. Mr. Chairman, it is admitted here that the military experts of the country want this bill to pass with the ages fixed at from 18 to 45. Those who support the McKenzie amendment say they are ready in most instances—ready generally—to follow the advice of the military experts, but they say that this particular question is not a military question and that they should be left to their individual congressional judgments.

I suppose they are ready to follow the advice of the expert about munitions; they are ready to follow what he says about cannon; they are ready to do what he says about supplies; they are ready to concur in what he recommends about transportation; and yet munitions, cannon, supplies are all senseless things. Without the man they do nothing. The ultimate thing, the thing which moves them all, is man power. That is the thing most important of all, and in respect to that we say to the men whom we must trust—we say to the Chief of Staff here and to the general on the firing line, "We will not trust you to select the force with which you must win this war." Could anything be more absurd than that?

And then, as if to force the argument, some one of these gentlemen says in trench fighting is not the more mature man, the man of 40, more useful than the youth? Why, have you not

heard the report of those Members of this body who have returned here within two or three days from France? Have you not heard that the Americans are fighting in the open, and that while the French and English are digging in our men are showing how to hide themselves in the open fields and be safer than they would be in the houses, woods, or even trenches? You all admit that for open fighting the younger man, the man as young as 18, is the better soldier.

Next they say—the gentleman who is sponsor for this amendment says—when the Capital is in danger, when our cities are bombarded, when our people are threatened on their own shores, then I will be ready to vote that the boys of 18 go in.

One of my colleagues from New York says he will be ready under those circumstances to send 25,000,000 men and $250,000,000,000 dollars in money. Oh, gentlemen, I propose a more glorious course than that. In the last three or four weeks America has entered the fighting line on the other side. England and France, dispirited, with their morale impaired by four years of long, weary fighting, have been revivified and given new courage and, united with their new brothers in arms, they have driven the Germans back more within the last three or four weeks than they advanced in the corresponding number of months. [Applause.] And so strengthen the Army not when the flag is trailing in disaster, strengthen the Army not when our own shores are bombarded, strengthen the Army not when the Capital is in danger, but strengthen it all you can at this moment when we are going forward and thus continue to go forward and keep going forward until you win, as you will win, if you strike with all your might for a great and glorious victory. That is the time to exert your effort and not wait until disaster comes.

Then we hear a great deal about taking away the boys from the schools.

I wonder if these gentlemen have read that greatest of all military books, The Memoirs of Gen. Grant. All concede that the war of 1860–1865 was fought by the young boys, and Gen. Grant tells us in respect to the boys who were taken from the farm and from the workshops that their vision was so broadened, their experience was so valuable, that when they came back to the farm and the workshop they found them too small, and he says that the volunteer became the pioneer and that the West was settled 50 years earlier than it would have been except for the Civil War. Who needs to be and who is more hardy than the pioneer? And yet they talk to us of decadence, because these boys are conscripted now! The boys of that period, 1860–1865, became the pioneers of this country, and the boys who come from this war will become the sailors of what will become the greatest commercial fleet of any nation in the world after this war. They will go down to Central and South America, carrying our trade there, and will make those practically Anglo-Saxon countries. Our young men will so change things that South America will not alone give us its trade, to which we are naturally entitled, but it will practically become a part of us, and with its vast undeveloped natural resources it will grow and prosper beyond our dreams. They will redeem the arid lands of this country; they will redeem the forest lands that have been cut over; they will rescue the lands which are flooded, and we shall see that their great vision and their wonderful experience will make these boys the rulers of America for 50 years to come. [Applause.]

Mr. JOHNSON of Washington. Mr. Chairman, inasmuch as I was not able to procure the 10 minutes which was promised to me yesterday, I ask unanimous consent that I be permitted to speak for 15 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. JOHNSON of Washington. I shall ask our efficient Doorkeeper, Mr. Sinnott, to let me have two 18-year-old pages, and I believe he has selected two, Charles Mainhall and John Doyle. They will be here in a minute.

Mr. Chairman and gentlemen, I would like to say that I have made a hard study of this proposition. It was not my good fortune to go home during our short recess. I was here during all of that time. This enlarged draft problem began to be talked about ahead of the necessity for its being taken up by the Military Committees of the House and the Senate. The discussion then spread to the counties around the District of Columbia, where I have been from time to time talking to the patriotic people, and I began calling for 18-year-old boys to look at them. My friends, I found that the able-bodied 18-year-old boys, the husky boys, who are full grown, have pretty well gone into the Army. They have volunteered and they are doing men's work in our brave Army. I found, too, that other well-developed 18-year-old boys are doing the work at home of grown men on the farms around here, in the shipyards of Alexandria, and I know that out in my far-distant country, and everywhere, they are working and doing men's work in the woods, in the mills, in the factories, the shipyards, and wherever boys can fill in.

Mr. DEMPSEY. Mr. Chairman, will the gentleman yield for just one question?

Mr. JOHNSON of Washington. No; the gentleman will pardon me, but I can not yield.

The CHAIRMAN. The gentleman declines to yield.

Mr. JOHNSON of Washington. Of the boys of the country, from 18 to 19, there are just a few more than 1,000,000. The War Department expects to card index that million and select from them 540,000 18-year-old boys, and Gen. Crowder told me this morning at my questioning that of the 540,000—and Secretary Baker himself promised to hold them back as long as possible—in spite of that promise, in spite of that pledge, it is expected to have about 300,000 of the 18-year-old boys in the trenches on the firing line within six months. Mr. Chairman, can not this great Nation with more than a hundred million souls find 300,000 men from the deferred classifications? Shall we let the son of Henry Ford, 23 years old, who applied first for a deferred classification, because he said he was needed in his father's business, go scot-free? [Applause.] He lost his first appeal, but he made a second appeal that he had a wife and baby, just born, and finally got himself put into a classification of 2A.

I want to see how many young men like Edsel Ford, son of Henry, who asked for deferred classification, because he was needed in Ford's business, are left in this land. As I say, Edsel Ford finally secured classification as 2–A (wife and child) and also as 3–1 (necessary assistant of necessary indutrial enterprise). That makes him practically immune under the old draft unless the rules are changed. And, gentlemen of the House, this new bill sends the 18-year-olds of the United States to war ahead of all the Edsel Fords in the country.

Theodore Roosevelt has written that "the son of Henry Ford ought to feel it absolutely obligatory on him to go to the war." Pass this bill and he can not go. This ends volunteering. Read the hearings on the subject. Note that enlistments are suspended. Read Secretary Baker's statement that an able-bodied man of 40 or 42 will not be permitted to enlist. Will you O. K. a plan by which a father of 40 can not give his life for his 18-year-old son? They say Henry Ford is to be inducted into the Senate. I do not believe it. [Applause.] But if he is to come, I wish he were here now, so that the Nation might see if he would vote to send poor men's 18-year-olds, while his own precious 23-year-old Edsel is set aside. [Applause.] Will you draft the 18-year-olds while a single fighting man under 31 sits in uniform at an official desk in Washington? [Applause.] If you must draft 18-year-olds, will not you at least make the draft maximum 50 years, and authorize volunteering, so that able-bodied men such as myself can get into the trenches? [Applause.] Enact these provisions, and I will enlist to-morrow, and I am only one of countless thousands. Get it down to the last analysis, and there are 150 men in this Congress who should vote themselves into this war before they vote the extreme youth of the land into it. [Applause.] Gentlemen, will you draft the golf caddies and exempt the golf players?

Gentlemen, my position is very clear in this matter. I offer an amendment, in line 2, page 2, striking out "18" and substituting "19." That can be voted up or down. I understand that the gentleman from California [Mr. KAHN], or some member of the committee, will offer an amendment striking out all of the McKenzie amendment. Whether my amendment to keep the 18-year-olds still in the hands of Congress wins or loses, I shall vote against the McKenzie amendment. And whether that is left in or stricken out, I shall finally vote for the bill, fully conscious that I have done my full duty in attempting to perfect it by holding in reserve the 18-year-olds until the improperly deferred have been rounded up.

Gentlemen, we can make the first amendment and neither delay victory nor disturb the plans of the War Department. We simply hold in the hands of Congress 600,000 18-year-old boys until we have positive knowledge that they are needed, and until we have dug up men from certain suspended activities. These boys may become 19 before that step is necessary. There are 1,000,000 18-year-olds in the United States. If needed, House and Senate can add them to the man power of the Army in 10 days' time. [Applause.] Right now military authorities state that an additional army of 2,300,000 men is wanted. Secretary Baker himself proposes to hold until the last moment the youths from the front ranks. Gen. Crowder tells me that he thinks if all other estimates run true nearly 300,000 of the 18-year-olds proposed to be drafted by this bill can be held here

for quite a period. But he says that those who do go will be likely to go within six months.

Remember, gentlemen, this is not the universal training plan. It is a draft that takes 500,000 from an available million 18-year-olds and sends fully half of that 500,000 to the trenches within six months. Now, then, gentlemen, whether we adopt the 18-year minimum or make the low draft age 19 years, we simply tie the hands of the War Department if we adopt the McKenzie amendment, as I shall show you. Mark that. But make the minimum 19, kill the McKenzie amendment, and you will not embarrass, hamper, or delay the War Department. And you withhold from the front ranks six months from now only 300,000 18-year-old boys, for whose places there can certainly be found among the 20,000,000 men of this Nation able-bodied, willing, mature patriots not now in the Army or subject to the last draft or this draft who would rather fight and die than unnecessarily sacrifice those 300,000 boys. [Applause.]

What is the McKenzie amendment? This:

That registrants who, on the date fixed by the President for registration, are of the age of 19 years and not over 20 years shall be designated as the class "19," and shall be drafted subsequent to registrants in class 1 of the age of 20 years and over the age of 20 years; and registrants of the age of 18 years and not over 19 years shall be designated as the class "18" and shall be the last called for service.

Now, please give attention. On page 45 of the House committee hearings, Gen. Crowder tells of the plans now proceeding to put this new draft act into effect. He says:

I have proceeded under one possible embarrassment, and that is a provision might be inserted in the law which would invalidate the printing I am having done * * *. Any change that is made in the law that affects the questionnaire or any other form necessary would make embarrassment for us.

And so forth.

I submit that while we are anxious to hurry this draft and get the men that Gen. Crowder, who will be in charge of the draft, wants, we can make the minimum age 19, and not hold back the new draft one hour. My proposition simply cuts off the lowest classification. In the hearings Chairman DENT asked:

The CHAIRMAN. Do you mean if Congress should change the age limit, we will say, from 20 to 40 years or from 20 to 45 years?

Gen. CROWDER. That would not affect it. It is the changing of the conditions of classification that would affect it.

Gen. Crowder also added:

Now, there is one thing that I thought there might be some misunderstanding about. Already I have asked the Secretary of War to consider this proposition. Proceed with the registration of all men added by extending the military ages; give every man enrolled a serial number, conduct the drawing and assign each man an order number; then segregate the cards of the 18-year-old men, and lay them to one side, and segregate the cards for the men from 37 to 45, and lay them to one side; proceed as expeditiously as possible to classify the men of 19 and 20 years of age and the men from 32 to 36 years of age, inclusive, which would give me five annual classes of the superior age limits and two annual classes of the inferior age limits. That would enable me to move with great expedition to the recruitment of class 1. When I get them classified, I will take the superior age numbers and proceed with the men from 37 to 45 years of age. I would proceed as rapidly as possible with the men in the upper age limits. However, as yet he has made no order except that for first classifying the 19 and 20 year old boys and the men from 32 to 36 years, inclusive.

Chairman DENT then asked the question in another form:

If we should provide the order in which they should be called into service, that would not delay the execution of the law?

And Gen. Crowder answered:

No, sir; but I would not like to have you infer from that that it would not produce other embarrassments. It would not delay the execution of the law unless you told me to proceed with the superior age limits first. As I told you, the work of the classification of the men from 32 to 45 years of age is so laborious that I would not be certain of getting the number of men needed in class 1 to fill the requisition corresponding to the months of October, November, and December.

In several places in the Senate hearings you will find it stated that it can not be hoped to hold back the 18-year-olds. I have not time to mention objections which have hitherto been presented to the drafting of 18-year-olds at this stage of the man-power strength of a Nation of more than 100,000,000 people, but I have this idea to present to you. Gen. Crowder says, Senate hearings, volume 1, page 8:

Here is one thought that occurs to me (Crowder): Our 18-year-old and 19-year-old and 20-year-old boys are going over there to fight with boys who are 18 and against boys who are 18 and, if reports are to be believed, against boys who are 17, so that we are not doing anything that is unprecedented.

Oh, gentlemen, not unprecedented! Have not we all read, not with scorn but with pity, that 18-year-old prisoners have been captured by our troops at the front? I have seen those youthful German prisoners, some perhaps under 18, and I have felt that pity. And neither ourselves nor our allies starve or mistreat our prisoners. Standing beside me is one of the two 18-year-old pages employed by the House of Representatives, for whom I called. The other is detained. This boy is part of the man power of the United States, but I submit he is hardly fit for life in the trenches. [Applause.] That fine, manly little fellow does not weigh within 50 pounds of the equipment that I ask him to shoulder. He wants to go to war. Can anyone imagine this patriotic, growing boy in a charge against a gas attack? Can you see him blinded for life?

Mr. DEMPSEY. Mr. Chairman, I ask unanimous consent that the time of the gentleman from Washington may be extended for one minute, as I desire to propound a question with reference to the exhibit which the gentleman makes.

The CHAIRMAN. The gentleman asks unanimous consent that the time of the gentleman from Washington may be extended for one minute.

Mr. MEEKER. Mr. Chairman, I ask that his time be extended for five minutes.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that the time of the gentleman be extended for five minutes. Is there objection?

There was no objection.

Mr. JOHNSON of Washington. Mr. Chairman, I thank the House, and I shall be glad in time to answer any question that may be propounded to me, but let me first make a statement as to the boy. This young man, a fine manly growing boy of 18, patriotic as anybody, and as anxious to go to the war as anybody, would find himself a little bit under weight; but I can fill him out in three months from his present 108 pounds to the necessary requirement. When they come to strap this paraphernalia, weighing at least 150 pounds, on this boy they need not put in the razor, because this boy has never yet shaved. A soldier! A soldier to defend the flag for us—you and me! [Applause.] I hand him that gun, that Enfield rifle. We will make a soldier of him. We put this heavy steel helmet on him. Now! Put him in the trenches, my friends, against a military nation that has long trained its boys of 16—a nation that for 40 years has schemed and planned to beat the world.

Mr. MILLER of Minnesota. Will the gentleman yield?

Mr. JOHNSON of Washington. Ah, when the time comes we will put this boy in; we will put in the 16-year-olds, and gladly.

Mr. DEMPSEY. Mr. Chairman, I would like to ask the gentleman a question.

The CHAIRMAN. Does the gentleman yield to the gentleman from New York?

Mr. MILLER of Minnesota. Mr. Chairman, I would like to ask the gentleman a question.

Mr. JOHNSON of Washington. Just one minute.

Mr. MILLER of Minnesota. Does the gentleman think——

The CHAIRMAN. Does the gentleman yield?

Mr. JOHNSON of Washington. I yield to my colleague.

Mr. MILLER of Minnesota. Does the gentleman think the American boy of 18 would not be a match for the German boy of 16 who is now in the trenches?

Mr. JOHNSON of Washington. Yes; but as the distinguished gentleman of long experience of this House, whom we all admire for his judgment [Mr. MOON], has just stated, that very fact that Germany has called out her last reserves is a sign of weakness [applause], which we hope is true.

Mr. DEMPSEY. Will the gentleman yield?

Mr. JOHNSON of Washington. I yield with pleasure.

Mr. DEMPSEY. Does the gentleman from Washington know that the page whom he presents as an exhibit has supported a widowed mother by his earnings ever since he has been a page; that she is practically blind, and that both he and his mother insist that he shall go into the war; and that he believes from actual experience he can render unusually good service in the motor-transport branch?

Mr. JOHNSON of Washington. I do not doubt it. I am very glad the gentleman asks that question.

Mr. DEMPSEY. And he is ready to enlist if he is not drafted for that purpose?

Mr. JOHNSON of Washington. Certainly.

Mr. LITTLE. May I ask the gentleman a question?

Mr. JOHNSON of Washington. Yes.

Mr. LITTLE. I want to ask if the gentleman who has just spoken is willing to stay at home and send that boy to war? [Loud applause.]

Mr. DEMPSEY. Mr. Chairman, I think I ought to have the right to answer the gentleman.

Mr. JOHNSON of Washington. The gentleman may answer in the gentleman's own time. [Applause.] Now, gentlemen, the question asked by our colleague from New York was perfectly proper and the statement made by him in regard to this boy supporting a widowed mother is a splendid statement, and it fits the case exactly and it is in line with what I am arguing. I contend that by the time we comb out the 540,000 18-year-olds and have heard the appeals of those who support aged parents or widowed mothers, or those who are doing full men's work,

that there will not be left 540,000. And I contend, too, my friends, that this Congress should think twice before it puts upon the draft boards, these hard-working boards in each community, the decision of sending such a boy as that into the trenches or heeding his appeal that he must support a poor old mother.

Mr. GRIFFIN. Mr. Chairman, I want to ask the gentleman whether the young man that he has before us is a fair example of the American youth of 18 years of age?

Mr. LITTLE. You bet your life; he is above the average.

Mr. GRIFFIN. Let this boy here stand up. Here is a boy 15 years of age. Why did not the gentleman take——

Mr. JOHNSON of Washington. Let him volunteer. I said in the beginning, my friends, that thousands upon thousands of 18-year-old boys have volunteered; and only last night I met a boy from Washington Barracks—a 16-year-old boy who had lied and said he was 18 years old and who had enlisted—and while they are sending soldiers to France right now from Washington Barracks, they are holding back that 16-year-old boy. He is sore, angry, disappointed. That will happen——

The CHAIRMAN. The time of the gentleman has expired.

Mr. JOHNSON of Washington. May I have five minutes more?

The CHAIRMAN. The gentleman from Washington asks unanimous consent to speak for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. JOHNSON of Washington. A few statements about sentiment have crept into this debate. We all love and admire our patriotic Chaplain, Dr. Henry Couden, the blind Chaplain of the House, who stands here each day and offers prayer. You know his history; how at the age of 20 years he was shot and lost his sight while fighting in the desperate War between the States. Blinded in battle at 20 years, for more than 50 years he has made his way as the result of that war. Put this boy in the trenches of France, send him against not the bullets of civilized warfare as in the former desperate War between the States, but against poisoned gas! See him, as I have seen thousands over there, blinded for life! Gentlemen, do you not think we had better comb out the sons of the Henry Fords and others and examine the deferred classes before we draft the 18-year-olds? [Applause.]

Mr. LITTLE. You have got it.

Mr. JOHNSON of Washington. Gentlemen, I thank you for your attention, and I am very much obliged to you. [Applause.]

The CHAIRMAN. The gentleman from Connecticut [Mr. TILSON] is recognized for five minutes.

Mr. TILSON. Mr. Chairman, I ask unanimous consent that I may be permitted to proceed for 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Connecticut? [After a pause.] The Chair hears none.

Mr. TILSON. Mr. Chairman, I am glad to agree with my friend from Washington [Mr. JOHNSON] in one thing, at least, and that is in opposition to the McKenzie amendment. I agree with him for the reason expressed substantially by him that it would seriously impede our progress in making the fastest and best preparation for putting a speedy conclusion to the war. And I am standing by the officials of the War Department in this matter simply because I believe that they are right and advocating the best policy. I would get away as quickly and as far as possible from the idea that simply because the War Department proposes anything we must follow it without consideration. None of us should stand for that. This is a matter for legislative action. It is our proper function as Representatives to pass upon it.

I believe the bill as presented by the War Department, without this amendment, presents the best way to mobilize our resources in man power. Most of the argument on this amendment has been against the use of young men under 21 for military service. This amendment does not prevent that at all. It is not claimed by its author or any of its advocates that this amendment will save the young men even down to 18 from early service. It seeks only to fix the order of their going. All this talk about "children" 18 years old is arrant nonsense. We all know that, from our common, everyday experience. As a rule, boys when they reach the age of 18 are not children, and they do not act like children. Such a statement is an aspersion upon two or three hundred thousand young men of 20 years and under who are already in the service, and on their behalf I resent it.

Mr. BLANTON. Will the gentleman yield for a question?

Mr. TILSON. I will yield for a single question.

Mr. BLANTON. If they are not children at 18 years old, why is it the law of the land says they are children until they get to be 21?

Mr. TILSON. In the first place, the law does not say that.

Mr. BLANTON. The law says they can not make a contract.

Mr. TILSON. That is right. However, I do not intend to allow myself to be diverted from the line of my remarks by a number of questions at this time.

Mr. MEEKER. Will the gentleman yield? Will you name a single industry in which 18-year-old boys rank with men of 30?

Mr. TILSON. I do not know what the gentleman means by "industry."

Mr. MEEKER. All activities like war activities. Name one.

Mr. TILSON. Regardless of what rank they occupy in industry or anything else, we know from experience in our own country that they do make fine soldiers. They tested that out in the Civil War, on both sides of the Mason and Dixon line, and no one can dispute the fact that they did make good soldiers. They have always made the best of soldiers, and no one in this presence dare deny it.

The gentleman from Washington [Mr. JOHNSON] has just exhibited here an undersized boy of 18 and puts on him an oversize uniform. By so doing he attempts to make ridiculous the idea of using in the military service a young man of 18 years of age. It is admitted by my friend from Washington that the page boy he has exhibited is undersize, underweight, and of course he would not be accepted for service. I wish to show you just exactly what an ordinary man of 18 looks like, who has been accepted and is now in the service. In the Speaker's section in the gallery there are four marines 18 years old. I might add by way of parenthesis that a very considerable proportion of the marines now in the service are under 21 years of age. I will ask the young men of 18 years of age in the Speaker's section of the gallery to stand up.

Thereupon the marines referred to arose and were greeted with loud applause.

Mr. LANGLEY. Will the gentleman state how long they have been in the service?

Mr. TILSON. I do not happen to have their service record. Men like these are the ones from whom we heard such good reports on the Marne salient some weeks ago, the young men who drove back some of the best troops of Germany, whether they were men or boys.

I say it is all nonsense to talk about "children" of that age. They are young men. They are at the time of life when they can help fight for their country; they are eager to fight for their country, and pray who has a greater stake or interest in it to fight for?

The time has come when we should amass our strength ready to strike the enemy a tremendous and irresistible blow. The Germans are now moving in the right direction, and we should keep them moving in that direction. We can not do it if we tie the hands of the military authorities and say that they can not take a certain part of the man power until they take the rest of it; that they can not take these young men of 18 to 20 until they take all the older men up to 45. We can not afford to do that, gentlemen. War is serious business. It is a crime that any of our men must go to war, but the guilt for that crime lies not at the door of our country.

Now, what does this amendment say? I wish to call your attention to a fact which was admitted by the chairman of the committee in his opening remarks when his attention was called to it by the gentleman from Minnesota [Mr. ANDERSON]. In case this amendment is adopted all registrants, everybody, from 20 to 45, married, with dependents, employed in industries, essential or not, all registrants, must be taken before any of those below 20 can be taken.

Mr. GORDON. Will the gentleman yield?

Mr. TILSON. The language speaks for itself.

Mr. GORDON. I would like to ask the gentleman a question.

Mr. TILSON. I will yield to one question from my friend.

Mr. GORDON. Do you seriously contend here that this repeals the exemption provisions of the draft law which we amended so as to authorize the President to exempt anybody who had dependents?

Mr. TILSON. Let me read to the gentleman what it says:

All registrants—

There is no exception. It says:

All registrants of the age of 20 years and above on the day fixed by the President for registration shall be called——

Mr. GORDON. Called and exempted or put in the service.

Mr. TILSON (reading):

shall be called prior to those in the classes hereby created.

So we must call all registrants above 20 and up to 45 before we can take any of the lower classes. That is what it says.

Mr. FIELDS. Will the gentleman yield?

Mr. TILSON. I yield to my friend from Kentucky.

Mr. FIELDS. On page 2, lines 20 and 21, it says that it refers to class 1. It makes it perfectly clear.

Mr. TILSON. Yes; but the last paragraph is clear the other way. The first paragraph seems to indicate what the gentleman says, but the last paragraph, which speaks last, says that all registrants must be called before any of the younger men may be taken.

Mr. McKENZIE. Will the gentleman yield for a statement?

Mr. TILSON. I yield to my colleague.

Mr. McKENZIE. I simply wish to state to my colleague that it was not my purpose in the amendment to carry out any such policy as he has enunciated, and it is my purpose when this debate ends to ask unanimous consent to modify my amendment by inserting the words "class one" in the last line of the amendment, so that there will be no doubt about it.

Mr. TILSON. I was speaking to the amendment as it stands. That is what it now says and that is what it means. I do not believe the House will stand for any such proposition as that. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. GOOD. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for two minutes more. I want to ask a question in order to get some information.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the gentleman from Connecticut may proceed for two minutes more in order that he may ask him a question. Is there objection? [After a pause.] The Chair hears none.

Mr. GOOD. The question I am asking is purely for information and not to bother the gentleman or trouble him in any way. Now, about two months ago the Secretary said this:

> The present provision for drafting men between the ages of 21 and 31 satisfies military requirements, and there is no need whatever to look beyond those ages now or in the near future.

The Secretary of War, in closest touch with all the offices in the Military Establishment, in the War Department, said that there was no need now nor in the near future to enlarge and take in younger men. Now, what has happened since that time that would make such a change as to require our taking men not only 20 years but men of 19 and men even of 18? It bothers me a little bit.

Mr. TILSON. Well, in the first place, the Secretary has a perfect right to change his mind and change his opinion for good reason, and undoubtedly he has done so on that question. A number of things have occurred since that time. The great drive by the enemy toward the Marne and across it has taken place. The great counterdrive of Foch has taken place and is still taking place satisfactorily. An allied conference at Paris has taken place, and a number of other things have taken place, sufficient to cause a man to change his mind.

Mr. GOOD. But the Secretary of War had just returned from the battle front when he made that statement. He knew that the drive was in progress. He knew, or ought to have known, all these things; and I am at a loss, as a civilian, to understand how men can change their minds on so important a thing without giving their reasons for it.

The CHAIRMAN. The time of the gentleman from Connecticut has again expired. The gentleman from North Carolina [Mr. POU] is recognized.

Mr. POU. Mr. Chairman, with respect to one proposition there is no division in this Chamber—this House will do whatever is necessary to win this war. There is every inclination on my part to support the War Department and the Navy Department in whatever they deem to be best, and I am ready to make whatever sacrifice is necessary in order to crush the German monster, and I believe that statement finds an echo in the heart of every man in this Chamber. But I can not bring my mind to the conclusion that it is necessary to take the 18-year-old boys at this time. [Applause.]

Congress will be here. The probabilities are that we will be here for some time to come, and then some time after that; and if it shall be deemed necessary later on to take the 18-year-old boys, we will put them in the ranks of the Army, because we are all ready, I believe, to support the constituted authorities to the limit in winning this war. But I can not believe that out of 100,000,000 population it is necessary right now to take the 18-year-old boys and put them in the ranks of the Army, and until greater necessity has been shown than has appeared up to this time, until the President shall proclaim such necessity, speaking for myself, I can not support that proposition.

Mr. Chairman, it is with exceeding regret that I find myself out of harmony with the War Department in this respect. I am one of those who take pride in admitting that I am glad to support the constituted authorities in whatever they deem best, and it is, as I have said, with very great regret that I find myself unable to agree with the recommendation of the War Department with respect to the taking of the 18-year-old boys.

This proposition comes with great suddenness. A few weeks ago, less than six weeks ago, the statement was published that any new draft would probably not go below 21; probably, indeed, not below 20; certainly there was not even a suggestion that boys of 18 would be asked for. Now suddenly we are confronted with the proposal to take the 18-year-old boys and send them across the water after a brief training, possibly after a few months, to take their places with older men on the firing line. Since this proposition was submitted I have made it a point to investigate for myself the military fitness of the 18-year-old boy, and, while it does not concern me personally, for my home already is empty and silent, I can not bring myself to the conclusion that it is right at this time to make this sacrifice, and with genuine regret I can not now follow to the limit the recommendation of the War Department. [Applause.]

The question is, Shall we send minors to the front while thousands of mature men who could go are exempted and allowed to remain at home? If there is a father in this Chamber with a boy in France who would not gladly take that boy's place if he could he is not worthy to be a Member of this House.

We in framing the new draft law must choose between the minor, the 18-year-old boy, and the shirker and slacker. To me my duty is plain. Until the President, the Commander in Chief of the Army and Navy, shall proclaim that the hour has come for the 18-year-old boys to go, for my part I can not by my vote make those boys go. [Applause.]

Mr. Chairman, men do not long linger on life's stage of action. It is given to those in this Chamber to take part in making laws for this Nation in the most tragic days in the history of the world. How cheap any suggestion of politics or personal interest becomes beside the great things we are called upon to do!

I hope and pray that one word only shall guide my action now—duty. Nothing else counts. What is our duty? As God gives me light to see, I shall do what seems to be right, and I wish to put this upon record. Those who conspired to bring on this war and drench the world in blood should be exterminated just as every mad dog is shot at the first opportunity. The world knows who the conspirators are. But in bringing these conspiring robbers and murderers to justice let us send forth our mature manhood before calling for the 18-year-old boys. France, glorious France, invaded and drenched in blood, has not yet ordered her 18-year-old boys to the firing line. Here in America in every community there are grown men who ought to go before the boys are sent. This is not sentiment; this is not the response to some frantic mother's appeal, and you all know it is not. It is the plain, unvarnished truth. Look around your own home. I venture the assertion that every Member here can think of some grown man who could go, who ought to go, before the strippling boys.

Some weeks ago I saw a regiment marching from Fort Myer with packs on each soldier's back on the way to take a train for a point of embarkation for Europe. I watched those men as they marched by. Not one was marching erect, no doubt in compliance with orders. But everyone was marching with head bowed down as a man does when carrying a heavy burden. The day was warm and the sweat was running down the cheeks of everyone of those brave men. Of course there are boys of 19 and even 18 who are stronger than most of the men I saw in that regiment, but the average youth is not.

For these and other reasons, Mr. Chairman, I hesitate to give my vote in support of that part of the pending measure which provides for drafting the boys of 18. If we exempt these lads now we can call for them next month if it shall be deemed necessary by the President and the War Department.

This much we do know, the President is just as anxious to keep the boys at home as we are. He is just as tenderly solicitous of the welfare of every American boy as any father in the Nation. I know he will not call for these boys unless he feels it to be his solemn duty.

Mr. Chairman, from the McLemore resolution to the bill now being considered without a break I have supported the President in prosecuting the war. After this bill has been considered in the Committee of the Whole I shall give it my whole-hearted support also. I feel that we who prefer not to draft the 18-year-old boys at this time are right in the position we have taken, but if we fail in our efforts to write our convictions in the bill for one I shall give it my hearty support. [Applause.]

The CHAIRMAN. The time of the gentleman from North Carolina has expired. The gentleman from Indiana [Mr. FAIRFIELD] is recognized for five minutes.

Mr. FAIRFIELD. Mr. Chairman and gentlemen of the committee, there are considerations that would favor the drafting of the 18-year-old boys. There are other considerations against it. Earnestly and honestly I think the Members are studying to know what the specific duty of a Member of Congress is at this time.

It seemed strange to me when I read that out of 10,000,000 men between the ages of 31 and 45 there could be secured but 600,000 men. There are unmarried men between those ages approximately two and one-half millions, and between the ages of 40 and 31 there are 2,000,000 unmarried men in this country. And then I remember that the deferred class has not been gone into between the ages of 21 and 31.

Sentiment, it is true, on questions of this kind should not dominate; but it would seem to me that both reason and sentiment are against going down to the 18-year limit. This does not affect me or mine personally. My own boys are beyond the 21-year age. Yet I remember that of the four boys who grew up in my own home, while one of them was short of stature the others, even at 15 or 18 years of age, were tall and apparently rugged and strong; but I do not forget that they lacked the judgment, the care, that ought to characterize men when they are put upon the arduous duties such as the soldier has to perform. So that it would seem wise to remember that if this contest shall be long-drawn-out the boys in the technical schools, in the medical schools, in the dental schools, and in the various colleges would be serving their country best in making that adequate preparation for taking the places of the professional men that we shall need. If it be but an exigency and the time be short, it would seem wise that we should not thrust into the life of a boy the need of disrupting his education. So that there is certainly some reason against reducing the draft age to the 18-year limit.

Strange, is it not, that with a people of 100,000,000 we are driven in less than a year and a half to take this step? It is under necessity, men say. If I could think that it is necessity, I would not say a word; I would vote willingly and anxiously and gladly to go down even to the boy of 16.

But, men, after an analysis of the figures, do you believe that we have reached any such emergency that we are justified in reaching down to the 18-year-old boy? I know they say it would be difficult to mobilize and classify those from 31 to 45. Who is to blame that under an emergency, suddenly, with a few hours of discussion, we are to thrust the boys into the trenches and let the men go, just because it will interfere a little with a rapid enrollment in the cantonments? I can not believe it is so serious as to justify the taking of boys rather than the taking of men of older age.

I am not unaware that sentiments of humanity enter into all of our hearts. And yet I have tried in a simple way to make such analysis as I deemed would justify opposing the taking of the 18-year-old boy. I doubt very seriously whether it is either wise or necessary to drop below 21 at this time. However, that is a matter of judgment.

Then I remember, too, that in the Senate bill in the beginning the effort was to reach down and take the boys. And while it is said that these boys will be in a deferred classification, or rather will be called later, you know and I know that it is the intention of the War Department to take 1,200,000 of them quickly, for they do not expect to get more than 600,000 from the other class. [Applause.]

Mr. CRAGO. Mr. Chairman, in view of the fact that I took no time in general debate I should like to proceed for 10 minutes.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that he may proceed for 10 minutes. Is there objection?

There was no objection.

Mr. CRAGO. Mr. Chairman and gentlemen of the House, I take it there is not a Member of this body, or any other mature American citizen, who would not gladly give up his own life rather than take from the homes of this land the fathers, the brothers, and the sons of whatever age or condition in life. I hardly think it is fair to base this proposition to-day entirely on the sentimental picture that can be painted of the taking from any home of any man, whether the youth of 18 or the mature man of 40. Such picture may appeal to our feeling, but should not determine our vote on this question. This is a question of expediency and policy.

When the President of the United States, the Secretary of War, and the Chief of Staff made up their minds that the only way to fight this war was by enacting the conscription act, many of us followed them implicitly, knowing that they had not made up their minds to any such drastic legislation as that without thoroughly canvassing every phase of the question. Personally I believe we made a mistake then in not putting into training under the terms of that original act the boys of 18, 19, 20, and 21. But in deference to a sentiment in this country which was not used to that kind of legislation we were all of us glad to change our position on the draft age and submit to a compromise at that time. When the President of these United States, through his advisors, came before our committee, I know the President has not changed his mind, that the Secretary of War has not changed his mind, and that Gen. March has not changed his mind as to the necessity without some overwhelming reason which has urged them to this conclusion. And in answer to the question of the gentleman from Iowa [Mr. GOOD], do we not all realize that these men in the last 60 days have a picture of what has happened in France, where our boys met the shock of battle of the trained legions of Germany, and where in the open they find that by the greatest stress and the greatest loss and the greatest bravery they have been able to hold and push back that German line, and that now is the time to strike, while the iron is hot, and that their great argument for using the unlimited resources of the man power of this country is not the fact that perhaps in a year or two years we might be able to comb these deferred classifications and get a sufficient number of men, but that if they are to be of the utmost utility in this crisis the men whom they send should be those whom they can get the most quickly from the body of our citizenship, in order that we may take advantage of this drive which has been made, which has demonstrated to our people that our men can stand up against these trained legions, has demonstrated to the German people that they are not invincible, and has to that extent destroyed the morale of their army. Do you not know that the President and the Secretary of War know that some of our regiments have suffered greater casualties in this drive than any regiment or organization ever suffered in the same length of time during any war in which we have been engaged?

I did not want to take the youth of our land for any other purpose than training, and still hope we may be able to give the younger men at least a full year of training in this country; but these men know the conditions, and they have said to us, "We can do it more quickly this way than in any other way," and we have hedged this legislation about by such necessary provisions as, I think, make it fair and just to all our citizenship.

Mr. GALLIVAN. Will the gentleman yield?

Mr. CRAGO. I yield to the gentleman from Massachusetts.

Mr. GALLIVAN. I dislike very much to interrupt the gentleman's argument, but he says these men know and we know that certain great casualties have happened to certain regiments which never happened in any other similar contest. I do not know it, and up until this moment I am yet to be informed that any calamity has happened to any American regiment in that drive. If it has happened I will go the whole distance, but we have not been advised of it.

Mr. CRAGO. Let me answer the gentleman's question. If you lived in my home town, where they received the intelligence Tuesday morning, a week ago, family after family, until 13 of our families in that community and in that small town of 5,000, from which a company of the National Guard had gone out, had received death notices, and others had received notices of wounded loved ones, you would realize what such news means to our people. I have kept in close touch with all of our Pennsylvania regiments. I do not want to be too explicit. I know what the casualties are, because my heart has been following them all the time. I know something of what has been going on over there, and so do the men who have been studying the strategy of this movement, who know what it has cost, and I am urging this only because I think we can trust the Secretary of War and the President not to ask for any legislation which would needlessly tear from the homes of our land any of the youth who are not needed and who are not most needed at this time.

Mr. GALLIVAN. I do not doubt that what the gentleman has pictured has happened in my own neighborhood.

Mr. CRAGO. Unfortunately it has.

Mr. GALLIVAN. But the gentleman implied that whole regiments had been practically wiped out. Now, if that is so, we want to know it. If there has been any calamity, the American people ought to be told about it. I do not know yet how I am going to vote on this proposition. I am following every speech.

Mr. CRAGO. I shall want more time.

Mr. GALLIVAN. The gentleman yielded.

Mr. CRAGO. I do not care to yield all my short time. I will say to the gentleman from Massachusetts, however, that I do not want to leave him under the impression that regiments have been entirely wiped out.

Mr. GALLIVAN. That is what I want to know.

Mr. CRAGO. But I merely said there had been greater casualties in the same length of time than in any other war in which we had been engaged.

Mr. GALLIVAN. I want it made clear that there have not been whole regiments wiped out. If the gentleman knows it, or if the War Department knows it, Congress ought to know it.

Mr. CRAGO. The records of the War Department will give the correct information to the gentleman.

Mr. MEEKER. Will the gentleman yield?

Mr. CRAGO. I will.

Mr. MEEKER. Can the gentleman explain why when the men in class 2 have long expected to be called they are not called?

Mr. CRAGO. I hardly think that is the case, but I will agree to any legislation that can be enacted that will comb every classification, and deferred classifications especially, and put into the ranks men who really belong there. I do not care how drastic it may be. I have no sympathy, only pity, for a man within the draft age who is using any disguise whatever to evade service, because he will have visited on him in future years the consciousness that he did not do his duty and the condemnation of his fellow citizens, which will be infinitely worse than any hardships resulting from service he can render the country at this time. [Applause.]

Mr. REAVIS. Will the gentleman yield?

Mr. CRAGO. Yes.

Mr. REAVIS. The gentleman speaks about the loss of the Pennsylvania regiment. Does not the gentleman know that the German losses have been so much greater than the American that the Americans remain proportionately stronger than the Germans?

Mr. CRAGO. Yes; but we are having a wastage of troops which must be filled up. I grant you that a larger army could be formed in time from the deferred classifications, but not in time to suit the purposes of the department and meet the present demand. I think that is one reason why they did not want any restrictions put on the right to use the man power of this country, in order that they might the more quickly secure and place in training the necessary number of troops. The brightest ray of hope I had in all the testimony before the committee was when Gen. March, the man who knows thoroughly the real situation, said, "Give us the force from which to draw and we will form an army that will go through the German lines at will and end this war in 1919." I think that ought to impress us and make us conclude that it is far better to do something we may not want to do now, in the hope that we may not extend the war over a long period and eventually have to draw more citizens to the colors.

Mr. DEWALT. Will the gentleman yield?

Mr. CRAGO. Yes.

Mr. DEWALT. I wish to ask the gentleman, as a member of the Military Committee, a question. I find on page 4 of the report, in study No. 1, that the total number of males between the ages of 32 and 40 are 6,960,532.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. WILSON of Illinois. Mr. Chairman, I ask unanimous consent that the gentleman may have five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DEWALT. I find by the same study that there are deferred as married men 5,311,952. Now, I turn to page 7 of the same report and I find that between the ages of 32 and 45 there are a total number of males of 10,020,973, and I find that in the deferred class in that same study there are placed 7,734,482. I ask the gentleman purely for information and not as a matter of argument, because I am seeking light and want to vote intelligently—I ask the gentleman, as a member of the Military Committee, where lies this fault in this large number of deferred classes of married men; and, further, if the number of deferred married men is not the fault of the local boards by discrimination in favor of some people as against others, and therefore they have not combed out the men who really should be in the draft? Then, further, if that be true, would it not be so that the 18 and 19 year old boys would not be needed?

Mr. CRAGO. I have not made myself plain if I have not answered that question. The fault is partly in the local boards, because this law, like all other laws, is administered by human agency. I think I have heard about as many complaints regarding men who have been taken who should not have been taken as I have of men who have been deferred who should not have been deferred. There has been a difference in the action of the local boards. The regulations have been changed and the boards have taken newspaper reports for the attitude of the administration as far as putting married men in the deferred class is concerned.

The law never contemplated that a man should be placed in a deferred class simply because he was married. It should have been marriage coupled with dependency. We admit that the combing should be done in time, and that it might produce a great many men; but it is said, and I believe justly, that you can not back track on all the work which has been done and put the men in training as quickly as you can take the whole body of men covered by this bill and from them form this vast army which will end this war. I will join anyone in providing a way for combing these deferred classes and putting every man in training who belongs there.

Mr. SHALLENBERGER. Will the gentleman yield?

Mr. CRAGO. Yes.

Mr. SHALLENBERGER. Is it not a fact that the exemption figures are not made by the local boards but made up in the War Department, and does not that show that out of 10,000,000 men above the age of 32 they can get only 400,000 men?

In the gentleman's opinion, are not those figures made for the purpose of showing that they must take these boys from 18 to 19?

Mr. CRAGO. That is partly true; but the gentleman will remember this fact, that as the age increases the percentage of exemptions would necessarily be greater than it was at the lower ages, because of the industries and because of the dependents, and because of the fact that these men were so thoroughly articulated in the industries of the country.

Let me touch just briefly on another phase of the question and I am through; and I think, at the risk of being considered personal, I ought to give this little bit of testimony upon the matter of the service of the boys below age in the armies of the United States. In 1898, in my home town, it was my province to practically select the boys who formed a company which went for a year and a half of service to the Philippines; and they saw service there under more unsanitary conditions than can ever befall our boys in this present conflict. It was a little war, as wars go, but a year and a half of service combating disease in the Tropics is not anything to be passed by in a study of endurance and fitness of men for soldiers. I asked all of the married men in my company to remain at home; some, however, insisted on going. I asked practically all of the men over 25 years of age to remain at home. I had in that company a majority of boys who were not yet of age, and most of them not over 19 years old. I took, at the request of one of the most prominent citizens of our town, his boy, who was only 16 years of age. I had one boy 15 and others 17 and 18. I watched those boys. They came back, and are to-day honored citizens of the communities in which they live. They stood up under their work; they carried heavier loads than are given as equipment to the soldiers of to-day, because then they carried at times more than 100 rounds of the old Springfield ammunition as against the comparatively light ammunition of to-day. I watched those men, and I was convinced that the boys 17, 18, 19, and 20 make better soldiers when properly drilled, disciplined, and equipped than the men who are older, who could not inure themselves to discipline and to new surroundings, and to do away with the comforts of home. [Applause.]

The CHAIRMAN. The time of the gentleman from Pennsylvania has again expired.

Mr. DEWALT. Mr. Chairman, I ask unanimous consent that the gentleman be permitted to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CRAGO. I have taken up this phase of the question just from a personal point of view and observation, and I do not think it is any hardship on these boys and young men; and there is another phase of it that we have not looked at yet, and that is the fact that while there are boys 18 and 19 who should not be taken into the service—and I grant that—they will not be taken; but the great majority of American boys at that age, while it may interfere somewhat with their education unless the educational idea is carried along with it, are anxious and willing to take a part in this great world war, and they can scarcely wait to get a chance to get into the proper arm of the service. They have not been allowed to any great extent in the past to enlist, and they say that the greatest opportunity of their lives is passing them by. Ah, but, you say, you are taking them away from the moral environment of the home, and I say to you in return that the moral environments of the average cantonment and of the cantonments and camps and of the trenches in France are far higher than in a city or a large town in these United States of ours. [Applause.] You say to me that they can not stand the physical strain; and I say in that connection that you should remember the testimony of Secretary

Baker, that he saw these boys in Europe, and that he never saw one of them, either at play or at war in the trenches or wherever he saw him, but that he was proud to claim him as an American soldier. Many of those boys over there are only 19 years old who to-day have met this shock of battle. They were 18 when they went away from their homes, and they were drafted into the service of the United States out of the National Guard, where they had volunteered and enlisted at 18 and often under. You say to me that these boys 18, 19, and 20 can not stand the physical strain, and I say to you that the great, strenuous football games of the country which we have witnessed in the past few years have been fought to a finish not by men of 23 and 24 and 25, but by boys 18 and 19 and 20 [applause]; and the men who are doing much of the heavy work in the mines and in the mills of the country are the boys who are put out at 16 to earn their own living for themselves and for their families, and they are often much better off in the Army of the country, physically, mentally, and morally, than they can possibly be in this heavy work of theirs in the mines and in the factories. You are thinking too much of the boy who is mollycoddled at home. You are not thinking of the real red-blooded American youth of 18 who has been out for years making a living for himself and his family.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. CRAGO. Yes.

Mr. BLANTON. The gentleman stated that he preferred that the 18 and 19 year old boys should have been put in at first?

Mr. CRAGO. In training; yes.

Mr. BLANTON. I want to ask the gentleman if he would prefer that the casualties which have already occurred in his little home town should have been with boys 18 and 19 years of age rather than among older men?

Mr. CRAGO. No. The casualties were all mixed, and some of the boys were only 19. I would not want that, and I know the gentleman would not want that, and that only brings up another phase of it. Do not let us draw the line too close; do not segregate the boys of 18, 19, and 20 to a class of their own, because I would rather have the boys 18 and 19 and 20 and 21 and on up to 30 mixed in one organization than to have the organization composed entirely, I will say frankly, of boys 17 or 18 years of age. [Applause.]

Now, I think in view of this none of us can afford to put any restrictions upon what is asked for at this time by the men in whom we have confidence, the men to whom the country is looking to win this war for us. [Applause.]

Mr. LANGLEY. Mr. Chairman, the gentleman from Pennsylvania [Mr. CRAGO] cites the football players of the country under 21 years of age as illustrative of the physical fitness of our boys for military duty. If it were proper for us to pass class legislation so as to send to the front all of our boys from 18 to 21 who are physically fit for playing that game, I believe I would be willing to support such a proposition. But we are not talking about athletes now. We are talking about the average American boy who at that tender age is not, as a rule, sufficiently developed, either mentally or physically, to go up against the trained, mature, and barbarous Hun.

Mr. Chairman, I am sure that it is not necessary for me to say that I want everything done that can be done to win this war as speedily and as gloriously as possible. I do not believe that there is a single Member of this great body of patriotic Americans who has any other thought or any other feeling. If there is he ought to be expelled from this Chamber and sent home in everlasting disgrace. [Applause.] I am willing that my record on these war questions in this Congress shall speak for itself. I do not desire to apologize for a single vote I have cast or a single sentence I have spoken in debate. I was actuated in it all by my best judgment with the best light I had at the time, and under like circumstances I would do and say the same things again. I am for the McKenzie amendment, because it is a step in the direction of what I think should be done and the best that seems possible to accomplish under existing conditions, but I shall also vote for the amendment which is to be offered fixing the minimum age limit at 21 and then at 20 and then at 19.

I believe in military preparedness, and I think we have nearly all been very remiss in our duty in that regard. If the proposition were to take these boys from 18 up to 20 and give them a certain amount of military training—say so many days a month—without interfering with the completion of their education or their present vocations in life, so that if the war is prolonged until they reach the proper military age they would be ready and fit to go to the colors when needed, I should heartily favor that.

These boys are to be the fathers, the business and professional men, of the next generation and must take our places in the halls of legislation and assume the responsibilities of all of the great functions of our Government. The character-forming period of the life of the average boy is from 18 to 21 years. During that period he needs parental care and guidance and the ennobling influence of home life. As has been truthfully said, this is really his birthright and should not be denied him except as a last resort. To take these boys now and give them hurried training and send them overseas would seriously interfere with their school life, which is so vitally important to them as well as to the future of our country. We do not permit these boys to participate in the affairs of our Government by voting, which is, of course, based upon the theory that they have not reached that state of mental maturity which renders them capable of casting an intelligent vote. Should we ask them to fight before the older men when we deny them the privilege of voting? Mr. Chairman, this is a man's war and it should be fought out first by men and then supplemented by boys if necessary, and even by women if the men and boys can not win it, for they, too, have shown that they can fight and die for liberty just as men do. I was much impressed awhile ago by the remarks of the gentleman from Washington [Mr. JOHNSON] in connection with which he presented to the House the youth who has just passed his eighteenth birthday. I do not believe that there is a single Member of this body, with the possible exception of Uncle JOE CANNON, who could not outpoint that boy in any physical contest in which he might engage with him, and I am not so sure but that even Uncle Joe might come out of it the master. [Applause and laughter.]

Mr. COOPER of Ohio. Will the gentleman yield?

Mr. LANGLEY. Oh, no; the gentleman knows that I can not yield in the short time I have—well, yes; I will yield to the gentleman. What is it he wishes to ask me?

Mr. COOPER of Ohio. Does the gentleman think that the Secretary of War or any local board would send that boy to battle?

Mr. LANGLEY. Well, I am not so sure about that. I think I have seen some no better equipped than this boy appears to be who have been passed and put in class 1, and who are now already on the other side of the water fighting. Let me say to the gentleman that during the past year I have seen at different points of embarkation for the camps young men who, although 21 years of age, were mere striplings of boys in appearance. I have seen the tears trickling down their cheeks, and I knew it was because of their immaturity——

Mr. CALDWELL. Will the gentleman yield?

Mr. LANGLEY. Yes.

Mr. CALDWELL. Do I understand the gentleman to say that he saw boys crying because they had to go away?

Mr. LANGLEY. No; not from any lack of patriotism or lack of desire to serve their country. They responded nobly and cheerfully to the country's call, and their fathers and mothers bowed in patriotic submission. The point I was seeking to make when the distinguished gentleman from New York interrupted me was that these young men, although 21 years of age, had had practically no contact with the world, many of them having never been away from their own immediate sections of the State, and yet the Government was preparing to send them across the water, thousands of miles away from home, to grapple with a trained and experienced foe and to encounter dangers and horrors contrived by expert and scientific brutes in human form, of the terrors of which they had only a faint conception. It has never been my high privilege to witness a more sublime exhibition of love of country and self-sacrifice than I witnessed on these occasions; and it planted in my heart a firm resolve that if there was ever a renewal of the attempt that was made last year to send still younger boys before the older ones were sent I would fight it at the risk of retirement to political obscurity. And I am carrying out that resolve to-day. Let me not be misunderstood. We will win this war. We must win it. Our duty to our families, to our country, to our God, and to ourselves demands it. We want no compromise, either, no inconclusive peace or peace without complete victory. Germany and her allies have done too much damage to humanity, to civilization, to get off so lightly. Our sacrifices have been too great to stop now. We must whip them until they say: "We have had enough. What are your terms?" And I want to see those terms dictated by America and the allies and in Berlin, and I hope they will include the dismemberment of the German Empire and its merciless and sacrilegious ally, the dual monarchy, and the annihilation of the unspeakable Kaiser and his bloodthirsty war lords, so that the Hohenzollerns and Hapsburgs will be only a revolting memory. And I hope, too, Mr. Chairman, that Kentucky will have the proud privilege of aiding in the enforcement of that edict. [Applause.] If, as a last resort, it becomes necessary to send every man, old or

young, fat or lean, who can carry a gun, or wield a bayonet, or pull a trigger, or throw a hand grenade, or drive a tank, or steer a flying machine, or build a road or bridge, or do anything else to crush the enemies of civilization and republican government it will be done, and no American citizen will say amen to it with more patriotic fervor than I will. As gentlemen will remember, I spoke and voted against the draft law of last year. It may be contended that I was wrong, but I thought I was right and that we ought to first give the volunteer system a trial. Those of us who took that view of it were outvoted, and since that time I have, both by voice and vote, done what I could to aid the legally constituted authorities of our Government in enforcing and carrying out the spirit and purpose of that law. I want to see it carried out justly, fairly, and mercifully by administering it with absolute impartiality, sending first to the front those whose going will cause the least sorrow and suffering. If any local board or any other official has departed one iota from this manifest purpose of the law, no punishment could be too severe for such a crime.

Mr. Chairman, I had an experience in my State a few days ago that I shall never forget. I visited, at their request, an old man and his wife in their mountain home. They told me that they had three boys, one 22, one 25, and one 27, all in the service, and that they had two more boys left, one of 20 and the other nearly 18. They told me that in the same neighborhood there was a man, a great big double-fisted fellow, who could easily whip two Germans in single-handed combat, who was above the draft age and single. The father said to me while the mother sobbed: "Can not you Congressmen fix it some way or other so that that man can go first and let our two baby boys stay with us a little while longer?" That appeal touched my heart, as it would have touched yours. It does seem to me, gentlemen of the committee, that there ought to be, and can be, some method devised whereby we can, without detriment to our country's cause in this war, send first our older and maturer men with less home obligations and duties. I think the heartstrings of the patriotic mothers of our land have been torn enough for the present. Let us who are able to do so share more of their sorrows and burdens. [Applause.]

Mr. RUCKER. Mr. Chairman, I have no exhibit such as was offered by the gentleman from Washington [Mr. JOHNSON] with which to appeal to sympathy nor any exhibit like that offered by the gentleman from Connecticut [Mr. TILSON] to cause an outburst of patriotic sentiment. Therefore what I shall say will probably prove uninteresting to this committee. Let me preface my remarks by saying I have no share in that sentiment sometimes carelessly expressed which seems to impugn the patriotism of gentlemen who have differed from other gentlemen in the course of this debate. I assume that each man here is as patriotic as any other man and frankly gives expression to the views which his conscience dictates and which his duty to his country directs him to voice. Let me say, and I can say this without the least stricture or criticism of any great department of Government, and it is surely not my purpose to criticize any department. I think it may legitimately be inferred from the history we have made and from procedure we have already witnessed that the War Department has an idea almost akin to the one expressed some years ago by Dr. Osler, that men of a certain age ought to be killed, because they are worthless, at least for military purposes.

In other words, in the very initial stages of this war and preparation for this war the War Department clearly emphasized its view that no man should be taken as a soldier who was over 25 years of age. That was the limit fixed, and I grant the perfect right of the War Department to suggest that age limit, but this House did not see fit to act in harmony with and accept the recommendation of that great department. Now, I believe I may infer one other thing. I believe we are warranted in reaching another conclusion from the course which has been pursued and from what we have heard so frequently here today. I believe that in view of the conduct of the War Department we are justified in concluding that the War Department has determined, as far as in its power lies, to see to it that the minimum number of soldiers over 31 years of age shall follow that flag. I believe I am justified in saying that the War Department has diligently sought to organize and enroll into the Army the largest number of those who are nearest 21 and the minimum number of those who are nearest 31. So I believe I may go further and conclude, judging future action by past action, that the War Department, under the bill which we are now considering, will attempt to recruit the Army to the maximum strength authorized out of the men of minimum ages to the exclusion of men of higher ages.

I believe that, without any thought of wrongdoing but in harmony with its well-known policy of securing young men for military duty, the War Department has left entirely too many men between the ages of 21 and 31 in the second, third, and fourth classes. I believe there are too many men all over this country and in the city of Washington of military age who have been exempted either permanently or temporarily from service. And I further think that unless this Congress takes decisive action, whatever the law may be, the War Department will seek to obtain the younger man to the exclusion of the older man. I believe Congress has a right to determine the military age of its soldiers, and I believe the War Department ought to execute the will of Congress, even if it does involve a surrender of its own judgment. We are expected to surrender our individual judgment, not once only but many times, and have done so frequently. Reference was made here a moment ago by the gentleman from Iowa to the fact that but recently the Secretary of War announced that there was no occasion now and would not be in the near future for a change in the draft ages. And yet to-day we are told——

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. RUCKER. Mr. Chairman, I ask for five minutes more, and I will conclude in that time.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to proceed for five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. RUCKER. And yet within a very short time Congress is asked to raise the age to 45 and lower it to 18. Gentlemen say that the Secretary of War has the right to change his opinion, as, of course, he has. But the question has been pertinently put, what great event has occurred, what great national event has arisen, which causes the Secretary of War to change his opinion? And some one has suggested in reply that whole armies had been swept out of existence. But if the press, which, being under censorship ought to be reliable, tells us the truth, for the last four weeks, ever since the Secretary of War returned from the war zone up to this very day—ever since our boys have gone to the front, we have been whipping the "Dutch" like the devil and they are retreating at this very hour. They are running so fast, if the reports which the War Department permits us to read are true, that the army we recruit under this bill will never be able to overtake the German army until Pershing has driven them way beyond the city of Berlin. I do not believe our new recruits will ever catch them. But here is the amendment offered by the gentleman from Illinois [Mr. MCKENZIE], which I think is deceiving all of its advocates and deceiving the gentleman, the patriotic, able, and distinguished gentleman who is its author. I do not think it will accomplish what he thinks it will. My judgment is that it only ties the hands of the administration without bringing relief to the class which he seeks to protect for ultimate reserve forces, should they eventually be needed. Therefore, I am going to vote against the amendment offered by the gentleman from Illinois [Mr. MCKENZIE]. I shall vote against it because at most it simply ties the hands of and confuses and embarrasses the administration. It does not exempt the 18-year-old boy or the 19-year-old boy from military duty, and perhaps it ought not to do so.

But I want to go one step further and say that during my recent visit to my district I talked with people who had seen the newspaper forecast of this legislation, and I said to many of them that in my opinion Congress would not reduce the age below 19. I found strong opposition to drafting men under 19 years of age. I have had letters from many of my constituents. Every one is a protest against drafting the boy of 18. So, if I should take those letters as an expression of sentiment, I would be led to believe that the sentiment of my district is in opposition to drafting boys of 18 and, perhaps, of 19. But, Mr. Chairman, I know that there is another sentiment in that district, the great sentiment, a sentiment which thrills the hearts of every man and woman in it regardless of political affiliations, and that is that they want me as their representative to do everything that can be done to sustain the administration and help the administration to accomplish those things which will bring this war to a speedy conclusion. And, believing that way, I am going to stand by the President, but I am not going to follow every official in the War Department, when it comes to details, in their sudden and radical changes. I am going to vote for the motion which will be made to strike out the figures 18 and leave 19 as the minimum draft age. [Applause.]

The CHAIRMAN. The gentleman from Texas [Mr. HARDY] is recognized.

Mr. HARDY. Mr. Chairman, I did not intend to say anything on this measure. The thoughts I shall present now are somewhat vaguely held in my mind, but it seems to me I have seen the cleavage in the discussion of this measure that is perfectly natural. I regret that the industrial centers of the

United States seem to be strongly in favor of the 18-year enlistment, while the farm centers seem to be rather generally opposed to it. There is a reason for this. The reason exists in the fact that the exemptions allowed in the industrial centers are so much more numerous than those allowed in farming communities that our farms are being depleted, and the farm mothers and fathers feel that if you include their 18-year-old sons there is no chance of an exemption for anyone, not even in cases of families of five or six sons, as was illustrated in the case cited by the gentleman from Kentucky [Mr. LANGLEY] a few moments ago, where a widow living on her own farm had been called on to give up five sons and had given them under the present law, and would be under this proposed law called on to give up her two remaining boys, and that, too, perhaps before many perfectly fit soldiers, but older ones, were taken, unless the so-called McKenzie amendment is adopted. The strong reason for adopting the selective draft was that under it we hoped to secure equality of burdens. I fear the adoption of this law without the McKenzie amendment is going to mean great inequality in many ways.

Now, do you know that there is an industrial problem on the farms as well as in the factory? In the transportation lines, in the mines, in the factories exemptions are allowed because of the necessity for carrying on the business for the maintenance of the war. But I have yet to find the first ordinary farm laborer who has been exempted on the ground that his industry is essential to carrying on the war. And so the farm father with five sons will lose them all. Fathers in industrial centers will have one son in this business and one in that business and one in the other, and some will be exempt and some will be taken and some will not. Not so with the farmer; none of his sons will be exempted unless they have already abandoned the farm.

Mr. COOPER of Ohio. Will my friend yield there?

Mr. HARDY. I will.

Mr. COOPER of Ohio. I would like to say to my friend from Texas that I come from probably one of the greatest industrial centers in the United States, a city of 160,000 people, and that city has already furnished 10,000 men in this war.

Mr. HARDY. The gentleman gives a splendid example; perhaps a great many of them are in different branches of volunteer service. And yet we have heard on this floor that there are sections of the country where class 1 embraces only 13 per cent of the population.

Mr. LANGLEY. And that is not true of the agricultural section.

Mr. HARDY. No; that is not true in farming districts. But in the agricultural populations you have 50 per cent nearer than 13 per cent of the lists in class 1.

Now, I have no interest in this matter. If you will pardon a personal allusion, I have but one son, who is 23 years old and married, with a wife and baby, who is serving his country in the Naval Aviation Corps. It is nothing to me personally, but all over my section of country I find that there is some tendency to complain that the farm laborer is not exempt, and as soon as we live to see the day of harvesting come around there will be a cry throughout the land for harvesters on the farm. There will be a cry in the Southland for cotton pickers in the fields.

Now, what I say is this is a controversy between the 18-year-old boy and the slacker. And I would like to say to our Secretary of War and to Gen. Crowder, under whom classifications have been made, why not go back and comb over your list, and in sections where you have only 13 per cent now placed in class 1, reclass them and put at least 40 per cent in class 1 before you go down and take the 18-year-old boy? For one, I think it has been demonstrated in this debate that the 18-year-old boy is not as well fitted for service as a man from 25 to 40. Go back to the slacker who is hiding behind business or who, while able to take care of wife and child, is hiding behind their skirts, and take those slackers, and then say to the great industrial sections of this country, "Before we will call for the boys, we will call for the slacker who is over 31." [Applause.] And "We will recomb the whole list."

I do not think it becomes the War Department to say that because they have administered this law in a slack manner and have allowed a great many to be placed in deferred classes that ought to be in class 1, they ought now to be permitted to take our 18-year-old boys in order to avoid the labor of reclassification and in order to expedite the gathering of men to go over yonder. We ought to recomb the lists rather than take boys of 18. I am willing to take the boys of 19, and I am willing to strike out the McKenzie amendment if you will place the ages from 19 to 45 and then take them as they come, old and young, and so avoid delay and trouble, but even then I think the lists ought to be reclassified and the slackers be combed out, however troublesome it might be. Let that be done as soon as possible. The cleavage that I spoke of in the beginning on this bill is apparent in this House, whether on the Republican or the Democratic side, and I speak for simple justice when I ask that other portions of the population of the United States shall bear their share of the burdens and not put it all on the farming class. I am willing to let the farming communities bear their share, and more than their share, but not out of all just proportion. I am speaking plainly.

I am speaking what has been in the minds of many on the floor, although they have not expressed the thought. I talk to you from Kansas and from Texas, and to you from the Southland and from the West, and you know that what I say is true. Let us go back and comb over the old lists, even if it takes a month or two, and let us not send our boys of 18 over at this time. Let this be a man's war, not a boy's war. We as men ought to conduct it with men. A 19-year-old boy is all right. But I tell you that when you send soldiers across the waters to the front against the biggest military machine and the strongest that the world ever saw and put that long bayonet in their hands they have need of a man's nerve; they have need of a man's weight behind it, to use it properly. You want sturdiness and nerve and calmness and precision of eye. You need a good heart and a good mind and you need all those together to fight the greatest army the world ever saw. I do not think you want to fill up our ranks with smaller boys.

It is arbitrary when you fix an age limit. You might just as well have said 17 years, and gentlemen could find in the gallery some physical specimen of a boy of 17 able to handle a musket.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. LANGLEY. Mr. Chairman, I ask unanimous consent that the gentleman from Texas may proceed for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. HARDY. I shall not take up all that five minutes. But I want to say this, that so far as the policies of the War Department and of the administration are concerned, I stand here to uphold every effective measure. But I stand here also to exercise my judgment on every occasion. I do not believe that the President prefers young men to older men, but I think that because of the ease with which you can find the 18-year-old boy, without dependents and without family, it might be a little easier to bring him into the Army instead of going back and combing over the list of those men who have evaded the service.

Mr. GORDON. Mr. Chairman, will the gentleman yield?

Mr. HARDY. Certainly.

Mr. GORDON. I think the gentleman is exactly right about that. But have you considered the fact that they have a record now in the 10,700,000 men who are registered? They have their questionnaires, their answers, and they can comb over that list. As the Secretary of War stated on the 13th of June, there was no necessity for enlarging the draft age then. Why can they not comb that list more easily than put in the boys?

Mr. HARDY. They can comb over that list more easily than they can put in the boys, and among the 11,000,000 between the ages of 31 and 45 it is inconceivable to me that only 600,000 could be obtained and taken out. Let us go to a little trouble; let our War Department go to a little trouble and ascertain who shall fight the battles of the country, and not permit any of the registration boards in connection with the questionnaires to hold only 13 per cent as liable to military service. I remember when we discussed this question before that two gentlemen from Nebraska from adjoining districts stated—or one of them made the statement, I think—that in a certain county in his district 70 per cent were placed in class 1, and in an adjoining county of the same kind of population less than 35 per cent were so classed. The administration of the law has been so slipshod that the list of registrants needs revising and combing over.

Mr. EMERSON. Mr. Chairman, will the gentleman yield?

Mr. HARDY. Yes.

Mr. EMERSON. What I would like to get at is this: The proposition is that we are right in the face of the enemy now. We need these men now. We have not time to punish somebody for making a mistake.

Mr. HARDY. It is not conceivable that we can take these boys right off the farm and dump them over there. We have to train them. Why can you not take the questionnaire of a man having $1,000,000 and claiming dependents—why can you not put him in there as quick as you can an 18-year-old boy? Why can you not reclassify the men whose names you already have as quickly as you can get the names and classify these 18-year old boys? [Applause.]

Mr. MEEKER. Mr. Chairman, will the gentleman yield?

Mr. HARDY. Yes.

Mr. MEEKER. You can get them out of class 2 quickly, can you not?

Mr. HARDY. Yes; and when a man is worth $200,000 you can put him in there as quickly as you can put in the helpless boy whose mother takes care of herself. I have seen men who have families taken, and not a scrap of bread in their houses, and men whose wives were in the habit of working for a living. If anybody had dependents, they had.

This is not a rich man's or a poor man's war, and this Congress has done everything it could to prevent it from being. We have prevented any substitutes being hired, and Rockefeller and Morgan together can not buy a substitute. Yet we are told that in the administration of the law iniquities and inequalities can not be cured, but that we must go to the 18-year-old boy because we have not the time to comb over the list. In my opinion the time has come to comb over the list and put in those who ought to serve and not to take from him who has already given four boys the fifth and last one 18 years old while his neighbor of 40 years stays at home under some exemption of a business excuse. [Applause.] Gentlemen, it is a plain question to my mind of the 18-year-old boy against the slacker, and for one I am for the 18-year-old boy. [Applause.]

Mr. Chairman, under leave to extend I include with my remarks a letter I have just received, because it presents a very just and important viewpoint which I had not considered. The letter follows:

SOUTHWESTERN UNIVERSITY,
Georgetown, Tex., August 20, 1918.

Hon. RUFUS HARDY, M. C.,
Washington, D. C.

MY DEAR SIR: I am venturing to write you again concerning the proposed lowering of the draft age. In common with all other loyal citizens I am entirely committed to the cause of winning the war against autocracy and the brutal conception of life which now seems to be embodied in the governments and armies of Germany and her vassals. We must win at any cost.

But many thousands of Americans are seriously doubting whether the plan to put into immediate service our boys between the ages of 18 and 20 is not the costliest possible means of securing the victory for civilization. Among the men of this age there will, in the nature of the case, be the fewest possible exemptions. Indeed, only the physically or morally incapacitated will be exempt. Practically a clean sweep of able-bodied American youth between 18 and 21 years of age will be made. Of course, we hope and believe many of them will survive the war; but if it should continue for three or four years the very large majority of them will have been killed or maimed, and all of them will have been deprived of the opportunity for higher education. The lack of trained leadership among young men just after the war, the lack of heads of young families, of educated young men for the law, medicine, ministry, engineering professions, and the like, which this conscription of a whole class will lead to is appalling to think of. I understand that those engaged in essential occupations will be exempted. But does not this mean that the country will then be left without the guidance of the men of broader training and larger interests which we should otherwise have had, while the general political and social concerns of the Nation will be left to be determined by the clash of the various aims and ideas of those whose training has been limited to the experiences of a rather narrow group life. I am not an alarmist, but as a student for many years of our social life I look forward to the possibility of the elimination for three or four years of those who should be prepared for leadership in our civilization as the most expensive discounting of our future as a Nation which has yet been proposed.

Would it not be better to comb out of the classes already registered as many as 40 or 50 per cent of those immediately needed for service? Would it not be far better to provide that the youth of the ages mentioned should be given deferred classification, or a furlough status, with adequate arrangements made for training in college or otherwise for military service or work subsidiary thereto?

I do not speak of the ruin to our colleges which the proposed bill for lowering the draft will work—this ought to be given some consideration—but in complete loyalty I am begging your consideration of the needs of our country in the years after the war.

With the greatest respect, I am,
Cordially, yours, C. M. BISHOP, *President.*

Mr. BLACK. Mr. Chairman, the bill which we now have under consideration is one of great importance. It is important because the most solemn and serious responsibility which the Constitution confers on the Congress of the United States is the authority to deal with the man power of the Nation. There seems to be no difference of opinion that military necessity demands that the present age limits of the selective-draft law shall be extended. The question is, To what extent shall those changes be made? The Secretary of War and the Chief of the General Staff have recommended that the ages shall be fixed at from 18 to 45, inclusive.

I have read with careful interest their statements made to the Committee on Military Affairs during the hearings on this bill, and have also read with equal interest the copy of a study made by Provost Marshal Crowder relative to the different ages to be covered by the pending measure. In this study he gives a very interesting analysis of the man power covered by the proposed different ages. After a study of these I am not convinced that it is necessary at this time to draft boys 18 years of age into the military service of the United States. On the contrary, I am stronger than ever in my opinion that it should not be done. According to this study made by Provost Marshal Crowder, and which he submitted to the Military Affairs Committee for their information, and which the committee has in turn submitted to the House for the use of its Members, there will be 2,106,386 men register who are 19 and 20 years of age and there will be 10,028,973 who will register between the ages of 32 and 45, and this will make a total of 12,135,359 registrants who will be liable for military duty within the new ages if they are made 19 and 20 and 32 to 45.

These figures, of course, do not include any men who registered under the original act within the ages of 21 to 31, nor do they include any of the men who have registered since they became 21 under the amendment which Congress adopted several months ago.

In other words, the 12,135,359 registrants to which I have just referred would be an entirely new force to draw from. Of course, I realize that a very large number of these will be entitled to deferred classification on account of physical defects, on account of dependents, on account of being engaged in essential industries, and other grounds that are enumerated by the President in his rules and regulations for the enforcement and administration of the selective-draft law.

But I submit that with a uniform and fair enforcement of the draft regulations in all sections of the country that this total of 12,135,359 new registrants should yield considerably more than 2,000,000 men for active service, and that would be more than the program calls for for the nine months October, 1918, to June, 1919. Why do I say that this number of new registrants between the ages of 19 and 20 and 32 and 45 would yield more than the 2,000,000 men needed without the necessity of having to draft boys 18 years of age? On what do I base my assertion? Here it is: In the first registration of June 5, 1917, of those who were between the ages of 21 and 31 there were 9,586,508 who registered, and out of that number about 30 per cent have either been actually drafted into the Army, released for enlistment in the Navy and Marine Corps, or are still in class 1 subject for immediate call. Of course it is well known that most of these men have already been called and only a comparative few remain who are in class 1. So in studying the probable results of the pending bill we should bear in mind these facts and take them into consideration.

Now, it is undoubtedly true that so large a percentage will not be available between the ages of 32 and 45, but it is also equally true that the percentage of those within the ages of 19 and 20 will be much larger than 30 per cent; yes, as a matter of fact, will go beyond 50 per cent, according to the figures of the Provost Marshal General himself; therefore it may be assumed with absolute safety that the registrations of these ages 19 and 20 and 32 to 45 will yield at least 20 per cent of those who register as available for military service, and this, too, without the necessity of making the draft regulations for classification the least bit harder or more rigid than they are at present. This is a statement which is absolutely in accord with the facts and can not be successfully controverted. I would like to hear any man advance any good reason why he thinks the percentage of men available will be less than that which I have estimated. Now, on the estimate of Provost Marshal General Crowder that there will be 12,135,359 new registrants within the ages of 19 and 20 and 32 to 45 and estimating that 20 per cent will be placed in class 1 by the different draft boards, this would give more than 2,400,000 soldiers, which would be more than ample to meet the needs of the program of the War Department, to wit: Eighty divisions in France by June 30, 1919, and 18 divisions left at home in training.

Therefore there does not seem to me to be any pressing need to draft men who are only 18 years of age, and in my opinion only a pressing need would justify it. I think it will be generally conceded that France, England, and Germany did not draft their 18-year-old boys until the real need for it was urgent and pressing.

For this reason I expect to support the amendment which the gentleman from Washington [Mr. JOHNSON] says he will offer at the proper time, to strike out 18 years of age entirely from the bill and make the minimum 19, and I hope that the amendment will be adopted. But if it is not adopted, then I am going to vote for this McKenzie amendment, which proposes to divide the registrants into three groups, as follows: The first group composed of men 20 years of age and those between 32 and 45. Those who are placed in class 1 of this group will be called into active service prior to the succeeding groups.

The next, or second, group would be designated as the 19-year-old class and would be composed of those who are of the age of 19 and not over 20, and the amendment provides that this class shall be drafted subsequent to registrants in class 1 of the age of 20 and over that age.

The next, or third, group under this amendment now under discussion is the 18-year-old class, and the amendment as to that class reads as follows:

And registrants of the age of 18 years and not over 19 shall be designated the 18 class and shall be last called for service.

Indeed, I think they ought to be last called for service, and that is why I am going to vote for this amendment.

In the consideration of a subject of this importance it is well that we give some study to what other nations have done in this respect during this great war.

France has been in the war for more than four years, and, according to an editorial in the New York Sun of August 6, 1918, she did not call to the colors the 18-year-old availables belonging to the class of 1920, thus lowering by two years the regular draft-age limit, until the beginning of this month. By the terms of the recent treaty between the United States and Great Britain young men of British nationality may be drafted under the laws of the United States after they have reached the age of 20.

Thus we are now about to pass a law to draft our own boys of 18 and 19 years of age, and yet will be unable to draft those of our ally, Great Britain, who may be living here in the United States, until they reach the age of 20 years. If Great Britain did not deem it unwise to place young men under the age of 20 at the battle front, why did she stipulate the 20-year minimum age limit in her treaty? The question of how many men are necessary in the war is very properly a military matter, and as a Member of Congress I would not presume to question the judgment of the military authorities on that. The question of the movement of armies is also one which strictly belongs to them; but when it comes to a legislative determination of the draft ages and the order in which they may be called, that is positively a matter for Congress to determine, and we have no right to endeavor to shirk our duty and responsibility in such a grave question of Government policy.

During the discussion in the general debate yesterday and to-day a number of gentlemen have taken the position that because the War Department favors the unrestricted 18-to-45-year limit therefore Congress has nothing to do with the matter and should accept such recommendation without question. The gentleman from Connecticut [Mr. TILSON], a member of the committee, correctly stated the question, I think, when he said that this is a matter entirely within the proper prerogative and responsibility of Congress; and although I did not agree with the views expressed by him as to the pending amendment, unquestionably he is right in his first statement. The Constitution of the United States places upon Congress the duty and responsibility of dealing with the man power of the Nation, and it is a responsibility and a duty that I as a Member of Congress have no disposition to evade. I have no desire to infringe on any of the prerogatives or duties of the War Department. I have no criticism of the Secretary of War. I am glad to praise the great services which he has rendered to our country in this trying hour of its history. I have no criticism of the Provost Marshal General, who is also performing his duty with marked credit to himself and to the country. But the responsibility in a matter of this kind is one which I can not and will not shirk. When gentlemen say that Congress should not pass any law placing registrants in certain groups and prescribing the order in which they shall be called, I want to call their attention to the military-service act of Canada passed in 1917. The Canadian Parliament wrote into their military-service law six different classes, and prescribed the order in which they should be called. I will not take the time to read all of these classes, but one class will illustrate to you the nature of all of the six classifications. The first class is this:

Class 1: Those who have attained the age of 20 years and were born not earlier than the year 1883 and are unmarried or are widowers but have no child.

That is to say, the Canadian Parliament wrote into their law that the first class shall be young men who have reached the age of 20 years and who have not gone beyond the age of 35, and who are unmarried or who are widowers with no children. That is the first class that they prescribe; and then in direct order the legislative body of the Dominion wrote five other classifications in their military-service law. Yet Members of Congress are criticized sometimes because we are willing to discharge our duty and responsibility in a matter of this kind. Why, gentlemen of the House, this war is not being fought by the President of the United States, wonderful and inspiring though his leadership may be. It is not being fought by the Secretary of War, brilliant though his ability may be. It is being fought by the people of the United States. And as their Representatives in Congress let us give thoughtful consideration to these great problems and courageous adherence to what we believe to be right. For, after all, the people are the ones who will be called upon to bear the heat and burden of the day and who must go through the fiery trials of sacrifice until peace comes once again to bless and comfort humanity. Just how long that will be we do not know, but this we know, that victory will be brought about by the spirit of America and her gallant allies—that spiritual temple which has been reared to the glory of God and the hope of the world on foundation stones that the sons of freedom of every race and creed have laid with sublime faith through the labor of a thousand years. [Applause.]

Mr. BLANTON. Mr. Chairman, it is undisputed in the record that there are within the United States 23,000,000 men within the ages of 18 and 45 years, of which number we have called already 2,000,000 men, leaving 21,000,000 subject to call, and out of which number we must get the required number under this draft provision now before the House. The question has been asked here repeatedly, and still remains unanswered, Why is it necessary to resort to boys 18 years of age when we have 21,000,000 men from which to select only 2,300,000 new soldiers, and the record further shows that there are only 670,000 of these boys? I watched the speech of the distinguished gentleman from New York [Mr. LUNN], who has offered the amendment which will nullify the McKenzie amendment. I watched it carefully to find some reason why the McKenzie amendment should not be adopted, or why the Lunn amendment should be adopted, or some reason, when we have 21,000,000 men, why it is necessary to take 670,000 boys of 18 years of age to make an army at this juncture of the war. I find no reason, but I find a reason in the record of the hearings before his committee. The committee had hardly been organized for hearings before we found the gentleman from New York putting the Secretary of War on notice that the Thomas amendment which had been placed upon the Senate bill would require considerable discussion when it appeared on the floor of the House. In my judgment that is the reason. It is a question of labor organizations that have had so many men exempted of these 21,000,000 available men that it is claimed to be necessary to take 670,000 18-year-old boys from their homes. [Applause.]

I have lately come from my district, where, with an election staring me in the face, I looked into the eyes of my constituents and told them without a tremor that I was going to vote to give the President of the United States every dollar and every soldier he demanded, no matter how far down the line it cut; that if it took their 14-year-old boys I was going to vote to put them in; and they applauded me for it, and I stand ready to make that good.

It is simply a question as to when it becomes necessary; but when we can draft into the service of the United States the railroad corporations of the country, when we can draft into the service of the United States the telegraph and telephone lines, when we can take the money from the big corporations of the United States, when we can take everything, shall it be said that when we get to organized labor we have got to keep our hands off? On June 13, two months ago, the Secretary of War said that we would not have to take the boys, that we would not need any new draft legislation, but at the same time, in almost that same breath, he said that there would be another order immediately promulgated and put into effect by the War Department. That order was that the men of this country must work or they must fight. Ah! has this work-or-fight order made it necessary to use 18-year-old boys in the trenches? When he said that, we found Mr. Gompers coming in and saying, "You can not apply that 'work-or-fight order' to the labor organizations of this country." I told my people that when I came to Congress I was as good a friend as labor organizations ever had, but that since I had been in Congress a few months I had come to the conclusion that henceforth labor organizations must show me that they are right before I am going to vote for a single one of their demands.

As long as this war lasts I am going to vote to give the President, as Commander in Chief of the Army and Navy, every dollar and every soldier and everything else he deems necessary and asks for to win this war quickly and successfully; but the President has not asked Congress to draft 18-year-old boys into the trenches, and until he does ask for it I feel at liberty to vote for the McKenzie amendment, which, while drafting the boys, requires them to be called last.

When my oldest boy reaches the age of 18 years he will voluntarily enter the service, and will not be affected by the proposed registration in September, but because he will be willing to serve voluntarily at 18, I do not feel that I have the moral right to force other boys 18 years old into battle until we first send the mature man power to the front or the President demands it.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLANTON. Mr. Chairman, I ask for two minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BLANTON. I told my people that when Mr. Gompers stepped in and told me that we could take everything in the world so long as we did not interfere with organized labor, that we could not withdraw an exemption whenever an exempted laborer refused to do some necessary work needed to win the war, that we could not do this and could not do that, I would tell Mr. Gompers to go to hell. [Laughter and applause.]

Under the Constitution of the United States we can not draft labor. I realize that. I will tell you something that we can do: When the laboring man, a member of organized labor, comes in and gets exemption by reason of an industrial enterprise in which he is engaged, if he refuses to work in that or some other essential enterprise, we can take that exemption away from him under the Constitution of the United States and make him fight when he refuses to work. That is exactly what I hope this Congress will do.

I am going to offer an amendment, such as the Senate amendment, to this bill, if it is not offered by older Members. I hope when the time comes that the manhood of Congress will stand up and tell organized labor that they are going to be just with them, but they are going to make organized labor stand up and justly take its medicine with every other citizen of the United States and either work or fight to win this war. [Applause.]

Mr. DENT. Mr. Chairman, I wish to make a request for unanimous consent. I understand that the chairman of the Committee of the Whole has a list of 14 Members who wish to speak further on this subject. Five minutes each would be a little more than an hour. I ask unanimous consent that all debate on this amendment and amendments thereto close at half past 4.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that all debate on this amendment and amendments thereto close at half past 4. Is there objection?

Mr. MILLER of Minnesota. Reserving the right to object, I am unofficially advised that the chairman has a list of gentlemen who desire to be heard.

The CHAIRMAN. The Chair has, and the gentleman from Minnesota is on the list.

Mr. MILLER of Minnesota. "The gentleman from Minnesota" is not so much concerned as to whether his name is on the list as that several other gentlemen not on the list desire to be heard. Will this request, if granted, accommodate them?

Mr. DENT. By closing at 4.30 there is time for a number of others that are not on the list.

Mr. KAHN. Fourteen Members on the list and five minutes each will make 70 minutes. That would not consume all of the time between now and 4.30, and still leaves time for several gentlemen to speak under the five-minute rule.

Mr. WALSH. Does the gentleman assume that none of those who wish to be heard will desire to occupy more than five minutes? Nearly every gentleman who has spoken thus far has had his time extended. Are those who remain to be confined to five minutes each?

Mr. KAHN. I was under the impression that the speeches made lately were only five-minute speeches.

Mr. GREENE of Vermont. I would like to ask the gentleman from Alabama a question. Several members of the Committee on Military Affairs, anticipating the eagerness of Members of the House to discuss the question, have refrained from taking the floor and have waited until the membership had liberal opportunity in the discussion of the bill. Will there be some provision made whereby men who have given special study to the bill will have an opportunity to be heard?

Mr. DENT. I will say to my colleague that I have no disposition to cut off debate generally, and certainly not among the membership of the committee. I had supposed that members of the committee who wanted to discuss it had taken advantage of their privilege.

Mr. TILSON. Will the gentleman from Alabama permit a suggestion?

Mr. DENT. Certainly.

Mr. TILSON. In this section is all the disputed matter, so far as I know, in the entire bill. Instead of the gentleman making a request that the debate close on this amendment and all amendments thereto, why not say this section and all amendments thereto, which includes the whole provision, and then put it up as late as 6 o'clock? That will practically finish the discussion of the bill, and if you say section instead of amendment it will cover it.

Mr. DENT. I am willing to make that change in the request; change the word amendment to section, and make it 6 o'clock.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that all debate on this section and all amendments thereto close at 6 o'clock. Is there objection?

Mr. GORDON. Reserving the right to object, that would foreclose offering any amendment striking out 18 and inserting 19.

The CHAIRMAN. No; such an amendment would be in order.

Mr. WALSH. Reserving the right to object, is that request predicated on the expectation that we will vote on the entire measure to-night?

Mr. DENT. Yes.

Mr. WALSH. Might I ask the gentleman, if the discussion runs as late as 6 o'clock, what particular haste there is at that late hour in disposing of the entire bill? Why can it not go over until to-morrow?

Mr. DENT. In answer to the gentleman I will say that having discussed the measure for two days I think the country ought to know exactly how the House feels on this subject at as early a date as possible.

Mr. FIELDS. Reserving the right to object, Mr. Chairman, the bill, I think, should be passed to-day, but the House has not done much work for some time, and one man has as much right to the use of the CONGRESSIONAL RECORD upon an important measure like this as another. I believe that we who have spoken can well afford, in a spirit of fairness, to remain until midnight, if necessary, for other men to speak who have not spoken. I want to be fair. I think the meanest monopoly is the monopoly of the CONGRESSIONAL RECORD in this body, and I hope that Members who want to speak on this measure may have an opportunity to do so. [Applause.]

The CHAIRMAN. The gentleman from Alabama [Mr. DENT] submits the following request, that all debate upon this section, section 1 of the bill, and all amendments thereto shall close at 6 o'clock. Is there objection?

Mr. STAFFORD. Mr. Chairman, reserving the right to object, I wish to propound a parliamentary inquiry. Is it to be understood that no votes are to be taken upon the amendments pending, and upon all other amendments pending at that time, until the hour of 6 o'clock arrives?

Mr. DENT. That is the understanding.

The CHAIRMAN. Providing debate runs that long.

Mr. RAKER. Mr. Chairman, many of the Members of the House upon general debate had the opportunity to speak. Since we have been discussing the measure to-day Members have been recognized according to a list, as I understand it, maintained by the Chairman. The Chairman has a list of still some 14 Members who desire to be heard. I do not know how the list is made up or how it is arranged. Of course, if we speak by lists, some of the Members who are not anxious to slip around the desk and get their names on the list will get no recognition.

I do not believe we ought to fix a limit upon this debate until the list of 14 has been exhausted. When the Chairman has disposed of the 14, some of the other Members of the House possibly may like to be heard. If they do not, then it will be time to close debate. Under the circumstances, with a list of 14 still to be heard, I am constrained at this time to object.

The CHAIRMAN. The Chair would like to make a statement about the list. This list happens to come about in this fashion: Members have come to the desk and indicated that they desire to be recognized, and the Chair has put their names down in the order in which they came, and he has told each one that he would be recognized, the Chair always, of course, giving preference to members of the Committee on Military Affairs.

Mr. JOHNSON of Washington. Mr. Chairman, reserving the right to object, if this agreement should be made, then amendments offered in the meantime will lie upon the desk awaiting action?

The CHAIRMAN. Amendments can be offered before the vote is taken.

Mr. JOHNSON of Washington. And Members will be recognized to offer amendments?

The CHAIRMAN. Yes.

Mr. McCULLOCH. I desire to offer an amendment inserting a new section after the present section. Can that be done?

The CHAIRMAN. Yes; this agreement would not affect that.

Mr. McARTHUR. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The regular order is, Is there objection?

Mr. RAKER. Mr. Chairman, I object.

The CHAIRMAN. The gentleman from California objects, and the gentleman from Missouri [Mr. MEEKER] is recognized.

Mr. DENT. Mr. Chairman, I move that all debate upon section 1 of this bill and all amendments thereto close at 6 o'clock.

Mr. WALSH. Mr. Chairman, the gentleman from Missouri has been recognized for five minutes.

The CHAIRMAN. The Chair will recognize the gentleman from Alabama. The question is on the motion of the gentleman

from Alabama that all debate upon section 1 of the bill and all amendments thereto close at 6 o'clock.

The question was taken, and the motion was agreed to.

The CHAIRMAN. The gentleman from Missouri is recognized.

Mr. MEEKER. Mr. Chairman, because of the exhibit that was made here this afternoon by the gentleman from Connecticut [Mr. TILSON] whereby he had four Marines in the gallery to show us what 18-year-old boys look like in uniform, I desire to pay a tribute to the Marines. They have been heralded throughout the world as the greatest organization of fighters in the world, and I think no one questions that for a moment. Immediately following this exposition of 18-year-old lads, I went in and called up the Marine Corps to find out the average age of Marines. I discovered from the personnel officer that the average age of first enlistments in the Marines is a few days under 24 years, and the average age of the members in the Marine Corps is 26. [Applause.] That is what that boy stuff amounts to. We have learned in the last 24 hours that the time when a man is at his best physically is when he is 18 years old. No one in the industrial world ever heard of that before. The wage system has never been arranged in that order. We have to reconstruct our ideas of manhood and put the 18-year-old boy where the heavy load is because he is so much superior to a man of 25 or 30! This talk has been ridiculous on the part of men who are trying to make us believe that these 18-year-old boys can endure more than a man from 20 to 40. There is not a man who is advocating the 18-year-old minimum who can name one single industry where 18 or 20 year old boys are recognized as being superior to the men of 30.

Mr. LITTLE. Or equal.

Mr. MEEKER. Or equal in any way, and yet because we men have had candor to say that boys of 18, regardless of what they did in the Civil War, should not be taken, we are criticized. It is no credit to the men of 35 of Civil War days that the boys had to do the fighting at that time. That was the best boy's army the world ever saw, but they would not have lasted long with a man's army. Let us remember this, as I said yesterday. Whatever success has come to the American Army in Europe now is due in very large degree to the fact that it is an army of men and not an army of boys. Boys are scattered here and there, where you can select a few athletes, physical giants at the age of 18, and they can go in the Marine Corps. Few men who have had anything to do with the Marine Corps but know that the boys of that corps of 18 and 19 are the pick of the United States, and that the average boy in that corps at that age is better than the average man at 30 or 40. It is not a fair comparison. The boy we had here in the first exhibit is possibly under weight, but that boy who was here comes more nearly being the average boy of 18 than the four boys you saw in the gallery; and at that, when you looked into the faces of those boys, it was plain to be seen that they are yet boys.

They have the boy countenance, they have the boy action. They are boys in mind and heart, and I say that the American Congress of men ought to be big enough to say to these boys who are called by the sound of the drum and the march of the parade, "You stay out until you are old enough."

Mr. TILSON. Will the gentleman yield?

Mr. MEEKER. Yes; with pleasure.

Mr. TILSON. I asked the sergeant who was in charge of that squad of marines and he said that if he had his way he would have every one of that age, because they made the best soldiers. [Applause.]

Mr. MEEKER. They have not yet proven that on the battle field. I wish I could get hold of a statement of a great military leader in Europe who said not to send boys over there, but, regardless of that condition, gentlemen, I want to call attention to this: Is not it a pitiful spectacle that while little Scotland, with only 5,000,000 man population, all told, can keep her industries moving and put a million men at the front and not call her boys that the United States, with 25,000,000 of men, has got to call them in the first 15 months to get an army of 3,000,000?

Mr. CHANDLER of New York. Will the gentleman yield?

Mr. MEEKER. Not now. While England and France have not only turned out their own stuff but are actually making the guns for our boys to use the fourth year of the war, England and France have kept their boys out, and here we are on the floor of the American Congress sending word to the enemy that we are so depleted in man power or so temperamentally cowardly or so awkward in administering the law that at the end of 14 months we put the boys in line.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MEEKER. I ask for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri? [After a pause.] The Chair hears none.

Mr. CHANDLER of New York. Will the gentleman yield now?

Mr. MEEKER. Yes.

Mr. CHANDLER of New York. Is it not a fact that the French nation, of not exceeding 40,000,000 of population, has raised 6,000,000 of men without calling in her 18-year-old men?

Mr. MEEKER. It is.

Mr. CHANDLER of New York. And is it not a fact that the British Islands, with 45,000,000 population, have raised 6,000,000 men without calling in the 18-year-olds?

Mr. MEEKER. It is.

Mr. CHANDLER of New York. Then, is it not a shame that a country with 110,000,000 of population can not raise at least 4,500,000 without calling in their 18-year-old boys? [Applause.]

Mr. MEEKER. Exactly.

Mr. REAVIS. Will the gentleman yield?

Mr. MEEKER. I will.

Mr. REAVIS. I would like to supplement the statement of the gentleman from New York by this statement, that France, after four years of war, has lost 33 per cent of her soldiers, and she has not yet found it necessary to call in her 18-year-old boys. [Applause.]

Mr. MEEKER. Now, gentlemen, we might just as well be frank on this floor, because we passed this draft law. Somewhere there is something wrong in the calling of these men into service. I do not know where it is, but there was no man who voted for the draft law—and no man worked for it harder than I—who did not expect to see the men of class 2 called immediately after class 1, and nobody has yet been able to give any reason why they are not being called. I believe that the reason they are not being called is because of the purpose to create a shortage so that they can get the boys. The War Department last year wanted us to give them the boys of 18, 19, and 20, and if they hold back the class 2 men, married but with no children, then they will create a shortage that makes it absolutely necessary for us to put these boys in. We know what the consequence has been, and I say from the standpoint of efficiency of the Army I shall vote for the Johnson amendment to cut out the 18-year-old men altogether. From the standpoint of efficiency of the service we have no right to let these men stay at home, healthy and sound as they are, with not a chick or a child in the world dependent upon them, and put these boys in in their places. We do not need to make any bones about that. We know that the purpose of the War Department is to put more than half of these 18-year-old boys in the trenches inside of six months. What is the use of winking at it? It is not a responsibility upon the President, it is not a responsibility of the War Department, this Congress can not pass the buck to the President in this thing. It is up to us to determine what shall be the minimum age and we have got to stand up and assume that responsibility. If we make a blunder, it is our own. If we do the thing correctly, it is to our credit. Last year we put the minimum at 21. We got a man's army that has demonstrated what men can do and what they can endure, but we now propose, instead of taking the men of class 2—married men without children—who are just as well qualified to go as the men of class 1, and who should have been in the camps, instead of taking men of class 2, we shall not do so because somebody has blundered. We make the 18-year-old boys of this country pay the price for the blunder that has occurred somewhere in the War Department. Those men can begin to be called to-morrow, and it ill behooves any man to come on the floor of this House and confess a paucity of man power, at the end of 15 months of war, that requires the calling out of 18-year-old men or boys.

Now, gentlemen, as I said on yesterday I believe that this draft law should cover every citizen of America who is given the right of franchise. I am for universal military training of our boys from 18 to 20, and if it had not been for this same War Department we would have had a universal military training law more than a year ago. Now they propose the boys shall fill our camps. Where are they going to put the men? The whole program points, this whole legislation points, everything said in the hearings points, everything in the newspapers points to the one proposition, and that is that men in class 2, who were just as well qualified and ready to go as the men in class 1 that we permit to stay at home—the married men—and these boys of 18 and 19 shall take their places. [Applause.]

The CHAIRMAN. The time of the gentleman has expired. The gentleman from Ohio [Mr. FESS] is recognized for five minutes.

Mr. FESS. Mr. Chairman and members of the committee, war is the most strenuous business conceivable by the human mind. Modern warfare is an actuality beyond anything that was imagined up to the time that this war broke. War is so brutal as it is now carried on that the human mind naturally

shirks from meeting its requirements, and most naturally a Member of Congress will hesitate to vote to send anyone into war of a tender age, especially against his will. That will account for the tremendous sentiment of this country against the reduction to 18 years when the proposition was first suggested. I think, as a man having spent all his life with young men, and naturally having a tender relationship toward them, that at this crisis we have all to consider as the major thought of the hour how to end this war in the shortest possible time and with the least possible loss. That is the business of the hour. I believe that sentiment has its place, and I hope I do not discount its importance, but it must not overcome judgment.

I am one of the Members of this House that will resent the suggestion that we should abdicate our prerogative here in legislation and give it over to any coordinate department. The membership of this House knows how I feel upon that, because of many utterances since I have been here. But when it comes to matters of diplomacy I always vote to give them over to the executive department, where they belong, and will insistently vote against this House interfering in that field. And when it comes to matters of the military I would not for a moment cast a vote to interfere in the slightest degree with what is the judgment of the men charged with the successful prosecution of this war when the matter at hand is military success.

I have perhaps been as close a student as one fairly could be of the movements at the front—I mean as one who is so far removed from the seat of war. I have tried to keep myself informed. I hesitate to criticize any military movement in Europe or in America, because I am not a military man and I must defer my judgment to those who are charged with the study of the strategy and held responsible for its prosecution. [Applause.] I therefore will not vote to interfere in the slightest degree with the efficiency, first, of the making of the Army, and, secondly, with the management of the Army in action. [Applause.] That is not my work. It is ours to arm the military agency with authority to do what is in its judgment necessary to win the war.

I voted, though somewhat reluctantly, to give to the President the power of commandeering, because I believed that was necessary in order to win the war. I voted to give over to the President the power to coordinate the various departments here in Washington and elsewhere when it looked almost like an abrogation of our power on this floor. And yet I did it because I thought it would materially aid the winning of the war. I voted that the President should have the power to control and operate the railroads, and I frankly say to you that I have always been opposed, and am now opposed, to Government ownership and operation of the railroads. I did not vote for it as a policy, but I voted for it as an emergency, in which I felt I had no choice. I voted the same way on the telegraph and the telephone. I voted to give over control of the press and a limitation on the freedom of speech. Why, fellow Members, if you take a catalogue of the legislation of this and the last Congress, you will see that we have been delegating to the Executive department, and through him to the military power, powers unnamed, and they make me shiver when I think of what would occur if they were inclined to abuse these powers. But we did it because never in the world has there been such a test. Never before, since the morning stars sang together, was the whole world on fire; all the populations of earth out of joint, straining every nerve to throttle each other.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FESS. I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to proceed for five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. DENISON. Will the gentleman yield

Mr. FESS. I yield to my friend from Illinois.

Mr. DENISON. I was going to ask the gentleman from Ohio if he voted for the draft age of 19 to 25 before—the first draft law?

Mr. FESS. There is a criticism that belongs to this House and also to the country at large, and that is suggested by my friend from Illinois [Mr. DENISON] in his question, and I answer in this way: He asked whether I voted for the original bill that was recommended from the Senate, calling for 19 to 25 years. He will remember that the committee did not accept that amendment, and they reported it here at 21 to 40 years. I voted for that. And my criticism now upon that position is not unfriendly. It is this: That even to-day America, as a Nation, if, indeed, her Army may not have fully conceived the breadth and the depth of this awful war, does not know yet what it will require to meet it. And when the Secretary of War frequently states that we are months ahead of our plans he speaks the truth. But our trouble from the beginning—and I am perhaps as blameworthy as anyone—was that our plans have been behind instead of our being ahead of our plans.

This is a world war, and it comprehends beyond what any man two or four years ago conceived, and when we made our first law we did not make it sufficiently comprehensive, viewing the possibilities of this war as we view them to-day. And now, my friends, having voted over and over with a single purpose to end the war, although I think that my associations of the last 30 years would lead me to have as tender a relationship for the boys of 18, 19, and 20 as any man on the floor of the House, I will not vote to say to the War Department that "if, in your judgment, it is necessary to win the war that you call the 18 and 19 year old boys, you shall not do it until you call the others." [Applause.] And that is all this amendment says. This amendment voted down will probably lead the War Department to do what the amendment proposes to do. But if you vote it in you hamstring the Military Department, and it can not do what ought to be done, provided in the future it is revealed it ought to be done. That is the reason I refuse to hamstring the Military Department.

Mr. CHANDLER of New York. Will the gentleman yield?

Mr. FESS. Yes.

Mr. CHANDLER of New York. Has the gentleman such supreme regard for the opinion of the War Department and such unbounded willingness to take its advice that he would vote for 14 or 15 year old boys in the war if they would advise it?

Mr. FESS. If the 16-year-old boys were called because the others had gone, and we needed them, and the War Department would say to me it was essential, I certainly would vote to call them in rather than to surrender. [Applause.]

Mr. GORDON. Mr. Chairman, will the gentleman yield?

Mr. FESS. I yield to my colleague.

Mr. GORDON. You would not call the 16-year-old boy until the 18-year-old boy is called? There are 20,000,000 men in this country who have not been called. Why do you now say you would call in the 18-year-old boy?

Mr. FESS. In answer to my friend, who is one of the most courageous and, I frankly say, one of the most efficient Members on the floor of this House—although he and I frequently have not agreed—in answer to him I want to make this observation: Over and over again the statement is made that 6,000,000 men have been drawn in France from a population of 40,000,000, and a similar figure from Great Britain from a population of 46,000,000. If we are willing to make the fight—to pay the price—that France has made, then we could safely pursue the suggestion of my friend from Ohio.

The CHAIRMAN. The time of the gentleman from Ohio has again expired.

Mr. FESS. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. FESS. If you should walk through any part of France outside of the war area, you would not see a man anywhere. They are at the front. You will not see them even in the industries. Their women are there, and the manhood of France is robbed and is being put to the death in this terrific battle of life and death. If we are willing to take the women out of the homes and put them in the industries, then we can take the men out of the industries and send them instead of sending the boys who are not in any particular industry.

Mr. ALEXANDER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from Missouri?

Mr. FESS. In just a moment. My point is this, and I hope I can state it without any ambiguity: Classes 2, 3, and 4 are a recognition of the fact that this whole Nation is in the war, and as one class is fighting other classes are working. That is the very genius of the selective-draft system. It is that purpose which caused its adoption. I believe thoroughly, I will say to my friend, in making operative the "work-or-fight" order, so that every man at home will either work or fight, I do not care which, provided it is done by the authority of the Government. I will vote to increase the age to 50, in order to make operative that rule.

Mr. SAUNDERS of Virginia. Mr. Chairman, will the gentleman yield?

Mr. FESS. In a moment. I do not want to be misunderstood. I think that the War Department, in not taking the upper classes, is acting on the basis that it will be more efficient in the winning of the war to leave them at home to work here, and not because they want to exempt them because there is any influence. If there is anything of that, I denounce it as a most ungodly

performance. In certain quarters in individual cases such charge has been made. But that does not condemn the principle upon which we now are acting. But I think the War Department is trying to work out the population of America in such a way as to win the war in the most speedy fashion at least cost of treasure, and I will not interfere with their suggestion if they say, "We can drill an army of 18, 19, and 20 year old boys more quickly than we can make soldiers out of older men." And I can say, as one who has had 30 years experience with boys, that while my friend from Ohio [Mr. GORDON] would be one of the last men in the world that I would want to meet in a physical contest, yet it is no disrespect to him to say that in a bayonet action I would rather face him than a 19-year-old trained boy. [Laughter.] Such a boy would play "cards and spades" with him, because the boy is quicker and his muscles are more easily coordinated. My son learned to ride a bicycle in five minutes, while it took me a week to do it. That shows the advantage of trained coordination of the muscles and quickness in receiving instruction. Boys of 18, 19, and 20 make trained soldiers much more quickly than do older men.

Mr. ALEXANDER. Mr. Chairman, will the gentleman yield?

Mr. FESS. Yes.

Mr. ALEXANDER. I understand the gentleman from Ohio to say that he wants to follow the recommendations of the War Department. In a letter addressed to the Chief of Staff by the Provost Marshal General on July 27 he states:

> Pursuant to your memorandum of July 24, transmitting a copy (secret) of the approved military program for 1918–19, and calling for the draft of a proposed bill lowering the draft age to 19 and raising it to 40, I transmit herewith estimates of the effectives obtainable by the enlargement of the draft ages, in the shape of three studies covering age groups 32–40 combined with 19–20, 32–45 combined with 19–20, and 32–45 combined with 18–20, and showing the estimated effectives for each combination.

It seems that after very mature consideration they made the minimum age 19 and the maximum 40. When did the War College revise that statement?

Mr. FESS. What date was that?

Mr. ALEXANDER. July 27, 1918.

Mr. FESS. July 27 was just 12 days after the fifth German drive opened and nine days before the French, British, and American armies made their counter drive upon the enemy, which is still on. I want to say to my friend from Missouri—and I want him to listen—that in a contest where 4,000,000 men on one side stand in deadly struggle with 4,000,000 men on the other side a change of conditions requiring a change of policy can take place over night. [Applause.]

Mr. ALEXANDER. But I wish to say to the gentleman that there is no change of conditions.

The CHAIRMAN. The time of the gentleman from Ohio has again expired.

Mr. FESS. Mr. Chairman, I ask for one minute more.

The CHAIRMAN. The gentleman from Ohio asks to proceed for one minute more. Is there objection?

Mr. GALLAGHER. Make it three minutes.

Mr. SAUNDERS of Virginia. Mr. Chairman, I ask that the gentleman be given three minutes.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent that the gentleman from Ohio may proceed for three minutes more. Is there objection?

There was no objection.

Mr. FESS. Then I will have to yield to my friend from Virginia.

Mr. SAUNDERS of Virginia. I want to ask the gentleman from Ohio this question: The gentleman has referred to the fact that in France the women have been compelled to enter the industries, which is true. Under the present condition of affairs in this country, if you take out the boys of 18, 19, and 20, that is precisely what we will have to do with the women in the farming district which I have the honor to represent. They are already compelled to go into industries in considerable measure. If you take away the supply of 18, 19, and 20 year old boys, you will force the women into the industries still more. [Applause.]

Mr. FESS. In reply to my friend from Virginia, I want to emphasize the fact that this, in my judgment, has been one of the best debates, all day yesterday and to-day, that I have had the pleasure of listening to. The questions are sincere and honest and there are honest differences of opinion. I want to say to my friend from Virginia that he is going on the assumption that when we call 18-year-old boys, or give the power to the President to call the boys of 18, 19, and 20, they will be called, whether it destroys agriculture or whether it will destroy other industries or not. That is an assumption that is false.

If we write into law what he wants, then we forbid the War Department doing what seems to them to be necessary. If we leave that out, it gives the War Department the power to do everything they deem essential to win the war. I live in an agricultural section. My constituency in the main are farmers. It is the most necessary of all occupations, and they demand labor. I vote for this measure in the belief that the War Department will recognize the need of that industry, because it is essential for their purpose. If they do not, it is not my fault. I do not propose to vote for any particular interest, like the farmer or like the industries, to the detriment of the larger values. I propose to vote for the interest of America in the greatest world war that ever took place. [Applause.] And I take it that the War Department will administer the law so as to effect the least evil and to guarantee the greatest good, and that is the reason I will vote against the McKenzie amendment.

Mr. GOOD and Mr. SEARS rose.

The CHAIRMAN. Does the gentleman yield; and if so, to whom?

Mr. FESS. I yield to my friend from Iowa.

Mr. GOOD. I call my friend's attention to one case where he did not follow the War Department since this war began, and that was in a case where just as technical and scientific knowledge was essential as in this. Last December, when the Secretary of War made his estimate under the law for field artillery and field-artillery ammunition, he asked for $3,332,000,000. Within four months he increased that to $9,000,000,000, and it was up to the Appropriations Committee to decide whether it would blindly follow the request of the War Department in this respect and place on the American people a burden of more than $4,000,000,000 to be borne in taxation. The Appropriations Committee accepted the challenge and brought in a bill reducing that estimate from $9,000,000,000 to $5,000,000,000, and yet we have given the Secretary of War every penny he can use, and the gentleman voted for that action.

Mr. FESS. I voted for it because there is an opportunity, in case the appropriation allowed is not enough, to vote for an additional amount, which the gentleman would vote for if it were recommended, and that without the slightest delay.

Mr. GOOD. Absolutely.

Mr. FESS. But in raising an army time is the element, and we can not now fritter away that time when our men are needed just at present, in the awful stress of war, when men are the one great essential. [Applause.]

Mr. GOOD. Time is the element; but they do not propose to call the 18-year-old boy for almost a year, according to their own statement.

Mr. FESS. Let me say to my friend that Germany has ceased to be on the offensive. She is now on the defensive, and time becomes the essence to prevent her digging in and operating under a terribly dangerous fortified method of defensive. We must pursue her, give her no rest, and constantly augment our forces until we compel a decision. It is humanity to give the President the biggest army in the quickest way to get the best results, and not fritter away the time. [Applause.]

Mr. GOOD. If time is the essence, then why not call the men in class 2 at once?

Mr. FESS. The contention to call the other classes is but an objection to the administration of the selective-draft law and does not go to the essence of the issue now at hand. The other classes can be called at any time under the present law. But we must give the power to the Army and Navy to utilize the entire resources of the country in the best possible way to produce best results. I shall vote for the measure as recommended by the War Department, which still permits it do what the McKenzie amendment requires, provided in the judgment of those charged with the responsibility of success on the field it is best to do so, and in case their judgment does not so decree they need not be so held, and ought not to be, in my judgment. I will therefore vote against this amendment.

Mr. LONGWORTH. Mr. Chairman, I am very glad to follow my able and eloquent colleague from Ohio [Mr. FESS], with whose sentiments I entirely agree, and I shall merely say one word in supplement to what he has so well said.

It has become increasingly evident from the beginning of this debate that the President of the United States, the Secretary of War, and the high command of the Army are definitely and strongly opposed to the McKenzie amendment or to any amendment of that nature. It has become entirely apparent that the men responsible for the conduct of this war, the men charged with carrying out the provisions of this bill, regard the McKenzie amendment and like amendments as serious obstacles in the direction of building up the most powerful and effective Army that can be built up.

Mr. CHANDLER of New York. Will the gentleman yield?

Mr. LONGWORTH. I ask not to be interrupted, because I shall not ask for any more time.

The CHAIRMAN. The gentleman declines to be interrupted.

Mr. LONGWORTH. How, then, can I hesitate as a Member of this House in the determination of which way my duty lies? Like my colleague from Ohio [Mr. FESS], if I consulted my own feelings alone I would be loath on my own motion to advocate the drafting of boys of 18 years of age. If I relied on my own opinion simply I would think that the time had not yet arrived when it had become absolutely necessary to draft boys of 18, but the high command tells us that the time has arrived and the necessity is here. Shall I then give more weight to my opinion, inexpert and immature as it is, than to the opinion of the high command of the American Army, mature and expert as it is? For one I have no hesitation as to what I shall do in this emergency.

Gentlemen, I have been taught to fear the Greeks bearing gifts. In this instance I find that the gentlemen who offer this amendment to the House in the main to be those who were opposed to war and who were opposed to the first conscription act. I do not for a moment impugn the loyalty of these gentlemen, least of all that of the author of this amendment [Mr. MCKENZIE] than whom there is no more loyal and patriotic legislator in either House of Congress. I simply question their judgment, and I repeat that in the main they represent that sentiment in this House which has run counter to the war program of this administration from the outset. Therefore, when I know that the Commander in Chief of the Army urges this as a war necessity I feel no hesitation in following him. I find also that the President of the United States has once again been compelled to turn away from the chairman of the Military Affairs Committee and from the majority members of his party and turn to the gentleman from California [Mr. KAHN] to find an advocate for his side of the case. I am glad now, as I have been in the past, to follow the leadership of the gentleman from California. [Applause.] The gentleman from Alabama, chairman of the committee, is a strenuous opponent of universal military training and as such supports the amendment. If the elimination of it is a step in the direction of universal military training, and I believe it is, then that of itself is a potent argument for the restoration of the bill to its original form. I repeat that when the President of the United States, as Commander in Chief of the Army and the Navy, his Secretary of War, and the high command of the Army to a man, say that the passage of this measure without amendment is a necessity in the creation of a more powerful and effective instrument for the winning of the war, their advice should be followed and not the advice of those who rely on their own personal opinions. In this as in all war measures from the beginning I shall stand by the President of the United States. [Applause.]

The CHAIRMAN. The gentleman from North Carolina [Mr. SMALL] is recognized for five minutes.

Mr. SMALL. I see that the gentleman from Illinois [Mr. CANNON] desires recognition. I yield to the gentleman from Illinois.

Mr. CANNON. I can follow the gentleman.

Mr. SMALL. No.

The CHAIRMAN. The gentleman from Illinois [Mr. CANNON] is recognized for five minutes. [Applause.]

Mr. CANNON. Mr. Chairman, to me this has been a very interesting debate. Frankly, when I entered the hall this morning if I had been called upon to vote I should have voted for the McKenzie amendment. I want, however, as my eyesight is not as good as it used to be, to ask the Clerk to read as a part of my remarks the following.

The Clerk read as follows:

During the day Secretary Baker issued a statement about the policy of the department regarding men under 20, in which he said it is intended to call them last.

"I hoped that Congress would not make the law so inelastic as to make it impossible for us to call the 18 and 19 men until we could certify definitely that we had exhausted the other ages," said Secretary Baker, "because the long drawn-out processes of classifying and deferring men may take so long that we never can tell when we have absolutely finished with the other ages."

Mr. CANNON. Mr. Chairman, this statement that has just been read, I think, corresponds with the statement made substantially before the Committee on Military Affairs. It is in this morning's Post, and I presume is reliable. I am not going to accuse any man, a Member of this House, of unworthy motives, and I will not allow any man to accuse me of unworthy motives without resenting the accusation. I am glad to believe, and do believe, that upon this side of the House we stand, following our best judgment, to support the administration and the war. [Applause.] I think the same is substantially true upon that side of the House. I did not vote for President Wilson. I did all I could by vote and speech to elect Mr. Hughes, but the people by a constitutional majority chose Mr. Wilson President. Great Britain and France and Italy have changed their Government three or four times since this war commenced. We can not change our Government if we desired to do so for substantially two years and a half. We have got to go under the leadership of our President, Commander in Chief of the Army and the Navy, to heaven or hell, or a long way toward one or the other, before his administration expires. [Laughter and applause.]

Now, as he is responsible, as we are all responsible for legislation and in legislation that requires the two-thirds vote to overrule his veto if he did not approve of it, the thing for Congress to do in perfect good faith is in money, in men, in arms and munitions, to give him full and entire support. [Applause.]

Oh, we have got our hands full, gentlemen. It is almost an irresistible force meeting an immovable body in Europe. We have the bolsheviki and the Germans on the eastern front, not under our dominion, and yet under the providence of God, with his blessing, I trust, whatever the cost, we will win. I made up my mind when under the direction of the Kaiser on the world's highway they destroyed our ships and killed our citizens that we had better, one and all, go to any extent to put him and the spirit which he has exhibited to the bad.

Now, that is all I have got to say. I have been frank with the House and always try to be frank with it. But you say, Why do not you go into class 2 for military service? I think they will, and into class 3, I hope, and also class 4. If anybody cheats in going to these various classes, he loses his own self-respect, and in the fullness of time the American people will punish him. [Applause.]

Mr. SMALL. Mr. Chairman, this debate revolves around the proposition to reduce the liability for military service from the ages of 21 to 18. I think there has not been presented to me as a member of this body a proposition which has been more perplexing or embarrassing than has this. I wish to discharge my duty, just as I assume every Member of the House desires to do, and the dominant query in my mind in the consideration of this bill is, Where does that duty lie?

The war administration tells us that in order to end this war quickly and win a decisive and complete victory we must have in France next spring 80 divisions, or 3,200,000 men, or thereabouts; that we must have in training in the United States at least 18 divisions, or about 750,000 men. They say that after the most mature deliberation it is impossible to secure that many effective men under the present selective law without extending the ages from 18 to 45.

It has been repeated so often in this debate that it is surplusage to do so again, that the men who are responsible for the prosecution of this war to its conclusion are entitled to the respectful consideration and support of the Congress.

What is our duty in voting upon this question? We have entered upon this great war with the supreme purpose to prosecute it to a successful issue. The Member from Illinois who offers the McKenzie amendment and every gentleman who has spoken will candidly and truthfully and sincerely admit that he has no other purpose than to win a victory in this great war. Is it necessary in order to achieve a victory to extend the ages under the selective-draft law?

In answering that question it will not do to point to the young men of 18 years old as boys, as robbing the schools and the colleges, because of the very small percentage compared with the total number in the high schools and colleges at the age of 18. If it is fair to take the great bulk of those at that age who are not in a high school or college, certainly there should be no discrimination against those who are. If I read military history correctly, the boy of 18 is a military unit that is effective, he is one that has achieved glory for our country and for other nations. The boy of 18 who is selected for military service, let us assume, will be physically fit, not like the young men paraded before us by the gentleman from Washington [Mr. JOHNSON], but like those representatives of the Marine Corps who stood up before us in the gallery. It will not do, as gentlemen have done, to make the query, "Why not get men to make up this deficiency?" Where will they be obtained under the present selective-draft law? Gentlemen point with assurance to the number of industrial slackers, as they are called, and say, "Why not put them into the service?" Are there slackers? Are there men between the ages of 21 and 31 who ought to be in the military service? Then whose fault is it, I ask? We passed the law. The War Department made regulations consistent with that law. Have there been criticisms of those regulations? Who administers the selective law under the present ages and under the regulations imposed by the War Department? The men of the vicinage, the men of the counties, the men who are familiar personally with the local conditions in their counties.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. SMALL. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SMALL. So that if there have been errors in the administration of the selective-draft law, it lies with the local and district draft boards of the respective States. When gentlemen say go into the deferred classes under the present law and comb them out and get the men in order to make up this deficiency, they owe it to the House to point out the methods by which it might be done.

Mr. GORDON. Mr. Chairman, will the gentleman yield?

Mr. SMALL. I have very little time, but I yield for a question.

Mr. GORDON. I can tell you where you can get 500,000 of them, and that is in class 2 of married men without dependents.

Mr. SMALL. The gentleman is making a general statement.

Mr. GORDON. It is true.

Mr. SMALL. Has the gentleman in his own city of Cleveland complained against the administration of the draft law? Has he ever, before this bill was under consideration, uttered one word of criticism—and I take it there are just as many of that class in his own city of Cleveland as there are in any county in my district in North Carolina. You can not make general statements in respect to a matter affecting vitally the prosecution of this war without going into details and proposing a proper remedy. In the administration of this law we thought and we realized that it was necessary to dedicate to the prosecution of the war all of the resources of our people that were needed, not only man power upon the front but in the industrial plants of the country and upon the farms.

Let it be remembered that all these men in deferred classes have been exempted for physical reasons or industrial reasons or because of dependent families, and when gentlemen talk about men in these deferred classes who ought to be put into active military service, I say to them that in making any such statement they are criticizing and condemning the administration of the law by the local and district boards in the several States of the Union.

My personal predilection is against taking the boy of 18. The governor of my State has written a strong letter to each member of my State delegation urging that they be not included. I have had letters from mothers and fathers in my district; but, after all, the vital question which must arise in the mind of every conscientious American and of every Member of this House is, What is his duty in the prosecution and in the achievement of a great victory in this war? I do not put into the keeping of any man, not even into the hands of my constituency, my solemn duty to my country and to the flag. Wherever that duty be, whether it involves the sacrifice of the position which I hold, I shall follow the path which is necessary in the discharge of it and in the achievement of a victory in this titanic contest. Yet, to be perfectly frank, while I am opposed to the McKenzie amendment, and I shall vote against it, when the amendment of the gentleman from Washington [Mr. JOHNSON], reducing the minimum age from 18 to 19, comes up before the committee, I shall vote for that, because under that we shall be able to get, according to the figures that have been submitted, 1,722,000 men, leaving only about five or six hundred thousand men of a deficiency in the number of effectives which are said to be required.

The CHAIRMAN. The time of the gentleman from North Carolina has again expired.

Mr. SMALL. Mr. Chairman, I will ask for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SMALL. Then let the gentlemen who talk about effective man power, about combing deferred classes and getting the men to fill the deficiency, point out some method, if you please, by which we can obtain these four or five or six hundred thousand men. But if that amendment making the minimum age 19 instead of 18 shall not prevail and the question is squarely presented to me whether I shall set up my judgment upon this bill as an entirety against the men who are at the head of the war administration, whose solemn duty it is to bring success to our Army, whose training and capacity and patriotism entitle them to consideration, I shall not attempt to set up my judgment against theirs, but in the last analysis I shall vote for the bill just as they have presented it to Congress. [Applause.]

Mr. OLNEY. Mr. Chairman and members of the committee, I regretted exceedingly in committee to differ from my colleague [Mr. MCKENZIE], who introduced this amendment, because we have gone hand in hand together on so much important legislation affecting the war.

But I approached that amendment as I would a railroad crossing where the signboard says or reads, "Stop, look, and listen!" and I scented the danger, and the train went by with MCKENZIE at the wheel, some good men in his crew, some strong men, our able chairman, the ranking Member, Republicans and Democrats, and I respect them all. I liken myself, as a layman on the committee, to the position I occupied when I was learning my trade as a wool merchant in the city of Lawrence, Mass., when I went there to learn the wool business, and to take up a fleece of wool and sort the fine from the coarse, and so forth, and I felt that in serving my apprenticeship I was accepting instruction from my bosses; and so the recommendations of the Commander in Chief of the Army and Navy, the Secretary of War, the Chief of Staff, and the Provost Marshal General, who has carried out so beautifully the draft system within the past year, can not be ignored in this important legislation.

I deplore the fact that we have got to go below the age of 21 to take boys into the Army, but from testimony revealed it is the intention and purpose of the War Department to comb out the men between 31 and 46, of which there are 600,000 in number, and then gradually take the men of 21, 20, 19, and 18, and in that order, and in the meantime those men who have become of age since August this year. I look upon this war as a great big business proposition, and the fact that we have deferred classifications of 2, 3, 4, and 5 is evidence of sound business foresight. When we went into the war a little over a year ago Italy was bankrupt, France was bleeding to death, and England was tired out, and we arrived in the nick of time, and these different classifications are fixed as they are so that we can carry on this Government as a great business proposition, elastic and comprehensive. Classes 2, 3, and 4 are working, too, for the interests of the war, and the exemption boards have the power to pull men out of classes 2, 3, and 4 and reclassify and place them in class 1; and I know many instances where that has been done. When I saw those four Marines arise in the gallery it was an inspiring sight. I think this Congress ought to know a piece of news that has come to me, because I have never seen it in any newspaper dispatch—that 10,000 of those Marines, many of them between the ages of 18 and 21, in the last great German offensive a month or so ago—and I got this in confidential letters, but believe this news should be given to the world—10,000 American Marines, flanked by four American regiments, saved Paris, and they did so at the beginning of the last offensive on the retreat of the allies, who advised the retreat of the Americans; but the Americans said, "We have been advised to stick here," and they held continuously for 30 hours; and some day this will filter out through the press that these 25,000 Americans saved Paris. [Applause.]

Mr. MEEKER. Will the gentleman yield?

Mr. OLNEY. I will.

Mr. MEEKER. Can the gentleman explain mathematically how a majority could be under 19 when the average age——

Mr. OLNEY. I did not say a majority; I said many Marines.

Mr. MEEKER. When the average age is 24 of the first enlistment, and I did not see how it could get——

Mr. OLNEY. I said many Marines.

Mr. GREENE of Vermont. Will the gentleman yield?

Mr. OLNEY. I will.

Mr. GREENE of Vermont. We hear a great deal about the law of averages and percentages here, and we used to learn in common-school arithmetic that in order to make fair comparisons we must start from a common base. Now, if you are undertaking to show what the law of average in age may be by starting at 18 and on to 45, it takes a great many 18, 19, and 20 men to offset one man coming in at 45 years, and that so-called average does not show how many men of 18, 19, and 20——

Mr. CHANDLER of New York. What right has the gentleman to assume 18 as a base; why not take 26?

Mr. GREENE of Vermont. I am not stating the base; I am talking about what is the meaning of the so-called average age in an organization that takes men in between 18 and 45, and if anybody goes to the common-school arithmetic he will see that we must have a great many men of 18 to offset the one man of 45 in order to keep an average age down in the twenties.

Mr. OLNEY. Much has been said here about deferred classifications in this country. It was made possible and was advised by the best brains of Europe, in order that we might supply the nations of the earth with necessary products; and we kept the allied nations alive before the war, and ever since

then our agricultural and business interests have been busy in furnishing materials and supplies not only to the allied nations but those neutral nations deserving help.

Mr. KELLEY of Michigan. Will the gentleman yield?

Mr. OLNEY. Yes.

Mr. KELLEY of Michigan. Is it not true we get a large part of our artillery even yet from France?

Mr. OLNEY. The heavy artillery, to some extent.

Mr. KELLEY of Michigan. If France can supply our own armies and hers, too, with equipment and still keep out these boys of 18, would it not be a fair proposition for us to follow their example?

Mr. OLNEY. No; to my mind it is a small equation—the artillery she is furnishing America. Italy has no deferred classification, nor has France, nor even England, except as to agriculture and industry, and those nations, having a great man power in the war in the early days of the war, would be reduced, naturally, to 18-year-old men. We have arrived in France morally and physically with a million and a half men; and yet it must be reckoned that only 60 per cent of our forces abroad are fighting men, and it takes about one man to take care of another man, considering our chain of boats going across the sea transporting troops. Therefore we need every bit of man power that the War Department asks for; and, furthermore, I am proud to say that our Army is the cleanest morally in the world as well as physically and mentally fit.

And we have arrived at a determination to win by the courage born of the American soldier licked into a living flame with our enthusiasm to crush Prussianism which will cause America to rewrite in blood if necessary the Constitution of the Old World central powers. And I urge every Member—from Massachusetts as well as from Alabama—to vote to support the administration. I wish to say, if this word can lend you any encouragement, that a Cabinet officer told me yesterday afternoon, as the spokesman of the Commander in Chief of the Army and Navy, that the President is very much in favor of the original program of the War Department and does not want any such monkey wrench as the McKenzie amendment thrown into the machinery. [Applause.]

Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. OLNEY. The following letter from a prominent official of the American Red Cross Association is self-explanatory, but in further explanation it should be stated that the recruits who arrive in camps and cantonments afflicted with venereal diseases are immediately segregated, given the best medical attention and treatment, and are not released for military service until completely cured. The Army camps as schools of discipline and careful attention and guardianship are the best asylums for the boys, and the American Red Cross Association is doing a noble, splendid work in protecting the morals of the soldier as well as in providing segregation and medical treatment:

NATIONAL HEADQUARTERS OF THE AMERICAN RED CROSS,
Washington, D. C., August 22, 1918.

Hon. RICHARD OLNEY,
United States House of Representatives,
Washington, D. C.

DEAR MR. OLNEY: For your information I quote the following from the Official United States Bulletin, under date of August 17, 1918. The War Department authorizes the following:

"There is a sharp increase in the number of cases of venereal disease in the divisional camps and cantonments, 5,507 being reported, as compared with 3,760 for the previous week. This increase is due to the large number of new men recently inducted into service. Among colored registrants something over 30 per cent and among whites about 8 per cent are venereally infected when brought into camp."

Further, from May 24 to August 2, one week estimated, shows that 44,723 men came into our new Army, bringing with them from civil life syphilis or gonorrhea. This shows a rate of 20,000 a month or 240,000 a year, equal to over seven divisions laid low before getting into the fight.

Very truly, yours,

GRAHAM F. BLANDY,
Assistant Director Bureau of Sanitary Service.

P. S.—The above cases of diseases were contracted before the recruits entered the cantonments.

Mr. BANKHEAD. Mr. Chairman, it had been my purpose to offer an amendment to the pending section to make the draft age of the new draft from 21 to 45 years, inclusive. I am opposed to the proposition of drafting at the present time men under 21 years of age, but I am informed that my colleague from Alabama [Mr. BLACKMON] will offer an amendment to that effect. Therefore I will withhold my amendment. I do not care, Mr. Chairman, under the circumstances to attempt to take up the time of the House or to make an argument. It would be impossible to do so creditably within the five-minute limit. I therefore ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to revise and extend his remarks. Is there objection. [After a pause.] The Chair hears none.

Mr. GREENE of Vermont. Mr. Chairman, I ask recognition for five minutes.

The CHAIRMAN. The gentleman from Vermont, a member of the committee, asks recognition for five minutes. The gentleman is recognized. [Applause.]

Mr. GREENE of Vermont. Mr. Chairman, everybody realizes at this stage of the proceedings that it is not likely that any new argument will be advanced; nor is it very probable that men who have given serious consideration so long to such a serious problem will be disturbed in their convictions already arrived at, by rhetoric, sentimentality, beautiful appeals to the flag, allusions to the boys dying in the trenches, and all that kind of thing. There is not a man in the House who does not at the proper time feel his spirit stirred by all the emotions that such literary phrasing is intended to express, but when we sit here as lawmakers, trying to organize an army to fight a war, it seems to me our safest resort is to the cold, hard business proposition of simple logic and a few elementary principles. And by such cold reasoning and unemotionalism only, I may add, we may hope best to aid those brave soldiers of ours to win this war.

I will say at once that I am opposed to the McKenzie amendment. I am opposed to it, no matter how it is refined, no matter how it is explained, because, notwithstanding the good faith of my respected colleague, Mr. MCKENZIE, of Illinois, in the introduction of this amendment, it is a limitation upon the power of the Government to raise an army of sufficient size and put it into this contest at the hour and moment it may be most needed. Any limitation is a limitation, it does not matter how nicely and deftly you juggle the words or how beautifully you try to spin delicate and tempting refinements of the meanings of words. A limitation is a limitation.

Now, it is a singular thing to me that after all these years and all the experience this country has had with wars and armies we wake up now, apparently for the first time in our history, to be sensitively and fearfully aware of the fact that liability to military service in the United States begins at the age of 18 years. I have only to refresh your memories of the days when you were schoolboys and when, gradually getting older and more mature and taking notice of the bigger things in the bigger world outside, you were one day challenged by some fellow schoolboy with the suggestion that "One of these days they will put you into the Army"—a little bit of foolishness that schoolboys indulge in sometimes—and you had grown up, as every other American youth grew up, to know and to make the answer, "They can not put me into the Army until I am 18 years old." Every schoolboy knew it. And every father and mother knew it. Practically every war that ever came upon this country after we had organized ourselves as a Nation found that law on the statute books. My own State of Vermont has had it in her law for I do not know how long, and it long has been a familiar statute all over the country. You and I, any time before the alarm of this present war was upon us, answering the question of a foreigner or a stranger as to what our ages for liability to military service were, would answer offhand, "Eighteen to forty-five." We did not think there was anything wrong about it. Yet now, when we are actually trying to put such a principle, long acknowledged in law, into actual realization in a war that calls for men, we suddenly awake to find the proposition is imbued with a tremendous amount of pathos and sentiment.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GREENE of Vermont. May I have five minutes more?

The CHAIRMAN. The gentleman from Vermont asks unanimous consent for five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. GREENE of Vermont. And then we begin to talk about robbing the cradle and all that kind of thing.

There is another strange thing that goes right along beside that. All this time prior to the war, or even since the war began, so far as our participation in it is concerned, we have permitted young men at the age of 18 voluntarily to enlist in the Army of the United States. They have done it for years. For a long time it was necessary that they should have the consent of their parents or guardians in order to enlist at the age of 18, but recently that has been changed, and it is now held that a boy who enlists of his own accord in the Army of the United States at the age of 18 years can not be released from his military obligation by the protest or application of a parent or a guardian. It is held that he is of sufficient

age and matured judgment to permit him to make his voluntary choice as to whether he will serve in the Army or not. We have all assented to that as a matter of fact. Nobody has ever seemed to raise any objection to it. It went along and worked itself out automatically.

Now, then, if to-day we, the elders, are talking about the immaturity of boys of 18 and debating a refusal to compel them to go into the Army at 18 because we hold ourselves nationally as sponsors for their welfare and as their guardians, how does it happen that we have gone on up to this precious moment not exercising this guardianship, founded on the idea that they were too immature to take care of themselves, and how could we have permitted them all these years, on their own judgment, to enlist in the military service at that tender age and refused to let them out if they did? Fathers and mothers were just as solicitous for their boys in years past as they are to-day. But they did not protest and get this law changed. How many do you think, if the truth were known, are actually protesting to-day?

Mr. CHANDLER of New York. Mr. Chairman, will the gentleman yield?

Mr. GREENE of Vermont. I will if I have the time.

Mr. CHANDLER of New York. Everybody on the floor admits that they ought to go in. Some or most of the Members have said that they should go in at even 16 or 17 if necessity demanded. The question is whether they should be put in while older men remain at home.

Mr. GREENE of Vermont. That question is not presently before us. This bill cites the years at which they shall go in. That is what we are arguing about. Men have in all good faith and sincerity undertaken to tell us that a boy of 18 years of age is not of sufficient physical maturity or of sufficient mental dependability to go in and be a good soldier. If that is true, why is it that through the century and a half, nearly, of our national experience the Army itself, in peace times as well as in war, has of its own accord, as a result of its own experience and observation through a century and a half of peace time and war, fixed 18 as the first age when it was thought a man was beginning to be fit to be a soldier and fight in wars?

Mr. MEEKER. Mr. Chairman, will the gentleman yield for a question?

Mr. GREENE of Vermont. Yes.

Mr. MEEKER. Can the gentleman explain why the minimum draft age in the Civil War was 20 years?

Mr. GREENE of Vermont. I do not know; and perhaps that is as good an explanation as anybody else could give under the same circumstances. But I will call the attention of the gentleman to another fact, and that is that the conditions under which the Civil War was fought did not make the urgent demands on the labor and other interests at home to the support of the Army in the field that this present war does. [Applause.]

Mr. SANFORD. And in that war drafted men were allowed to hire substitutes.

Mr. GREENE of Vermont. Yes. It has been suggested by my friend from New York [Mr. SANFORD] that in that war men could buy substitutes.

Mr. KELLEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. GREENE of Vermont. Yes.

Mr. KELLEY of Michigan. The gentleman from Vermont is a member of the committee. Personally, I would like to have it explained just how the adoption of the McKenzie amendment would produce delay in the recruiting of a sufficient army to do what the War Department desires to do.

Mr. GREENE of Vermont. My friend from Michigan there gets down, it seems to me, to just the point that disturbs the minds of a good many men here. Words written into a statute may or may not——

The CHAIRMAN. The time of the gentleman from Vermont has again expired.

Mr. KELLEY of Michigan. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for three minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. GREENE of Vermont. I say, words in a statute which seek in any sense to limit the order of time in which an army can be raised or employed have just this effect, that if the events afterwards do not invoke that restrictive clause there has been no restriction, but if the events do invoke it the result is delay. If there is in the minds of any men the possibility that nothing will arise to make this provision effective and thus delay the raising of an army, and that, therefore, it is safe to put in the language, I want to say that it is far and away safer to leave it out altogether.

No man can condense in 10 minutes what we have all been thinking about for weeks, and I have dwelt on no detailed part of the general argument that has been heard here in these two days. But another reason occurs to me, and that is that the combing out of the questionnaires and the passing upon the claims for exemption of all the men beyond the present draft ages would be a tremendous task of time and labor, and by the terms of the McKenzie amendment until it is completed these young men can not be used. Nobody can accurately estimate how much time that will take. It may take one period of time or it may take another, but in the meanwhile it is certain that until it is done and the older men drafted these other men can not be touched. These men are waiting in the meantime, and, as has been suggested time and again, these men are all of such age and under such social, domestic, and economic relationships that their questionnaires will be very simple and their examination and adjudication take very little time. There is a great army that could be quickly raised. That we know for a certainty. And, as has been pointed out, time is the essence of the present war situation.

Mr. KELLEY of Michigan. Then, the result would be that these boys would be sent before the others; otherwise the bill would be of no account.

Mr. GREENE of Vermont. No. Part of the men above present draft ages may be in the Army, and part of these other men, too; but all of them, no matter where they come from, no matter what group or groups of age, would be on the way together.

Mr. MILLER of Minnesota. Will the gentleman yield?

Mr. GREENE of Vermont. I have only half a minute left and there is one more thought that I wish to express. It all comes down again to this: That if you want to be very sure that you will not hinder the Government in the raising, training, and use of this Army you can make it absolutely sure by not putting anything in the law that has any possibility of doing that. But if you want to restrain and restrict, no refinement of words or anything else written into this statute will determine the degree of your restriction and your restraint, until all at once, in the middle of the night, some unforeseen contingency arises, your statutory limitation is in effect, and you can not get another statute passed in time to cure the difficulty you had put in the way.

The best illustration of what these little things may do that I can give is that of Gulliver among the Lilliputians. You remember that Gulliver among the Lilliputians was a giant, a great, unconquerable giant, but they caught him asleep and then they bound him helpless to the earth by simple little packthread. [Applause.]

Mr. CONNALLY of Texas. Mr. Chairman and gentlemen of the committee, it is not with any expectation or hope of changing anyone's views that I trespass upon the time of the committee this afternoon. I simply want to place in the RECORD my position upon this question. I am strongly in favor of the McKenzie amendment. [Applause.] I have consistently supported all of the measures in behalf of the war, and I intend to do so to-day and in the future when they appeal to my judgment and conscience; but I want to say that as a Member of Congress I realize that the responsibility for calling these boys to the front is ours, and we can not wash that responsibility off our hands by simply saying that those who are in charge of the conduct of the war must be given these boys at this time. Before the bar of the country are not we, within our proper function, as much responsible for the conduct of the war as any other agency of this Government? I, for one, want to tell you that, no matter how hard you may try, you can not wash away the responsibility of this Congress of sending 18-year-old boys to the trenches of France while men above the age of 21 and up to 45 are at home, not only safe and sound, but making more money than they have ever made before in all their lives out of the Government and in industrial pursuits and in Government contracts. [Applause.]

The gentleman from Connecticut [Mr. TILSON] is always dramatic in his arguments and addresses before this House. When he does not bring implements of warfare to display here, when he does not appear panoplied in all of the toggery of war, he produces something that is just as spectacular; and so, with the dramatic instinct highly developed, he stood before this House, prearranged, of course, as it was, and had four young marines of the age of 18 years rise over there in the gallery to prove that boys of 18 should be drafted without resorting to those now in deferred classes. I want to say that if the gentleman from Connecticut had chosen to do so he could have looked to another portion of the gallery and have seen not only

4 but 40—yes, 100—men in civilian clothes above the age of 21 and under 45 who would look just as good in uniforms as the heroic young marines. [Applause.]

Mr. BLANTON. Will the gentleman yield for a question?

Mr. CONNALLY of Texas. I yield to my colleague.

Mr. BLANTON. Does my colleague know that one of those marines up in the gallery will be 19 years of age in December and another one will be 19 in January?

Mr. CONNALLY of Texas. I do not know anything about that. I admire the marines. I admire anybody who volunteers and goes into the Army, though he is under 21 years of age; but I have not yet reached the point where I want to say to these boys of 18, "Whether you will or whether you will not, we will reach into your homes and take you and put you into the front ranks in France when some other fellow 25 years old who happens to be a secretary or clerk to some influential person is safely ensconced at home." [Applause.] Why, the other afternoon I was riding over to Camp Meade in a car, and when I got out here a few miles a fellow who was waiting for a street car hailed me and said, "May I ride with you?" I was glad to let him ride. He rode along a mile or so and I asked him, "How old are you, young man?" He said, "I am 23." I said, "Are you married?" He said, "No." I said, "How is it that the draft did not get you?" He was a great, big, athletic, strapping fellow. He said, "Why, I am the secretary over here at the Maryland Agricultural College and I was given deferred classification."

Are you willing to let that fellow stay at home filling a woman's job or the job some married man would be glad to get and draft some 18-year-old boy, whether he wants to go or not, and put him in the front-line trenches without waiting until all class 1 men above 18 are drafted?

I want to say, Mr. Chairman, that if the House had adopted the Shallenberger amendment, which you voted down two months ago, you would have had half a million more men in class 1 than you have to-day. The War Department now has the authority to comb the lists of class 2, class 3, and class 4, and put many now in these classes where they ought to be—in class 1. I have no son that will be affected by the 18-year-old provision. I have no brother that is affected, but I am not willing to take your boy and put him in the ranks when some other man's boy 25 or perhaps 26 is at home enjoying all the comforts of luxurious living. Why can there be any objection to the adoption of the amendment providing that the boards shall not call the 18 and 19 year old boys until they shall have first called those above that age?

The time of Mr. CONNALLY of Texas having expired, by unanimous consent he was given two minutes more.

Mr. CONNALLY of Texas. We are not denying the War Department the power to reach down and get 18 and 19 year old boys when it needs them. They can be called when the necessity arises, but gentlemen espousing the bill will not agree to any limitation whatever. The result will be that they will call the 18 and 19 year old boys at once, and perhaps before they do the older ones. It is easier to classify them; they are not married, and they have no dependents. The result will be that they will be called to the colors first.

Mr. GORDON. And they have no votes.

Mr. CONNALLY of Texas. And they have no votes. This reminds me of the story of the preacher that had a new assignment. When he first went to his new post he began to preach against whisky drinking. One member called him aside and said, "That won't do; old Brother So-and-so is an elder and he will have his toddy; you will have to preach against something else." So he preached against card playing, and they said: "Sister So-and-So is a great card player, and she contributes liberally to the church; you will have to cut that out." Then he gave horse racing a run or two, and they said there was a member of the church from Kentucky who was fond of horse racing, and he would have to cut that out. Then he said, "What in God's name can I preach about?" And they said, "Preach against the Jews; there ain't any of them here." [Laughter and applause.]

My friends, I want to say to you that I am willing now, and willing in the future, to give the War Department all the money and all the men it needs. We have already given it 10,000,000 men, and this bill, without taking the 18-year-old boys, will give it——

Mr. GORDON. Twelve million more.

Mr. CONNALLY of Texas. I thank the gentleman from Ohio who always has the figures collated in his mind. Twelve million men that we will give the War Department, and if it does not get them in it is its responsibility, not ours. Let me tell you something. Congress has some responsibility. [Applause.] Congress has some duties to perform, and the Constitution puts the man power of this country in the palm of our hands. We are the ones whose duty it is to say when and how the man power shall be drafted. I want to say to you that I am not in favor of going down and taking the boys of 18 until you have drafted those above that age who are liable to service. France has not found it necessary to do it, England has not found it necessary to do it, and I do not believe it is necessary at this time in the United States, and I trust that the McKenzie amendment will be adopted overwhelmingly. [Applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. EAGLE having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed joint resolution of the following title, in which the concurrence of the House of Representatives was requested:

S. J. Res. 168. Joint resolution tendering public acknowledgment of gratitude to the Army and Navy of the United States.

TEMPORARY INCREASE OF THE MILITARY ESTABLISHMENT.

The committee resumed its session.

Mr. GRIFFIN. Mr. Chairman and gentlemen of the committee, I have listened to this debate with a great deal of attention, and I confess that at this moment I am getting weary of the constant recurrence to the alleged fact that there are about 8,000,000 men who are in the deferred classifications. Of course there are. In the name of Heaven, why did you pass the selective-service law if you did not contemplate such a result? Was not it the intention of the President in making these regulations to pay due deference and respect to the industries and the agriculture of the country, and can you not at least give the local boards the credit for honest judgment and loyalty in making these classifications? Why throw this constant threat and complaint in the face of the local boards? Do you not know that that is a criticism of the selective-service act that you passed? Do you not know that it is a criticism of the President of the United States, your Commander in Chief?

All this talk about "combing out" the deferred classifications is unwarranted and idle. The local boards were required to classify the registrants in accordance with their obligations to their families and to the industrial needs of the Nation. They could not have done other than they did without failing in their duty. The fault is not with them, but with the intricacy and gigantic nature of the task that was given them.

I have been trying to fathom the animus of the advocates of this McKenzie amendment, and at last it was disclosed in the remarks of the gentleman from Texas [Mr. BLANTON], who threatened to send Mr. Gompers to hell. May I ask the gentleman if that is an invitation to Mr. Gompers to go to Texas? [Laughter.] They say that in the summer time its temperature closely approaches that of hades.

There is the animus—opposition to the labor unions. Now, gentlemen, do you not know that the majority of the men who have been put into the deferred classification are engaged in industries which are essential to the war, and would it surprise you, or need it surprise you, to learn that the majority of those men engaged in riveting the steel structures of our ships and in the other industries essential to this war are members of labor unions?

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. GRIFFIN. Yes.

Mr. BLANTON. I stated that when Mr. Gompers asked us to do with organized labor something that was not right, then so and so should happen, and I would like to ask the gentleman what he would say to Mr. Gompers if Mr. Gompers told him that the proposition of work or fight should not apply to the laboring class of people of America.

Mr. GRIFFIN. I do not want to go into that now.

Mr. BLANTON. I did not think the gentleman would.

Mr. GRIFFIN. I have not the time for it.

We ought not to complain of the number of men who are in the deferred classes. That was the very design and purpose of the selective-service regulations; that is, to raise an army with the least possible derangement of family ties, social obligations, and industrial requirements. In order to make war we must also maintain the peace industries of the country. In order to keep one man on the fighting line, well fed, well clothed, and properly sustained and equipped, 20 human beings—men, women, and children—must be kept at their usual vocations and maintained in reasonable comfort and peace of mind at home. Do not forget that. We are prone in our enthusiasm for war sacrifice to forget that the usual order at home must so nearly as

possible be maintained. Otherwise we endanger the lines of communication with our fighting men, jeopardize their lives, and endanger our cause. The men who raise the crops, who dig in the mines, who make clothing, munitions, armament, and equipment of war must also live, because if they fail our soldiers will fail and our cause and the cause of the world will be lost.

We ought not therefore to complain of the number of men who are retained in useful tasks at home, nor assume, because their number seems to be large, that the local boards have necessarily failed in their duty. As chairman of the legal advisory board connected with one of the local districts I can vouch for the industry and patriotism with which they generally performed their exceedingly difficult and embarrassing duties. If they are subject to any criticism at all, I would say that they might rather be criticized for their zeal, which in many instances worked grievous injustice.

Under the leave granted me to extend my remarks I shall take the liberty to append a few specific instances, with some suggestions in the way of modification of the selective-service regulations, which I am satisfied will remove some of the objections to the proposed extension of the draft ages.

Another fallacy that has appeared in this debate is this: Gentlemen have rung the changes upon the alleged change of view upon the part of the military authorities of this country. I need not refer gentlemen of the dignity and experience of this body to the old maxim, "The wise man changes his mind, the fool never." Some have asked what has happened since June last to cause this change in mind. Have the gentlemen lost sight of the great battle of the Marne? Have they lost sight of the fact that the Prussians are being driven back? Have they lost sight of the fact that now it is essential to concentrate every effort of the people of this country, of every class, in order to win this war? That has happened since June, and that is sufficient reason to cause a change of mind. Another favorite fallacy of the advocates of the McKenzie amendment is the slogan, "Let this be a man's war." Gentlemen, there never was a man's war, in that sense, in the history of the world, and there never will be a man's war. Wars have been fought by boys; wars have been caused by men of juvenile minds. This present war was caused by a man who was suffering from arrested development both of mind and body. In the Civil War there were under 21 years of age 2,159,798 soldiers. Over 26 years of age there were only 46,000. The bulk of the fighting was done by boys. Germany to-day has 2,500,000 men in the field under 21 years of age.

Mr. GORDON. Where does the gentleman get those figures? That is a new discovery.

Mr. GRIFFIN. I decline to answer now, but I will give it to the gentleman later. They say that Germany having boys in the field is a sign of weakness. Thank God, Mr. Chairman, it is a sign of weakness; but with us, our boys in the field will be a sign of strength and of victory. My position is this: I shall oppose the McKenzie amendment, with all due deference to the opinion of others who have taken the contrary view; but my opinion is that the McKenzie amendment is an attempt to throw a monkey wrench into the machinery of the war campaign. It is essential that we should all get behind the President and the military authorities in order to prosecute this war and do away, not with sentiment—for it is not sentiment—but with emotionalism. It would seem that you imagine that if the boys from 18 to 21 are called they are going to go over to the trenches the next day. Do you not realize that it will take a year to train them?

The chief objection that I have to the Johnson amendment is that it is not only unnecessary but perilously restrictive. On page 2 of the bill, lines 5 to 7, the President has the power, which as Commander in Chief of our armies he ought to have, to "draft such persons liable to military service in such sequence of ages and at such time or times as he may prescribe." Do gentlemen presume to suggest that the President should not be vested with this power? No; that issue they evade. All they want is to make sure that the calls for men shall be in the order that they think ought to be followed. And in order to make sure that that sequence shall be followed they propose to tie him hand and foot with a congressional mandate. Gentlemen, I do not believe such a course is patriotic; in fact, I believe it would be perilous.

The exercise of just a little reflection will show how utterly groundless are all their fears about sending striplings of 18 into the trenches. In the first place, only boys physically fit will be called. A boy of the size and build of the lad of whom the gentleman from Washington [Mr. JOHNSON] made an exhibition to-day by putting upon his slender frame a uniform three sizes too large, will not be chosen for military duty. Only lads of the standard size and strength will be chosen. The page I pointed out is only 15 years old, and yet he is head and shoulders over the one selected by the gentleman for his "horrible example." I have a nephew in France to-day only 18 years of age who fills the bill as to the Army requirements, and he did not have to get a waiver to join either, except from his mother, and that, let me say, was patriotically given.

Just let us remember that if the boys of 18 are called at all, they must have from six months to a year's training before they will be sent to the other side. Then military wisdom will most probably dictate that they be used in taking the place of the older and longer trained men along the lines of communication and in the various noncombatant branches of the Army. Remember that in the disposition of a great army never more than one-third is on the fighting line. One-third is usually in reserve and another third is required in the supply and communication branches of the service. The inevitable task to which the boys of 18 will be assigned will be to release the older men for the fighting lines.

The proposal before us is strictly a war measure, and as such I am in favor of leaving all discretion under it and its enforcement in the hands of the President and his military advisors, who have so far so ably raised and so gloriously conducted our armies to victory.

APPENDIX.

SOME SUGGESTIONS FOR THE MODIFICATION OF THE SELECTIVE-SERVICE REGULATIONS TO SECURE THEIR STRICT ENFORCEMENT, PROVIDE FOR PROPER REVIEW, AND SECURE ECONOMY IN THE CONDUCT OF THE WAR.

In the foregoing speech I said, in substance, that rather than deserving criticism for excessive vigilance in catering to the deferred classes, the local boards might more justly be criticized for their zeal in trying to enlarge class 1. The following are a few instances:

Case 1: A man who, when his claim for deferred service on account of dependents was denied wanted to be permitted to join the Navy, in which he had served one enlistment. He is now in France in the Infantry, when it is obvious he could have rendered more useful service to his country in the Navy.

Case 2: A man who, for flat feet, was discharged from the Army, in which he had voluntarily enlisted, who notwithstanding his physical disability was almost immediately put into class 1–A by his local board and inducted again into the service. He is denied the honor and glory of serving his country voluntarily and must bear the odium (unjust though it be) of being driven to serve his flag against his will.

Case 3 (a companion picture to the preceding): A man who was inducted by his local board into the Army, notwithstanding his flat feet, and because he was not able, on account of his disability, to keep pace with his company, was court-martialed and is now languishing in disgrace in the Army prison at Fort Jay.

Case 4: A man, not a citizen of the United States, now serving in France, who has two brothers in the Italian Army. He is the sole support of aged parents. He failed through ignorance to take advantage of his privilege in his questionnaire to claim exemption, and the local board refused to permit him to correct his error.

Case 5: A man, the sole wage earner in a family consisting of an invalid father almost blind, an invalid mother, a brother totally blind from birth, and an invalid sister. He, too, is in France because the local board arbitrarily ignored Rule VIII, section 75, of the selective-service regulations, which provides that any registrant having aged or invalid parents mainly dependent on his labor for support shall be put in class 3.

Case 6: A man with a wife and three small children—with another about to be born—put in class 1. The widow gets, all told, $47.50 per month to support herself and little family; to do which she is compelled to live in three rooms in an unsanitary location. This soldier costs the Government $62.50 per month.

Case 7: A man with a dependent mother, wife, and three children. He costs the Government $77.50 per month, and his aged mother, wife, and young children are deprived of his personal aid, comfort, and supervision.

These instances are within my own experience, and doubtless within the experience of my colleagues may be found to be multiplied a hundredfold.

The evils resulting from these abuses are not merely confined to the individual; they expand like a contagion and diffuse a sentiment of resentment which is hurtful to our cause.

Surely with 10,000,000 registrants we do not need men so badly that we should countenance injustice and jeopardize a healthy home sentiment.

Some of these abuses are attempted to be justified by the argument that the Government makes allowances to dependents.

I think Congress should give serious thought to this subject also, and inquire if it is wise policy to fill the Army with the solitary wage earners of families when its ranks might just as well be filled with those who are free of family burdens.

The making of these allowances has necessitated the organization of a huge bureau, involving intricate bookkeeping and entailing an outlay of millions of dollars. Seventy-seven dollars a month is certainly too much to pay per month for a man in the ranks. Why not amend the law and enact a hard-and-fast provision prohibiting the assignment to class 1-A of all registrants having dependents compelled to rely mainly on the United States Treasury.

It will be observed that many of these cases seem to be in direct violation of the selective-service regulations promulgated by the President. So they are. But who is to set matters right? In nearly every instance appeals have been taken and relief denied. The Provost Marshal General claims he has no power and the Supreme Court of the United States refuses to assume jurisdiction.

In the case of George O. Kitzcrow, although it was plain that the local board violated the rules under which they purported to act, the Supreme Court of the United States handed down on June 3 last a decision of which this body, it would seem, ought to take some cognizance. It decided that the courts of our land have no jurisdiction to review the determinations of the local draft boards.

In enacting the selective-draft law, Congress could have placed some limitation upon the powers of the local board. It chose to delegate its powers to another branch of the Government. It could have prescribed some bounds to the regulations to be promulgated by the President through the Provost Marshal General. It failed to do so. Now, the Supreme Court of the United States holds that the regulations in question do not prescribe or provide a judicial or quasi judicial proceeding which might under our judicial system be reviewed by our courts; but that the selective-draft-service regulations are simply rules prescribing the method of enforcing an administrative or executive act, and therefore, being the act of the Executive, they can not be reviewed.

While vested with all the equity powers of a judicial tribunal, the local boards refuse to exercise the privilege which they possess to correct errors and right the most obvious wrongs.

One of the consequences of this and a sequel which is of immediate interest to this body, is the vast number of appeals which are made to individual Members of Congress to intercede at Washington to correct errors and right wrongs for which the selective-service-draft regulations should provide an adequate, orderly, and lawful remedy.

The new draft law went into effect on June 5, and an effort should be made immediately to profit by our past experience and make such modifications of the law and the regulations as will avoid past errors, correct defects, and supply deficiencies which will make the duty of raising an army and navy a solemn function, protected on every side by all of the safeguards which our traditions and our history have taught us to esteem and respect.

In my connection with the local draft boards I observed that not sufficient care is devoted to appeals. The district boards to whom the appeals are made perform their work hurriedly and often perfunctorily. In the modification of the regulations I suggest that advantage be taken of the local law boards, which, composed as they are of lawyers of patriotism and high standing, have devoted so much of their time, night and day for months, in order to facilitate the draft. As constituted they are purely volunteers often looked upon as interlopers by the members of the local law boards and curtailed in their duties simply to the assisting of registrants in filling out questionnaires. In many instances they have had to witness acts of injustice without being able to correct them. Why not select from these local law boards appellate boards to whom appeals can be taken in the first instance, having the district boards to pass on the few cases which might filter through?

And in the modification of this law we might well give some thought to the wisdom of extending the duties of the draft boards to the furnishing of men for the Navy as well as the Army.

The theory of the draft law is that it should be selective; that as its purpose is to be fair, broad, general, and just, it should be discriminating and not discriminatory. Therefore the regulations providing for its enforcement should first aim to obtain a census of the youth of our country within the prescribed ages, setting out their physical, mental, and vocational qualifications, and then assign them to the branches of the Army or Navy to which they are best fitted and in which they may render the highest and most efficient service.

Why should not this intelligent and intelligible method be applied to the Navy as well as to the Army? Why permit men to volunteer in the Navy when they can no longer volunteer in the Army?

It is self-evident that when once the draft law goes into effect all voluntary enlistments should cease. Yet that policy is not followed. The threat of induction into the draft army has brought thousands of applicants clamoring to get voluntarily into the Navy, the Quartermaster Corps, the Ordnance Corps, and other branches of the service before the net tightens around them.

While the draft law may make men slackers at heart, heroes against their will, the open door permitting men to evade the draft by getting into the naval and certain branches of the military service will enable certain types of men to parade for years to come as veterans of this great war who have not an ounce of patriotism or valor in their bosoms. This is not fair either to the adventurous volunteer who promptly answered the first call of patriotism and gave his service freely without spur or goad or fear, nor is it just to those sturdy and devoted men of our National Army who, having an instinctive abhorrence of war and all that it implies, nevertheless when the solemn summons came assumed without fear or evasion the rôle of warriors and now stand ready to offer up their lives for the honor of our flag and the freedom of mankind.

Mr. WILLIAMS. Mr. Chairman, the American people, in my judgment, are prepared to make any sacrifice required to win this war. There never has been a people in all time more thoroughly united and more desperately in earnest than are the American people in the support of their Government at this time. They will acquiesce in and loyally support any change in the draft law Congress may deem it wise and necessary to make; but I have no doubt if this proposition to lower the draft to 18 years was submitted to the people for an expression of their opinion, either as to its necessity or its wisdom, it would be overwhelmingly rejected by them, and I think properly so.

Since our entrance into the war I have supported every proposition advanced here and urged by the administration that I thought would strengthen the Government and assist in a vigorous prosecution of the war. I have voted to furnish every man and every dollar deemed necessary by the War Department. I am now ready to do that, and will continue to do so until the end.

We are told by the authorities it is necessary to enlarge our Army to 5,000,000 men. I am in favor of furnishing the men and voting all the money necessary to equip and maintain such an Army. The size of the Army required and its proper equipment is purely a military matter, in which I think Congress should follow the judgment of our military authorities. The manner in which the Army is to be raised and enlarged, however, is a legislative matter coming entirely within the province and power of Congress upon which Congress should exercise its own best judgment. The Constitution vests this authority and this power in Congress, and we should not surrender our own judgment to the military authorities or to any other authority.

We now have an Army of 3,000,000 men. It is required to raise an additional 2,000,000 to have an Army such as the Secretary of War and the military authorities say is needed.

I have listened carefully to the debates and have failed to hear a single argument advanced convincing to me of the necessity of lowering the draft age to 18 to secure the additional men required. There is no argument against raising the age limit to 45. The whole country approves of that proposition. It is estimated there are 21,000,000 men in the country between the ages of 21 and 45. Three million are already in the Army, leaving 18,000,000 to draw from to get the required extra 2,000,000. Does anyone undertake to say these 2,000,000 men can not be obtained out of this great reservoir of man power, and obtained quickly and easily? No one except the military authorities, who seem determined to take a million to a million and a half of boys under age out of the schools and high schools and off the farms and put them in the Army.

We should not take a single boy under age by the draft until every available man physically fit and liable for military service under the rules and regulations of the draft has been taken between the ages of 21 and 45 years. When all who are eligible and liable for military service between these ages have been taken will be time enough to take boys of 18 years. If that time comes, and it is necessary, the whole people will willingly and loyally say take the youths of the land. They will never favor such a proposition, however, until that time comes.

Mr. Chairman, this is a man's war, as has been repeatedly said here. It should be fought by men. It seems to me we can not afford at this early period of our participation in the war to admit such poverty in man power as to be compelled to call upon mere boys to fight our battles.

England with only half our population raised an army of more than 6,000,000 men and was well into the fourth year of the war before calling to the colors her boys under 20 years of age.

Canada refuses to take by the draft boys under 20 years of age, and France, noble, heroic France, who has suffered so terribly and has been bled white, be it said to her everlasting credit has at no time during the struggle called her 18-year-old boys into her army. With her soil overrun and the ruthless invader at the very gates of Paris, she has resolutely refused during four long and terrible years to do the thing the American Congress is now about to do. Brave, chivalrous France, can we not follow her human example? Should we not hesitate and think twice before we do a thing France in all her suffering and her extremity has refused to do? Out of a population of less than 40,000,000 she has raised and maintained her great armies of between five and six million soldiers, and yet we are told here in America, with a potential man power of 21,000,000 between 21 and 45, we can not raise an army of 5,000,000 men without drafting our 18-year-old boys. This contention, if true, is most humiliating and proves either one of two things—that our men of military age are woefully unfit physically or that we are a nation of professional slackers. But the contention is not true. We can raise an army of 5,000,000 men and raise it easily without taking boys under age. No one can doubt this for a minute. It is our duty to do it. It can be done by raising the age limit to 45 or 50 if necessary and then combing out of classes 2, 3, and 4 at least a million if not a million and a half of men who under a fair construction of the selective-draft act are liable for military service and should be called before invading the nursery and the schoolroom to obtain fighting men.

Why should the fathers and mothers of America be asked to make greater sacrifices than the Governments of our allies have required of their citizens? Germany, of all the great nations at war, has put mere striplings into the firing line. The civilized world has condemned her. We should not follow her example.

Let us go on as we have begun and create an army of men—5,000,000 mature men—not an army of boys.

Mr. COOPER of Ohio. Mr. Chairman and gentlemen of the committee, I fully realize that what I might say will have no effect upon Members as to how they cast their votes on this measure, but I do feel as if I ought to express my feelings at this time. I was one of the many Members of this House who voted for the declaration of war against the Imperial Government of Germany, and after that declaration of war I knew that the American people would prosecute this war to the bitter end, and I was under the impression that after this Government declared war upon the Imperial Government of Germany that we placed the responsibility of carrying on this war on the President of the United States and the General Staff of the Army and Navy. It was on the President of the United States and the General Staff of the Army and Navy that we placed this responsibility. We looked to them to equip this Army, train it, and send it to France. Now, since that time I have been inclined to follow the judgment of those military men. I have heard Members say on the floor of this House for the last two days that we ought to use our own judgment on this question. Now, I am frank to admit that my judgment on military affairs does not amount to the snap of my finger, and I want to ask some of you men, What does your judgment amount to when it comes to carrying on this great war? Have you ever had any military training or experience? The only men I know on the floor of this House who are able to pass judgment on this question are the men who have seen previous military service, and every one of the Members, except Gen. SHERWOOD and Col. LITTLE, of Kansas, who have seen previous military service, have stood on this floor and advocated the voting down of the McKenzie amendment. Do you men believe—I want to ask you Democrats this question—do you believe that the great President of the United States, this great President whom you men have stood here and lauded to the skies as the greatest statesman in the world to-day—do you believe that he wants to send these boys like lambs to the slaughterhouse? No; the great President of the United States is just as much concerned about the welfare of these boys as you are. I have heard a great deal about babies and children. Now, it seems to me that there is a matter of sentiment connected with the taking of these 18-year-old boys.

I want to say to you men there was a matter of sentiment connected with the declaration of war, and if this Congress had listened to sentiment we never would have declared war against the Imperial Government of Germany. When we voted on the question of war that was not a question of sentiment; it was a question of right or wrong. Now, it seems to me that the question we are facing to-day is that the President of the United States and the General Staff of the Army and Navy come to this Congress and say that they want certain things in order to prosecute this war and bring it to a speedy end. Now, as far as I am concerned I am going to be guided by their judgment and not follow the opinion of those who have no responsibility in regard to the prosecution of this war. Now, if it is morally wrong to draft these boys of 18 to 20, how does it come that we have 244,000 of these young men in the military and naval forces of the United States, some of them fighting the splendid battles on the firing line of France to-day. If it is morally wrong to draft them, it is morally wrong for this country to let them enlist and go to the war.

I have one son who is 19 years of age, stands 6 feet tall, and weighs 175 pounds. To-day he is serving in the Tank Corps in the service of the United States, and I feel prouder of that boy than I ever felt before. [Applause.] I only wish that the other four sons we have in our home were 18 years of age or more, so that they could put on Uncle Sam's uniform and go into this great fight.

A great many of the men who have stood here and advocated the McKenzie amendment to-day have no boys of their own. They have no sense of feeling that is in the heart of a father, yet they stand here and attempt to speak for the patriotic fathers and mothers of our country. Have you heard from your constituents? Have you heard from the fathers and mothers of your district asking you to vote for this McKenzie amendment? I come from a district where there is no race suicide—none at all——

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. COOPER of Ohio. May I have three minutes more?

The CHAIRMAN. The gentleman from Ohio asks unanimous consent for three minutes more. Is there objection?

There was no objection.

Mr. COOPER of Ohio. I come from a district and city where there is no race suicide, where there are thousands and thousands of these young men in high-school to-day, and I have only heard from two men in opposition to taking these 18-year-old boys, and one of these is a man that was born in Germany and has pro-German sentiments.

Mr. GORDON. Will the gentleman yield?

Mr. COOPER of Ohio. I can not yield. I have only three minutes.

Have you heard from the mothers of this country in regard to taking these boys? I say, God bless the American mothers. It is the American mothers who are making the supreme sacrifice at this hour. Not long ago I visited the home of a friend of mine. They have two sons, both under the age of 21, who are now serving on the firing line in France. I talked to the mother about the boys and she said to me, "It was hard for me to part with my sons. They are all I have in this world." The tears ran down her cheeks, but she seemed to catch herself and shake off her emotion, and said, "I would not have them any other place at this time." That is the spirit of the American mother, and that is the spirit that is going to win this war.

But I have heard it said on the floor of this House to-day that it is the great manufacturing centers of this country that are in favor of taking the boys 18 years old. I want to say to you that I come from probably one of the greatest manufacturing districts in this country, where we have thousands and thousands of men working in our steel plants. In the city of Youngstown there is a population of 160,000, and in the county there are 220,000, and that county has already furnished 12,000 young men in this war. The great manufacturing city which the gentleman from Ohio [Mr. GORDON] comes from, Cleveland, has furnished 40,000 men in this war. And I want to say to some of you men who are opposing this administration bill, if your States had furnished as many men as the industrial States have we would have enough men in the Army to-day. My constituents trust and have confidence in the judgment of the President of the United States to carry on this war, and I am going to follow their wishes to-day and stand with him on this bill. [Applause.]

The CHAIRMAN. The gentleman from Illinois [Mr. DENISON] is recognized.

Mr. DENISON. Mr. Chairman, according to the Security League, I have a clean record on war legislation during this session of Congress. I do not know whether I am going to keep it or not. I have voted for every war measure since we were called together in extra session to declare war. I am ready to vote to send the boys of 19 years of age to war whenever it becomes necessary to do so, and I am willing to vote to send the boys of 18 years of age to war whenever it becomes necessary to do so. But I am not willing to vote to send the 18-year-old boys or the 19-year-old boys into this war simply because it is

more convenient to the War Department to get them together than it is to get men who are older than that. [Applause.]

Now, then, I believe that there are still a great many men in this country between the ages of 21 and 31 that can be sent to the front, and ought to be sent. I believe that there are a great many men of draft age engaged in nonessential industries who could be transferred to the more essential industries and thereby release from these industries a great many men that have been exempted on industrial grounds. Until the men between the ages of 21 and 31 have first been recombed and those that are found available are sent to the front, I will not vote to send the 18-year-old boys to the front. And then there is another thing I want to call to the attention of the House, because it has been called particularly to my attention since I have been to my district recently. There are hundreds of thousands of foreigners in this country, subjects of our cobelligerents, that could be made available for war service immediately if steps were taken to do so.

In some of the counties of my district where there were large foreign populations almost every young American of draft age has been taken to the war, and their places have been filled by Italians and Belgians and Frenchmen, who have claimed exemption because they are not citizens. Now, we passed a bill through the House last winter which would require those men either to go into this war and fight for this country or return home to fight for their own countries, but that bill has been held up at the other end of the Capitol, and nothing has been done up to this time to compel these thousands and thousands of Italians, Frenchmen, and Belgians who are here taking the places of American young men in the different industries to fight, while our own young men have gone to the war to fight for their countries as well as ours. Now, until we can get hold of this large force of foreigners whose countries are cobelligerents with us in fighting against the German Empire, and either put them into the service or permit their Governments to put them into the service, I am not in favor of taking our own 18-year-old boys.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. DENISON. I will.

Mr. GARRETT of Tennessee. The gentleman has just made a very interesting statement—that there were thousands of Frenchmen, Belgians, and Italians who were alien citizens——

Mr. DENISON. Not citizens, but subjects of those countries residing here.

Mr. GARRETT of Tennessee. Has the gentleman the statistics on the alien population he has just mentioned?

Mr. DENISON. I have not the statistics in my mind, but I have just had the figures handed to me by my friend from Ohio, Mr. McCULLOCH, and it seems, from the report of the Provost Marshal General, that there are 772,744 nationals of cobelligerent countries registered under the present draft law.

Mr. BURNETT. That is, between the ages of 21 and 31?

Mr. DENISON. Yes; between the ages of 21 and 31, under the last registration; and it is estimated that under this extension of the draft law we are now considering there would be perhaps 2,000,000 subjects of cobelligerent countries residing in this country and earning high wages in our industries who can not be brought into this war unless we make them go in. I am in favor of bringing them into the war before we take our own 18-year-old boys. [Applause.]

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. GARRETT of Tennessee. The gentleman does not want aliens to do the fighting for this country?

Mr. DENISON. I want them to be either fighting for this country or for their own countries, since our country and theirs are both fighting a life-and-death struggle with a common enemy.

Mr. SEARS. Mr. Chairman, I ask unanimous consent that the gentleman from Illinois may proceed for five minutes more.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that the gentleman from Illinois may proceed for five minutes more. Is there objection?

There was no objection.

Mr. DENISON. I would like to have them all fight for our country, if they will not fight for their own, while we are fighting to help save their countries from destruction.

Mr. GARRETT of Tennessee. I may have misunderstood the gentleman, but I understood him to say that many thousand Belgians, Frenchmen, and Italians are registered in his district who can not be included in the draft.

Mr. DENISON. I said there are thousands and thousands of them in this country. There are a great many of them in my district and in my own county, particularly at the cities of Herrin and Johnston City, Ill.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. DENISON. Yes.

Mr. GREENE of Vermont. Will the gentleman permit me to ask him a question?

Mr. DENISON. Yes.

Mr. GREENE of Vermont. Of course, the justice of your last observation appears to all of us; but what about the time it will take to do this while the other men are ready and waiting and not used?

Mr. DENISON. The time is not a question that this House can be held responsible for, because we passed that bill last winter.

Mr. GREENE of Vermont. But we can not predicate our future action upon the mistakes of the past. We can not afford to say that because of the mistakes that have been made in the past we should delay now.

Mr. DENISON. Other departments of the Government should not cause such delays and then put the responsibility upon the House.

Mr. GREENE of Vermont. It is a question of our responsibility now.

Mr. DENISON. We have a great deal more man power than the Provost Marshal General can take now if he wants to do so. They are already registered. [Applause.]

Mr. McCULLOCH. I desire to say to the gentleman that when this section is disposed of I expect to offer an amendment along that line.

Mr. DENISON. I hope the gentleman from Ohio will do so. I think it ought to be done.

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield further?

Mr. DENISON. Yes.

Mr. GARRETT of Tennessee. The gentleman is much more familiar with the question than I am, but I have a recollection that we have a treaty with Italy that prevents our taking their citizens into our Army.

Mr. DENISON. Yes; but that treaty can be abrogated at any time. It did not contemplate conditions that now exist. It is many years old, and now that Italy and our other allies are fighting with us against a common enemy, the gentleman from Tennessee knows as well as I do that that treaty can easily be changed or abrogated in a short time and it should be done.

Mr. GARRETT of Tennessee. I know; but I do not want to see our treaty made a scrap of paper.

Mr. DENISON. I know; neither do I, but we have had a similar treaty with England, and we got rid of that pretty quickly, and we ought to do the same with the treaties with Italy and France; and in order to see that it is done Congress should take steps now to see that those men are brought into this war who are now enjoying high wages here while our boys are in France fighting.

Now, fellow Members, just a short time ago Gen. Crowder issued a statement to the effect that he was going to begin "combing" the industries. I have always thought that "combing" was a pretty good thing, and I think it will be a pretty good thing now in the administration of this draft law. When the Provost Marshal General said he could raise more men by a process of "combing" he also at the same time issued his "work-or-fight" order. No sooner had that been done than certain influences began to get busy here in Washington. Big business was heard from; the captains of industry said business would be disorganized; and then the War Department suddenly changed its policy, and concluded there were not enough men in this country to win this war, so they would ask Congress to go down and take the 18 and 19 year old boys.

Mr. TREADWAY. Mr. Chairman, will the gentleman yield?

Mr. DENISON. Yes.

Mr. TREADWAY. I would like to ask the gentleman if he will vote for a further amendment giving further authority to carry out this combing process?

Mr. DENISON. I certainly will.

Mr. TREADWAY. I beg to say that I intend to offer such an amendment.

Mr. DENISON. I will vote for that, but it is not necessary. The Provost Marshal General now has the power to do it.

Mr. TREADWAY. He needs additional power.

Mr. DENISON. If he needs additional power, I am in favor of giving it to him. But I am not in favor of letting the German people and the German Government know that this country at this time, with over 100,000,000 people, is obliged to send boys of 18 to the war. Now, I am willing, as I said awhile ago, to vote to send the 19-year-old boys or the 18-year-old boys to the war whenever it becomes necessary to do so. But I reserve the right to use my judgment as a Member of

the House to say when the necessity shall arise, and I want to protest now and here against the statements that have been made by different Members during this debate that any attempt on the part of the House to amend this bill is throwing a monkey wrench into the machinery. [Applause.]

Mr. Chairman, I intend to support every measure that will enable the President to use all the resources of the country to win the war with victory, and do it as soon as possible. I am in favor of raising and equipping an army of 5,000,000, or even 6,000,000, men as soon as possible. I shall vote to authorize drafting all men between the ages of 18 and 45 if the bill can not be amended by the House so as to exclude the 18-year-old boys from its provisions. But I hope the bill, if it can not be so amended, may pass as reported by the Military Affairs Committee.

I am in favor of the McKenzie amendment approved by the committee, which would require the War Department to call the 18 and 19 year old boys last after all others in class 1 have been called. I do not believe this amendment would delay or obstruct the War Department one day in raising an army according to the enlarged program. If I thought it would I am sure I would hesitate to vote for it.

But however the bill is finally passed, I hope the Provost Marshal General will use the powers that have been granted him and have the classifications of the different local boards reexamined, so that there may be a more uniform administration of the draft law, and thousands of able-bodied men who have been given deferred classification may be placed in class 1. I hope he will have the industries of the country carefully "combed," so that thousands who can be spared may be sent to the Army. Men with dependent families can be taken from nonessential industries and substituted for single men now working in the essential industries who have been granted exemption, and those men could thereby be released for military service. Above all, I would like to see the millions of subjects of our cobelligerent nations—the Italians, Belgians, French, and Greeks—now residing in this country, taking the places of our own boys who have gone to the war, either drafted into our own Army or sent home to fight for their own countries.

If these things had been done before now, or could now be done, I believe the War Department could raise all the men necessary for the Army under the enlarged military program, and it would not be necessary to call the 18-year-old boys at all. Many boys of 18 or 19 years are capable of fighting as well or better than men. But many are not. I think we should fight this war with men as far as it is possible to do so. I think at the very least, we should approve this McKenzie amendment and require the calling of the 18 and 19 year old boys to the Army last.

Mr. WELTY. Mr. Chairman and gentlemen of the committee, I have been listening to the debate upon this amendment for almost two days. At one time I intended to support the McKenzie amendment. But the more we think about it, gentlemen, the more we come to the conclusion that we can not fight this war in the Halls of Congress but must fight it on the fields in France. There are those of us whose loved ones have already made all the sacrifices possible. The soil of France has been made red with their blood. And shall we say that they have fought and died in vain? The battle is not yet over. We have just commenced to fight, and since the middle of July our boys have had the Huns on the run. The department has called upon Congress for an increase of man power to support these boys over there. In our war resolution we pledged all our man power and resources to end this wholesale murder of our men, women, and children. They ask for our 18 and 19 year old boys but tell us that the 18-year-old boys will not be called until last and only when absolutely necessary. The McKenzie amendment proposes to write that into law; and, after all, gentlemen, that is all that amendment amounts to. The fact is that many of those who are in favor of this amendment do not favor the granting of the request for those 18 and 19 years old. It is not a question of classification with them, but whether the request for man power below 21 should be granted at all.

My friend from Illinois [Mr. DENISON], who just preceded me, said that he was not going to vote to grant the request of the War Department until he himself is convinced of the necessity. I grant him that right. But what further proof does he want? The War Department is asking for this legislation and has furnished proof in their testimony before the committee, which has been submitted to us. I repeat, what further proof does he want? Gen. Pershing needs the men. Does he want him to leave the battle field in France and appear before Congress in person and add his testimony to that of Gen. Crowder, Gen. March, and Secretary of War Baker? Does he want these men, who now have the enemy on the run, to leave their posts of duty and appear before us? They want more men. Gen. March says, "You give us 4,000,000 men and we will walk through the German lines wherever and whenever we please." Delay in granting this request for more man power may mean the loss of thousands of men now in France. Shall we sacrifice them first by keeping the fight equally balanced? Shall we wait until they again drive our lines back as they did last March, or shall we continue to keep them on the run? It does not take the experience of a soldier to know the difference in danger to us when we are on the run or when we have the enemy on the run.

The President believes he can best preserve those over there for the loved ones here by sending more aid. The present selective-draft law calls for men between 21 and 31. Our available man power between those ages is practically exhausted.

Mr. GORDON. Where do you get the proof of that statement, that the 10,700,000 men who have been registered are practically exhausted?

Mr. WELTY. I say our available man power between those ages is practically exhausted.

Mr. GORDON. I know that is what you said.

Mr. WELTY. That is, the available men in class 1.

Mr. GORDON. But there have been only 2,000,000 out of that 10,700,000 put in the Army.

Mr. WELTY. Oh, but there are some of these men between 21 and 31 who have children and dependents, and we are not going to take those before we take the boys of 18 and 19 who are without any dependents.

Mr. GORDON. Then do not say that our man power is exhausted.

Mr. WELTY. I said the available man power as they are classified between those ages is practically exhausted. The men are over there now. The brothers are there. And will the mother withhold her 18-year-old son if one or two between 21 and 31 of her sons are over there now calling for help?

Mr. GORDON. No; she will not withhold him if you draft him. Of course not. What makes married men available?

Mr. WELTY. The gentleman from Ohio [Mr. GORDON] did not believe in the selective service at all, and we can not blame him for being against it now. [Applause.] But those of us who recognized the murder of our American citizens by the Kaiser and said it was war upon the American people feel that we ought to support those boys whom we have sent over there.

Mr. GORDON. I agree we ought to support them, but we ought to support them with men and not with boys.

Mr. REAVIS. Will the gentleman yield to me?

Mr. WELTY. I want to answer the gentleman from Ohio first. Do not treat these men of 18 as children. They are not going to take the boy who was exhibited here by my friend, the gentleman from Washington [Mr. JOHNSON]. I understand the 18-year old lad he exhibited wants to go, but he can not go because he is under weight. They are going to take stalwart men to fight the enemy over there. They are going to comb these 18 and 19 year men just as they have been combing the classes from 21 to 31. When the gentleman from Ohio [Mr. GORDON] thinks that the class between 21 and 31 has not received a sufficient combing, I want him to remember that on August 1 there were in the Army, from this class, 2,642,000 men, and that the August and September requests will add a half million to this number, making a total of approximately 3,142,000. Add to this those of this class who volunteered and you will have an Army of over three and one-quarter million men, chosen from 10,700,000. Of course, I admit, that there still remains seven and one-half million men, but you are making no deduction for the married man with a family and those who have aged dependents and that we must have a reserve army of workers at home.

One feature about this combing process has been overlooked by Members of Congress and that is, the country must not only supply our allies in food, but the friendly neutrals as well. How could Holland, Denmark, Norway, and Switzerland live without help from us? And then it is expected that we build ships to take the foodstuff and war supplies across the broad Atlantic. Some men must remain on the farm to raise our food and others must remain in the factory to manufacture munitions of war, and still others must build ships. I am inclined to think that the War Department has done a pretty good job of combing, for when you consider that about 30 per cent are physically defective, and the three and one-quarter million soldiers by October 1, you will have left less than four and one-quarter million out of the 10,700,000. Now I yield to the gentleman from Nebraska.

Mr. REAVIS. I will say to the gentleman, in order that my motives may not be impugned, that I voted for the selective-draft system. It is stated in the report from the Provost Mar-

shal General, I think, that only 600,000 men can be obtained from the class from 35 to 45. Does the gentleman accept that statement as absolute?

Mr. WELTY. I do not, no; but I will say this much, that he has better opportunity to know, because of the machinery that he has, than the gentleman from Nebraska or I.

Mr. REAVIS. The gentleman recognizes the possibility of a mistake in that estimate?

Mr. WELTY. Oh, most assuredly.

Mr. REAVIS. Now, if there be a mistake, and we can get the army from that class, why not defer the boys until we find out whether we can get them from that class?

Mr. WELTY. I understand that we are going to do that, largely, and the 18-year-old boys will not go until this class is first exhausted.

Mr. REAVIS. They will do it with the McKenzie amendment; that is a cinch.

Mr. WELTY. Certainly, the War Department is in favor of that anyway, and it is useless for us to incorporate it into the law. They do not wish us to put into this law a hard and fast rule, so that they can not draft these boys if necessary and send them in support of those who are over there now.

Mr. Chairman and gentlemen of the committee, we fail to comprehend the magnitude of this war when we withhold any man power or the resources of our country from its successful prosecution. A million five hundred thousand are over there now, and Gen. Pershing is calling for more man power. Are we going to sacrifice the men over there, or are we going to send their younger brothers and those from 31 to 45 to help them so that they might continue their offensive until the murderer now in the German saddle is unhorsed? Shall we permit this murderer to continue to trample down with his hoofs of fire these women and children, and crush all the sweet creations in the garden of God? I hope not. We can not cavil about our little differences here at home, for it is about time that we forget self and put our shoulders to the wheel until our banner is again crowned with a victorious and lasting peace. Ever since the July drive our boys have been engaged in a mighty conflict; and, thank God, they have won. But the battle has just commenced, even though we have them on the run.

Gentlemen, the endurance of these boys can not last always. We must send fresh troops to their aid as fast as ships can carry them, otherwise we lose thousands of those who are now fighting so gallantly. God forbid that I should withhold the hand attempting to crown these boys with victory.

Let us not be maudlin and sentimental about all this business of war. We can not win by words, but only the sword will bring victory against those who have faith in the sword. Mr. Chairman, prosperity, I am afraid, has brought us into a life of ease and comfort and has had a tendency to make us forget that "eternal vigilance is the price of liberty." The time is at hand when we must again be willing to make all the necessary sacrifice in order to take us to the standards set by our fathers. At the outbreak of the world war the country was found drifting and on its way to destruction.

As an evidence of this fact, let me remind you of only a few instances of the past few years, which now is history. In 1812 our fathers freely sacrificed their lives and fortunes to establish the freedom of the seas. Since that time all nations have recognized that right. But the gentleman from Texas [Mr. McLEMORE] introduced a resolution asking Congress to warn all American citizens to refrain from traveling on merchant ships armed for defense, as against the unlawful attacks of the murderous U-boat. Every American so riding on any of these ships was clearly within his right, as recognized by all nations, before the world war. But in the face of this right 142 gentlemen of the House held out encouragement to the German Government and thus surrendered the rights gained for us, in that War of 1812.

Again, when the President asked authority to arm American merchant ships, as against this monster murderer of the sea, the Sixty-fourth Congress withheld such authority. Is it any wonder that because of our weak policy the U-boat campaign increased in its fury in the mission of murdering our men, women, and children, and refused longer to respect our flag and the rights of American citizens under that flag? What was the result of this policy of surrendering American rights? There remained only one of two courses for us as a nation—destruction or war. On April 6, 1917, the die was cast by the American Congress, to save us as a nation; and, gentlemen, we will continue this war until the monster in the German saddle is unhorsed and brought to judgment. Our boys will not come home until God looks down on a world of peace again.

But even after the declaration of war and the passage of the selective-draft act, there were those in the House who insisted that we pursue a policy of self-destruction.

The gentleman from Illinois [Mr. BRITTEN], on June 25, 1917, filed a bill (H. R. 5184) "to authorize the President to exempt from foreign military service * * * citizens of German and Austrian birth, * * * whose blood ties in the enemy country might discourage the supreme effort that is necessary for victory of our troops on foreign soil"—a further notice to the Kaiser that we were divided, even in the face of the declaration of war. Great God of our fathers! How dead was the soul of America when we must be judged in the light of the bolshevik spirit manifested by this evidence in the American Congress. Dead! In the language of Billy Sunday, we were "going to hell so fast that we could not be seen for the dust." I mention these matters not with pride, but a sense of shame, because it is an evidence that the American thought before the war was destined to lead in but one direction, which meant the destruction of 100,000,000 free people. But, thank God, this thought has not yet predominated in the minds of a majority of the American citizens. The Britten bill is an insult to every American of German and Austrian birth. My maternal ancestors came from Alsace, because they did not care longer to live in a land made the football of the German and French Governments, and if any one of my 17 nephews in the present draft would refuse to go to France to free their flesh and blood from bondage I would hang my head in shame. The Britten bill inferred that American citizens of German and Austrian origin were either cowards or it was an insult to every red-blooded American whose ancestors came from either of these countries.

These people should be first to return to strike the shackles from the wrists of their brethren—flesh of their flesh and blood of their blood. And, thank God, these sons are over there, "not discouraging the supreme effort that is necessary for the victory of our troops," as alleged in the Britten bill, but fighting as loyally and valiantly as any of them. And are they not being rewarded, when we have evidence that these men now in the ranks of our enemy quit their companies and regiments as soon as they can escape death from the guns of their officers—prisoners? Why, the allies are taking them so fast that they have been unable to count them. Who has championed the cause of freedom upon the floor of the House more valiantly than the gentleman from California [Mr. KAHN], an American born in Germany? All glory to him and others of German origin fighting the battles of freedom!

But to show you that the Britten bill is no credit to Americans of German and Austrian origin, let me cite you to but one act of Congress. After the declaration of war we had a large number from the central governments who had taken out only their first papers and who offered their services to the War Department, asking permission to be sent to France as an independent force, to fight shoulder to shoulder with our American boys, in order to free their own held in bondage. They did not ask for the pay or subsistence of an American soldier, but were willing to go at their own expense. The Secretary of War, however, refused to let them go, because they were not citizens of this country, and if captured would be punished as traitors. They then appeared before the Immigration Committee, of which I am a member, and Congress, in response to this request, passed the necessary legislation permitting them to become citizens upon entering the Army.

Under this law the Bureau of Naturalization has admitted to citizenship over 90,000 true and loyal soldiers now at the front and on their way to France. Are they cowards or is the Britten bill an insult to every American of German and Austrian origin? Or does it indicate a spirit in the land which, if fostered, would destroy us as a Nation? The gentleman from Illinois [Mr. BRITTEN] evidently did not know that every immigrant from Germany and Austria took an oath of allegiance before he became a citizen of this country, and in that oath he so took he not only renounced all allegiance to Germany and Austria but declared he would support and defend the Constitution and laws of the United States against all enemies, foreign and domestic, and bear true faith and allegiance to the same. My grandfather took that oath, and I would not now be worthy of him if I were not true to the oath he took. Did this resolution intend to invite perjury on the part of these people or intend to convey that the oath was a mere matter of form and convenience? God forbid that this spirit should be permitted to live and thrive. What is the use of further attempting to please the Kaiser and his military staff by denying the requests of our President and the War Department? The German military autocracy has no more use for us than it has for our boys on the field of battle.

Another evidence of a twist in the thoughts of some people calling themselves Americans is shown by the conscientious objector, when he sings "My Country 'Tis of Thee," and in that hymn gives credit to God as being the author of their liberty; but when the country needs their support, they refuse to back

up God when sacrifice of life and property is necessary to maintain their liberty.

We can not agree or make peace with anyone having murder in his heart and who believes that might makes right, nor with men who have forgotten God and believe that they can subjugate the world by practicing cruelties not known to the civilized world and commit atrocities unbelievable. Neither maudlin sentiments nor mushy words will win the war, but only men with guns can compel the surrender of the murderous spirit and crown democracy by bringing us into the sunlight of a victorious and lasting peace.

Sirs, will you then longer withhold your vote to grant the President all the man power necessary? Are you going to trust the War Department in the management of this war, or shall we further please the Kaiser and his military staff by hamstringing the President and denying the request of the War Department? Will we further foster and nurture the twist of our thoughts, which will only mean unrest, or shall we hit the ball as it crosses the plate and make a home run for the glory of the American Republic?

Mr. MILLER of Minnesota. Mr. Chairman, there is a word or two further I would like to add to that which I said yesterday respecting the so-called McKenzie amendment.

I would like to direct the attention of the membership to the language this body used when it declared war against the Imperial Government of Germany:

The President is hereby authorized and directed to employ the entire naval and military forces of the United States and the resources of the Government to carry on the war against the imperial German Government, and to bring the conflict to a successful termination all the resources of the country are hereby pledged by the Congress of the United States.

From the beginning of this Republic the military age has been between 18 and 45. The man power between those ages has always constituted the military force of this country.

Now that the President and the military authorities ask this Congress for the man power to enable them to speedily end the war, it is our duty, as I view it, to grant it without quibbling and without hesitation. There is here asked simply that we make good our declaration of war and put into the President's hands for instant use the entire military force of the United States. It may be, as the gentleman from Nebraska a moment ago suggested, that by combing the deferred classes additional men could be found, but to do that would take time, and the number secured, we know, would be inadequate. What this Government needs is an army now. We ought not to direct the military authorities to go into the highways and byways and try to find the man power needed to defeat Germany when here we have pointed out immediately about us the man power available for the task.

Mr. REAVIS. Will the gentleman yield? The gentleman has misstated what I said.

Mr. MILLER of Minnesota. I will yield if I can get more time.

Mr. REAVIS. But the gentleman has misstated me.

Mr. MILLER of Minnesota. I will yield to the gentleman if I have done the gentleman an injustice.

Mr. REAVIS. I do not know that it does me an injustice, but what I said was that the 600,000 the Provost Marshal General estimated we might get in classes between 31 and 45 might be a mistake, and in combing out the deferred classification there might be more in that class, and that might make this unnecessary.

Mr. MILLER of Minnesota. The principle is the same; the securing of the 3,000,000 needed now by combing them out from the deferred classification ought not to be put upon the Government even if that number could be secured; we ought not to put upon our military authorities the arduous duty of a long process of finding, one here, one there, the men needed. The Chief of Staff has repeatedly said that there is not time to comb these deferred men for the man power needed right now. But it must not be admitted that the requisite number can be found by combing our industries. The only way to get the men needed is to adopt the age limits the bill fixes, and by all means that is the only way to get them now, when they are needed. There is no need to hesitate, no need to delay. The men needed are here and all we need is to pass this bill as drawn. In that we call into service the historic and time-honored American principle that the age for military service in this Republic is from 18 to 45. Let me affirm as strongly as I can that we ought to be taught and guided by the experience of others. We know the war when it first started was expected to last only about six months, and yet four years have passed, and it is not over yet.

Agreeable to carefully prepared plan, the central powers were prepared at the outset to throw their maximum strength in the conflict. At all times since their maximum potential strength has been the actual strength they have exerted. The allies, on the other hand, at no time until the present hour have had their maximum strength on the battle field. The allies have gone in by piecemeal and we know that until this day Germany has been the big military victor on the land. France, at first, had to fight pretty much alone. Russia, honeycombed with corruption, her arm paralyzed by treason, never more than exerted a spasmodic influence. Had Russia been Russia, the war would have ended within a year. Italy at first came in but partly, and Great Britain required time to build an army. Then Russia collapsed and gave up, disbanding the greatest army she had ever had.

Now, Italy and France and England are at their maximum strength, working in perfect unison, wielding their might together. If at once, instantly, America can bring her maximum strength to the aid of her allies, the war will soon end with the complete victory we demand. Let me again and again emphasize that the time to strike is now. The German laughs when we come successively to the attack; when we strike together with our full strength he will be smitten to the earth. Let us not delay an hour. Any one with vision at all must have known for months that which, since last December, I preached as strongly as I could from a hundred platforms in this country, that the European allies with their strength can hold Germany, but alone can not defeat her. It requires the strength of the United States at its full power to defeat Germany. I have urged since last fall that if we desire to win this war we must put into the field, at the earliest minute, 5,000,000 men. I confess frankly that at times I have been very impatient because our Government did not seem to see the need for America to strike with all her might. These plans should have been in view a year ago, but this is no time to quibble. The administration, now awake to what America must do, calls upon us to furnish the means that America may strike the supreme blow. We can not possibly withhold that which the President asks.

It is undoubtedly true that there is no man here in this presence that accurately forecasted, when the war was declared, the effort America must make to win the war. It would have been almost impossible for anyone to have had that vision. Perhaps some started our country into the war with practically no vision of how the war must be fought, but our vision is clear now. America's task is to furnish the man power at once necessary to crush the German armies. Let me repeat, our allies can hold but can not defeat our common enemy. Our blow must be the one that brings victory. The stronger the blow the quicker the victory.

Mr. MONDELL. Will the gentleman yield?

Mr. MILLER of Minnesota. Just one moment and then I will yield, because the gentleman so graciously withheld his objection to the extension of time. Last fall the allies were full of optimism. There was reason for it. Great Britain was pounding to break the line at three points and expected a great retreat to follow. France was pounding to break it at another important point, and the retreat of the Germans was confidently expected. It is a truth that history will reveal that during October of last year the British and French expected to break the Hindenburg line and hurl the Germans back out of Belgium and toward the Rhine. They had reason for their faith. The German Army was staggering on the western front from the blows hurled upon them. A few weeks more and the break would come.

Then Russia failed and the game had to be started all over again. Russia has ceased to be an ally. Russia will never again be our ally in this war. We must strike before Germany can use her and to prevent Germany from using her. The collapse of Russia released the western German Army, which, when speedily transferred to the west, gave Germany decided superiority there. Germany then struck to defeat our allies before we came. Those allies have, with heroic effort, stopped the German attack, are holding the Germans back, calling on us to hurry up and come. The magnificent work of our divisions already there tells our allies and Germany that the war will speedily end when the full might of America comes. At last the situation has arisen when the German advance has been stopped, but Germany has not been beaten. The Germans are retreating, and the time to strike is now. Keep them going toward Berlin, and give them no rest until they get there. To do that we must have an army of 4,000,000 men in France next spring. If the McKenzie amendment be adopted our military advisers say that can not be done. They tell us over and over again in the hearings that it will require all of the availables between 18 and 45 to enable the United States to carry out this program. When the allies found that Germany had been stopped and was being pressed back and their time to strike had come they called for the United States, that still had the great man

power available, to rise up with her supreme strength and give them men to strike back Germany forever. Are we going to quibble and hesitate and stop now when this one great request comes to us? It is the request of your country, too, my friends, and answer it, I beg of you, as you have answered her calls heretofore.

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Minnesota. You have given money with a smile on your lips. You have made sacrifices you knew would heavily burden your people. Do not flinch when this last supreme test has come. I yield to the gentleman from Wyoming.

Mr. MONDELL. Does the gentleman agree with the War Department that there are only 600,000 men, 6 per cent of the men between the ages of 31 and 45, who are available or fit for military duty?

Mr. MILLER of Minnesota. It is not necessary that I agree or not agree. I do know this, that at its full amount the number is not sufficient and they need these two years of 18 and 19. We need all the men we can get and train. We can not wait to go through the slow process of combing our industries. We can not depend upon that method. We know it would not produce men enough, nor any of them in time. The needed man power is here at hand, it is magnificent material, too, and it is the part of wisdom to permit no delay.

I know it has been said to-day by an illustrious gentleman that if the enemy were at our gates, if his cannon were bombarding our cities, he would vote for these men, for all our men, to drive back the foe. I suggest that at this minute the foe is in possession of the land and homes of our allies; he is burning and destroying their cities, enslaving their people, and defaming their temples. Is it therefore not more in keeping with our high spirit and appreciation of our duty as an ally to send against the foe where he now is all the power an outraged nation can muster? Let me further suggest that if the policy he suggests be pursued it may be we will have the Hun at our gates, destroying our cities and murdering our people. The time to strike is now; the place to strike whenever the German Army can be found.

Some months ago it was hoped the war might be won in 1920. Very recent events give us the great hope that if America strikes at once with all her power the war can be ended next year. With this prospect, let every energy of our Nation be exerted to the utmost.

The victory we want is a complete one. Nothing can justify this war unless the German military idea, with all that it means, all that it entails, is crushed and forever destroyed. Then strike, America, with all your power, instantly, and keep on till our troops are in Berlin.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WELTY. Mr. Chairman, I make the same request.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HERSEY. Mr. Chairman, I ask unanimous consent to extend and revise my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HERSEY. Mr. Chairman and gentlemen, I have sat patiently in this House the last two days and have listened to every word of debate. I have carefully read all of the printed hearings and evidence before the Military Committees of both House and Senate, and to my mind this whole question of draft age simmers itself down to one plain, simple proposition: Shall the American Congress, in the discharge of its constitutional duty "to raise and support armies," do now what no other nation except Germany up to this moment has done—draft into the service her 18-year-old boys and call them first to the battle field?

The War Department claim that to carry out this second draft program they must call the boys of 18, while those who favor the McKenzie amendment say that the boys of 18 should be called last and they should only be used as reserves in case of necessity.

I am pleased to know that the days of delay and senseless diplomacy and new peace aims and lulling to sleep the Nation by exaggerations and fairy tales have passed, and that the Secretary of War has at last come to the conclusion that we must prepare to put our whole energy into the war.

I am for this army of 5,000,000 men in France as soon as possible, but I do not believe it is necessary to make up that army from the tender, immature youth of this Republic.

I regret that certain Members of this House in the discussion of this question have seen fit to reflect upon the loyalty and patriotism of those who support the McKenzie amendment and who claim that any change in this bill as prepared by the War Department would hinder, delay, and defeat the administration in sending overseas the necessary army.

Certain Members of this House in the heat of debate have gone much further than this. They have declared, in substance, that, no matter what kind of war legislation the War Department desires, they will support and vote for it and oppose any amendments not pleasing to the Secretary of War; that they will surrender their judgment and their constitutional responsibility and become the mere machines, automatons, and rubber stamps of the War Department. I have, with you, witnessed the most humiliating spectacle of certain Members of the Congress of the United States, under the solemn responsibility of the Constitution, trembling and shivering in every breeze that comes from the White House and thinking only of the coming primaries and the "Ides of November." They hasten to protect themselves from any criticism by declaring that they are willing to surrender their weak and fallible judgment to the superior wisdom of the Secrertary of War, who in the past has given such valuable help and information to the Military Committees of this Congress in the matter of men and supplies and aeroplanes.

While I have made these suggestions, I do not mean them as a criticism of the Congress. Every Member of this House and of the Senate stand ready and willing to vote at once to raise and support an army of the size provided for in this bill. If the McKenzie amendment, so fair and just, is not accepted, I have no doubt that every vote will be for the bill on its final passage. The only question now is, Has the time come when the United States of America, a Nation of 110.000,000, the richest and most prosperous under the stars, must imitate Germany and now send her boys of 18 to the battle fields?

The War Department says that it is necessary to call those 18-year-old boys now to obtain the extra 2,000,000 men required by their program in this second draft. Is there such a necessity? We all agree that we must and ought to have an army overseas of the size provided by this new War Department program, and if we can not raise the necessary army between 19 and 45, why, then, we will go from the cradle to the grave if necessary to win this war, but in these days of constantly changing opinions in the War Department Congress should not lose its head, but should calmly and patiently examine the evidence in the light of all the facts. What is the evidence as to the necessity of calling the 18-year-old boys now?

The Secretary of War appeared before the Committees on Military Affairs of the House and Senate and outlined its new program, which is to call and send to the front at once sufficient men to make up, with those now there, an army of 5,000,000 men. According to his testimony, there are now in France 1,300,000 men. In the training camps of the United States there are 1,700,000, and there remains in the first draft in class 1 that have not yet been called 600,000, making in all 3,600,000 that were obtained by the first draft, and this leaves only 1,400,000 to be called from the second draft; and the question naturally arises in the mind of the ordinary man that if under the first draft of the men from 21 to 31 we obtained an army of 3,600,000 why would we not be able under the second draft of 31 to 45 obtain the balance of 1,400,000 men, which would be 2,700.000 less than we obtained under the first draft? I guess that we could. Mr. Baker guesses that we could not, and one guess is as good as another without registration and classification.

But if it is found necessary to go below the 21-year limit, you can easily find a million soldiers between the ages of 20 and 21 and another million between the ages of 19 and 20 who can claim no exemption. This is well known to the War Department. They know if they are obliged by law under this amendment to take the boys of 18 last that they will never be taken; but, somehow, the Secretary of War has set his mind on getting the 18-year-old boys first and saving the slacker, who is beyond 31, to save, as he says, the industries of the country. I stand for giving the boys of 18 the benefit of the doubt. Senator KIRBY expressed my view on this question when at the hearings before the Committee on Military Affairs he said:

What disturbs me about the whole matter is this: We talk about democracy and prate about it all of the time, and my idea of it has been just the expression that you made use of a while ago, that everyone should stand equal before the law. Yet there is no equality at all, so far as the 18-year-old or the 19-year-old or the 20-year-old man is concerned. There is no equality whatever for him before this law. He never has had a chance to vote; he can not express himself; he has no one to represent him, except as it is done through other people. He has no voice in it at all. We are going to put the burden of the entire

war, practically, from now on upon this class of men, and I do not believe it is fair to them. I am satisfied that he will make a good soldier and will fight valiantly, but it is not fair to the man himself and it is not fair to the country hereafter.

Oh, but Secretary Baker says that there is a necessity, an emergency, at the present time; that the War Department has not time to wait until it can be found how many soldiers can be obtained above 18 years. The Secretary further claims that if the boys of 18 are called now it will be less work for the War Department to make the draft, as the boys of 18 will not be exempted; they are not married and they have no dependents, and it is very easy to get them into the ranks at once. He might have added that they have no vote and perhaps no friends in the War Department.

Now, is it true that there is such a pressing necessity and supreme emergency that calls now to the service the 18-year-old boy and does not give us time to find out the truth? What has happened to change the opinion of the Secretary of War overnight? It is a new program, arranged by the department within the last few days, to obtain an army at once without any trouble and inconvenience on the part of the War Department and without spoiling the blanks, as it is testified that they have already prepared.

Gen. March, Chief of Staff of the War Department, in his testimony before the Military Committee of the Senate said:

The 80-division program which we are now embarking upon calls for men to be drafted in each month as follows: In August, 250,000; in September, 200,000; in October, 155,000; in November, 150,000; in December, 150,000; in January, 100,000; in February, 200,000; and from then on to the end of the year 300,000 men per month; and that program can be carried through.

This bill will pass both Houses and become a law during the present month. All between the ages of 18 and 45 will at once register. The boy of 18 must answer the same questions and pass the same examination as the man of 44. There are now enough men in class 1 under the first draft to meet all calls under the new program for August and September and still leave 150,000 men in class 1. If the War Department uses ordinary diligence, they can have the men above 18 classified and subject to call by October next. If this can be done, then there is no necessity and no emergency.

This claim of the War Department not being able to get the necessary army without taking the boys of 18 has been practically abandoned in this debate and now they claim that it is necessary to take the 18-year-old boy, because he makes the best soldier; that the older men are needed in the business and industries of the country; and that they must have this army made up of young men, and they have all changed their opinions about this within a few days.

The principal argument for taking the boys of 18 was made yesterday by the gentleman from California [Mr. KAHN]. He says in substance that it is necessary to take the boys of 18 now as they make the best soldiers, and they want the best army, and so forth. The New York Times of June 30, 1918, when the War Department proposed to raise the draft age but not to lower it, in an interview with the gentleman from California [Mr. KAHN] said:

Already defenders of the 21-year limit are becoming active. One of these is JULIUS KAHN, of California, one of the most influential Members of the House Committee on Military Affairs.

"I will advocate 21 to 45 years," he said the other day in Washington. "I do not think it advisable to lower the limit at this time. The European armies made the mistake of taking their young men first. The consequence was that as the war continued they had to turn more and more to older men; that is, men of less vigor. The soldiers who are doing the fighting in Europe to-day, with the exception of those in our own Army, are men of this type, in the main older men. I am opposed to exhausting our young men now. Let us save them for the final knockout blow, if they be needed for that."

"Is it not going against all the military authorities in drawing the line at 21?" Mr. KAHN was asked.

"Lieut. Gen. March, Chief of Staff," said Mr. KAHN, "when asked by our committee what was the best fighting age, answered 26."

During the short recess we have had I was down in Maine and met my people all over the State, and everywhere I put to them the question of the draft age, and everywhere the opinion was expressed that we ought not to take the 18-year-old boy unless there was an absolute necessity. This was especially true as to the fathers and mothers who have 18-year-old boys. Many of them have given to the service their sons of 21 and over, but when it comes to 18-year-old boys it is about the saddest sacrifice that has been demanded in this country.

Somehow it seems to me our people should not be called upon to make this awful sacrifice only a little over a year after we have entered into the war. Somehow the parents feel that when the boy gets out of school, has obtained his majority and is a man grown, he ought to stand for all the duties and responsibilities of citizenship, and they cheerfully give him to the country, but they believe that the boy of 18, the boy in the high school, the boy who has not attained his majority, is not a man grown and is still the baby of the family.

It is true that there is a class of 18-year-old boys who have enlisted in the Army and Navy of the United States. They are physically developed. They want to go to war; they long for adventure; they will make good soldiers and sailors; they will bring honor and glory to the flag. God bless them!

But it is also true that there is another class just as patriotic, just as brave, who do not long for war and adventure and the battle field, who are in school, who love their books and their studies, interested in learning the trades and professions and occupations of civil life. They are ready to sacrifice their ambitions, their future, their occupations and professions and all their opportunities in life to save the Nation and the cause of liberty and freedom, if it is necessary. But they can not understand why it is necessary to force their immature bodies into the service at this time—to deprive them of their education, their trade and profession and calling, and to demand of them this supreme sacrifice while those who are older and full grown are excused from the service. Parents of the 18-year-old boy are not satisfied with the statement of the Secretary of War that the supreme sacrifice now requires it and they call for the proof, and it can be easily settled and demonstrated by taking the older men first.

You will remember in sacred history that Jacob had many sons who had gone out from the home into the world, but he had Benjamin, the youngest at home, the hope and comfort of his old age. One day they brought to him the blood-stained garments of Joseph and he mourned his loss for many days. After this there came a famine in the land and there was corn only in Egypt, and the father sent the boys to get food, but he kept Benjamin at home. They soon returned to their father with the awful news that the king had made Simeon a prisoner, that he demanded Benjamin as a hostage before he would send food to Jacob. And they said to the father, "We can get the corn and the food only by taking from you Benjamin and delivering him to the king."

The CHAIRMAN. The time of the gentleman has expired.

Mr. HERSEY. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. The gentleman requests that his time be extended for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. HERSEY. And Jacob said, "Joseph is not, and Simeon is not, and ye will take Benjamin away."

It was a terrible struggle for the old father, his only question was, can there be such a necessity as this? Then he says, "If it must be, take also your brother. If I am bereaved of my children, I am bereaved."

I know a family of two sons; one is dead on the battle fields of France. His blood-stained garments are in the possession of the father. There is another son of 18, the youngest child. He will be called under this bill among the first of this draft. The parents are not dependent for support upon him. He is single. He has no claims for exemption. He must go, and while it breaks the hearts of the father and mother they will give the boy, if necessary, to make up the Army that now demands this awful sacrifice, but they will never be satisfied with the bare statement of the Secretary of War that there is such a necessity.

Some one said to-day, in the course of the debate, that this was not a matter of sentiment, that this draft bill was a cold-blooded proposition, and that sentiment had no place in the making of the Army. Yes; it is indeed a cold-blooded proposition. I believe it. It certainly does not recognize anything but how best to get an army without sending to the front men who have attained their growth and are now making money out of the war. I venture to say that the taking of the 18-year-old youth will do more to disturb the business industries and homes of the country than the drafting of any other class or age.

What about the schools and colleges and industries of the country? Dr. Mann, of the War Department, in his testimony before the Senate committee, said:

As long as it was 21 years of age, most of the boys could get their college education and then go into active service, but under the 18-year proposal, if the age group of 18 is called right away, it will take practically every boy out of college, unless he is physically disqualified.

We all hope, O how earnestly, for the dawning of the day when this great world war will end. Peace will come like a benediction to bless this blood-drenched earth, but O the weary, weary years that may come before the boys come back. Some day the remnant, no one can say how small, will come straggling home. We will welcome them under arches of flowers and with tears of joy. They will come to us then not boys but broken men, broken in health, wrecked in the flower of their youth. They

will never again enter the college walls; they will never again man the industries of the Nation; they will never again take up the labor that calls for brawn and brains. America must, in the new war for trade, if she keeps her place among the nations of the earth, save, protect, and conserve her fresh young men and save them from the awful vortex of war. She must preserve and conserve her young men in her trades, industries, schools, and colleges if this Nation shall survive the wrecks of time.

The Utica (N. Y.) Press a few days ago said editorially:

There will be more need for educated and trained young men in the years to come than ever before. It follows, then, that until there is imperative necessity the younger men should be permitted to remain in the schools, the colleges, the shops, and factories where they are acquiring the education and the skill which will be so valuable to them afterwards. Raising the limit from 31 to 36 years will bring in hundreds of thousands now exempt who will be capable of military service and meet all the requirements in sight now and for some time to come.

President Wilson, on the 9th day of this month, before the War Department was stricken with hysteria, wrote a letter to Secretary Lane, in which he said:

I am pleased to know that despite the unusual burdens imposed upon our people by the war they have maintained their schools and other agencies of education so nearly at their normal efficiency. That this should be continued throughout the war and that, in so far as the draft law will permit, there should be no falling off in attendance in elementary schools, high schools, or colleges is a matter of the very greatest importance, affecting both our strength in war and our national welfare and efficiency when the war is over.

So long as the war continues there will be constant need of very large numbers of men and women of the highest and most thorough training for war service in many lines. After the war there will be urgent need not only for trained leadership in all lines of industrial, commercial, social, and civic life but for a very high average of intelligence and preparation on the part of all the people.

Whatever inconvenience it may make to the War Department, how much it may spoil blanks already prepared, how much more work it may be necessary to do in classification, God help us to take a little more time, if necessary, to conserve, protect, educate, and save the youth of America, the hope of the Nation, the hope of the world.

Mr. KREIDER. Mr. Chairman, I do not intend to consume much time. I regret that certain statements or remarks have been made on the floor of the House to-day that might be construed as questioning the honesty of purpose or patriotism of certain Members.

There is no reason to question the patriotism or the so-called "Americanism" of any Member, whether he is for or against this amendment. I take it that every Member of Congress is willing and anxious that the military authorities shall have all the men and money they may need to prosecute this war and bring it to a speedy and successful conclusion. This Congress has voted money by the billions of dollars and men by the millions and turned them all over to the President and military authorities, without stint or reserve, for the prosecution of the war. We have given powers to the President of the United States such as no civilized nation on earth has ever given to one man. When it comes to the method of securing and furnishing either money or men we, the Members of this House, should give our best thought and judgment and vote accordingly. I am sorry that the self-appointed and self-named Security League has assailed the Americanism of all but 47 Members of this House. It seems I am not one of the 47, because I happened to differ with their ideas on one of the eight measures selected by them. Permit me to say that I always have, do now, and always shall assert my right as an American citizen and as a Member of this House [applause], regardless of the Security or any other league or anyone else. I differed with the administration when the so-called "quota" bill was under consideration and supported Gov. SHALLENBERGER'S proposed amendment to the law. I believed then, and I believe now, that the quota of men to be furnished by each State and district should be based on the number fit for military duty and not on the number in class 1, thereby removing from the local boards the temptation of placing as few as possible in class 1. It is a fact, and we know it, that the boards did not use the same judgment throughout the country, some boards placing as high as 70 per cent in class 1 and others less than 10 per cent, where the population and conditions seemed to be alike.

Now, as to the matter of furnishing additional men for the Army, the program, as I understand it, is that the military authorities want 4,000,000 men on the other side by next June and a million men in training in the United States. There is not a man on the floor of this House who is not willing they should have them. We want to win this war and win it quickly, and if it takes 5,000,000 or 6,000,000 or 10,000,000 they shall have them; but where to get these men is the question we are debating. Must we take boys of 18 years of age to get 5,000,000 men now? Now, gentlemen, if I mistake not, Gen. Crowder says that there are 762,000 men registered in this country citizens of other friendly nations. We passed a bill some time ago that will make those men available for military service, but that bill is held up at the other end of the Capitol, but can be passed by the Senate just as quickly as this bill can be passed. If the Senate will pass that bill—and they will if the administration wants it passed—we have, according to the figures of Gen. Crowder, 762,000 available men between the ages of 21 and 31.

In addition to that, if I am correctly informed, there are still remaining registered and in class 1 about 600,000 men. In addition to this, according to the figures furnished or given by the authorities, the registration of men between 32 and 45 will furnish 600,000 more class 1 men. Now, you have got 1,962,000 men without going below the age of 21. On the 24th day of August we will register probably 200,000 more who have attained the age of 21, making a total of 2,162,000 men, not one of which is under 21 years old. If we wish to consider the younger men, we find, according to the estimate given by the same authority, 1,121,000 men available between the ages of 19 and 20.

Now, if you will add those four items together, you will have the sum of 3,283,000 men. You have now over 3,000,000 men in the service, and that will give you an Army of over 6,000,000 men, while the program only calls for 5,000,000 men, and you will not have touched one boy of the age of 18. In fact, to raise an army of 5,000,000 for home and abroad you need not take, as I have demonstrated with figures furnished by the military authorities themselves, one single man under 21 years old, and by the time the 2,000,000 to which I have referred have been called and trained six or nine months will have passed, and we will have from 600,000 to 700,000 more registered in class 1 all over 21 years old. So that I contend there is absolutely no reason why we should call a boy under 21 years to active service unless the emergency should arise which does not now seem to exist. I feel that it is not now necessary to call boys of 20 or 19 years, much less those of 18 years of age. If they choose to enlist, as many thousands have and many more thousands no doubt will, all well and good; but the present demands of the Government can be met by men 21 years of age. [Applause.]

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. KREIDER. Mr. Chairman, I ask unanimous consent to extend and revise my remarks.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from New York [Mr. SWIFT] is recognized.

Mr. SWIFT. Mr. Chairman, I was very much impressed yesterday with that portion of the argument presented by the gentleman from California [Mr. KAHN] wherein he stated that the military disasters suffered by our allies were caused by the failure to summon their potential resources before the Russian debacle.

While not versed in military strategy, I believe it is the verdict of history that all great wars have been won by a great concentration of man power at a given point and at a given time. And, as the gentleman from California [Mr. KAHN] said, the United States proposes to profit by the mistakes of its cobelligerents. For that reason I am heartily in sympathy with the proposition to marshal our man power in the manner requested by the Secrertary of War, the Chief of Staff, and the Provost Marshal General.

Yesterday afternoon, after the gentleman from California closed his speech, the Sixty-third Regiment, from the City of the Golden Gate, marched by this historic Capitol to the tune of martial music, with the colors of that regiment flying and those boys singing these words:

Over the line, across the Rhine,
Uncle Sam will show the way.

The sentiment contained in those simple words should inspire every Member of Congress with high courage to respond to the call of his Government. The question the Congress must decide once more is whether or not we will lay aside sentiment and yield to the judgment of our military authorities in the prosecution of the war.

Figures of the ages of volunteers in the Civil War have been quoted in this debate which have been shown to be erroneous on numerous occasions. I shall now submit the statistics relating to Civil War enlistments collected by the United States Sanitary Commission in 1869.

They show that out of total enlistments of 1,050,000 men 194,000 were between the ages of 18 and 21 and 199,000 between the ages of 32 and 45. These figures demonstrate that if we deny the request presented to us for determination in the pend-

ing bill we will materially cripple the military power of this Government in its efforts to double our fighting forces on the western front. I do not believe that there is any gentleman in this body who desires to assume that responsibility.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SWIFT. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none. The time for debate has expired. The question is on the committee amendment.

Mr. McKENZIE. Mr. Chairman, I ask, in order that there may be no uncertainty about the meaning of this amendment, that in line 1, page 3 of the printed bill, after the word "registration," the words "in class one" be inserted.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to modify his amendment in a manner which the Clerk will report.

The Clerk read as follows:

Modification of the McKenzie amendment: Page 3, line 1, after the word "registration," insert the words "in class one."

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. BLACKMON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BLACKMON. I have an amendment to offer to line 2, on page 2, striking out the word "eighteen" and inserting "twenty-one." Would not that be in order at this time as a perfecting amendment?

Mr. MILLER of Minnesota. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Minnesota rise?

Mr. MILLER of Minnesota. I desire to suggest to the gentleman from Illinois that his suggested amendment does not accomplish the purpose he has in view. I would like to say, if he will notice the language in lines 22 and 23, on page 2, it is this:

And registrants of the age of 18 years and not over 19 years shall be designated the 18 class and shall be last called for service.

Now, he should insert in there—

Shall be deferred until after all others in class 1 have been called.

Then it reaches that point, and that is all he needs to do.

Mr. McKENZIE. Mr. Chairman, I ask unanimous consent that the words "in class 1" be inserted after the word "registrants," in line 24, page 2.

The CHAIRMAN. The Clerk will report the proposed modification.

The Clerk read as follows:

Page 2, line 24, after the word "registrants" insert the words "in class 1."

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WALSH. Well, Mr. Chairman, the gentleman from Illinois should now ask unanimous consent to withdraw his former modification.

Mr. McKENZIE. I make that request, Mr. Chairman.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to withdraw the first modification reported at the desk. Is there objection?

There was no objection.

The CHAIRMAN. The Chair desires to make a statement to the committee. The gentleman from Alabama [Mr. BLACKMON] has submitted to the Chair a parliamentary inquiry, coupled with the information that he is prepared to offer and desires to offer an amendment to line 2, page 2 of the bill, striking out "18" and inserting "21." He then submits the parliamentary inquiry as to whether or not that amendment ought not first be voted upon, inasmuch as the so-called McKenzie, or committee, amendment deals with those of 18 years of age and up to 21. The Chair recognizes the rule not only of this House but also of the Senate to be that committee amendments always have preference, and that the ordinary order would be to perfect the McKenzie, or committee, amendment, if there are any amendments offered to it—and I believe there is in this case one—and then have the committee vote on the McKenzie, or committee, amendment first. But the Chair feels that there is a great deal of force in the suggestion made in the parliamentary inquiry submitted by the gentleman from Alabama. If his amendment should prevail, the Chair feels that he must take notice of the fact that the McKenzie amendment or the committee amendment would be wholly unnecessary, and on account of that the Chair is very much inclined, unless the committee disagrees with him, to recognize the gentleman from Alabama to offer his amendment and let the committee vote on that proposition first. [Cries of "Vote!"]

Mr. JOHNSON of Washington. Mr. Chairman, would the same argument apply to the amendment that I desire to offer, to change the word "eighteen" to "nineteen"?

The CHAIRMAN. Undoubtedly so.

Mr. JOHNSON of Washington. I would be recognized to offer it?

The CHAIRMAN. Yes. Unless the committee feels that the Chair ought not to take that procedure, the Clerk will report the Blackmon amendment first.

The Clerk read as follows:

Amendment offered by Mr. BLACKMON: Amend, line 2, page 2, by striking out "eighteen" and inserting "twenty-one."

Mr. JOHNSON of Washington. Now, Mr. Chairman, I desire to offer as a substitute for that an amendment to strike out the word "eighteen" and insert in lieu thereof the word "nineteen."

The CHAIRMAN. The gentleman from Washington offers an amendment as a substitute.

Mr. JOHNSON of Washington. I offer that as an amendment to the amendment.

The Clerk read as follows:

Amendment to the amendment offered by Mr. JOHNSON of Washington: Strike out the word "eighteen," in line 2, page 2, and insert in lieu thereof the word "nineteen."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Washington to the amendment offered by the gentleman from Alabama [Mr. BLACKMON].

The question was taken, and the Chair announced that the "noes" seemed to have it.

Mr. GORDON. A division, Mr. Chairman.

The CHAIRMAN. A division is called for.

The committee divided; and there were—ayes 90, noes 172.

So the amendment to the amendment was rejected.

The CHAIRMAN. The question now is on agreeing to the amendment offered by the gentleman from Alabama.

The question was taken, and the Chairman announced that the "noes" appeared to have it.

Mr. BLACKMON. A division.

The CHAIRMAN. A division is called for.

The committee divided; and there were—ayes 42, noes 194.

So the amendment was rejected.

The CHAIRMAN. The question now is on the Lunn amendment to the committee amendment.

Mr. LUNN. Mr. Chairman, in the two amendments that I made I inserted the words "so far as practicable" on page 2, line 24, after the word "shall," and on page 3, line 1. I ask unanimous consent to insert the same phrase on page 2, line 20, after the word "shall."

The CHAIRMAN. The gentleman from New York asks unanimous consent to modify his amendment to the committee amendment in the manner to be reported by the Clerk.

The Clerk read as follows:

Modification of the Lunn amendment: Page 2, line 20, after the word "shall," insert the words "so far as practicable," and on the same page, line 24, after the word "and," insert the words "so far as practicable," and on page 3, line 1, after the word "shall," insert the words "so far as practicable."

The CHAIRMAN. The question is on the adoption of the Lunn amendment to the committee amendment.

The question was taken, and the Lunn amendment to the amendment was rejected.

The CHAIRMAN. The question now is on the committee amendment, the so-called McKenzie amendment, as modified.

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. McKENZIE. A division, Mr. Chairman.

The CHAIRMAN. A division is called for.

The committee divided; and there were—ayes 120, noes 167.

Accordingly the amendment was rejected.

Mr. McKEOWN. Mr. Chairman, I offer the following amendment as a substitute for section 1.

The CHAIRMAN. The gentleman from Oklahoma offers a substitute for section 1, which the Clerk will report.

The Clerk read as follows:

Sustitute offered by Mr. McKEOWN for section 1:

"*Be it enacted, etc.*, That the second sentence of section 2 of the act entitled 'An act to authorize the President to increase temporarily the Military Establishment of the United States,' approved May 18, 1917, be, and hereby is, amended to read as follows:

"'Such draft as herein provided shall be based upon liability to military service of all male citizens and male persons residing in the United States, not alien enemies, who have declared their intention to become citizens, between the ages of 18 and 45, both inclusive, and shall take place and be maintained under such regulations as the President may prescribe not inconsistent with the terms of this act: *Provided*, That the President may draft such persons liable to military service in such sequence of ages and at such time or times as he may prescribe: *Provided, however*, That registrants who on the date fixed by the President for registration are of the age of 18 years and not over 20 years

may be called under the provisions of this act shall, wherever practical, be assigned to educational institutions for military training under such regulations as may be prescribed by the Secretary of War, and he is authorized to contract with such educational institutions for subsistence, quarters, and military and academic instructions of such soldiers.'"

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma in the nature of a substitute for section 1.

The question being taken, the amendment of Mr. McKEOWN was rejected.

Mr. McCULLOCH. Mr. Chairman, I desire to offer an amendment, to be inserted as a new section.

The CHAIRMAN. The gentleman from Ohio offers an amendment in the nature of a new section.

Mr. JOHNSON of Washington. Mr. Chairman, a parliamentary inquiry. Before that is offered I have an amendment to strike out the word "forty-five" and insert "fifty." Should not the vote be taken on that before proceeding to a new section?

The CHAIRMAN. The gentleman from Washington offers an amendment to section 1, to perfect the section, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Washington: Page 2, line 2, after the word "and," strike out "forty-five" and insert "fifty."

The question being taken, on a division (demanded by Mr. JOHNSON of Washington and Mr. NORTON) there were—ayes 118, noes 168.

Mr. JOHNSON of Washington. Mr. Chairman, I ask for tellers.

The CHAIRMAN. The gentleman from Washington demands tellers.

Tellers were refused, not a sufficient number seconding the demand.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Ohio [Mr. McCULLOCH].

The Clerk read as follows:

Amendment offered by Mr. McCULLOCH: After section 1 add a new section, as follows:

"SEC. 2. No alien who is a citizen or subject of any of the countries cobelligerent with the United States in the present war shall, unless contrary to existing treaties, be granted exemption from military service or placed in deferred classification under the provisions of this act or under any rule or regulation to be issued by authority granted under the provisions of this act solely on account of alienage; and

"*Provided further*, That the War Department shall, immediately after the passage of this act, reclassify all aliens heretofore registered who are citizens or subjects of any of the countries cobelligerent with the United States in the present war and who have been exempted or placed in deferred classification on account of alienage, and said aliens shall be immediately called for service unless such action would be contrary to existing treaties.

"*Provided further*, That the act of May 18, 1917, is hereby amended accordingly."

Mr. WALSH. Mr. Chairman, I reserve a point of order on that amendment.

The CHAIRMAN. The gentleman from Massachusetts reserves a point of order.

Mr. WALSH. Mr. Chairman, the gentleman from Ohio [Mr. McCULLOCH] offers this as a new section. Now, there is already a section 2 in the bill, which has not been considered.

Mr. STAFFORD. I make the point of order that the time for submitting this amendment has passed. The committee reported an amendment of the same general character, included in the amendment offered by the gentleman from Ohio. That was in lines 7 to 17, which has been acted upon and stricken out. The Chair will notice that it is of the same character as the amendment now submitted by the gentleman from Ohio. I think the gentleman should have offered his amendment at that time, because the House was considering that subject matter, and the gentleman failed to avail himself of his rights. After the House has considered the subject matter once, if a Member can offer the same proposition as a separate section, we can be held here interminably in the consideration of legislation. It has often been held by the Chairmen of the House that when considering any legislation in Committee of the Whole, after the legislation has once been considered, it will not be in order to revert back to matters already considered. I remember a ruling by the late Vice President Sherman, one of the best parliamentarians that ever presided over the House, when an amendment was offered to an appropriation bill the subject matter of which had been previously considered, the Chair held that if we were to take up matters that had been passed upon by the committee, there would be no end to the consideration of the bill and we would be held here interminably before we could come to a conclusion on the bill. The time for the gentleman to have offered his amendment was when we were considering the amendment to strike out the paragraph then under consideration. Having failed to do so he is too late to offer it as a separate section.

Mr. DENT. I also make the point of order that the amendment is not germane.

Mr. TOWNER. Mr. Chairman, I desire to be heard on the point of order.

The CHAIRMAN. On which side?

Mr. TOWNER. I am opposed to the point of order made by both the gentleman from Wisconsin and the gentleman from Alabama. In the first place, it is germane because it is an amendment to section 1 of this bill which in its original form before it was amended contained the same subject matter, the same references that are contained in this amendment. It is proper also to consider it as a separate section, and it is proper also to consider it now. It would have been improper to have considered it before because there was an amendment to the original section, and by preference the one who offered the amendment may desire to offer it as a new section, and both would properly come at this time, so there is no real ground for the objection raised by either the gentleman from Wisconsin or the gentleman from Alabama.

Mr. DENT. Mr. Chairman, I withdraw any point of order as far as I am concerned.

Mr. STAFFORD. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. STAFFORD. Before I withdraw the point of order, this being offered as a new section to the bill, will it be open to discussion?

The CHAIRMAN. The Chair thinks that it would.

Mr. STAFFORD. I have no objection to the House voting on it. [Cries of "Vote! Vote!"]

Mr. STAFFORD. I withdraw the point of order.

Mr. McCULLOCH. I do not desire to discuss the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. McCULLOCH].

The question was taken; and on a division there were—129 ayes and 74 noes.

So the amendment was agreed to.

Mr. DOOLITTLE. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 3, between lines 2 and 3, as a new section insert the following: "Upon the approval of the State of which any soldier in the military service of the United States or any honorably discharged soldier from such service is a resident, such soldier or honorably discharged soldier shall not be denied the right of suffrage by reason of age."

Mr. DENT. Mr. Chairman, I reserve a point of order.

Mr. DOOLITTLE. Mr. Chairman, the gentleman having reserved the point of order, is the amendment debatable?

The CHAIRMAN. The Chair thinks that the amendment is debatable.

Mr. WALSH. Mr. Chairman, I will make the point of order.

The CHAIRMAN. The Chair sustains the point of order on the ground that it is not germane.

Mr. WALSH. And furthermore it would be unconstitutional.

Mr. DOOLITTLE. It would not be unconstitutional, because it expressly says that it is subject to State control.

The Clerk read as follows:

SEC. 2. That the provision of section 4 of said act, "persons engaged in industries, including agriculture, found to be necessary to the maintenance of the Military Establishment or the effective operation of the military forces or the maintenance of national interest during the emergency," be, and hereby is, amended to read as follows:

"Persons engaged in occupations or employments found to be necessary to the maintenance of the Military Establishment or the effective operation of the military forces or the maintenance of national interest during the emergency."

Mr. GREGG. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amend, by adding after the word "emergency," line 12, page 3, the following: "Nothing herein contained shall be construed to exempt from draft into the Army under this act or under any act heretofore passed the officers, legislative and executive, of the United States or of the several States, Territories, and the District of Columbia, and section 4 of the act entitled 'An act to authorize the President to increase temporarily the Military Establishment of the United States,' approved May 18, 1917, be so amended as to eliminate after the words 'That the Vice President of the United States' the words 'the officers, legislative and executive, of the United States and of the several States, Territories, and the District of Columbia.'"

Mr. GREGG. Mr. Chairman, the recent act of May 18, 1917, exempted the legislative and executive officers of the Federal Government and of the different State governments. This is to repeal that provision. If the man power of this country has been so exhausted that we are bound to call upon the 18-year-old boys to fight this war, I do not see why this great horde of officers of the States and of the Federal Government should be exempted specifically.

Mr. DYER. Mr. Chairman, will the gentleman yield?

Mr. GREGG. Yes.

Mr. DYER. Would the gentleman include in his amendment the proposition to take away from the heads of the departments the authority to ask for exemptions of their employees also? They have exempted thousands and thousands here in Washington.

Mr. GREGG. I did not intend to deal with that. This does not make anybody subject to the draft. It simply says that certain men shall not be specifically exempted. I do not think while we are here imposing obligations upon the 18, 19, and 20 year old boys of America that we have any right to exempt ourselves from the same burden that we impose upon others. [Applause.]

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. GREGG. Let us be men; let us be willing to take our places in the ranks. If you want to extend the time to an age which will include me, I am ready to vote for it, but let us be men. Let us not permit this great horde of State and Federal officers to be specifically exempted when the 18 and 19 year old boys have got to go and fight. If there is any manhood in you, gentlemen, you ought to vote not to exempt yourselves. If there is any bravery in any of you, you will go to the front instead of sending the 18-year-old boy. [Applause.] Let us adopt this amendment; let us tell the world that while we have taken the boys we are willing to go ourselves.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Texas.

The amendment was agreed to.

Mr. TREADWAY. Mr. Chairman, I have an amendment, which I desire to offer in the way of a new section.

Mr. GOOD. Mr. Chairman, I desire to offer an amendment to this section.

Mr. BLACK. Mr. Chairman, I have an amendment to perfect the text of section 2.

The CHAIRMAN. The Chair will recognize the gentlemen for that purpose later.

Mr. CAMPBELL of Kansas. Mr. Chairman, I have an amendment to this section, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment by Mr. CAMPBELL of Kansas: Page 3, line 9, after the word "in," insert the words "agriculture and other," so that the line as amended will read:

"Persons engaged in agriculture and other occupations or employments found to be necessary," etc.

Mr. DENT. Mr. Chairman, I accept that amendment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Kansas.

The amendment was agreed to.

Mr. MADDEN. Mr. Chairman, I desire to offer an amendment, which I send to the desk and ask to have read.

Mr. PARKER of New Jersey. Mr. Chairman, I ask for a division upon that.

The CHAIRMAN. The Chair thinks that the demand comes too late. Was the gentleman on his feet, demanding a division?

Mr. PARKER of New Jersey. No; I was not.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Illinois [Mr. MADDEN].

Mr. STAFFORD. Mr. Chairman, the gentleman from New Jersey was in time.

The CHAIRMAN. The gentleman from New Jersey informed the Chair that he was not upon his feet when he asked for a division.

Mr. STAFFORD. But he immediately rose and addressed the Chair.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Illinois [Mr. MADDEN].

The Clerk read as follows:

Page 3, line 12, after the word "emergency," strike out the period and insert a comma, and add the following: "and no person employed in any of the executive departments of the Government, Government establishments, boards, or commissions shall be exempt by reason of such employment from military duty under the provisions of this act."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. WALSH. Mr. Chairman, will the gentleman yield for a question?

Mr. MADDEN. No; let us have a vote.

Mr. WALSH. Then I demand the floor in my own right.

Mr. DONOVAN. Mr. Chairman, may we have the amendment again reported?

Mr. WALSH. I have been recognized. The amendment of the gentleman from Illinois [Mr. MADDEN] is evidently intended to put into the service those employees in the civil branch of the Government for whose deferred classification or exemption requests have been filed by the heads of the department, but if you will follow the wording of that amendment it does not accomplish what the gentleman desires, because it does not take away from the heads of the departments the right to ask for deferred classification or exemption in the future for employees who may be later put in those places and the gentleman's amendment is not worded in a manner in which it will take this exemption privilege away from the heads of those departments.

Mr. DONOVAN. Mr. Chairman, may I ask that the amendment may be again reported, so that we may understand intelligently what it is?

The CHAIRMAN. Without objection, the amendment will be again reported.

The amendment was again reported.

Mr. MADDEN. Mr. Chairman, I would like to ask unanimous consent to modify that by adding the words "now or hereafter employed."

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Modified amendment, page 3, line 12, after the word "emergency," strike out the period, insert a comma, and add the following: "and no person employed in any of the executive departments of the Government, Government establishments, boards, or commissions now or hereafter shall be exempt by reason of such employment from military duty under the provisions of this act."

Mr. McKENZIE. Mr. Chairman, I move to amend the amendment of the gentleman from Illinois by inserting after the word "exempt" the words "or given deferred classification."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend the amendment by inserting after the word "exempt" the words "or given deferred classification," so that as amended the amendment will read, "and no person employed in any of the executive departments of the Government, Government establishments, boards, or commissions now or hereafter shall be exempt or given deferred classification by reason of such employment from military duty under the provisions of this act.

Mr. DENT. Mr. Chairman, I hope this amendment will not be adopted. You will absolutely destroy the administrative branch of the Government if you undertake to say that they shall not have anybody between 18 and 45 years in the deferred classes. It seems to me that after the debate that has gone on here for two days that you want to do what the department wants you to do. You are going to pass the bill that the department has prepared, and that you ought not at this late day undertake to destroy the bill and make it a farce; and I hope that this amendment will not be agreed to.

Mr. JOHNSON of Washington. Will the gentleman yield for a question? Does that catch shipyard employees—those employed in the offices of the shipyards?

Mr. SIMS. Mr. Chairman, I do not think we ought to do that which is absurd, ridiculous, and destructive also at the same time. If you intend to defeat the bill, vote against it in the right way, but do not load it down with a lot of impractical, impossible, absurd, and ridiculous provisions. Why, the staff service of the Army is just as necessary as the field service. We can not wage war without somebody to do the necessary departmental work. One is just as necessary as the other. Now, what is proposed will destroy the Shipping Board, the Emergency Fleet Corporation; you are going to destroy some of the most vital military services necessary to be performed by providing that the department officials shall have a no deferred classification, that they shall not have an exemption from field duty. There are two sorts of service. One is just as essential as the other. Look at the resolutions introduced by the gentleman from Illinois, himself who offers this amendment. Look at the replies which have been handed in. The Secretary of the Navy in reply shows over 7,000 who are in essential but not in active naval service. This amendment is ridiculous and absurd and will be a discredit to the House if adopted, as well as a distinct hindrance in executing necessary war plans. [Cries of "Vote!"]

Mr. CANNON. Mr. Chairman, I move to strike out the last word.

Mr. VARE. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Pennsylvania rise?

Mr. VARE. I want to ask the ranking member of the committee on the Republican side——

The CHAIRMAN. The gentleman from Illinois [Mr. CANNON] has been recognized.

Mr. CANNON. Mr. Chairman, I crave the cessation of conversation and the attention of the committee.

So far as I know I am not interested in any employee connected with any of these departments or commissions covered by this amendment. Let us see if I understand what the amendment means. There is a great army of clerks employed.

Take the accounting officers, take the clerks that have been in the departments for years, and many of them are invaluable, hundreds of them, I have no doubt, as invaluable as is the clerk of the Committee on Appropriations of the House. Now, here is a proposition, as I understand the amendment, that they shall be subject to the draft—subject to call into the military service—although I have no doubt that many of them are exempted, if it is necessary that they be exempted, by Executive order. This, if enacted into law, would do away with the Executive order. If it was the law to-day, I have not any hesitation, as I understand the public business, in saying that it would practically bring chaos to the various executive departments. [Applause.]

This is a great body. We are fond of calling ourselves the greatest legislative body on earth. It is late in the day. This amendment ought really to receive serious consideration; and if we are hungry or tired or hot let us adjourn and take a little time in which to cool. For a long time I have been a Member of the House of Representatives. I have great pride in the service, and I have great respect for this body. Let us not make ourselves ridiculous and bring ridicule upon ourselves throughout the country and throughout the world by agreeing to this amendment. [Applause.]

Mr. MADDEN. Mr. Chairman, I do not want anyone here to say that I have any desire to bring ridicule upon this body. My colleague has no more respect for this body than I have; not a bit. I am as patriotic as he is.

Mr. CANNON. I do not question that.

Mr. MADDEN. I am as patriotic as any man here. I believe every man, whether he is employed in a Government office or not, ought to take the same responsibility in the present emergency that every man in every household in the land is compelled to take. [Applause.] The adoption of this amendment would be neither absurd nor ridiculous. Its consideration is a proper matter for the House. It is presented in good faith. It provides that no person, simply because he is employed in an executive branch of the Government of the United States, shall, as the result of that employment, be exempted from military service under this act. Is that absurd?

Mr. DONOVAN. Will the gentleman yield?

Mr. MADDEN. I have only a minute. Is it absurd to say that because some man has sufficient influence to get on the Government pay roll he ought to be exempted from military duty?

Mr. VARE. Will the gentleman yield?

Mr. MADDEN. I can not yield. We already have the example of the heads of these executive branches of the Government asking for the exemption of their pets, their employees. The Secretary of Agriculture requested and received exemption or deferred classification for 2,130 men on his pay roll.

The Secretary of the Navy, in the offices here in Washington alone, received at his own request deferred classification for about 560 men. Other branches of the Government, all these departments, have hidden away behind the bullet-proof line men whose people have had sufficient influence to get them on the Government pay roll while my boy and your boys and the boys of the widows of America are over in France on the battle line. [Applause.] There is no reason why they should not be put on the same plane with every other American. They will be entitled to their exemptions for family obligations, for physical defects, and for other reasons that men are entitled to exemption for. But under no circumstances should the mere fact that they are on the Government pay roll entitle the President of the United States or any other man to exempt them from their responsibility under the Military Establishment. [Applause.]

Mr. KAHN, Mr. FIELDS, and Mr. TEMPLE rose. [Cries of "Vote!" "Vote!"]

The CHAIRMAN. The Chair had agreed to recognize the gentleman from Pennsylvania, but the gentleman from Kentucky [Mr. FIELDS] is a member of the committee, and the Chair therefore recognizes him.

Mr. FIELDS. Mr. Chairman and gentlemen of the committee, I am in position to oppose this amendment without the least feeling of selfishness, for I have only one constituent in the Government service, as shown by the reports of the heads of the several departments, whose call has been deferred, and I do not know him personally, or any of his people. So not from any selfish motive, but for the good of this bill and for the good of the Government I think it is time that we begin to get a little calm. You are preparing to load this bill with amendments that will make it absolutely absurd. Now, you gentlemen who have stood here and asked for protection of industry, who have asked that the War Department be given authority to draft the young men of 18, 19, and 20 before drafting the older men, lest their failure to do so might interfere with the industries of the country, should think seriously upon this proposition. The great industry in this country at this time is the work of the executive departments that are conducting the affairs of this war. I challenge you to show a single man in a private industry in this country whose services are as valuable or as indispensable to that industry as those of the valuable men, the trained men, in the executive departments of the Government.

Mr. LANGLEY. Will my friend yield?

Mr. FIELDS. Let me finish this thought. What would the War Department do should its trained men, who are in charge of the military records, be drafted to the field or line duty?

Mr. MADDEN. Mr. Chairman, will the gentleman yield for a question?

Mr. FIELDS. In just a moment I will yield. You have repeatedly said here that you do not want to hamstring the War Department. I will ask you this question, and then I shall be through: Would the adoption of this amendment hamstring the War Department?

Mr. MADDEN. It would not.

Mr. FIELDS. Of course it would. You could hit no harder blow to the War Department than by adopting this amendment.

Mr. DENT. Mr. Chairman, the House has been working here for such a long period of time—ever since 11 o'clock in the morning—that notwithstanding the tentative promise that I made to try to finish this bill to-night, I see no chance to do it without keeping the House here an unnecessarily long time. I therefore move that the committee do now rise.

The CHAIRMAN. The gentleman from Alabama moves that the committee do now rise. The question is on agreeing to that motion.

The question was taken; and the Chairman announced that the ayes appeared to have it.

A division was demanded by Mr. MADDEN, Mr. JOHNSON of Washington, Mr. JOHNSON of Kentucky, and Mr. KNUTSON.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 177, noes 81.

The CHAIRMAN. On this vote the ayes are 177 and the noes are 81, and the committee determines to rise.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HAMLIN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 12731) amending the act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, and had come to no resolution thereon.

SENATE JOINT RESOLUTION REFERRED.

Under clause 2, Rule XXIV, Senate joint resolution of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. J. Res. 168. Joint resolution tendering public acknowledgment of gratitude to the Army and Navy of the United States; to the Committee on Military Affairs.

LEAVE OF ABSENCE.

Mr. BOOHER, by unanimous consent, was granted leave of absence indefinitely, from August 19, 1918, on account of illness in his family.

ADJOURNMENT.

Mr. DENT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 2 minutes p. m.) the House adjourned until to-morrow, Saturday, August 24, 1918, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. SULZER, from the Committee on the Public Lands, to which was referred the bill (H. R. 12210) to amend the act of May 14, 1898, as amended by the act of March 3, 1903, entitled "An act to extend the homestead laws and to regulate the sale and entry of public lands along the shore of navigable waters in Alaska," reported the same without amendment, accompanied by a report (No. 760), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. KNUTSON: A bill (H. R. 12808) prohibiting the payment of fees to claim agents and attorneys for services or

alleged services in recovering pay or allowances of persons in the Army or Navy, or in the claims of beneficiaries of such persons; to the Committee on the Judiciary.

By Mr. CARY: Resolution (H. Res. 425) requesting the Commissioners of the District of Columbia to inform the House of Representatives by what authority the Washington, Baltimore & Annapolis Electric Railroad Co. exercises corporate franchises in said District, etc.; to the Committee on the District of Columbia.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. RAMSEYER: A bill (H. R. 12809) granting an increase of pension to Smith J. Dutton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12810) granting an increase of pension to William H. McKay; to the Committee on Invalid Pensions.

By Mr. IGOE: A bill (H. R. 12811) granting a pension to Lee Nolte; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BACHARACH: Petition of sundry citizens of Port Republic, N. J., in re war-time prohibition; also, petition of sundry citizens of Burlington County, N. J., protesting against the passage of war-time prohibition; to the Committee on the Judiciary.

By Mr. CARY: Petition of James C. Reed, president of the National Commercial Teachers' Federation, protesting against the proposed tax on the tuition fees of business schools; to the Committee on Ways and Means.

Also, petition of sundry business firms, against prohibition as applied to light wines and beer; to the Committee on the Judiciary.

By Mr. DALE of New York: Memorial of the New York State Hotel Association, against prohibition amendment to the emergency agricultural appropriation bill; to the Committee on Agriculture.

Also, Petition of farmers of Kendall County, Ill., for bone-dry war-time prohibition; to the Committee on the Judiciary.

By Mr. GRIEST: Resolution adopted by the Covenant United Brethren Church, of Lancaster, Pa., urging the enactment of war-time prohibition; to the Committee on the Judiciary.

Also, petition of R. W. Schreiner, H. F. Butzer, B. Franklin Futer, J. B Flory, D. W. Ranck, and J. D. Rider, all of Lancaster, Pa., protesting against the passage of a discriminatory war tax on automobiles; also, a communication from Morris D. Neuman & Co., Philadelphia, Pa., recommending a substitute for the schedule proposed by the Ways and Means Committee as rates of revenue taxes on cigars; to the Committee on Ways Means.

By Mr. KIESS of Pennsylvania: Petition of citizens of Ulysses, Potter County, Pa., protesting against the lowering of the draft age below 21 years; to the Committee on Military Affairs.

By Mr. YOUNG of North Dakota: Petition of J. C. Wilson and 48 other residents of Hannaford, N. Dak., urging war-time prohibition; also, a resolution of the same import from the Woman's Christian Temperance Union of North Dakota; to the Committee on the Judiciary.

SENATE.

SATURDAY, *August 24, 1918.*

(Legislative day of Thursday, August 22, 1918.)

The Senate met at 12 o'clock noon.

PETITIONS.

Mr. LODGE presented a petition of the Eleventh Suffolk Representative District of Massachusetts, praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which was ordered to lie on the table.

He also presented petitions of the Woman's Christian Temperance Union of Wareham, and of sundry citizens of Boston, Brockton, Granville, Somerville, Melrose, Gloucester, Framingham, Everett, Richmond, Leyden, Whitman, Lynn, Williamsburg, Littleton, and Saugus, all in the State of Massachusetts, praying for national prohibition as a war measure, which were ordered to lie on the table.

Mr. FERNALD presented petitions of sundry citizens of Maine, praying for national prohibition as a war measure, which were ordered to lie on the table.

Mr. TOWNSEND presented a telegram in the nature of a memorial from the Carpenters' State Council, of Jackson; memorials of Carpenters' Local Union, No. 1233, of Detroit; of the Federation of Labor of Detroit; and of local union, United Brotherhood of Carpenters and Joiners of America, of Midland, all in the State of Michigan, remonstrating against the adoption of the proposed "work-or-fight" amendment to the man-power bill, which were ordered to lie on the table.

Mr. COLT presented a petition of the congregation of the Methodist Church of Bristol, R. I., praying for national prohibition as a war measure, which was ordered to lie on the table.

CHANGES IN DRAFT AGE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 4856) to amend sections 2, 4, and 5 of an act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, and for other purposes.

Mr. CHAMBERLAIN. Mr. President, I want to make a brief statement that is rather in the nature of a personal explanation.

Mr. CUMMINS. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hale	Nelson	Smith, Md.
Bankhead	Harding	New	Smith, Mich.
Borah	Henderson	Norris	Smith, S. C.
Brandegee	Hitchcock	Nugent	Smoot
Chamberlain	Johnson, Cal.	Overman	Sterling
Colt	Johnson, S. Dak.	Penrose	Sutherland
Culberson	Jones, N. Mex.	Pittman	Thomas
Cummins	Jones, Wash.	Poindexter	Townsend
Curtis	Kellogg	Robinson	Trammell
Dillingham	Kendrick	Saulsbury	Wadsworth
Fall	Kenyon	Shafroth	Walsh
Fernald	Kirby	Sheppard	Watson
France	Lodge	Sherman	Wilfley
Frelinghuysen	McCumber	Shields	Wolcott
Gerry	McKellar	Simmons	
Gore	McNary	Smith, Ariz.	
Guion	Martin	Smith, Ga.	

Mr. GERRY. I wish to announce that the junior Senator from Kentucky [Mr. BECKHAM], the Senator from Oklahoma [Mr. OWEN], and the Senator from Mississippi [Mr. VARDAMAN] are detained on official business.

The PRESIDENT pro tempore. Sixty-five Senators have answered to their names. There is a quorum of the Senate present.

Mr. CHAMBERLAIN. Mr. President, in the short address I delivered the other day in speaking of sending the young men of the country over to Europe and brigading them with our allies I made this statement:

> We sent them over so slowly at first—and I am not criticizing anybody for it, but I am just calling attention to the fact—that we did not have units large enough to have them fight under our own officers and our own flag, but we brigaded them with our allies.
>
> It was like associating the living with the dead, this taking of these young men, with all the life and enthusiasm that America can give, and brigading them with men who had been fighting for four long, tedious years. They could not, in the very nature of the case, have had that vigor and enthusiasm which they would have had if they had been permitted to fight under American officers and under the American flag.

My attention has just been called to an editorial in the New York Times of this morning criticizing that statement. I infer from the article that the writer of it thought I intended by that statement to convey the idea that the allies were either not doing their part of the fighting or were not in condition to fight. I did not mean any such thing as that.

Mr. President, no man who knows the history of this war and the indomitable courage our allies have displayed, and are displaying, and the magnificent fight they have made for four long years, and are making at this very moment, could have found it in his heart to suggest such an idea. I am sure those who heard me did not get that impression, nor will those who will take the trouble to read my address. If others did, I am sorry, indeed, that my language was so unguarded as to convey such an idea, and I am taking advantage of this first opportunity to correct it. It was my purpose to suggest that it was, in my opinion, not wise to brigade the fresh soldiers from America with the war-worn veterans of our allies. That was all I intended to say. I only meant to draw a parallel between the active, vigorous men in the prime of life who had not done any fighting of any kind and eager to get into the fray being associated with the weary and worn soldiers of our allies who had been engaged in bitter struggle for four long years. I did

not intend to challenge, nor can any man, friend or foe, challenge the courage, the patriotism, and fighting qualities of our allies. I do think, individually and collectively, that the units of our Army ought to be commanded by American officers and under our own flag, subject, of course, to the supreme command which, in my opinion, has been wisely established with that distinguished and gallant French soldier and strategist, Gen. Foch, at the head.

Mr. McCUMBER. Mr. President, I have been wanting to ask a Member of the Committee on Military Affairs or a Member of the Committee on Naval Affairs a little question, the answer to which might enlighten the country to a considerable extent.

We have heard on the Senate floor very often from members of the committee and from other Members the wonderful achievements of our Navy and what we have built it up to be. No one doubts the ability of our commanders of ships to accomplish good results if you give them the opportunity. But I can not help calling the attention of the Senate and of the country to the fact that a single submarine appears in our waters, captures a little trawler, puts 16 German sailors on board that trawler, puts a small gun or two on that trawler, and for more than a week has been destroying fleet after fleet of our fishing smacks. Where is there an end? Where are these swift U-boat chasers that we have been hearing about? Who is responsible for the fact that an American fishing trawler has been captured by a U-boat and converted into a man-of-war in our very harbors, and is traveling up and down the Atlantic coast without being molested in the slightest degree?

My information is that the speed of a trawler is about 8 to 12 knots per hour. It can not go under the water and hide itself. It is where it can easily be found. We can excuse our failure to capture the U-boat, because we can not find it, we can not see it, it does its work in the dark and under the sea, but here is a slow-moving trawler that is taking whole fleets of fishing vessels off the ocean under our very eyes.

I wish some member of the Committee on Naval Affairs, the committee who have been telling us about the wonderful efficiency of our Navy, would enlighten us and explain to us why such a thing is possible. I think the people ought to know why it is. Of course, we know a great portion of our Navy is out at sea, but why are we unable with this mighty Navy to capture a trawler whose speed is 10 knots per hour?

Mr. PENROSE. Mr. President, I think, as a minority member of the Naval Committee, I can in part answer the Senator's inquiry. It is easily demonstrated that the Secretary of the Navy lost at least three months, and very likely much more time, before he got started on his naval preparedness. This fleet of destroyers, which ought to have been gotten ready long before they were, are now being built, and very few of them have been turned out.

In my opinion, this is due very largely to the procrastination of the Secretary of the Navy, who for some reason or other was unable to reach conclusions or decisions about the matters submitted to him. At least 150 days elapsed before even many of the preliminary contracts were awarded.

Some people in close touch with the department, assuming that the war has been costing this country and the allies some $100,000,000 a day, estimate that some $15,000,000,000 or more have been expended merely to maintain a situation until the Navy Department could come to some conclusion, not to mention the losses in deaths and casualties on the different fronts.

Mr. CHAMBERLAIN. May I interrupt the Senator?

Mr. PENROSE. Yes, sir.

Mr. CHAMBERLAIN. Does not the Senator think it would be entirely proper to call attention to the fact that the Navy of the United States has done magnificent work in convoying the ships that bore over a million and a half of our young men to Europe, and convoyed the ships that have taken cargoes over and convoyed them on the return voyage? I do not know much about the Navy, I am frank to say, but I know the Navy has done most excellent work.

Mr. McCUMBER. Will the Senator allow me to ask, Have we not one little warship on the Atlantic coast that can do battle with this trawler?

Mr. CHAMBERLAIN. The Senator puts that question to me?

Mr. McCUMBER. Yes.

Mr. CHAMBERLAIN. It may be that when the German submarine commenced its operations here we might not have had any ships along this coast, because it is straining the resources of the Government to take our troops safely to Europe.

Mr. McCUMBER. I can take the Senator down the coast and show him a dozen warships on our coast.

Mr. CHAMBERLAIN. I am not particularly well advised about the Navy. It does not come under our jurisdiction; and the good Lord knows it takes all one's time to try to help out the military situation, but I think they ought to be given credit for the splendid work they have done in getting our men across without the loss of a single troopship.

Mr. McCUMBER. What has that to do in the matter of allowing a trawler here that has been captured and can not go over 10 to 12 knots per hour to destroy our fishing fleets all along the Atlantic coast?

Mr. PENROSE. Mr. President, while I am on my feet, since the chairman of the committee has raised the point, my information is that the troops have been carried largely in British vessels.

Mr. CHAMBERLAIN. I am speaking only of convoys.

Mr. PENROSE. The convoys have been very largely, though not entirely, British vessels.

I saw in the paper the other day, I do not know in any way how accurate it is, that the American vessels in the Atlantic waters are a very small percentage of the total allied fleet.

I want to take this opportunity, Mr. President, to address an inquiry to the chairman, because he is present, as he generally is. Many of us were called upon a few weeks ago to vote against what is known as the Fall amendment and other amendments looking toward the enlargement of the draft ages.

Within a very few weeks after we had thus voted in the negative on the supposed request of the War Department that such legislation was not necessary we were called here unexpectedly and at great inconvenience to meet a complete change of front on the part of the Secretary of War, and encountered a situation in which the Secretary and his military advisers seemed to recommend the very proposition that we were asked to vote against. I do not know whether the inquiry has been addressed to the Senator in the Senate or not—I have not been present all the time during this debate—but I should like to ask him whether he has any information, in the hearings of the Secretary of War or in any other way, which would explain this complete change of front on the part of the department?

Mr. CHAMBERLAIN. Mr. President, I do not know that there is any other explanation for it than that which the Secretary of War has given, either in the form of interviews with the members of the committee or possibly in the testimony, that they concluded to enlarge the military program, and that enlargement takes over more men per month than they had been taking in the past. In order to do that this legislation became more imperative than was expected to get men into service and of the draft.

Now, I was in sympathy with the Fall amendment and so stated on the floor of the Senate. I thought myself we ought to have passed it; but I yielded my judgment, as I stated to a number of Senators, at the request of the Secretary of War and the Chief of Staff.

Mr. PENROSE. With all due respect to the chairman of the committee, I do not consider that the so-called explanation of the Secretary of War is anything but an evasion.

Mr. CHAMBERLAIN. Probably.

Mr. PENROSE. The Senator seems to agree with me. I sympathize with the position he faces in being compelled to call us here together in three weeks to meet a complete reversal on the part of the War Department. Certainly on first impression it would imply an absolute failure to comprehend the military requirements, which is almost beyond belief.

I do not often read from newspaper clippings in this body, but this is so pertinent that I simply desire to refer to it. I quote from the Evening Sun, of New York City.

Mr. BRANDEGEE. What date?

Mr. PENROSE. Under date of August 17.

The article says:

It is well known that some months ago several Members of Congress, including Senator FRANCE, of Maryland, suggested the necessity of a large army, an army larger than could be raised by the 21-to-31-years draft law, and they introduced various bills and amendments to raise draft ages. Because their proposals were not sponsored by the administration it was to be expected that they would get little support. To their surprise, however, not only were their proposals not approved but they were actually declared to be repugnant to the War Department, which asserted there was no necessity of raising the draft ages.

It is now a matter of record that the War Department has seen the necessity for the draft-age increase that was urged by these Members many weeks ago. They are wondering what change could have taken place as to make a suggestion which was so repugnant to the authorities when it was made so much a necessity to-day that it must be passed into law with all speed.

BAKER OPPOSED DEPOSITIONS.

The answer lies, of course, in the fact that the War Department does not care to have Congress suggest legislation. This has been the course pursued for more than a year. In some cases, at least, it has resulted in delay in making efficient various branches of the Government. It is

well known that Secretary Baker strongly opposed the suggested deposition of Gens. Sharpe and Crozier from the positions of Quartermaster General and of Chief of Ordnance, respectively, when made by the Military Committee of the Senate. It is equally well known that he deposed them himself after having apologized for and defended the work they did.

Suggestions for one-man control of the aircraft situation were strongly opposed by the administration for some time. When the agitation for the change died down because of administration opposition, the administration suddenly made the suggested change.

William Howard Taft has advocated for months an army of 5,000,000 men to defeat the Hun. Theodore Roosevelt strongly urged an army of something like that size. Yet it is only within the last few days that steps have been taken to raise such an army.

Universal military training has been openly denounced by Secretary of War Baker, and the administration has frowned on the attempts of Senators CHAMBERLAIN of Oregon, NEW of Indiana, and others to put such a principle in effect. Yet it now appears that something closely akin to universal training is to be put in effect through the new draft bill, although it will not bear the name of universal training.

A PUZZLING POLICY.

Just why the administration assumes the attitude of opposing everything suggested from the outside, whether good or bad, and accepts those ideas later, is somewhat of a puzzle to the Members of Congress. They admit it is better for the War Department to accept the good ideas late than not at all, but they do not understand why the ideas do not receive thorough consideration at the time they are presented.

Politics, personal vanity and glory, changing military conditions, and just plain inability to foresee conditions of the future all probably have had their part in this attitude of the War Department. The developments on the man-power bill, in which the War Department changed its attitude completely in the course of a very short time, have probably done more than any other one thing to convince Members that a militarist and not a pacifist ought to be Secretary of War.

Mr. HITCHCOCK. Mr. President, will the Senator from Pennsylvania permit an interruption at that point?

Mr. PENROSE. Yes.

Mr. HITCHCOCK. I think the editorial which the Senator is reading does a gross injustice to the War Department. The testimony of the Secretary of War and of Gen. March before the Military Committee at the time the general military appropriation bill was under consideration and the statements of Senators here upon the floor of the Senate, including statements which I myself made, utterly disprove the suggestion that the War Department has changed its opinion as to increasing and lowering the draft ages and the enlargement of the Army.

What Gen. March and Secretary Baker said before the committee was that they did not approve the idea of engrafting upon the appropriation bill a hasty and necessarily ill-considered change in the draft law. What they asked was, and what we upon the floor of the Senate stated that they asked was, that the matter be postponed until August or September, when there would be ample time to take up this important question and to decide it in an intelligent way. They went on to say that the matter was under investigation by the War Department at that time; that the American authorities were in consultation with the international authorities, with those nations with which we are associated in the war, and that until they arrived at a definite understanding with those nations they did not think it advisable to propose a definite increase in the man power. Now, the lapse of time has occurred; those studies have been finished; the Senate's recess has come to an end; and the international authorities, including the United States, Great Britain, and France, have agreed upon what man power the United States shall put into the field. Thereupon the War Department comes forward with its proposal.

That is no change of mind; we are doing exactly what we expected to do; the delay has been exactly what the War Department suggested it should be. Many Senators who at that time approved the idea of increasing the man power agreed with the War Department that it would be better to leave it until this time and that no delay or any damage would thereby occur. Those are the facts; and the editorial is a misrepresentation, as I conceive it.

Mr. PENROSE. The department might even have left it until the international situation was fully confirmed by the return of the junior Senator from Illinois [Mr. LEWIS].

Mr. FLETCHER. Mr. President, may I add also to the statement of the Senator from Nebraska [Mr. HITCHCOCK] that there has been no loss of men by reason of this postponement of definite action? The men have been going over; they have been training, and the supply has not been diminished in any way under the present law.

Mr. THOMAS. Mr. President, will the Senator from Nebraska yield to me for a moment?

Mr. HITCHCOCK. I have said all that I care to say.

Mr. PENROSE. The Senator from Nebraska has said all he possibly could say on that point, it seems to me.

Mr. THOMAS. I think the Senator has said enough and said it well. The Senator from Pennsylvania, however, made reference to the junior Senator from Illinois [Mr. LEWIS]. I think, Mr. President, that the assumption that the Senator from Illinois is the alleged representative of the Government of the United States is gratuitous and unauthorized. I give this assurance advisedly.

Mr. PENROSE. Well, Mr. President, I can hardly believe that the statement of the Senator from Colorado is well founded. The junior Senator from Illinois, in a recent interview, stated that the President of the United States knew where he was [laughter], and any individual who is important enough to focus the attention of the President on his local habitation for the time being is of more than minor importance, in my opinion. [Laughter.]

The PRESIDENT pro tempore. The Chair, of course, will be unable to preserve order in the galleries unless Senators preserve it on the floor.

Mr. THOMAS. I think, in view of the cablegram recently received from France, that everybody knows where the junior Senator from Illinois is. [Laughter.]

Mr. PENROSE. Including the President.

Mr. President, the chairman of the Committee on Military Affairs rather confesses that the Secretary of War has made no solid explanation of this matter; and it does not seem to me that the explanation of the Senator from Nebraska [Mr. HITCHCOCK] is satisfying to a serious-minded person. It is difficult to understand why a conviction as to the size of our Army was not entertained three weeks ago when thousands of men were being killed every day and our armies were threatened with retreat and disaster and why some mysterious international round-up had to be made before the War Department knew whether or not we needed two or three million more men one way or the other.

That may satisfy the War Department, but it will certainly not satisfy the great mass of the American people. That Secretary Baker did not know we needed an Army of 4,000,000 men until two weeks ago is too ridiculous a statement to pass muster without a challenge.

I am more disposed to think that they did not dream that they could get the troops over so speedily as they have done, or that the fatal defect of procrastination prevailed, which I have observed in many of the departments, and even in this body, as, for instance, when the majority failed to have a quorum the other day for the consideration of this measure, or that element of personal vanity which insists that suggestions must emanate from the department. But what makes it embarrassing, Mr. President, to Senators like myself—and there are many who think on this point as I do—who want to support the administration, is that, at the request of the War Department, I voted against the Fall amendment and other amendments proposing to extend the draft ages and enlarge the Army. Now, however, within three weeks, I am called upon to reverse myself and vote for the pending bill, which enlarges the draft, including the provision lowering the draft age to 18, and other features. I intend to vote for it, but I intend to be more cautious in the future, Mr. President, how I listen to the passing requests of the War Department, with a view of not being placed again in the position of having, in a period of three weeks, to reverse my vote in a matter of the magnitude involved in the question whether the Army shall be 4,000,000 men or one and a half million men.

Mr. JONES of New Mexico. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Pennsylvania yield to the Senator from New Mexico?

Mr. PENROSE. I yield.

Mr. JONES of New Mexico. I should like to inquire of the Senator from Pennsylvania if he voted against increasing the draft ages through any understanding or conviction communicated from the War Department or any other source that it would not be necessary in the future, and in the near future, to enlarge the draft ages?

Mr. PENROSE. Mr. President, my own belief was that we ought to have adopted the amendments then pending, but having recently voted on several occasions against what I considered to be obnoxious measures of the administration, I thought I would purge my conscience by voting with the administration, and therefore I voted against the amendments referred to.

Mr. JONES of New Mexico. I understand, then, from the Senator from Pennsylvania, that he waived his individual convictions in order to vote with the administration, and as a result of that he now feels that he has stultified himself.

Mr. PENROSE. Yes; and I confess my stultification in one case, whereas the Senator and his Democratic colleagues, having always trailed along behind the administration, have stultified themselves frequently.

Mr. BORAH. Mr. President, we all have a very high regard for the Military Affairs Committee of the Senate. The members

of that committee have had, during the time in which we have been engaged in war, a very difficult task to perform, at times a very delicate task, and I think every Member of the Senate hesitates to disagree with any part of a program outlined by that committee. But, after the best thought which I have been able to bring to the subject and a consideration which I have given to few subjects since the war began, I am unable to agree with a portion of this program. I feel that that disagreement is based upon such facts and conditions that I may justly ask the indulgence of the Senate for a short time while I state the grounds of disagreement.

Mr. President, when the case is made out and the necessity shown I shall vote to send the boys of 18 and 19 into military service. I shall dislike to do so at any time or under any consideration, but I am sure that I shall not hesitate when I feel the necessity has arisen. But in so grave a matter, involving as it does as serious a step as a legislator can be called upon to take, I want to feel clear in my own mind. I want the facts which will show that it is the only wise thing to do.

Our boys are the reserve force of our national life. Upon them we must depend for the future success and progress of our country physically, economically, and morally. As a matter of foresight and looking to the future as well as considering the immediate present, I do not want to draw on that reserve force until imperative necessity compels me to do so. It is the wise general who holds his reserves until the crisis commands them to be brought forth. It is the part of ordinary statesmanship not to deplete the reserves upon which we must depend for the great strain of the future until it seems there is no other alternative. The war must be won and won as quickly as possible. But we should not waste the boyhood or deal extravagantly with the future stay and support of the country. There will come a time after the war when we will appreciate having been most careful in the use of our young boys. If this fiendish plan to destroy free government requires the sacrifice we will make it, but I want to be satisfied that the occasion has arisen and can not with wisdom be postponed. I can not accept the unsupported opinion of any man upon this subject when I am called to vote. I want the facts.

Gen. March says in his testimony before the committee that we desire an army of 4,000,000 men upon the western front by next June. I am very glad to say that as a layman, although it adds nothing to the value of the opinion given by Gen. March, I am heartily in accord with that part of the program. I want to see 4,000,000 men upon the western front by June 1, and if the Government, or those in charge of the military affairs of the Government, feel in the meantime that it is necessary to have more, I shall follow their judgment in regard to that.

Some suggestions have been made that our Army should even be larger than 4,000,000 men. I take it that Gen. March and those with whom he is associated have in all probability raised the Army to as large a number as they feel it is possible to get to the western front; that they have called for as many men as it is possible to transport and to maintain when they are there. It is altogether probable that if we had a greater capacity for transporting and for maintaining them Gen. March and his associates would call for even a larger army; but I am perfectly willing in that respect to follow his judgment, whatever my judgment as a layman might be, as to the necessity of even a larger army.

Gen. March has also stated in his testimony that, in his opinion, even an army of 2,000,000 Americans could do almost anything in Europe, and that an army of 4,000,000 will walk through the German lines. I recognize that that is in all probability not only his judgment but the judgment of the able associates who surround him, his counselors and advisers, and probably the judgment of those on the other side. It is encouraging and inspiring to know that by putting 4,000,000 Americans in Europe by next June we can end the war. I do not offer any opinion on that, but I accept it as coming from those who are in charge of military affairs and console myself with the hope. I shall be happy if it transpires that after having placed these men there we shall succeed as is anticipated.

So, Mr. President, I do not want to say or do anything which will in the slightest manner hinder our having this number of men in Europe at that time. If I felt that we could not raise them otherwise than by summoning the boys of 18, so anxious am I to see a victory, and a speedy victory, and so willing am I to accept as to those particular matters the judgment of those in charge of the military affairs of the Nation, that I would vote for this bill as it stands. But, as I view the bill, the hearings disclose beyond mistake that there is not yet a necessity for calling the boys of 18 or even 19. If I am in error as to that I shall be glad to change my position when that error is shown, but if I could eliminate the deductions of Gen. March and Gen. Crowder I would be perfectly willing to submit their figures as a complete brief for the position which I shall take to-day. I feel that as a legislator I am just as much under obligations to draw deductions, and perhaps, with reference to this particular matter, under quite as great obligations to express my opinion, as those in charge of the military affairs. As was said yesterday by the able Senator from Ohio [Mr. POMERENE], there comes a time in this program when we as legislators are responsible. We can not shift the burden. If these boys are conscripted we alone are responsible. We are answerable as to who shall perform their service to the country and who shall be exempt; and we can not avoid that responsibility. We take upon ourselves the responsibility of setting aside these millions of men, if they are to be set aside, while the boys go to the front. We can not, in aftertime, place that responsibility either upon Gen. March or upon Gen. Crowder.

Mr. President, what has England done in regard to this matter? Her precedent and her example, it seems to me, are worth something as an illustration and something as an incentive and an inspiration to the American people at this time. England—sturdy, self-poised, far visioned and clear visioned, never discouraged or disconcerted by adversity—has been very careful up to this hour to preserve the youth of her country, upon whom the prestige and the future greatness of her country is to depend. Let us view the actions of that great nation and see whether or not we have reached a time when we must, in haste and inadvertence, call upon those who are boys but who must soon take over the burdens of government.

England has a population of from forty-seven to forty-eight million people. We have a population of 105,000,000 to 108,000,000 people. England put into her army, by voluntary enlistment alone, 4,000,000 people. She has raised up to this time six and a quarter million of people for the army. If we should raise the same number in proportion to our population, according to the statement of Lloyd-George in his great speech of August 7, we would have 15,000,000 men in arms. Before England put a single youth of the age of 18 upon the battle line, she, with a population of 47,000,000 or 48,000,000 people, had raised six and a quarter million men and put them in arms. And under what circumstances did she put the boys of 18 and 19 in battle? It was during the great drive which began upon the 21st of March. After Germany had had released from the eastern front her soldiers and concentrated them upon the western front and began her drive, upon the result of which depended the civilization of the world, you remember that it continued for weeks and weeks, and that every morning we arose to look at our papers with trembling lest they had broken through and gone into Paris and to the ports of France. Lloyd-George, in his speech, described the condition of affairs—the enemy knocking at the door—and said only under such circumstances could they have been justified in calling their boys of 18 and 19 into service.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER (Mr. POMERENE in the chair). Does the Senator from Idaho yield to the Senator from Colorado?

Mr. BORAH. I yield.

Mr. THOMAS. May I ask the Senator what the age limit for volunteering in England was during this period?

Mr. BORAH. I do not know what the age limit for volunteering is. My understanding is that it was 19, but I can not say positively.

Mr. THOMAS. Does the Senator know whether the volunteer army of Great Britain did or did not comprise boys of 18, 19, and 20?

Mr. BORAH. I know it is reported not to comprise boys of 18; I can not say, of course, with absolute certainty. But I judge from Lloyd-George's speech that they had never before been put in to fight. Speaking of the proposition of putting upon the battle front these boys of 18 and 19 and 20 under these perilous conditions, Lloyd-George says:

> We took a step which only the emergency could have justified; that is, the sending of lads of 18 and 20 * * * into the line.

After a nation of forty-seven or forty-eight million inhabitants had raised an army of six and a quarter million, they felt constrained, under those supreme conditions, to send the boys of 18 and 20 to the battle front. Have we, as a people, reached or neared that condition of affairs? Have we raised anywhere near from those over 21 the number England raised before she called on the boys?

Italy, engaged in the war for over three years, has refused to reduce her age limit below that of 19. France, brave, dauntless France, carrying the brunt of the fight for three years, has not gone below that of 19 yet. We, with an army of 1,700,000 over there and another going of 1,300,000, and 2,000,000 more to raise, an army of four to five millions, and 110,000,000 population, pro-

pose to call upon the boy of 18 to go and fight the battles of this country! Is it really true that we can not raise these 2,000,000 from our vast man power over 21?

Mr. President, the proposition has been put out that these boys will be called for training, and be trained for a length of time, and when they have been matured or have neared the age of majority they will be called into the service. If this were a matter of training these boys for service after they had reached the age of majority, of course we would not object, because I can realize that the time may come in this contest when we will necessarily have to call them; but that is not this program. Every one of these boys of 18, 19, and 20 is supposed to be upon the fighting line in Europe on the 30th day of next June. The boy of 18 and 6 months will be there; the boy of 19 and 6 months will be there; the boy of 20 and 6 months will be there, with six months' training, and no more. This is not a question of universal military training, such as was suggested in the report of Secretary Knox, read by the able Senator from Oregon [Mr. CHAMBERLAIN] a few days ago. This is a question of calling men for service just as soon as they can be trained and fitted for service. This is calling to fight with a hurried training. It is expected to have this Army ready for fighting as soon as possible. Gen. March was very frank about this, as is characteristic of both March and Crowder. So, we can not be misled nor need we be confused by mixing this subject with that of universal military training.

Now, Mr. President, let us look at these figures for a minute and see the story they tell.

First, bear in mind that we have 6,000,000 men in classes 2, 3, and 4 under the present draft law set aside, exempt. Then we have a figure given us by Gen. Crowder of 10,028,973 between the ages of 32 and 45. You have there 16,028,973 men, including those of classes 2, 3, and 4 under the present law, from which to draw an army of 2,000,000 men—for that is what we propose to raise—men matured, men under equally great or greater obligation to serve, men millions of whom are fit to serve. Sir, what I am really arguing for here is reclassification. It all comes to that. Shall we take the boy of 18 rather than reclassify?

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER (Mr. WOLCOTT in the chair). Does the Senator from Idaho yield to the Senator from Ohio?

Mr. BORAH. In just a minute. Is it claimed, Mr. President, and if so, upon what is the claim based, that we can not get an army of 2,000,000 out of sixteen to seventeen million men? It is so claimed because they refuse to reclassify.

I now yield to the Senator from Ohio.

Mr. POMERENE. I desire, in connection with the Senator's argument, to call attention to this phraseology in the pending bill on page 2, line 6:

Provided, That the President may draft such persons liable to military service in such sequence of ages and at such time or times as he may prescribe.

Under this language it would be possible to call to the colors and place in the battle line all the boys of 18 before any of those of a higher age were called.

Mr. BORAH. It is evident from the testimony that Gen. March is in favor of that proposition, because he says they make better soldiers.

Now, let us see what we do with these 16,000,000 men.

The total number of males in the United States who are 32 to 45 is given as 10,028,973.

Deduct arbitrarily 7,734,482 men married.

Deduct 902,607 deferred for other reasons.

Total deducted, 8,367,089 men.

Subtract 8,367,089 from 10,028,973 and it leaves 1,391,884 men. Then deduct again, for estimated physical unfitness, 435,378, which leaves a total number of effective men between 32 and 45 of 601,236 out of 10,028,973. In order to reach the boy of 18, you deduct every man except 601,236. Upon what theory? We will come to that in a few moments.

Now, let us see the other figures as to the boys under age.

Total number of males from 18 to 21, 3,171,671.

Deduct married, 158,185.

Deduct for other reasons, 114,179, giving a total of 272,354.

Subtract 272,354 from 3,171,671, which leaves 2,899,317.

Deduct for physical unfitness, enlistments, aliens, and so forth, 1,101,708, which leaves a total number of effective serving men under the age of 21 of 1,797,609.

We propose to raise under this bill an army of 2,000,000 men, and out of that army we propose to raise 1,797,000 from boys under age. We take people to the number of 10,028,000 between 32 and 45 and from them raise 600,000 men. We take the boys then under age and raise from them 1,797,000.

Now, friends, do not forget that in the Army to-day there are nearly a million men under age fighting in France. Add to that the 1,797,000, and this great war—a war for civilization and liberty—is being fought by the boys of the country, by those under the age of majority. I believe, sir, that there are 2,000,000 men both fit and willing out of this 6,000,000 deferred under the present law and the 10,028,000 between 32 and 45. I am sure they are fit and I am equally sure they are willing to go.

My friends, do you think it is necessary, in order to raise 2,000,000 men, to take these boys? Do not forget the fact that when the first conscription bill came into this body, when we only proposed to raise a few hundred thousand men, they then started at 19 years of age. It was then proposed to take boys of 19 and 20 in order to raise 500,000 or 1,000,000 men from a population of 108,000,000 people; and now, in order to make it a certainty, they arbitrarily relieve from service 741,000 men—arbitrarily.

What is the reason given for calling these boys? The first reason is said to be that we do not want to invade classes 2, 3, and 4. Why do we not want to invade classes 2, 3, and 4? Are there no men in classes 2, 3, and 4 so situated that they can be called upon to serve their country? But the statement is made that if we invade classes 2, 3, and 4 it will interfere with the social and industrial life of the Nation, and that it is necessary to set aside this large number from the 10,000,000 men in order to preserve the social and industrial poise and efficiency of the country. It is strikingly strange to me, Mr. President, that the boy who is able to carry the accouterments of war, to handle the death-dealing, hellish instruments of destruction, to go to the battle line and bear a man's part, is not considered capable of discharging the ordinary duties in the industrial conditions of the country.

Why is it that the man of 31 or 32 is more necessary unless we assume that the boy is unfit to perform his duties and to do service in the industrial world? If he is indeed immature and undisciplined for that kind of work, shall we send him for a more strenuous and a more burdensome task, and that is fighting the battles of his country? Give him an equal chance. Let him have his proportion of the home industrial work. Let him be dealt with fairly and equally and proportionately to the others, and you will not have to reach the age of 18 at all.

I read in a newspaper editorial two days ago:

If men were called to the Army without any consideration of their dependents, the result would be a tremendous increase in the number of persons who are charges upon the public. Suffering would increase, charities would multiply, and eleemosynary institutions would be overcrowded. It is to avoid this condition that the selections are made with due regard for the dependents.

That does not dispose of the proposition that there are hundreds of thousands of people in this country who are not indispensable at all to the industries of the country and who have no dependents in any true sense of the word who could be called without interfering at all with our social and industrial conditions.

I have had a gentleman who I believe capable estimate the number of men engaged in nonessential industries in this country, and he tells me that there are over 2,000,000 men over the age of 21 and under the age of 45 engaged in nonessential industries in the country in no wise necessary for the running of the war who could respond to this call.

Shall we permit these unessential things to go forward, a mere coining of dollars and cents out of the war? Shall we continue to be married to the material side of this question and overlook entirely the value to a country of an educated and sound youth? Would we prefer to close the schools and colleges to closing these nonessential industries?

We are not yet stripped for war. When we are, these unessential industries which call for so many who are fit to serve in the war should be closed before we call upon those of 18 and 19 to take up arms.

But is not the boy of 18 or 19 a part of our industries? Is there any more vital employment than that which the boys of 18, 19, and 20 are doing throughout all the Middle West and the West? The only farm help that you have got in the Middle West and the West upon which you can rely is the boy of 17, 18, 19, and 20. The only man upon whom you can rely throughout the season and who remains with you is the boy who has been reared upon the farm and is a part of it. The itinerant workman comes and goes; he is utterly unreliable. If he has reached the age of 21 to 35, he leaves and goes into more lucrative industries where he can get a higher wage. He has departed, but the boy of 17, 18, 19, and 20 remains and is essential and indispensable to the raising of the vast crops which it is necessary to have in order to feed those who are in Europe. A

man of wide experience and wide acquaintance wrote me a few days ago:

Our boys are now the support of the farm. We have no other reliable help. Already the draft law has crippled us throughout the Middle West. Now, if the boys of 18, 19, and 20 go, we know not where to look for help.

Are not those boys essential to a most vital industry? Can you say that you are not interfering with vital industries?

And as to interfering with the social life of the Nation, could a greater blow be given to our national life than to close our schools and colleges, to deprive our young fellows of education, and send them out to be maimed and killed? It is quite as vital to the social life of the Nation as that of husband and wife where they have ample means to take care of the wife.

A few days ago in one of the little towns in a Western State, even under the call of the present draft law, after the call had been made, three farmers came into town, turned their crops and their utensils over to the bank, and said, "Our boys are gone. If you can get anything out of this, take charge of it."

You can not claim, Senators, that the boy of 18, 19, and 20 has not his place in the social and industrial world. He is just as essential to the work as the man from 21 to 45, with the exception of a few men who are overseers or in charge of business, and there is a very small percentage of those.

There is not a Senator in this Chamber but can think over and in his mind count instance after instance of a man under the present draft law from 21 to 31 who was exempted simply because he was married. His wife may be perfectly capable of taking care of herself, they may be perfectly independent and have ample means, and yet by reason of the fact that he is married or probably has a child he is exempted from the service.

Mr. President, it is no purpose of mine to criticize the able men at the head of our Military Establishment. In common with the people of this country, I respect the great ability and patriotism of the Secretary of War, Gen. March and Gen. Crowder, and their associates and advisers. They are rendering great and distinguished service to their country. I have long hesitated before expressing any views out of line with their program. But looking at our national life steadily and as a whole, and especially in times like these, one comes inevitably to entertain some very firm convictions. We are not permitted to look alone to the days that are passing, but we are to consider also the days that are coming, when the strain will be equal almost to the strains and burdens of the war. And viewing the situation as a whole, the exigencies of the present and the undoubted demands of the future, I confess I want to be economical in the flesh and blood of the youth of our land. I want to conserve, in so far as it is wise and safe under present conditions to do so, the brain and the possibilities of those who must soon assume the task of rehabilitating a tax-ridden, debt-burdened, and war-torn Republic.

Of course, you will say to me in answer that we will have no Republic to rehabilitate if we do not send these boys to fight back and destroy its enemies. When I am satisfied of that I will vote to send them. But in order to show that it is necessary to send them now you eliminate from military service hundreds of thousands whose duty it is to take up this burden. My contention is not that the boys of 18 and 19 should not go, but that they should not go until those who are under equal or greater obligations shall have been called.

When that has been done, if the necessity still exists, they should go. Yes; we will throw the boys of our homes into the pawn before we will submit to anything else than victory. But as a wise and prudent and humane people, we will not do this until the matured men fit and capable have fully met their country's call.

Remember, Senators, no sacrifice for country is equal to that which the boy makes before he has been fitted for the battle of life. He is too young to vote. He is too young to command. The lads, it seems, are only fitted for frightful sacrifices. Whatever else happens, you know he will go into the trenches. His position, therefore, is not only the most circumscribed, but his obligation is the most exacting. He not only offers his young life, health, and limb, but he forfeits all opportunities for that preparation which in this day and age of the world is so essential to success. If he is so fortunate as to return from the war, he will return to civil life handicapped, his education interrupted, his plans broken, and all his life dreams changed. The boy not only offers his life on the battle field, but is also hazarding to a greater extent than anyone else success in life after the war. I beg to say again that it seems to me the case is not made out for this program; the facts and figures do not sustain the demand; reason and justice do not seem to me to support this provision of the bill.

I am willing to agree with those who say we must not let sentiment stand in the way of victory. I especially agree with those who call for complete victory. I am even willing, for the sake of the argument, to agree with you all when you say that war tramples under foot all ties of kin and blood, all bonds of human sympathy; that it turns a deaf ear to the voice of humanity and silences the plea of the mother. But I can not agree to that arbitrary program which places the burden of this war upon those who are yet in their minority but who, it seems, must fight their country's battles and then come home and pay its debts. I will not agree that war wipes out justice and equality of burdens among our own people. I can not agree that we should draw first and heaviest and disproportionately from the only guaranty that we have for the future—the brain and soul, the flesh and blood of the youth of our country.

Senators, remember when you vote to conscript these boys of 18 and 19 we are proposing to raise an army of only 4,000,000 men. According to the able Senator from Missouri [Mr. REED], nearly a million of those upon the front are now under age. According to these figures, we are going to put nearly 2,000,000 more in the Army who are under age, and this Nation, with a population of 108,000,000 people, will have 4,000,000 men on the battle front, and nearly 3,000,000 of them will be boys under age. Is it fair? Is it just? Is it manly? Is it noble? Is it in harmony with the supreme and sublime task before us? Have we as a people risen to the ordeal of the hour? Is this in accordance with the conscience and honor and manhood of a great people?

Mr. NELSON. Mr. President, it was not my purpose to enter into this debate, but after listening to some of the remarks that I have heard on this floor I can not help but give my views on the question before the Senate.

I want to say first of all that I have had no trouble about this war from the very beginning. As soon as the great war broke out in Europe it was evident to me that it would ultimately be our war as much as the war of those countries in Europe. It was evident to me that if Germany should succeed in vanquishing France and England and obtain complete control of the Continent in Europe there would be no place in the sun for America; that we would be the next victims of German aggression. So from the very beginning my heart has been in favor of this war. At the earlier stages of it we met all kinds of objection in one form or another, some sugar-coated, others not, but we finally got to a sound military basis.

Now, I do not refer to anybody in this Chamber, but the men who claim to be spokesmen for the boys of 18 and 19 and 20 hardly realize what they are talking about. Those boys are the most patriotic among all our people. If we were to-day to raise a volunteer army instead of resorting to the draft, it would be the boys of 17, 18, and 19 who would fill our ranks.

More than that, Mr. President, those boys are not as a rule grumbling. It comes from some of their uncles, aunts, and other relatives. The boys themselves are anxious to go, and in my opinion, and in the opinion of all military men who have had any experience about it, boys 18, 19, and 20 make the very best soldiers we can possibly get. Take a man after he is over 30 years. He has not got the physical tenacity, he can not stand the stress and strain of marching, watching, and fighting as they have to do in these modern times. He becomes sick and goes to the hospital. To send a lot of these superannuated men, as I call men over 30, to Europe and put them in the fighting line would be simply having that many to carry back in the course of a year.

There is another thing I want to disabuse Senators about. They think these young men who go into the Army will come back ruined; that they will enter our body politic a depraved and inferior class, because they have been in the Army.

Mr. President, in my opinion the best education a young man of 18 or 19 can have is to have a postgraduate course of one year at least in the Army of the United States. It takes the conceit out of him, makes a man of him, and enables him to enter upon the vicissitudes of life with energy and perseverance.

Did our old soldiers of the Grand Army of the Republic, or did the Confederate veterans, when they returned to their homes prove a bad element in our body politic? Were they ruined and depraved men? When the Stuarts came into possession of the government after they had overwhelmed Cromwell and his government, they disbanded those old veterans who had fought under the Commonwealth. A good many of the followers of the House of Stuart said that there was great danger to the British people by disbanding those soldiers; that they would be a vicious and dangerous lot in the community. But the historian Macaulay tells us that they were needlessly alarmed. He said that wherever you traveled through any village in

England, if you found an industrious mechanic, a thrifty and prosperous shoemaker, or a well-to-do carpenter and scratched his head you found he would be one of Oliver Cromwell's old soldiers.

Look at the Confederate soldiers. They had a harder time of it than we did when they returned home, but they buckled to their task and did their duty as good citizens in rehabilitating their country. So with our people here, when the boys march back after this war in Europe, whether they were 17 or 18 or 19 years old, they will come back better citizens, more loyal, and with a higher spirit of patriotism than they ever had before. They will never be a menace or a danger to the community, and they will not come back as ruined men.

Mr. FALL. Will the Senator yield to me a moment?

Mr. NELSON. Yes.

Mr. FALL. Who ran this country in every State and the National Government for 34 years after the Civil War? Who filled the Halls of this and the other House?

Mr. NELSON. Mr. President, in the North that service was performed in large part by the old soldiers, and in the South the same rights were accorded to their veterans.

I come now to another matter. The great war is still going on, and we are far from having attained victory. The most critical time of this war, barring the first battle of the Marne, was on the 21st day of March last, when the Germans inaugurated their great offensive. They had had months in which to bring back their divisions from the Russian front; they had eliminated all of the sick and the feeble; they had assembled such an army as they had never before had, and it was all concentrated on the western front. They saw the importance, indeed they felt the necessity of crushing the allies before the American troops in large numbers could arrive on the scene.

What was the result? The allies met with a reverse. The British Fifth Army on the left flank to the north, owing partly to the fact that the Portuguese troops on the extreme left gave way, and partly owing to the fact of being surprised had to retire. Upward of 60,000 prisoners were taken and a large quantity of ammunition and guns was captured. That was the most critical time of the war since the first battle of the Marne.

Mr. President, in this connection I want to call attention to an extract from a speech of Lloyd-George delivered in the House of Commons on the 5th of August last. After describing the utter collapse of the English Fifth Army, and how they were forced to fall back, he said:

> Look what has been done. In February the Americans brought over 48,000 men, I think. In January it was still fewer, and the German general staff, which seems fairly well informed, came to the conclusion that if what was said in the British press of our having no men was true, and they knew what was being brought over in American ships was true, and if what a certain section of the press said about our having no ships was true, then the destruction of the allied army was a certainty.

What did the British do?

> Before the battle was over—

Referring to the battle on March 21—

> in a fortnight's time 268,000 men were thrown across the channel, one of the most remarkable feats of British shipping, and the organization of our British transport and for the war office. In a month's time 355,000 men had been thrown across the channel. A fresh gun had been put back for every gun that was lost, and every deficiency in a machine gun, not merely supplied, but the number increased.

Now, here is what I desire particularly to call to your attention:

> Our losses were great. We took a step which only the emergency could have justified, that is the sending of lads of 18 and 20, who had received five or six months' training, into the line.

Then he proceeds:

> I remember coming at 9 o'clock one dark night from Boulogne after I had been to see the generals. I saw these boys coming up by torchlight from the boat straight to France. No sooner were they there than these lads had to face veteran and victorious troops. No veterans ever fought with greater courage and with greater splendor than these lads to help hurl back these legions that had fought to destroy the British Army. We must all be proud of the boys who so upheld the honor of their British native land and helped to save the cause of the allies from disaster.

There, Mr. President, you have ample proof of the efficiency of soldiers from 18 to 21 years of age. The fact is that they make the best soldiers. They can stand more hard work; they have more energy, more vim; and, what is more, they can really be better spared from home than can any other class of men of whom I know.

Mr. SMITH of Michigan. Mr. President, I should like to ask the Senator from Minnesota, who was a soldier in the Civil War, how old he was when he entered the Army?

Mr. NELSON. I was a little over 18 years of age.

Mr. SMITH of Michigan. And the Senator entered as a private soldier?

Mr. NELSON. Yes, sir; I entered as a private soldier and attained to the high rank of a corporal. [Laughter.]

Mr. SMITH of Michigan. Which rank the Senator from Minnesota greatly dignified.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Florida?

Mr. NELSON. Certainly.

Mr. FLETCHER. I should like to suggest this thought to the Senator, in connection with what he is saying: We are holding responsible for the conduct of the war those who have made a thorough study and investigation of this whole subject. The question therefore arises, Can we deny to them the resources and supplies which they say are necessary to carry out the program decided upon? In connection with what the Senator from Idaho [Mr. BORAH] has said on the subject this morning, I desire to call attention to the hearings on page 72, where the Senator from California [Mr. JOHNSON] propounded this inquiry to the Secretary of War:

> Senator JOHNSON. I find in talking to Members of Congress a decided reluctance to decrease the draft age to 18. I confess to a similar reluctance. I think, however, that those with whom I have talked—and I know this is my personal attitude—are all willing to do it if the military necessities and the exigencies demand and require it. As I understand it, that is the situation?
>
> Secretary BAKER. That is my belief about it.
>
> Senator JOHNSON. So in order to carry out the purposes for which we have entered this war, successfully to prosecute it, this particular measure you deem essential?
>
> Secretary BAKER. I believe that to be the fact. My own judgment about it originally was that 19 should be the minimum, and I came to the 18 minimum only after very thorough study of the situation and with some reluctance, but finally believing it to be necessary to secure the appropriate number of men.

That is the opinion of the Secretary of War on that subject.

Mr. BORAH. Permit me to say that the same kind of testimony, not referring particularly to Mr. Baker, was introduced in support of the first conscription bill, which started with 19 years of age. It was stated that in order to raise the small army that we were then proposing to raise it was necessary to take the 19 and 20 year old boys.

Mr. NELSON. Mr. President, inasmuch as Secretary Baker and other officials have been quoted on this matter, I beg leave to say I have always thought, with due respect to Mr. Baker and some of the other officials of the War Department, that in many respects they were not equal to the situation. It has been a slow process to educate Secretary Baker up to the standard set by this new draft law.

Mr. President, I am for this bill with its age limits for these reasons:

First, because I am in favor of getting the most efficient set of soldiers that we can "over there," so that we shall not have to be carrying an army over and bringing an army of invalids back again.

In the next place, young men at this age are not married; as a rule they have not entered into any business engagement. They are, as might be said, to use an everyday phrase, footloose, and are of the classes of men who can be better spared out of the community than can other men. Take the men of advanced years, from 35 to 45, and you will find that the most of them are engaged in business or in the pursuit of some useful calling where they are needed. Such men are of little use as soldiers. I remember that in the company in which I served the men when they enlisted were nearly all under 20 years of age. We had, however, an Englishman who was the oldest man in the company. We called him "Old Dad," though he was only 35 years of age; he was half the time on the sick list or attending the surgeon's call. He was not an effective soldier at all, although otherwise he was an estimable man.

I sometimes wish, Mr. President, that I could share the feelings of some of those who indulge in this maudlin sentiment, but I fear that my years and my experience, both in the Army and outside, have made me rather callous, so that I can not indulge in hysterics in behalf of the boys of 18, 19, and 20.

Furthermore, I believe the best education these boys can get is that which will be derived from their life and training in the Army. A boy who has attended college or high school, if he goes into the Army, will receive an education and training that he can acquire nowhere else. The Army to-day is a perfect paradise compared with the army in which our soldiers served in the days of the Civil War. Now our soldiers have innumerable advantages and facilities which were then unheard of. They have the comforts and benefits afforded by the Y. M. C. A. and other organizations; they have the Red Cross; they have the service of dentists, and in many other directions are provided for in a manner heretofore unknown. They have movie shows and other entertainment, and they get food and

clothing that we never thought of in the days of the Civil War. Why, Mr. President, the soldiers in the Union Army never had ham and bacon; we received nothing but salt pork in the brine or salt beef in the brine, and hardtack. In those days we were not even able to get "Hoover bread."

We have evidence as to how the boys feel. We provided for an increase of the Marine Corps, that increase to be secured by voluntary enlistment. Under that provision over 13,000 of the number we authorized to be recruited for that corps were made up of boys 18, 19, and 20 years of age who voluntarily enlisted. Look at the magnificent record the Marines made in France at Chateau Thierry. When the Germans had succeeded in compelling the French to retire and were forcing them to the rear that small brigade of Marines hastened to the front, drove the Germans back, and turned the tide of battle, which ultimately led to victory. That was the nearest point to the city of Paris which the Germans reached since the first battle of the Marne.

I wish to say to Senators that few of the boys under 21—and they are our most patriotic citizens—will thank you for trying to exempt them. I venture to say that if the door is left open for volunteers more boys of 18, 19, and 20 will volunteer than of any other class of our citizens.

I am for the prosecution of this war with the greatest efficiency. What we need is an overwhelming army "over there" in Europe. I think it was Bonaparte who said that the Lord was on the side of the strongest battalions. So, Mr. President, in order to be victorious in this war we want to outnumber and outclass our enemies.

We can outnumber them if we extend the draft as is proposed by this bill, and we can outclass them if we have a large portion of our Army made up of soldiers from 18 to 21 years of age. I am anxious to have this war terminated as soon as possible, and that is one of the reasons why I am heartily in favor of the bill. It would be too bad to allow the war to drag and drag and drag as our air program has done. The sooner we can finish it the better for the people of this country and the better for the entire civilized world.

Let no man be alarmed concerning our boys when they come home again. I will make the prediction that as the Confederate veterans in the South and the Grand Army boys in the North came to the front in political life in their respective sections of the country, so it will be found when this great war is over that the soldiers of our grand Army in France will have to be reckoned with. Those soldiers are not possessed of such a spirit as some of our citizens have indicated in connection with this draft bill.

Mr. President, I did not intend to take more than a moment to speak on this bill. I sincerely trust that the bill may pass in the form in which it is now pending before the Senate, especially in respect to the age limit.

There is another provision in the last part of the bill looking to the education of the soldiers after they return, which I think is unnecessary, and yet I shall not vote against it. When the boys come home from the war I think they will know what to do with themselves. They will know whether they want to go to school or enter into active business, and I feel confident that very few of them are likely to avail themselves of the provision in the bill to which I have referred. However that may be, I shall make no objection to it, although I repeat that, in my opinion, it is wholly unnecessary.

Aside from that, it is a good bill, and I wish to congratulate Gen. March and Secretary Baker on finally coming to see the light. It is a pity that they did not see it long ago; it is a pity that they did not see it three or four months ago, in which event there would have been no necessity for the present urgency. However, it is better to be late than never to arrive. It is our duty now, if we want to prosecute the war successfully, to give our country an army that will be victorious, and I therefore hope that this bill, with the age limit as proposed, may pass.

Mr. GERRY. Mr. President, the Senator from North Dakota [Mr. McCUMBER] criticized the Navy Department this morning because the Germans were able, by capturing one of our trawlers with a submarine, and putting 16 men on board of her, to ravage to a certain extent our fishing fleets. Of course that is a deplorable thing. It is deplorable that the fishermen should be deprived of their livelihood. In former wars they have rarely been interfered with; but, of course, Germany is making this war as horrible and as barbaric and as uncivilized as possible, and she has taken this opportunity to hit the fishermen along with everybody else.

It seems to me, however, that the learned Senator is missing the main gist of the question. What we want to do is to win the war, to bottle up the submarines as nearly as possible at their base, to convoy our armies and transports of food and other necessary materials to Europe, and to carry on the major operations of the war. We can only be successful in our military and naval operations by attacking the main objectives and centralizing our efforts on things that are absolutely essential. This the Navy Department has very wisely done; and the result has been that we have carried a million and a half men to France without the loss, I believe, of a single transport that was convoyed by the American fleet. We have also so aided the British and French Navies in the splendid work they are carrying on that they have turned from a defensive to an offensive warfare against the submarine; and the result of that has been that the submarines instead of concentrating along the coasts of England and France, have had to go elsewhere and try to do damage farther from their home base and farther from the center of the circle, for, after all, the greatest results are to be accomplished on the coasts of England and France near the Channel, where all the traffic lines concentrate. This has been said time and time again. As you get farther and farther away from the center you meet less and less ships, and the chances of the submarine are less and less for destroying numbers of merchantmen.

The aid that we have been able to give the British Navy has resulted in increased submarine destruction, forcing a change of their plans, and the necessity of seeking to do damage elsewhere. Of course, they did not want to give up their policy of attacking near the English coast. They only did it reluctantly, and when it was forced upon them by the superiority of our offensive against them. Now they come to this shore, to my mind largely with the idea of propaganda, with the idea that if they could wreak havoc along our own coast possibly some outcry might be made among the American people, and that ships, destroyers, and submarine chasers might be withdrawn to this country from Europe, where they were essential, and then they would be able to reap the great harvest that they had before. But what we must do, and what the Navy Department is doing to-day, is to stick firmly to its original and sound policy of concentrating its efforts along the European coast, France, and England and the Mediterranean, where necessary, but principally France and England, and then, when that has been looked after, to take care as best we may of the other exigencies of the naval war—our fishing boats and our coastwise vessels that are far out at sea.

The Germans are only repeating the history of naval warfare in the slight successes of their commerce-destroying venture. The fallacy of the German submarine policy from the beginning has been that it has been commerce destroying, and only that. I believe that it is sound naval theory that where a vessel is used whose object is solely commerce destroying, it is bound to be a minor operation and in the end fail. In our own War of 1812 we were able, with the *Constellation* and the *President* and other of our fast frigates, to do great harm to the English carrying trade. We lay in the route of the Indian trade; we made them raise the rates of insurance; we made ourselves most unpleasant, and we made them send frigates out to attack us; but in the end we were doomed to failure, and in the end our frigates were driven off the seas.

The Atlantic Ocean is a very big place. We have an enormous coast to defend. There are at least 1,500 miles of our coast, if we take it on a straight line, and not only that but if we go further and take into consideration the Canadian coast and the great fishing banks we are really seeking for a needle in a haystack. I contend that while we deplore these losses, we must not play the German game and think for one moment that we should change our policy and weaken in any way the support we are giving to our allies and the magnificent work that we are accomplishing.

Mr. McCUMBER. Mr. President, before the Senator takes his seat may I ask him a question?

The PRESIDING OFFICER. Does the Senator from Rhode Island yield to the Senator from North Dakota?

Mr. GERRY. With pleasure.

Mr. McCUMBER. The Senator's statement of what our Navy has achieved in this war, and what it is capable of achieving, only adds to the reason for being astounded at a spectacle such as we have observed, of a little trawler of 8 to 10 knots an hour plying along our coast for a week and destroying fleet after fleet of fishing vessels. I am informed that we have a vast number, perhaps hundreds, of submarine chasers along all through the ports of New England. I am informed that we have battle ships, probably not of the higher class, because most of them are in European waters, but we have them along in all of our ports. I have also been informed by a Senator that this submarine was actually discovered, and that two depth bombs were sent directly over it and both of them failed to explode.

But that deals with the U boats; and the Navy can not be responsible in any way if by a possibility these depth bombs did not explode. I have this only upon information. But the main thing that I wanted to get at was, why it was possible, with the vast number of chasers and warships we have along our coast—and I do not want to draw from our Navy across the ocean—for a little slow-running vessel, that could not make over 8 or 10 knots an hour, and could not get under the waves, though possibly small enough to hide behind them, to escape detection and destruction and continue its ravages for a whole week? Now, there may be an explanation for it, but the average American does not understand what it is; and if there is a good one we will all be glad to hear it.

Mr. GERRY. I am very glad to have the Senator's further statement and explanation. I think the reason of the escape of the trawler *Triumph* from our defensive fleet is a simple one and one that I have already given, namely, that the ocean is a very large place, and this trawler has been lying fairly well out at sea. I do not know, but very likely there have been fogs, and simply by a question of chance she has not been sighted by one of our patrol vessels; or probably, if she were sighted in the earlier part of her career, they might not have known that she was an enemy ship.

Mr. McCUMBER. Yes; but let me suggest that we have known within a very few hours, at least, when one of these fishing fleets has been destroyed, and an 8 or 10 knot vessel could not get very far into the ocean before we would be able to find out something about its whereabouts.

Mr. GERRY. My recollection is that they did not know for a week that that vessel was sunk. I am speaking simply from memory now, from reports I saw in the press.

Mr. LODGE. Mr. President, the part of the country from which I come is the one most immediately affected by the recent operations of the U boat and of the trawler *Triumph*. In regard to the fishing fleet, the vessels that fish on the Georges Bank, where the first destruction by the U boat occurred, I think, were exclusively Massachusetts boats, and the great bulk of the Bank fishermen are composed of the Gloucester fleet. Therefore the interest of all the people on that coast of my State is very profound in these operations.

Mr. President, meeting the U boats coming up out of the Atlantic is an extremely difficult thing. On the other side of the water the whole commerce of England and France finally comes into what may be called the narrow seas. It has to come there, and the U boats are operating in a very restricted field, comparatively speaking, the field where they are most certain to meet incoming and outgoing ships; and, of course, their enemies have the same advantage of a restricted area, where the U boat is most certain to be found. Yet, with that advantage of a restricted area, comparatively speaking, we know how many U boats have escaped the British destroyers and submarine chasers and inflicted vast damage on the commerce of the world. We have no such narrow waters here. Of course, the bulk of the shipping finally comes into the harbor of New York or into the harbor of Boston, but the ships come up to those harbors right out of the ocean, especially the harbor of Boston.

Now, Mr. President, if you know that there is a needle in a haystack, it is a very difficult thing to determine beforehand just at what point in the haystack it is coming out. They have to be on the lookout, as they are and have been all along, at every likely place.

The Senator from North Dakota [Mr. McCUMBER] spoke of the failure of those depth bombs. I was at home at the time that happened, and I know as well as I know anything that the hydroplanes were over the submarine, and saw her. There is a dispute about the bombs. The first story was that they had bombs and dropped them, and they turned out to be useless—what are commonly called, I believe, "duds." In any event, they did not explode. I have also seen it stated that they had no bombs.

Mr. GERRY. Mr. President, will the Senator yield?

Mr. LODGE. Certainly.

Mr. GERRY. I am informed that they did have bombs, and that there was a reason why they did not explode. I do not know that I am at liberty to make the reason public.

Mr. LODGE. I only knew there was some discussion about it, and I have not been in Washington long enough to get all the details.

But now we come to the question of the trawler, the *Triumph*. I think the question which the Senator from North Dakota puts is a very natural one. If I remember correctly, the trawler was seized or made her first destruction on the 20th of August, and I think I am right in saying that the information was received by the Navy Department on the 21st. To-day is the 24th. Three days is not a long time in which to find a small vessel on the Atlantic Ocean. I am at liberty to state that every possible vessel in the way of destroyers or submarines or any other kind of craft useful for the capture or destruction of such a vessel as the *Triumph* has been sent to that area, where the trawler has been at work. They are covering this area with all the vessels possible without interfering with what are necessary for convoys, which have first to be considered, and, of course, without bringing home destroyers from British and French waters, which would be a great misfortune and a great mistake. But a large number of vessels suitable for the work of capturing the *Triumph* or destroying her are on the ground or on the way to the ground.

The trawler was in the region, as I understand, of the Grand Banks. That is a region of mists. An almost perpetual fog hangs about the Banks. It is not an easy place to hunt a trawler or any other comparatively small vessel. All I desired to say was that the Navy Department, of course, feel a keener anxiety about this matter than any other branch of our Government. Their attention is concentrated on it. They are doing, I am sure—in fact, I know—everything that can be done to capture that boat which is on the surface. I believe they will succeed in doing so, for I do not believe a surface boat can long escape, even in the great expanse of the Atlantic Ocean.

As for getting the U boats, that is necessarily a matter, to a certain extent, of chance; but there again they are using every resource that they have in submarine chasers, in hydroplanes, in wireless telegraph to get at the submarine.

I think the Senate and the country may rest assured that there is nothing which knowledge and ingenuity can suggest which is not being done by the Navy Department at this moment to try to reach and capture or destroy the trawler and also the U boats.

Mr. STERLING. Mr. President, I send to the desk a proposed amendment which, while not offering it at present, I ask may be read.

The PRESIDING OFFICER. The amendment will be read.

The SECRETARY. After the word "prescribe," in line 8, page 2, insert the following:

Except that persons under the age of 20 years shall not be called into other than training service, and that periods of training for persons under such age shall be so prescribed as to least interfere with farm work or production on the part of those actually so engaged or with the attendance of duly registered and bona fide students at school or college.

Mr. STERLING. Mr. President, the proviso to which these words are added by way of amendment is as follows:

Provided, That the President may draft such persons liable to military service in such sequence of ages and at such time or times as he may prescribe.

Mr. President, I am in hearty sympathy with the general purpose of this bill. That purpose is to materially increase the armed forces of the United States, and to increase them with all possible speed, in order that we in conjunction with our heroic allies may all the earlier win this war and compel the acceptance by the central powers of the terms of a just peace, and by a just peace I mean such a peace as that so admirably and forcibly described and defined on yesterday by the Senator from Massachusetts [Mr. LODGE]. Nothing else will be a righteous peace or involve that element of retributive justice which ought to prevail.

I agree to the proposition, too, that "the sooner the better," the better because in the end it will be cheaper and involve less of loss both in money and in men than if we went at the business or at any time continued in the business slowly and hesitatingly. To make the struggle as short, sharp, and decisive for our side as possible should be the mainspring of all effort to enlist, to equip, and put on the battle front from one and a half to three million more men who can fight only as the trained American soldier can fight.

Nor would I be particular which battle front. It is likely that the battle that decides the issue will be fought in the west, where have been the greatest stress and struggle from the very beginning. It is barely possible that such a battle is being fought there even now; I hope so. But, with due regard to the relative importance of the several fronts and the question where our men are most needed, we should strike Germany wherever our resources and the numbers and the strength of our forces will permit, whether it be on the Italian front, in the Balkans, in the Ukraine, or on the Murman coast to the north, or in aiding our latest allies, the Czecho-Slovaks, in holding against both the Germans and the Bolsheviki the great Siberian railway, or whether it be on that worst of all battle-torn and devastated fronts, that of northern France.

But, Mr. President, what are the necessities of the hour? What are the requirements in order that we may take this proud place and do our great part in the complete defeat and over-

throw of the German military power? Is it necessary that we go far beyond what we have ever gone before, beyond what until lately we never dreamed we would go in this war, and draft into actual over-seas service the boys of 18 years of age? Let Gen. March himself answer in part. Not long ago, as I understand it, he thought 2,000,000 men would be required for the task. I should have said that that estimate was too conservative; that our distinguished and able Chief of Staff would not have surprised the American people when he made that utterance if instead he had then said three or even four instead of two million men. But now, in the hearings of a few days ago only, Gen. March is reported as saying:

It is my belief that with an Army of 4,000,000 of men in France under one commander we can go through the German line wherever we please.

And again:

We reached the conclusion that the enlarged program was necessary on the 30th day of July.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER (Mr. KIRBY in the chair). Does the Senator from South Dakota yield to the Senator from North Dakota?

Mr. STERLING. I yield to the Senator.

Mr. McCUMBER. Does the Senator understand from that statement of Gen. March that he believed that with 4,000,000 American soldiers on the battle front assisting the allies we could not only go through the line at any particular point, as the Germans went through the British line at a particular point, which was far from a victory, but he meant that we could go on to Berlin with our allies with a mere addition of 4,000,000 men to our forces?

Mr. STERLING. I will say to the Senator from North Dakota that I hardly know whether he meant that or not, but I think it is a fair implication from his language that we needed an army of 4,000,000 men in France, and that that in conjunction with the allies would be a force sufficient for us to furnish.

We have now in France 1,500,000 men. We have in the United States under arms, trained or in training, now 1,500,000 more, making a total of 3,000,000 already in or ready for your army of 4,000,000.

How many more may be procured by taking into the service under the draft law—this proposed law—men of 20 according to the figures submitted by Gen. Crowder and made a part of the report of the committee? Taking the ages from 32 to 45 and within those age limits he gives the total net effectives as 601,236, which, added to the 3,000,000, make 3,601,236.

But the amendment I have proposed permits the drafting of the men of 20 years. The tables do not show how many effectives of that age may be found, but for the ages 18 to 20 the number is given by Gen. Crowder as 1,797,609. I assume that the call for men of 20 years of age would yield one-half that number, or 898,804, or call it in round numbers 900,000. This, added to 3,601,236, gives a total of 4,501,236 men, or a half million more than, according to Gen. March, would be required to go through the German line wherever we pleased in France. So there you have an army of 4,000,000 men for France and a half million besides for service in other fields or for reserves.

But, Mr. President, this does not measure the forces we should be able to raise under a law changing the limits of the draft ages to 20 and 45 years for active service, leaving those under 20 to be called to training service only.

These figures, submitted as a part of the committee's report, on their face show an injustice, an unfair discrimination in favor of married men and against the agricultural interests of the country.

Look at the table on page 7 of the committee report. Total males in the ages from 32 to 40 is given as 6,960,532, of whom there are married 5,311,952, and who are put in deferred classification because they are married, I assume. But if this number is intended to represent only the married men who will be entitled to deferred classification because of dependent families, I insist that it is too large altogether.

But, Mr. President, it has been urged so often here on the floor that this includes all the married men that I can not now question it. They meant to say by this table that all married men were to have deferred classification.

How many married men between these ages themselves depend on the wife's labor or industry or on the business which belongs to her or on the wife's fortune, which they married? They will constitute a great class who can not claim the dependency of a single relative.

But aside from this, as a ground of exemption or deferred classification, how many men from the beginning of their married life have had a competency or have since acquired a competency for themselves and families, so that the family for its support now is not dependent on the labor or management of the husband at all, and he would be left free to do his part and to take his place among the armed forces necessary in this great war?

Now, Mr. President, out of this 6,960,532 between 32 and 40 the Provost Marshal General gets in net effectives the pitiable number of 448,086 men. He ought to get, and I believe any just and fair administration of the law would give him, at least 1,500,000 effective men instead of 448,086. It would give him this number of men—a million and a half—while between the ages of 32 and 45, the limits prescribed by the bill, he would get a proportionately larger number.

But allow now 1,500,000 as the number which could be reasonably raised between the ages of 32 and 45, and then add to that the 900,000 which the boys of 20 will furnish, and you will have, without touching the boy under 20, an additional force of 2,400,000 men; and this is 100,000 in excess of the number Gen. March says may be obtained under the law and which they expect to have in France by June 30, 1919. This force, added to the 3,000,000 already there and here ready to go there, would make a force of 5,400,000 instead of 4,000,000, who would "go through the German line wherever we pleased."

As showing something of the sentiment in regard to the deferred classification for married men, I desire to read an extract from a letter received from the chairman of one of our local drafting boards in South Dakota. He says:

I have noticed in the papers that the President says he wants the fact of a man being married to be sufficient grounds for deferred classification.

Gen. Crowder, evidently acting in accordance with that suggestion, has put all married men in deferred classification in these tables, and thus it is that out of the totals he produces such a small number of net effectives.

Then, says the chairman of this board in answer to this suggestion which he understands was made by the President:

This will never do, for we have men who have been married several years who have permitted their wives to work and really support them, and who are really worthless otherwise in the community. The same rules should apply to the new draft as we have had all along.

"This county of Tripp, which is one of the new counties of South Dakota, with a registration of 1,057, has sent 430 soldiers to the front, and Tom has come under the same rule that has governed Harry."

But, Mr. President, there is one interest that this proposed law ignores, and that is agriculture—and that, too, in face of the fact that "food will win the war," a manifesto we see everywhere on signboards, in the papers, electric-light displays, at the movies, "food will win the war"—and yet this bill and these estimates of the Provost Marshal General fail utterly to recognize the needs of the farmer. Look at the tables and note how very few are excepted for deferred classification because of industry, including agriculture.

I take the table in which he gives a list of the effectives between the ages of 19 and 20. Total males, 2,106,386, but the deferred classification solely for industry, including agriculture, is only 10,532, out of this great aggregate of 2,106,386. By the language of the table agriculture is included under the head of industry. How many is it intended shall be deferred for the purpose of agriculture purely? I go to the table giving the list of effectives between 32 and 45. The total number of males is 10,028,973, less married deferred 7,734,482, less deferred solely for industry and agriculture the pitiable number, compared with the whole aggregate and with the needs of agriculture, of 401,159.

Take 18 to 22. Total males, 3 171,671, less married deferred, 158,185, less deferred solely for industry and agriculture, mind, that includes every known essential industry, as well as agriculture, 15,858.

Mr. President, the evidence of the needs for men in agriculture in my own State of South Dakota, particularly—I can not speak so advisedly as to the conditions in other States, although I have a general understanding that the need is great everywhere—is simply overwhelming. I read from a letter dated August 16, written by Mr. Charles McCaffree, our State director of United States Employment Service. He says:

There have been no announcements or any communications concerning the matter of reduced fares for the harvest hands transported under the direction of the Employment Service.

This is significant for the reason that they are asking for harvest hands and help in thrashing through the Employment Service:

I have been wondering whether you secured any encouragement at all in the matter. We are getting by our harvest now, but it is not quite completed. We have a very great need for assistance for thrashing. This is brought to the office every day, but we can not get the men needed without a reduced rate. This stretch of territory is so remote from the best recruiting districts.

I read another letter from a farmer in my own county whom I know very well and on whose word and judgment I am accustomed to rely. Says the writer of this letter:

I wish you would use your influence, as far as possible, on the draft bill now pending before Congress, and see that they do not lower the draft age. It is going to be a hard blow to the western farmer if they take the boys between 18 and 21. The most of the farming is being done by the boys of these ages. Take it in my own precinct, at least half of the farmers in this vicinity would be left alone. I think the farmers of the West are as patriotic as anyone, but they do feel that these boys should be left at home until they are 21. I have talked with several Army officers, and they all tell me to keep the boys at home if possible until they are 21. If you think a petition signed by the voters of this vicinity would do any good, would be glad to secure one.

I will simply say that I have not encouraged the sending of a petition, although there is no question but what in any county in South Dakota the general sentiment would be as described by the writer of this letter.

As further indicating the situation and the needs of agriculture and the need to make better provision than has ever yet been made under the administration of the former law or is likely to be made under this law, I call attention to this telegram just received this morning from the Aberdeen Commercial Club:

ABERDEEN, S. DAK., *August 23, 1918.*

Hon. THOMAS STERLING,
Washington, D. C.:

Heavy rains here have caused shocked grain to sprout. Labor supply about 300 short. Seventy-five selected men due from our county Tuesday; mostly from farms. Will increase labor shortage. Will you use your influence to secure postponement of this quota? Will mean thousands of bushels of wheat saved.

And yet "food will win the war," and wheat is the kind of food which we are asked to supply over and above everything else.

Such is the situation in regard to farm labor in South Dakota. I shall hesitate to go and interview Gen. Crowder in regard to excusing the men of this quota badly as they may be needed. I have had some experience in regard to a former quota. I was simply told that if South Dakota did not wish to make default in her quota she must answer the call. In the activities of this war South Dakota is not of the defaulting kind. But this telegram and these letters express the need in that particular farming region where they raise the grain which of all other kind we most need to supply ourselves, our armies, and our devoted allies.

Mr. President, my amendment, it will be noticed, contemplates another class, too, than those necessary for farm work and farm operations. It contemplates the boys of 18 to 20 who ought to get some additional education at school or college. It provides—

That persons under the age of 20 years shall not be called into other than training service, and that periods of training for persons under such age shall be so prescribed as to least interfere with farm work or production on the part of those actually so engaged or with the attendance of duly registered and bona fide students at school or college.

Mr. SMITH of Michigan. Mr. President, I should like to ask the Senator from South Dakota a question.

The PRESIDING OFFICER. Does the Senator from South Dakota yield to the Senator from Michigan?

Mr. STERLING. I yield to the Senator.

Mr. SMITH of Michigan. Suppose the law provided that boys of 18, 19, and 20 years of age could enlist, does the Senator from South Dakota think that the boys of South Dakota would enlist?

Mr. STERLING. Very many of them would enlist, I will say to the Senator from Michigan; and I have thought, Mr. President, of advocating the idea that the boy from 18 to 20 years of age might be permitted to enlist if he so desired. I recognize the efficiency and the valor of a boy from 18 to 20 years of age and the truth of everything that has been said in regard to that; but, Mr. President——

Mr. McCUMBER. Mr. President——

Mr. STERLING. If the Senator will just excuse me one moment——

Mr. McCUMBER. I merely desire to ask the Senator if boys have not been allowed up to the present time to enlist at 18 years of age and above?

Mr. STERLING. I understand that they have been, but the recent order has prevented such enlistments.

Mr. SMITH of Michigan. That is not permissible now.

Mr. STERLING. But the one question in my mind has been as to whether there is not wisdom in the policy advocated by the Provost Marshal General in regard to having but the one system. I confess that I have some sympathy with the idea that soldiers should come in altogether under the selective-service law rather than be allowed voluntarily to enlist. There is no approbrium attached to the draft. We may thereby have, if I may so express it, a more harmonious system and one that gives better opportunity at least to recognize the needs of various industries than any dual volunteer and selective-draft system would give us. Hence, I have not here urged that boys from 18 to 20 should be permitted to enlist, although it is probable that many thousands of them would enlist.

I wish to call attention in that connection to another letter which I have received in regard to boys under 18 and the objection to a law that takes them into the actual service, whether or no, and without regard particularly to their mental development and equipment, even if physical requirements are met. This letter is from the dean of the college of medicine of the University of South Dakota and was only received on yesterday. He says:

Just a word to express my hope that the age limit for the selective-service draft will not be lowered to 18 years. You know I have three boys who are of draft age as the age limits now stand.

And I think, if I remember correctly, although the dean does not say so here, two of them are already in the service. One, a soldier, has visited me here at Washington—

And I have no fault to find with that; in fact, I am rather proud that such is the case. But if the age limit is reduced to 18, the draft will take my fourth boy, Harold. * * * While it is true that a large number of boys reach their full physical development at 18 or 19, it is also true that a very large number do not reach their full growth until they are 20 or 21. All my boys have been of that kind. It would be nothing less than a tragedy to put boys of that type into the Army at 18.

Not a tragedy simply because he is a boy of 18 years, but because he, like many of the best and strongest later, is at that age an undeveloped boy.

Mr. President, in addition to the agricultural industry, which will be served by not calling the boys between 18 and 20 into active military service or into service oversea, there are the advantages that will be afforded to those boys who desire and can acquire an education. It will give them the two-year period, from 18 to 20, during which they may attend school or college. Their vacations of three months each year will be spent in intensive military training. Oh, yes, Mr. President, I hear it urged here on the Senate floor that the experience a man will have by enlisting as a young man at 18 will in itself be a liberal education. I grant the educational value of service in an American Army and in a great cause such as that in which we are now engaged; its value can not be overestimated by the right-minded, aspiring young man of fine and high ideals of patriotism and of duty; but, Mr. President, I have heard more than one old soldier, a member of the Grand Army of the Republic, say that the one thing he deplored of all others in his experience as a young man was that he had by entering the service missed the education which he ought to have had in order to equip himself for the serious business of life or for a profession for which he believed he had some natural gift.

There, Mr. President, is the tragedy, sometimes in calling the young men of 18 into a long period of military service. These boys, who as old men I have heard express that regret, volunteered into the service, and they volunteered under a law and at a time when 20 years was the minimum age at which they could be drafted—during times of great stress in the War of the Rebellion. It is even worse when the boy desirous of an education—if there be no urgent need—instead of being allowed to volunteer is drafted into the service.

Mr. President, there are two armies necessary to the winning of this war. We are compelled to take both into consideration in considering this bill—the military army and the industrial army, which latter includes the farmer. The farmers of this country constitute the largest and most important part of the industrial army for the purposes of this war. From the beginning they have been admonished over and over again to increase production and they have responded nobly to the call; but by this bill it is proposed to further deprive them of the means of production.

Mr. President, I hope Senators will seriously consider this amendment, and I invite consideration of it too in view of the much-urged necessities of the case and in view of the desirability of making the war as short, sharp, and decisive for us as it is possible for America to make it. We shall be able to achieve our full part without yet at least drafting into overseas service the boys from 18 to 20. However, let it be remembered that my amendment does not exempt from the draft. It limits the service only. Under it the boy will be a well-trained soldier at 20, and be ready at once without further period of training for overseas duty, either in the field or in the trenches. How different this bill from our policy during the Civil War! The boy was not enrolled for any previous period of training. At 20 he went into the fighting service, but not before the age of 20. The amendment proposed makes him a trained soldier at 20. The time between 18 and 20 will not have been unemployed,

but it will be all employed in the service of his country. Indeed, it will have been a strenuous life for him, for he will alternately serve as a farmer and as a soldier in training; but it will have been a continuous service.

Mr. President, I merely wish to add this word in conclusion. When I think of the actual need of men for the Army—and, in my opinion, the figures in the report of the committee demonstrate that need—and when I think, too, of the need of conserving our young manhood for needed work in industry and agriculture as well as for the duties of life and citizenship after the war, it seems to me that the system I here propose in connection with the other features of this bill will make the ideal system. It will in a large measure protect the industry on which the Army depends, and, rightly applied, will furnish all the men which our largest needs demand.

Mr. McCUMBER. Mr. President, having received such definite and concise information from the members of the Committee on Naval Affairs as to why, with hundreds of submarine chasers in our Atlantic ports, and with our battleships in every port along the Atlantic coast, it was impossible for us to overtake and catch a trawler running at a 10-knot speed, I shall not press the question any further, but shall proceed to the consideration of the pending subject.

Mr. President, I have received from farmers and others in my State letters of the same character as those which have been read by the Senator from South Dakota [Mr. STERLING], from our neighboring State. The conditions there are practically the same as they are in North Dakota, but, possibly, unlike some of the letters received by the Senator from South Dakota, the letters which I have received for the most part have been based upon the industrial rather than upon the sentimental aspects of the question. Labor is sorely needed on the farms. The excessively high wages paid and encouraged by the Government in all others industries, together with the leisurely method indulged in by those performing service in other governmental industries, have left no field from which the farmer can draw to secure the labor which is necessary to harvest his crops. It is, therefore, quite natural that he should ask that the draft be deferred at least until his crops shall have been harvested by his own boys who are old enough to do the work. But, Mr. President, I can not see that this situation can be remedied. It can only be temporarily relieved to some extent by deferring the draft call in the agricultural sections.

Our farmers, I believe, recognize that we need an Army of 5,000,000 men. I know that the Senator from South Dakota [Mr. STERLING] thinks we can get along with 4,000,000 men; the Senator from Ohio [Mr. POMERENE], the Senator from Idaho [Mr. BORAH], and undoubtedly other Senators think that 4,000,000 will be as many as we will need, and they find support for their conclusions in the remarks of Gen. March; but I believe that we should have 5,000,000 men in France, and I believe that we should have them there just as quickly as it is possible to get them there.

Such an army, no matter where it is drawn, or at what age, will necessarily take just so many men out of the avenues of production. It makes no difference to us where we draw them from; we are drawing 5,000,000 men from the avenues of production. There is left, therefore, for us to decide only from what ages it is best to draw this number. If we do not take the boys between 18 and 21, Mr. President, we must draw this force from the men who are above that age. Which would it be better to take?

We all admit the necessity of continuing our industrial efforts not only to the extent to which they are now being put forth but far beyond that mark if it is possible to do so. Very few, indeed, of the younger men, the men of 18 to 21, have entered into the industrial lines; most of them have been attending school; most of them would still have to learn a trade, and, therefore, in drawing from the older men we would draw from those who are most needed, who are already skilled in industrial lines, and would have to fill their places by those who have had no experience at all along those lines.

Nor, Mr. President, is that all. We want to win this war with a minimum casualty list. We all agree to that. I fully appreciate the sentimental side of this question. A mother who sends her boy of 18 years to death must suffer agony indescribable; but does she suffer any more than the wife who sends her husband to death, who sends to the trenches to be slaughtered the father of her children? Is not the death of the latter as serious a loss as the death of the former? It is hard to make any character of distinction between the death of one individual and the death of another; but, Mr. President, while we can not make comparisons between the death of a son and the death of a husband, there is an element of chance that we never should lose sight of in determining which we should choose.

We want to win this war, I repeat, with the least possible number of deaths and casualties. We owe that to our soldiers; we owe it to the people of the country. It is probably true that in battle the number of wounded exceeds the number of killed—instantly killed, I will say—by nearly 10 to 1. Possibly under the newer methods of warefare the difference between the number of those killed and those wounded may be somewhat smaller than I have indicated. We can not save the one killed. We, then, become deeply concerned in saving the greater proportion of the other nine.

The Senator from New York [Mr. WADSWORTH] and the Senator from Minnesota [Mr. NELSON] who speaks from actual experience in war, have declared what is apparent to everyone, that the boy from 18 to 25 can stand greater hardships and can recuperate far more quickly than the man from 25 to 35. This is due in the most part to the recuperative quality of youth. The older man may be so worn out that he can not sleep even when opportunity is afforded, while the younger man entirely yields to this strength-reviving process of nature and awakens refreshed and invigorated.

I think those Senators, Mr. President, could have gone a step further and could have shown that of a given number of men between the ages of 18 and 25 and another equal number of men between the ages of 25 and 32, all equally seriously wounded, the death rate of the latter will be about 20 per cent greater than the death rate of the former. While this may not seem important when you consider only a company or a regiment, in the aggregate, in an army of 4,000,000 or 5,000,000 men, it means an enormous saving of life; it means the saving of the lives of hundreds of thousands of men.

We have heard arguments on the floor of the Senate by earnest and zealous Senators designed to establish the fact that we can secure a sufficient army without extending the draft age. Gen. March is quoted as declaring that if we had an army of 4,000,000 men on the battle line we could break through the German lines. Well, Mr. President, Gen. Byng broke through the German line without having such an army; the Germans broke through the British line and broke through the French line, but they did not thereby secure a victory in either case. However, Gen. March has never stated that with an army of 4,000,000 Americans we could plant the American flag over the castle of the Hohenzollerns; he has never made such an intimation; he has simply stated that by concentrating with the forces of our allies and having at our command 4,000,000 men we could break through any particular section or line of the German defense we saw fit. Well, that will not win the war. I repeat, Mr. President, that nothing short of planting our flag in Berlin is going to win this war as we ought to win it—win it so conclusively that we can dictate the terms of peace which were so eloquently portrayed by the senior Senator from Massachusetts [Mr. LODGE] on yesterday.

I agree with every one of the terms he outlined, Mr. President, but I do not agree that his suggestions cover all of the terms that we ought to demand. If a man breaks into my house, burns it down, and murders members of my family, you can not satisfy my sense of justice by saying to him: "Get off these premises; go back home." That does not restore my murdered children or rebuild my destroyed home. That is not the German way of making peace terms where she has triumphed. Let us stop for a moment to ask ourselves, What would Germany do if she should be victorious in this war? What did she do in 1870, when she made a war on a nation wholly unprepared? She took from France two of her fairest Provinces, and then she immediately levied a tribute of a billion dollars upon her and has never forgiven herself for that leniency. What has Germany done in every Province that she has conquered in this war? She has bled it white; she has made slaves of the population. Are we going to be satisfied with a peace that shall say to Germany, "Go back into Germany and we will stop the war"? No, Mr. President; the American people will never allow the Senate to vote for a peace of that kind. We have declared what the terms of our peace shall be, and the two most important conditions, the two brightest stars in the firmament of our peace declarations, are restitution and reparation. Germany can not return the lives of those whom she has brutally murdered; but she can pay in part the damages which she has caused by forcing upon an unprotected and unprepared world such a barbarous war. We can not bring back to life the little nurse, Edith Cavel, who was brutally murdered in defiance of every principle of humanity and every rule of civilized warfare, because some British prisoners escaped from a Belgian hospital. We can not compel Germany to give back the life of Capt. Fryatt, who as a prisoner was foully murdered because he was brave enough to defend himself against the U boat; we can not compel her to return to life the prisoners she tortured to death, the prisoners who were compelled by her

U boat to stand without life preservers on the outer deck while the vessel submerged and drowned them; we can not compel her to return to mothers the infants whom they have savagely slaughtered; but we never ought to sign a peace pact until there has been an unconditional surrender and that unconditional surrender has compelled Germany to deliver up these murderers to the hands of an international board for justice.

Every officer who commanded or allowed the atrocities, every soldier who cut off the arms or legs of a little child, should be delivered up and shot. We never ought to agree to a peace until we have taught the military autocracy who encouraged these crimes and taught the world that no such atrocities as those that have been practiced in this war can ever be practiced again in any other war, if unhappily another war shall again curse this old earth of ours.

But, Mr. President, let us not be misled by the success of our armies and those of our allies upon the western front into too great expectations. That success is most gratifying; that success has dispersed the gloom that pervaded this country at the close of the two great German drives which were inaugurated on March 21; but with all our success we have not nearly accomplished what the German drives accomplished between March 21 and the day those drives were checked and broken by the French and British Army. Those drives netted the Germans in prisoners alone nearly 200,000 allied soldiers. The late reports claim that so far we and our allies have taken about 100,000 prisoners, or about half the number that were taken by the Germans in their two drives.

The present reports indicate that we have taken guns, great and small, less than one-half the number we lost in the German drives, and less than a quarter of the war material that they obtained from us in those drives. And why, Mr. President, were those German drives so effective? Because we were grossly outnumbered—outnumbered at every battle during that drive, all the way from two to five times the number that we could place against the German onslaught. The encouraging part of this last battle to me is that it has demonstrated that on equal terms, with equal numbers of men, with equally favorable conditions, the allied armies where the battle is now progressing are to-day superior in quality and in every respect, man for man, to the armies of the central powers; and if you could give them the opportunity to fight squarely in the open, with the old Anglo-Saxon idea of fair play, the war would be of short duration. The superiority of the central powers has been in the murderous gas, in greater numbers, in their liquid fire, and in a thousand other hellish devices which they have contrived to meet their enemies in an underhanded and cowardly way.

But, Mr. President, I can not blind my eyes to the fact that back of these German lines all the way to Berlin are fortress after fortress, trench after trench, already completed, which will enable them to retreat into their own country, disputing inch by inch every mile from the Rhine to Berlin; and in the present offensive warfare I am inclined to think that the losses in number of men killed are about equal. Our gain alone is in the prisoners taken. What we need, Mr. President, is an army of such numbers that we can drive forward more rapidly than it will be possible for the enemy to retreat, taking with him his supplies.

Mr. President, we have heard so much about what Gen. March has said with reference to the number of men that will be sufficient to break through the German line that I think I am excusable in quoting, without giving the name, the words of one of our American generals, acknowledged by all to be the greatest American general—one who is not to-day in active service in France, but is well known to you all; and this is what he said to me:

We need upon the western front—

And it was after he had returned from France—

5,000,000 men on the fighting line. We should have back of that line 1,500,000 men in training in France. We should have, back of them, 2,000,000 men in training in the United States.

That makes 8,500,000 men. That is the estimate of a general who has been on the battle front and understands the situation, and who is talking not of breaking through the German line wherever we see fit but of winning this war and winning it, as we ought to, in the shortest possible time.

The other day, Mr. President, I received from a major now serving in France a letter, excerpts from which I am going to ask the Secretary to read. I will ask that those portions which I have marked may be read, because he is giving us the view of the men and the officers in France as to what the American people ought to do, and he is giving it after having visited every portion of the line. I will say that both the name of the general and the name of this major I have omitted, because it is probable that their views might disagree with those of the Secretary of War, and therefore I would not wish to give publicity to their names; but I ask that the marked portions of the letter may be read.

The PRESIDING OFFICER (Mr. WATSON in the chair). In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

MY DEAR SENATOR MCCUMBER: It is now nearly a year since I came to France with my regiment, and though I would enjoy a good long talk with you, if it should cover just a little of the vast array of new and unusual experiences I have had it would be a long and probably tiresome one indeed.

The American soldier is ever resourceful in frolic or fight, and in his efficiency, ready capability, and world-astounding adaptability has surpassed and often surprised himself. He is a constant source of wonderment, too, and has won the unqualified and openly expressed admiration of the finest fighters of the oldest armies now in Europe. His perennial kindness, his never-fading good cheer, his undiminishing "pep," and his spontaneous eagerness to "take a chance," no matter what the odds against him, and the fact that he always "gets away with it" have won for him the reputation of being the most modest and best soldier now fighting in Europe. He is just exactly the sort of soldier to completely dissolve the morale of the enemy, and by his alertness takes immediate advantage of the fatigue or mistakes of the enemy. We have nothing but unstinted praise for all of our allies, but they are war weary; their enthusiasm is blunted by four years of preparing with one hand while fighting with the other an enemy not only overwhelming in numbers but unscrupulous in means and methods.

You already know what our boys have accomplished since they have entered the trenches, especially during the last week. Side by side with the French, who love them like brothers, they have beaten the Hun at his own game and pursued him without pause until they have recovered all that was lost in the last big German push through the French sectors, and they are still after them. This ability to, after starting the Hun, to keep him on the run, if kept up, will soon win the war; but the soonness depends upon our ability to keep him going. The war has lasted as long as it has because the allies have only had the ability to "hold him," or, if conditions have favored a counter-attack, the pursuit of him was limited in length and he was always given time to dig in. Such methods were unavoidable and due to no lack of valor on the part of our brave allies. It must be different now; our lines must be kept fresh and reserves and supplies must come so fast and in such numbers that the enemy will be given no time to recoup or reform his lines, until he will be rolled back demoralized, and to the very gates of Berlin.

* * * * * * *

I see your name so frequently mentioned in connection with the desire for sending over here an army of unlimited magnitude that this letter is written largely for the purpose of telling you that you exactly express the wants and needs of the present situation. The number should be overwhelming, so that the usual winter rest which has every year been accorded the Boche, and of which he has taken such costly advantage, will be denied him this year. And we not only need the numbers, but need now some bold and dependable pronouncement of the unlimited millions to come, advertised so loudly that it will give a solid and lasting encouragement to our tired but courageous allies, and reach to the remote regions of Germany with crushing emphasis. Such an announcement coming from the highest places would strike terror to the whole Prussion régime, which already glimpses its defeat.

* * * * * * *

The larger the army the fewer lives it will cost to win the war, and the bolder the announcement the easier the enemy is prepared for quick and complete defeat, and the sooner will come peace with victory. You have always seen clearly and right. I have just returned from an inspection of 48 camps, and I know just how a large part of the Army feels. The time for secrecy is past. We are in a position now to do big things; and telling it frankly and in the proper manner will not only stimulate their accomplishment, but shatter the morale of the enemy to such a degree that maybe a lot of it won't have to be done. In the face of what our own boys have already done over here, such advertising will not be regarded as boasting.

Mr. MCCUMBER. Mr. President, when we had the bill before us just prior to our unanimous-consent agreement—which I think was on the 13th of July—I introduced an amendment to the then pending measure providing that we should say to the world, and that we should say to Germany, that we intend to put at least 5,000,000 men in the field in the quickest possible time. I stated that that ought to be placed in our legislation for the purpose of giving encouragement to our soldiers battling upon the western front, and discouragement to the enemies who are battling against them. This letter responds to that sentiment, and shows that it is the sentiment of officers and soldiers battling in France. But, Mr. President, for some unaccountable reason—and I think the only possible reason was that this amendment originated in the Senate, and did not originate in one of the departments—it was thought best to kill it, and, of course, it suffered the execution that has been accorded to everything that has not received its O. K. first from the departments.

Mr. President, the Senator from Rhode Island [Mr. GERRY], in speaking about this trawler and the fact that we had actually dropped depth bombs over the U-boat, stated that he was informed, if I understood him rightly, that the bombs were dropped all right and that the U-boat was clearly seen all right, but that the bombs did not explode, but he did not feel that he was at liberty to inform the American people why they did not explode. I think the American people are entitled to know why they did not explode. It is through this knowledge that we will assure ourselves of having those that will explode. I do not believe that there is anything gained by

hiding anything concerning this war from the American people. We will meet the emergency. We will get our airships all the sooner because the American people have been informed of the awful squandering of the tax-paid money of the American public with no results. The airship board says to Congress: "Give us another chance." Well, we are going to give them another chance to produce these airships; but if they had told us what they were doing in the very beginning, if they had kept us informed of what they were not doing during the whole year they were burning up nearly a billion dollars, we would have been a great deal further on our way toward securing the necessary airships for service in Europe to-day.

Mr. President, we must conduct this war on the theory that the central powers will fight as long as they have power to fight, and that this war will last two or three years longer. The principal reason that justifies us in saying that the war will last at least two years is that it will take us at least two years before we can get fully into it at the rate we are now progressing; and if we win this war sooner than that it will be because of the wonderful fighting qualities of the Americans who are over there, and of our allies, who are carrying the principal burden of this conflict. It is our duty to save the lives of as many of our allies as we possibly can as well as the lives of our own soldiers. We can save them only by rushing our troops to the front in overwhelming numbers; and our fatalities, we know, will be fewer in number by sending the younger men, who can stand the fatigue that is imposed upon our soldiers in France.

Mr. President, the Senator from Colorado [Mr. THOMAS] has introduced an amendment to compel those who have taken advantage of the privileges of a deferred classification because their services were needed in the industries to surrender this privilege if they fail to continue their work. The amendment is right so far as it goes. There can be no just argument against it.

Every American capable of working or fighting ought to be doing one or the other, and he ought to be doing it to the very best of his ability. But, Mr. President, I predict that but very little benefit will come from this amendment, even if it passes, and I will tell the Senator why.

The Senator, in his remarks, struck the keynote of the whole question when he stated that just in proportion to the increase in wages there had been a decrease in efficiency; and no one will deny to-day that while we are conducting this most desperate warfare individual energy, individual efficiency, has absolutely decreased from 35 to 50 per cent. That certainly is a bad situation; and therein, Mr. President, lies our principal trouble. That is why we have not the ships; that is why we have not the steel to build the ships; that is why we have not the guns; that is why we have not the ammunition; that is one of the reasons, though undoubtedly a minor reason, why we have not the airplanes; and all these together are the reasons why we have not the men in France that we ought to have to-day.

I called attention yesterday to what I regarded as the shameful manner in which work for the Government is being conducted under our very eyes. If any Senator will step outside this Capitol—any Senator who knows what real physical work is—and for five minutes will watch the time-killing methods adopted in the construction of these buildings he will understand why we are so shamefully behind in our war efforts. The Government to-day is entitled to the best energy and efforts of every man and woman in the land, and we should put every man, woman, and child who is able to perform any service for the Government under military control, and demand of each that he do his whole duty. If we have the right to enlist and drive our American citizens over the top, in the face of gas and liquid flame, the field gun and artillery; if we have the right to drive them to their deaths, then I want to ask any Senator if we have not the same right to ask their brothers here at home to do an honest day's work to support those boys? I want to ask those Senators if we should stand idly by and see the vast number of aliens, who are to-day the disturbing element, who are to-day doing most of the slacking in our work, remaining here under the protection of this Government, receiving wages ten and twenty times what they ever received before—employed for the very purpose of speeding up and being paid these enormous wages to insure such speeding up—if we should stand idly by and allow them to defeat our war purposes by giving us 30 to 40 per cent efficiency for these exceptionally high wages? By allowing this are we not committing a grievous offense against our soldier boys? Are we not responsible for the thousands and hundreds of thousands who will be killed in this war because of our delay?

I saw the Senator from Colorado [Mr. THOMAS] in the Chamber a moment ago. I notice that he is absent now; but I wanted at this time to read to him a clipping from the Washington Times of to-day which will support his theory that there ought not to be any strikes during the continuance of this war. We have constituted organizations that will see to it that no injustice is done any laborer, and he can trust his case to those boards and continue to perform his services until such board can act on his complaint.

I stated yesterday, in describing the character of work that was being done in the shadow of this Capitol, that I would to God that the soldier battling all day long in France, and digging himself in all night long, could for a moment look at the charter of work that is being done to support him and to support his brothers on the line of battle. I am supported in that declaration by this publication which brings before us to-day the view taken by our soldiers on these strikes. The news article is from the Washington Times of to-day and reads as follows:

FORT M'HENRY TROOPS ANGERED BY STRIKE.

BALTIMORE, *August 2*.

Soldiers at United States General Hospital No. 2, Fort McHenry, were enraged when 54 bricklayers employed on hospital buildings walked out because their demands for increased pay had not been granted.

The men are now being paid 75 cents an hour—

That is, for eight hours a day; and if they work an additional two hours they are paid a half more; and if they work on Sunday—which nearly all of them do, and then cut out Monday—they receive $1.50 an hour for their work on Sunday—

and some time ago asked for an increase to $1 an hour.

The soldiers were of the opinion that these men should be immediately drafted and put to work again at $1 a day instead of a dollar an hour.

The foreman explained that they would not get the increase any sooner by striking and it might result in them losing their positions.

There has just been handed me another article, headed as follows:

Two thousand plumbers on Government work go out on strike. Men employed at all camps and Government operations on both sides of Hampton Roads quit work. Big increase in pay asked. Want increase from 75 cents per hour to 87½ cents, with other concessions. Chairman of committee will have nothing to say.

Mr. President, I think no stronger arguments could be made in favor of the amendment that is offered by the Senator from Colorado than are contained in these published statements. I think we all know something about plumbers' wages. We all know something about the profits in them; and we know that plumbers receiving 75 cents an hour, with higher wages for overtime, certainly have no just or moral right to strike, while our boys are battling for $1 a day in the trenches. It ought not to be allowed. Any man who does it, knowing its consequences to our soldiers, is not loyal, and any statesman who stands by without voicing his protest, to say the least, is lacking in courage, if not in fidelity, to the country.

Mr. President, I tell you the American people want every man from 65 years down who can perform an honest day's labor to perform it, and they will back this Congress and they will back this Government if we will enforce it. The country demands, our soldiers at the front demand, humanity demands that we do the very best that we can in winning this war and winning it in the shortest possible time.

But I admit we can not put 5,000,000 men over there to-day, because we need 30,000,000 tons dead weight of shipping to transport and to maintain an army of 5,000,000 men. We need that in addition to the shipping we now have. Are we going to get it either in 1918 or 1919? We were promised by the Shipping Board in 1917 that they would construct from six to eight million dead weight tonnage during the year 1918. They have delivered to-day, or up to August 1, about 1,470,000 dead-weight tons, but of this there were requisitioned ships built or in building amounting to 1,224,000 dead weight tonnage, leaving to the credit of the Shipping Board in actual new construction about 246,000 tons dead weight. Now, that is your shipping situation.

Last year the U-boats disposed of over 10,000,000 dead-weight tons. In the first seven months of this year, 1918, they have disposed of 3,500,000 tons dead-weight.

Mr. FLETCHER. Mr. President——

Mr. McCUMBER. I yield to the Senator.

Mr. FLETCHER. The Senator stated, as I understood him, that it would require 30,000,000 tons of shipping to supply an army of 5,000,000 men.

Mr. McCUMBER. Yes; dead-weight tons.

Mr. FLETCHER. Dead-weight. I do not quite follow the Senator in his calculation. I suppose he is basing that on the idea that it requires 6 tons to the man per annum. Six tons per annum would mean that you would need 30,000,000 tons of shipping per annum, but when you figure that a ship will require not only 90 days to make a return trip, but will make three trips at least a year, it would be 10,000,000 tons, would it not?

Mr. McCUMBER. What I mean is this: That if we have an Army in France of 5,000,000 men it will require the constant use of 30,000,000 tons of shipping carrying men to take their places, carrying ammunition and supplies, even without taking

into account the number that will go down to the bottom of the ocean through ordinary marine disaster and through the U-boats. That is the information I have, and that is the information which appears in your committee hearing. I forget which one of your expert witnesses testified and stated that it would be about that. He gave the number, however, in gross tonnage, which reduced to the dead tonnage would be about 6 tons.

Mr. FLETCHER. I do not think it would require the constant use of 30,000,000 tons of shipping to take care of 5,000,000 men. I will admit it will require that much to be used in a year, undoubtedly.

Mr. McCUMBER. The British report was that it took 7 tons per man during their war in South Africa. That is equivalent to 7 tons in actual use.

Mr. FLETCHER. I think the later estimate was 6 tons per man.

Mr. McCUMBER. Now, Mr. President, that is our present shipping situation. The chairman of the Shipping Board says we will secure ships enough to win this war. Oh, yes, that is true; but he did not tell us when. To win this war when, Mr. Hurley? The question the American people want to know is how soon you can produce the shipping that will take care of from five to six or seven million men. Of course, we will win the war. We will win it if it takes us 40 years to do it, but we will win it sooner and we will win it with fewer, vastly fewer casualties and deaths if we send over enough men and if we produce the shipping to take care of that number of men. In the meantime while you are getting these ships ready hundreds of thousands, yes, millions of brave boys will die, will be killed, because of our neglect.

Now, we ought to hurry matters up. We ought first to provide for an army of at least 5,000,000, and I would say 7,000,000, and then we ought to concentrate all our energies toward the production of shipping and other material to take that army over and to support them. The way we can do it and the way we ought to do it is not to conscript labor, but to conscript the manhood and the womanhood and the childhood, if necessity demands it, of our American people. We have got the mills, we have got the steel, we have got everything we need in raw material to meet the demand; but if the productive energy of the American people is going to be allowed to be reduced from 100 per cent efficiency to 60 and 70 per cent efficiency, there is a duty upon the part of the American Congress that ought to be performed.

Mr. HARDING. Mr. President, I only want a moment and in that moment mainly to talk to the RECORD. I came to the Senate yesterday expecting a vote on the pending measure either yesterday or to-day and was very anxious that I might be recorded in its favor. I find myself obliged to leave to-night for my own State in response to some of the obligations that come to a man in public and political life, and I therefore want the RECORD to say that I would very gladly and whole-heartedly vote for this measure.

I am not deeply concerned about any of the pending amendments, and I say that without disparaging the merits thereof in any way. I think the bill ought to pass. I am in favor of the committee's bill. I accept it without reservation. I put aside my personal sympathies, some of my own notions of the righteousness of universal service, to accept that which the War Department thinks necessary for the winning of the war. I would very gladly vote for the bill, because, in my own judgment, the speedy passage of this measure and its speedier application is going to save the Nation millions in treasure and thousands in lives.

It is going to do more than that. It is my conviction that we are so adrift in this Republic to-day in the fever of war and the attendant conditions abnormal to our American life that unless it is speedily brought to a triumphant ending the cost of the aftermath will be infinitely more than the winning of the war.

I do not think the Republic has yet taken the part it ought in bringing about a victory for world civilization and its preservation. I think we ought to have armies of many millions and I think that the conscience of the Republic will impel a reclassification of men enrolled and commit the man power of this country to the winning of the war, no matter what the sacrifice may be in the industrial life of the Republic.

So, Mr. President, I just want the RECORD to say, first, that I find my presence unnecessary. The bill is sure to have the sanction of this body, but in my absence from the roll call which is to be had I want it known that I gladly give my voice to the enactment of the measure.

Mr. FALL. Mr. President, if my rising upon this occasion would defer for a moment the vote upon this bill I would not have a word to say. However, upon the assurance of the chairman that the bill will not likely come to a vote this afternoon and that my action will not delay a vote, I desire to offer first an amendment to the committee's bill, on page 6, which I will ask to have read that it may go into the RECORD and may be printed. I offer it now for that purpose.

The PRESIDING OFFICER. The Senator from New Mexico offers an amendment, which the Secretary will read.

The SECRETARY. Amend paragraph 7, on line 14, page 6, as follows:

Strike out the period, insert a comma, and add the words: "and such person shall be entitled to the same rights under the homestead and other land and mineral entry laws, general or special, as those over 21 years of age now possess under said laws: *Provided*, That any requirements as to establishment of residence within a limited time shall be suspended as to entry by such person until six months after his discharge from military service."

Mr. FALL. Mr. President, the amendment speaks for itself. It needs but little explanation. It simply extends the right of land and mineral entries to the drafted man of 18 possessed now by the citizen of 21. There is a requirement of the homestead law that residence shall be made upon a homestead so applied for within six months after the application is made. Of course, if a drafted man had a right of entry he could not make his residence within the period unless he was discharged prior thereto.

Mr. President, when I offered in June the amendment to the Army appropriation bill at that time and kept the amendment in various forms before the body for several days, securing votes upon the proposition to increase and decrease the age limit of the drafted men as is provided exactly in terms in this bill, modifying it, and securing votes upon the proposition when the first was defeated to make the ages 20 and 40, I introduced the amendment in perfect good faith, because it was as apparent to all of us then who had given any thought to the subject as it is now that so long as the present rules and regulations and classifications with reference to drafted men are enforced as they have been drawn and are being enforced by the War Department, if it is necessary to raise an additional number beyond the number we now have in the service, an additional reservoir must be supplied. That was as apparent in June as it is now, and I congratulate the country upon the fact that the Senate has been brought to a realization of the necessity.

Mr. President, the Senate knows very well from repeated expressions of my opinions that I have believed in the constitutional duty of the Congress of the United States, as expressly set forth in the Constitution itself, to itself provide the rules and the regulations for governing any army raised or authorized to be raised by Congress. The Constitution is specific in its terms. We are not only authorized but, in my judgment, directed by the strict terms of the Constitution to ourselves enact by legislation the regulations and the rules governing even the disciplining of any military force which can be raised under the authority of the Constitution.

When the draft measure was first up, more than a year ago, I discussed this subject as I am now discussing it. Congress in its wisdom saw best, at the request of the administration, to delegate the authority to the Secretary of War or the Commander in Chief of the Army to classify the recruits or the drafted men and to himself put in force such regulations and rules as the War Department or its advisers might adopt. They have adopted such rules and regulations and classifications as to preclude the possibility of securing another man unless the draft ages are now raised or lowered. In so far as that necessity now arises, the responsibility is between the Congress and the administration, equally divided. The Congress, in my judgment, has shirked its duty in not providing the rules itself. Unless Congress goes back and performs its duty and changes the classification or changes the rules and regulations with reference to the classification of these men, unless Congress itself does what, in my judgment, it should have done in the beginning, more than a year ago, then Congress is compelled to decrease and increase the draft age. For this reason I offered the amendment which created so much discussion and which was not only voted down but every proposition in connection with it was voted down by this body in June.

For the reasons then given, which I have not seen fit to change at all and which I am glad are now concurred in by the War Department as they were then disagreed from, I propose to vote for this bill. If we do not provide more men in the trenches we will not win this war, in my judgment. The War Department have concluded that we must have more men. They have stated frankly what they propose to do with the men, and Congress must provide some method of securing the men for the purposes needed. The present proposition is the only one which will be presented unless Congress decides to take in its own hands the matter of classifying those now under registration.

I can not understand, I will say frankly, the argument of my distinguished friend the Senator from Idaho [Mr. BORAH] who would vote against the proposition that a slacker in work should be forced to fight, as is proposed by the amendment of the committee, when he admits 4,000,000 men must be provided for, and yet he will not go with us to provide the only reservoir from which the man power may be drawn.

Mr. BORAH. Mr. President——

Mr. FALL. I yield to the Senator.

Mr. BORAH. The difference between the Senator and myself is that according to my view of the figures which have been presented it is not necessary to go to the age of 18 in order to get the 4,400,000 men. In order to reduce it to the point where they must go to the 18-year-old men they arbitrarily exclude from the 10,800,000 men a much larger number than in my judgment is necessary.

I do not wish to be understood for a moment as opposing the sending of 4,000,000 or 5,000,000 men to Europe. I differ with the able Senator from New Mexico as to the necessity of sending the 18-year-old boy, because I believe that there are plenty of men between 32 and 45 to make up the list.

Mr. FALL. There is no difference between the Senator and myself, except that I insist unless the Senator and a majority of the Congress will join me in reclassifying we can not get the men. So long as he yields to the classification as established by the War Department he can not get the men.

Mr. BORAH. Mr. President, the Senator from Idaho will be delighted to join the Senator in a reclassification, but unfortunately, or fortunately perhaps, the Senator from Idaho is not a member of the Military Affairs Committee, and did not frame this bill and could only speak to the bill as it was presented to the Senate. But the able Senator from New Mexico, who is much more competent to deal with this subject than myself, can present no amendment here for a reclassification that the Senator from Idaho will not support.

Mr. FALL. Mr. President, I am glad to know that. Upon some other occasion I think the question will undoubtedly be raised in the Senate. Not being a member of the Military Affairs Committee myself I could only point out what I thought were the objection to the provision in the original draft bill. I did not assume then, immediately after the declaration of war, when it was so necessary that we should have an army of some kind and when it was so insisted upon by the administration that it should be only in a certain way, that we should delegate the power to classify it and to exempt to the administration rather than to provide ourselves how these exemptions and classifications should be made. When it was so necessary, as I said, immediately after the declaration of war to provide a method by which an army should be assembled the Senator from New Mexico, not being a member of the Military Affairs Committee, offered no direct amendment but simply made suggestions, which were not listened to then so much as they were listened to in June, when he offered the amendment which is now the provision pending in the bill with the approval of the committee.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER (Mr. ASHURST in the chair). Does the Senator from New Mexico yield to the Senator from Iowa?

Mr. FALL. I yield to the Senator.

Mr. CUMMINS. As the Senator from New Mexico knows, I agree with him entirely with regard to the duty of Congress in raising an army, but I assume he does not doubt that the President, through his proper officer, could reclassify the men who have been hitherto included within the draft age, and that they could present an entirely different classification for the men whom we are about to bring within the draft age. I assume there will be no doubt of that. If we must have the men—and I think we should have 4,000,000 and many more, for that matter—and if the administration is denied the privilege of getting 18-year-old boys, it will be compelled to reclassify, because it must have the men.

Mr. FALL. Mr. President, in part I agree with the construction of the draft law, as just referred to by the Senator from Iowa. In part I am afraid I must disagree with him. Congress enacted this law—I have the draft law in my hand:

> And the President is hereby authorized to exclude or discharge from said selective draft and from the draft under the second paragraph of section 1 hereof, or to draft for partial military service only from those liable to draft as in this act provided, persons of the following classes.

Now, there is a classification specified by the Congress itself in this act which under one construction the President might be precluded from touching except for semimilitary purposes.

Mr. CUMMINS. Mr. President, I do not think the Senator from New Mexico and myself differ with regard to that, but——

Mr. FALL. Then as to the other draft classification I think we agree.

Mr. CUMMINS. The Senator is, of course, aware of the fact that a very large proportion of the men who have been put in the deferred classes were put there because they are married and have in some fashion or other somebody dependent upon their labor. We have in the deferred classes all the State officers and all the county officers, although I think we did that partially in the law.

Mr. FALL. If the Senator will permit me right here, that is the classification I had reference to. I think the Senator and myself thoroughly agree.

Mr. CUMMINS. I think so.

Mr. FALL. As to the other classification not specially mentioned here, those drafted for partial military service, I agree that the President has the right to-day to reclassify them.

Mr. CUMMINS. Eighty per cent of the men of draft age substantially have been put in deferred classifications because they are married and have in some degree dependents.

Mr. FALL. I am not familiar with the exact figures, but I accept those suggested by the Senator. As I said, I think we are in thorough agreement in our construction of the law as it stands; but, Mr. President, to use a hackneyed phrase, this is a condition and not a theory which confronts us. Shall I refrain from voting for the passage of this bill because the War Department refuses to reclassify, when we all admit we must have the men? Shall I not perform my duty to the best of my ability, whether I can perform it in the exact way which would suit me best or not?

Mr. BORAH. Mr. President——

Mr. FALL. I yield to the Senator.

Mr. BORAH. Suppose we should cut out the 18 and 19 year old boys, that would probably compel a reclassification.

Mr. FALL. It might.

Mr. BORAH. Then, I do not see how a man is not doing his duty according to the lights which are before him if he votes to cut out 18 and 19, and it compels a reclassification, when he is in favor of a reclassification. I am in favor of a reclassification. I arrive at that by two opposites. First, I cut out the 18 and 19 year age, and, secondly, I force a reclassification. That is precisely what I want.

Mr. FALL. Of course the Senator knows well that what I said was no reflection upon him or upon any other Senator who might disagree with me, nor was it so intended. I was simply expressing my own conviction as to my own thought as to what is actuating me in the matter, that we are confronted by a condition, and I will either attack that condition directly by compelling by law a reclassification, or, if I can not do that, under the necessities of the moment I shall attempt to supply some other reservoir from which the necessary number of soldiers may be obtained with which to win this war. I agree with the Senator, and he agrees with me, that if he and I could rewrite the bill or write a provision into it we would compel a reclassification.

We would compel the War Department to take from those now registered an additional number of men; but unfortunately his experience, I presume, has been as mine, that we were unable to compel action of that character or to secure a sufficient number of votes in this body with which to compel such action. We have thus been in the position of seeing ourselves—or I have, at least—compelled to wait two or three months to have carried out by the suggestion of the War Department a proposition the necessity for which was so perfectly plain, simple, and apparent two months ago that there could be no discussion about it, except that the War Department was not ready for it, so long as we allowed the law as it was written and the rules, regulations, and classifications made under that law to remain as they stand to-day.

Mr. CUMMINS. Mr. President, will the Senator allow another suggestion?

Mr. FALL. With pleasure.

Mr. CUMMINS. I make it because I would not have it understood that anything that I have said or any inference from anything that I have said could be interpreted as a criticism upon the Provost Marshal General. The classification which is now in force was made, I assume, with reference to the number of men intended to be raised for the Army. I do not think that any Provost Marshal General or any Secretary of War would ever have made the classification that we have before us if the purpose had been to raise five millions of men. The officers did not intend to raise any such army, I assume, because they thought it was not needed; and I would be very sorry to believe that, with the emergency that is now apparent, they would not be perfectly willing and glad to revise the classification so that the requisite number of men could be raised from it.

Mr. FALL. Well, Mr. President, I have understood that this bill was here because they had refused to revise the classifications. I have understood that the Secretary of War and the Chief of Staff, who have been before the committees of both Houses, have decided upon this plan, and, rather than do what they could do themselves without any demand upon Congress, have demanded that Congress lower and raise the age limit, although they themselves, as the Senator has said, have now the power to reclassify without further act of Congress.

Mr. President, as I have said, that forms the condition with which we are confronted; but their failure to reclassify, as I think they should do, and thus provide a sufficient number of men to fill the quota at present required offers no excuse for me, at any rate, to refuse to vote for this measure and say that the responsibility then is upon them to reclassify.

Mr. President, I think that the very fact referred to by the Senator from Iowa [Mr. CUMMINS], that at the time this classification was made the officers making it did not contemplate the raising of a large number of men, is, as he says, at the root of the trouble. Still, I think that that very fact constitutes a very grave reflection upon the wisdom of this body and the wisdom of those administering the law.

The draft law, as I have pointed out heretofore, and as I pointed out when it was here before us for passage, was a limitation upon the fighting force of the United States, although it pretended upon its face to be an emergency measure to provide all the man power necessary with which to win the war. As I pointed out again in connection with the Army appropriation bill which was brought in here in June, to which I offered the draft amendment, again, in the face of the declaration of the President of the United States that there should be no limit upon the number of men who should be placed at his command, that legislation was in itself a limitation on the number of men to 3,000,000, and no more. The bill we have before us now, even going into the home and taking boys of 18 and going into the business houses and taking men of 45, itself is avowedly a limitation upon the man power to be placed at the disposal of the President of the United States with which to fight this war. According to the evidence presented and under the statements made here by Senators who have this matter in charge, the Army now is to be limited to 4,000,000 men. While Gen. Wood and men of that character have for three, four, or five years been clamoring for at least 5,000,000 men, we limit the number to be raised under this draft to not more than one and a half million men in addition to those covered by the original bill. Then, while pretending to remove the limit, under the last bill, which was passed in June, under the rules and regulations provided and under the testimony—which must be taken as a part of the history of this legislation, and under which it must be construed—we specifically again limited, as I say, the armed forces of the United States under the draft measure to 3,000,000. Now, under the same rule of construction and by direct wording, we are limiting the military forces of the United States, including volunteers and all those under the draft, to 4,000,000 men.

Mr. President, if the Senator from Idaho [Mr. BORAH] and other Senators who have avowed that they were satisfied with the program, because they were guided by the advice of the authorities, are right and I am wrong, they are justified in their contention; of course, ordinarily, we should be able to place absolute confidence in the plans and the program offered us by our War Department; but, Mr. President, while I may be wrong, I yet find myself, with reference to this very bill, in exactly the same frame of mind which I avowed here in interpellating the chairman of the committee and the Senator from New York in June last, when the chairman stated that, while he favored the proposition which I had introduced, and which was then pending, to make the draft ages 18 to 45, yet, in view of the statements of the Secretary of War and his Chief of Staff, he would vote against it for the time being. You will remember that then—and it is in the RECORD—I stated that, in view of the declaration of the Secretary of War that, with 750,000 troops then in France, we were six months ahead of his program, he necessarily, by his own declaration, must be six months behind the crisis in his plan, and that I, for one, would decline to take his advice or to abide by it until he caught up with the crisis. I am in the same frame of mind now, sir. While I shall vote for this bill, I am yet not satisfied that the plans of the honorable Secretary of War are not more than six months behind the necessities of the occasion.

Mr. President, I have really said more than I intended to say. I shall vote for this bill; I shall vote for any measure—and I beg of the Military Committee that they will give us an opportunity to vote for some such measure—which will compel the War Department to reclassify those who are subject to military duty.

Mr. NEW. Mr. President, I shall vote for this bill for reasons which may be very briefly stated. I shall vote for it because the Secretary of War, the Chief of Staff, and the War Department say that it is a necessary measure. It is not, in my opinion, a question of putting confidence in the judgment of the War Department in all things; but somebody must be charged with the responsibility of framing a war policy; somebody must be charged with the responsibility of raising the Army; and this is the method that has been adopted and which has been recommended by the War Department.

Not only is that true, but the Secretary of War and his Chief of Staff, both of whom were examined and interrogated at length before the Committee on Military Affairs, have expressed it as their judgment that nothing short of this will suffice to raise an army of the size required to carry out the program of the department. For that reason, Mr. President, if for no other, I shall vote to give them what they ask. If I were to consult my sentiments I should vote against sending boys of 18 to the colors. That may sound strange coming from the lips of one who, like myself, has been from the first so strong an advocate of universal military training. I have for years been very much in favor of universal military training. Several months ago I offered an amendment to a bill then pending before this body by the terms of which I sought to have that system adopted. I did that at that time, Mr. President, for the reason that some of us thought at least that we foresaw the very emergency which has now arisen. I remember very well—and the RECORD will bear me out—that in addressing myself to that measure I then said if it were not adopted at that time I felt certain that we should be called upon to vote for that or a more drastic measure before this session of Congress expired. Here it has now come to pass. This is, indeed, a very much more drastic proposition than the one which was then advanced.

I will go further, Mr. President, and say that I think the Senator from Idaho [Mr. BORAH] is right in thinking that there have been mistakes made in the classifications in the past. I think that the deferred classes contain the names of many who should not be on those lists, and I believe that before we reach the end there must be a change in that as well; I think that we shall go into them; but at this time, for the reason given by the authorities upon whom responsibility must rest, that this measure as now framed is an absolute necessity for the success of the military program made by those authorities, I shall vote to support the bill.

Mr. VARDAMAN. Mr. President, I shall consume but a very few moments of the time of the Senate this afternoon in the discussion of the pending measure. I am convinced that the senatorial mind is about made up and really I think the matter has been talked about enough and ought to be disposed of. The subject has been exhausted and there is no necessity for further long-drawn-out debate on this question, and I am not going to contribute to the tedium of the hour and delay action in the Senate by anything that I may say.

Merely to keep my record straight and with a desire only to promote the interest of my country, Mr. President, I desire to say that whatever Army may be necessary to win this war I shall vote to raise it in the proper way. But I will not consent to impress 18-year-old boys into the service of this country; I will not consent that the conscript officer shall be authorized to invade the sacred precincts of the home and take the tender youth of 18 years of age from the bosom of his mother, to send him across the ocean to die in the trenches of France until it shall be demonstrated beyond doubt that there is not sufficient man power above 21 years of age available to win the war. I think it has been clearly shown in this debate that there are ample men, men fit for military service, men who can leave their homes and their respective vocations without detriment to the industrial and social interests of the Nation to win this war who are above 21 years of age. I do not think it is necessary to go into the nursery to secure soldiers to fight this war. As the able and learned Senator from Arkansas [Mr. KIRBY] has well said on yesterday, "This is a man's war and ought to be fought by men." To take the boy just 18, in the formative period of life, and compel him to render service whether he has the spirit or the physical strength is not conducive to the better interests of America. Voluntary service on the part of the youths of the country is an inspiration, but compulsion kills the spirit of enterprise and stifles the patriotic impulse. I do not believe the American people will approve the conscription of the youth of the land to fight this war, and it is my conviction that the enactment of this feature of the bill will be a source

of profound disappointment to the men and women of this Republic. And I am still of the opinion, Mr. President, that the wishes of the people even in this matter should be considered.

The 18-year-old boy is not consulted about the law; he is not permitted to participate in the election of Senators and Representatives; he is not allowed to settle with the Senator or Representative whose vote compels him to submit to the infinite sacrifice which he is called upon in this crucial moment to make; and such treatment, I submit, is not fair, especially when we consider the fact that there is ample man power above the age of 21 to win this war. It is unjust; it is un-American; it is contrary to every idea of liberty which is vouchsafed to every citizen by the Constitution of the United States.

I think the whole plan of conscripting the boy under 21 years of age is contrary to the letter and spirit of the Constitution and the genius of our institutions as interpreted by the Supreme Court of the United States. The law books are full of cases that sustain this view, and it will be prudent for Senators to consult them before this radical and unusual step shall be taken.

It is my judgment that the principle is irrevocably fixed that the full burdens of citizenship, including compulsory military service, do not accrue until the American youth has reached the age of 21 years. But, Mr. President, I am not going to take the time of the Senate to argue that proposition at length. It is too well established to call for elaboration. There is not a lawyer in this body, there is not a student of American history that is not familiar with it. I desire to say, however—and I can not make it too emphatic—that every idea of justice and fair dealing condemns the suggestion to take the boy from his home and force him to perform compulsory military service in a foreign land before he is given the right to cast a vote for or against the Congressman who makes the laws. To my mind, such a law is the acme of injustice.

It seems to me that the American Congress has forgotten the source of its authority. The feelings and wishes of the people are ignored. It is my deliberate judgment that if the people of the United States were permitted to vote on the proposition as to whether or not boys 18 years of age should be conscripted that 85 per cent of the vote would be against it.

It is so manifestly improper that for its utter condemnation I need only to reproduce the inspired words of one of America's greatest advocates, who on a somewhat similar occasion said:

"I need not grope among the ruins of antiquity, stumble over the fallen columns of obsolete statutes, or delve in the pages of black letter lore in order to establish a principle written by the finger of God upon the heart of every man." And he might have added "upon the heart of every mother." And I would rather trust that mother heart to guide me aright than the logical processes of the cold-blooded, selfish politician.

I am going to vote against conscripting boys under 21 years of age, but if my views shall not be adopted by the Senate I shall vote to pass the bill, preferring, however, that the maximum age limit should be 60 rather than 45. If it shall be discovered that there is not enough man power between 21 and 45 or 60, we will then do the thing needful to raise the requisite number. The war must be won, but it should be won by men and not boys of 18 years of age taken from the parental home without their consent.

I wish to say in conclusion, Mr. President, that I shall be very glad to vote for an amendment to this bill authorizing the 18-year-old boy to volunteer, even against the wishes of his parents, if Congress has the power to give to him that exemption.

With this simple statement of my views I am now ready to vote on the bill.

Mr. CHAMBERLAIN. Mr. President, I ask permission to have read into the RECORD a letter I received this morning, in view of the statements which have been made with reference to young men in the Army.

The PRESIDING OFFICER. Is there any objection to reading the letter requested by the Senator from Oregon? There being none, the Secretary will read.

The Secretary read as follows:

AUGUST 23, 1918.

Hon. GEORGE E. CHAMBERLAIN,
United States Senate.

MY DEAR SENATOR: I am glad that you recalled the plans of Washington and of Gen. Knox for an Army service including men from 18 to 45 years of age.

You may also remember that in the constitutions of many of the States there has been and yet is a militia schedule that includes men of those ages.

You may also remember that some of the most distinguished soldiers of our own and other countries, in both Army and Navy, entered the service at ages earlier than 18, and many at 19 and 20.

Lafayette came to America at 19 and was made a major general in our Army at 20.

Washington himself was a lieutenant colonel at 22.

"Lighthorse Harry" Lee entered the Army with Washington at 20.

Gen. Alexander Macomb, who became Commander in Chief of the Army (1835–1841) entered the Army at 17.

Commodore Stephen Decatur—"My country, right or wrong," Decatur—entered the Navy at 19.

James Lawrence—"Never give up the ship"—entered the service at 16.

Commodore Barney also entered at 16.

Commodore Matthew F. Maury and Admiral A. T. Mahan both went into the service at 19.

Gens. Wilkinson, Armstrong, William J. Worth, and Stephen W. Kearney entered at 18.

Gen. M. C. Meigs, of Georgia, who superintended the Capitol extensions and was Quartermaster General of the Army, entered the Army while yet a youth.

Gen. Robert Anderson, of Fort Sumter fame, graduated from West Point at 20 and became an officer immediately.

Gen. John Mosby Bacon, of Kentucky, entered the Army at 18 and served in both the Civil and Spanish-American Wars.

Gen. Frank D. Baldwin—with whom I served in Cuba—entered the service at 19, was given the congressional medal of honor at 20, and again a like medal for Indian service.

Lieut. Gen. John C. Bates, lately Chief of Staff, entered the service at 19 during the Civil War.

Rear Admiral Benham entered the Navy when he was 15.

Rear Admiral Charles Stuart Boggs, who fought past Forts Jackson and St. Philip in the Mississippi during the Civil War, also entered the Navy at 15.

Gen. Braxton Bragg—"A little more grape, Capt. Bragg"—of the United States Army, and famous Confederate commander, after whom an Artillery training camp has just been named by the Secretary of War, graduated at West Point when 20 and became a second lieutenant of the Third Artillery.

Gen. Simon Bolivar Buckner graduated at 17 and at once became an officer of the Army.

George W. Cable, famous novelist, entered the Confederate Army at 19 and served to the end of it.

Lieut. Gen. Adna R. Chaffee, late Chief of Staff, entered the United States Army as a private at 19.

Gen. Samuel Cooper, who was Adjutant General of both the United States Army and the Confederate Army, graduated at West Point and entered the Army as a lieutenant at 17.

Rear Admiral Dupont, whose statue is in Dupont Circle of the National Capital, was a midshipman at 12 years of age.

Rear Admiral English entered at 16.

John Ericsson, inventor of the *Monitor*, entered the Swedish Army at 17.

Admiral Farragut became a naval officer at 19.

Ex-Senator J. B. Foraker became a soldier in the Civil War at 16.

Capt. Gridley, of Manila fame under Dewey, entered the Navy at 15.

Gen. William Henry Harrison, President of the United States, served at 18 on Gen. Wayne's staff.

Gen. Franz Lieber was a soldier at 15, and was the author of "the Code of War for the Government of Armies of the United States in the Field."

Capt. Richmond Pearson Hobson, of *Merrimac* heroism in Santiago Bay, entered the Navy at 19.

Gen. Henry W. Lawton, who died in action in the Philippines, entered the Army as a private in 1861 at the age of 18.

Gen. W. W. Loring became a soldier at 17, serving in the United States Army, the Confederate Army, and the Egyptian Army.

Gen. Arthur McArthur entered the Army as first lieutenant at 17.

The list could be amazingly extended, but the instances cited should assure the timid that there is no great hardship or any terrible "robbing of the cradle" in enlisting soldiers, at least for training, at the age of 18.

I served myself for three months in the Confederate Army and surrendered to the Union forces before I was 14 years of age.

With all high consideration,

Truly, yours, SAM W. SMALL.

Mr. VARDAMAN. Mr. President, will the Senator from Oregon permit a suggestion?

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Mississippi?

Mr. CHAMBERLAIN. Certainly.

Mr. VARDAMAN. It is needless to say that none of the men referred to in that letter were conscripts.

Mr. CHAMBERLAIN. Mr. President, that seems to be a sort of man of straw that the Senator from Mississippi sets up every time we talk about getting young men into the Army. Gen. Grant said—and I believe his testimony is worthy of consideration—that the men who fought for the South during the Civil War were proud of the fact that they were conscript soldiers. The fact is the South adopted conscription before the North. There is not a gallant man of the South to-day who served as a conscript whose patriotism or valor anyone would challenge because of the fact that he was a mere conscript soldier.

Mr. President, I have had that letter put into the RECORD simply because it shows the possibility of young men making reputations for themselves in the Army. The names given are only a few of those who entered the service before they were 21 years of age and who attained fame in the service of their country. The list might be multiplied to over two million and a half young men who went into the Army under 21 years of age. The figures have been read into the RECORD a number of times, and I am not going to insert them again.

Mr. President, the young men are the men to fight this war if it is intended to fight it to a successful finish, and America intends to fight it to a successful finish, as Gen. March so posi-

tively stated in his testimony not long ago, and as the American people firmly believe will be done.

Mr. President, not to go out of the Senate itself, I want to call the attention of the Senators to our esteemed colleagues, some of whom are with us now, some of whom have passed over, and some of whom are not now in the Senate. I call attention to the fact that the Senator from Virginia, Mr. MARTIN, was in the Confederate Army when he was 18. The Senator from Minnesota, Mr. NELSON, was in the Union Army when he was 18, and his record shows that he was captured before he was 20. The late Senator from Virginia, Mr. Daniel, was in the army at 18, and was an officer before he was 19, and obtained a prominent position as an officer of the Confederate forces. Mr. Kenna, of West Virginia, a former Senator here, was in the army at 16. Our very distinguished and beloved colleague from Alabama, Mr. BANKHEAD, went into the service at 18 and served throughout the war. The Senator from Wyoming, Mr. WARREN, whom we all know and love, went into the service at 17, and he is with us yet.

The Senator from West Virginia [Mr. GOFF] went into the Army at 18 and is now a Member of this body.

As Rev. Dr. Small says in his letter, the names might be multiplied a thousandfold of men who have distinguished themselves and who have gone into the Army, whether by conscription or by volunteering matters not. But I call the attention of the Senate to one or two names that he did not mention that just happened to come to me while I was reading his letter.

Alexander Hamilton was born January 11, 1757, and entered the Continental Army in 1776 at the age of 19, and was a captain of Artillery. He was appointed aid-de-camp to Gen. Washington March 1, 1777, just as he had passed his twenty-first birthday. He served with Washington nearly through the war in a most gallant fashion, and left a record to be proud of.

Aaron Burr, who distinguished himself in more than one severely fought battle, was born in 1756, and entered the Continental Army in 1775. And so you might go down the list and find men who served before they were 21 years of age, and who had commissions in the service of their country.

I think it is a reflection on the young men of the country to talk about not taking them into the service. I am besieged all the time by young fellows of 18 years and upward who are anxious to have the bill passed, and are anxious to know what is going on in the Senate with reference to it; and there are those who are still younger than that who are anxious to be permitted to go in.

Mr. SMITH of South Carolina. Mr. President, I had hoped that we might get a vote on this bill to-day. I shall be obliged to be absent on Monday and Tuesday, and I was very anxious to vote on this bill, and to vote for it.

Like a good many other of my colleagues, if I had had my choice I should have preferred to have the age not as low as 18, on account of the educational advantages that so materially aid a young man at that time in the prosecution of his future life's work; but I recognize the fact that we need now, as rapidly as we may get them, an army of sufficient size to bring this conflict to an immediate end, if possible. I believe that the interests of the country, the interests of the boys even of 18, will be better served in the long run by having them join with their older colleagues in the Army and put an end to this conflict, so that the normal condition of things may be resumed as soon as possible, and the Government may be turned back into the hands of the people unmenaced and unjeopardized by this sinister host that has withstood the forces of civilization for the four years the war has been in progress.

I think, Mr. President, that perhaps it is wise to widen the difference between the ages, because of the industrial conditions that exist in the country. If it were limited to just 21 to 31 the Army that we might raise perhaps would not be sufficient to equip those in the field and to take care of the industries at home, because at every age there are some men peculiarly equipped for certain work, and there are others of the same age who are not so equipped, who can be spared for the war. So that if we have the region from 18 to 45 from which to choose, we will do the least violence to the commercial and industrial life of the country, while having a wider area from which to select men for service in the field.

I shall vote for the bill for the ages from 18 to 45, as I said, with reluctance on account of denying the young men of the lesser ages, 18 to 21, the educational privileges that are so much greater now than they were in former years. An education to-day means more than it ever meant before. It is a real, practical equipment for life work. It is not like the condition a few years ago, comparatively, when education was a literary affair. Our great grandfathers knew nothing of the practical application of the forces of nature in the great affairs of men. A liberal education may be obtained by a real working knowledge of a steam engine or of a telephone, properly constructed, so that in getting his life work a man gets a trained brain; for there is no schoolmaster equal in his exactness to science. You have to get the conditions perfect before you ever get the answer. It trains the mind to think truly and think clearly, and also gives the student his life work while he is obtaining his education. That has never occurred before in the history of the world; and the young man who misses it to-day, who has not what we term a technical education, must fall in the class of the hewers of wood and the drawers of water. He must be subservient to the man who does know more than ever before in the history of the world; and it is with reluctance that I would deny any boy, any citizen of the United States, the matchless privilege, the necessary privilege of securing the proper equipment for his life work during those years of accretion, those years between 18 and 21 when the imaginations of childhood are beginning to give place to the real facts of life.

But there is a greater problem before us than that of solving the problem of one's individual life work. It is solving the problem of America's life work. It calls for all men; it calls for the women; it calls for the children; it calls to every citizen of the United States now, regardless of every advantage or disadvantage, to join in the conflict to do away with that horrible revelation of savagery under the guise of civilized form known as the Prussian autocracy—one that has paraded itself in civilized garb while its heart was as black as the hell that gave it birth. I think it is time for us to unite to raise an army sufficient to crush it out, and allow us once again to resume the blessings of our American civilization and government.

I shall see that my vote is properly protected by a pair. I want to state that were I here I would vote for the bill; but, not being able to be here I wanted to go on record as to how I stood in reference to it, and I will use my best endeavors to have my vote protected by virtue of a pair.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Tennessee [Mr. SHIELDS] to the amendment of the committee, upon which the yeas and nays have been ordered.

EXECUTIVE SESSION.

Mr. CHAMBERLAIN. Mr. President, the House bill on this subject is likely to pass some time this evening, and the Military Affairs Committee will meet Monday morning, and be ready to report out the House bill as soon as the Senate convenes on Monday. In view of the fact that to pass this bill now in any shape and send it over to the House with the House bill on its way over here would create an unfortunate legislative condition, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

RECESS.

Mr. CHAMBERLAIN. I move that the Senate take a recess until Monday at 12 o'clock.

The motion was agreed to; and (at 4 o'clock and 45 minutes p. m.) the Senate took a recess until Monday, August 26, 1918, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate August 24 (legislative day of August 22), 1918.

PROMOTIONS IN THE ARMY.

COAST ARTILLERY CORPS.

To be first lieutenant with rank from July 25, 1918.

Second Lieut. Henry M. Atkinson, jr.

FIELD ARTILLERY.

To be first lieutenants with rank from July 22, 1918.

Second Lieut. Robert E. Crotty.
Second Lieut. Wilton Lloyd-Smith.

PROMOTIONS IN THE NAVY.

Brig. Gen. John A. Lejeune to be a major general in the Marine Corps, from the 1st day of July, 1918.

Brig. Gen. Littleton W. T. Waller to be a major general in the Marine Corps, for temporary service, from the 1st day of July, 1918.

The following-named colonels to be brigadier generals in the Marine Corps, for temporary service, from the 1st day of July, 1918:

James E. Mahoney,

Charles G. Long,
Ben H. Fuller,
Wendell C. Neville,
John T. Myers, and
Albertus W. Catlin.

Col. Cyrus S. Radford, assistant quartermaster, to be an assistant quartermaster in the Marine Corps, with the rank of brigadier general, for temporary service, from the 1st day of July, 1918.

The following-named lieutenant colonels to be colonels in the Marine Corps, for temporary service, from the 1st day of July, 1918:

Newt H. Hall,
Smedley D. Butler,
George C. Thorpe,
Charles S. Hill,
George C. Reid,
Robert H. Dunlap,
Randolph C. Berkeley,
Carl Gamborg-Andresen,
Harry Lee,
John F. McGill,
Louis M. Gulick,
Hiram I. Bearss,
Frederic L. Bradman,
James C. Breckinridge,
Arthur T. Marix,
George Van Orden,
James T. Bootes,
Logan Feland,
William Hopkins,
Dickinson P. Hall,
Charles H. Lyman,
Charles C. Carpenter,
Louis McC. Little,
Frederic M. Wise,
Richard M. Cutts, and
Henry C. Davis.

Lieut. Col. William B. Lemly, assistant quartermaster, to be an assistant quartermaster in the Marine Corps, with the rank of colonel, for temporary service, from the 1st day of July, 1918.

Lieut. Col. David D. Porter, assistant adjutant and inspector, to be an assistant adjutant and inspector in the Marine Corps, with the rank of colonel, for temporary service, from the 1st day of July, 1918.

Lieut. Col. William G. Powell, assistant paymaster, to be an assistant paymaster in the Marine Corps, with the rank of colonel, for temporary service, from the 1st day of July, 1918.

The following-named majors to be lieutenant colonels in the Marine Corps, for temporary service, from the 1st day of July, 1918:

Harold C. Snyder,
Alexander S. Williams,
Julius S. Turrill,
James McE. Huey,
Jay M. Salladay,
Macker Babb,
Frank E. Evans,
Harry R. Lay,
Charles B. Taylor,
Rush R. Wallace,
John W. Wadleigh,
William C. Harllee,
Richard S. Hooker,
Richard P. Williams,
John C. Beaumont,
Paul E. Chamberlin,
Lee B. Purcell,
Douglas C. McDougal,
Presley M. Rixey, jr.,
Theodore E. Backstrom,
William H. Pritchett,
Thomas H. Brown,
William G. Fay,
Robert Y. Rhea,
Eli T. Fryer,
Thomas Holcomb,
Edward A. Greene,
Edward B. Manwaring,
Thomas M. Clinton,
Hamilton D. South,
James T. Buttrick,
Giles Bishop, jr.,
Frank Halford,
James K. Tracy,
Berton W. Sibley,
William Brackett,
Chandler Campbell,
Arthur J. O'Leary,
William L. Redles,
Charles T. Westcott,
Frederick A. Ramsey,
Earl H. Ellis,
John A. Hughes,
Thomas C. Turner, and
Raymond B. Sullivan.

The following-named assistant quartermasters with the rank of major, to be assistant quartermasters in the Marine Corps, with the rank of lieutenant colonel, for temporary service, from the 1st day of July, 1918:

Henry L. Roosevelt,
Norman G. Burton,
Hugh Matthews,
Frank J. Schwable,
Rupert C. Dewey, and
Walter E. Noa.

Maj. Harold C. Reisinger, assistant paymaster, to be an assistant paymaster in the Marine Corps with the rank of lieutenant colonel, for temporary service, from the 1st day of July, 1918.

Maj. Elias R. Beadle to be a major in the Marine Corps from the 29th day of August, 1916. (To correct date of present rank.)

Maj. Arthur B. Owens to be a major in the Marine Corps from the 18th day of October, 1916. (To correct date of present rank.)

The following-named temporary major to be a major in the Marine Corps from the 16th day of October, 1917:

Alexander M. Watson.

Capt. Wilbur Thing to be a major in the Marine Corps, for temporary service, from the 22d day of May, 1917.

Capt. Edwin H. Brainard to be a major in the Marine Corps, for temporary service, from the 16th day of October, 1917.

Capt. Alfred A. Cunningham to be a major in the Marine Corps, for temporary service, from the 19th day of June, 1918.

The following-named captains to be majors in the Marine Corps, for temporary service, from the 1st day of July, 1918:

Alley D. Rorex,
Samuel M. Harrington,
Harold L. Parsons,
Chester L. Gawne,
Dwight F. Smith,
Thomas E. Thrasher, jr.,
Ernest A. Perkins,
Nedom A. Eastman,
Randolph T. Zane,
Clarence C. Riner,
Leon W. Hoyt,
Julian C. Smith,
Charles J. Miller,
Otto Becker, jr.,
Leander A. Clapp,
William S. Harrison,
Robert W. Voeth,
Thomas S. Clarke,
Clarence E. Nutting,
Bernard L. Smith,
Edward M. Reno,
Joseph C. Fegan,
Joseph D. Murray,
Woolman G. Emory,
George H. Osterhout, jr.,
John Q. Adams,
Francis T. Evans,
Charles G. Sinclair,
Adolph B. Miller,
Allen E. Simon,
Ralph E. Davis,
Harry W. Weitzel,
Sidney N. Raynor,
Frederick R. Hoyt,
Alexander A. Vandegrift,
Fred S. N. Erskine,
Roy S. Geiger,
Ernest C. Williams,
Richard H. Tebbs, jr.,
Robert E. Messersmith,
George W. Van Hoose,
Arthur J. White,
Samuel P. Budd,
Charles D. Barrett,
Emond H. Morse,

James T. Reid,
Robert P. Peirce,
Oliver Floyd, and
Gerald A. Johnson.

First Lieut. Arthur B. Jacques to be a captain in the Marine Corps, for temporary service, from the 23d day of May, 1917.

First Lieut. William Merrill to be a captain in the Marine Corps, for temporary service, from the 1st day of June, 1918.

First Lieut. Joseph Jackson to be a captain in the Marine Corps, for temporary service, from the 5th day of June, 1918.

First Lieut. Clate C. Snyder to be a captain in the Marine Corps, for temporary service, from the 7th day of June, 1918.

First Lieut. Thomas B. Wood to be a captain in the Marine Corps, for temporary service, from the 8th day of June, 1918.

First Lieut. William J. Borden to be a captain in the Marine Corps, for temporary service, from the 12th day of June, 1918.

The following-named first lieutenants to be captains in the Marine Corps, for temporary service, from the 1st day of July, 1918:

Joseph M. Swinnerton,
Leslie G. Wayt,
Charles A. Smith,
Archie Farquharson,
Robert W. Winter,
Edward P. Oliver,
Sidney O. Thompson,
Glen C. Cole,
Max Cox,
William H. Haggerty,
Walter J. White,
Edgar S. Tuttle,
Thomas L. Edwards,
Charles McL. Lott,
Joseph Reardon,
David T. Jackson,
Russell A. Presley,
William L. Erdman,
John H. Nichols,
Ernest L. Russell,
Frank N. Gilmore,
William J. Flanagan,
James F. Robertson,
George L. Littlefield,
William F. Becker,
Charles H. Martin,
Rolin A. York,
Charles F. Kienast,
Harvey B. Mims,
Earl B. Hammond,
Charles G. Haas,
Charles E. Rice,
Mark A. Smith,
Timothy J. Holland,
Vincent E. Healy,
Daniel J. Readey,
Charles D. Sniffin,
Walter A. Powers,
William H. Abrams,
Edmund G. Chamberlain,
Clarence E. Nelson,
George H. Martin, jr.,
Benjamin DeW. Knapp,
Robert J. Archibald,
Gilder D. Jackson, jr.,
Franklin T. Steele, and
Percy D. Cornell.

Second Lieut. Arthur B. Jacques to be a first lieutenant in the Marine Corps, for temporary service, from the 22d of May, 1917.

Second Lieut. Roswell G. Ham to be a first lieutenant in the Marine Corps, for temporary service, from the 1st day of June, 1918.

Second Lieut. Antonio Moschella to be a first lieutenant in the Marine Corps, for temporary service, from the 5th day of June, 1918.

Second Lieut. Earle F. Swett to be a first lieutenant in the Marine Corps, for temporary service, from the 7th day of June, 1918.

The following-named second lieutenants to be first lieutenants in the Marine Corps, for temporary service, from the 8th day of June, 1918:

George L. Cherry,
Walter S. Poague, and
Paul S. Hanway.

Second Lieut. William W. Nottingham to be a first lieutenant in the Marine Corps, for temporary service, from the 12th day of June, 1918.

Second Lieut. Charles J. Churchman to be a first lieutenant in the Marine Corps, for temporary service, from the 13th day of June, 1918.

Second Lieut. Allan C. Perkinson to be a first lieutenant in the Marine Corps, for temporary service, from the 14th day of June, 1918.

The following-named second lieutenants to be first lieutenants in the Marine Corps, for temporary service, from the 15th day of June, 1918:

Everett R. Brewer and
Blythe G. Jones.

Second Lieut. Robert D. Evans to be a first lieutenant in the Marine Corps, for temporary service, from the 16th day of June, 1918.

Second Lieut. Melvin H. Hass to be a first lieutenant in the Marine Corps, for temporary service, from the 19th day of June, 1918.

Second Lieut. Henry Gund, jr., to be a first lieutenant in the Marine Corps, for temporary service, from the 28th day of June, 1918.

The following-named second lieutenants to be first lieutenants in the Marine Corps, for temporary service, from the 1st day of July, 1918:

Philander B. Briscoe,
Herman R. Anderson,
Clarence M. Ruffner,
Philip B. Blake,
Albert C. Simonds,
Horace L. Hirschler,
Kenneth K. Boynton,
Frederick L. Kolb,
George R. Coxe,
Paul E. Cheney,
Samuel J. Melick,
Darrell J. Bogardus,
Walter M. Brewer,
Garrison P. Anthes,
Chester L. Fordney,
William J. J. Elger,
King H. Young,
Hu H. Phipps,
Harold P. Nachtrieb,
Roy E. Bledsoe,
Thomas A. Langford,
Lucius Q. C. L. Lyle,
Alexander P. Brown,
Walter E. Lawson,
Neil F. Dougherty,
Evans Spalding,
Carman B. Smith,
Donald U. Bathrick,
Norman E. Burbidge,
Leland I. Tolman,
Ulva L. Ettinger,
Gerald J. Pyle,
Frederick C. Lusk,
Matson C. Terry,
Willis F. Ostrander,
Frank J. Haight,
Roy A. Stoner,
Thomas G. MacCarthy,
James H. Williamson,
David A. Redford,
George G. Munce,
Carroll F. Byrd,
Frederick S. Manter,
Ralph W. Marshall,
Samuel F. Hollins, and
Raymond J. Kirwan.

The following-named officers of the Marine Corps Reserve to be second lieutenants in the Marine Corps, for temporary service, from the 17th day of July, 1918:

Second Lieut. Henry D. F. Long,
First Lieut. James Diskin,
First Lieut. Ross L. Iams,
Second Lieut. Lee Carter,
First Lieut. George Nielsen,
First Lieut. Wyle J. Moore,
First Lieut. Charles D. Baylis,
Second Lieut. Richard B. Dwyer,
Second Lieut. William G. Kilgore,

First Lieut. Harry E. Leland,
Second Lieut. John F. Leslie,
Second Lieut. David R. Nimmer,
First Lieut. William J. Platten,
Second Lieut. Allen G. Williams,
First Lieut. Georges F. Kremm,
First Lieut. Jesse F. Dunlap,
First Lieut. Melchoir B. Treifall,
First Lieut. Walter E. Batts, and
First Lieut. Trevor G. Williams.

Marine Gunner Winfield S. Cranmer to be a second lieutenant in the Marine Corps, for temporary service, from the 17th day of July, 1918.

The following-named officers of the Marine Corps Reserve to be second lieutenants in the Marine Corps, for temporary service, from the 15th day of August, 1918:

James McI. Adam,
Corlies Adams,
Herbert F. Adey,
Harvey B. Alban,
Norman T. Alexander,
Raymond D. Andrews,
Ray M. Angell,
Theodore F. Appleby,
Anthony G. Armstrong,
George S. Atkinson,
John Ayrault, jr.,
Harry W. Bacon,
David Ball,
George L. Ball,
Robert L. Bard,
William D. Bassett,
Arthur J. Bancroft,
John W. Beckett,
Robert S. Benepe,
Byron M. Bickford,
Paul E. Bierly,
Ivan E. Bigler,
Frank X. Bleicher,
Arthur O. Bodine,
John J. Bogardus,
Edwin M. Borgen,
William E. Bowe,
Sherman H. Bowles,
Richard Boydston,
Eugene D. Bradbury,
Alfred H. Branham,
Frank B. Bready, jr.,
Charles N. Briggs,
Clarence E. Briggs,
Leslie Brown,
Irwin T. Brown,
Oliver D. Brown,
William F. Brown,
Joseph F. Burke,
Leonard S. Burns,
Richard L. Byrd,
Laurence D. Berlin,
Charles C. Cameron,
Henry A. Carr,
Robert T. Carrithers,
Theodore H. Cartwright,
Arthur D. Challacombe,
Arthur F. Chmelik,
Solon B. Clark,
Bernard W. Coldewey,
Charles F. Conahan,
John F. Connaughton,
Stewart P. Corning,
William S. Cowles, jr.,
Alfred C. Cottrell,
David S. Craig,
Gerald A. Craig,
Charles W. Creaser,
John W. Cunningham,
James B. Darby,
Hubert J. Davis,
Louis J. Davis,
Edward Earle,
Nathaniel W. Emery,
Fred N. Estopinal,
Phillips Eastman,
Charles W. Ebnother,
Carlton E. Edwards,
John F. Ellis,
John J. Emmons,
John F. Eskay,
William W. Eustis,
James C. Faw,
Francis I. Fenton,
Guy L. Ferguson,
Michael J. Finn,
Carlton A. Fisher,
George C. Flanders,
James W. Flett,
Charles P. Flood,
Harry G. Fortune,
James Gandee,
Frank B. Geottge,
Frank D. Gibson,
Wallace G. Gibson,
Frank S. Gilman,
Newell S. Gordy,
Moses J. Gould,
Frank P. Graham,
Homer J. Gravelle,
Edwin U. Hakala,
Charles H. Hassenmiller,
August L. Huhn, jr.,
George M. Hunter,
Robert E. Hutchinson,
Henry N. Hale,
Elmor E. Hall,
William C. Hall,
John Halla,
Charles F. Hansel,
Eugene B. Hanson,
Page V. Hart,
Clarence H. Hartley,
Leo Healey,
Frank W. Heinrichs,
Gerald K. Hemsing,
Frank W. Hemsoth,
Eugene G. Henry,
Russell A. Hicks,
Grant L. Hill,
Ogbourne A. Hill,
Sidney Hodges,
Leo W. Horejs,
George W. Houghton,
Morton B. Houston,
Ross M. Hutchinson,
Carles E. Huntting,
Kenneth A. Inman,
Elijah H. Ikard,
Orrel A. Inman,
Charles V. Iredell,
Edward B. Irving,
William S. Ive,
John R. Jacob,
Paul Jahn,
Robert L. Jarnagin,
Robert B. Jeffrey,
Irving A. Jennings,
Barton I. Jenson,
Harold S. Jones,
William J. Jones,
Elmer W. Johnson,
Byron F. Johnson,
Earl F. Johnson,
James B. Johnson,
Nathaniel B. Johnson,
Oscar B. Kaufman,
Loren P. Kesler,
James J. Keating,
Oscar D. Keown,
Frank M. Keller,
Oscar E. Kelly,
William S. Kelley, jr.,
Harold E. Kellogg,
Harold E. Kelsey,
Arthur F. Lamey,
Irving H. Lambert,
Fletcher H. Lansing,
Arnold C. Larsen,
Aubrey O. Loughmiller,
Ralph K. Lawson,
Paul A. Lesser,
George R. Lewis,
Charles E. Lighter,

Jack B. Loraine,
Kessler B. Low,
Orlando A. MacKinnon,
Paul F. Moran,
Grover C. Moore,
Joseph E. Magnus,
Edward W. Mahan,
Edward E. Mann,
Cyril W. Martyr,
Lester N. Medaris,
Frank A. Messmer, jr.,
Sidney M. Michael,
Wells W. Miller,
George E. Monson,
Edward B. Moore,
Robert B. Moore,
Roy S. Moore,
Gomer W. Morgan,
Charles F. Morrison,
Melville L. Moore,
Merwin C. Morrison,
Richard F. Mott,
Robert P. Moyer,
Sydney M. Moore,
Chauncey L. Mullen,
William W. Multer,
Raymond F. Murphy,
Maxwell F. Musser,
Frank C. Myers,
Gail D. McDowell,
Oscar D. McDaniel,
Homer H. McIntyre,
William R. McKee,
James P. J. McKevitt,
John C. McLean,
Clinton W. McLeod,
Martin L. McManus,
John W. McNamara,
Hubert B. McPeak,
Wendell S. McRae,
John A. McShane,
Edmund D. Nelson,
Edmund C. Norton,
Nathan S. Noble,
Joseph L. Nolan,
Emil M. Northenscold,
James C. Norton,
Donald G. Oglesby,
William G. Olive,
Ruel G. O'Neel,
Edward B. Orr,
Ralf C. Paddock,
Jackson C. Palmer,
William C. Parker,
Bradford A. Parrish,
Farold K. Patchen,
Gerald R. Patten,
Albert W. Paul,
Donald E. Paul,
Louis F. Peifer,
Louis A. Perraud,
Lynn E. Perry,
Charles P. Phelps,
Claude A. Phillips,
Basil H. Pollitt,
Leigh A. Poole,
Lester E. Power,
William B. Pressey,
Clifford Prichard,
Lindley H. Pryor,
Irving B. Purdy,
Alfred Putnam,
Harry S. Radcliffe,
Joseph W. Rafter,
Charles J. Reilly,
Eldred I. Rawles,
Charles E. Richardson,
Howard A. Rogers,
Howard E. Rothrock,
Frank W. Rugg,
Earl L. Ryan,
John F. Ryan,
Samuel B. Ryan,
Robert K. Ryland,
George C. Schleeter,
Harry N. Salet,
Joseph F. Simmons,
Leslie R. Smith,
Paul R. Schoenlaub,
Carey J. Scott,
Jesse C. Scroggins,
Edward Selby,
John T. Selden,
Arthur F. Sennholtz,
Allen R. Sherman,
Henry D. Shields,
Edward P. Simmonds,
Frank P. Simons,
Earl K. Smith,
Francis M. Smith,
James E. Smith,
Dale R. South,
Fred R. Sparger,
Frederick L. Spear,
Harry P. Strong,
Edward W. Staunton,
Kenneth M. Stead,
Melvin J. Stinchfield, jr.,
Uley O. Stokes,
Ray Sunderland,
Harry R. Swanson,
Joseph F. Szeszycki,
George Tholin,
Bruce E. Tow,
Robert E. Towey,
John A. Tracey,
Charles L. Turner,
Pierson M. Tuttle,
Frank D. Upchurch,
Ross G. Van Gundy,
Alfred J. Wainman,
John D. Wagstaff,
Arthur L. Whiteside,
Alphonse H. Wambsgans,
William J. Wallace,
James D. Waller,
Byron J. Walters,
Joseph E. Watson,
Harvey D. Weaver,
Hilliard C. Wellborn,
James G. White,
Maurice B. Wiedemer,
Hansel D. Wilson,
Hobert A. Wilson,
Norman H. Wilson,
Stanley E. Wilson,
Kenneth A. Williams,
Harold P. Williamson,
Carl D. Wingstrand,
Earl J. Witt,
Clinton H. Wooten,
William D. Wray,
Ernest L. Wright,
Joseph A. Yeager,
Sherman L. Zea,
Chester A. Zeller,
John H. Andrews,
Edward C. Apperson,
Clay R. Apple,
Michael J. Barry,
Merton J. Batchelder,
Olin L. Beall,
Kenneth R. Berkey,
Thomas E. Boliver,
Josiah B. Bristol,
Marshall Y. Chapman,
Daniel L. Clifford,
Alan M. Cohen,
Harry P. Crouch,
Charles A. Craig,
George W. R. Davidson,
Joseph De Paiva,
James D. Desmond,
Joseph L. Doll,
James H. Eason,
Earle S. Eastham,
Walter S. Farley,
Kenneth S. Ferguson,
John McP. Gault,
George M. Goodman,
James B. Gracy,
Miner P. Gross,

Tom H. Hayden,
Lyle Harper,
John W. Housewright,
William T. Howze,
George S. Huggard,
Joseph A. Jensen,
Aubrey L. Johnson,
Michael J. Kelley,
Sherman B. Kramer,
Clinton S. King,
Leonard Kinsell,
Charles T. Langan,
William R. Langford, jr.,
Phillips T. Lehmer,
Harry B. Liversedge,
Guy Lewis,
Frank C. Logue,
Ralph W. Luce,
William G. Lodwick,
Nathan D. McClure,
Dan McFarland,
Hugh A. McGann,
John M. McGregor,
Clifton G. McMeen,
Colin J. Macdonald,
Maurice F. Mackey,
Jo G. Martin,
William F. May,
Howard Mayes,
Norman McA. Moss,
Don D. Newton,
Bertram S. Nickerson,
Vincent M. O'Donnell,
James W. O'Neil,
Robert C. Patchell,
Lawrence R. Patterson,
Otey H. Pettigrew,
Francis A. Porter,
Arthur C. Prine,
William B. Prior,
Stewart W. Purdy,
Laurens H. Reyburn,
Herbert B. Renninger,
Harvey J. Rice,
Richard V. H. Ridgely,
Ralph R. Rieker,
Walter Roll,
John A. Scanlon,
Barney M. Shively,
Rees Skinner,
Francis McF. Snider,
Kenneth B. Stiles,
Alvan E. Stoddard,
Donald G. Stookey,
Harry C. Swanstrom,
William M. Thomas,
Samuel F. Vance,
Joseph F. Verbelle,
Robert L. Waddell,
George M. Wolcott,
Ray F. Wetter,
James F. Wilmeth,
Hubert C. White,
Charles F. Worthen,
John A. Zimmerman,
Horace Talbot,
David Kipness,
Earl W. Garvin,
Harold W. Whitney,
Fred Thomas,
Victor F. Bleasdale,
Harold F. Swindler,
Harold T. Palmer,
Merwin H. Silverthorn,
Aaron J. Ferch,
Russell C. Bayne,
Jacob H. Heckman,
Kyle C. Hash,
Arthur J. Pelander,
Tolbert W. Wagoner,
Herbert G. Joerger,
Claggett Wilson,
Charles R. Francis,
Oscar A. Swan,
Joseph C. Grayson,
Walter S. Gasper,
Henry McClintock,
John H. Parker,
Nicholas E. Clauson,
Carl P. Hedberg,
Roger B. Kirkbride,
Sydney Thayer, jr.,
Arnold D. Godbey,
Herman L. McLeod,
Joseph D. Broderick,
Carl R. Dietrich,
George Ehrhart, jr.,
Donald S. Gordon,
William T. Hutchinson,
Harold Powell,
Albyn A. Wilcox,
Donovan Wilmot,
Alfred Wilkinson,
Joseph H. Mueller, jr.,
Jacob Lienhard,
Patrick J. Grealy,
James G. Brennan,
Robert E. Conner,
James P. Schwerin,
Bernard L. Fritz,
William J. Mosher,
Vernon Bourdette,
Robert I. Avery,
Samuel T. Jackson,
Guy L. Pyle,
Marvin Scott,
William P. Henchel,
Irving F. Bigelow,
John L. Hunt,
Delos D. McKenzie,
Charles A. Ingram,
Edward T. Bayman,
John T. Thornton,
Fitzhugh L. Buchanan,
Joseph N. Shaw,
Ralph C. Judd,
Chauncey H. Applegate,
Edward F. O'Day,
James McClelland,
Tom E. Wicks,
John A. Gustafson,
David P. Colvin,
Jacob J. Kesel,
James Carbary,
Murl Corbett,
William H. Schmidt, jr.,
Ray Rindfleisch,
William P. Grow,
Eugene West,
Amor L. Sims,
Robert C. Pitts,
Joseph B. Carhart,
George L. Brown,
Howard L. Vose,
Emmet Trainor,
Earl T. Martineau,
Kenneth W. Harding,
Joseph F. Maher,
Peter Morgan,
Henry L. Nabbefeld,
Hugh P. Kidder,
William A. Zook,
George Bower,
Charles W. Brooks,
Ben L. Taylor,
William F. Drummer,
Lloyd E. Battles,
Jay Van Housen,
Palmer Ketner, jr.,
Henry P. Cottingham,
Arthur C. Cooper,
Charles H. Ray,
John Groff,
Henry P. Glendinning,
Willis H. Prather,
Prentice S. Geer,
Irving G. Beckwith,
William R. Bockus,
George W. Walker,
Richard R. Day,
Marshall E. Simmons,
George Draine,

William A. Bradley,
George R. Rowan,
Leonard E. Rea,
Harry G. Lane,
James E. Stanners,
Clell G. Johnson,
Lucas I. Bruns,
Richard H. Schubert,
Herbert V. Hansen,
Egbert J. Wood,
Melvin E. Fuller,
George E. Gardner,
Holton Y. Ditto,
Claude B. Taugher,
William B. Kinkead,
Bruce C. Lubers,
Thomas R. Wert,
Charles F. Dalton,
Samuel K. Eaves,
Charles M. Adams,
Earl F. Lucas,
Axel G. Johnson,
Bert O. Herreid,
William K. MacNulty,
Edwin J. Davenport,
Hamlet C. Sharp,
Edward C. Fowler, and
Richard Cornelius.

First Lieut. Earl C. Nicholas to be a captain in the Marine Corps, for temporary service, from the 13th day of June, 1918.

First Lieut. Frank F. Zissa to be a captain in the Marine Corps, for temporary service, from the 15th day of June, 1918.

First Lieut. Martin J. Kelleher to be a captain in the Marine Corps, for temporary service, from the 16th day of June, 1918.

First Lieut. Martin Canavan to be a captain in the Marine Corps, for temporary service, from the 19th day of June, 1918.

Quartermaster Clerk David L. Ford to be a second lieutenant in the Marine Corps, for temporary service, from the 16th day of August, 1918.

Second Lieut. Josephus Daniels, jr., Marine Corps Reserve, to be a second lieutenant in the Marine Corps, for temporary service, from the 16th day of August, 1918.

The following-named first lieutenants to be captains in the Marine Corps, for temporary service, from the 1st day of July, 1918:

Newton Best and
Angus A. Acree.

The following-named second lieutenants to be first lieutenants in the Marine Corps, for temporary service, from the 1st day of July, 1918:

Clifton B. Cates and
George T. Hall.

The following-named officers of the Marine Corps Reserve to be second lieutenants in the Marine Corps, for temporary service, from the 15th day of August, 1918:

William English,
George W. Hopke,
Frederick Israel,
Carl J. Norstrand,
Cecil J. Widdifield,
Robert C. Babcock,
Dave W. McClain,
Frank Neider,
Morris C. Richardson,
George Belmont,
George B. Batten,
John T. Foster,
William Zoltowski,
Russell M. Frederick,
Edward E. Lindgren,
Bayard Vasey,
Jesse L. Crandall,
Vincent A. Brady,
Edward F. Dunk,
Harry L. Smith,
Robert L. Young,
Charles S. Thompson,
Terrence J. Callan,
Paul J. Ogden,
Maurice E. Barnett, jr.,
William W. Rogers,
George F. Stockes,
William J. Whaling, and
Curtis T. Beecher.

CONFIRMATIONS.

Executive nominations confirmed by the Senate August 24 (legislative day of August 22), 1918.

COLLECTOR OF INTERNAL REVENUE.

James S. Persinger to be collector of internal revenue at Salem, Va.

PROMOTIONS IN COAST GUARD.

Third Lieut. Fletcher Webster Brown to be second lieutenant.
Third Lieut. Robert Donohue to be second lieutenant.
Third Lieut. James Alexander Frost, jr., to be second lieutenant.
Third Lieut. Loyd Vineyard Kielhorn to be second lieutenant.
Third Lieut. Gordon Whiting MacLane to be second lieutenant.
Third Lieut. Elmer Fowler Stone to be second lieutenant.
Third Lieut. Carl Christian von Paulsen to be second lieutenant.
Third Lieut. John Elliot Whitbeck to be second lieutenant.
First Lieut. Charles W. Cairnes to be captain on the retired list.

HOUSE OF REPRESENTATIVES.

SATURDAY, *August 24, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Lord, our God and our Father, who holdest in the hollow of Thy hand the destiny of men and of nations, so move upon their hearts and assert Thy wisdom, power, and goodness that they may bring order out of chaos, truth out of error, love out of hate, peace out of war, righteousness out of sin, joy out of sorrow; that Thy kingdom may come and Thy will be done in earth as in heaven, through Him who taught us the way and the truth and the life. Amen.

The Journal of the proceedings of yesterday was read and approved.

CHANGES IN THE DRAFT LAW.

Mr. DENT. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of House bill 12731.

The SPEAKER. The gentleman from Alabama moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill amending the draft law.

Mr. LUNN. Mr. Speaker, while that is pending I ask unanimous consent to insert in the RECORD a letter from The Adjutant General regarding the ages at which men can enlist under the law. Yesterday the question was raised, and the statement was made that men of 16 or 17 could be enlisted. I stated the contrary, and I would like to insert this letter in the RECORD.

Mr. LANGLEY. Let the letter be read, Mr. Speaker. We would like to hear it.

Mr. WALSH. Mr. Speaker, the proper place for that is in the consideration of the bill in Committee of the Whole. I do not think we ought to do it in this way.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. WALSH. Mr. Speaker, I object.

The SPEAKER. The gentleman objects. The question is on the motion to go into Committee of the Whole House on the state of the Union. Those in favor say "aye"——

Mr. STAFFORD. Mr. Speaker, on that I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Wisconsin [Mr. STAFFORD] makes the point of order that there is no quorum present. Evidently there is not. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll. The question is on going into the Committee of the Whole House on the state of the Union.

The question was taken; and there were—yeas 337, not voting 93, as follows:

YEAS—337.

Alexander	Beakes	Brumbaugh	Carter, Mass.
Almon	Bell	Buchanan	Cary
Anderson	Beshlin	Burnett	Chandler, N. Y.
Anthony	Black	Burroughs	Chandler, Ohio
Ashbrook	Blackmon	Byrns, Tenn.	Church
Austin	Bland, Ind.	Caldwell	Clark, Fla.
Ayres	Bland, Va.	Campbell, Kans.	Clark, Pa.
Bacharach	Blanton	Campbell, Pa.	Classon
Baer	Bowers	Cannon	Claypool
Bankhead	Brand	Cantrill	Cleary
Barnhart	Brodbeck	Carlin	Coady

Collier	Gordon	McClintic	Sears
Connally, Tex.	Gould	McCulloch	Sells
Cooper, Ohio	Graham, Ill.	McFadden	Shallenberger
Cooper, W. Va.	Gray, N. J.	McKenzie	Sherwood
Costello	Green, Iowa	McKeown	Shouse
Cox	Greene, Mass.	McLaughlin, Mich.	Sims
Crago	Greene, Vt.	McLaughlin, Pa.	Sinnott
Crisp	Gregg.	McLemore	Sisson
Currie, Mich.	Griest	Madden	Slemp
Curry, Cal.	Griffin	Magee	Small
Dale, N. Y.	Hadley	Maher	Smith, Mich.
Dale, Vt.	Hamill	Mansfield	Smith, C. B.
Dallinger	Hamilton, Mich.	Mapes	Smith, T. F.
Darrow	Hamilton, N. Y.	Martin	Snook
Davis	Hamlin	Mason	Snyder
Decker	Hardy	Meeker	Stafford
Dempsey	Harrison, Va.	Merritt	Steagall
Denison	Haskell	Miller, Minn.	Stedman
Dent	Hastings	Miller, Wash.	Steele
Denton	Hawley	Montague	Stephens, Miss.
Dewalt	Hayden	Moon	Stephens, Nebr.
Dickinson	Heaton	Moore, Pa.	Sterling, Ill.
Dill	Heflin	Moores, Ind.	Stiness
Dixon	Helm	Morgan	Strong
Dooling	Helvering	Morin	Sullivan
Doolittle	Hersey	Neely	Sweet
Doremus	Hilliard	Nichols, Mich.	Swift
Doughton	Holland	Nolan	Tague
Dowell	Houston	Norton	Taylor, Ark.
Drane	Hull, Iowa	Oldfield	Taylor, Colo.
Dunn	Hull, Tenn.	Oliver, N. Y.	Temple
Dupré	Humphreys	Olney	Thomas
Dyer	Husted	Osborne	Thompson
Eagan	Hutchinson	O'Shaunessy	Tillman
Eagle	Igoe	Overmyer	Tilson
Edmonds	Ireland	Overstreet	Timberlake
Elliott	James	Paige	Tinkham
Ellsworth	Johnson, Ky.	Park	Towner
Elston	Johnson, Wash.	Parker, N. J.	Treadway
Emerson	Kahn	Parker, N. Y.	Van Dyke
Esch	Kearns	Phelan	Vare
Estopinal	Kehoe	Platt	Vestal
Evans	Kelley, Mich.	Polk	Volgt
Fairchild, B. L.	Kennedy, Iowa	Porter	Volstead
Fairchild, G. W.	Kennedy, R. I.	Pou	Waldow
Fairfield	Kettner	Pratt	Walker
Ferris	Key, Ohio	Price	Walsh
Fess	Kiess, Pa.	Purnell	Walton
Fields	Kincheloe	Quin	Ward
Fisher	King	Rainey, H. T.	Wason
Flood	Kinkaid	Rainey, J. W.	Watson, Pa.
Focht	Kitchin	Raker	Watson, Va.
Fordney	Knutson	Ramsey	Weaver
Foster	Kraus	Ramseyer	Webb
Francis	Kreider	Rayburn	Welty
Freeman	La Follette	Reavis	Whaley
French	Langley	Reed	Wheeler
Fuller, Ill.	Larsen	Robbins	White, Me.
Fuller, Mass.	Lazaro	Roberts	White, Ohio
Gallagher	Lea, Cal.	Rodenberg	Williams
Gallivan	Lee, Ga.	Rogers	Wilson, Ill.
Gandy	Lehlbach	Romjue	Wilson, La.
Gard	Lesher	Rose	Wingo
Garland	Lever	Rouse	Winslow
Garner	Little	Rowe	Wood, Ind.
Garrett, Tenn.	Littlepage	Rubey	Woods, Iowa
Garrett, Tex.	Lobeck	Rucker	Woodyard
Gillett	London	Sabath	Wright
Glass	Lonergan	Sanders, Ind.	Young, N. Dak.
Glynn	Longworth	Sanford	Young, Tex.
Godwin, N. C.	Lufkin	Saunders, Va.	Zihlman
Good	Lunn	Scott, Mich.	
Goodall	McAndrews	Scott, Pa.	
Goodwin, Ark.	McArthur	Scully	

NOT VOTING—93.

Aswell	Farr	Lundeen	Scott, Iowa
Barkley	Flynn	McCormick	Shackleford
Booher	Foss	McKinley	Sherley
Borland	Frear	Mann	Siegel
Britten	Graham, Pa.	Mays	Slayden
Browne	Gray, Ala.	Mondell	Sloan
Browning	Harrison, Miss.	Mott	Smith, Idaho
Butler	Haugen	Mudd	Snell
Byrnes, S. C.	Hayes	Nelson	Steenerson
Candler, Miss.	Heintz	Nicholls, S. C.	Sterling, Pa.
Caraway	Hensley	Oliver, Ala.	Stevenson
Carew	Hicks	Padgett	Sumners
Carter, Okla.	Hollingsworth	Peters	Switzer
Connelly, Kans.	Hood	Powers	Talbott
Cooper, Wis.	Howard	Ragsdale	Templeton
Copley	Huddleston	Randall	Venable
Cramton	Jacoway	Rankin	Vinson
Crosser	Johnson, S. Dak.	Riordan	Watkins
Delaney	Jones	Robinson	Welling
Dies	Juul	Rowland	Wilson, Tex.
Dillon	Keating	Russell	Wise
Dominick	Kelly, Pa.	Sanders, La.	
Donovan	LaGuardia	Sanders, N. Y.	
Drukker	Linthicum	Schall	

So the motion of Mr. DENT was agreed to.

The following pairs were announced:

For the session:

Mr. STEELE with Mr. BUTLER.

Until further notice:

Mr. HENSLEY with Mr. MUDD.

Mr. TALBOTT with Mr. BROWNING.

Mr. OLIVER of Alabama with Mr. PETERS.

Mr. SLAYDEN with Mr. MCKINLEY.

Mr. JACOWAY with Mr. LAGUARDIA.

Mr. ASWELL with Mr. SANDERS of New York.

Mr. NICHOLLS of South Carolina with Mr. BRITTEN.

Mr. BARKLEY with Mr. SANDERS of Indiana.

Mr. BOOHER with Miss RANKIN.

Mr. MAYS with Mr. COOPER of Wisconsin.

Mr. LINTHICUM with Mr. COPLEY.

Mr. KEATING with Mr. BROWNE.

Mr. BYRNES of South Carolina with Mr. NELSON.

Mr. SANDERS of Louisiana with Mr. CRAMTON.

Mr. CANDLER of Mississippi with Mr. MONDELL.

Mr. HOWARD with Mr. DILLON.

Mr. CARAWAY with Mr. MCCORMICK.

Mr. HARRISON of Mississippi with Mr. DRUKKER.

Mr. CAREW with Mr. LUNDEEN.

Mr. FLYNN with Mr. FREAR.

Mr. CONNELLY of Kansas with Mr. JUUL.

Mr. DOMINICK with Mr. FOSS.

Mr. DONOVAN with Mr. GRAHAM of Pennsylvania.

Mr. PADGETT with Mr. HICKS.

Mr. RAGSDALE with Mr. SCOTT of Iowa.

Mr. RANDALL with Mr. SIEGEL.

Mr. RIORDAN with Mr. HOLLINGSWORTH.

Mr. SHERLEY with Mr. SLOAN.

Mr. WELLING with Mr. SMITH of Idaho.

Mr. ROBINSON with Mr. HEINTZ.

Mr. STERLING of Pennsylvania with Mr. TEMPLETON.

Mr. STEVENSON with Mr. HAUGEN.

Mr. VENABLE with Mr. SWITZER.

Mr. WILSON of Texas with Mr. FARR.

Mr. WATKINS with Mr. SNELL.

Mr. WISE with Mr. ROWLAND.

Mr. VINSON with Mr. HAYES.

The result of the vote was then announced as above recorded.

A quorum being present, the doors were opened.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. HAMLIN in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the consideration of the bill of which the Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 12731) amending the act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917.

The CHAIRMAN. When the committee rose the committee had under consideration what is known as the Madden amendment. Debate had been exhausted on that amendment.

Mr. MILLER of Minnesota. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. MILLER of Minnesota. Did I understand the Chair to state that all debate had been exhausted on the amendment?

The CHAIRMAN. As a matter of fact, debate had been exhausted on the amendment.

Mr. MILLER of Minnesota. There were one or two gentlemen asking for recognition, and I personally wanted recognition for a few minutes.

The CHAIRMAN. The Chair will recognize the gentleman.

Mr. MILLER of Minnesota. Mr. Chairman, I move to strike out the last word. I apprehend that it was the intention of the gentleman from Illinois in offering the amendment that employees of the executive departments of the Government should not, by reason of that employment, be exempt from military service. If that is the intention of the author of the amendment I beg to submit to him that it is the law now. The man who is in the executive departments of the Government to-day by reason of that position is not exempt from the operation of the draft. If this becomes a law, as we expect it will, there is nothing in this amendment to the selective-draft act that will exempt such individual from its operation. Now, if that is the purpose of the amendment, I suggest that the amendment is unnecessary.

As the practice now is, the heads of the departments are required to certify and ask for an exemption for those in that department or bureau whose services are necessary for the proper discharge of the duties of the bureau. I think it is the common sense of mankind, certainly of the membership of the House, not to interfere with the orderly discharge of the many responsible duties of the executive departments of the Government. I think we ought not to adopt any amendment calculated to interfere with the discharge of their important duties.

If it is the intention of those in favor of this amendment to do more than that, or if the amendment without that intention will do more than that, then I submit to you that it is positively harmful. It seems to me entirely unnecessary that we should write into the law an amendment with this particular phraseology. If it is desired to express the congressional intent that men who are in the executive departments shall not be relieved from military

duty unless their services are indispensable to the proper discharge of the work of that bureau, then let us say that in so many words. That might have some moral effect in the operation of the administration of the law.

I am willing to admit, I am even willing to affirm with emphasis, that in my humble opinion there are many employed in the Government departments here in Washington to-day that are not indispensable to the proper discharge of the functions of the various bureaus. I will go further, if you please. I believe one of the causes of inefficiency, or perhaps I had better say lack of maximum efficiency, in the several bureaus to-day is the surfeit and surplus of employees. I have said before, and I now repeat, that in one bureau of this Government in Washington, the name of which I forbear to mention, there are more employees than there are in the entire military establishment of Great Britain.

They are standing in the way of each other, and they are, by their numbers, impeding the proper discharge of the duties of that particular department.

Mr. LANGLEY. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Minnesota. But we do not correct that by this amendment. It may be that we should affirmatively say that we should write in the law that no head of a department should ask for the exemption of an employee therein unless the services of that employee are absolutely indispensable to the proper discharge of the work of such bureau. If so, let us write it in that language, but this does not do that. I yield to the gentleman from Kentucky.

Mr. LANGLEY. My information is that a good many employees who have been exempted upon the ground that they are indispensable to the work of the departments are people who have been in the service only two or three months. Does the gentleman know anything about that?

Mr. MILLER of Minnesota. I do not; but I can readily understand how this privilege can be abused, and I also can readily understand, how a man with technical knowledge and experience may have been brought here but recently, who is of draft age, whose technical knowledge and experience make him indispensable to the proper discharge of the work of the office. I do know that in some of the bureaus they have carefully combed out and recombed out all of the men they thought they could dispense with. They have been very sensitive about it, and very properly so. I submit it would be inadvisable to adopt this amendment in its present form. Either it makes no change in existing law—and I do not think it does—or it prevents technical, skilled men from being utilized in branches of the Government service, men who are positively indispensable to the proper performance of the work of that service. It would be the height of folly to take from the Government service at this time such men as are indispensable to the efficiency of that service, men whose places can not be filled by others, and send them out into the field where their special qualifications are of no value. Again, I say, let judgment rule, and defeat this amendment.

Mr. STERLING of Illinois. Mr. Chairman, I move to strike out the last two words. It seems to me that it would be most unfortunate to adopt this amendment to this bill. I am inclined to think that the amendment would produce the very inequality which my colleague from Illinois [Mr. MADDEN] seeks to avoid. He stated in his remarks last evening that the purpose of this amendment was to put these persons in civil employment in the Government on an equality and on the same basis as employees of other institutions. Under the provisions of the bill as it now stands they are on the very same basis as the employees of other institutions. They may be exempted when in Government service only when their occupation or when the duties which they perform are necessary to the maintenance of the Military Establishment. That is true all over this country. Any man anywhere whose employment is necessary to the maintenance of the Military Establishment may be exempted from military duty. That is just where the civil Government employees stand, and if the gentleman's amendment is adopted it produces an inequality that does not give those Government employees, even though their duties are essential to the maintenance of the Military Establishment, the right or privilege of exemption. It has been stated on the floor here that some of the departments have exempted a great number of employees on account of favoritism. I do not know whether that is true or not. I presume my opportunity to know is just about the same as that of every other Member of this House, and personally I do not know of a single instance where a Government employee has been exempted on account of favoritism. Assume that that has been done, assume that the privilege has been abused, I assure you that it does not justify us in abolishing this privilege of exemption to certain Government employees. It is said that 2,130 men in the Agricultural Department have been exempted. I do not know. I do know this. I know there is a vast number of men in the employ of the Agricultural Department whose work is essential, whose work is highly technical, whose places can not be readily filled by going out and calling on the labor of the country for men to take these places, and I submit to you that there is no department of this Government, the maintenance of which and the effectiveness of which is more essential to the maintenance of the Military Establishment of the Government than the Agricultural Department.

I, for my part, shall assume that if there were 2,130 men exempted from military duty in that department they were exempted in good faith, because I believe that the heads of the departments are better able to judge of the necessity of the services of these men in the particular line in which they are employed than I am, and I believe that they are better ablé to judge than you are. I submit we ought to approach this kind of legislation in a somewhat different spirit from that in which it has been approached, not upon the theory that the heads of the departments are not administering the law properly and that they are showing favoritism. I want to repeat that, in my opinion and my belief, their purpose and intentions are just the same as ours. If we should deny exemptions to these technically trained men in the Agricultural Department, we might, I fear, break down the work of that department. If we should take away all the professional men from the Department of Justice or from the Health Department we would destroy those departments. If we allowed no exemption to the experts in the Treasury Department we would create utter confusion in that department. We must allow the civil side of the Government to keep its experts, to keep the men whose service is essential, or we will render the Government inefficient. Never was a thorough, able civil government more necessary than now. We must look to it to raise an Army and provide for its maintenance and support. It never had a greater task, and we must not permit the experts in these departments to be taken away at this critical time. Government employees are liable now, and will be under this bill, to military duty the same as all other employees. We all know that the heads of departments have acted on that idea. In every department we see great service flags decorating the walls, showing a star for every man who has left for war duty. Thousands have gone out of civil service into the military service, and under this bill thousands more will go. It is only the technical men, the experts, the men essential to the proper maintenance of the Military Establishment that may be exempted under this provision of the bill. The proposed amendment will deprive the Government of their services. I am willing to trust to the heads of departments to exercise wisdom and fairness in the administration of the provision. If they fail it is not our fault. It is our duty to make wise laws, and we can only trust to the executive to administer them wisely. We can not correct the abuse of privileges granted in good laws by passing bad laws. We should vote this amendment down.

Mr. COX rose.

Mr. DENT. Mr. Chairman, I would like to get some agreement in respect to closing this debate. It seems to me that the matter has been sufficiently debated and that we should close it at the end of five minutes. I make a request that we do so.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that all debate upon this amendment and all amendments thereto close at the end of five minutes. Is there objection?

Mr. GRAHAM of Illinois. Mr. Chairman, reserving the right to object, I should like to have five minutes.

Mr. REAVIS. Mr. Chairman, I should like to have five minutes.

Mr. DENT. Then I will modify it by making it 15 minutes.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that all debate upon this amendment and all amendments thereto close in 15 minutes. Is there objection?

There was no objection.

Mr. COX. Mr. Chairman and gentlemen, I want to earnestly support the amendment offered by the gentleman from Illinois [Mr. MADDEN]. If any Member of the House has taken the opportunity of reading the answers to the resolutions offered by the gentleman from Illinois made by the various heads of departments, I am at a loss to understand how he can oppose the amendment. I am not accusing the heads of departments as being unfair, but those reports speak for themselves. I have read not only the names of the men who have been exempted but I studied them. Tell me that a little stenographer is indispensable to the running of any of these departments? Tell me that a little clerk drawing a salary of $1,200 to $1,500 a year is indispensable to the running of that department, yet if you will read the 10 or 12 reports made by the various executive departments of this Government you will find scores of men who have

been exempted from military duty, and the report itself shows the only thing they do is to fill stenographic jobs or fill the position of a small clerk doing work that the wives of the soldiers who are now fighting in France ought to have. [Applause.] Doing work, gentlemen, that the disabled soldiers of this country ought to have. [Applause.] There are more slackers in the city of Washington this very moment than there are in the great city of New York, with ten times its population. [Applause.] You can scarcely get through a department down here but what you find men between the age of 21 and 31 filling little insignificant clerical positions. Read these reports——

Mr. VARE. Will the gentleman yield?

Mr. COX. I have not got the time.

The CHAIRMAN. The gentleman declines to yield.

Mr. COX. And ex-Members of this House who have served here 18 or 20 years, been here long enough to know how to pull the ropes, find where their boys are exempt, some of them filling the little, insignificant position of a deputy internal revenue traveling agent, and yet exempt because their work is indispensable to the running of that department. The place for those men and the place for those clerks is squarely in the Army. As the gentleman from Chicago [Mr. MADDEN] said yesterday, my nephews are fighting on the blood-soaked battle fields of France this morning if they have not been killed. They are no better than your nephews, no better than any other man's nephew. They were farm boys. They unhitched their teams, left their harvesters, and went straight in the Army or Navy, and yet you are told here by certain men—Oh, I wonder if there could possibly be anything behind the men who are warning us here, whether or not they have anybody down in these departments who is liable to be affected if this amendment goes through. I just wonder if that is true. You are told this will disorganize the whole business. Why, you remember this spring when Marshal Haig was fighting with his back to the wall, you all remember that famous message that Lloyd-George sent to comb the civil service of England, and the civil service of England was combed, and no doubt it was honeycombed, with a lot of infernal slackers like you find here in the city of Washington. From the time they combed the civil service in England and sent these men to the firing line the Germans have never made another foot of advance. Of all the righteous amendments offered here, it is this amendment offered by the gentleman from Illinois [Mr. MADDEN]. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. GRAHAM of Illinois. Mr. Chairman and gentlemen of the committee, when this amendment of my colleague was first presented, naturally, like all the rest of you, most of you, no doubt, I was heartily in favor of it until I got to thinking about the possible effects of the amendment, and now I have become thoroughly convinced, gentlemen, that it is absolutely impracticable and unwise and ought not to be adopted by this House. [Applause.] It is just as essential, gentlemen, that the arsenals and the shipyards of these United States be conducted as it is that the Army be filled up. This amendment of the gentleman from Illinois [Mr. MADDEN] if enacted into law will have the effect of repealing, at least by implication, any clause of the selective-service act by which these men who are now employed in the navy yards and arsenals of the United States are given deferred classifications. A mere inspection of the original selective-service act will convince you, gentlemen, this is true. The only provision there is in the original act I know of is found on page 4 of the printed act, which gives the President the right—

> To exclude or discharge from said selective draft and from the draft under the second paragraph of section 1 hereof, or to draft for partial military service only those liable to draft as in this act provided, persons of the following classes: County and municipal officials; custom-house clerks; persons employed by the United States in the transmission of the mails; artificers and workmen employed in the armories, arsenals, and navy yards of the United States; and such other persons employed in the service of the United States as the President may designate.

Now, the Madden amendment is:

> And no person employed in any of the executive departments of the Government, Government establishments, boards, or commissions now or hereafter shall be exempt or given deferred classification by reason of such employment from military duty under the provisions of this act.

Does not that repeal the provisions of the original selective-service act giving the President the right to put these men in a deferred classification by special order? If it does not, I am in fault both in my logic and my legal reasoning. I have just returned from an inspection trip to a great arsenal in my district. I found there 700 men working at special bits of work in the arsenal who are given deferred classification on request of the commandant of that institution.

Mr. VARE. Will the gentleman yield?

Mr. GRAHAM of Illinois. I have not much time, but I yield.

Mr. VARE. Would not this seriously interfere with the work of the Emergency Fleet Corporation in the building of ships?

Mr. GRAHAM of Illinois. Absolutely.

Mr. VARE. Will it not interfere with the manufacture of munitions in the arsenals?

Mr. GRAHAM of Illinois. Why, certainly; let me tell the gentleman——

Mr. MADDEN. Will the gentleman allow me to ask him a question?

Mr. GRAHAM of Illinois. I will yield if it will not take too much of my time.

Mr. MADDEN. The gentleman makes a statement that he ought not to be permitted to make without interruption.

Mr. GRAHAM of Illinois. That may be the gentleman's idea about it, but not mine.

Mr. MADDEN. All manufacturing plants manufacturing ammunition have men exempted, have they not?

Mr. GRAHAM of Illinois. Well——

Mr. MADDEN. And this does not take any exemption rights away from any man who is working in a war plant, whether an arsenal or anywhere else. [Applause.]

Mr. GRAHAM of Illinois. I say to you that this amendment, if it is enacted into law, will repeal the provision of the original act that permits these men in the arsenals and navy yards of this country to be exempted by special and deferred classes. There are men in these arsenals to-day who are doing such work as boring out the castings for guns and making carriages for 75-millimeter guns who are doing work the nicety of which requires it to be within one ten-thousandth of an inch in order to be correct. They are men who can not be replaced in these institutions. In the arsenal at Rock Island there are several hundred men in deferred classification, and if these men are drafted into the military service of the United States and put into the Army it will cripple and greatly embarrass the production of munitions in that Government arsenal. These men are making carriages for the 75-millimeter guns, a work which the French Government thought we could not do in this country, a work that requires the utmost nicety and exactness by the workmen employed to do it. Do you want to go into these Government establishments all over this country and, by adopting a foolish and radical amendment to this bill, put these men in the service when they are doing work absolutely indispensable to the winning of this war? [Applause.]

The CHAIRMAN. The gentleman from Nebraska [Mr. REAVIS] is recognized for five minutes.

Mr. REAVIS. Mr. Chairman, it seems to me that the House has succeeded in getting itself in a position of some absurdity. Last night, without debate and amid a wild hurrah, we passed an amendment removing the exemption which applies to Members of Congress, while this morning, with great seriousness and with due dignity, we debate the question of whether or not like treatment shall be accorded the clerks of departments. The deductions from the situation are somewhat shocking to one's self-respect, to say the least.

I trust that I will not be speaking more harshly than circumstances justify when I say that the amendment of my good friend from Texas [Mr. GREGG], placing, as it does, the legislative branch of the Government in absolute control of the Military Establishment is about the most unwise provision that I have ever seen adopted in this Chamber. [Applause.]

Mr. CANNON. Will the gentleman yield?

Mr. REAVIS. With pleasure.

Mr. CANNON. Does not the gentleman believe that that amendment will be rejected when it gets into the House?

Mr. REAVIS. I think we both may trust the wisdom of the House to defeat it when it is presented by a separate vote.

But it is not to the Gregg amendment that I desire to speak. The Madden amendment at first appealed to me very strongly. At first blush it seemed so fair and just that I was inclined to support it heartily. I took the reports of the heads of the various departments home with me last night and studied them carefully. I found many instances where men of draft age who had been in the departments but one month had been exempted. The inference is, of course, that such men were put in the departments for the purpose of evading military duty and that such purpose was accomplished by the Cabinet member's asking for an exemption. But the number of such men is comparatively very small. I would be glad indeed to reach them and to put them where they belong. But if to get them we have to take thousands of men out of positions in which they are performing services of inestimable value, I fear the evil we will do will far outbalance the good.

One of the great and pressing needs of America is chemists. The situation with reference to gas attacks abroad is very

serious. It was my privilege recently to spend a little time with Gen. Pershing. While the gentleman from Indiana [Mr. BLAND] and I were talking with him a member of his staff reported from the front that German prisoners said that they had walked through American gas nine times without gas masks and without injury.

We visited the American gas section a few miles from Chaumont and the commanding officer stated that they needed chemists and were almost hopelessly undermanned.

The Germans have perfected mustard gas, the most frightful of gases, which dissolves the lung tissue and from which I have seen American soldiers die in the last six weeks, so that they produce it as a by-product, with little effort and small expense.

It is only within the past three months that the allied powers have discovered how to produce it, and then only at almost prohibitive expense. We have hundreds of chemists of draft age working in the Bureau of Standards and the Bureau of Mines on this proposition and with hopes of immediate success. Shall we by the Madden amendment take them away from this indispensable work and put them in the trenches as private soldiers?

It is the duty of Congress to see that every American citizen of draft age is put in the avenue where his contribution to the Nation's welfare will be greatest. [Applause.]

To do this we have to trust somebody. We can not presume that the members of the Cabinet are untrustworthy and dishonest. We can not believe that these men are going to use their high offices to violate law and to provide bullet-proof jobs for favorites. Even though we may believe that imposition has been practiced in a few isolated cases, we can not for this reason legislate so as to take from the Nation the benefit of scientific service of which it stands in such great need.

Mr. LONGWORTH. Will the gentleman yield?

Mr. REAVIS. Gladly.

Mr. LONGWORTH. I have been informed that there are some 3,000 chemists now engaged directly or indirectly on Government work and that 70 per cent of them are within the present draft age. Their places will be impossible to fill.

Mr. REAVIS. Unquestionably. Let me relate an incident within my own knowledge. A young man who graduated from the University of Nebraska with high honors as a chemist was a very valuable employee of the chemistry department of the Department of Agriculture in Washington. He was drafted and refused to ask exemption or to ask his departmental head to exempt him. He is to-day a private soldier, with his country in sore need of his services as a scientific man. He ought to be over here in the gas division assisting in finding one of the greatest needs of the allied armies to-day.

Mr. NORTON. I agree with the last statement of the gentleman that that man should be in the chemical department, but is there any reason why he should not be in the military service of the Government and at the same time be in the chemical department of the Government? I understand now that they are taking drafted men and placing them in the chemical department, and that that is the policy of the Government, and there is no reason why they should not all be in the military service.

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. REAVIS. I regret that time prevents an answer to the question.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent that I may so modify the pending amendment as to strike out the words "Government establishments," and I should like to ask unanimous consent to address the committee for five minutes on the reasons why I ask this privilege.

The CHAIRMAN. The gentleman from Illinois [Mr. MADDEN] asks unanimous consent to modify his amendment in the manner which will be reported by the Clerk.

Mr. MADDEN. And I think that will cover all the objections.

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Mr. MADDEN moves to modify his amendment by striking out the words "Government establishments."

The CHAIRMAN. Is there objection to the modification? [After a pause.] The Chair hears none.

The gentleman from Illinois [Mr. MADDEN] asks unanimous consent that he may proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. DENT. Mr. Chairman, reserving the right to object—and I shall not object—to the gentleman having five minutes in which to discuss his amendment, I will ask that the gentleman from Kentucky [Mr. FIELDS], a member of the committee, be allowed two minutes in reply.

Mr. POU. Mr. Chairman, can we have the amendment read as modified?

The CHAIRMAN. The amendment, by unanimous consent, will be read after the Chair puts the request of the gentleman from Illinois and the gentleman from Alabama, that the gentleman from Illinois may proceed for five minutes and the gentleman from Kentucky [Mr. FIELDS] two minutes. Is there objection?

There was no objection.

Mr. CALDWELL. When the Clerk reads the amendment, may we not also have read the McKenzie amendment to the amendment?

The CHAIRMAN. The McKenzie amendment was voted on yesterday. The Clerk, without objection, will report the amendment of the gentleman from Illinois [Mr. MADDEN] as modified.

The Clerk read as follows:

On page 3, line 12, after the word "emergency," strike out the period, insert a comma, and add "and no person employed in any of the executive departments of the Government, boards, or commissions, now or hereafter, shall be exempt, or given deferred classification by reason of such employment from military duty under the provisions of this act."

The CHAIRMAN. The gentleman from Illinois is recognized for five minutes.

Mr. MADDEN. Now, Mr. Chairman and gentlemen of the committee, I think there can be no question but that the amendment as now written can not be objectionable to anybody. If there was any doubt in any man's mind as to whether men employed in the arsenals or the shipyards would be prevented from engaging in such employment because of the amendment I have proposed, the language now stricken out takes away that doubt. The time has come when this Congress——

Mr. VARE. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. VARE. What about the Emergency Fleet Corporation and the Shipping Board?

Mr. MADDEN. That is the same thing.

Mr. WALSH. The gentleman's amendment now retains the language, "Government boards." The Shipping Board is one.

Mr. MADDEN. I am trying to explain why we ought to pass this amendment. We have reached the stage in the progress of war legislation when we must say to the American people that we are opposed to any favoritism, no matter by whom practiced. [Applause.]

We must assure the American people that the Congress of the United States at least is in favor of giving every man an equal opportunity. We must say to the widow that her son shall have equal rights with the son of the millionaire. We must say to the farmer that his boy shall not be charged with greater responsibilities on account of war than the son of the governor of a State. We have men now on the pay rolls of the Government who have been placed there under recommendations of the governors of the various States, men who have been placed there by members of the Cabinet, and who have been exempted from military service because of the influence behind them.

The National Association of Agriculture, the National Grange, through their secretaries, called me up this morning and said that this one amendment is the thing that they shall insist upon to the extent of their ability.

Mr. CALDWELL. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. They propose not to have the farmer class discriminated against.

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from New York?

Mr. MADDEN. We propose—I propose—that a man engaged in a manufacturing institution shall not be compelled to fight while men engaged in Government departments are exempt from responsibility under the act.

Mr. CALDWELL. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. No; I have not time to yield.

The CHAIRMAN. The gentleman declines to yield.

Mr. MADDEN. I can assure you gentlemen here that there are thousands of these men who have been exempted, walking over each other in various offices throughout the United States. In the city of New York alone, in the quartermaster stores, there are 210, all within the draft age, or nearly all, managing departments. This work before the war was done by civilians and by women, and it can be done by civilians now and by women, and men who are defective physically, but mentally fit, can be called into requisition to do the technical work for which these men have been exempted.

Mr. GOOD. Mr. Chairman, will the gentleman yield right there?

Mr. MADDEN. Yes.

Mr. GOOD. I will say to the gentleman that hundreds of men who are now doing this chemical work, scientific men in the service, are detailed to do that work, now that they are once in the service.

Mr. MADDEN. Why, I have men in my own family, technical men, scientists, who have not claimed exemption. They are in the battle line. Why should they be in the battle line and these other men allowed to sit in an easy chair, wearing spurs, so that they may be able to keep their feet on the desks? [Applause.]

The CHAIRMAN. The time of the gentleman from Illinois has expired. The gentleman from Kentucky [Mr. FIELDS] is recognized for two minutes.

Mr. FIELDS. Mr. Chairman and gentlemen of the committee, I want first to reply to the statement of the gentleman from Indiana [Mr. COX], who addressed the House a few moments ago, and who impugned the motives of the Members who have spoken in opposition to this amendment by attributing to them selfish motives by charging or intimating that they had sons in deferred positions in the executive departments.

I spoke against the amendment yesterday afternoon, and I will say to the gentleman from Indiana that I was not prompted to do so by selfish motives. I have not a relative that I know of in the Government service. The reports of the various heads of the departments show that there is only one man there from my district. I do not know him personally, neither do I know his people. I have two sons who have reached their majority and they have long since enlisted in the military service of their country. [Applause.] I have two nephews, and only two, who have reached their majority, and they also have long since enlisted in the military service of their country. I have a third nephew who is 18 years old, and three months ago he enlisted in the service of his country, and I resent the statement of the gentleman from Indiana.

Now, Mr. Chairman, there has been enough said on this amendment, but I want to add this: The War Department says that it will absolutely demoralize and create chaos in the department. There may have been abuses, as the gentleman from Illinois [Mr. MADDEN] has said, but there are abuses in other branches of the Government, which can not be helped. There will be abuses as long as these departments are handled by men. We must look at it from a broader viewpoint. We must not demoralize the service because some man has abused the authority given him. I hope that the amendment may be defeated. [Applause.]

The CHAIRMAN. The time of the gentleman from Kentucky has expired. All time has expired in the debate on the amendment. The question is on the adoption of the Madden amendment.

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. MADDEN. A division, Mr. Chairman.

The CHAIRMAN. A division is called for.

The committee divided; and there were—ayes 115, noes 142.

Mr. MADDEN. I ask for tellers, Mr. Chairman.

Tellers were ordered; and the Chairman appointed Mr. DENT and Mr. MADDEN.

The committee again divided; and the tellers reported—ayes 128, noes 140.

Accordingly the amendment was rejected.

Mr. BLACK. Mr. Chairman, I have an amendment to come in after the Gregg amendment. I understand that to be the last amendment that was adopted.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLACK: After the last word in the Gregg amendment strike out the period, insert a colon, and add the following proviso: "*Provided*, That when any person shall have been placed in a deferred or exempted class for any of the reasons in this paragraph set forth he shall not be entitled to remain therein unless he shall in good faith continue, while physically able so to do, to work at and follow such occupation, employment, or business, or some other productive occupation, employment, or business deemed necessary hereunder; and if he fails so to do he shall again become subject to the draft. The President shall make regulations for enforcing this provision.

Mr. BLACK. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed for 10 minutes. Is there objection?

There was no objection.

Mr. BLACK. Mr. Chairman, the amendment which I have proposed to the section of the bill now under consideration reads as follows:

Provided, That when any person shall have been placed in a deferred or exempted class for any of the reasons in this paragraph set forth he shall not be entitled to remain therein unless he shall in good faith continue, while physically able so to do, to work at and follow such occupation, employment, or business, or some other productive occupation, employment, or business deemed necessary hereunder; and if he fails so to do he shall again become subject to the draft. The President shall make regulations for enforcing this provision.

Before discussing the amendment in detail I want to submit some general observations on the situation which obtains at this time. The world war, in which we are now one of the most powerful and aggressive belligerents, is the most stupenduous clash of arms and struggle of peoples that the world has ever seen.

More and more we are beginning to realize its magnitude and comprehend its sacrifices and adapt ourselves to the changed conditions which it necessarily imposes, but there are some things which we have yet to fully understand.

One of these is that the ordinary rights and prerogatives of business and labor can not be maintained in their fullness and completeness in time of war. That some sacrifices of these things must be made for the benefit of the public good. It is a broad statement, yet a true one, that America's first great victory will be won when the personal advantage and the personal privilege of each of us have been submerged in unselfish devotion to the common cause.

America has the right to expect every man to do his duty. When I was a boy and attended the public school in the little town where I was born, I remember that our patriotic teacher adorned the walls of our schoolroom with mottoes gathered from the sayings of famous men. One of these mottoes contained the language of Lord Nelson, which he emblazoned upon his colors in the Battle of Trafalgar, "England this day expects each man to do his duty."

The great naval commander knew that if in that battle each man did his duty the victory would be complete, and if each fought for fame or his own selfish advantage the battle would be lost.

Conditions are not different now. If the man power of America loses sight of its own selfish advantage and concentrates its talent and energies on the one supreme task of bringing this fearful conflict to a successful and righteous conclusion, then there can be no doubt as to the ultimate outcome, and victory is certain to be ours in the end.

But if we, who remain at home, concern ourselves more with the desire to take advantage of every opportunity to improve our own situation and entrench ourselves in the enjoyment of what we fancy to be our own particular rights and privileges, then danger is surely ahead and the sooner we realize it the better it will be.

I can not believe, however, that any considerable number of our people, even if they are so inclined, will be allowed to pursue a course of that kind. Public opinion is demanding that every man shall do his duty, and public opinion is a court of power whose decrees will in the end be respected and enforced. Military discipline will not permit the soldier to be a slacker on the battle field, and public opinion is not going to permit the individual who remains at home to be a slacker either in business, public office, laborer in industry, farmer on the farm, or in any other vocation or employment. The Nation must have the benefit of the very best efforts of all of us and nothing short of that will fill the measure of demand. This is a war of peoples and not merely a war of armies who are contending for supremacy on the battle field.

The United States Government is sending great armies to the front to fight shoulder to shoulder with our allies, the French, the English, the Italians, and the Belgians.

Our Navy is patrolling the high seas day and night to strike down and defeat the treacherous submarine. Our merchant ships are carrying great loads of supplies for the use of our armies at the front and for the military and civilian population of our allies. All this is a great work and is such as should evoke our strong admiration, but in order for these efforts to continue and to expand to even greater efficiency, those who remain at home must put every ounce of loyalty, everything that we have in the crucible and rally as one man to the support of the Government.

It is your Government, it is my Government, it is the people's Government, and while none of us claim for it perfection, for no human institution is perfect, still it is the best Government in the world, and we must lose sight of every other consideration save and except its preservation and maintenance in this supreme hour of its peril. Do not let us make the mistake of minimizing the seriousness of the situation that confronts us.

The German military autocracy realize that it is now or never with them, and therefore they have determined to stake all in the great battles on the western front during this year. If they fail then, a sure and certain defeat awaits them in the end, and some day their embattled millions must retire to the other side of the Rhine and give up every foot of Belgium and every foot of northern France, and make reparation for their wanton destruction and devastation; and they know that, and that is why they are fighting so desperately in the present hour.

If they win—well, they must not win; they will not win; they can not win. I will not believe that they can win against brave men fighting under orders like those issued by Sir Douglas Haig some time ago to his men in France and Flanders, in which he said:

Every position must be held to the last man. There must be no retirement. With our backs to the wall and believing in the justice of our cause, each one of us must fight to the end. The safety of our homes and the freedom of mankind depend alike upon the conduct of each one of us at this critical moment.

I will not believe that they can win against brave men like the Belgians, who threw their handful of an army across the path of the invading Hun and suffered all but annihilation rather than submit to the conquering heel of a tyrant, and inspired their brave king to say:

A nation which fights to defend itself wins the respect of everyone, and will not perish.

I will not believe that they can win against brave men like the gallant French, who made their stand at the first Battle of the Marne and determined to die rather than to give back another foot, and whose heroism was well expressed in the words of a great Frenchman:

France prefers to die rather than to live in a degraded humanity, and humanity would be degraded if the savage beast who forms what to-day is called Germany could be victorious and rule the world. To fight Germany, France has already lost 1,000,000 men. We are ready to give more, and when there are no more men the women will rise up. When there are no more women the children will rise up, and when there are no more children the dead will rise up. France will live free or die free, and France will live.

I will not believe that they can win against brave men like those American crusaders under Gen. Pershing, who in the darkest hour of the allied cause crossed the ocean and in a land 3,000 miles away from their own firesides bravely stemmed the tide of onrushing Teutonic savagery and threw them back in confusion and defeat at the second battle of the Marne. No; the Germans will not win against men of that kind. The spirit of the allies is unconquerable and can not be intimidated or crushed. But in the hour of this tremendous struggle and sacrifice what are we going to do who are left at home? Are we going to stand behind them? Are we going to do our part? Are we willing to deny ourselves and to sacrifice?

Capital and labor must defer their quarrels for another day, if, indeed, it is ever necessary to again renew them with some of the bitterness that has existed in the past.

Mutual concessions must be made and criminations and recriminations must be abandoned in face of the common danger which threatens us. For, if Germany should win this war, none of the rights of capital would be secure, and the rights which labor now enjoys—the best and most liberal of any nation in the world—would be thrown in the scrap heap and industrial slavery dictated by Teuton policy would follow.

I have nowhere seen the true situation more graphically and eloquently put than in a speech by England's great premier, David Lloyd-George, made to 3,000 union officials at Glasgow, Scotland, on Christmas day, 1915. In that speech he said, "Either we must tell the soldiers that we are sorry we can not get the guns and shells to enable them to win in 1916, owing to the trade-union regulations, or we must tell them that if they manage to hold out for another year, perhaps American workmen will help us to get enough for 1917. Another alternative is that we might tell the Kaiser frankly that we can not go on.

"I can not return to Parliament and report through the House of Commons to the British Army that skilled workmen won't suspend their rules to save their fellow countrymen's lives on the battle field. Some of you seem to think that this war is a passing shower. It is the deluge! It is a convulsion of nature. It is a cyclone which is tearing up by its roots modern society and wrecking some of the flimsy structures of civilization.

"It is an earthquake, upheaving the very rocks of European life. It is one of those seismic disturbances in which nations leap forward or fall back generations in a single bound. All this chattering about relaxing a rule and suspending a custom is out of place. You can not haggle with an earthquake."

No, gentlemen of the House, neither can we afford to haggle with an earthquake. A supreme moment of history has come and upon the outcome depends, in a large measure, the future civilization of the world. The responsibility on every individual is plain, and the man who does not do his duty now and who lags back and sloths and sees how little work he can do for a day's pay or how small a value he can give the Government for what it purchases from him or his corporation is a mighty sorry citizen, whether he is a millionaire or a day laborer; whether he is a member of a labor union or never saw inside of one; whether he is in the factory, in the mine, on the farm, or a captain of industry in the marts of trade. There is no difference of obligation, and the measure of duty is only limited by the ability and capacity to perform it.

The full comprehension of this obligation will mean much to the success of our cause, and the failure to grasp it will be one of the serious mistakes of the war.

DISCUSSION OF AMENDMENT IN DETAIL.

And now, Mr. Chairman, I will pass from these general observations to a more detailed discussion of the amendment which I have offered.

An amendment similar to this one has been reported favorably by the Military Affairs Committee of the Senate and has been referred to as the Reed-Thomas amendment, but the amendments are not identical and there is this difference between them. The amendment that has been reported favorably by the committee of the Senate reads as follows:

Provided, That when any person shall have been placed in a deferred or exempted class for any of the reasons in this paragraph set forth he shall not be entitled to remain therein unless he shall in good faith continue, while physically able so to do, to work at and follow such occupation, employment, or business.

My amendment is the same as the above, except I have made this modification: After the word "business" insert—

or some other productive occupation, employment, or business deemed necessary hereunder.

The difference between the two is very considerable. It has been contended that the Senate amendment in its original form would be capable of being used as an instrument to conscript labor, but no intelligent Member of Congress can contend for a moment that my amendment as modified will work any conscription of labor. I have no desire or purpose to do that. My amendment will leave the individual entire freedom of choice as to his employment and as to who his employer will be, provided that he works at an occupation, employment, or business necessary to the maintenance of the Military Establishment or the effective operation of the military forces or the maintenance of the national interest during the emergency. The Senate amendment says that whenever the registrant who has been deferred on industrial grounds shall cease to work at such employment, business, or occupation he shall lose his deferred classification. The words "such occupation, employment, or business" might be construed to mean that if he was an employee of the United States Steel Corporation, for instance, at the time he was granted the deferred classification and was engaged in war work and should cease his employment with such concern that he would lose his deferred classification notwithstanding he was ready and willing to engage in some other essential war work.

In other words, if a registrant was deferred as a shipyard worker, then a shipyard worker he would have to remain; if he was deferred as a coal miner, a coal miner he would have to remain. If he was deferred as a farmer, then a farmer he must remain or forfeit his deferred classification.

I do not think the country is prepared to go that far, unless the need for it should be very apparent and urgent, and so if the Senate amendment is really susceptible of that construction, as has been plausibly argued, it should be modified, and therefore I have added the words "or some other productive occupation, employment, or business deemed necessary hereunder," and with this addition no such possible construction can be placed upon the amendment as that to which I have just referred.

Mr. FESS. Will the gentleman yield for a question?

Mr. BLACK. I yield to the gentleman.

Mr. FESS. Before I ask it I want to say that I am very heartily in favor of the principle that the gentleman is trying to write into the law; but if we do not put it in, is it the gentleman's opinion that the work or fight rule would not be operative?

Mr. BLACK. I will answer that question by stating that it is my understanding that the Secretary of War construes the present law as applying to individuals who are exempted, and who then cease to work, but he does not apply it to cessations in the aggregate. In other words, not to large bodies of men who go on an uncalled-for strike, and I think it is time that the United States Congress was writing into an affirmative law that when thousands of our bravest and best young men are at the front fighting for our liberties and for the protection of our homes and firesides, that no man ought to be permitted to stay at home in a deferred classification and not work at the occupation or business or employment for which he was deferred as long as he is physically able to do so. [Applause.]

Mr. FESS again rose.

Mr. BLACK. If the gentleman will permit me, I have only a few minutes more, and I would like to give the reasons why I favor the adoption of this amendment. I am very much interested in seeing that the spirit of this deferred-classification law is not repeatedly violated by unnecessary strikes in essential war industries and at a time when the Government of the

United States has furnished ample agencies for the settlement of all these labor disputes along lines of justice and fair play.

Why are these deferred classifications granted? Are they granted as a matter of personal right to the registrant? Are they granted because of any partiality or favoritism to the registrant? No. If they were granted on any such grounds as that, then the whole fabric of the selective-draft law would fall to the ground. They are granted because of a consideration for the interest of the whole country and the common welfare. The man who is exempted or granted deferred classification because of industrial or agricultural reasons and is placed in class 3 is not placed there because of any individual right or privilege of his own, but he is placed there because it is deemed that the needs of the country require it; and, therefore, when he is thus classified and afterwards ceases in good faith, while his health permits him to do so, to work at that essential industry or some other one that is essential, he ought to forfeit his deferred classification. I can not for the life of me see what right he would have to further claim it.

Now, I have heard it contended that this amendment would be a reflection or a blow aimed at organized labor. I deny that. I repudiate that assertion or that reflection. I deny that there is even the remotest purpose to make any fight against organized labor. There are 15,000,000 or 20,000,000 people in this country who labor with their hands at industries and employments that are more or less useful, and out of these 15,000,000 or 20,000,000 people less than 3,000,000 belong to organized labor. And are we to say that all the men who have been placed in these deferred classifications are members of organized labor, and that therefore it is a reflection or a slap at them? For some of the union labor leaders to contend that an amendment of this kind is directed against organized labor is about as sensible as the action of the three famous tailors of Tooley Street, who met and adopted resolutions beginning, "We, the people of England." The amendment would simply affect every man who failed to carry out in good faith the purpose of his deferred classification, and that wholly without reference to whether he was a member of any labor union or not.

I make no charge against the loyalty and patriotism of union labor. I freely concede that the great majority of them are loyal and patriotic, just as the great majority of all our citizens are loyal and patriotic; but because that is so is no reason that whatever small minority of them that there may be who do fail and refuse to discharge their duty and obligation to the country should not be made to do so.

The majority of the business men of the country are loyal and patriotic, and yet because that is true is no reason why, if one is caught profiteering and swindling the Government, he should not be punished for his acts. An argument of that kind, it seems to me, is absurd on its face. It is no more a reflection on organized labor to pass a law of this kind than an embezzlement statute would be a reflection on honest men. I will tell you what this amendment does and who it is directed against. It is directed against the slacker who is unwilling to work, whether he is a member of organized labor, or on the farm, or in a railroad shop, or in the mercantile establishment, or wherever he may be. That is who the amendment is meant for, and it certainly would have no application whatever to the man who does his duty and has a proper sense of obligation to the Nation in this hour of its greatest need.

Mr. FIELDS. Will the gentleman yield?

Mr. BLACK. Yes.

Mr. FIELDS. Does not the gentleman know that the boards have the right to reclassify registrants?

Mr. BLACK. I answered a similar question propounded by the gentleman from Ohio [Mr. FESS] a few moments ago, and pointed out that the Secretary of War has placed much too narrow an interpretation on the present law, according to my opinion.

Mr. FIELDS. I did not hear it.

Mr. BLACK. It is contended by some of the sponsors and spokesmen for the American Federation of Labor that an amendment of this kind would affect the ordinary right of labor to strike. They say that one of organized labor's most effective weapons is the right to call a strike whenever it pleases, and therefore it ought not to be interfered with. I will admit that the strike has been an effective weapon in the hands of organized labor. Sometimes it has been used wisely, sometimes very unwisely.

But we are not talking about peace conditions now. Far from it. These are extraordinary times. To use an expression of President Wilson upon one occasion, "The world is on fire."

It is no ordinary matter to draft 5,000,000 men into the military service of the United States and send them 3,000 miles across the sea to fight on foreign soil to protect American rights, which include the rights of labor as well as every other group of citizens, and it is getting high time that every citizen realize that this is a time of universal obligation to service and is no time to hinder and impede the United States Government in its efforts to mobilize the strength of the Nation.

There are many things which we prize very highly in times of peace which we must subordinate to some extent in time of war. For instance, in times of peace the wheat farmer is allowed an open and free market for his product and is permitted to get whatever price it will bring, but under the pressure of war necessity he must now sell it at the price fixed by the Government.

The American household in time of peace is allowed to make its bread out of whatever kind of flour its purse will buy and the family taste prefers, but now, under the pressure of war necessity, the Government prescribes what percentage of wheat flour shall be used and what percentage shall be substitutes.

The experience of being allowed only 2 pounds of sugar to each person per month is a new one to the American people, and yet these restrictions are being everywhere cheerfully obeyed, because they are deemed for the public good and have been made necessary by war conditions. The great railroad systems of the country in time of peace have been permitted to manage their own affairs, except, of course, subject to certain reasonable restrictions imposed by the Interstate Commerce Commission and the different State railroad commissions, but now they have been taken over by the Federal Government for the period of the war and they are no longer managed and directed by their owners but by the Director General of Railroads for the United States Government.

And only very recently the telegraph and telephone companies have been similarly dealt with and their direction and control for the period of the war committed to the hands of the Postmaster General. These things have been done upon the theory and principle that the public interest and national welfare is paramount and that the rights of the corporation and individual must be subordinated to the interest of the public good. And in this time of national peril is any group of citizens going to be continually clamoring for the right to strike and actually exercise it from day to day, to the great detriment and harm of our war preparations? And are they to continue to do this in the face of the fact that we have now in full operation a War Labor Policies Board to fix the policy of the Government toward labor and a National War Labor Board to put these policies into actual execution?

I referred a while ago to a speech which Premier Lloyd-George made to 3,000 union officials at Glasgow on Christmas Day, 1915. I want now to call your attention to another vigorous speech which he made along these same lines to the workers at Liverpool in 1915. Among other things, he said in that speech:

> This is not a Government entering into negotiations with you. You have got an interest in this concern. It is yours as much as ours, and I want you to help us. Should Germany win, God help labor! It will come out of it worst of all.
>
> I am not saying a word about trade-union regulations during a period of peace; I have no doubt they were essential safeguards to protect labor against interference with its rights and prospects. But many Government and business regulations have to be suspended during the war because they are inapplicable in the emergency, and the same thing applies to many union rules and practices.
>
> And there must be no deliberate slowing down of work. I know of a skilled workman in an arsenal who worked very hard and was earning a great deal of money; he was doing his duty by the State. And he was warned that if he repeated the offense he would be driven out. Now, in war such things are intolerable. I urge that whatever rules, practices, or customs there are which interfere in the slightest degree with the increase of war material shall be suspended during the period of the war. We ask only for a suspension; the Government pledges that those safeguards established by the unions prior to the war will be restored when it is over.

This was in 1915. Since then the labor situation in Great Britain has grown a great deal better; in fact, there has been but very little subsequent trouble, due to the strong, virile, vigorous policy of Lloyd-George, wisely based upon fair and just treatment to labor and a firm and unyielding demand that labor reciprocate by holding the national welfare paramount to any of its preconceived notions as to its rights, and customs in times of peace.

SOME INFORMATION ABOUT STRIKES THAT HAVE OCCURRED.

Am I wrong in my belief that there have been many needless and uncalled-for strikes in the United States since the war began? I think not, and I do not believe that any impartial observer who has studied the situation can come to any other conclusion but that our war preparations have been greatly hindered and delayed by these unnecessary labor troubles. Have they been frequent? Well, I should say they have.

The Scientific American, one of the oldest and most highly regarded journals in the scientific, mechanical, and industrial field in the United States, said in an editorial on the shipping situation, in its issue of February 16, 1918, that during a period

of six months there have occurred over 3,500 strikes in the shipbuilding industry and in those industries which are contributory thereto.

And despite the fact that in many cases the wages in these shipyards have been doubled and trebled, I see in the papers of to-day, August 24, that skilled workers in the shipbuilding industry of the country have presented "friendly demands" to the labor adjustment board of the Shipping Board for increase in wages to $1 an hour, double time for all over time, Saturday half holidays throughout the year, and 10 per cent bonus for all night shopwork. Their present wage is approximately 75 cents an hour. If these demands are granted it is safe to assume that they will satisfy for only a short time and that before very long other demands of a similar nature will be made and pressed just as hard for allowance.

This unending process can not continue to go on indefinitely without serious harm to our effective prosecution of the war. In some of these shipyards about as soon as one wage scale is agreed upon another is demanded. The brakes must be put on some time and it is getting about time it was done.

Research Report No. 3 of the National Industrial Conference Board makes an analysis of 1,156 strikes which occurred in the United States between April 6 to October 6, 1917, and this investigation shows that in the strikes in these 1,156 establishments that the number of employees made idle was 283,402, and the number of days of production lost was 6,285,519.

The magnitude of the production lost in these strikes would at any time be serious. In war time, when every day of production of essential materials has definite influence on the war situation, it is litle short of appalling.

To visualize better the magnitude of the waste, it may be pointed out that it would require the labor of 251,400 persons for a whole month to make up for the reported loss of production, or that a manufacturing plant employing 1,000 workers would have to operate about 21 years of 300 workdays each in order to offset the time thus lost.

Soon after the sinking of the transport ship *Tuscania* last February I received a letter from a widowed mother who lives in one of the counties of my congressional district whose son was on the ill-fated ship. She inclosed with her letter a letter from her son, which was written from the port of embarkation in New Jersey, just before he boarded the ship to leave for France. And in that letter the young man said to his mother, among other things, this fine expression: "Mother, I do not know whether I will ever come back; but if I do not, remember this: That I died for my country." Well, the brave young man will never come back.

Soon after I received the letter from the anxious mother, I inquired of Gen. McCain at The Adjutant General's office of the War Department, and he gave me the information that the young man went down with the *Tuscania*.

I conveyed the information to the mother, and returned the letter from her son, which I knew she would prize above all earthly possessions, and wrote such words of sympathy and consolation as my own inadequate language could express.

In the breast of that boy dwelt the spirit that everywhere pervades our fighting forces in France and does honor to the American soldier, and will surely in the end bring victory to our cause.

And men like him, who are giving their lives as the price of liberty, deserve to be supported by every ounce of loyalty, every ounce of energy, every ounce of strength that our civilian population can summon to the service of the Nation.

But we all remember the unpleasant fact that at the very time that the country was mourning the lives of these young men who were lost on the *Tuscania* that the ship carpenters were striking in the Atlantic shipbuilding yards and tying up the building of ships which were so badly needed to transport our soldiers overseas and to supply them after they reached there.

The strike continued until President Wilson was forced to take a hand and send a stinging telegram of rebuke to William L. Hutcheson, of Indianapolis, president of the Brotherhood of Carpenters. And during the pendency of this strike Chairman Hurley, of the Shipping Board, sent the following telegram to this same president of the Brotherhood of Carpenters, which I think was particularly well timed and accurately expressed the sentiment of the American people as to the situation. The telegram read:

While the people of this country are mourning the loss of brave young Americans in the *Tuscania* horror—while thousands of American homes are anxiously watching the lists of survivors slowly coming in to make certain that another precious life has been snatched from the Atantic Ocean—a telegram comes, and with it the grim announcement that the carpenters in shipyards are now on strike.

Before any Government agency is given an opportunity to act and despite the good record of our adjustment board's promptness and fairness in dealing with all labor matters, you attempt to paralyze the shipbuilding industry at the port of New York.

Do you realize that you are adding to the fearful danger our soldiers already face, the danger of starvation and the danger of starvation if food and ammunition are not sent over in ships and in many ships at once? Do you think the fathers and mothers whose sons are making this sacrifice will sit patiently by and permit this paralyzing of the life line between us and the western front to go on?

Will you take my friendly suggestion and go back to work at once? The machinery for dealing with all your demands and with the right of labor is at hand. You will be well advised to follow the methods of well-managed and patriotic labor organizations, at least until you have tested whether or not your Government, for which as shipbuilders you are now working, can be fair.

I advise you to end the paralyzing of the shipyard work now. I am sure you would not deliberately imperil the lives and safety of brave fellow citizens. I am sure you believe with me that those whose sons are now giving their blood that you and I and our children may be safe and free will not long permit either you or me to invite destruction of heroic lives and disaster to a great world cause.

It would be interesting to know what our soldiers at the front think about these strikes in essential war industries when the country is in such urgent need of its maximum production and when they themselves are undergoing such tremendous sacrifices and hardships on the battle field.

I imagine that their feeling in the matter is pretty well expressed in a letter which Senator UNDERWOOD, of Alabama, received from a young officer in France some time ago, and a clause in which letter read:

The other morning just at daybreak I came into a front trench and I saw one of our boys lying there, the rain pouring down on him, lying in the mud, the slime, the dirt, and the blood, with his rifle pointed at the German trenches watching for German snipers. He had probably laid there for three or four hours without moving for his country's cause. I can not understand when all these men are making this sacrifice how our people at home can consent to labor strikes in the shipyards when we need ships so vitally to win the war.

A letter like that needs no comment. It speaks for itself and in tones that should be heard by every Member of this House, and should arouse us to a full sense of our duty and responsibility and a determination to see to it that no man is permitted to remain in a deferred classification because of his occupation, employment, or business unless he shall in good faith while physically able so to do work at and follow such occupation, employment, or business, and when he fails to do it make him immediately subject to the draft.

That is all my amendment does. It does not in any way provide for any conscription of labor. It simply says to the registrant that you must not take advantage of your deferred classification to loaf, and if you do choose to make loafing your occupation you will not be permitted to follow it very long.

It is a just amendment—just to the registrant and just to the country at large—and ought to be adopted.

GOVERNMENT MACHINERY FOR SETTLING LABOR DISPUTES.

In this connection let me say that I would not favor an amendment of the kind which I have proposed if the slightest doubt existed as to whether or not the Government had set up adequate machinery to fully protect the rights of labor in all of these essential war industries.

But there is no doubt whatever on that subject. The War Labor Policies Board and the National War Labor Board are fully equipped and have ample authority to secure to labor all of its rights in any of these matters.

As an illustration of the work that it is doing let me quote from the Official Bulletin of August 20, 1918, dealing with a recent strike of 3,000 men in eight plants at Waynesboro, Pa. A decision on the matters at controversy was rendered by the National War Labor Board, and, among other things, the Bulletin says:

At Waynesboro, Pa., 3,000 men in eight plants struck for a minimum wage of 30 cents per hour. The lowest-paid men had been getting 22 cents. The board established a minimum of 40 cents, 10 cents more than the workers asked. The board is giving further consideration to this minimum and reserves the right to revise it on the basis of what is necessary to maintain the worker and his family in reasonable comfort.

And in the same way many other illustrations could be given of the fairness, yes, even generosity, of the National War Labor Board, to labor, and which forcibly impress us with the fact that there is an utter lack of any need for these strikes to go on and that some policy should be adopted by the Government to put a stop to it and force an obedience to the decisions of the National War Labor Board.

We who have voted to draft 5,000,000 men into the military service of the Nation, who have voted to place over 200,000 miles of railways under Federal control, who have voted autocratic powers, never dreamed of in times of peace, to the food administrator, who have voted to take over the vast

systems of telegraph and telephone lines for the period of the war, who have voted billions of dollars out of the public Treasury and are preparing to vote billions more, ought not to hesitate to vote for an amendment which simply provides that a registrant shall "work or fight." Only that and nothing more.

CONCLUSION.

To some Members it may seem that a policy of procrastination and delay in this important matter is wise, but I do not think so.

Gen. Peyton C. March, our Chief of Staff, recently stated to the Committee on Military Affairs of the House that "eighty divisions of Americans should be able to bring the war to a successful conclusion in 1919."

Four million men at the front in France by June 30, 1919, and 1,000,000 men at home in training.

This policy, while unquestionably the best, is a policy of swift, sweating concentration and will demand our utmost strength and energy.

Can we do it? We can. Congress has passed the law that will give the man power, and it is now up to the civilian population who do not go into the Army to keep up production to the maximum limit behind the lines and see to it that the greatest army that the Nation has ever put into the field is fully supported with all war necessities.

But it will be no small task, be assured of that. We are facing the greatest undertaking the Nation has ever had. The farmer must bring into play all of his skill and experience and means of production in order that the harvests be maintained to their maximum capacity and our armies and civilian population be fed. The shipbuilder must work with more abounding energy than ever before, because 3,000 miles is a long way to transport a great army, and it takes ships, and then more ships, to do it; the railroad worker on train and in shop must devote himself with more fervid determination than ever before to his task, because these arteries of commerce have become the means for the transportation of the very lifeblood of the Nation.

Everywhere, all along the line in these industries and employments, there is essential, indispensable work to perform and a vital need to "carry on." Everybody together, one in heart and purpose, all of a single mind, and America wins!

Mr. LUNN. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LUNN. Mr. Chairman, the amendment offered by the gentleman from Texas [Mr. BLACK] seeks to carry out, in effect, an amendment offered in another branch of the Government and known as the Thomas amendment, and other amendments of that kind. These same amendments in different language were presented to the Military Affairs Committee. The Thomas amendment was discussed; the whole question was gone into as to whether there should be any amendment dealing with this particular matter. The committee decided, after having hearings, at which Mr. Frank Morrison, of the American Federation of Labor, the Secretary of War, and Gen. Crowder testified, that no such amendment was appropriate to this bill and therefore should not be included in this legislation.

Let me quote from the hearings before the Committee on Military Affairs in reference to the Thomas amendment:

Chairman DENT. But that amendment was no part of the original program?

Secretary BAKER. It was not a part of the original program of the War Department.

The CHAIRMAN. And was included by the Senate Military Committee?

Secretary BAKER. Yes, sir.

Mr. LUNN. What would be the situation with the Thomas amendment in case there was some serious disagreement and a strike was called?

Secretary BAKER. I think it would be left to the President to determine whether the strike was in good faith, and if it was the President undoubtedly would not use this power to undertake to control the relation of employee and employer.

Mr. LUNN. In other words, you are opposed to trying to use the President's regulation to control that situation?

Secretary BAKER. If in good faith.

Mr. TILSON. Take an indispensable man, for instance; a toolmaker is exempted because he is a toolmaker; he decides that he will not make tools any more. Have you not the power under the law already provided to draft him?

Secretary BAKER. Yes, sir.

Mr. TILSON. Then, what will the Thomas amendment add—what force does it add to the present law?

Secretary BAKER. I had not thought of that.

Gen. CROWDER. It is a declaration of a policy already being enforced, unless it looks toward the conscription of labor, and that is the interpretation a great many people have placed on it.

Mr. LUNN. Inasmuch as the regulations already in force deal with that, why is it necessary?

Gen. CROWDER. It is not, as the Secretary has defined the use he would make of it.

Mr. LUNN. Why insert something that is not necessary and that is subject to a great deal of misconstruction?

The CHAIRMAN. I think the Secretary has made it clear that this is no part of the military program.

There is no question whatever but that the War Department now has in force regulations to deal with every industrial slacker. They can immediately call them into the service. No Member of this House is more in favor of meting out drastic treatment to a slacker than am I. The present regulations can deal effectively with these cases.

Mr. OVERMYER. Will the gentleman yield?

Mr. LUNN. I will yield to the gentleman.

Mr. OVERMYER. Is there any obligation under the present regulations requiring the employer to report to the proper board when an employee changes his occupation?

Mr. LUNN. I can not answer the gentleman.

Mr. SIMS. Is not the Shipping Board required to report when a man ceases work? My recollection is positive that it is being applied by the Shipping Board, and I understand it is of general application.

Mr. LUNN. Undoubtedly the gentleman is right, but I personally have no knowledge of this particular point. But, to proceed, this is no time, while we are dealing with the man-power bill, to inject a controversy over an unnecessary amendment. Already there is suspicion abroad that the legislative branch first suggesting this amendment has some subtle purpose in view; that it is aimed primarily to take away the right of the workers to strike no matter how just their cause. The question was put to the Senator from Colorado [Mr. THOMAS], in substance, as follows: "Will this amendment deal with strikes?" His answer, in substance, was: "It will include strikes." At the present time we have practically no strikes of any size in America. In the past there has been trouble, but the Government established regulatory departments that are doing magnificent work. The National War Labor Board, headed by ex-President Taft and Mr. Frank Walsh, has solved and is solving industrial disputes. Mr. Frank Morrison testified that organized workers will resent such legislation. Not that they will favor slackers but will resent that which would, by implication, place all men who are in industries in deferred classification in the position of being potential slackers, so much so that punitive law was necessary. There is no body of our citizenship, I do not care who they are, who are any more loyal and self-sacrificing and patriotic than the mass of our workers now producing war materials, munitions, ships, and other things essential to the prosecution of the war.

Thousands upon thousands of our young men are in deferred classification, not at their own request but because the Government through the various industries have determined that their best service could be rendered in the production of war materials. Many of them would prefer the active service on the front. The passage of this amendment would carry the distinct impression that these loyal men are in deferred classification by special privilege and that unless they continue in that special privilege they will be punished by being put on the firing line. In order adequately to punish real slackers, for which we now have regulations, this House can ill afford to cause the stigma of slacker and the suspicion of disloyalty to rest on the millions of patriotic men who are in deferred classification due to the determination of the Government that their greatest contribution to the war is in serving the Nation where they now are.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. LUNN. Yes.

Mr. BLANTON. Has the gentleman noticed in this morning's Post the fact that one organization is demanding $1 an hour for its services?

Mr. LUNN. I did not notice it, although I noticed that there was a strike of conductors and conductorettes in London, England. Did the gentleman notice that?

Mr. JAMES. And if the steel people were to go before the President and say that it was necessary to have an increased price for steel, and it was granted, and then instead of raising the wages of the men they cut them down, and the men struck, would they not then be compelled to go to war, according to the Black amendment?

Mr. LUNN. They would. Their draft boards would be compelled immediately to cancel their deferred classification, no matter how just the cause of their dispute.

Mr. BLACK. Mr. Chairman, will the gentleman yield?

Mr. LUNN. I will.

Mr. BLACK. Is it not a fact that we now have a National War Labor Board to adjust such differences as those mentioned by the gentleman from Michigan [Mr. JAMES]?

Mr. JAMES. And if a man stayed out of work for five days he would be taken out of his deferred classification?

Mr. LUNN. Will the gentleman bear in mind that in our committee there was presented a case in respect to one branch of

the Steel Corporation, where the workers were willing to submit their grievance to the National War Labor Board, but the members of that particular part of the Steel Corporation would not submit to the Government? This concern could lock out all of these employees and we would lose valuable and efficient men for industry.

Mr. BLACK. Do we not now have on the statute books a law that permits the Government of the United States to take over such an industry as that.

Mr. LUNN. And the gentleman's solution of the problem would be for the Government to take it over immediately when there is trouble?

Mr. BLACK. Unless the matter could be settled by the National Labor Board.

Mr. LUNN. Would the gentleman have the Government take it over if the employers lock out the men?

Mr. BLACK. I would have both employees and employers obey the law of the Government and sustain essential production.

Mr. LUNN. Why not include in the gentleman's amendment employers as slackers who close their shops and lock out the men?

Mr. BLACK. If they are granted deferred classification upon that ground, the amendment would serve to include them, and they should be classed as slackers. The employer and the employee should be made to work or fight. That is my position.

Mr. LUNN. Here is the upshot of this entire matter: An amendment is before us declared wholly unnecessary by the Military Affairs Committee. The Secretary of War has stated that it was no part of the bill as framed by the War Department. Gen. Crowder has stated that it is not necessary. Then, why inject this controversial amendment in the man-power bill? There is a certain class of men who are antagonistic to the workers in general, who seem to cherish a prejudice against all workers, and they have consistently endeavored to secure conscription of labor. In the other branch of the legislature are men who seem determined to put into this bill some form of a camouflage labor conscription. It should not be done. This amendment and any other similar amendment ought not to be adopted.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. SIMS. Mr. Chairman, I think this amendment ought to be voted down regardless of what the motives of the gentleman from Texas [Mr. BLACK], who offered it, may be. It is a disturbing question at this time, just as the gentleman from New York [Mr. LUNN] has said. Mr. Morrison, of the American Federation of Labor, appeared before the committee and stated his opposition to it, with his reasons. The Secretary of War has not asked for it. He has said that it is not necessary. Gen. Crowder has said that it is not necessary. Why does the gentleman from Texas want to bring in amendments that are practically in opposition to the Secretary of War and the Provost Marshal General? We should give them something that will help them out, not give them something that they do not want and will prove a disturbing factor.

Mr. BLACK. Did not the Secretary of War say in the hearings that he could see no objection to an amendment of this kind?

Mr. SIMS. I do not remember; I was quoting what the gentleman from New York [Mr. LUNN] has said; I did not attend the hearings only for a few minutes.

Mr. BLANTON. He did say it.

Mr. BLACK. I will say that he did say it.

Mr. SIMS. I am not a member of the Committee on Military Affairs; but here is a bill that has hardships enough in it without inserting a provision that will be regarded all over this country as something intended for intimidation purposes. This war can not be won by money or fighting men alone. It has got to be won by products and they must be produced by labor. Let us take the case of a contractor who has a contract to supply war material. If it is known to him that his laborers can not quit because they do not get the wages or treatment that they think they ought to have, then he will not give them what they demand, because they will come within the provisions of the Senate amendment or the Black amendment, should it prevail. We have enough of the spirit of intimidation. The gentleman from Texas [Mr. BLACK] knows that we are always presumed to intend the natural result of what we are doing. One of the natural results of our act, if we pass this amendment, will be a disturbance, disharmony, uncertainty, experimentation, contentions, and controversy, and the Lord knows we have explosive situations enough now without unnecessarily injecting into this bill something that ought not to go into it. It was not in the bill as it was sent over from the Secretary of War. Let us not put in every imaginable thing that might suggest itself on the spur of the moment. I hope the amendment will be voted down, just as I hope the Gregg amendment will be voted down, when we get into the House where we can vote upon it.

Mr. CANNON rose.

Mr. DENT. Mr. Chairman, I ask unanimous consent that all debate upon this amendment and all amendments thereto shall close in 30 minutes.

The CHAIRMAN. Is there objection?

Mr. CANNON. I think I may want 10 minutes, though I think I shall get through in 5.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CANNON. Mr. Chairman, the men in the Army and the Navy in the military service of the United States are not discriminated against when you draft them, whether they want to go or not. If their feelings are hurt there, they might be hurt. It is true some of them are unorganized and some are in organized labor. Organized labor, the gentleman from Texas [Mr. BLACK] well said, does not exceed 3,000,000 men. I doubt if it numbers that amount. Now, I just want to put in a protest here and now against the self-constituted defenders of labor. [Applause.] My God, I have followed in the early part of my life until pretty well up toward the middle every path that labor treads. I have been supported by labor, organized and unorganized, in my long service in this House against the objections of gentlemen whom I might designate who have discussed, and gentlemen like unto them, this question of labor during this session of Congress. I will not grow personal. Now, gentlemen, the gentleman has well said perhaps that already the power exists, and, as I understand, it will exist when this draft bill passes from 18 to 45—already the President has in what is known as the Chamberlain law the authority to call into the military service of the United States men engaged in labor, and that includes organized labor. So there it stands. He can do it to-morrow. I voted for the law. No objection was made to it in the House or Senate. I think it is barely possible that the gentleman from New York, who is so eloquent and plausible, possibly may have been asleep at the switch. I do not know whether he was or not. I would like to know whether he indorses that law now.

Mr. LUNN. I am sure that I was not asleep at the switch, because I never sleep at the switch.

Mr. CANNON. Does the gentleman indorse the law now that enables the President to draft into the military service of the United States any man or men engaged in an industry or agriculture and take them from the dollar an hour, or whatever compensation they may receive, and put them on the $30 a month, or put them into the shipyards and put them upon the railroads or anywhere else that is as necessary? Does the gentleman indorse that kind of power?

Mr. LUNN. Will the gentleman yield?

Mr. CANNON. Yes.

Mr. LUNN. I would certainly in time of war favor that power if applied equitably and absolutely and universally over the entire Nation, whether to men or property.

Mr. CANNON. Oh, over the entire Nation. If the men in the shipyards strike in that great employment to transport our soldiers and food across the sea or to operate the railroads is it necessary to conscript everybody else that are not striking and are not refusing? Oh, the gentleman is not consistent. [Applause.] I was going to say he was "demagoging," but I will not speak disrespectfully. In my judgment, the gentleman camouflages. [Laughter and applause.]

Mr. LUNN. Will the gentleman yield?

Mr. CANNON. Yes.

Mr. LUNN. I have consistently taken the stand that our legislation should apply equally and equitably, so far as possible, on our entire population. If we are compelled to conscript men, then go to it and conscript all men, employees and employers alike. What the gentleman wants is to leave free the dollar, but put in bondage the man.

Mr. CANNON. Good God, the President can seize any industrial establishment, and has already been seizing them by the wholesale. If any proprietor in an industry anywhere in the United States should act unpatriotically, the President can take it over in the twinkle of an eye. [Applause.]

Mr. LUNN. But he does not put the owners in uniform, the older men, as you evidently want the workers treated.

Mr. CANNON. Oh, no; I say, you catch them at the age of 45. We are about to amend the law and the law already on the statute books will apply to them. Let us be honest with each other. I am a better friend of labor, in my judgment, than is the gentleman from New York. I stand for the equality of opportunity everywhere. [Applause.]

Now, I just wanted to say that much. I think that already the President of the United States has the power to take any

man in union labor or any man on the farm or in industry and draft him into the military service at $30 a month. It is up to the administration. I am not going now to criticize the administration. I am merely speaking of what the law is. Therefore, I do not know that I shall grieve if this amendment is not agreed to, because, as I understand the law already, the power rests in the Commander in Chief of the Army and Navy as the occasion arises to conscript any laborer in industry, any laborer on the farm, and that includes the whole shooting match, industry and farm. [Applause.]

Mr. LONDON rose.

The CHAIRMAN. The Chair desires to make a statement. The Chair has not been furnished under this unanimous-consent agreement with the name of the gentleman from New York.

Mr. SMALL. I think the gentleman from New York is one of those included in that agreement.

Mr. FIELDS. I will state in the absence of the chairman, it is my understanding the gentleman from New York was included.

The CHAIRMAN. The Chair stands corrected. The gentleman's name is on the list.

Mr. LONDON. Mr. Chairman, there is always a great deal of wisdom in the things that the former Speaker of the House, the distinguished gentleman from Illinois, has to say. There is not the slightest doubt that if the bill passes in the form in which it has been presented the military arm of the country will be able to reach every male person between the ages of 18 and 45. All this argument about an amendment being necessary to prevent strikes or to obtain conscription of labor is a mere waste of time. Under the law as it is before us the Commander in Chief may call upon all male persons between the ages of 18 and 45 and draft them into the service.

It is merely a matter of regulation. And those who support the bill and who claim that they are special friends of organized labor because they oppose this amendment do not quite understand the situation. It is as clear as day that the President has that power. Until now it was the young man between the ages of 21 and 31. With the adoption of the bill it is every male person between the ages of 18 and 45 that becomes subject to the call of the President. He need not put them in uniform. He can give them a badge of service. He need not even do that. He simply calls them into the service, and that is all there is to it. The great question overlooked through the entire discussion on this bill was whether the Congress of the United States shall take 24,000,000 people and subject them to military authority. That was the great question. And after you have overlooked that great big question and have adopted a bill which permits the conscription of labor you seek to pour sand into the eyes of the workers by raising the question whether it is necessary to adopt an amendment authorizing in specific terms the withdrawal of deferred classification for certain industrial workers. As I said before, it is all a matter of regulation.

The President has adopted the policy, the Secretary of War and the Labor Department cooperating, of dealing with the relations of capital and labor in a humane way and not in a military way; but they are not bound to do so under the law.

This country must not be put in a strait-jacket of militarism. There must be some room left for voluntary patriotism. There must be some room left for voluntary sacrifices. There must be some room left for the expression of genuine devotion. The great mistake that wise men, like the former Speaker, commit when they talk about prohibiting strikes is that they compare the industrial situation to the situation in the trenches. In the trenches the officer bares his breast in advance of the men whom he leads. He shares with them a common danger and risks his life with his comrades. That is not true in industry. In the trenches the officer does not go into the pockets of the private and pick the pockets. But the leaders and the rulers of industry pick the pockets of the men who are privates in industry. That is the difference. If we had industry conducted and governed for the Nation and by the Nation, the situation would be different. Then the Commander in Chief could say to every man, rich or poor, "You are to-day a part of the fighting force of the country; just now you are not in the trenches; you are in the factories and in the mines, but all on the same footing." If we would introduce the principle that there shall be no profits in war while the Nation bleeds and while men die, that all we produce shall go for the common good, with that condition in industry I would not object to the conscription of every man and every woman capable of rendering service. But as long as the private in industry is exploited by the generals in industry we can not apply the same principle to the economic life of the country which we apply to the trenches. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired. The gentleman from North Carolina [Mr. SMALL] is recognized.

Mr. SMALL. Mr. Chairman, I feel constrained to discuss this amendment because of the statement made by the gentleman from New York [Mr. LUNN] that there were no more patriotic men in the United States than those engaged in labor, and the remark made by the gentleman from New York [Mr. LONDON] that the employers of labor were picking the pockets of labor.

Let us understand what this amendment is. The bill contains a provision that "persons engaged in occupations or employments found to be necessary to the maintenance of the Military Establishment or the effective operation of the military forces or the maintenance of national interest during the emergency" may be put in deferred classes. This amendment simply provides that persons having been placed in such deferred classes shall work in the occupation on account of which they were deferred, and if they do not work then they shall be selected for military service.

Mr. BLACK. It permits them to change to any other occupation of a similar nature.

Mr. SMALL. Yes. I read in the Washington Times of this afternoon, which happens to be on the desk before me, this paragraph:

FORT M'HENRY TROOPS ANGERED BY STRIKE.

BALTIMORE, *August 24*.

Soldiers at United States General Hospital No. 2, Fort McHenry, were enraged when 54 bricklayers employed on hospital buildings walked out because their demands for increased pay had not been granted.

The men are now being paid 75 cents an hour, and some time ago asked for an increase to $1 an hour.

The soldiers were of the opinion that these men should be immediately drafted and put to work again at $1 a day instead of a dollar an hour.

The foreman explained that they would not get the increase any sooner by striking and it might result in their losing their positions.

[Applause.]

I began six or eight months ago to clip from newspapers accounts of demands of labor and strikes and other activities upon the part of labor which seemed in my humble judgment to be unjustified and unpatriotic. The envelope in which I was keeping them became so full that I finally abandoned it. Does the gentleman from New York say that these men in Baltimore are the most patriotic of the citizenship of the country? Does the gentleman from New York [Mr. LONDON], who declaims about the robbery being committed by employers of labor upon labor, organized or unorganized, say that these laborers in Baltimore are having their pockets picked?

Mr. Chairman, it is a thought way down in the consciences and memories of many Members of this House, and it can be corroborated, that since we entered this war in April, 1917, there has been a disposition upon the part of labor—a portion of labor—to take advantage of the demand which has come for labor and seek unwarranted prices and the adoption of unwarranted conditions, and that with increased pay there has come decreased efficiency.

I am not opposed to organized labor. I desire that every man who labors, and we are all laborers, shall receive a compensation adequate to sustain himself and his family. I would not if I could impair the right to strike. I believe in the right of organized labor to strike. But in this hour of emergency, when we have selected for military service over 2,000,000 American citizens, which number we propose to increase to more than 4,000,000, to whom we pay a pittance of $30 a month, when every intelligent citizen recognizes that at the same time we must speed up in production of all the things necessary for the maintenance of our soldiers and for the proper conduct of the war, I submit that it is the duty of every man engaged in labor, whether with his hands or otherwise, to deal fairly and justly with his Government. I regret to state that there have been instances of men engaged in labor who have not been patriotic. And there is not the slightest foundation for the statement of the lone Socialist in this body that employers are picking the pockets of labor.

The CHAIRMAN. The gentleman from California [Mr. NOLAN] is recognized for five minutes.

Mr. NOLAN. Mr. Chairman, the gentleman from North Carolina [Mr. SMALL] seems to take a newspaper statement covering the action of 54 men to determine his judgment on this very important question. He seems to forget that the Government of the United States in the conduct of the war has given the labor problem some serious attention. We have here in Washington a Wage Adjustment Board that takes care of the wage question and the conditions of employment of the men in the shipyards. The Navy Department takes care of the questions of conditions and wages in the navy yards, and is largely

guided by the findings of the Wage Adjustment Board. Since taking over the railroads the Secretary of the Treasury, or the Director General of Railroads, has seen fit to create a board of adjustment on wages and conditions on the railroads of the country. Some time ago the Lane Commission handed down a decision which was unsatisfactory. This new wage board took the matter up for adjudication, and it has recently handed down an award, and even though the decision is not entirely satisfactory, the men are working and will continue to work without resorting to a strike.

The gentleman from Texas [Mr. BLANTON] here referred to the fact that there was another newspaper statement regarding a demand made for payment of a dollar an hour by some workingmen. A few days ago the same newspaper made the statement that these men made that demand under threat of a strike. That is an absolutely unfounded statement. I am talking from personal knowledge, because I participated in those deliberations.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. NOLAN. No; I can not yield. I sat with those men and I heard them present their case. They presented a case for different rates of wages, and they are going to abide by the decision of the wage board. There will not be any strike nor has there been any threat of a strike either during the hearings or at any other time or place.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. NOLAN. No; I can not yield. The gentleman was not fair in making that statement. There is not going to be a strike. There would not be any strike if the employers were as fair to the Government as the employees are. There has not been an instance where the employees engaged in any industry relating to the war would have struck if the employers had been as fair to the Government as labor is. There is not an instance where men have refused to return to work at the request of the War Labor Board or the Department of Labor. I can refer you to innumerable instances where the employer has refused to deal fairly or to abide by the declaration of principles adopted in creating the War Labor Board; in the first instance, the Tennessee Coal & Iron Co.; in the next instance, the Bethlehem Steel Co. and the Western Union Telegraph Co.; and you can go down the list, and it will show that practically every corporation in this country that has big interests and is making war profits by the tens of millions, and in some instances by the hundreds of millions, has refused to consider this question as fairly as labor has done. They have in many instances locked out and discharged their workers and have refused to arbitrate their differences when governmental agencies created to deal with these questions offered their services.

The former Speaker of this House [Mr. CANNON] can tell you how fair he has been to labor in the past, but his attitude toward organized labor has always been one of hostility. In the bill that was before us some months ago to prevent sabotage in munition plants, despite the fact that no one ever asked for it, he injected by amendment the conspiracy section of the old Clayton antitrust law, which would prevent legitimate strikes in private plants on war work, no matter what the employees' grievance might be; and the gentleman from New York [Mr. LUNN] submitted an amendment which took the teeth out of it, and it afterwards went out in conference. We should deal with this labor question just as we deal with the handling of our soldiers in France. Men who are qualified to handle this question are handling it, and handling it satisfactorily. Let these men alone. This House does not understand the labor problem. I do not understand the question in all its ramifications, and I do not claim to understand it. There are men peculiarly fitted to take care of this industrial question, just as other men are peculiarly fitted to take care of the Army. Let the President of the United States and the Secretary of War and the Secretary of Labor come before this Congress and ask us for this legislation, and then I will vote to conscript every man and woman in this country if they say it is necessary to win this war. That is how far I will go. But they have not asked for this. You have injected into this bill from the floor a proposition that the Committee on Military Affairs of the House would not adopt. Of course, there is going to be some industrial disturbance in this country, but who is responsible for it? If you dig deep down into the facts you will find that the commission presided over by former President Taft will give you causes of it, and I think you will find the employers more at fault than the workers.

Mr. BLACK. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from California yield to the gentleman from Texas?

Mr. NOLAN. No; I have not the time. I have only 5 minutes, while the gentleman had 10 minutes. If the committee wishes to introduce this matter, it can do it in an intelligent manner. The War Department and the Department of Labor and every other agency handling the question will give you the facts, and then, with the facts, you can handle it intelligently. [Applause.]

The CHAIRMAN. The time of the gentleman from California has expired. The gentleman from Iowa [Mr. GOOD] is recognized for five minutes.

Mr. GOOD. Mr. Chairman, I believe that every Member of this House is actuated by one single desire, and that is to write into the statutes of his country those provisions of law that will most speedily bring this war to a successful conclusion with the least possible sacrifice. That, I take it, ought to be and is the desire of us all. We have enacted a law authorizing that certain men engaged in industry and agriculture shall be placed in deferred classifications, because, as Mr. Hurley said, one man in a shipyard to-day is worth more than three men in the trenches. And because of this great need for skilled mechanics they should be kept at work. And so these men, engaged in these industries by the hundreds of thousands, have been placed in deferred classifications. As long as they are needed there and will continue to work, no one should object.

What is the amendment of the gentleman from Texas [Mr. BLACK]? It only provides that so long as these men are engaged in these industries or in like employment they shall not be disturbed, but when they quit working, when they commence to loaf, their privileged status shall be removed and they shall be placed in the military service like all other men who have not been given a privileged status.

Mr. GORDON. Mr. Chairman, will the gentleman yield?

Mr. GOOD. No; I can not yield.

The CHAIRMAN. The gentleman from Iowa declines to yield.

Mr. GOOD. Mr. Chairman, is there a man in this House, in this great emergency, when we realize that we must make great sacrifices, when we are drafting the boys of 18, who among us in this great emergency is not willing himself to work or to fight? It is un-American, it is disloyal for any able-bodied man in this great emergency to refuse to work or to fight; and that is all there is to the amendment. [Applause.] On this proposition every man ought to be made to answer the question, Will you work or will you fight? Then we should see to it that he follows the occupation of his choice.

I favor the Black amendment because it is bottomed upon the principle of universal liability to service. I did not know before that that principle permitted a special privilege to loaf.

Mr. Chairman, we improved upon the English system when we entered this war. England at the outbreak of the war enlisted her skilled employees. We placed our skilled employees that were necessary for winning the war in deferred classifications, but we insist that while they enjoy that privilege they must work. What is the situation in England and France to-day?

England and France are furnishing the field artillery for their own troops and also for the American troops, and will continue to do so for the next two and one-half months. I have here a copy of a publication of the Patriotic Education Society, from which I read of the industrial situation in England.

One factory on light shells employs about 94 per cent women. Taking shell, fuse, and grenade work as a whole, the average number of women employed is about 80 per cent. On the skilled operations, such as howitzer work, the averages are not so high, but there are individual cases which show just as high a percentage of women employees. In the largest English explosive factory there are 15,000 hands, and of these 11,000 are women. On trinitrotoluol manufacture the average is about 80 per cent women, and on the picric acid the average is about 40 per cent women. On filling fuses and that class of work the average is generally well over 90 per cent. In America we have exempted our men to do the work that the women are doing in England, and this amendment only compels them to do the work they said they would do when they were exempted from military service. When they refuse to work, send them into the war with your boy, and let a patriotic American woman fill the place. What English women can do American women can and will do.

Yet it is earnestly contended here that the industrial slacker shall be exempted and the boy of 18 from the farm shall be made to take his place in the trenches. I want the Members like the gentleman from Tennessee [Mr. SIMS], when they face this fall the mothers and fathers of those boys, to say, "Yes; I voted to put them there at once, and I voted against putting the industrial slackers of the country into the trenches." [Applause.]

Gentlemen, that is the issue presented by this amendment. There is no other issue. Let us get into this war with all our man power. Let us not recognize the slacker anywhere, whether he is a millionaire or a pauper, whether he is able to buy a king's ransom or only contribute a widow's mite. Let all the

man and woman power of the Nation be applied to this great emergency. Let us all do our best, and the best in America will win this war. [Applause.]

The CHAIRMAN. The time of the gentleman from Iowa has expired. The gentleman from Alabama [Mr. DENT] is recognized for two minutes and a half.

Mr. DENT. Mr. Chairman, I see no reason in the world why the committee should get excited over this amendment. This proposition was considered very thoroughly by the Committee on Military Affairs. We had the Secretary of War before us to discuss it. We also had a representative of the American Federation of Labor. The Secretary of War, in response to my question, emphatically stated that the Thomas amendment as put on the bill in the Senate—which is substantially the amendment of the gentleman from Texas [Mr. BLACK]—was no part of the program of the War Department and was unnecessary. Now, why should we go to the trouble of putting on legislation that the War Department has not asked for, that the Secretary of War himself says is absolutely unnecessary, and when he goes further and states that he can take care of the situation under the law as it now exists?

Mr. BLACK. Will the gentleman yield?

Mr. DENT. I yield to the gentleman.

Mr. BLACK. The gentleman asks the question, "Why should we enact legislation that the War Department has not asked for?" Does the gentleman think that the Congress of the United States ought to enact only that legislation that the War Department asks?

Mr. DENT. No. The gentleman from Texas is fully aware of the fact that I have exercised some independence of judgment myself on matters of this kind.

Mr. BLACK. Here too.

Mr. DENT. But the point I am making is that the War Department says it is no part of its program, that it is unnecessary legislation, and that this can be taken care of under the present law. So, why load down this bill with unnecessary legislation?

Mr. GREENE of Vermont. Will the gentleman yield?

Mr. DENT. I yield to the gentleman from Vermont.

Mr. GREENE of Vermont. The so-called present law exists in the form of departmental regulations, does it not?

Mr. DENT. But the regulations, of course, are made under the authority of the present law.

Mr. GREENE of Vermont. Exactly, and they continue to be law as long as they exist.

Mr. DENT. Yes.

Mr. GREENE of Vermont. But they can be changed by the same power that made them at any time it wants to?

Mr. DENT. Yes.

Mr. GREENE of Vermont. And it can enforce them as a matter of its own policy, but a statute is a mandate.

Mr. DENT. And it has been the policy of my friend from Vermont, who is a very distinguished, very able, and helpful member of the Military Affairs Committee, not to tie the hands of the War Department by statute instead of regulations. [Applause.]

Mr. GREENE of Vermont. That is a generality which I can not summon all the records of several years to disprove, but the fact is I have tried to use my own judgment quite as much as some other gentlemen have used theirs.

Mr. DENT. But that is the general practice which the gentleman has followed.

Mr. GREENE of Vermont. In each particular case I have tried to act in the way which my judgment told me was best.

The CHAIRMAN. The time of the gentleman has expired. All time has expired. The question is on the adoption of the Black amendment.

The question was taken; and on a division (demanded by Mr. BLACK) there were—ayes 52, noes 91.

Accordingly the amendment was rejected.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Massachusetts [Mr. TREADWAY].

The Clerk read as follows:

Amendment offered by Mr. TREADWAY: At the end of section 3, page 3, add the following new section, to read as follows:

"The Provost Marshal General is authorized to appoint special examiners, to act under such regulations as may be approved by the Secretary of War, for the purpose of reexamining in local districts all men of deferred classifications. When the findings and recommendations of the examiners are approved by the Provost Marshal General, local boards may reclassify men so reexamined. Examinations may be repeated within such periods as the Provost Marshal General may deem necessary. The same right of appeal from the reclassification, either by the Government or by a registrant, as is provided in the act of May 18, 1917, shall apply to men reclassified under this section."

Mr. TREADWAY. Mr. Chairman, in the very able address made by the gentleman from Pennsylvania [Mr. CRAGO] yesterday, I find these words:

I will agree to any legislation that can be enacted that will comb every classification, and deferred classifications especially, and put into the ranks men who really belong there.

All day yesterday and this morning the same thought has been reiterated, namely, that the deferred classifications should be combed for men not entitled to deferred classification and that they should be put into class 1 and into the fighting ranks. On inquiry of the Provost Marshal General's office I find that under the regulations in vogue a certain authority rests in the hands of the Provost Marshal General to appoint such examiners as this amendment refers to, but the authority is exercised to a very limited extent. I understand there are but 18 such examiners at work at the present time. Now, the situation is this: We have nearly 5,000 local boards in this country. Those local boards are made up each of three men active in the community work, of high standing, likely to be district judges or men holding various prominent positions. During the year or year and a half that the selective-draft act has been in effect those men have devoted practically their entire time to the work of these local boards. We are giving them more work all the time. As a result, when these local boards have classified men in deferred classifications, it is the most natural thing in the world that they will leave them there, in view of the fact that they are already overburdened with the department's work. There is no systematic effort to reclassify men who are in the deferred classifications. Consequently it seems to me that we should place in the hands of the Provost Marshal General an authority additional to that which he may have already, to employ such examiners as may be necessary to comb the deferred classifications. That is the object of the amendment which I have offered. It is entirely in the hands of the Provost Marshal General to employ such number as he may see fit—one or a thousand—and it will result in finding these men that you want to comb out of the deferred classification. If there is objection to such an amendment I can not see it; but if adopted it will most assuredly place in the hands of the Provost Marshal General the machinery with which to accomplish the very objects which we have been discussing here for two days, namely, the reclassifying of men and making sure that they are in the classes where they rightly belong. I hope the amendment will be adopted.

Mr. LAZARO. A question for information.

Mr. TREADWAY. I yield to the gentleman.

Mr. LAZARO. The gentleman said that the Provost Marshal General had 18 of these examiners in the service now.

Mr. TREADWAY. I understood by communication with him yesterday over the telephone that he was putting out into the field 18 such men.

Mr. LAZARO. If he can employ 18, why can he not employ more?

Mr. TREADWAY. It is probable that he can. I will not say that he can not employ them, but under no direct application of law. I ask the House to give him the direct authority of law so that he may so employ them.

Mr. DENISON. I am much in favor of the gentleman's amendment, but I will ask if this would not help secure a greater uniformity in the administration of the draft law?

Mr. TREADWAY. It certainly would, because it would give a method of bringing the act up to date. There are no end of instances where the reasons for the deferred classification have changed during the period of the year, and there is no machinery to bring it up to date. It is perfectly apparent that conditions under which deferred classification may have properly been secured a year ago do not now exist.

Mr. SMITH of Idaho. Will the gentleman yield?

Mr. TREADWAY. Yes.

Mr. SMITH of Idaho. Why could not the examination be conducted by the local boards?

Mr. TREADWAY. For the reason that the local boards have devoted so much time and attention to the work under the present act that they ought not to be expected to do more.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DENT. Let me say to the gentleman that the only possible objection I could have or that any member of the committee could have to his amendment is that they are doing this thing now. I do not know that it is necessary to put it into law, but, so far as the principle is concerned, I have no objection to it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

SEC. 3. That section 4 of said act be amended by adding at the end thereof the following proviso:

"*Provided*, That nothing in this section contained shall prevent the President, if he deems it advisable, from appointing as a member of a local board any person residing outside the subdivision or area in which such local board has jurisdiction, or from transferring a member of one local board to another local board outside the subdivision or area in which such person resides."

The following committee amendment was read:

Strike out all of lines 13 to 21, inclusive.

The committee amendment was agreed to.

Mr. DENT. Mr. Chairman, I ask unanimous consent at this time to have read at the Clerk's desk a letter which I received from the Secretary of War this morning relative to the McKenzie amendment.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

WAR DEPARTMENT,
Washington, August 23, 1918.

Hon. S. H. DENT,
House of Representatives.

MY DEAR MR. DENT: I have been asked by a number of Members of Congress to state definitely the attitude of the War Department on the so-called McKenzie amendment to the man-power bill, which Gen. March, Gen. Crowder, and I discussed before the committee some days ago.

The McKenzie amendment provided that men of 18 to 19 and 19 to 20 years, when registered, shall be put in a separate class to be called into the Army only after men between the ages of 20 and 45 years made available in class 1 shall have been exhausted by draft.

I believe this amendment unwise, and that it would seriously impair the ability of the War Department to get the men needed in accordance with the military program. I stated to the committee that the War Department intended, as a matter of regulation, so far as practicable, to defer the call of registered men from 18 to 19 years of age, and pointed out that any less elastic provision than this would require the War Department to be able to certify the complete exhaustion of the older classes before the men from 18 to 19 would be available. The McKenzie amendment is obviously much wider and more inelastic, and would be embarrassing to the department in securing speedily the number of men required by the program.

The object of this law is to increase the Army rapidly for early use. I hope it will be found possible by the House of Representatives to leave the bill in this particular unamended, and to rely upon the War Department by regulation to defer the younger men so far as such deferment is possible without interfering with the primary and urgent purpose of the bill, which is to raise the Army to the desired size, train it, and send it abroad by a definite time.

Cordially, yours,

NEWTON D. BAKER, *Secretary of War.*

Mr. DENT. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by printing a letter from the law librarian of the Library of Congress, stating the age limits in Germany, Great Britain, France, and Canada. [Cries of "Read it!"]

Mr. DENT. I will ask, Mr. Chairman, that the Clerk read it.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

LIBRARY OF CONGRESS,
Washington, August 22, 1918.

Hon. S. H. DENT, Jr.,
Chairman House Military Affairs Committee,
451 House Office Building, Washington, D. C.

DEAR SIR: In further response to the request from your office on the 20th instant for material relating to the draft ages in other countries, I am inclosing herewith three memoranda which have been prepared in the Legislative Reference Division relating to drafting of young men in Great Britain, France, and Germany, respectively.

Very truly, yours,

J. DAVID THOMPSON, *Law Librarian.*

DRAFTING OF YOUNG MEN IN GREAT BRITAIN DURING THE EUROPEAN WAR.

Under the provisions of the military-service act, 1916 (5 and 6 Geo. 5, ch. 104), which went into effect February 10, 1916, every male British subject, a resident of Great Britain, who had reached the age of 18 and was under 41 and was unmarried or a widower without children was deemed to have been duly enlisted in the regular army for general service with the colors or in the reserves for the period of the war.

The Statesman's Yearbook, 1918, page 50, states that all the groups of unmarried men were called out by March 18, 1916.

The military-service act, 1916, session 2 (6 and 7 Geo. 5, ch. 15), which became law May 25, 1916, extended the liability to service to married men within the same age limits. Section 1 (1) of this act contains the following proviso:

"*Provided*, That steps shall be taken to prevent, so far as possible, the sending of men to serve abroad before they attain the age of 19."

Premier Lloyd-George, in presenting to the House of Commons on April 9, 1918, the Government's bill raising the military age to 50, referred to this proviso, as follows:

"There was an understanding that boys under 19 years would only be used in case of emergency. We felt that the emergency had arisen, and, in so far as those who were over 18 were concerned, those who had already received six months' training, we felt it necessary that they should be sent to France."

By the terms of the recent treaty between the United States and Great Britain young men of British nationality may be drafted under the laws of the United States after they have reached the age of 20.

DRAFTING OF YOUNG MEN IN FRANCE.

I. BEFORE THE EUROPEAN WAR.

Under the military-service law in force before the outbreak of the European war, namely, the act of August 7, 1913, young men were called to military service during the year following that in which they reached 19 years of age, and the class to which they belonged was designated by the calendar year in which service under this law began—that is, the year in which the twentieth birthday occurred.

II. DURING THE EUROPEAN WAR.

This draft age for beginning compulsory military service was not lowered until March 15, 1915, when an act was passed providing that—

"The class of 1916 shall be called to the colors in advance of the regular time, at such date as may be fixed by order of the minister of war." (Journal Officiel, 1915, p. 1387.)

The class of 1916 consisted of young men who became 19 in 1915.

By the acts of December 30, 1915, March 31, 1917, and March 29, 1918 (Journal Officiel, 1915, p. 9663; 1917, p. 2557; 1918, p. 2831), the same authority was conferred upon the minister of war to call out the classes of 1917, 1918, and 1919, respectively, in the year in which they became 19.

Circulars of the minister of war, dated January 22, 1917, and September 30, 1917 (Journal Officiel, 1917, pp. 738, 7844), show that this authority had been exercised with respect to the class of 1917 before October 1, 1916, and, with respect to the class of 1918, before October 1, 1917. (A. Bernard, Aug. 21, 1918.)

DRAFTING YOUNG MEN IN GERMANY.

I. BEFORE THE EUROPEAN WAR.

Liability to military service in Germany commences with the completion of the seventeenth year. Such service is compulsory and universal, but does not actually begin until the age of 20. Every young man is enrolled in the military register during January of the year in which he completes his twentieth year. Prior to this—that is, from the seventeenth to the twentieth year, unless he has volunteered for actual service—the young man belongs to the landsturm, a home-defense force consisting of two classes, namely, the first including all men from 17 to 39 who for one reason or another have received no military training, the second class including all men over 39 up to 45, whether trained or untrained. (Constitution of the German Empire, Apr. 16, 1871, art. 59; law relating to military service, Feb. 11, 1888, secs. 23–24; Reichsgesetzblatt, 1888, p. 18.)

II. DURING THE EUROPEAN WAR.

The landsturm was called out for purposes of registration on August 1, 1914 (Reichsgesetzblatt, 1914, p. 273). Whether or not young men below the age of 20, except volunteers, were actually put into the military service at that time or later is not ascertainable from any official documents available in the Library of Congress. The following statement is given in Information Annual, 1916, page 259:

"According to the Lokal Anzeiger, of Berlin, June 18, all the 17-year-old boys in Germany had been ordered to report themselves to the military authorities. In Germany liability for military service begins at the age of 17 years, but in peace time actual service begins at 20."

The 1918 Statesman's Yearbook, at page 898, states that—

"By December, 1916, the whole of the 1917 class of recruits had been incorporated in the army, and by May, 1917, lads entering their seventeenth year."

The latter statement is ambiguous and does not indicate whether the 1917 class means those who completed their twentieth year or those who had completed their seventeenth year in 1917.

Nothing has been found in official sources to show that this service below the age of 20 was compulsory and not volunteer. The Berliner Tageblatt, August 22, 1914 (evening edition), page 4, contains an order of the military commander of Berlin to the effect that boys who have completed their sixteenth year may enroll for a course of military training under the instruction of retired army officers.

In a dispatch dated Paris, August 20, 1918, printed in the Washington Times on the same evening, it is stated that a number of boys of the 1919 class have been found among the latest prisoners, and that the proportion of boys taken in recent hauls indicates that practically all of the class of 1919 have been sent to the front. (T. H. Thiesing, Aug. 21, 1918.)

The Clerk, proceeding with the reading of the bill, read as follows:

SEC. 4. That section 5 of said act be, and hereby is, amended to read as follows:

"That all male persons between the ages of 18 and 45, both inclusive, shall be subject to registration in accordance with regulations to be prescribed by the President, and upon proclamation by the President or other public notice given by him, or by his direction, stating the time or times and place or places of any such registration, it shall be the duty of all persons of the designated ages, except officers and enlisted men of the Regular Army, the Navy, and the National Guard and Naval Militia while in the service of the United States, to present themselves for and submit to registration under the provisions of this act; and every such person shall be deemed to have notice of the requirements of this act upon the publication of any such proclamation or any such other public notice as aforesaid given by his direction; and any person who shall willfully fail or refuse to present himself for registration or to submit thereto as herein provided shall be guilty of a misdemeanor and shall, upon conviction in a district court of the United States having jurisdiction thereof, be punished by imprisonment for not more than one year, and shall thereupon be duly registered: *Provided*, That in the call of the docket precedence shall be given in courts trying the same to the trial of criminal proceedings under this act: *Provided further*, That persons shall be subject to registration as herein provided who shall have attained their eighteenth birthday and who shall not have attained their forty-sixth birthday on or before the day set for the registration in any such proclamation by the President or any such other public notice given by him or by his direction; and all persons so registered shall be and remain subject to draft into the forces hereby authorized unless exempted or excused therefrom as in this act provided: *Provided further*, That the President may at such intervals as he may desire from time to time require all male persons who have attained the age of 18 years since the last preceding date of registration and on or before the next date set for registration by proclamation by the President, except such persons as are exempt from registration hereunder, to register in the same manner and subject to the same requirements and liabilities as those previously registered under the terms hereof: *And provided further*, That in the case of temporary absence from actual place of legal residence of any person liable to registration as provided herein, such registration may be made by mail under regulations to be prescribed by the President."

Mr. FIELDS. Mr. Chairman, I offer the following amendment.

Page 5, line 16, after the word "President," add the following:

"*Provided*, That men registered under the provisions of this act who have served in the Navy of the United States shall, upon their own application, be permitted to reenlist in the naval service of the United States with and by the approval of the Secretary of the Navy."

Mr. FIELDS. Mr. Chairman, the reason I did not offer this amendment in committee was because it did not occur to me until I received a letter from a naval officer calling attention to the fact that if the law was enacted as drafted it would be

impossible for a man who had heretofore served in the Navy and who would be valuable to the Navy, probably more valuable to the Navy than to the Army, to reenlist in the Navy, and that the men whose terms of enlistment in the Navy may hereafter expire who desire to reenlist could not taken even a 30 days' vacation before doing so. The only way they could reenlist would be to reenlist immediately before the draft, which they would have to do upon the completion of their service or run the risk of being immediately drafted into the military service.

I have no pride of opinion in the matter; I am offering it at the suggestion of a naval officer, and I think it is a splendid suggestion.

Mr. McKENZIE. Will the gentleman yield?

Mr. FIELDS. I will.

Mr. McKENZIE. Under this law all men who had reached the ages between 18 and 45 will be within the draft ages, and therefore they could not enlist, but can only be taken into the Navy or a branch of the Army by induction. Is it not true that the Secretary of War, when I asked him the question whether he did not think the draft ought to apply to the Navy, said he was not prepared to say whether it should or not, but he was satisfied that he and the Secretary of the Navy could work out a satisfactory plan?

Mr. FIELDS. The gentleman will understand that this is not drafting anybody into the Navy; it is giving a man the option to reenlist in the Navy. For instance, the man serving in the Navy to-day who is within a few months of the expiration of his term of enlistment and who may have served there for a number of years, may desire to reenlist, but may also desire to take a brief vacation, say, of 30 days before doing so; and if some protection is not given him he will have to register immediately upon retirement from the Navy, which may make it impossible for him to reenlist, notwithstanding the fact that he may be a most valuable man in the Navy.

If they should register and draft him into the military service it would be almost impossible for him to get back to the Navy, for the gentleman knows that hard-and-fast rule in the War Department that no man can be transferred without the approval of his commanding officer. So they get him in the Military Establishment. He may apply for permission to be transferred into the Navy, but he is a good man and his commanding officer says no, that he is a good-looking fellow and that he wants him, and therefore will not approve his application for transfer to the Navy, and he is estopped. This amendment will make it possible for him to be transferred to the Navy. I have provided that it shall only be done, of course, with the approval of the Secretary of the Navy. Therefore, if the Navy shall not need him, or if he is not eligible, is not physically fit, the Secretary of the Navy would not approve his application for reenlistment into the naval service, and any objection that might arise from that quarter is removed by the fact that he can only enter the Navy by and with the approval of the Secretary of the Navy, and I hope the gentleman will not oppose the amendment.

Mr. McKENZIE. I simply desire to ask the gentleman, What will be the status of the men discharged from the Navy under his amendment? Suppose there are 2,000 men discharged from the Navy on the 1st day of September who are within the provisions of this draft law. Are these men immune from service?

Mr. FIELDS. Not at all.

Mr. McKENZIE. Suppose the Secretary of the Navy says that he has all the men he needs and he does not need any more men?

Mr. FIELDS. Then they would not get the approval of the Secretary of the Navy, and they would have to go into the new draft, of course.

Mr. WALSH. Does the gentleman understand that there is any such thing as a transfer from the Army to the Navy?

Mr. FIELDS. Yes; once in a while; but it is very hard to get through.

Mr. WALSH. I do not think there is any such thing. A man must be discharged from the Army, and then he enlists in the Navy.

Mr. FIELDS. Technically, the gentleman is correct.

Mr. CLARK of Florida. Mr. Chairman, I offer the following amendment as a substitute for the amendment offered by the gentleman from Kentucky, which I send to the desk and ask to have read.

The Clerk read as follows:

Substitute offered by Mr. CLARK of Florida to the amendment offered by Mr. FIELDS:

"That for a period of 30 days after the passage and approval of this act any person who is within the draft age as specified herein shall be permitted to enlist in the Marine Corps, the Navy, or the Army of the United States, notwithstanding any existing law or regulation of any department or Executive order now in force or hereafter issued."

[Cries of "Vote! Vote!"]

Mr. CLARK of Florida. Oh, no; I think you will be quiet for a moment or two. It is all well enough for gentlemen to cry "Vote! Vote!" Of course, I know they are in a hurry. The edict has been issued, the decree has gone forth, the sacrifice must be made and made in a hurry. It is well known that the War Department issued orders which absolutely prohibited any American citizen from enlisting in the naval service or in the Marine Corps if he desired to do so. Every man and every boy between the ages of 18 and 45 is to be drafted into the Army. What are you going to do for men in the Navy? How are you going to fill up the Marine Corps? How are you going to take care of these two important branches of the service, and, if we are to believe the newspaper reports, one of them, the most important branch when it comes to the real work on the battle field—the Marine Corps. It seems to me that these men ought to be given the privilege of tendering their service, if they desire to do so, to the Government of the United States in that branch of our fighting forces in which they feel they can render better service to the Government. I heard the gentleman from California [Mr. KAHN] say the other day that the volunteer system had departed from America forever. That may be true.

Mr. KAHN. I did not say that, if the gentleman will permit.

Mr. CLARK of Florida. I beg the gentleman's pardon——

Mr. KAHN. I said I hoped it had gone forever.

The CHAIRMAN (Mr. SAUNDERS of Virginia). The Chair will suggest to the gentleman from California that he should get permission of the gentleman who has the floor before interrupting him.

Mr. KAHN. Mr. Chairman, will the gentleman yield?

Mr. CLARK of Florida. Of course I yield.

Mr. KAHN. I said I hoped that the volunteer system had been displaced forever. I did not say it had been.

Mr. CLARK of Florida. I will accept the gentleman's statement. I understood him the other way. Of course if he did not say it, he did not say it, but he said he hoped it would be. I want to say that, although we have adopted the draft system and we are supporting it, the fact remains, and it can not be denied, that it is objectionable to hundreds of thousands of American citizens who desire the privilege of volunteering to serve their country under the flag. To be drafted, sugar-coat it as you please, talk about its being "selective" as you please, is distasteful to a great many people in this country, people who prefer to go voluntarily and tender their services in the branch of the service where they are better fitted in their own judgment to serve. Why not give these men the privilege of doing that? Why not for 30 days let down the bars and say, "If you want to enlist, and you come within the age, tender yourself at a recruiting station and offer your services to the Government." What is the objection to that? It certainly does not delay the proceedings. It is not going to delay the Army for a moment to have these men come up voluntarily and offer to enlist.

Mr. GREGG. Mr. Chairman, will the gentleman yield?

Mr. CLARK of Florida. For a question.

Mr. GREGG. If this law passes, every boy that is large enough to be out of short breeches and every man up to 45 will be in the Army.

Mr. CLARK of Florida. All except these preferred clerks in the Government departments here in Washington.

Mr. GREGG. What are we going to do for the Navy and the Marine Corps if something like the gentleman's amendment does not pass?

Mr. CLARK of Florida. I have just asked that. Where are you going to replenish them, where are you going to get them?

Mr. GREGG. I understand they need 300,000 men by the first of the year.

Mr. MONTAGUE. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. CLARK of Florida. Mr. Chairman, I ask to proceed for two minutes more.

Mr. GREGG. I ask unanimous consent that he be given five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MONTAGUE. Mr. Chairman, will the gentleman yield?

Mr. CLARK of Florida. Yes.

Mr. MONTAGUE. I would like to make a suggestion. We recently passed a statute authorizing the Marine Corps to increase by voluntary enlistment up to 80,500.

Mr. CLARK of Florida. Yes.

Mr. MONTAGUE. If this draft act passes with no exception or limitation upon its regulation what are you going to do with the Marine Corps? Change that law?

Mr. CLARK of Florida. You can not do it.

Mr. MONTAGUE. Does not the gentleman believe the volunteer system so far as it applies to the Marine Corps has been the life, the blood, and the glory of the Marine Corps?

Mr. CLARK of Florida. Absolutely, and has made it a glorious success. [Applause.]

Mr. FIELDS. Will the gentleman yield?

Mr. CLARK of Florida. For a question; I have not much time.

Mr. FIELDS. I want to ask the gentleman or the gentleman from Virginia——

Mr. CLARK of Florida. No; I can not yield time for the gentleman to interrogate the gentleman from Virginia.

Mr. FIELDS. Does the gentleman believe the Commander in Chief of the Army and Navy would make it impossible for men to enlist in the Navy if it was necessary?

Mr. CLARK of Florida. Mr. Chairman, I am getting sick and tired of taking things on faith. Every time when these gentlemen are driven into a hole they say, "Have not you got confidence in the President and in the Secretary of War?" [Applause.] My God, we are here to legislate, are we not? We are here as Representatives to exercise our own judgment with what little gray matter God Almighty gives us, if he gave us any, and yet whenever you get into a hole somewhere you fall back upon the proposition that the President as Commander in Chief must be trusted. Yes; a whole lot of other people can be trusted. Let me tell you an Executive order was issued on the 8th of this month absolutely prohibiting further enlistment in any service, and I went to the department down here to see Gen. Barnett about a young man being taken into the Marine Corps who had made application in April or June, whose papers were filed, who had been accepted by Gen. Barnett to be called when needed, and whose services Gen. Barnett very much desired, because his papers showed that he was a competent man and a man who would render very effective service there; and when we went up to the War Department to get their consent they said, "No," and now they propose to take them all. We sit here and propose to allow the department not only to execute the law but absolutely to make it, and you know it, you know it.

Mr. SMITH of Idaho rose.

Mr. CLARK of Florida. No; I can not yield. I am getting tired of it myself. I know that I am not going to change anybody's opinion. I know that I can not affect a single solitary human being on the floor of this House, because the cards have been fixed, the decree has been issued, and the head is bowed to the yoke, and you know it as well as I do. There is no use in camouflaging about this business. I want to say that, so far as I am concerned myself, I do not criticize anybody else. I am not questioning the motives of a single human being on earth. God knows I love my brethren in this House. Oh, it is delightful to be with them and see and associate with the most magnificent lot of gentlemen I ever saw. I am simply the keeper of my own conscience, and I am not going to bed at night with any quarrel with my own conscience. I am going to vote on every one of these propositions as I see it, regardless of all the letters that ever were written or that will be written. [Applause.]

Mr. KELLEY of Michigan. Will the gentleman yield?

Mr. CLARK of Florida. I will.

Mr. KELLEY of Michigan. Will not the gentleman from Florida modify his amendment striking out the provision for enlistment in the Army and leaving it the Marine Corps and Navy——

Mr. GALLIVAN. And Naval Reserve.

Mr. CLARK of Florida. Mr. Chairman, I ask unanimous consent to so modify it as to leave the Army out and leave in the Navy and Marine Corps and add Naval Reserve.

The CHAIRMAN. The gentleman from Florida asks unanimous consent to leave out that portion relating to the Army and add to it the Naval Reserve. Is there objection?

Mr. LANGLEY. Mr. Chairman, reserving the right to object, I did not hear the first part of the gentleman's speech and I would like to ask why this modification?

Mr. CLARK of Florida. Well, I am not responsible for that.

Mr. LANGLEY. Of course not, but neither am I. I was called out of the Chamber by a constituent and the gentleman had offered his amendment and had begun his remarks before my return. What I desire to ask the gentleman from Florida is, Why does he propose to exclude the Army from his amendment?

Mr. CLARK of Florida. I was requested by some gentlemen who think it probably best to do that and let the Army regulate their own affairs.

Mr. LANGLEY. I am not going to object to the gentleman's request, in view of his explanation, but I would like to make a brief statement, if it will not interrupt the course of the gentleman's remarks.

Mr. CLARK of Florida. I shall be glad to yield a moment or two to my friend from Kentucky if I have the time.

Mr. LANGLEY. Just an observation or two. I conferred with my friend from Florida in the preparation of this amendment and he knows, of course, that I heartily favor its purpose. I agree with what the gentleman has said and I had intended to speak in favor of the amendment, seeking recognition in my own right under the rules; but since the House seems impatient for a vote and since my friend has kindly given me this opportunity to go on record in support of the amendment, I shall not seek such recognition. I know personally that what the gentleman has said about men preferring to enlist rather than to be drafted is absolutely true, and when men feel that way about it I can not understand why they are denied the privilege of voluntary enlistment. Men above 40 years of age who are covered by this bill have not had a chance to volunteer, while others have, and I think they ought to have that opportunity. I know personally many men above 40 who tried to enlist but were not permitted to do so, and yet they are put in the attitude, by this bill, of being forced into the service, when as a matter of fact they would have gone in long ago if they had had the chance. Indeed, I think it would be well to go even further than this amendment proposes, and allow men, even though they have reached 50 years of age, to enlist if they are physically fit for service, as many of them are. I know, as the gentleman from Florida has said, that the cards are stacked, that the door for volunteers is closed, and that this argument as well as his is useless, but I want to go on record as advocating what I believe to be just and fair to all, and I thank my friend for giving me this opportunity of doing so.

Mr. CLARK of Florida. I do want to give the American citizen the right to enlist in the Marine Corps and in the Naval Reserve Force and the Navy if he sees fit to do so.

Mr. Chairman, it is seldom that I take up the time to make a speech on this floor, and much more seldom that I avail myself of the privilege graciously granted by the House to extend my remarks in the RECORD and print as a part of my speech a lot of things not uttered by me on the floor, and I will gladly vote at any time to allow nothing printed in the RECORD except the actual proceedings of the House. However, as permission has been granted me in this instance, and as I could not secure sufficient time to give oral expression to my views on this very important bill, affecting as it does the future of the youth of my country, I intend to add a few thoughts to what I have been able to say in the eight minutes I have actually used.

Certain newspapers, certain gentlemen upon this floor, and numbers of men occupying bomb-proof positions, who, in all probability, no matter how long this war may last, will never smell gunpowder, have acquired the habit of attempting to brand as traitors to our country any public official or citizen who dares to entertain and express any opinion of his own on any proposed question of public policy. So far as I am concerned, I do not believe there is a single Member of this House who does not desire with all his heart and soul to win this war against Germany and her allies in the shortest possible time. I am sure that every Member of this House will cheerfully vote to expend every dollar and sacrifice every male inhabitant of the Republic necessary to carry Old Glory to victory or the battle fields of Europe. But each of us has taken a solemn oath to uphold and defend the Constitution of the United States and to discharge our duties as Representatives of a free people as God Almighty has given us the brain and the light to comprehend and see those duties and not as some one else, charged with other duties and responsibilities, may see and understand them.

As a Representative in this great body when my country is involved in war, I am perfectly willing to make my judgment subservient to the judgment of those trained in military affairs in all questions of purely a military nature, or in all matters the solution of which requires expert military knowledge, but when it comes to determine whether the battles of the war shall be fought and won by the matured men or the young boys of the land, I respectfully, but firmly, decline to allow these military gentlemen to settle that question for me. I am utterly and unalterably opposed to drafting into the Army and sending to the front any youth under the age of 21 years until the man power of the country has been depleted to a point which makes this step necessary. When that time shall arrive (and God grant it never may) I shall cheerfully and promptly vote to send every boy and every old man who is able to carry a gun. Can any reasonable man object to this position? Does the taking of this position indicate any lack of patriotism or loyalty to country?

I desire to say to gentlemen who are given to aspersing, at least by insinuation, the patriotic spirit of others that the same blood which courses through my veins has answered the call to battle in every foreign war in which this country has been engaged, beginning with that of the Revolution. Can these self-appointed critics point to a prouder record of patriotic devotion to country than that? I have voted for every dollar of appropriation which the administration has asked to carry on this war; I voted for the declaration of war against Germany and against Austria-Hungary, and I have been fully convinced for some time that we should declare war against Bulgaria and Turkey and every power with which any one of our devoted allies is at war. I have voted for every measure which the President has requested to aid in bringing success to our arms save the original draft law alone, and in that case I would have done violence to my conscience under my oath of office had I voted differently, denying my fellow citizens the time-honored American privilege of volunteering to defend their country.

Although conscientiously and unalterably opposed to sending minors to fight the battles of the country until the depletion of the man power was such as to make such action necessary I voted for this bill solely because I did not propose to be put in the attitude of apparent objection to the increase of our fighting forces beyond the seas. While the advocates of drafting the 18, 19, and 20 year old boys solemnly assure us that these will be called last, and not then until actually needed, that the purpose is to train and educate them, we should not deceive ourselves. These tender boys will be called first or along with the others, and will be on the firing line in Europe by the early summer of next year.

Only two classes of people in this country can be benefited by this early impressment of these youths in the military service.

Those two classes are the manufacturers and other employers of labor who are vitally interested in keeping their employees out of the service, and a certain class of workers who have shown their patriotism during this gigantic struggle, in which the very life of the Nation is at stake, by threatening to go on strikes, although receiving the highest wages ever before paid in the history of the world.

Mr. Chairman, I shall vote for any and every measure intended to hasten a victorious conclusion of this war. Autocracy must perish from among men, and it devolves upon America to carry the flag of democracy to triumph. This is the one great object all of us should keep constantly in mind; but we should in all things remember the brave boys across the seas who are willingly giving their lives to perpetuate the principles of democracy and who have demonstrated to all the world that America is unselfish and her sons are unconquerable.

While the soldiery of this Republic is so gloriously upholding the honor of the flag on foreign soil the "holier than thou" gang, living safely and securely at home, might find better employment than questioning the patriotism of those among us who believe that under the Constitution they have the right to entertain some opinions of their own, and who dare to have the courage to express them. America is in this war to win, and there should be no peace until the allied flags shall float over the palace of the Kaiser at Berlin. When complete and overwhelming victory is ours, we should dictate the terms of peace free from any suggestion from any of the defenders of autocracy, and this we will do; but to reach this glorious end our course must be guided by reason, we must think, we must deliberate, we must confer together as freemen bound together in a common cause. In this crucial period in the history of the Nation all bickering should cease, suspicion should be banished, insinuation should hide its infamous head, and all real Americans should say to one another, "Come and let us reason together."

Mr. WALSH. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. WALSH. I seek recognition when the gentleman from Florida has concluded.

The CHAIRMAN. The Chair was going to have the amendment as modified read. The Clerk will now read the amendment as modified by the request of the gentleman from Florida.

The Clerk read as follows:

Substitute offered by Mr. CLARK of Florida for the amendment offered by Mr. FIELDS: At the end of line 16, on page 5, add the following: "That for a period of 30 days after the passage and approval of this act any person who is within the draft age as specified herein shall be permitted to enlist in the Marine Corps, Navy, or Naval Reserve of the United States, notwithstanding any existing law or regulation of any department or Executive order now in force or hereafter issued."

Mr. WALSH. Mr. Chairman, the gentleman from Florida has made a few very interesting observations upon what the terms of the draft law are. He is always interesting in his remarks and always displays a high degree of courage. It may be possible that the draft law is distasteful and unsatisfactory to hundreds of thousands of people in this country, although I doubt it, and it may be that in the gentleman's community they have not yet finished sulking and trying to throw discredit upon the action of this Congress in passing this sort of law.

But, sir, I think I voice the general opinion of the people of the United States when I say that they are not only satisfied with the law and the manner in which it has been administered, but that it has been a marvel not only to our own people but to the people of the entire world [applause] in that we have been able to raise and put into the field—yes, and to put upon the field of Europe even—over 1,000,000 of men armed and equipped. It may be that those who were against the war in the beginning, who believed we were not justified in entering this struggle, are still of that opinion, and if that be so in the gentleman's section of the country, of course they will still oppose the draft law and grumble and complain at the manner in which it has been executed and administered.

Mr. CLARK of Florida. Will the gentleman yield?

Mr. WALSH. Certainly.

Mr. CLARK of Florida. I hope the gentleman will not undertake to say that the people in my section or myself are opposing the draft law.

Mr. WALSH. I do not say that the people of the gentleman's section are opposing it, but the gentleman here upon the floor stands as spokesman of those who were opposed to the draft law—unwittingly, I am content to assume—and who now say that it is unsatisfactory and distasteful.

Mr. CLARK of Florida. I want to say to the gentleman that I bow with all due propriety and humility to Congress in the adoption of the draft law, and I have stood by it. My people have responded just as fully and completely as the gentleman's, and, although much older than he, I am ready to respond with the gentleman any time when our services are needed or when they may be taken.

Mr. WALSH. I stated at the beginning that I admire the gentleman's courage; but, sir, this is no time in the Congress for anybody to stand here and express views that are held by those who are not with the country in this struggle and who are not seeking to uphold us and further the prosecution of this war. [Applause.] And to complain and say that the draft law is distasteful and unsatisfactory to hundreds of thousands of our people can only give comfort and satisfaction to that class of people.

Now, as to the gentleman's proposed amendment. He would seek for a period of 30 days to permit enlistments by volunteering in the Marine Corps and the Navy. Now, I do not know whether the Secretary of the Navy has asked for this legislation or whether it was considered by the Military Affairs Committee or not. But it would seem to me that the Commander in Chief, that the military authorities, and the Secretary of the Navy, knowing that this legislation was under consideration, would hardly have permitted it to approach this stage of proceeding unless they had given expression to their views and unless they were satisfied that it would obstruct filling up the ranks of the Navy and the Marine Corps. I believe that the Commander in Chief knows the condition with reference to those branches of the service, and that if there be need for further enlistment they must have some plan in mind, even under the operation of this law which it is proposed to enact, whereby they can secure, under regulations or otherwise, the men needed in the Marine Corps and the Navy. So, sir, I think without that consideration by those departments we ought to go a little slow before we amend this measure in the manner proposed by the gentleman from Florida [Mr. CLARK].

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. CALDWELL. Mr. Chairman, I just want to say a word.

Mr. DENT. How much time does the gentleman wish?

Mr. CALDWELL. Not over a minute; two minutes at the outside.

Mr. DENT. Mr. Chairman, I ask that at the conclusion of one minute of discussion by the gentleman from New York all debate on this amendment and amendments thereto be concluded.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that at the termination of one minute of discussion by the gentleman from New York all debate on this amendment and amendments thereto be concluded. Is there objection? [After a pause.] The Chair hears none.

Mr. CALDWELL. Mr. Chairman, before this bill was proposed we had a draft statute, and under that a regulation was established by which men in the draft age were permitted to enlist in the Navy and the Marine Corps with the consent of their local board. It is the policy and intention of the War Department to apply the same regulations to the new draft ages,

and the only reason why the door was shut for a few days was to prevent the scandal of men trying to get from under. That is all. [Applause.]

The CHAIRMAN. The question is on the amendment of the gentleman from Florida [Mr. CLARK] to the amendment offered by the gentleman from Kentucky [Mr. FIELDS].

The question was taken, and the amendment to the amendment was rejected.

The CHAIRMAN. The question now recurs on the amendment offered by the gentleman from Kentucky [Mr. FIELDS].

The question was taken; and the Chair announced that the noes seemed to have it.

Mr. FIELDS. Division, Mr. Chairman.

Mr. BANKHEAD. Mr. Chairman, can not the amendment be read?

Mr. FIELDS. Mr. Chairman, I think many Members do not know what they are voting on, and I ask unanimous consent that the amendment be again reported.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that the amendment may be read again at the desk. Is there objection? [After a pause.] The Chair hears none, and the Clerk will report the amendment.

The amendment was again reported.

The CHAIRMAN. The question is on agreeing to the amendment.

The committee divided; and there were—ayes 96, noes 44.

So the amendment was agreed to.

Mr. THOMAS F. SMITH. Mr. Chairman, I have an amendment which I would like to submit.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report from the desk.

The Clerk read as follows:

Amendment offered by Mr. THOMAS F. SMITH: On page 4, line 8, after the word "States," insert the following: "and officers and members of the uniformed police forces who are now employed as such in and by cities having 500,000 inhabitants or more."

Mr. CALDWELL. Mr. Chairman, I ask unanimous consent that the gentleman from New York [Mr. THOMAS F. SMITH] be given 10 minutes.

The CHAIRMAN. The gentleman from New York [Mr. CALDWELL] asks unanimous consent that his colleague may be permitted to proceed for 10 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. THOMAS F. SMITH. Mr. Chairman, the object of this amendment, as its tenor denotes, is to prevent the further depletion and disruption of the trained and experienced police forces in those cities where the population is very large and conspicuously mixed in character.

The truth is that in the cities covered by this amendment there are hundreds of thousands of enemy aliens and unscrupulous adventurers, ever ready in a critical time like this to incite trouble and disorder, especially when they know that the protective force has been reduced and weakened.

In a great city like New York, which is renowned for the splendid efficiency of its police force, should the draft age be raised to 45, and this amendment rejected, over 50 per cent, or 6,000 policemen, would be put into the Army. This would mean not only a grave reduction in the protection of life and property in a city of 6,000,000 inhabitants, but it would mean that the city would have to pay about $7,000,000 a year to the policemen inducted into the military service, because of a State law which provides that city and State employees must be paid the difference between their Army or Navy pay and their other pay.

The seriousness of this police situation can not be exaggerated. It is one that does not only affect the interests of the city of New York but it also affects the interests of the Nation and the prosecution of the war.

Imagine what the effect would be—world-wide—if in the city of New York, the first city in the land, the gateway to the Nation, there should be an uprising resulting in violence, and destruction of life and property, and the police should be unable, because of numerical weakness, promptly to suppress it. It would be a national disaster, and one that would gladden the hearts of our enemies and injure the morale of our splendid Army across the sea.

There are those who believe—and they are many—that the existing trained and efficient police forces who are protecting the lives and properties of our citizens throughout the country are rendering as great and as necessary a service in their respective fields to the Government, the Nation, and the people as if they were put into the Army.

After all is said and done, neither the Army nor the Navy alone can win this war. This war will be won because of the patriotic zeal and devotion, the unselfish and constant cooperation of the men, women, and children, who sense the issues involved and who gratefully appreciate the blessings, bounties, and opportunities of this free land of ours. In the language of Kipling:

> It ain't the guns nor armament nor the funds they can pay,
> But the close cooperation that makes them win the day.
> It ain't the individuals nor the army as a whole,
> But the everlastin' teamwork of every bloomin' soul.

[Applause.]

If I do not exhaust your patience, I shall read a letter from the mayor of the city of New York:

CITY OF NEW YORK, OFFICE OF THE MAYOR,
August 9, 1918.

Hon. THOMAS F. SMITH,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: I have the honor to invite your attention to conditions now confronting the administration of police affairs in the city of New York by reason of the drafts upon members of the police force under existing and proposed military draft laws. The existing law calls all members of the police force from 21 to 31 to the colors. All the men on the existing civil service list are of conscription age, and, consequently, should they be appointed, they become almost immediately a liability upon the city, without having rendered any appreciable service.

Already more than 700 men have been drafted, and before the end of this year at least 1,000 will have been drafted into the military service, and ultimately 28 per cent of the entire force, or 3,000 men, will be called.

Should the Government raise the draft age to 45 years virtually every able-bodied policeman in this city will be, sooner or later, taken into the Army. Policemen of this city physically fit will be called before civilians with dependents, because they can not claim exemption from a monetary standpoint, since under the provisions of the Fenner law the city pays them the difference between the salary they get as policemen and the salary they get as members of the Army.

An efficient policeman can not be made in a brief period; a year or two is required to bring about this result. If we are to be compelled to recruit the police force of this city in this most trying period of its history from the utterly green, and perhaps thoroughly undesirable, material left over from the draft we are courting disaster.

The possibility of disorder, due to labor unrest; the fomenting of disturbance by enemy alien elements; possible uprising against authority, due to dissatisfaction with the war or the Government by reason of insufficient, improper, or unacceptable food, or due to the high cost of food and clothing, or increased burdens, may, under certain circumstances, burst into an appalling reality.

The arguments advanced that no exception can be made in New York City regarding drafting of policemen, because to do so would mean that every other city in the country would be justified in making similar demands, should have no weight. New York City is in a class by itself. It is the financial center of the world; from it radiates all activities looking toward the speedy and satisfactory conclusion of the war. This is not true of any other city in this country. Riots or disturbances in this city, improperly handled and ineffectively quelled, would be a national disaster that would be pleasing to the enemy and would certainly demand the attention of the Government.

New York is the gateway of American commerce; it is the pulse of this hemisphere and from it is judged the Nation's vigor and determination. It is unthinkable that the police force of this city should be otherwise than up to the highest standard in these momentous times, when unprecedented emergencies are bound to arise.

Moreover, the city of New York is made up of many foreign elements. At least 75,000 enemy aliens, male and female, and hundreds of thousands of citizens of the Teutonic race, against whom demonstrations may be expected under certain conditions, make up a considerable part of our cosmopolitan population.

The war activities in this city and our cooperation with the Federal Government has made unusual demands upon the police force of this city. To make further inroads upon this very much depleted force, which may not be recruited with proper material, is a matter worthy of serious consideration.

I therefore feel it is my duty to request the Representatives of this city and State in Congress to secure such modification of the existing statutes as will meet this very important and dangerous condition, for I am certain it can not be to the best interest of the Government, considering all New York City means to the Nation, to destroy, or seriously restrict, the efficiency of the police force of this city. A policeman can render much better service to the Government by good police duty in this city than he can by entering the military service.

Very truly, yours,

JOHN F. HYLAN, *Mayor.*

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CALDWELL. Mr. Chairman, I ask unanimous consent that the gentleman may have five minutes more.

Mr. THOMAS F. SMITH. I think I can conclude in three minutes.

The CHAIRMAN. The gentleman asks unanimous consent to proceed for three minutes more. Is there objection?

There was no objection.

Mr. THOMAS F. SMITH. This letter is from the chamber of commerce:

CHAMBER OF COMMERCE OF THE STATE OF NEW YORK,
New York, August 21, 1918.

DEAR SIR: The city of New York is a pivotal point, both in manufacturing and in the shipment of men, munitions, and Army supplies of all kinds.

Its preservation from disturbances, outbreaks of violence, of outrages by enemy aliens, of fire or other disaster is of vital importance to the war efforts of the Nation.

Because of its size, its activities, and its importance, and the heterogeneous character of its population and because it is the biggest labor market in the United States it is the center to which adventurous spirits of all kinds resort.

All of this makes it one of the most difficult, as it is one of the most necessary, places to which to give the very best possible security and protection.

The police force of this city is renowned for its efficiency in the protection of life and property. It has acquired that reputation as the result of long training and a remarkable esprit de corps among its men.

This force has been already seriously depleted by the draft. Eight hundred of its membership have gone into military service, or about 8 per cent of the number.

Unless provisions are made in the new draft act to exempt the trained police force it may easily lose 50 per cent of its personnel.

The seriousness of this can not be magnified, not so much to the city of New York per se as to the vital interests of the Nation in the conduct of the war.

Men can not be trained quickly to a knowledge of the laws under which the police have to act and to their duties. Green men can be much more quickly trained to be efficient soldiers of the line than to be trained and efficient policemen.

The value of the existing trained force of police in their present position and carrying on their present duties is worth vastly more to the interests of the Government and to the country while at war than the military value would be of the entire trained force if it was put into the Army as a unit. Indeed this force is worth immensely more to the Government where it is in the protection of the vast industries and functions being performed here than many times their numerical number as soldiers of the line.

We do not hesitate to urge upon you the most earnest consideration of these views and the adoption of a provision in the draft act which will exempt this force.

If it is taken away or largely depleted by the draft, it can only be recruited from men past middle age not then fitted by adaptability or physical qualities for the responsible and strenuous life of a policeman. To so deteriorate the protective force of this important war base would be taking a hazard which we believe a careful military commander would not consider justified.

We are,

Yours, very respectfully,

WELDING RING, *Chairman*,
CLEVELAND H. DODGE,
E. H. OUTERBRIDGE,
CHARLES L. BERNHEIMER,
HENRY A. CAESAR,
SAMUEL W. FAIRCHILD,
LEONOR F. LOREE,
Of the Executive Committee.

Mr. O'SHAUNESSY. Mr. Chairman, will the gentleman yield?

Mr. THOMAS F. SMITH. Yes.

Mr. O'SHAUNESSY. I would like to know from the gentleman from New York what cities are included in his amendment?

Mr. THOMAS F. SMITH. There are about 12, with a total population of 16,000,000, and a total police force of 32,000.

Mr. O'SHAUNESSY. Is it possible to name those cities now?

Mr. THOMAS F. SMITH. Yes. They are Baltimore, Boston, Buffalo, Chicago, Cleveland, Detroit, Los Angeles, Philadelphia, Pittsburgh, St. Louis, San Francisco, and New York.

Mr. CANNON. Can you not put in Danville? [Laughter.]

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. CALDWELL. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New York moves to strike out the last word.

Mr. CALDWELL. I do so for the purpose of calling the attention of the House to the police situation here in the city of Washington. By reason of the draft, the police force here has been depleted to such an extent that it has been necessary to send to the adjoining camps and get inexperienced men there to come here and do soldiers' duty as policemen, and they are paying them out of the Washington city treasury. Under the circumstances it is only right and fair that the great centers of industry in this country should be protected by relieving them with respect to the police force.

Mr. CANNON. Mr. Chairman, will the gentleman yield?

Mr. CALDWELL. Yes.

Mr. CANNON. Is it not true that we are losing the police force in Washington because of a failure to give any increase in their salaries?

Mr. CALDWELL. Possibly so. They ought to have all the salary they want.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York [Mr. THOMAS F. SMITH].

The question was taken, and the Chairman announced that the "noes" appeared to have it.

Mr. CALDWELL. A division, Mr. Chairman.

The CHAIRMAN. A division is called for.

The committee divided; and there were—ayes 54, noes 113.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Committee amendment: Page 5, after line 16, insert a new section, as follows:

"SEC. 4. That during the present emergency the minimum age limit of officers of the Army of the United States, not above the rank of captain, shall be 18 years."

Mr. GREGG. Mr. Chairman, I offer an amendment.

The CHAIRMAN. Is it an amendment to the committee amendment?

Mr. GREGG. I thought that was a section by itself.

The CHAIRMAN. This is an amendment of the committee.

Mr. GREGG. It is an amendment to the amendment.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Amendment offered by Mr. GREGG: Amend section 4 by inserting after the words "United States," at the end of line 18, page 5, the following: "and of the Marine Corps."

Mr. GREGG. Mr. Chairman and gentlemen, that is simply to make uniform the age limit of the officers in the Army and the officers in the Marine Corps.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. GREGG. Yes.

Mr. STAFFORD. Will the gentleman give us the information of what the age limit is in the Navy?

Mr. GREGG. I could not say that. You see the officers of the Navy are specially trained, technical men.

Mr. STAFFORD. The Marine Corps is part of the naval force.

Mr. GREGG. I know; but the Navy is technically trained.

Mr. STAFFORD. If we are going to have captains of 18 in the Marine Corps, in the Navy they would not be eligible.

Mr. BLACK. It is 20 years in the Navy.

Mr. MONTAGUE. Under the existing law with respect to the Marine Corps it is 20 years.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield for a question?

Mr. GREGG. Yes.

Mr. DENT. I hope that amendment will not be agreed to.

Mr. GREENE of Vermont. I defer to the chairman, but I thought the gentleman from Texas [Mr. GREGG] had the floor. Has the gentleman from Texas any suggestion from people in authority in the Navy Department recommending this change and giving any reason?

Mr. GREGG. I have none at all. It was my own suggestion. I wanted to make uniform the age limit of the men in the Marine Corps and that of the men in the Army. They are both the land fighting forces in our Military Establishment.

Mr. GREENE of Vermont. Exactly. I did not want to impugn the character of the gentleman's amendment, but the amount of information he brought in with it. That is all. [Laughter.]

Mr. GREGG. No; it was simply a matter of my own suggestion.

Mr. GREENE of Vermont. You are not quite certain that by making the ages uniform you make the effect uniform?

Mr. GREGG. I do not see why in two fighting corps the age limit should be different—that is, that they should be a certain age in one and a different age in the other—and they are the two fighting corps.

Mr. GREENE of Vermont. It all depends upon the character of the organization, and the particular part of the fighting that they are called on to do.

Mr. GREGG. They are doing the same fighting that the Army is doing.

Mr. GREENE of Vermont. I do not so understand it. I understand they have also a quasi aquatic experience.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. GREGG].

The question being taken, the amendment was rejected.

The CHAIRMAN. The question is on the committee amendment which has been reported as section 4.

The committee amendment was agreed to.

Mr. HAYDEN. Mr. Chairman, I offer an amendment to come in as a new section.

The CHAIRMAN. The gentleman from Arizona offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. HAYDEN: Page 5, after line 19, insert as a new section the following:

"The wife of a soldier or sailor serving in the present war shall not be disqualified for any position or appointment under the Government because she is a married woman."

Mr. MADDEN. She is not now.

Mr. STAFFORD. I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from Wisconsin reserves a point of order on the amendment.

Mr. HAYDEN. Mr. Chairman, the necessity for the amendment that I have just offered was brought to my attention by Hon. Sam F. Webb, of Phoenix, Ariz., who wrote me the following letter:

OFFICE OF COUNTY TREASURER AND TAX COLLECTOR,
MARICOPA COUNTY, ARIZ.,
Phoenix, Ariz., July 24, 1918.

Hon. CARL HAYDEN,
House of Representatives, Washington, D. C.

FRIEND CARL: Last spring my daughter, Miss Emma, took the civil-service examination with 18 other applicants, and her rating, as shown, was third on the list of those who passed the examination. On June 7 she married Chester Sylvester, to whom she had been engaged for over one year and one-half. Mr. Sylvester enlisted here in Phoenix last April a year ago as a private in the United States Army, choosing the Signal Service for employment. By careful and diligent service he has been promoted from the private ranks to the position of sergeant-major in the Fifty-first Telephone Battalion, Signal Corps, recently at Fort Sam Houston, Tex.; I say recently for the reason that his company and associates were undergoing quarantine last Friday preparatory for going "Somewhere." My daughter returned here on Sunday morning to remain until victory crowns our arms in Europe and her husband either returns as a hero or passes over to the home of our illustrious dead who faced death on the field of battle that freedom should not perish from this earth.

After my daughter's marriage she was requested to inform the postal authorities when it would be convenient for her to enter the service. Her reply was about August 1, signing her name as she should, Mrs. Chester Sylvester. In reply to her letter, she received the inclosed document, which you will observe appears to be a civil-service statement. I, however, term it an uncivil service, if it persists in prohibiting the employment of married women in the United States Postal Service whose husbands are in the United States Army willing, if duty requires, to lay down their lives in defense of this land of equal opportunities and equal privileges.

I wired you recently in regard to the impropriety of such regulations and now inclose the document upon which I based my telegram.

After you have digested the contents of this remarkable document, kindly return it to me, as I would like to preserve the same for future use.

By giving this matter your early attention, I trust the name of Mrs. Chester H. Sylvester, nee Miss Emma A. Webb, will be restored to the list of eligibles for appointment in the United States Postal Service.

Very respectfully,

SAM F. WEBB.

On receipt of this complaint from my constituent I investigated the matter and found that the postal regulations forbade the appointment of married women as employees in that department.

Mr. MADDEN. That may be so in the Post Office Department, but they are putting them in every day in all the branches of the Government here. There are 10,000 wives of soldiers in the departments.

Mr. HAYDEN. The gentleman from Illinois may be right, but this is section 157 of the Postal Regulations. I shall read it to the committee:

A married woman will not be appointed to a classified position in the Postal Service, and a classified woman employee in the Postal Service who shall change her name by marriage will not be reappointed.

I then wrote to the Post Office Department and received the following reply:

WASHINGTON, D. C., *July 24, 1918.*

Hon. CARL HAYDEN,
House of Representatives.

MY DEAR MR. HAYDEN: I have your letter of the 20th instant, with inclosure, from Hon. Sam F. Webb, relative to the employment of the wives of soldiers in the Postal Service.

In reply I wish to advise you that a woman employee in the Postal Service who marries a man in the Army or Navy may retain her position until her husband receives his honorable discharge. In view of this fact and the present conditions in post offices, the Civil Service Commission has been informed that the department will modify the provisions of section 157 of the Postal Laws and Regulations for the duration of the war in order to allow women whose husbands or sons are in the military or naval service of the United States to take the clerk-carrier examination.

The inclosure is returned herewith.

Very truly, yours,

J. C. KOONS,
First Assistant Postmaster General.

With this assurance from the First Assistant Postmaster General, I felt sure that Mrs. Sylvester would be able to obtain the position for which she had qualified, but, to be certain about it, I wrote a letter to the Civil Service Commission. The following reply from the president of the commission gives the reasons why the recommendation of the Post Office Department was not approved:

WASHINGTON, D. C., *August 7, 1918.*

Hon. CARL HAYDEN,
House of Representatives.

MY DEAR MR. HAYDEN: I am in receipt of your letter of July 29, inclosing a telegram and letter from Hon. Samuel F. Webb, of Phoenix, Ariz., together with a copy of a letter from the First Assistant Postmaster General relative to the employment in the Post Office Service of married women who have either husbands or sons in the military or naval service of the United States, with particular reference to the eligibility of Mr. Webb's daughter, Mrs. Emma Webb Sylvester, who passed an examination for the Phoenix, Ariz., post office last March, and who subsequently married Chester Sylvester, who has enlisted in the military service and is now a sergeant major in the Signal Service.

Mr. Webb complains of the fact that his daughter is in receipt of a document which appears to be a civil-service statement prohibiting the employment of married women in the Postal Service, which he believes to be unjust with respect to women whose husbands are in the military service. He therefore requests that an effort be made to modify the regulation, and that the name of Mrs. Sylvester be restored to the eligible register.

In reply I have to advise you that the regulation prohibiting the appointment of married women to a classified position in the Postal Service is a departmental regulation of long standing, but a communication under date of July 12 has been received from the Postmaster General in which the commission is advised that owing to present conditions the department has decided to allow women employees who marry men in the Army to retain their positions until their husbands return from military duty, and therefore it has been decided that during the present war the provisions of section 157 of the postal laws and regulations shall not apply to married women who have either husbands or sons in the military or naval service of the United States, and it is desired in such cases that married women be allowed to take the examination for post-office clerk or city letter carrier.

The commission, however, has advised the department that its policy above outlined would establish a preferred class of the persons indicated, and would work a restriction against the admission of married women in general to the examinations—the legality of which course is questionable—and that therefore the action proposed by the department is not approved by the commission.

Very truly,

JOHN A. MCILHENNY.

In view of the position taken by the Civil Service Commission, it is evident that there must be action by Congress if the wives of our soldiers and sailors are to be permitted to obtain employment in the Postal Service. No good reason can be advanced against the passage of this legislation, and I believe that it is a proper amendment to the pending bill. I might add that the Senate Committee on Military Affairs in reporting the man-power bill to the Senate recommended the adoption of a similar amendment.

Mr. STAFFORD. Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The gentleman from Wisconsin withdraws the point of order. The question is on the amendment offered by the gentleman from Arizona [Mr. HAYDEN].

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 5, after line 19, insert a new section, as follows:

"SEC. 5. That the Secretary of War is authorized to assign to educational institutions, for special and technical training, soldiers who enter the military service under the provisions of this act in such numbers and under such regulations as he may prescribe; and is authorized to contract with such educational institutions for the subsistence, quarters, and military and academic instruction of such soldiers.

Funds heretofore or hereafter appropriated for quarters and subsistence of the Army shall be available for payments to educational institutions under the contracts above authorized, including the cost of military and academic instruction."

Mr. LUNN. Mr. Chairman, I move to strike out the last word. On yesterday, in my address before the House I made the statement that the young man of 16 could not go to war until he was 18. That statement of fact was denied by the gentleman from Kentucky [Mr. FIELDS], the gentleman from Ohio [Mr. GORDON], I think, and the gentleman from Illinois [Mr. WILSON]. These gentlemen insisted that a boy 16 or 17 could join the Army with the parents' consent. I insisted that no one under 18 years of age could be enlisted in the Army. I requested from The Adjutant General a citation of the law, and he has given this in a memorandum for the Secretary of War. I wish to include this correspondence as a part of my remarks without reading, unless some one desires to have them read.

The CHAIRMAN. The gentleman from New York asks unanimous consent to insert in the RECORD a communication from The Adjutant General. Is there objection?

There was no objection.

The correspondence is as follows:

WAR DEPARTMENT,
Washington, August 23, 1918.

Hon. GEORGE R. LUNN,
House of Representatives, Washington, D. C.

MY DEAR MR. LUNN: In accordance with your telephonic request, I inclose you herewith memorandum from The Adjutant General relating to the ages at which men are permitted to enter the military service. Your interest, as I understand it, was primarily in the minimum age, so this memorandum has failed to make mention of the fact that under recent legislation the Staff Corps of the Army are permitted to take men up to 55 years of age, thus increasing the maximum for certain corps of the Army, but not reducing the minimum.

Cordially, yours,

STANLEY KING,
Private Secretary.

WAR DEPARTMENT,
THE ADJUTANT GENERAL'S OFFICE,
August 23, 1918.

Memorandum for the Secretary of War:

Prior to the enactment of the national-defense act the law governing the ages of recruits for enlistment was embodied in sections 1116 and 1118, Revised Statutes, the former providing that recruits enlisting in the Army must be between the ages of 18 and 35 years at the time of

their enlistment, this limitation as to ages not applying to soldiers re-enlisting. Section 1118 provides that no minor under the age of 16 years shall be enlisted into the military service. The national-defense act of June 3, 1916 (Public, No. 85, Sixty-fourth Congress, H. R. 12766), provides in section 27 that no person under the age of 18 years shall be enlisted into the military service without the written consent of his parents or guardians, provided that such minor has such parents or guardians entitled to his custody and control. The act of May 18, 1917 (Public No. 12, Sixty-fifth Congress, H. R. 3545), provides in section 7 that the qualifications and conditions of voluntary enlistment as herein provided shall be the same as those prescribed by existing law for enlistments in the Regular Army, except that recruits must be between the ages of 18 and 40 years, both inclusive, at the time of their enlistment. Section 2 of the same act provides that the enlisted men required to raise and maintain the organizations of the Regular Army and to complete and maintain the organizations embodying the members of the National Guard drafted into the service of the United States at the maximum legal strength as by this act provided shall be raised by voluntary enlistment, etc. These two sections taken together require that all voluntary enlistments in the Regular Army, except in cases of men of prior service, shall be of applicants between the ages of 18 and 40 years, both inclusive. Since the date of the approval of this act, May 18, 1917 no recruits have been enlisted in the Regular Army under 18 years of age unless the applicant has falsely represented his age to be 18 when he was in fact under that age.

P. C. HARRIS,
Acting The Adjutant General.

Mr. FULLER of Illinois. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. FULLER of Illinois: At the end of line 2, page 6, strike out the period and insert a comma and add the following: "and the Secretary of War is hereby authorized to cause any honorably discharged soldier of the Army of the United States who was or shall have been under the age of 21 years at the date of his enrollment or the beginning of his service, to be educated in a university, college, or in a vocational or technical school, at the expense of the Government of the United States, with the object of rendering such honorably discharged soldier self-supporting. Such privilege shall be granted under rules and regulations to be prescribed by the President."

Mr. FULLER of Illinois. Mr. Chairman, all I have to say as to that is that if we are to take the boys under 21 out of the schools and put them into the trenches we ought to provide for their education when they come home.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. FULLER].

The question being taken, the amendment was rejected.

Mr. GOOD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. GOOD: Page 6, line 14, after the word "available," insert "for expenses incurred in laundering the clothing of enlisted men in Government plants, and no part of the pay of such men shall be taken for such laundry work."

Mr. STAFFORD. I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from Wisconsin reserves a point of order.

Mr. GOOD. Mr. Chairman, under the present arrangement at our various cantonments, or at least in most of them, the Government has established laundries to do the laundry work of the boys who are in training there. One dollar per month is being deducted from the pay of the enlisted men for doing this work. This is contrary to the advertisements of the War Department. One of the arguments that has always been made for securing enlistments in the Army is that the Government furnishes clothing, provisions, and everything, and that the enlisted man was not permitted to pay for any portion of his subsistence. Now, in all these places where these Government laundries have been established they are deducting $1 per month from the pay of enlisted men. I do not believe that the House or the country would for one minute countenance such small practices, and it seems to me that we ought to correct it. We should prevent it. That is the purpose of this amendment.

Mr. STAFFORD. Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. GOOD].

The question was taken; and on a division (demanded by Mr. GOOD) there were 85 ayes and 34 noes.

So the amendment to the amendment was agreed to.

The committee amendment as amended was agreed to.

Mr. DENT. Mr. Chairman, I move that the committee do now rise and report the bill to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee determined to rise; and the Speaker having resumed the chair, Mr. HAMLIN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 12731) amending the act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, and had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. DENT. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. SIMS. I demand a separate vote on the Gregg amendment.

The SPEAKER. Is a separate vote demanded on any other amendment; if not, the Chair will put the balance in gross.

There was no demand for a separate vote on any other amendment.

The other amendments were agreed to.

The SPEAKER. The question now is on the Gregg amendment.

Mr. GREGG. Mr. Chairman, on that I demand the yeas and nays.

Mr. ROBBINS. Mr. Speaker, I ask that the amendment be reported.

The SPEAKER. Without objection, the Clerk will report the amendment.

The Clerk read as follows:

Amend, by adding after the word "emergency," line 12, page 3, the following: "Nothing herein contained shall be construed to exempt from draft into the Army under this act or under any act heretofore passed the officers, legislative and executive, of the United States or of the several States, Territories, and the District of Columbia, and section 4 of the act entitled 'An act to authorize the President to increase temporarily the Military Establishment of the United States,' approved May 18, 1917, be so amended as to eliminate after the words 'That the Vice President of the United States' the words 'the officers, legislative and executive, of the United States and of the several States, Territories, and the District of Columbia.'"

The SPEAKER. The gentleman from Texas demands the yeas and nays.

The question was taken.

The SPEAKER. Thirty-five Members have arisen; not a sufficient number.

Mr. DOOLITTLE. Mr. Speaker, I demand the other side.

The other side was taken.

The SPEAKER. One hundred and ninety-one Members have arisen. Thirty-five is not a sufficient number, and the yeas and nays are refused. The question is on agreeing to the Gregg amendment.

The question was taken; and on a division (demanded by Mr. GREGG) there were 89 ayes and 143 noes.

Mr. GREGG. Mr. Speaker, I ask for tellers.

The question of ordering tellers was taken.

The SPEAKER. Nineteen Members have arisen, not a sufficient number, and tellers are refused.

So the amendment was rejected.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. DENT. Mr. Speaker, I offer the following motion to recommit.

Mr. GILLETT. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. GILLETT. Is the gentleman from Alabama opposed to the bill?

Mr. DENT. I am not opposed to the bill. I do not know of anybody that is opposed to the bill who desires to offer a motion to recommit, and under the rule I am entitled to offer it.

Mr. SAUNDERS of Virginia. I suggest that the gentleman from Alabama is qualified to offer it unless somebody who is opposed to the bill wishes to offer a motion to recommit.

The SPEAKER. The gentleman is correct. The Chair laid down the rule four or five years ago about motions to recommit; that in the first place it should go to somebody opposed to the bill; and second, that a member of the committee should have preference. Now, if there is any gentleman in the House who wishes to offer a motion to recommit who is opposed to the bill and will stand up and say so, the Chair will recognize him in preference to the gentleman from Alabama, otherwise the Chair recognizes the gentleman from Alabama.

The Clerk read as follows:

Mr. DENT moves to recommit the bill H. R. 12731 to the Committee on Military Affairs with instruction to report back the same immediately with the following amendment: Insert after the word "prescribe," in line 7, on page 2, of the printed bill, the following: "*Provided however*, That registrants who on the date fixed by the President for registration are of the age of 18 years and not over 19 years shall be designated as the 18 class and shall be drafted for service subsequent to registrants in class 1 of the age of 19 years and over 19 years."

Mr. DENT. On that I demand the previous question.

The SPEAKER. The question is on the motion to recommit.

Mr. DENT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 147, nays 194, answered "present" 1, not voting 88, as follows:

YEAS—147.

Alexander	Fairchild, B. L.	Larsen	Saunders, Va.
Almon	Fairfield	Lea, Cal.	Sears
Austin	Fields	Lee, Ga.	Sells
Ayres	Focht	Lesher	Shallenberger
Bankhead	Fuller, Ill.	Little	Sherwood
Barnhart	Gallivan	London	Sisson
Bell	Garland	McClintic	Small
Black	Garrett, Tenn.	McKenzie	Smith, Idaho
Blackmon	Godwin, N. C.	McKeown	Snook
Blanton	Good	Mason	Stafford
Bowers	Gordon	Meeker	Steagall
Brand	Graham, Ill.	Mondell	Stedman
Brodbeck	Green, Iowa	Montague	Stephens, Miss.
Burnett	Hamilton, Mich.	Moon	Stephens, Nebr.
Byrns, Tenn.	Hardy	Morgan	Sterling, Ill.
Campbell, Kans.	Hastings	Nicholls, S. C.	Sterling, Pa.
Carlin	Haugen	Norton	Taylor, Colo.
Cary	Hayden	Overmyer	Thomas
Chandler, N. Y.	Heaton	Overstreet	Thompson
Chandler, Okla.	Heflin	Park	Towner
Church	Helm	Porter	Van Dyke
Clark, Fla.	Helvering	Pou	Voigt
Claypool	Hersey	Price	Volstead
Collier	Hilliard	Rainey, H. T.	Walker
Connally, Tex.	Houston	Ramseyer	Walton
Cooper, W. Va.	Hull, Iowa	Rayburn	Watson, Va.
Cox	Hull, Tenn.	Reavis	Weaver
Crisp	Humphreys	Reed	Webb
Curry, Cal.	Johnson, Ky.	Robbins	Wheeler
Davis	Kehoe	Roberts	White, Ohio
Denison	Kelley, Mich.	Robinson	Williams
Dent	King	Rodenberg	Wilson, Ill.
Dewalt	Kinkaid	Romjue	Wood, Ind.
Dickinson	Kitchin	Rose	Woodyard
Doolittle	Kreider	Rubey	Wright
Doughton	La Follette	Rucker	Zihlman
Drane	Langley	Sanders, N. Y.	

NAYS—194.

Anderson	Estopinal	Key, Ohio	Raker
Anthony	Evans	Kiess, Pa.	Ramsey
Ashbrook	Fairchild, G. W.	Kincheloe	Rogers
Bacharach	Ferris	Knutson	Rouse
Baer	Fess	Kraus	Rowe
Beakes	Fisher	Lazaro	Sanders, Ind.
Beshlin	Flood	Lehlbach	Sanford
Bland, Ind.	Fordney	Lever	Scott, Mich.
Bland, Va.	Foster	Littlepage	Scott, Pa.
Brumbaugh	Francis	Lobeck	Scully
Buchanan	Freeman	Lonergan	Shouse
Burroughs	French	Longworth	Sims
Caldwell	Fuller, Mass.	Lufkin	Sinnott
Campbell, Pa.	Gallagher	Lunn	Slemp
Cannon	Gandy	McAndrews	Smith, Mich.
Cantrill	Gard	McArthur	Smith, C. B.
Carter, Mass.	Garner	McCulloch	Smith, T. F.
Clark, Pa.	Garrett, Tex.	McFadden	Snyder
Classon	Gillett	McLaughlin, Mich.	Steele
Cleary	Glass	McLaughlin, Pa.	Stiness
Coady	Glynn	McLemore	Strong
Cooper, Ohio	Goodall	Madden	Sullivan
Costello	Goodwin, Ark.	Magee	Sweet
Crago	Gould	Maher	Swift
Currie, Mich.	Gray, N. J.	Mansfield	Tague
Dale, N. Y.	Greene, Mass.	Mapes	Taylor, Ark.
Dale, Vt.	Greene, Vt.	Martin	Temple
Dallinger	Gregg	Merritt	Tillman
Darrow	Griest	Miller, Minn.	Tilson
Decker	Griffin	Miller, Wash.	Timberlake
Dempsey	Hadley	Moore, Pa.	Tinkham
Denton	Hamill	Moores, Ind.	Treadway
Dill	Hamilton, N. Y.	Morin	Vare
Dixon	Hamlin	Neely	Vestal
Donovan	Harrison, Va.	Nichols, Mich.	Waldow
Dooling	Haskell	Nolan	Walsh
Doremus	Hawley	Oldfield	Ward
Dowell	Holland	Oliver, N. Y.	Wason
Dunn	Husted	Olney	Watson, Pa.
Dupré	Hutchinson	Osborne	Welty
Dyer	Igoe	O'Shaunessy	Whaley
Eagan	Ireland	Paige	White, Me.
Eagle	James	Parker, N. J.	Wilson, La.
Edmonds	Johnson, Wash.	Parker, N. Y.	Wingo
Elliott	Kahn	Phelan	Winslow
Ellsworth	Kearns	Platt	Young, N. Dak.
Elston	Kennedy, Iowa	Polk	Young, Tex.
Emerson	Kennedy, R. I.	Purnell	
Esch	Kettner	Quin	

ANSWERED "PRESENT"—1.

Slayden

NOT VOTING—88.

Aswell	Caraway	Dillon	Hayes
Barkley	Carew	Dominick	Heintz
Booher	Carter, Okla.	Drukker	Hensley
Borland	Connelly, Kans.	Farr	Hicks
Britten	Cooper, Wis.	Flynn	Hollingsworth
Browne	Copley	Foss	Hood
Browning	Cramton	Frear	Howard
Butler	Crosser	Graham, Pa.	Huddleston
Byrnes, S. C.	Delaney	Gray, Ala.	Jacoway
Candler, Miss.	Dies	Harrison, Miss.	Johnson, S. Dak.
Jones	Mudd	Rowland	Stevenson
Juul	Nelson	Russell	Sumners
Keating	Oliver, Ala.	Sabath	Switzer
Kelly, Pa.	Padgett	Sanders, La.	Talbott
LaGuardia	Peters	Schall	Templeton
Linthicum	Powers	Scott, Iowa	Venable
Lundeen	Pratt	Shackleford	Vinson
McCormick	Ragsdale	Sherley	Watkins
McKinley	Rainey, J. W.	Siegel	Welling
Mann	Randall	Sloan	Wilson, Tex.
Mays	Rankin	Snell	Wise
Mott	Riordan	Steenerson	Woods, Iowa

So the motion to recommit was rejected.

The Clerk announced the following additional pairs:

Until further notice:

Mr. JOHN W. RAINEY with Mr. HAUGEN.

On this vote:

Mr. STEENERSON (to recommit) with Mr. SNELL (against).

Mr. STEVENSON (to recommit) with Mr. MOTT (against).

Mr. RAGSDALE (to recommit) with Mr. LINTHICUM (against).

Mr. RANDALL (to recommit) with Mr. SABATH (against).

Mr. BROWNE (to recommit) with Mr. BRITTEN (against).

Mr. HAYES (to recommit) with Mr. ASWELL (against).

Mr. SLAYDEN. Mr. Speaker, did the gentleman from Illinois [Mr. MCKINLEY] vote?

The SPEAKER. He is not recorded.

Mr. SLAYDEN. I desire to withdraw my vote of yea and answer "present," as I am paired with the gentleman.

The name of Mr. SLAYDEN was called, and he answered "Present."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. DENT. Mr. Speaker, on that motion I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken, and there were—yeas 336, nays 2, not voting 92, as follows:

YEAS—336.

Alexander	Dooling	Haskell	Magee
Almon	Doolittle	Hastings	Maher
Anderson	Doremus	Haugen	Mansfield
Anthony	Doughton	Hawley	Mapes
Ashbrook	Dowell	Hayden	Martin
Austin	Drane	Heaton	Mason
Ayres	Dunn	Heflin	Meeker
Bacharach	Dupré	Helm	Merritt
Bankhead	Dyer	Helvering	Miller, Minn.
Barnhart	Eagan	Hersey	Miller, Wash.
Beakes	Eagle	Hilliard	Mondell
Bell	Edmonds	Holland	Montague
Beshlin	Elliott	Houston	Moon
Blackmon	Ellsworth	Hull, Iowa	Moore, Pa.
Bland, Ind.	Elston	Hull, Tenn.	Moores, Ind.
Bland, Va.	Emerson	Humphreys	Morgan
Blanton	Esch	Husted	Morin
Bowers	Estopinal	Hutchinson	Neely
Brand	Evans	Igoe	Nicholls, S. C.
Brodbeck	Fairchild, B. L.	Ireland	Nichols, Mich.
Brumbaugh	Fairchild, G. W.	James	Nolan
Buchanan	Fairfield	Johnson, Ky.	Norton
Burnett	Ferris	Johnson, Wash.	Oldfield
Burroughs	Fess	Kahn	Oliver, N. Y.
Byrns, Tenn.	Fields	Kearns	Olney
Caldwell	Fisher	Kehoe	Osborne
Campbell, Kans.	Flood	Kelley, Mich.	O'Shaunessy
Campbell, Pa.	Focht	Kennedy, Iowa	Overmyer
Cannon	Fordney	Kennedy, R. I.	Overstreet
Cantrill	Foster	Kettner	Paige
Carlin	Francis	Key, Ohio	Park
Carter, Mass.	Freeman	Kiess, Pa.	Parker, N. J.
Cary	French	Kincheloe	Parker, N. Y.
Chandler, N. Y.	Fuller, Ill.	King	Phelan
Chandler, Okla.	Fuller, Mass.	Kinkaid	Platt
Clark, Fla.	Gallagher	Kitchin	Polk
Clark, Pa.	Gallivan	Knutson	Porter
Classon	Gandy	Kraus	Pou
Claypool	Gard	Kreider	Price
Cleary	Garland	La Follette	Purnell
Coady	Garner	Langley	Quin
Collier	Garrett, Tenn.	Larsen	Rainey, H. T.
Connally, Tex.	Garrett, Tex.	Lazaro	Rainey, J. W.
Cooper, Ohio	Gillett	Lea, Cal.	Raker
Cooper, W. Va.	Glass	Lee, Ga.	Ramsey
Costello	Glynn	Lehlbach	Ramseyer
Cox	Godwin, N. C.	Lesher	Reavis
Crago	Good	Lever	Reed
Crisp	Goodall	Little	Robbins
Currie, Mich.	Goodwin, Ark.	Littlepage	Roberts
Curry, Cal.	Gould	Lobeck	Robinson
Dale, N. Y.	Graham, Ill.	Lonergan	Rodenberg
Dale, Vt.	Gray, N. J.	Longworth	Rogers
Dallinger	Green, Iowa	Lufkin	Romjue
Darrow	Greene, Mass.	Lunn	Rose
Davis	Greene, Vt.	McAndrews	Rouse
Decker	Gregg	McArthur	Rowe
Dempsey	Griest	McClintic	Rubey
Denison	Griffin	McCulloch	Rucker
Dent	Hadley	McFadden	Sanders, Ind.
Denton	Hamill	McKenzie	Sanders, N. Y.
Dewalt	Hamilton, Mich.	McKeown	Sanford
Dickinson	Hamilton, N. Y.	McLaughlin, Mich.	Saunders, Va.
Dill	Hamlin	McLaughlin, Pa.	Scott, Mich.
Dixon	Hardy	McLemore	Scott, Pa.
Donovan	Harrison, Va.	Madden	Scully

Sears	Steagall	Tilson	Weaver
Sells	Stedman	Timberlake	Webb
Shallenberger	Steele	Tinkham	Welty
Sherwood	Stephens, Nebr.	Towner	Whaley
Shouse	Sterling, Ill.	Treadway	Wheeler
Sims	Sterling, Pa.	Van Dyke	White, Me.
Sinnott	Stiness	Vare	White, Ohio
Sisson	Strong	Vestal	Williams
Slayden	Sullivan	Voigt	Wilson, Ill.
Slemp	Sweet	Volstead	Wilson, La.
Small	Swift	Waldow	Wingo
Smith, Idaho	Tague	Walker	Winslow
Smith, Mich.	Taylor, Ark.	Walsh	Wood, Ind.
Smith, C. B.	Taylor, Colo.	Walton	Woodyard
Smith, T. F.	Temple	Ward	Wright
Snook	Thomas	Wason	Young, N. Dak.
Snyder	Thompson	Watson, Pa.	Young, Tex.
Stafford	Tillman	Watson, Va.	Zihlman

NAYS—2.

Gordon	London

NOT VOTING—92.

Aswell	Dillon	Kelly, Pa.	Sabath
Baer	Dominick	LaGuardia	Sanders, La.
Barkley	Drukker	Linthicum	Schall
Black	Farr	Lundeen	Scott, Iowa
Booher	Flynn	McCormick	Shackleford
Borland	Foss	McKinley	Sherley
Britten	Frear	Mann	Siegel
Browne	Graham, Pa.	Mays	Sloan
Browning	Gray, Ala.	Mott	Snell
Butler	Harrison, Miss.	Mudd	Steenerson
Byrnes, S. C.	Hayes	Nelson	Stephens, Miss.
Candler, Miss.	Heintz	Oliver, Ala.	Stevenson
Caraway	Hensley	Padgett	Sumners
Carew	Hicks	Peters	Switzer
Carter, Okla.	Hollingsworth	Powers	Talbott
Church	Hood	Pratt	Templeton
Connelly, Kans.	Howard	Ragsdale	Venable
Cooper, Wis.	Huddleston	Randall	Vinson
Copley	Jacoway	Rankin	Watkins
Cramton	Johnson, S. Dak.	Rayburn	Welling
Crosser	Jones	Riordan	Wilson, Tex.
Delaney	Juul	Rowland	Wise
Dies	Keating	Russell	Woods, Iowa

So the bill was passed.

The Clerk announced the following additional pairs:

On this vote:

Mr. BLACK with Mr. COPLEY.

Mr. CARTER of Oklahoma with Mr. STEENERSON.

Mr. CHURCH with Mr. BAER.

Mr. SUMNERS with Mr. PRATT.

Mr. KEATING with Mr. BROWNE.

Mr. VINSON with Mr. HAYES.

The result of the vote was announced as above recorded.

Mr. GILLETT. Mr. Speaker, Mr. SNELL and Mr. MOTT, of New York, and Mr. BRITTEN, of Illinois, have telegraphed that it is impossible for them to be here, but if here they would vote in favor of the bill.

Mr. SLAYDEN. Mr. Speaker, I desire to make an announcement. I am paired with Mr. MCKINLEY, of Illinois, who did not vote, but I have been reliably informed that if present he would vote for the bill, and therefore I let my vote stand. I voted in favor of the passage of the bill.

On motion of Mr. DENT, a motion to reconsider the vote by which the bill was passed was laid upon the table.

LEAVE TO PRINT.

Mr. DENT. Mr. Speaker, I ask unanimous consent that all Members have five legislative days in which to extend their remarks on the subject matter of the bill just passed.

The SPEAKER. The gentleman from Alabama asks that all gentlemen be permitted within five legislative days to extend their remarks on this bill. Is there objection? [After a pause.] The Chair hears none.

ORDER OF BUSINESS ON MONDAY.

Mr. SIMS. Mr. Speaker, I wish to state that next Monday is District day, and therefore the water-power bill will not be taken up.

LEAVE TO ADDRESS THE HOUSE.

Mr. HAMLIN. Mr. Speaker, I ask unanimous consent that on next Tuesday, after the reading of the Journal and disposition of business on the Speaker's table, I be permitted to address the House for 30 minutes.

The SPEAKER. The gentleman from Missouri asks unanimous consent that next Tuesday, after the reading of the Journal and disposition of the business on the Speaker's table, he be permitted to address the House for 30 minutes. Is there objection?

Mr. MADDEN. Mr. Speaker, I would like to ask at the same time that I be permitted, at the close of the remarks of the gentleman from Missouri, to address the House for 20 minutes on the relation of Government commissions to the business public of the United States.

The SPEAKER. The gentleman from Illinois [Mr. MADDEN] asks that on next Tuesday, after the gentleman from Missouri [Mr. HAMLIN] concludes, and if he gets permission to make a speech, that he be permitted to proceed for 20 minutes on the subject of the relation of Government commissions to the business public of the United States. Is there objection to the request of the gentleman from Missouri [Mr. HAMLIN]?

Mr. GILLETT. Mr. Speaker, reserving the right to object, I would like to ask the subject on which the gentleman intends to speak.

Mr. HAMLIN. I want to address the House on the subject of the character and patriotism of the membership of this House.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Is there objection to the request of the gentleman from Illinois [Mr. MADDEN]? [After a pause.] The Chair hears none.

EXTENSION OF REMARKS.

Mr. EMERSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a speech made by Representative KAHN, of California, at Cleveland, Ohio, on July 27, 1918.

Mr. LANGLEY. On what subject?

Mr. EMERSON. On patriotism and matters of that kind.

The SPEAKER. Is there objection to the request of the gentleman from Ohio? [After a pause.] The Chair hears none.

CORRECTION OF PAIRS.

Mr. CHANDLER of New York. Mr. Speaker, I wish to have the RECORD corrected. Both the gentleman from New York, Mr. CALDWELL, and I have discovered that we were paired, seemingly against each other, though we favored the increase in the postal employees' salary. I ask unanimous consent to have the RECORD corrected to show that Mr. CALDWELL and I both favored the increase in salary.

Mr. GARNER. Mr. Speaker, reserving the right to object, that is one of these pairs that go into the RECORD without the consent of the Members, and I desire to again call the Speaker's attention to the fact that he promised some time ago that he would write a letter or give directions that this should not occur again. Here is one of these universal pairs put up by the gentleman from New York, Mr. CALDWELL, and the gentleman from New York, Mr. CHANDLER, on the opposite side. Now, I insist that this matter ought to be corrected, because it is putting gentlemen in a wrong attitude. It is poor business and ought to be stopped, and I do hope the Speaker will give directions accordingly.

The SPEAKER. The Chair doubts very much whether he has the right to do it or not. I have announced here three or four times, and will announce again, that neither the House nor the Speaker has anything to do with this pair business. It is an excrescence that has grown up on the body politic. If gentlemen want to find out the philosophy of the thing, they ought to read Benton's Thirty Years in Congress.

Mr. GARNER. I ask unanimous consent that in the future no pairs be put up unless signed by the Members.

The SPEAKER. The gentleman asks unanimous consent that in the future no pairs be put up unless actually signed by the Members.

Mr. LANGLEY. Reserving the right to object, suppose some gentleman would wire here in order to get a pair?

The SPEAKER. I do not know.

Mr. LANGLEY. I object.

Mr. MADDEN. Mr. Speaker, in the case of Mr. CHANDLER of New York and Mr. CALDWELL, I happen to know from conversation that they were both in favor of the legislation on which they were paired.

The SPEAKER. Without objection the request of the gentleman from New York [Mr. CHANDLER] will be granted.

There was no objection.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 4527. An act to authorize the payment of indemnities to the Government of Greece for injuries inflicted on its nationals during riots occurring in South Omaha, Nebr., February 21, 1909.

ADJOURNMENT.

Mr. DENT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 4 minutes p. m.) the House adjourned until Monday, August 26, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of the Navy, transmitting a proposed draft of a bill to give warrant officers on shore duty beyond the continental limits of the United

States the same pay as they now receive while on sea duty (H. Doc. No. 1263), was taken from the Speaker's table, referred to the Committee on Naval Affairs, and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. CLARK of Florida: A bill (H. R. 12812) to provide further for the national security and defense by authorizing the President to control rental charges in certain areas, and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. WALDOW: A bill (H. R. 12813) prohibiting the advertisement by mail and the interstate shipment of firearms except for authorized and lawful use; to the Committee on the Post Office and Post Roads.

By Mr. BLAND of Indiana: A bill (H. R. 12814) increasing rates of certain pensions under the general law; to the Committee on Pensions.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRODBECK: A bill (H. R. 12815) to correct the military record of Daniel M. Witmyer; to the Committee on Military Affairs.

By Mr. WHITE of Ohio: A bill (H. R. 12816) for the relief of William Fouts; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALEXANDER: Petition of the Methodist Episcopal Churches of Mount Moriah, Akron, and Glaxe, in Harrison County, Mo., for legislation prohibiting the manufacture and sale of intoxicating liquors for the period of the war and demobilization; to the Committee on the Judiciary.

By Mr. ANTHONY: Petition of D. R. Taggart and others favoring a bill to provide for the substitution of the oath required of enlisted men for the oath required of officers; to the Committee on Military Affairs.

By Mr. BACHARACH: Petition of the Pemberton (N. J.) Methodist Episcopal Church in re war-time prohibition; to the Committee on the Judiciary.

By Mr. BRODBECK: Petitions favoring war-time prohibition by the following organizations in the State of Pennsylvania: Trinity Reformed Church, Glen Rock, 44 signatures; Christ Lutheran Church, of Gettysburg, 67 signatures; Bethany Reformed Church, of York, 87 signatures; St. Stephen's Reformed Church, of York, 35 signatures; Emmanuel Reformed Church, of York, 31 names; the Womans Christian Temperance Union, of Gettysburg, 38 signatures; 90 citizens of New Freedom and Shrewsbury; and the Canandochly Reformed Church, York, 62 signatures; to the Committee on the Judiciary.

By Mr. CURRIE of Michigan: Petition of Rev. George A. Beacock and various other citizens of Bay City, Mich., requesting the enactment of a law providing for absolute prohibition of liquor traffic during the period of the war; to the Committee on the Judiciary.

By Mr. DALE of New York: Resolution of the American Federation of Labor indorsing the McKellar-Keating bill to provide retirement for superannuated Government employees; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the American Federation of Labor favoring the passage of the McKellar-Keating bill to retire superannuated Government employees; to the Committee on Interstate and Foreign Commerce.

By Mr. ESCH: Memorial of the American Federation of Labor urging the passage of the McKellar-Keating bill to provide for the retirement of superannuated Government employees; to the Committee on Interstate and Foreign Commerce.

By Mr. FULLER of Illinois: Petition of the Haddoeff Piano Co., of Rockford, Ill., concerning the proposed tax on denatured alcohol; to the Committee on Ways and Means.

By Mr. HUTCHINSON: Letter from Rev. Paul Martin, registrar and secretary to the faculty of the Theological Seminary of the Presbyterian Church of Princeton, N. J., expressing interest in and favoring the passage of war-time prohibition; to the Committee on the Judiciary.

By Mr. HENRY T. RAINEY: Petition of J. E. Herbert and 25 other citizens of Chapin, Ill., favoring war-time prohibition; to the Committee on the Judiciary.

By Mr. SANDERS of New York: Petition of citizens of Chili, Monroe County, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of members of Baptist Church, Cowlesville, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

By Mr. SNELL: Petition of 1,500 citizens of Canton, N. Y., favoring national war-time prohibition; to the Committee on the Judiciary.

By Mr. TILSON: Petition of G. Clifford Foote and others in favor of war-time prohibition; to the Committee on the Judiciary.

By Mr. TOWNER: Petition of ministers and churches of Seymour, Iowa, asking for the passage of a prohibitory law; to the Committee on the Judiciary.

By Mr. YOUNG of North Dakota: Petition of Rev. A. E. Hull and 60 other residents of Cavalier, N. Dak., urging the enactment of war-time prohibition; to the Committee on the Judiciary.